

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA
MARTINEZ**



THE PEOPLE OF THE STATE OF CALIFORNIA,
Plaintiff,

v.

MARK LEWIS HINTON,
dob 02/19/1982;
Defendant.

Docket: 01-23-00045
DA No: 0131052004

~~SECOND~~ AMENDED INFORMATION -
FELONY

Count 1) PC209(b)(1)
Count 2) PC261(a)(2)
Count 3) PC287(c)(2)(A)
Count 4) PC286(c)(2)(A)
Count 5) PC273.5(a)
Count 6) PC245(a)(4)
Count 7) PC261(a)(2)
Count 8) PC287(c)(2)(A)
Count 9) PC422(a)
Count 10) PC273.5(a)
Count 11) PC207(a)
Count 12) PC245(a)(4)
Count 13) PC236/237

COUNT 1 – KIDNAPPING TO COMMIT ANOTHER CRIME

The undersigned states, on information and belief, that Mark Lewis Hinton, Defendant, did commit a Felony, a violation of PC209(b)(1), Kidnapping To Commit Another Crime, committed as follows:

On or about September 3, 2022, in the County of Contra Costa, State of California, the crime of Kidnapping To Commit Another Crime in violation of PC209(b)(1), a Felony, was committed in that MARK LEWIS HINTON did unlawfully kidnap and carry away JANE DOE #1 to commit oral copulation, rape and sodomy.

COUNT 2 – FORCIBLE RAPE

The undersigned states, on information and belief, that Mark Lewis Hinton, Defendant, did commit a Felony, a violation of PC261(a)(2), Forcible Rape, committed as follows:

On or about September 3, 2022, in the County of Contra Costa, State of California, the crime of Forcible Rape in violation of PC261(a)(2), a Felony, was committed in that MARK LEWIS HINTON did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, JANE DOE #1, not his/her spouse,

against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another.

ENHANCEMENT 1

It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to defendant, MARK LEWIS HINTON, as to Count listed above that the following circumstances apply: the defendant has been previously convicted of an offense specified in subdivision (c) of Penal Code section 667.61, including an offense committed in another jurisdiction that includes all of the elements of an offense specified in subdivision (c) of Penal Code section 667.61.

Statute	Charge	S	Off. Date	Sent. Date	Court #	Jurisdiction
	PC 261(a)(2) FORCIBLE RAPE	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa
	PC 286(c)(2) SODOMY BY USE OF FORCE	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa
	PC 288a(c)(2) FORCIBLE ORAL COPULATION	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa

ENHANCEMENT 2

It is further alleged as to Count listed above that the defendant, MARK LEWIS HINTON, for the purpose of committing the above sexual offense, kidnapped the victim in violation of Penal Code section 207 within the meaning of Penal Code section 667.8(a).

COUNT 3 – FORCIBLE ORAL COPULATION

The undersigned states, on information and belief, that Mark Lewis Hinton, Defendant, did commit a Felony, a violation of PC287(c)(2)(A), Forcible Oral Copulation, committed as follows:

On or about September 3, 2022, in the County of Contra Costa, State of California, the crime of Forcible Oral Copulation in violation of PC287(c)(2)(A), a Felony, was committed in that MARK LEWIS HINTON did unlawfully participate in an act of oral copulation with JANE DOE #1 and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another.

ENHANCEMENT 1

It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to defendant, MARK LEWIS HINTON, as to Count listed above that the following circumstances apply: the defendant has been previously convicted of an offense specified in subdivision (c) of Penal Code section 667.61, including an offense committed in another jurisdiction that includes all of the elements of an offense specified in subdivision (c) of Penal Code section 667.61.

Statute	Charge	S	Off. Date	Sent. Date	Court #	Jurisdiction
	PC 261(a)(2) FORCIBLE RAPE	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa
	PC 286(c)(2) SODOMY BY USE OF FORCE	F	09-10-2008	06-13-2011	05-	Contra

Statute	Charge	S	Off. Date	Sent. Date	Court #	Jurisdiction
					090445-8	Costa
	PC 288a(c)(2) FORCIBLE ORAL COPULATION	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa

ENHANCEMENT 2

It is further alleged as to Count listed above that the defendant, MARK LEWIS HINTON, for the purpose of committing the above sexual offense, kidnapped the victim in violation of Penal Code section 207 within the meaning of Penal Code section 667.8(a).

COUNT 4 – SODOMY BY USE OF FORCE

The undersigned states, on information and belief, that Mark Lewis Hinton, Defendant, did commit a Felony, a violation of PC286(c)(2)(A), Sodomy By Use Of Force, committed as follows:

On or about September 3, 2022, in the County of Contra Costa, State of California, the crime of Sodomy By Use Of Force in violation of PC286(c)(2)(A), a Felony, was committed in that MARK LEWIS HINTON did unlawfully participate in an act of sodomy with JANE DOE #1, and did accomplish said act against said victim's will by force, violence, duress, menace and fear of immediate and unlawful bodily injury to said victim and to another.

ENHANCEMENT 1

It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to defendant, MARK LEWIS HINTON, as to Count listed above that the following circumstances apply: the defendant has been previously convicted of an offense specified in subdivision (c) of Penal Code section 667.61, including an offense committed in another jurisdiction that includes all of the elements of an offense specified in subdivision (c) of Penal Code section 667.61.

Statute	Charge	S	Off. Date	Sent. Date	Court #	Jurisdiction
	PC 261(a)(2) FORCIBLE RAPE	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa
	PC 286(c)(2) SODOMY BY USE OF FORCE	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa
	PC 288a(c)(2) FORCIBLE ORAL COPULATION	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa

ENHANCEMENT 2

It is further alleged as to Count listed above that the defendant, MARK LEWIS HINTON, for the purpose of committing the above sexual offense, kidnapped the victim in violation of Penal Code section 207 within the meaning of Penal Code section 667.8(a).

COUNT 5 – INJURING A SPOUSE, COHABITANT, FIANCÉ(E), PERSON WITH A PAST OR PRESENT DATING RELATIONSHIP, OR CHILD'S PARENT

The undersigned states, on information and belief, that Mark Lewis Hinton, Defendant, did commit a Felony, a violation of PC273.5(a), Injuring A Spouse, Cohabitant, Fiancé(e), Person with a Past or Present Dating Relationship, Or Child's Parent, committed as follows:

On or about September 3, 2022, in the County of Contra Costa, State of California, the crime of Injuring A Spouse, Cohabitant, Fiancé(e), Person with a Past or Present Dating Relationship, Or Child's Parent in violation of PC273.5(a), a Felony, was committed in that MARK LEWIS HINTON willfully inflicted corporal injury resulting in a traumatic condition upon JANE DOE #1, who was someone with whom the defendant had a past or present dating relationship .

COUNT 6 – ASSAULT BY MEANS LIKELY TO PRODUCE GREAT BODILY INJURY

The undersigned states, on information and belief, that Mark Lewis Hinton, Defendant, did commit a Felony, a violation of PC245(a)(4), Assault By Means Likely To Produce Great Bodily Injury, committed as follows:

On or about September 3, 2022, in the County of Contra Costa, State of California, the crime of Assault By Means Likely To Produce Great Bodily Injury in violation of PC245(a)(4), a Felony, was committed in that MARK LEWIS HINTON did willfully and unlawfully commit an assault on JANE DOE #1 by means of force likely to produce great bodily injury.

COUNT 7 – FORCIBLE RAPE

The undersigned states, on information and belief, that Mark Lewis Hinton, Defendant, did commit a Felony, a violation of PC261(a)(2), Forcible Rape, committed as follows:

On or about December 30, 2022, in the County of Contra Costa, State of California, the crime of Forcible Rape in violation of PC261(a)(2), a Felony, was committed in that MARK LEWIS HINTON did unlawfully have and accomplish an act of sexual intercourse with a person, to wit, JANE DOE #2, not his/her spouse, against said person's will, by means of force, violence, duress, menace and fear of immediate and unlawful bodily injury on said person and another.

ENHANCEMENT 1

PC667.61(a)/(D): Special Allegation-Sex Crimes - Aggravated Circumstances

It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to defendant, MARK LEWIS HINTON, as to Count listed above that the following circumstances apply: the defendant has been previously convicted of an offense specified in subdivision (c) of Penal Code section 667.61, including an offense committed in another jurisdiction that includes all of the elements of an offense specified in subdivision (c) of Penal Code section 667.61.

Statute	Charge	S	Off. Date	Sent. Date	Court #	Jurisdiction
	PC 261(a)(2) FORCIBLE RAPE	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa
	PC 286(c)(2) SODOMY BY USE OF FORCE	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa
	PC 288a(c)(2) FORCIBLE ORAL	F	09-10-2008	06-13-2011	05-	Contra

Statute	Charge	S	Off. Date	Sent. Date	Court #	Jurisdiction
	COPULATION				090445-8	Costa

COUNT 8 – FORCIBLE ORAL COPULATION

The undersigned states, on information and belief, that Mark Lewis Hinton, Defendant, did commit a Felony, a violation of PC287(c)(2)(A), Forcible Oral Copulation, committed as follows:

On or about December 30, 2022, in the County of Contra Costa, State of California, the crime of Forcible Oral Copulation in violation of PC287(c)(2)(A), a Felony, was committed in that MARK LEWIS HINTON did unlawfully participate in an act of oral copulation with JANE DOE #2 and did accomplish said act against said victim's will by force, violence, duress, menace, and fear of immediate and unlawful bodily injury to said victim and to another.

ENHANCEMENT 1

PC667.61(a)/(D): Special Allegation-Sex Crimes - Aggravated Circumstances

It is further alleged, within the meaning of Penal Code sections 667.61(a) and (d), as to defendant, MARK LEWIS HINTON, as to Count listed above that the following circumstances apply: the defendant has been previously convicted of an offense specified in subdivision (c) of Penal Code section 667.61, including an offense committed in another jurisdiction that includes all of the elements of an offense specified in subdivision (c) of Penal Code section 667.61.

Statute	Charge	S	Off. Date	Sent. Date	Court #	Jurisdiction
	PC 261(a)(2) FORCIBLE RAPE	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa
	PC 286(c)(2) SODOMY BY USE OF FORCE	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa
	PC 288a(c)(2) FORCIBLE ORAL COPULATION	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa

COUNT 9 – CRIMINAL THREATS

The undersigned states, on information and belief, that Mark Lewis Hinton, Defendant, did commit a Felony, a violation of PC422(a), Criminal Threats, committed as follows:

On or between December 16, 2022 and December 30, 2022, in the County of Contra Costa, State of California, the crime of Criminal Threats in violation of PC422(a), a Felony, was committed in that MARK LEWIS HINTON did willfully and unlawfully threaten to commit a crime which would result in death and great bodily injury to JANE DOE #2, with the specific intent that the statement be taken as a threat. It is further alleged that the threatened crime, on its face and under the circumstances in which it was made, was so unequivocal, unconditional, immediate and specific as to convey to JANE DOE #2 a gravity of purpose and an immediate prospect of execution. It is further alleged that the said JANE DOE #2 was reasonably in sustained fear of his/her safety and the safety of his/her immediate family.

ENHANCEMENT 1

PC12022(b)(1): Special Allegation-Use Of Deadly Weapon

It is further alleged as to Count listed above that in the commission and attempted commission of the above offense, the said defendant, MARK LEWIS HINTON, personally used a deadly and dangerous weapon(s), to wit, Knife, said use not being an element of the above offense, within the meaning of Penal Code Section 12022(b)(1) and causing the above offense to be a serious felony within the meaning of Penal Code section 1192.7(c)(23).

COUNT 10 – INJURING A SPOUSE, COHABITANT, FIANCÉ(E), PERSON WITH A PAST OR PRESENT DATING RELATIONSHIP, OR CHILD'S PARENT

The undersigned states, on information and belief, that Mark Lewis Hinton, Defendant, did commit a Felony, a violation of PC273.5(a), Injuring A Spouse, Cohabitant, Fiancé(e), Person with a Past or Present Dating Relationship, Or Child's Parent, committed as follows:

On or about December 28, 2022, in the County of Contra Costa, State of California, the crime of Injuring A Spouse, Cohabitant, Fiancé(e), Person with a Past or Present Dating Relationship, Or Child's Parent in violation of PC273.5(a), a Felony, was committed in that MARK LEWIS HINTON willfully inflicted corporal injury resulting in a traumatic condition upon JANE DOE #2, who was someone with whom the defendant had a past or present dating relationship .

ENHANCEMENT 1**PC12022.7(e): Special Allegation - GBI - Domestic Violence**

It is further alleged, within the meaning of Penal Code section 12022.7(e), as to Count listed above that in the commission of the above offense, the said defendant MARK LEWIS HINTON, personally inflicted great bodily injury upon JANE DOE #2, under circumstances involving domestic violence and also causing the above offense to become a serious felony within the meaning of Penal Code Section 1192.7(c)(8) and a violent felony within the meaning of Penal Code Section 667.5(c)(8).

COUNT 11 – KIDNAPPING

The undersigned states, on information and belief, that Mark Lewis Hinton, Defendant, did commit a Felony, a violation of PC207(a), Kidnapping, committed as follows:

On or about December 29, 2022, in the County of Contra Costa, State of California, the crime of Kidnapping in violation of PC207(a), a Felony, was committed in that MARK LEWIS HINTON did unlawfully, forcibly and by instilling fear, steal, take, hold, detain and arrest JANE DOE #2 in Contra Costa County, California, and did take the said JANE DOE #2 into another country, state, county and another part of Contra Costa County.

COUNT 12 – ASSAULT BY MEANS LIKELY TO PRODUCE GREAT BODILY INJURY

The undersigned states, on information and belief, that Mark Lewis Hinton, Defendant, did commit a Felony, a violation of PC245(a)(4), Assault By Means Likely To Produce Great Bodily Injury, committed as follows:

On or about December 29, 2022, in the County of Contra Costa, State of California, the crime of Assault By Means Likely To Produce Great Bodily Injury in violation of PC245(a)(4), a Felony, was committed in that MARK LEWIS HINTON did willfully and unlawfully commit an assault on JANE DOE #2 by means of force likely to produce great bodily injury.

COUNT 13 – FALSE IMPRISONMENT BY VIOLENCE

The undersigned states, on information and belief, that Mark Lewis Hinton, Defendant, did commit a Felony, a violation of PC236/237, False Imprisonment By Violence, committed as follows:

On or about December 30, 2022, in the County of Contra Costa, State of California, the crime of False Imprisonment By Violence in violation of PC236/237, a Felony, was committed in that MARK LEWIS HINTON did unlawfully violate the personal liberty of JANE DOE #2, said violation being effected by violence, menace, fraud, and deceit.

SPECIAL ALLEGATION - SERIOUS OR VIOLENT FELONY PRIOR

It is further alleged pursuant to Penal Code sections 667(d) and (e), and Penal Code sections 1170.12(b) and (c) that prior to the commission of that offense or offenses alleged in as to Counts listed above, MARK LEWIS HINTON had been convicted of the following serious and/or violent felony:

Statute	Charge	S	Off. Date	Sent. Date	Court #	Jurisdiction
	PC 261(a)(2) FORCIBLE RAPE	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa

SPECIAL ALLEGATION - SERIOUS OR VIOLENT FELONY PRIOR

It is further alleged pursuant to Penal Code sections 667(d) and (e), and Penal Code sections 1170.12(b) and (c) that prior to the commission of that offense or offenses alleged in as to Counts listed above, MARK LEWIS HINTON had been convicted of the following serious and/or violent felony:

Statute	Charge	S	Off. Date	Sent. Date	Court #	Jurisdiction
	PC 286(c)(2) SODOMY BY USE OF FORCE	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa

SPECIAL ALLEGATION - SERIOUS OR VIOLENT FELONY PRIOR

It is further alleged pursuant to Penal Code sections 667(d) and (e), and Penal Code sections 1170.12(b) and (c) that prior to the commission of that offense or offenses alleged in as to Counts listed above, MARK LEWIS HINTON had been convicted of the following serious and/or violent felony:

Statute	Charge	S	Off. Date	Sent. Date	Court #	Jurisdiction
	PC 288a(c)(2) FORCIBLE ORAL COPULATION	F	09-10-2008	06-13-2011	05-090445-8	Contra Costa

AGGRAVATED CIRCUMSTANCES - CRIME

It is further alleged, within the meaning of California Rules of Court Section 4.421(a), as to defendant, that the following aggravated circumstances apply to the crimes alleged:

- (1) The crime involved great violence, great bodily harm, threat of great bodily harm, or other acts disclosing a high degree of cruelty, viciousness, or callousness; and/or
- (2) The defendant was armed with or used a weapon at the time of the commission of the crime; and/or
- (3) The victim was particularly vulnerable; and/or
- (11) The defendant took advantage of a position of trust or confidence to commit the offense.

AGGRAVATED CIRCUMSTANCES - DEFENDANT

It is further alleged, within the meaning of California Rules of Court Section 4.421(b), as to defendant, that the following aggravated circumstances apply to the Defendant charged:

- (1) The defendant has engaged in violent conduct that indicates a serious danger to society; and/or
- (2) The defendant has served a prior term in prison or county jail under section 1170(h); and/or
- (3) The defendant was on probation, mandatory supervision, postrelease community supervision, or parole when the crime was committed; and/or
- (4) The defendant's prior convictions as an adult or sustained petitions in juvenile delinquency proceedings are numerous or of increasing seriousness; and/or
- (5) The defendant's prior performance on probation, mandatory supervision, postrelease community supervision, or parole was unsatisfactory.

Complainant requests that the Defendant[s] be dealt with according to the law.

Dated: July 2, 2025, at Martinez, California

DIANA BECTON
District Attorney



Danielle M Brown
Deputy District Attorney
DB/db