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PRESS RELEASE

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OROVILLE MAN DECLARED TO BE A SEXUALLY VIOLENT PREDATOR COMMITTED TO INDETERMINATE TERM IN STATE HOSPITAL

A 50-year-old former Oroville man was committed to a state mental hospital for an indeterminate term yesterday as a sexually violent predator. David Canto Martinez was found to be a sexually violent predator during a court trial yesterday by Judge Sandra McLean. He was the third such Butte County predator to be committed under the state initiative known as "Jessica's Law" according to Butte County District Attorney Mike Ramsey.

The District Attorney's Office had filed a petition to declare Martinez a Sexually Violent Predator in 2006 as he was preparing to be released from state prison on a previous 2003 child molest conviction. Pursuant to statute, two psychologists evaluated Martinez to see if he met the statutory criteria as a sexually violent predator. They concluded he did. Martinez was then entitled to hire another mental health expert to examine him for further evaluation. This psychologist disputed the other doctors' opinion that Martinez could not be safely treated while released in the community. Due to the fact that Mr. Martinez committed crimes in the 70's, 80's, 90's and 2003, his amenability to treatment was highly in doubt, Ramsey said. Martinez also had a 40-year alcohol problem which convinced the judge he could not be placed safely back into the community.

Judge McLean, after hearing testimony of the three psychiatrists found Martinez met the statutory criteria to be deemed a sexually violent predator because he: (1) had been convicted of a sexually violent offense against one or more victims; (2) has a currently diagnosed mental disorder that predisposed him to the commission of criminal sexual acts; and (3) is likely to engage in sexually violent predatory criminal behavior as a result of his diagnosed mental disorder without appropriate treatment and custody.

Ramsey noted that the Martinez indeterminate commitment will continue until such time as Martinez can convince state doctors that his dangerousness to the community has lessened to such a degree that he could be safely released.