# CONFIDENTIAL

**SUPERIOR COURT OF CALIFORNIA**
**COUNTY OF SAN LUIS OBISPO**

**IN THE MATTER OF:**

**PRE-SENTENCE**
**REPORT OF PROBATION OFFICER**

FLORES, PAUL RUBEN

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| **DOB/AGE** | 10-22-76; 46 | **PROB. #** | P114615 | **COURT NO.** | 22CR003712 |
| **ADDRESS:** | [redacted] | | | **DA#** | 079-662557 |
| | | | | **COURT DATE** | 03/10/2023 |
| | | | | **TIME** | 09:00 AM |
| **ATTORNEY** | Robert Sanger | | | **DEPARTMENT** | Salinas Dept 4 |
| **D.D.A.** | Eric Dobroth/Chris Peuvrelle | | | | |

**RESIDENCE**

The defendant is a lifetime resident of California and has resided at the above address for 10 years.

**CHARGE**

Count 1: PC 187(a), first degree murder, felony

Crime committed on or about 05/25/1996, Complaint filed 04/14/2021, Information filed 10/05/2021, defendant found guilty by jury verdict on 10/18/2022; referred to the San Luis Obispo County Probation Department for a Pre-Sentence Investigation Report pursuant to PC 29810(c).

**DNA COLLECTED PURSUANT TO PC 296**

Requires collection.

**CUSTODY STATUS/CREDITS**

Status: in custody

Credits: 606 total days; 606 actual days, 0 conduct credits (04/13/2021-12/09/2022)

*Pursuant to PC 2933.2(a), "... any person who is convicted of murder, as defined in Section 187, shall not accrue any credit, as specified in Section 2933 or Section 2933.05. Additionally, pursuant to PC 2933.2(c), "... no credit pursuant to Section 4019 may be earned against a period of confinement in, or commitment to, a county jail, industrial farm, or road camp, or a city jail, industrial farm, or road camp, following arrest for any person specified in subdivision (a)."*

**EDUCATION**

The defendant attended Catholic school during his elementary school years and entered public school when he was in junior high. During high school, his family relocated from Torrance, California to Arroyo Grande, and he graduated from Arroyo Grande High School in 1995. He reported that during high school, he participated in auto shop, woodshop, and Future Farmers of America (FFA). He attended California Polytechnic (Cal Poly) State University, San Luis Obispo for approximately 1 year majoring in food science; however, he exited Cal Poly prior to earning any degrees. He then attended Los Angeles Harbor College where he earned an Associate

of Arts degree in Liberal Studies and an Associate of Science degree in Business. While in college, he also studied furniture making and cabinetry. He also attended Cal State Dominguez Hills, Carson and reported that he was approximately four classes shy of obtaining his Bachelor of Science degree in Business.

It should be noted that during the interview process, the defendant was asked if he had ever been suspended or expelled from school, to which he responded in the negative; however, during the execution of a search warrant, San Luis Obispo Sheriff's Deputies discovered several notices of school suspensions for the defendant.

## EMPLOYMENT/FINANCIAL

Prior to the defendant's current incarceration, he worked for Jyve Corporation which connects skilled workers to small company brands that need to be stocked and displayed in stores. His employment experience also includes working in a warehouse for a meal prep delivery service, working for a moving company, and he also worked for Coca Cola for five years. He stated that during his employment with Coca Cola, his income was enough to allow him to purchase his current residence in San Pedro, CA.

The defendant reported that there is a lien on his home for legal fees and he owes over $200,000.00 in debt. He relayed that he has no retirement fund, the 1960 four door Bel Air that he owns is a salvaged title and he relinquished ownership of his 1956 GMC truck, which does not run, over to his mother. He has been incarcerated for over one year and has no source of income. He denied having any other assets or property.

## MILITARY SERVICE

Never served.

## PRIOR RECORD

Juvenile Adjudications: None

Adult Convictions:

1. 05/12/00: VC 23152(b)-M; probation, jail. 05/08/02: probation modified, 240 days jail. Santa Barbara #1023085
2. 02/27/07: VC 23152(b)-F; 4 years probation, 180 days jail. ***06/13/13: conviction set aside and dismissed per PC 1203.4.*** Los Angeles Torrance #XSWYA06413801
3. 05/12/10: VC 14601.1(a)-M; 3 years probation. Torrence #SBA9SY0940201
4. 09/09/14: VC 23152(a)-M; 48 months probation, 30 days jail. Long Beach #LB 4LT0061001
5. 10/15/15: VC 23152(b)-M (Count 3), VC 14601.2(a)-M (Count 4); 5 years probation, 150 days jail as to Count 3, 3 years probation, 10 days jail as to Count 4. Torrance #SBA5SY0543301
6. 04/15/16: PC 647(f)-M; 3 years probation, imposition of sentence suspended. Long Beach #LB 6LB0146801

## ALCOHOL/DRUG USE

The defendant reported that he started consuming alcohol when he was between 17 and 18 years old. He relayed that his drinking habits have varied and stated that he primarily consumed alcohol socially and would, on occasion, drink excessively. He acknowledged that alcohol has been a problem for him in the past, which resulted in his alcohol related arrests and convictions. He denied the abuse of any illicit substances or prescription medications.

## MEDICAL/PSYCHOLOGICAL

The defendant denied any history of mental illness. He reported that he currently has a hernia and denied any other current medical ailments.

## MARITAL STATUS/DEPENDENTS

The defendant has never married, nor has he fathered any children.

## FAMILY HISTORY

The defendant was born in Torrance, CA where his parents raised him and his older sister, Ermalinda Thomas (age 48). His parents' marriage remained intact until the defendant was in college. Although his parents divorced, they have maintained an amicable relationship. The defendant reported that his father, Ruben Flores, worked for GTE for 40 years before retiring. His mother, Susan Flores, worked for continuation schools as a teacher's aide where she primarily worked with children with health conditions or impairments. The defendant described his relationship with both his parents as being very close and supportive. He has maintained a close relationship with his older sister, and had been actively involved in the lives of his niece (age 8) and nephew (age 10) prior to his current incarceration. The defendant also discussed how he was an avid dog owner during his youth and as an adult. He had 4 golden retrievers growing up in Arroyo Grande and prior to his arrest, he owned dogs that he rescued from the shelter. He reported that shortly after his arrest in this matter, someone had broken into his residence and assaulted his dog. The defendant denied any family history of physical, emotional, or sexual abuse or criminality.

## POLICE REPORT

The following is a summary of the San Luis Obispo Sheriff's Office report and supplement reports #9606-10965 and #200201619, and Cal Poly University Police Report #96-1308:

In May 1996, Paul Flores was a freshman at California Polytechnic (Cal Poly) University, San Luis Obispo, and lived in the Santa Lucia dormitory, Room 128. Kristin Smart was a freshman at Cal Poly, and she lived in the Muir dormitory, room 120. On 05/24/1996 (Memorial Day Weekend), Kristin attended a party at 135 Crandall Street that was organized by Upperclassman Tim Davis, in which 20-30 attendees were present including Brian Robinson, Tina Gauldo, Cheryl Anderson, Kendra Koed, Matt Toomey, Ross Ketchum, Eric Grasso, and Paul Flores. Davis reported that he observed Kristin wearing red Puma shoes, black vinyl shorts, and a gray half top T-shirt and stated that it was very cold that evening.

Margarita Campos was a close friend of Kristin, and she reported that Kristin had been looking for a party all evening. When they found the Crandall Street event, Campos left Kristin at the residence at approximately 2200 hours or 2230 hours. Campos reported that Kristin was sober when they separated.

Several witnesses reported that both Kristin and Paul were acting aggressively with the opposite sex at this party and that Kristin was intoxicated. Tina Gauldo, who also attended the party, described Paul's behavior as "hyperactive." He sat next to her, put his arm around her, asked for her number and where she lived. She specifically remembered him drinking alcohol and he bragged to her about how great he was and the drugs he used.

Davis remembered Paul being aggressive towards the female attendees of the party by repeatedly coming on to several of his friends including women who had boyfriends. Paul would say he did not care if they had boyfriends and when confronted, Paul would apologize and move on. Davis observed both Kristin and Paul at the bar

together and another witness observed Paul and Kristin fall to the ground. When Paul was later interviewed by investigators, he stated that he had no communication with Kristin at the party, except for when she briefly introduced herself as "Roxy" and walked away. Paul adamantly denied any incident at the party where he was near or on top of Kristin on the floor and he denied having any interest in Kristin.

At the conclusion of the party, at approximately 0230 hours, Davis was outside making sure everyone had a ride home when he saw Kristin passed out on the front lawn. He also saw Paul by the side gate "lurking." Davis helped Kristin to her feet as she was really drunk and reported that the night was very cold. He specifically mentioned that due to her clothing, Kristin was very cold, and she was leaning up and making groaning sounds. Davis saw Cheryl Anderson and asked her if they were ok, and Anderson stated, "we can make it." Davis and Anderson walked with Kristin towards the direction of the Santa Lucia dorms. At some point around the fence, Paul joined them, and Davis specifically stated that Kristin was so cold, she would have wanted to go home; there was no reason she would have wanted to stay out that night in the clothing she had on.

After about 100 yards, Anderson tells Davis they can make it back ok and Davis observed Anderson, Kristin, and Paul walk towards the dorms. Davis also stated that based on his observations of Paul, he believed Paul would have tried to have sex with Kristin.

Cheryl Anderson was a friend of Kristin and an attendee of the party. She accompanied Kristin back towards her dorm room. She observed how Kristin had difficulty walking due to her high level of intoxication. Paul had his hands around her waist to steady her. Anderson never once saw Kristin hug Paul back; Kristin just leaned against Paul for support. The group stopped along the way and Paul put his arms around Kristin to hug her. Paul told Anderson to go ahead and leave them. Anderson felt this was suspicious and did not want him to walk alone with Kristin. Anderson saw Kristin had difficulty walking and gave her about a 20% chance of reaching her dorm without assistance. Paul assured Anderson he would walk Kristin directly to her room and repeatedly told Anderson to go ahead as if trying to get rid of her. Paul asked Anderson for a kiss and she refused. Then he asked her for a hug and she refused. After saying no, she left them. Anderson also noted that Paul's nickname was "Chester the Molester" due to his suspicious behavior with women. Anderson was the last person, other than Paul, to see Kristin alive.

On 05/27/96, Jennifer Phipps who resided in the same dorm building as Kristin reported her missing to the Cal Poly Police Department; however, a report was not taken at that time. On 05/28/96, Phipps called the San Luis Obispo Police Department (SLOPD) to report Kristin missing a second time. The report was ultimately referred back to Cal Poly PD and they began their investigation on Tuesday 05/28/96. Investigators spoke with Crystal Calvin, Kristin's roommate, who reported that Kristin never returned to her dorm room on the night of 05/24/96. Calvin stated that Kristin would often stay out all night but would always return within a 24-hour period. Calvin was concerned because Kristin did not go anywhere overnight without her red backpack that contained makeup and toiletry items. The red backpack was still laying on Kristin's bed on the morning of Saturday, 05/25/96, in the same position Kristin had left it when she left the dorm room on Friday 05/24/96.

Law enforcement began investigating Paul Flores on 05/28/96 as the primary suspect involved in Kristin Smart's disappearance, which ultimately led to his arrest on 04/13/21 for her murder. Kristin was 19 years old at the time of her death. The investigation into the disappearance of Kristin Smart involved numerous law enforcement agencies undertaking countless tasks for over two decades and the common factor in the majority of these efforts was Paul Flores. On 04/13/21, Paul was arrested at his residence in San Pedro, California. Paul was first interviewed by investigators on 05/28/96 inside of his dorm room. He appeared extremely nervous and had a bruise underneath his right eye. He was evasive regarding the cause of his black eye and initially stated he received it playing basketball when he was elbowed in the face by another player. Witness Jeremy Moon reported that Paul had the black eye on Sunday 05/26/96 and that he did not receive it when they were playing basketball.

Later, Paul eventually maintained that he received the injury while working on his vehicle. In 1998, detectives had Dr. Kusomoto examine the photographs of Paul's injured eye and Dr. Kusomoto determined it could not have been caused by a steering wheel as previously reported and was not likely self-inflicted. Throughout the multiple interviews with Paul, he provided several renditions of how and where he last saw Kristin during the early morning hours of 05/25/96. On 06/29/96, four cadaver search dogs, trained to detect human decomposition, searched the residence hall building one room at a time. All four dogs alerted to the mattress and trash can in Paul's dorm room.

During the course of the investigation, several witnesses were interviewed that provided a portrayal of Paul's predilection of sexual misconduct and predatory behaviors. In an interview in August of 1996 with Balvindark Chima, Chima reported to law enforcement that Paul had shown up to her residence in the middle of the night, rang her doorbell and requested a hug. She told him to leave and he proceeded to climb up to her balcony and pounded on her sliding glass door. SLOPD responded and removed Paul from the property.

In May of 1999, Fatima Martin was interviewed by law enforcement, and she stated that she previously worked with Paul at Garland's Hamburgers in Grover Beach, CA. Martin reported that on three separate occasions, Paul put his hand between her legs and attempted to pinch her breasts. She further reported that on one occasion, Paul rubbed onions on her face while he pinned her to the ground for five minutes and sexually battered her. An additional employee at the same location, identified as Tami Johnson, reported that Paul had grabbed her breasts and buttocks unsolicited.

On 01/17/07, a confidential female victim reported to Redondo Beach Police that she was raped by an unknown subject on 01/16/07. She explained that she had gone to the BAC Street Bar in Redondo Beach, had several alcoholic beverages, stepped outside to smoke two cigarettes, and at some period she left her drink unattended with a coaster on it. When she came back in the bar, she started to feel more "buzzed" and she went and sat on a barstool, which was her last recollection of the events of the night. The next morning, she awoke inside an unknown residence, completely naked with only a blanket around her. She went to the hospital and completed a SART exam and the police were called. The victim had no memory of meeting the suspect at the bar, being at his residence, or engaging in intercourse. The results of the SART exam yielded the discovery of vaginal and rectal injuries. On 07/06/11, a Cold Hit Outcome Project match was made to the DNA of Paul Flores from the evidence specimen obtained during the SART exam. The police report stated, "This case was never prosecuted, but confirms Paul Flores raped the victim."

On 04/22/21, a confidential victim identified as "Rhonda Doe" was interviewed and reported that she believed she had been raped by Paul in about January 2008 in the Lawndale area at the address of 170th Street near Inglewood and/or Hawthorne. She discussed how she was at a bar called the Thirsty Club with friends and that she lived within walking distance of the bar. She met Paul while she was with her group of friends, and he was invited back to her place with four other people. She and Paul eventually left the bar and stopped at his residence on the way to her home so that he could tend to his dogs. She had consumed alcohol while at the bar; however, she denied feeling intoxicated and stated that she was aware and in control. While at Paul's residence, he gave her a glass of water and after she consumed the water, things became "hazy." She recalled going to Paul's bedroom and at one point woke up with him on top of her asking if she knew his name. Another time she awoke with her face in the mattress with a ball gag in her mouth while Paul was behind her. She described the ball gag as a red ball with black straps. She did not consent to sexual intercourse and reported that Paul "anally raped" her. She recalled that Paul's room was messy and disorderly, and that Paul used the ball gag so that his roommate did not hear. She recalled being in pain and bleeding from the sexual assault; however, she did not seek medical attention. She stated that it took a while for her to process what had taken place.

On 06/30/21, a confidential victim was interviewed regarding a rape that occurred in 2011 when she was 22 or 23 years old. She reported that she frequented the Crimson bar and had met Paul on a weeknight when she attended the bar with her friend. She described how Paul "lingered around" and when she had previously seen him at the bar, she noticed he was always staring at her. On this occasion, she began talking and drinking with Paul and she stated that they drank more than they probably should have. Eventually, Paul ended up in her vehicle and the details beyond that were difficult to recall. She stated that it was definitely unusual for her to have memory loss with the amount of alcohol she consumed, and she had never experienced the memory loss she did the night of her assault.

She recalled going to Paul's residence and thought it was odd he invited her over given that his house was very cluttered and appeared similar to a hoarder's house. Paul gave her a glass of something similar to lemonade, but she did not believe it was an alcoholic beverage. After consuming the beverage, she did not remember any conversation because she was "out of it." She remembered waking up in a bedroom on a bed and she noticed the room was also a mess. The victim discussed how she was in and out of consciousness and she told Paul that she needed a shower in an attempt to wake up. Paul followed her to the shower where he raped her. She felt that she was in no condition to make a conscious decision and give consent. The victim recalled Paul forcing a red ball gag with black straps into her mouth. She said it hurt her so she kept screaming "no" but Paul told her to "shush up." He continued telling her to be quiet and he shoved the ball very far in her mouth and the ball restricted her breathing and she could hear her jaw cracking. She still has issues with her jaw to this day. She reported that Paul stopped with the ball gag and she blacked out again. The morning after the incident she told Paul, "Look, when somebody tells you no, it means no." When police asked the victim if she thought Paul enjoyed seeing her in pain, she said yes because he would not stop and had no emotion. She further stated that it was like he had done this before because he was "really rough." She sustained soreness all over and had bruises on her arms and hips after the incident. She reported that as she drifted in and out of consciousness she recalled Paul's penis being inside her vagina and forcing his penis into her mouth. She said she tried to report this incident to a local LAPD station, but based on the LAPD Officer's negative responses to her, she decided not to report the incident.

LAPD investigated Paul for these sexual assaults based on the homemade videos located on his digital devices. They identified two victims who said they were sexually assaulted by Paul. The circumstances surrounding these assaults were very similar to the above-mentioned Redondo P.D. rape. San Luis Obispo County Sheriff's Office located a third victim who identified herself in a video tape with Paul, also with similar circumstances.

Angie Carrizel was interviewed on 02/17/21 regarding her previous dating relationship with Paul. She recounted a time when they were "play fighting" when Paul "changed" and "became very serious." He grabbed a butter knife and put it against her throat. She became fearful for her life and began to scream. Her roommate broke down the bedroom door and yelled at Paul to "get the fuck off her." A couple weeks after that incident, Paul became angry at her and punched her in the arm.

On 02/05/20, San Luis Obispo County Sheriff's detectives along with multiple allied agencies served a multi-location search warrant which included the residence of Paul Flores located at 938 Upland Avenue in San Pedro, CA. The search yielded the discovery of numerous homemade pornographic videos which depict Paul digitally penetrating, sodomizing, and having sexual intercourse with unconscious females. Many of the videos were saved in a file titled "Practice" that was located on his external hard drive and computer. Numerous pornographic video images of children under the age of 18 engaging in sexual conduct with adults were also located. Thousands of files were reviewed and found to have young teenage boys and girls naked in various photo series performing sex acts with adults. The amount of pornographic material found on Paul's electronic devices was "enormous" and it appeared that Paul was obsessed with sexual conduct involving intoxicated and under the

influence females. There were numerous rape fantasy videos, videos depicting sexual intercourse with intoxicated females, and videos depicting sexual intercourse with unconscious females.

On 04/22/20, detectives served another search warrant of Paul's residence which yielded the discovery of a prescription bottle containing 19 Cyclobenzaprine tablets (generic for Flexeril) located in a bathroom. Flexeril is a water soluble muscle relaxer that should not be used with alcohol. The medication was prescribed to Paul in 2015 and expired in 2017 and was a 30-count prescription. He also had two empty bottles of canine Tramadol in his residence. On 02/04/21, Dr. Owen Shea, a local anesthesiologist, indicated that if used outside of a normal prescription, Tramadol would cause significant changes to a person, particularly if mixed with alcohol. He stated Tramadol, Flexeril, and alcohol combined can cause amnesia and non-responsiveness and a person under the influence of Tramadol or Flexeril would not know what is happening. A person under the influence of the drug may respond with noises or even words but would have no level of understanding of their surroundings.

Law enforcement noted that Paul's type of predatorial behavior had a direct correlation to Kristin Smart as numerous witnesses had stated Kristin was extremely under the influence the night she was last seen. Paul offered to walk her home and was the last person seen Kristin. The pornographic videos combined with historical witness statements of Paul's unwanted sexual advances and sexual assaults on multiple females convey that this mindset was a significant contributing factor in Kristin's disappearance.

In 2003, there was discussion of a plea bargain between the Smart's attorney, Jim Murphy and Paul's attorney Mel De La Motte. According to Del La Motte, if an offer was to be made of "an involuntary with only one condition and that is that he'll take law enforcement to the body." In speaking with Murphy several years later, he was unsure exactly why the discussions broke down.

On 11/18/19, Jennifer Hudson reported to detectives, that in August of 1996, she and her boyfriend were at a residence skateboarding when Paul showed up. After listening to a commercial about the Kristin Smart case, Paul stated he was "at a party with this bitch and all she did was lead me on and I finally had enough of her shit, so I took care of her. So, I buried her either under or next to the skate ramp out at my place in Huasna."

Two orders to intercept electronic communications were carried out in the investigation, in 1999 and 2020. On 01/11/20, Susan Flores discusses the Smart case with Paul and tells him he needs to get his affairs in order because he is going to get arrested. On 01/26/20, Susan tells Paul, "The other thing I need you to do is to start listening to the podcast. I need you to listen to everything they say so we can punch holes in it. Um, wherever we can punch holes. Maybe we can't. You, you're the one that can tell me."

On 02/24/21, David Stone, a former roommate of Ruben Flores, indicated he believes 100% that Paul was involved in Kristin's disappearance and Ruben help disposed of her body. He rented a room from Ruben for ten years at 710 White Court, Arroyo Grande. He discussed an access door underneath the deck in the rear of the house that was always locked. He never saw Ruben open the door in the ten years that he was there. At one point a service technician came to the house to look at a kitchen leak. When the technician requested to gain access to underneath the deck, Ruben refused him access and said he would fix the problem himself.

Ruben also stored his daughter's (Ermalinda Flores (Thomas)) Volkswagen car in his garage and refused to part with it, despite interested buyers. Investigators believe Paul transported Kristin's body in a vehicle. Ermalinda lived 1.3 miles from Paul's college dorm room and owned the Volkswagen. Investigators took note that Ruben continued to hide the Volkswagen in his garage for nearly 25 years. A search warrant was signed authorizing the search of the exterior property of Ruben Flores's residence and for the search and seizure of the Volkswagen car. The warrant was served on 03/15/21.

On 03/15/21 and 03/16/21, a search warrant was executed at 710 White Court in Arroyo Grande in which the exterior property of Ruben Flores' residence was searched. Phil Hanes and Cindy Arrington from Natural Investigations Company searched the property using ground penetrating radar (GPR) equipment. One of the most suspicious areas identified by Hanes and the GPR equipment was identified as Grid 1, which was an area that measured 36 feet east west by 4 feet north south; the area was located on the northwest side of the residence underneath the deck behind the lattice panels. The GPR equipment located a large, 4 foot by 6 foot anomaly on the western end of Grid 1 which showed significant soil disturbance from the surface to the depth of approximately 4 feet below the surface. Hanes stated this anomaly showed a soil disturbance that could be consistent with prior digging of a "good size hole." Arrington stated, "Something was there because something left a stain and somebody dug a very large hole, relatively speaking. You know because absolutely the soil had been turned completely, so someone dug it out and put it back and, I mean, there was no other evidence of it going further down towards the entrance to the under porch of disturbance. So why would one spot have such major disturbance because that soil was just turned to a hot mess and nowhere else." Arrington indicated that this neither confirmed nor denied that a body was there, but it leant more to the fact that somebody had placed a body there than not. Two soil samples were collected from this location and one of the samples had a faint positive result for human blood. Serological Institute (SERI) Lab Criminalist Angie Butler, who performed the test, stated the only reason for a positive result other than human blood would be the blood of a ferret or primate. Butler stated that it was her opinion the soil sample contained human blood and other SERI Lab employees confirmed the results.

**CO-DEFENDANT STATUS**

On 10/20/21, Ruben Ricardo Flores was charged with PC 32, accessory to murder, a felony. On 10/18/22, he was acquitted by a finding of not guilty by jury.

**DEFENDANT'S STATEMENT**

The defendant was interviewed at the San Luis Obispo County Jail on 11/15/22 in the presence of Defense Counsel Sanger and, at the advisement of his attorney, he declined to discuss any details related to the instant offense.

However, the defendant did state, "The police can't corroborate witness statements and I never used drugs." The defendant further relayed that there were "so many lies involved" and that it was ultimately uncorroborated witness statements that changed Kristin Smart's status as a missing person to a murder. He stated, "I never met these people. I don't understand how these people who I never met put me on the stand. I didn't do anything." He insisted that he "never brought a girl to my room when I was going to Cal Poly." The defendant shared that one witness told law enforcement that he abused drugs and that he was a skate boarder. The defendant stated, "I don't skate, and I've never used drugs." The defendant discussed how the police and the FBI followed and harassed him for years, whether while he attended college or he was at his place of employment. The defendant stated that the Sheriff's Deputies manipulated situations with harassment that caused him to lose employment. He reported that police had also put a GPS device on his car and followed and stalked him during 1999, 2020 and 2021. He further discussed how the FBI had placed an inmate within the defendant's cell while he was incarcerated for a DUI conviction to influence him to confess to Kristin Smart's murder. The defendant maintained that he was innocent and had nothing to do with her disappearance. The defendant had even gone to a bar with that inmate, which ultimately led to a violation of probation. He reported that he maxed out his prior probation grant because he wanted to avoid being followed by law enforcement.

The defendant discussed his recreational activities reporting that he would often ride his beach cruiser style bicycle, play a baseball type game or basketball games with his friends, attend church functions, and would also attend and participate in various car shows. The defendant shared some of his aspirations discussing how he had

scored 98 out of 99 on the Armed Services Vocational Aptitude Battery (ASVAB) exam and he planned to enter the US Navy; however, because he was identified as a suspect associated with the disappearance of Kristin Smart and was under investigation, he was excluded from entering the military. He also discussed how it was only during election years in which the Sheriff was up for re-election did the investigation of Kristin Smart's disappearance rekindle. The defendant maintained his innocence and expressed frustration with law enforcement invading and interfering with his life.

**NOTIFICATION OF VICTIM/VICTIM'S STATEMENT**

The victim's next of kin were notified by phone and were sent letters on 11/02/22 via e-mail and letters were sent on 11/03/22 via postal mail, notifying them of the court date and time, right to make a statement, and right to request restitution. The victim's next of kin have filed claims with the California Victim Compensation Board (CalVCB) and have not received reimbursement for claims submitted (see attached).

On 11/03/22, I spoke with Matthew Smart, the victim's brother and he reported that he was working on a statement to submit to the Court and that restitution would be requested. While speaking with Matthew Smart he made the following statement: "Until Kristin is laid to rest by her family, there is no justice."

On 11/08/22, I spoke with Stan and Denise Smart, the victim's parents, and explained the sentencing process, their right to restitution, and their right to make a statement at this hearing. Both Mr. and Mrs. Smart indicated that they will be submitting a request for restitution to cover the expenses they have incurred over the past two (2) decades related to their efforts in investigating the disappearance of their daughter.

On 11/18/22, I spoke with Denise Smart at length regarding the defendant's motion to delay sentencing. She expressed frustration over the defendant's tactic to delay the inevitable and the toll this process has taken upon her and her family.

Mrs. Smart reported that they have a video they would like to present to the Court at time of sentencing that demonstrates the impact of losing their daughter had on their lives. They also plan to provide written and verbal statements at time of sentencing. While speaking to Mrs. Smart, she stated she has experienced "torture and torment without my daughter" and there "needs to be an enhancement for kidnapping; he took her from us!" She further stated that importantly, the defendant "has been taken out of circulation" where he cannot victimize anyone else.

On 11/23/22, Mrs. Smart called and again expressed concern and frustration regarding the defendant's motion to delay sentencing. She discussed the anguish her family has suffered over the past 25 years and, although her family will never really experience closure until Kristin's remains are returned home where they can properly lay her to rest, she made the statement, "Justice delayed is justice denied."

On 11/18/22, I spoke with Eric Koch, the victim's uncle, who stated that he would be submitting a written statement and will also be submitting a request for restitution. As of the preparation of this report, a request for restitution has not yet been received.

As of the preparation of this report, over 45 Victim Impact Statements have been received from family members, friends, and supportive members of the community that have all been affected by Paul Flores' involvement in the disappearance of Kristin Smart; they are attached for the Court's consideration.

**RESTITUTION**

Stan and Denise Smart as well as other impacted family members (Lindsey Smart, Matthew Smart, and Eric Koch) were unable to gather all their expenditures as of the date of this hearing; therefore, it is recommended that restitution be ordered in an amount to be determined with a Restitution Status Determination (RSD) hearing set for June 9, 2023 in Salinas Department 4 at 9:00 AM and that the defendant waive his presence at this and any future restitution hearings.

**COLLATERAL INFORMATION**

On 11/30/22, Defense Counsel Sanger provided the following statement: "We are in the process of filing a Motion for New Trial on the grounds of actual innocence."

Mr. Sanger also submitted the attached Declarations of Karen Kinsley, Paul Marquez, Roger Arguello, Jr, and Yolanda Delgado in support of the defendant for consideration.

On 12/01/22, DDA Peuvrelle provided the following statement:

"Paul Flores is a serial rapist and convicted murderer. He has shown zero remorse for the murder of Kristin Smart. His video interview with police shows a complete lack of any empathy towards Kristin Smart. He has continued to victimize the Smart family by concealing Ms. Smart's remains. Paul Flores admitted to lying about the facts of this case during his recorded interview with police. Upon his move to Los Angeles County he continued to prey upon vulnerable women. Quite simply, it is a virtual guarantee that if he were released in the future he would go back to drugging and raping women. Paul Flores should never be released from custody."

**RISK ASSESSMENT(S)**

The Level of Service/Case Management Inventory (LS/CMI) is a risk and need assessment tool and is the official violence risk assessment tool used by SARATSO. Although the LS/CMI does not measure sexual deviancy, it is used in conjunction with other sex offender assessment tools and is good at assessing general criminality, predicting general recidivism, and at assessing risk of future violence.

An LS/CMI assessment was completed, and the defendant scored in the **medium** risk range to reoffend. Based on past research with other community offenders in the Medium risk range, the defendant has approximately a 23% chance of recidivating within one year. The defendant's score is as high or higher than 25.4% of the normative group of Adult Male Community Offenders in the U.S.

**STATIC-99R**

Pursuant to PC 1203(b)(2)(C), "If the person was convicted of an offense that requires that person to register as a sex offender pursuant to Sections 290 to 290.023, inclusive, or if the probation report recommends that registration be ordered at sentencing pursuant to Section 290.006, the probation officer's report shall include the results of the State-Authorized Risk Assessment Tool for Sex Offenders (SARATSO) administered pursuant to Sections 290.04 to 290.06, inclusive, if applicable." Although the defendant was not convicted of an offense that requires registration pursuant to PC 290, the nature of the offense was sexually motivated and the defendant was eligible to be scored under the Static-99R Coding Rules which is included as follows:

Mr. Flores' score on the Static-99R is **2** [-3 to 12], which falls in the **average** risk category. Based on the most recent Static-99R routine norms published in 2021, the 5-year absolute recidivism estimates for this score is **4.6%**. The instrument also provides 10-year recidivism estimates and 20-year (lifetime) projections, as well as

percentile ranks and relative risk ratios, all of which are available in the 2021 Static-99R and Static-2002R Evaluators' Workbook available at www.saarna.org. His score was compiled based on official criminal history records and interview. He was interviewed on November 15, 2022, as a routine part of the presentence investigation process, to further inform the assessment.

Age at release cannot be calculated until he is either released on probation or released from prison on parole. Since this information is currently unknown the risk score stated herein is based on his age on the date of the assessment.

The Static-99R is an actuarial measure of risk for sexual offense recidivism. Recidivism is defined as being charged or convicted of a new sexual offense. The Static-99R is the most widely used risk assessment tool for adult male sex offenders. This instrument has been shown to be a moderate predictor of sexual recidivism (2016 and 2018 studies in California demonstrated good predictive accuracy in discriminating recidivists from non-recidivists). Older methods of prediction that are not actuarially based (such as unstructured clinical judgment) have poor predictive accuracy that are no better than flipping a coin. An actuarial instrument is a list of risk factors that when present are associated with increased sexual recidivism. Each item is statistically weighted for its contribution to overall risk. Recidivism estimates cannot be directly applied to an individual, rather, they describe rates for groups of offenders with that particular score. More recently, research has demonstrated that sexual recidivism decreases when the individual remains offense free in the community. The risk to recidivate roughly halves, every five years offense free in the community.

Risk factors which are not measured by the Static-99R can raise or lower risk. These include categories of risk such as sexual interests, relational style, self-management and attitudes toward sexual offending. A sex offender in a mandated treatment program will be assessed by a certified treatment provider using dynamic and violence risk assessment instruments designated by the SARATSO (state authorized risk assessment tools for sex offenders) Committee. The combined risk will be used to determine appropriate levels of supervision and treatment.

**FIREARM STATUS**

On 11/16/22, the defendant provided the Probation Department with the Prohibited Persons Relinquishment Form (PPRF), which was an untimely submission. The due date for receipt of the PPRF was 10/31/22.

Review of the CLETS Automated Firearms System shows that the defendant is not the registered owner of any firearms. Additionally, the defendant has indicated that he is not in possession of any firearms. **However, the facts set forth in the arrest report in this matter and the defendant's prior record indicates a history of firearms and/or weapons related offenses.** ***On 02/11/21, the defendant was arrested for a violation of PC 29800(a)(1), felon/addict in possession of a firearm (CAPD LA Metro Jail #6123886-32665763); these firearms were ultimately confiscated by LAPD.***

**RELINQUISHMENT STATUS**

The defendant has no reportable firearms.

**Rule 4.414 prescribes the criteria affecting the decision to grant or deny probation and are addressed as follows:**

**FACTS RELATING TO THE CRIME**

1. 4.414(a)(1) - the nature, seriousness, and circumstances of the crime as compared to other instances of the same crime.
   *The defendant preyed on Kristin Smart's vulnerable intoxicated state, murdered her, callously disposed of her body, and eluded law enforcement for over twenty years.*
2. 4.414(a)(2) - whether the defendant was armed with or used a weapon.
   *It is unknown whether the defendant was armed with or used a weapon during the perpetration of his crime.*
3. 4.414(a)(3) - the vulnerability of the victim.
   *The victim, Kristin Smart, was observed by several witnesses to be severely intoxicated, thereby affecting judgment, perception and reactions, making her particularly vulnerable to assault (Peo v. La Fargue, 147 C.A.3d 878)*
4. 4.414(a)(4) - whether the defendant inflicted physical or emotional injury.
   *The defendant murdered the victim and caused traumatic, emotional injury to the victim's family for over twenty years as they desperately searched for their missing daughter. They continue to suffer emotional traumas as their daughter's body has yet to be recovered.*
5. 4.414(a)(5) - the degree of monetary loss to the victim.
   *The victim's family resides approximately 250 miles away from where Kristin Smart was murdered. Over the past two decades, her family has hired two separate private investigators, made numerous trips to the city of San Luis Obispo, and spent an undetermined amount of money in their futile search of their murdered daughter. It appears the degree of monetary loss to the victim's family is substantial.*
6. 4.414(a)(6) - whether the defendant was an active or a passive participant.
   *The defendant was the only participant who actively murdered Kristin Smart.*
7. 4.414(a)(7) - whether the crime was committed because of an unusual circumstance, such as great provocation, which is unlikely to recur.
   *The offense does not appear to be committed because of an unusual circumstance, such as great provocation.*
8. 4.414(a)(8) - whether the manner in which the crime was carried out demonstrated criminal sophistication or professionalism on the part of the defendant.
   *The defendant murdered Kristin Smart, disposed of any evidence, and disposed of her body, thereby evading capture for over 20 years, demonstrating a significant degree of criminal sophistication and professionalism.*
9. 4.414(a)(9) - whether the defendant took advantage of a position of trust or *confidence* to commit the crime.
   *The defendant was outside of the 135 Crandall Way residence and approached Kristin Smart and Cheryl Anderson as they were about to leave towards their dormitories. The defendant stated that he also resided in the dormitories and volunteered to walk them home. The defendant gave Anderson assurances that he would take Kristin Smart to her residence and took advantage of this position of confidence to assault and murder Kristin Smart.*

**FACTS RELATING TO THE DEFENDANT**

1. 4.414(b)(1) - prior record of criminal conduct, whether as an adult or a juvenile, including the recency and frequency of prior crimes; and whether the prior record indicates a pattern of regular or increasingly serious criminal conduct.
   *The defendant did not have a prior record of criminal conduct when he committed the instant offense.*
2. 4.414(b)(2) - prior performance on probation or parole and present probation or parole status.
   *The defendant did not have a prior record of criminal conduct when he committed the instant offense.*
3. 4.414(b)(3) - willingness to comply with the terms of probation.
   *The defendant maintained his innocence and did not convey a willingness to comply with the terms of probation.*
4. 4.414(b)(4) - ability to comply with reasonable terms of probation as indicated by the defendant's age, education, health, mental faculties, history of alcohol or other substance abuse, family background and ties, employment and military service history, and other relevant factors.
   *The defendant is highly educated, and he had maintained employment for several years prior to his current incarceration. The defendant denied any history of mental illness and his substance abuse has been limited to alcohol. The defendant also has a supportive family and positive peer relations. It appears the defendant has the ability to comply with reasonable terms of probation.*
5. 4.414(b)(5) - the likely effect of imprisonment on the defendant and his or her dependents.
   *The defendant does not have any dependents.*
6. 4.414(b)(6) - the adverse collateral consequences on the defendant's life resulting from the felony conviction.
   *The defendant has several prior misdemeanor convictions and a prior felony conviction that was ultimately reduced to a misdemeanor. The defendant does not have any licenses that the present felony conviction would adversely affect.*
7. 4.414(b)(7) - whether the defendant is remorseful.
   *The defendant maintained his innocence and expressed anger that he was "put on the stand by strangers" whom he had never met before.*
8. 4.414(b)(8) - the likelihood that if not imprisoned the defendant will be a danger to others.
   *The culmination of the investigation into the disappearance of Kristin Smart included statements from confidential victims who reported they had been raped by the defendant and there was suspicion their consciousness had been altered by an unknown substance. During the execution of a search warrant on 04/22/20 of the defendant's residence, 19 Cyclobenzaprine tablets (generic for Flexeril) and two empty bottles of canine Tramadol medications were discovered in his possession. Dr. Owen Shea reported that Tramadol, Flexeril, and alcohol combined can cause amnesia and non-responsiveness.*

**PC 1170(b)(6)**

(B) The person is a youth, *or was a youth as defined under subdivision (b) of Section 1016.7 at the time of the commission of the offense.*
*The defendant was 19 years old when he committed the instant offense.*

**ANALYSIS**

The defendant, Paul Flores, is appearing before the Court after a jury's finding of a guilty verdict for the felony crime of first-degree murder of Kristin Smart. In May 1996, the defendant maliciously murdered Kristin Smart, who was a 19 year old Cal Poly freshmen student. The last night Kristin Smart was seen alive, witnesses observed her to be significantly under the influence of alcohol, making her particularly vulnerable to assault in her intoxicated state in which her judgment, perception, and reactions were affected. The defendant volunteered to

walk Kristin and witness, Cheryl Anderson, to their dormitories and when the group reached a crossroads where they would have to go separate ways, the defendant made assurances that he would safely return Kristin to her respective dormitory. Unfortunately, those assurances were false as Kristin never returned to her dormitory and the last person to see her alive was the defendant.

The defendant is well educated, possessing two associate degrees and nearly completing his bachelor's degree, and he is criminally sophisticated, having eluded arrest for Kristin Smart's murder for over two decades. During the course of the 25-year investigation into the disappearance of Kristin Smart, several witnesses were interviewed that provided a portrayal of the defendant's predilection of sexual deviancy and predatory behaviors. Witness, Tim Davis, reported to law enforcement that he believed the defendant would have tried to have sex with Kristin Smart when she was last seen alive with the defendant. Additionally, during the execution of a search warrant on 02/05/20, law enforcement discovered numerous homemade pornographic videos which depict the defendant digitally penetrating, sodomizing, and having sexual intercourse with unconscious females. Confidential victims also reported to law enforcement their suspicions of having been raped by the defendant after their consciousness had been altered.

Pursuant to PC 1203(e)(3), in which any person who willfully inflicted great bodily injury or torture in the perpetration of the crime of which he or she has been convicted, the defendant is presumptively ineligible for probation and probation can only be granted if the Court finds this to be an unusual case where the interest of justice would best be served. The defendant has not overcome the burden of presumption and denial of probation is recommended because of the factors outlined above under Rule 4.414.

The defendant has remained free in the community for the last 25 years since committing the heinous murder of Kristin Smart. Although the defendant was convicted by a jury of his peers for her murder, justice has been denied to the Smart family until Kristin's remains are recovered and returned to them where they can properly lay her to rest. Over the last 25 years in which the defendant has remained free in the community, he has been suspected of drugging and raping several women as reflected in the police reports and conveyed during witness testimony during trial. Especially notable is the defendant's Static-99R risk score of 2 (average risk) in which the alleged sexual offenses cannot be taken into account and his score is based solely on the index offense (Kristin Smart's murder) and its date of occurrence. Furthermore, the LS/CMI violence risk assessment tool reflects that the defendant has approximately a 23% chance of recidivating within one year.

The defendant displayed an utter lack of remorse for his reprehensible, aberrant behavior and he continues to maintain his innocence. He maliciously murdered Kristin Smart, callously disposed of her body, and witness testimonial accounts during trial alleged sexual victimization of other women since the murder of Kristin Smart. The defendant has deprived closure to the Smart family by withholding the location of Kristin's remains. The Smart family's only solace is that the defendant has been removed from society where he can no longer prey and victimize women.

Pursuant to PC 290.006(a), "the Court may order any person to register pursuant to the Act for any offense not included specifically in subdivision (c) of Section 290 , and shall so register, if the Court finds at the time of conviction or sentencing that the person committed the offense as a result of sexual compulsion or for purposes of sexual gratification. The court shall state on the record the reasons for its findings and the reasons for requiring registration."

Based upon the gravity and sexual motivation of the defendant's crime combined with his risk score on the Static-99R which predicts his risk of sexually reoffending and his score on the LS/CMI which predicts his risk of violence, it is respectfully recommended that probation be denied and that the Court order the defendant to register pursuant to PC 290.006(a).

Furthermore, pursuant to PC 3046(a)(2), an inmate imprisoned under a life sentence shall not be paroled until he or she has served a term as established pursuant to any other law that establishes a minimum term or minimum period of confinement under a life sentence before eligibility for parole. PC 190(a) prescribes the punishment for every person guilty of murder in the first degree as 25 years to Life with the minimum period of confinement being 25 years; therefore, by statute, the defendant is required to serve a minimum period of 25 years before being eligible for parole.

The impact of the defendant's actions has been far reaching as evidenced by the outpouring of victim impact letters that have been submitted for the Court's consideration. The murder of Kristin Smart not only affected the San Luis Obispo County community in which the defendant committed his heinous crime but has also affected the communities in which the Smart family members reside and the communities where victims have bravely come forward with their stories of being sexually victimized by the defendant. The safety and security of the community would be gravely jeopardized should the defendant ever be released from custody. The fact that the defendant eluded capture for the murder of Kristin Smart for 25 years while continuing to prey on and victimize numerous women in the community, coupled with his utter display of lack of remorse are all factors that should be considered when the defendant becomes eligible for parole.

**RECOMMENDATION**

In the matter of the People of the State of California versus **PAUL RUBEN FLORES,** it is recommended that probation be denied and the defendant be sentenced to the Department of Corrections and Rehabilitation as follows:

For the defendant's conviction on October 18, 2022, by a jury's verdict of guilty as to Count 1, a violation of Penal Code Section 187(a), first degree murder, a felony; that the defendant be sentenced to an indeterminate term of 25 years to life.

**TOTAL TERM: 25 YEARS to LIFE**

The defendant is entitled to pre-sentence custody credits in the amount of 606 total days; pursuant to PC 2933.2(a) and (c), the defendant is not entitled to conduct credits.

It is recommended that restitution be ordered in an amount to be determined with a Restitution Status Determination hearing set for March 10, 2023 in Salinas Department 4 at 09:00 AM and that the defendant waive his presence at this and any future restitution hearings.

The defendant is ordered to provide specimens of saliva and/or blood as directed, pursuant to ☒ PC 296 (DNA), ☒ PC 1524.1 (HIV), ☐ PC 1202.1 (AIDS), ☐ PC 1202.6 (AIDS).

The defendant is ordered to pay a felony restitution fine in the amount of $7,500.00 pursuant to PC 1202.4(b)(2) and an additional felony restitution fine in the amount of $7,500.00 to be suspended upon successful completion of parole pursuant to PC 1202.45 ($300.00 x 25 years of imprisonment x 1 felony counts).

The defendant is ordered to pay a court security fee of $40.00 ($40 x 1 count) pursuant to PC 1465.8 and a conviction fee of $30.00 ($30 x 1 count) pursuant to GC 70373.

Respectfully Submitted,
Robert B. Reyes
Chief Probation Officer

SigPlus1

01/17/2023 02:29:10 pm

By: Diana M. Hannah
Supervising Deputy Probation Officer

Dated January 18, 2023

CALIFORNIA
CalVCB
VICTIM COMPENSATION BOARD

STATE OF CALIFORNIA
GAVIN NEWSOM, Governor

# RESTITUTION REQUEST

| | | | |
|---|---|---|---|
| To: | Deputy District Attorney & Probation Department | Date: | October 21, 2022 |
| From: | Anita Wilcox, Restitution Specialist | Sent. Hrg: | December 9, 2022 |
| Re: | PAUL RUBEN FLORES | Court No.: | 22CR003712 |
| | | Dept: | 4/Judge J. O'Keefe |

## Restitution Order

The following victim(s) has/have filed claims with the California Victim Compensation Board. Pursuant to Penal Code section 1202.4 et seq. and Welfare and Institutions Code section 730.6 et seq., the following restitution should be requested and ordered and made payable to the Victim Compensation Board.

| Claimant | Application ID | Amount of Benefits Paid | Type of Benefit |
|---|---|---|---|
| D.S. | A21-8435406 | $0.00 | |
| K.S. | A21-8435570 | $0.00 | |
| M.S. | A21-8445066 | $0.00 | |
| | **TOTAL PAID:** | | |

X **A Restitution Order "to be determined" by the Probation Officer or after a hearing as benefits may be paid in the future by the CalVCB.**
X **Request a Restitution Status Determination (RSD) Hearing in 3 months.**
X **Request a waiver of defendant's presence at any future restitution hearings.**

## Restitution Fine

In accordance with Penal Code section 1202.4 and Welfare and Institutions Code sections 730.6 and 730.7, a restitution fine must be imposed upon all offenders convicted of, or adjudicated for, a felony or misdemeanor. The fine should be commensurate with the severity of the crime. If the offender is placed on probation or sentenced to prison, the court must impose an appropriate probation or parole revocation fine in an amount equal to that of the restitution fine, pursuant to Penal Code sections 1202.44 and 1202.45.

Adult Felony: $300 - $10,000
Adult Misdemeanor: $150 - $1,000
Juvenile Felony: $100 - $1,000
Juvenile Misdemeanor: Not to exceed $100

## Conditions of Probation

If the defendant is sentenced to probation ***please request that payment of restitution be made a condition of probation,*** as set forth in Penal Code section 1202.4, subdivision (l) and Welfare and Institutions Code section 730.6, subdivision (l).

Pursuant to Penal Code section 1202.4, subdivision (f)(3)(G), the court should impose 10 percent interest per annum on restitution orders, as of the date of sentencing or loss, as determined by the court.

November 28, 2022

Hon. Judge Jennifer O'Keefe
Superior Court of Monterey County
Monterey, Ca.

Dear Judge O'Keefe,

I begin by thanking you, appreciation that is echoed by so many in San Luis Obispo County, for the integrity and fairness you displayed in the recent trial of Paul Flores. I know some in our community were concerned when the trial was shifted to Salinas and put in the hands of an unknown jurist, but we were gratified by how you presided over what must have been a demanding and emotional trial. So, thank you.

On background, I am a radio host in San Luis Obispo, but I write as someone who has known Stan and Denise Smart for more than 20 years. No parent should be subjected to the journey, the heartbreak, they've been forced to endure now for 9,683 days. Despite all the false leads, initial missteps by law enforcement, an apathetic Cal Poly, multiple legal battles, the glare of the media spotlight—despite all these hurdles--Denise and Stan still don't know what happened to their daughter. What is so admirable about this couple from Stockton is that they have refused to give up.

We may never know what happened to Kristin Smart, but you have the power to decide what happens to Paul Flores. You heard the testimony from the young women whose lives he scarred. You're aware that Flores could reveal what happened to Kristin at any time, but yet he remains silent and defiant.

Stan and Denise Smart are deserving of Justice for Kristin. Our community deserves closure, having been on a journey of our own, trying to figure out how all this happened in what is supposedly considered "The Happiest Town In the U.S." The guilty verdict gives us hope for the future. It has been a long time coming.

Thank you for this opportunity.

Sincerely

Dave Congalton
[redacted]

DATE: December 1, 2022

TO: Judge O'Keefe

FROM: Eric Koch

PROBATION #: P114615
SUPERIOR COURT #: 21F-02402-A
Defendant: Flores, Paul Ruben

**Kristin Smart**
**Victim Imapact Statement**

"No, February 20th is my birthday."

These are the words that I would hear every February 20th for 19 years since Kristin could first speak. It was a game we used to play on the telephone when she was young. Kristin and I shared a special bond .... We shared our birth date. Since her death, my birthdays have been bittersweet and filled with mixed emotions.

Kristin really valued family time. I will always remember one particular Hawaiian vacation, her pleading with me not to leave early, standing in front of my car as I was trying to leave....Little did I know at the time, Kristin was right family time is precious. I will also always remember us sharing our 16th and 30th birthdays in Sacramento. Kristin was the first baby I ever babysat.

Much the way all of us remember what we were doing when we heard about 9/11, I will always remember:

- What I was doing when my Mom called and told me that Kristin was missing.
- The long car ride down to Cal Poly with my Uncle Stan the next morning.
- Looking up at the moon on our first night in San Luis Obispo and my Uncle wonder if Kristin could see the moon from somewhere.
- Leaving at 5 AM, the following weekend, for an 8 AM meeting with the Cal Poly Police Chief only to have the Police Chief never show up for the meeting.
- When my Uncle and I heard for the first time, the unthinkable, from the District Attorney that Kristin was not alive and they had a suspect.
- Searching for Kristin's body with my Uncle.

All these events were surreal to me.

My whole view of the world changed, forever. Lost was my belief that institutions and people would care enough to do the right thing when someone goes missing.

Initially, we were basically on our own:

- Stopping at every place we could to place Missing Person posters from San Luis Obispo to the Bay Area.
- My Aunt calling every law enforcement agency in the county asking for help.
- Securing and funding billboards to bring attention to Kristin's disappearance.
- Searching for Kristin's body

During the past 26 and half years, I have seen the best and worst in human behavior. We have encountered many heroes and villains, many that you have seen at this trial. After Kristin's murder, San Luis Obispo became a different place to me.

At the time of Kristin's murder, I was 33 years old, single without children, and my Uncle Stan and Aunt Deni were 51 years old married with three beautiful children.

Now married with children of my own, I better understand the rage and pain that they have felt. I have seen my Aunt and Uncle suffer what no parents should ever have to endure. They have shown unimaginable strength. They stayed by each other's side and raised two beautiful successful children while Kristin's bedroom remained empty. Most families do not survive this type of tragedy.

I have also seen firsthand how Kristin's death and now the trial have impacted Matt and Lindsey throughout their lives. Matt was a Sophomore in High School and Lindsey was in the eighth grade. But now as adults, we have all struggled with reliving the events of Kristin's murder in this trial. Matt, Lindsey, my sister, and I have all struggled with when and how to tell children about Kristin's murder. I have seen Matt question whether he did enough at the time even though he was just a kid. Both Matt and Lindsey were kids that had to grow up way too early.

Perhaps the most disturbing thing about Kristin's murder is that the defendant has lived a life of freedom for 26 years.

- The defendant was free for 26 years while we searched for Kristin's body throughout San Luis Obispo County spending countless months, missing work, missing our families, getting poison oak.
- The defendant was free while my Aunt and Uncle searched for answers pressing for progress from 26 years of different University presidents, County Sheriffs, and District Attorneys living life the best they could without Kristin.

Not only was the defendant free but he continued to harm women and continues to this day to know the location of Kristin's remains.

Should this defendant ever be considered for probation I only ask the Judge or Probation Board to show:

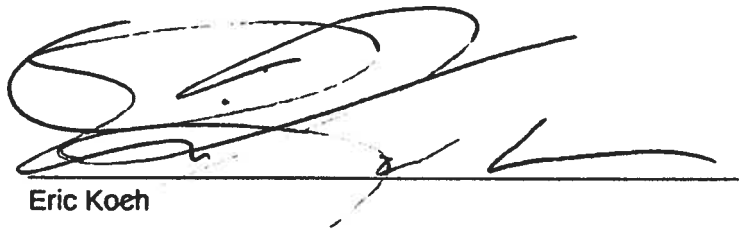
- The same compassion that was shown to Kristin the early morning of May 25th, 1996.
- The same compassion that was shown to my Uncle when he went to 710 White Court to ask for help and was told, "You better leave or someone is going to get shot."
- The same compassion the defendant showed to the Jane Doe's that testified in this trial and all of his other victims.
- The same compassion that has been shown to Kristin's body for 26 and half years and continues to this day.

Instead....

- Direct your compassion to Kristin, the innocent young life was taken by the defendant.
- Direct your compassion to the defendant's victims

And more importantly...

- Direct your compassion to my Aunt and Uncle and respect the 26 years they have endured.



Eric Koch

December 1, 2022

Dear Judge O'Keefe,

From the first breath, our children take, to the last one *we* take, we watch, worry, and pray for their well-being, happiness, and safety. These tenets become the guiding forces in your life. Kristin was born on February 20, 1977, in Augsburg, Germany. Her interest in Germany began as soon as she could find it on a map. I firmly believe this was the trigger for her adventurous spirit. Kristin always approached life through the lens of what was possible; to her, every dream was within reach. We learned early to never discount her perseverance, her zest for life, and her inner mantra to never give up.

May 24, 1996: It was a typical, busy Friday evening at the UOP pool. We were helping with visiting families, and Matt and Lindsey were helping with set-up for the annual Memorial Day weekend swim meet. It was the first in which Kristin wouldn't be competing, the normalcy of chaos and preparation kept us all busy. It was a rare treat when we got home that night to find a very excited and happy voicemail from Kristin. She usually called on Sunday, or sometimes midweek, just to chat. I tried calling back, but there was no answer. I know every nuance of her voice, and I went to bed happy that night having heard levity and optimism in her voice. What I did not know then was that the next two nights would be the last peaceful nights of sleep of my life; that my brave, tenacious, and beautiful daughter's life had been stolen by a rapist; that life as we knew it was gone forever.

On Monday, May 27, the call for which no parent can ever prepare arrived. "Mrs. Smart, we are just checking to see if Kristin came home this weekend," a Cal Poly police officer said into the phone, a sentence that will haunt me for the rest of my life. As a mother, I knew. The fear was palpable, the panic immediate. No words or reassurance could have assuaged the dark and deep feeling in my gut. "We heard she may have gone camping." I knew. Of course, I knew. Kristin did not go camping. My husband was in his truck the next morning headed to San Luis Obispo for help, answers, and the prayer that he could undo this nightmare.

The next days are a mind-numbing messy blur: I remember calling the Cal Poly president's office after days of radio silence from the college. The president's secretary answered and advised us, five days after Kristin's death, "If you have a concern about your student, you will need to contact the dorm resident advisor." How could she not know that a student from her campus had been missing for five days? The complete and utter absence of urgency or communication was unbelievable and gut-wrenching. In desperation, I called the Los Angeles FBI headquarters to ask for advice. I was immediately transferred to a Sexual Assault agent, who took the information I had and quickly reached out to the Cal Poly police. To our shock and consternation, the campus

police informed the agent they did not need additional help, all was under control, and she was most likely a runaway. Days later, we were finally told that the last person to be seen with Kristin was Paul Flores. His nickname, they learned, was 'Chester the Molester,' but when talking to him he seemed like a very nice young man.

The lack of professionalism and urgency continued. My husband spent weeks in San Luis Obispo searching for our Kristin. Desperately seeking help from the Cal Poly police, Stan was given a barrage of excuses: The officer in charge is making repairs at his vacation home, and our officers are busy with the upcoming graduation. Can he come back on Monday? We were heartbroken and in disbelief, it was like we had lost a bicycle. Without the experience, knowledge, or tools to deal with a serious violent crime, they had jurisdiction. It was up to Stan and the concerned citizens he met along the way that began collecting pay phone numbers and searching the crevices and ravines around Cal Poly. The refusal to give up was deep in our bones, even then.

With every passing day, the dread and feelings of loss became more and more visceral. Would I ever get to hear her voice, her laugh, feel her enormous hugs or see her radiant smile? I tried my best to hold it together for my two younger children, but I was both panicked and heartsick. With every passing day, I ached for word of Kristin, feared for the worst, and was frightened and did not know how I could possibly live without her.

It was challenging for us outside of our home, too. When you lose a child, no one really knows what to say. In a way, you are put on a shelf. Attending Lindsey's 8th-grade promotion was like being in a glass jar. No one knew what to say. Many don't want to relate; after all, their child would never drink at a party or wear red shoes and shorts. It is an isolation that sears your already broken heart. Additionally, the media victim-shaming was relentless and so heart-breaking to deal with. Knowing my children were having to deal with this too was so hard.

A full month after Kristin's disappearance, Cal Poly police came to talk with me and some friends in Stockton purportedly to assure us that they were doing everything possible. I didn't believe them for a minute. They left, convinced I did not know Kristin's whereabouts. The FBI agent who accompanied them shared with me after they left, that we were definitely in need of outside help. The next big meeting, around a table of ten men, was to take jurisdiction away from Cal Poly police and to organize an official search with the help of the Polly Klass foundation and the SLO Sheriffs Department. During a break, I was taken aside and advised by one of the attendees. "Do not let the perpetrator take another victim from you," he said. "Do not let him break your family." His words may have been well-intentioned, but my body's response was one of anger

and resentment. How could this man know something we didn't, he was telling me something my mind was not ready to accept.

Throughout those endless weeks of uncertainty, although terrified, I kept a little space in my mind to hold on to my fleeting hope. Perhaps Kristin had been abducted and was still alive somewhere. She'd always been a fighter, she was my "never give up" girl. I prayed we would wake up, the nightmare would end, she would be found, and I could once again have a chance to tell her to turn down Cheryl Crow on the radio. Oh, how those precious moments fill your head. How could this be? Her dreams, aspirations, and energy were endless; every fiber of my being knew Kristin deserved to be here.

Our hopes soon crashed when the next life-changing call came. Paul's attorney was offering the location of Kristin's body for a misdemeanor sentence. The finality was blistering and heart-wrenching. I collapsed in my bed; I shook and sobbed. I cried futile tears as my last fading light of hope was now extinguished. My precious Kristin's life was over, unceremoniously ended, her hopes and dreams crash-landing before they'd hardly had a chance to soar. Our family of five would know completeness no more. The last moments of Kristin's life were spent alone and scared, away from the love and embrace of her family. We can only pray that she was unconscious and did not see your callous, soulless and evil face.

The reality suffocated me and often continues to do so. Life can give you no greater pain than the death of your child, and I am tormented by the thought of how she lost her life. Did she realize she was in mortal danger? Did a sexual deviant think his needs were greater than the value of her life? Did she cry for help that never came? How anyone could have so little regard for the preciousness of human life, I will never fathom. If Kristin had died from an accident or illness, others would have been there to help and care for her through kindness and compassion. Yet, our beautiful and cherished daughter struggled, alone, in the presence of one of humanity's worst offerings. This heartless and depraved man kidnapped our girl, killed our girl, and unceremoniously disposed of her. He then spent the weekend hanging with friends and family, going to the movies, and playing pool. Not a thread of regret, care, remorse, or humanity in his soul. His depravity continues to this day. He not only stole her life, but he also kidnapped her and to this day refuses to cooperate with law enforcement. Why is there no punishment for hiding the body of another human being? There is no greater pain or heartache, it is torture beyond words to not know where your child is.

How to articulately and properly encapsulate twenty-six years of grief, frustration, loneliness, anger, and dashed hopes? We constantly had to prove that Kristin had value and that her existence was worthy of their efforts to find her and that they needed to

hold her perpetrator accountable. Cal Poly and early law enforcement had given him a free pass and he was now out molesting and assaulting other women in multiple counties, all without consequence.

Early investigators and media worked diligently to find and fabricate personal details of Kristin's life to validate their own theories. She wore a short top, shorts, and red tennis shoes. Clearly, this made her unworthy of the trust and empathy needed to value her life. Because travel brochures were found in her room, they concluded Kristin had somehow hopped on a magic carpet and slipped out into the night, penniless and alone, perhaps to Thailand or Abu Dhabi. Kristin was "passed out" and "drunk" on the night in question; certainly, she deserved whatever fate was handed to her. Meanwhile, Paul Flores was free to go about his daily business, blissfully unaffected or concerned that someone he had walked home had seemingly vanished from the planet that same night. The hypocrisy was staggering. Early law enforcement was quick to give up, Sheriff Ed Williams 1997 spoke to the media and stated, "Short of Paul Flores telling us what happened to Kristin Smart this case will not be solved!" It was clear we were now in charge.

The never-ending challenge was how to convince them to value our daughter's life. We cajoled, pushed, we called, we begged. We never gave up. Stan and I have been married for 50 years, and half of our life together has been spent on a roller coaster in the search for justice. We often felt that Kristin was sharing her strength and resolve with us; her belief that we all had the power to reach our dreams. Unfortunately, more often than not, the fight and the loss felt overwhelming. We were not only fighting a losing battle against the system, but we were also dealing with immeasurable grief and this new, terrifying reality of life without Kristin.

In January 2011, there was a new Sheriff in town. At our first meeting with Sheriff Parkinson, he promised to value our daughter's life, promised to never give up, and assigned new detectives to start at the beginning and rebuild the puzzle. These new efforts gave us hope, but the road continued to be torturous. Knowing that we were now not alone on our quest for justice was a partial elixir to our grief. Then came Chris Lambert. Through his podcast, he introduced Kristin to the world, he shared Paul's history and soon we were not alone. There is strength in numbers, and the outreach and support of the incredible SLO community and worldwide supporters renewed our hopes and re-energized our souls.

A quarter-century too late, but finally a trial court date. Thankful as we were, there is no way to properly prepare for the glacial process of a murder trial. Even after months of a preliminary trial, it would have been impossible for us to ready ourselves against the

deception and delays thrown around in the courtroom by the defending attorneys. We witnessed defense attorneys eagerly and excitedly search for details of Kristin's private life, hoping to discredit her very existence. As witnesses, we swore to tell the whole truth and nothing but the truth, but we quickly learned the defense was not bound by the same rules. The added anguish of watching our daughter's killer whisper and snicker to his father beside him, both cold-hearted and remorseless, made me physically sick. After four months of sitting in close proximity and watching them, each one fully aware of how they discarded our precious Kristin's body like a dead ferret...killing another human being is an evil sin, but torturing a family by continuing to withhold information about the location of our daughter, is a sin without equal. Watching defense attorneys defend him while knowing the truth is something that will never leave me.

Paul, it is not too late, you have the opportunity to cooperate and lead us to Kristin. A right decision can lift a heavy burden from your shoulders and you will be recognized in the eyes of the community for making a difficult but righteous decision.

This "new" reality is one we've had to shape our family around for the last 26 years. On that unfathomable night almost three decades ago, Paul stole Kristin's life and her future without remorse. Beyond that, he also managed to steal from our family the joy of meeting and loving her future husband and children. The trips to the snow, cousin secrets, family meals full of laughter and inside jokes, and Kristin's famous stories. I have no doubt year after year would have been filled with hilarious accounts of Kristin's family's latest world-traveling adventures. She never gave up; there's no question she would have made her dream to travel the world a reality. Paul stole Kristin's tomorrow the night he took her life, and on the same day, he also stole an entirely different future generation from our family.

Kristin's death has brought our family decades of trauma and grief, anger, and resentment. Confusion, helplessness, and fear. However, we've also managed to find the bright lights who lived Kristin's mantra to never give up, and whose commitment to this case not only helped the jury convict Paul but also helped restore our faith in humanity and the human spirit. I'd like to recognize the San Luis Obispo Sheriff's Department under the leadership of Ian Parkinson and Dan Dow and the entire San Luis Obispo DA Prosecution Team led by Chris Peuvrelle, the witnesses who came not once but twice each time enduring hours of questioning and the incredible jury who endured endless delays and long days, our gratitude is immense. Through countless investigations, money, and time, all ensured that put Paul Flores will never again be a threat to other women. Quite simply, they never gave up. Their tenacious and unwavering commitment reminds us that whether you've been dismissed, ignored, or have feelings of self-doubt, believe in your goals, never, never give up. When Kristin

had a goal, she found a way, she never gave up, always staying true to herself. To our free-spirited traveler, our family cheerleader, and our Sunday morning omelet chef:

"Shiny and sparkly, and splendidly bright, Here one day, Gone one night"
Kristin, We miss you, we love you, and we honor you by choosing, every day,
to never give up.

Sincerely, Denise Smart

***Thank you for your investment in ensuring that this case is properly adjudicated and that Paul Flores is held accountable for taking the life of our daughter. There is no punishment that will ever compare to the pain Paul Flores has thrust upon our family. Thank you for the opportunity to help you better know who Kristin was and how dedicated we are as a family to ensuring that her life is honored both in and out of this courtroom. Thank you for ensuring that Paul Flores will never again be free to harm another woman.***

November 30, 2022

Dear Honorable Judge O'Keefe,

At 14, I was bright-eyed and naive, about to leave middle school and enter the whole new world of high school challenges and unknowns. In May of that year, two weeks from my graduation, my big sister went missing. The memories of those early waiting days are seared into my brain: An empty seat at my celebration; a canceled road trip; a phone that never rang. Blinding fear and gut-punches of worry. Bone-deep sadness, confusion, and misplaced anger. And to think... that was only the very beginning. The normalcy I'd known my whole life ended before I'd even had a chance to recognize how wonderfully consistent and beautiful it was.

Throughout her short life, my sister's list of accomplishments and adventures was already impressive: she'd spent a summer studying in UCSB's College Program, participated in a family exchange program in Venezuela, graduated high school a semester early, and lived abroad in London for a month. Who knows where her life would have taken her had she been given the chance to find out? However, when I think of Kristin and what I miss, it isn't these accolades that come to mind. It's the smaller moments, the "regular" ones. The things in life that are so easy to overlook and take for granted. My sister was always my biggest cheerleader, continuously giving me pep-talks that helped my self-confidence bloom. She cheered me on at swim meets. She made me desserts. She gave the best hugs. It makes my heart ache when I stop to think about what we'd have today if she were here. Almost three decades worth of sister secrets, certainly. Would our children be friends? Would we live in the same city and help each other with carpool? Would I be a godparent to one of her daughters?

Today, I stand before you as a grown woman. I have a family, friends, and career I'm proud of, in spite of everything in my life that could have very well jeopardized any one of those. I feel lucky beyond measure for the things I've built for myself today. Nevertheless, the prolonged post-traumatic stress I experience is real and intense. I have full-body reactions on the street at night, often prompting me to sprint home in panic and fear. It took me until ten years ago to start watching the news again. When the worst thing in the world has happened to you, it feels impossible to subject yourself to more of the world's anguish and unrest. For so many years, it felt easier, a survival mechanism, to compartmentalize my existence and focus on the things I could control. But more importantly, there's a hole in my life and in my heart that can never be replaced. A hole that changed me, shaped me, and hurtled me into adulthood overnight. A hole that exists thanks to a man who hardly learned from this disaster and had zero consequences for his actions for more than 26 years. While I sat at home staring at my sister, Kristin's, empty chair over 26 plus years of family holidays and events; Paul had the freedom to do as he pleased while holding the key to the one thing we all desperately want - the location of my sister's body. Not only that but he continued his abusive behavior towards multiple women and refuses to accept any responsibility for his part in this story.

In October, a jury unanimously decided Paul Flores is guilty of the murder of my sister. He stalked her like a predator, attempted to rape her, and murdered her. He holds the answers to all of our family's questions and keeps us imprisoned from truth and closure about my sister's remains. These are the clear and proven facts. Furthermore, Los Angeles County has proof that these horrific crimes continued after my sister's death - multiple women have come forward. These Jane Does are the unsung heroes speaking out and giving voice to not only their own truths, but to victims like my sister who no longer can. And yet, Los Angeles County continues to evade action. As a society, we have a duty to hear these women. We owe it to them, and to my sister, and to ourselves to keep Paul Flores imprisoned for the rest of his life. We have proof that he continued these atrocious acts even after my sister's murder. This man has made it abundantly clear he never deserves freedom again.

Today, I have three young daughters. They are vibrant and carefree and hopeful. Blink, and I know I'll be sending them off to college experiences of their own. Under outrageous circumstances, the timing of this could fall right around the year Paul Flores is allowed back into society. Goosebumps cover my flesh when I think about my own children crossing paths on their college campus with the man who murdered my sister and their aunt.

We didn't get it right the first time. Sadly, we aren't getting it right now. But I'll be damned if we don't get it right for my children. There are no other options or avenues here besides keeping this calculating, manipulative, murdering rapist behind bars for the rest of his life. It's the least we can do to honor the lives of the people from whom he's already stolen so much. Or in Kristin's case, everything.

Sincerely,

Lindsey Smart Stewart

Lindsey Smart Stewart (Kristin's little sister)

November 30, 2022

I remember May of 1996 vividly. I was 13 years old. My older sister was getting ready to graduate high school and attend college in the Fall. I remember all the moms in my quiet, San Diego community upset and concerned after learning about Kristin's disappearance. Here was this beautiful, college freshman, last seen with the convicted murderer, Paul Flores, and no sign of her since. This could happen to anyone's child. Little did I know at that time, what Paul Flores did to Kristin would impact the rest of my life in more ways than one.

Fast forward to 2002 when I first met Matt Smart in college. I remember the first time Matt told me about Kristin. It brought back the fear and anxiety of my parents and community all over again.

The impact of Paul killing Kristin has always been felt, but the impact over the last three years has never been stronger. I never had the opportunity to meet my sister-in-law; she was taken away from her family 6 years before I met Matt. I have been a member of the Smart Family for 20 years and have experienced all the trials and triumphs that have come along with this case.

Matt's well-being has always been my first priority when it came to Kristin's case. He is quite guarded, which is to be expected. Matt, as well as his parents, Stan and Denise, and younger sister Lindsey, all have tremendous resilience and strength. I have always been amazed at how they continue to live life to the fullest and are not full of anger or hatred, as I feel others in this situation might be.

I have been greatly impacted by Paul. He has put us in a club no family or human cares to belong to. As Matt's wife, I have found myself as rock for our family during these difficult times. The weight of meeting the emotional/social well-being of our entire family, keeping routines and the house in order while Matt is out of town at court, or just trying to hold it all together while feeling extremely sad and overwhelmed has all fallen on my shoulders. It has been lonely and terrifying, as others I know cannot relate to what we are going through. I can only believe that my recent health issues over the last few years have only been exacerbated by the stress of this case. The anxiety of the situation and the disruption from the preliminary hearing and trial not only impacted Matt, me, and our kids. It has also impacted my parents and my sister's family. Thankfully, my family has been a huge support system to Matt and me, but to say that they have not been impacted by Paul's decisions is an understatement.

The impact of what Paul has done has not only affected Matt, our families, and myself, but it has now trickled down and is impacting our own children. As a mother, there is no guidebook on how to parent, but there is definitely not a guidebook on how to tell your children that their Auntie was raped and murdered and you don't know where her body is. This is never anything I imagined having to tell our children, as I always believed we would one day get Kristin back and be able to put her to rest, as she deserves. Instead, I am attempting to answer questions from two inquisitive children who want answers about our family member who my kids and I never got

to know. Sadly, our children have come to learn that real Monsters, like Paul Flores, do exist. Their innocence has been taken away.

Over the last 3 years, our children have learned the truth. Hurt people, hurt people. What a hard lesson to learn at a young age. This truth has caused unnecessary stress and anxiety in two innocent children under 8. We have had many days when our oldest is in tears if Matt or myself leave for the grocery store or any short outing. The impact of Paul's choices has instilled fear and anxiety in our children about losing another loved one or family member. We have worked with professionals to help our children and ourselves heal. Countless hours of difficult emotions have been explored. It infuriates me that this is our reality, as no one should have to go through this, especially innocent children.

Lastly, the impact of time dedicated to the mess Paul created has affected me and my family. We have no closure, as Kristin is not with us. We have waited years for Paul to be arrested, waited months for a preliminary hearing and trial and now we wait for sentencing and for Paul to be moved to prison. This waiting and not having closure, continues to disrupt our lives. Paul always had a choice to end this madness, but instead his has chosen to not speak a word for 26 years.

Stories of Auntie Kristin will continue to be told, keeping her spirit alive. Tragically, there is no way I can fill the void in our lives, because of the poor choices Paul made that night in May of 1996. This tragedy and the impact it has had on me and my family will never go away and the pain Paul has caused will be felt for years to come, as our kids grow up to raise children of their own. However, I do not doubt that our family will get through this heartache, stress, and anger, and evolve to a higher kinder consciousness despite the terror Paul has caused. We won't let evil win.

Sincerely,
Lisa Smart

11/5/2022

Dear Judge Jennifer O' Keefe,

For more than twenty-six unthinkable years the Smart family has waited for my late sister Kristin Smart's return home. For nearly ten thousand days..., twenty-six missed birthdays, major life milestones, New Year's celebrations, Easter celebrations, Halloween parties, Christmas mornings, twenty-six years of family vacations, two sibling marriages, multiple cousin marriages, the birth of four nieces and one nephew, multiple milestone marriage anniverseries, athletic achievements.... We have waited thru it all. By the phone, the front door, on tv, watched every passing person in hopes that somehow Kristin would return home. We searched the hillsides, followed every lead no matter large or small, spoke with anyone and everyone who might know something... but our efforts would unfortunately be futile. Paul, you and your family knew this from day one.

For twenty-six years there's ONLY been one suspect and frankly no reason to believe otherwise – oddly not one denial, not from Paul or any member of the Flores family. There was never a need for a lengthy trial only a confession by Paul Flores – his continued silence speaks for itself. Paul, you've been given every chance and more. But in the past twenty-six years you've only committed additional heinous crimes against society and more women. You are a menace to society. You have proven time and time again you are an animal, incapable of feelings and no remorse for your victims. From day 1, moment zero the now convicted Paul Flores made a choice – to commit murder, I'm sure he remembers it well. Paul, you chose to take a life, my sister Kristin's life and you must now pay. There will be no peace, no rest in the Smart family fight. Our resolve is only renewed and strengthened by your sentencing, we will NEVER rest until Kristin is properly laid to rest by her family. This fight is far from over.

Twenty-six years ago you Paul, ensured Kristin wouldn't come home when you CHOSE to take her life. YOU MADE A CHOICE. Paul, you took her life, and hid her body – Her amazing soul, her being, her strong legacy proudly live on. We will continue our fight to ensure Justice is served for Kristin. That she is brought home to rest. You are a coward in every sense, a public menace – an animal, a predator to modern society – counter to core community values. You represent the ills of society. As was shared post conviction this October, there's been no joy in your conviction, only a renewed sense we must continue our search for Kristin's body. She deserves to be properly laid to rest.

For twenty-six years you and your family have known the ugly truth, you murdered Kristin and have chosen to remain silent. Now the WORLD knows EXACTLY what we have known for twenty-six years you ARE and have always been capable and guilty of the murder of Kristin Smart. You are an animal – a murderer of the first degree. You made a choice to murder my late sister Kristin twenty-six years ago that fateful day May 25th of Memorial Day weekend 1996. You knew Kristin would never come home. You have no idea of the pain I wish upon you. Even life without parole, isn't enough for me – it doesn't bring Kristin home. Kristin was destined for great things, she was building her legacy, destined for greatness until she was taken from her life, friends and family, way too soon. Kristin know that you are missed, loved and will forever be in our hearts, thoughts and prayers. We forever love you. xo

Signed,

Matt Smart

The late Kristin Smart's Brother

November 8, 2022 Impact Statement

Judge Jennifer O'Keefe, Department 4
Superior Court of Monterey
240 Church Street
Salinas, CA 93901

Dear Judge Jennifer O'Keefe:

What was the impact of losing our daughter Kristin to the Smart family? It negatively impacted each family member's outlook on life, along with countless friends, and supporters of Justice for Kristin. This is a parent's worst nightmare, the disappearance and death of their child! My wife and I were suddenly missing our eldest child? We shared her hopes, dreams and aspirations as she became a beautiful young adult, and now she would never have a life to achieve these things. She would not be graduating from college, going to a new job, getting married and having children, or leading a normal full life. As a parent, you fall into a pit of despair, and you long to see her smile again. You become a risk taker, since you are missing the child and that love for part of your family. You are willing to travel anywhere and meet with anyone that thinks they may have a lead as to her whereabouts. Your wife is distraught to the point of quitting her teaching position, and I needed to bury myself more in school administrative work to occupy my mind and continue some semblance of a normal life.

Reflecting back on some 26 years, initially my wife's focus and mine were to find Kristin alive. Within weeks we learned from Cal Poly Police that she had been to an off-campus party and possibly killed by the last person seen with her, Paul Flores. We worked at keeping our younger children, Matt (16) and Lindsey (14), sheltered from this horrific crime. They have been scarred emotionally at the loss of their older sister. Matt became more defensive and slept with a baseball bat under his bed. Lindsey became less social and would not attend age group gatherings without one or more friends accompanying her. The murder of our eldest child added considerable stress to our marriage. We would never see Kristin's smiling face again, feel her hugs and kisses, enjoy her company, be able to watch her learning to cook, or travel the globe with her. Our family has to spend the rest of our lives adjusting to the reality that Kristin was stalked, drugged, raped and horrifically murdered by Paul Flores. He had his family continue to hide her remains and deny our family the opportunity to bring her home for an appropriate funeral.

Within the first few years of her disappearance, his former criminal defense attorney tried to plea-bargain down her death twice with two previous San Luis Obispo District Attorneys. The attorney was offering for Paul Flores to lead law enforcement to our daughter's remains if he was only charged with an infraction or misdemeanor?!?! It is now abundantly clear that Paul and his family (all taking the Fifth to not incriminate themselves) have no remorse for taking our daughter's life, and are unwilling to assist in locating her remains. Judge Jennifer O'Keefe, for these reasons I feel very strongly that Paul Flores should receive the maximum sentences for

first degree murder, especially since he committed this horrific murder and continues to hide her remains. This is devastating to our whole family, relatives, friends, and community supporters.

We are no longer a whole family of two parents and three children. Suddenly all this was totally disrupted and our family life which was turned upside down when the murder, Paul Flores, callously took our daughter's life. Prior to Kristin's disappearance , we were anticipating a move from Stockton to Napa, where I accepted a new principalship at Vintage H.S. Now all our energy was shifted to locating our missing Kristin. My wife stayed in Stockton to respond to any phone calls, and I spent the summer months in San Luis Obispo looking for Kristin's body. We stayed in touch daily, using a big portable phone that was shoe box size (prior to cell phones). I organized numerous searches in and around the campus and along the coast line. Community members assisted and local merchants assisted with lunches and drinks. The searches were not productive, and I became more and more frustrated in the months and years searching that followed.

At the time of Kristin's disappearance, a huge water pipe was being installed near campus in an open trench, and the Poly Fine & Performing Arts Building was being constructed on campus. Both had to be investigated as possible burial sites, and the campus, mountains, lakes, and ocean shoreline. The District Attorney's Office conducted a search of a local landfill, with no productive results. Additionally, we worked closely with the news media to keep our daughter's missing case alive in the public eye. We spent time appearing on at least five television shows. Lastly we started using billboard signs along Highway 101 to get public attention, and our Arroyo Grande civil attorney placed a billboard in front of his office, indicating a substantial reward for information leading to the arrest and conviction of our daughter's killer. Our family continued to suffer at the loss of Kristin. Fortunately, this billboard caught the attention of a young man named Chris Lambert, who researched her disappearance and decided to tell her story as a podcaster!

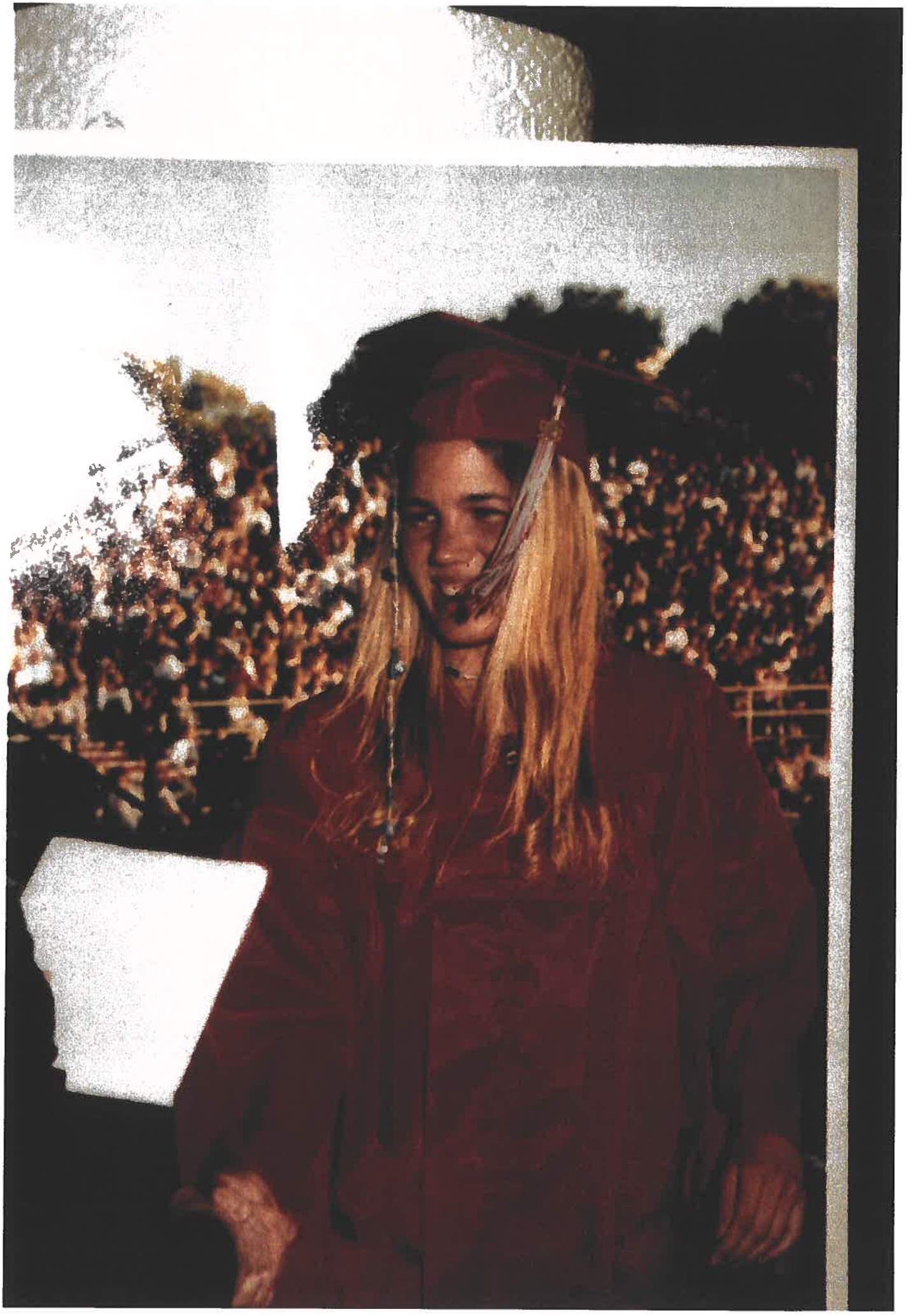
The court evidence has shown that after our daughter's murder, Paul Flores, proceeded to prey on numerous intoxicated women he met in bars by drugging them, then repeatedly raping them, and videoing taping the heinous acts with the label "practice." He definitely has demonstrated a proclivity to this type of unlawful abhorrent behavior during the past 26 years. We have seen no remorse, sadness, grief or emotion from him or his family members during this time. After attending three months of pre-trial and another three months of criminal trial, it has become evident that he and they do not see his behavior towards women, or our daughter's demise as repugnant or significant?! Again I respectfully request that Paul Flores receive the maximum sentence for first degree murder, hopefully 25 years to life, without parole.

Respectfully submitted by,

Stan Smart
Father of Kristin Smart

lifeline

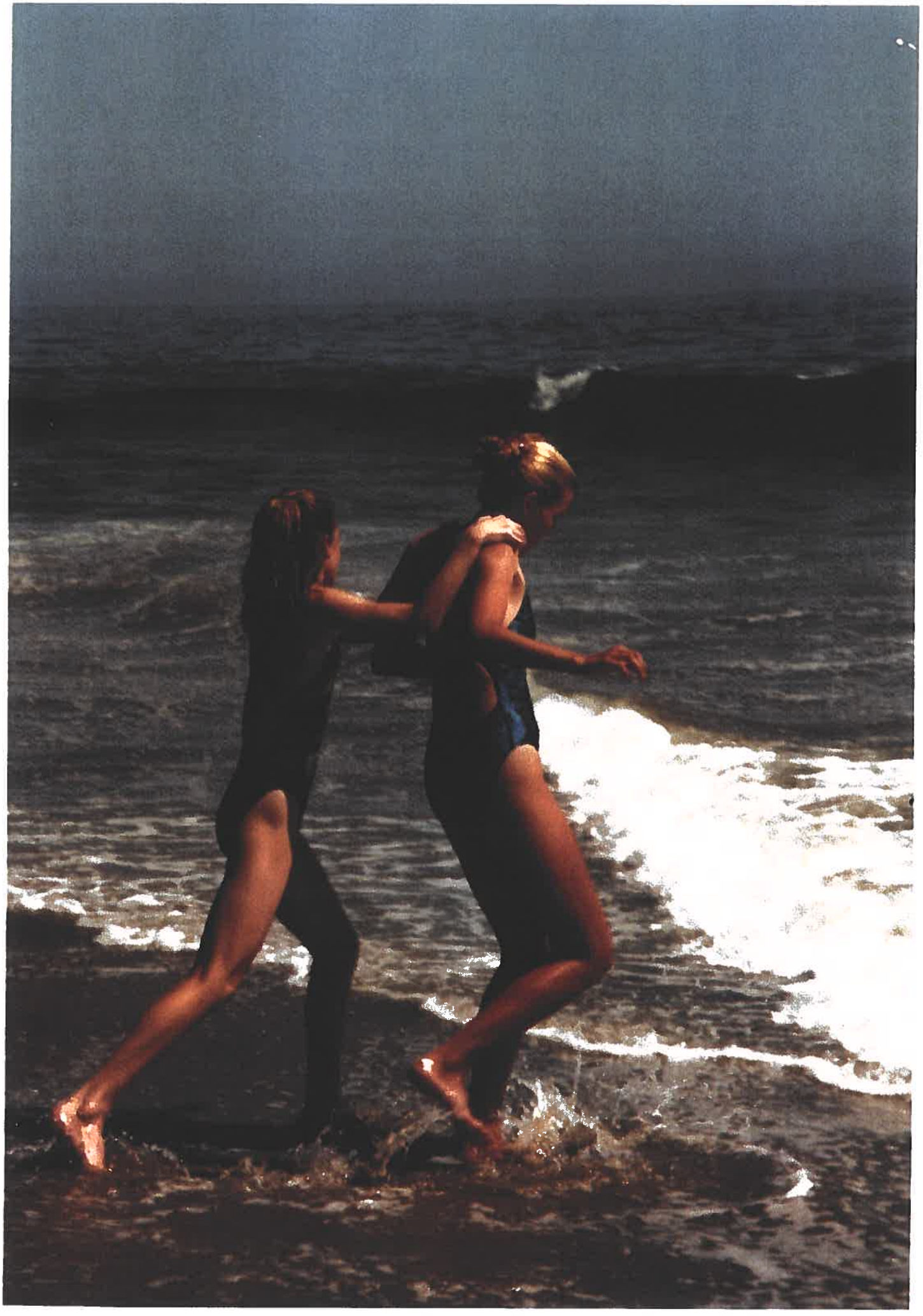









Welcome Home "kris"!!





The Honorable Jennifer O'Keefe
Monterey County Superior Court
240 Church St, Salinas, CA 93901

November 30, 2022

Dear Judge O'Keefe,

I am Patrick Stewart, husband of Lindsey Smart Stewart, and brother-in-law to Kristin Smart. I thank the court for granting me time to enter into record the impact that Paul Flores' rape and murder of Kristin Smart have had on my Lindsey, myself, and my children.

Kristin suddenly disappearing from Lindsey's life when she was only 14 years old had a profound impact on the rest of her life, often in ways she does not completely realize. Firstly, Lindsey is one of the most safety-conscious women I have ever known. She will not go anywhere that makes her feel even mildly unsafe because, to paraphrase, you never know when you're going to get abducted. Not robbed, harassed, or assaulted, simply disappeared off the face of the earth. She applies this lens to vacation destinations, living situations, and anywhere that anyone in her family may go. Eight years ago, she came very close to building an app that would let women check-in with each other when they go out at night, because, of all things, this is what she thought the world needed most. And even now, though we live in a very safe neighborhood with few cars and friendly neighbors, she still won't walk down the street at night to the mailbox alone.

Secondly, Paul's unrepentance and 25-year evasion of law enforcement left her unable to fully process the loss of her sister. When the Smart family finally declared Kristin dead and held a memorial service in 2002, the only way they could get Lindsey, then a college freshman, to attend was to simply bring her to the service just before it started without telling her what she was going to in advance. It took her nearly two decades to go back on her own and visit Kristin's Point of Hope in Pismo Beach. I can remember several times when Lindsey would grow irritated with her parents for bringing up Kristin's disappearance because it was simply too much for her to process. Mind you, she would talk about her fond childhood memories of Kristin frequently, and appear on news programs whenever she felt she might be able to convince someone new to come forward with information. But, she spent half of her life actively avoiding anything having to do with those last few hours of Kristin's life.

The ripple effects of Paul Flores raping and murdering my sister-in-law have hit me as well. I have had to come face to face with the truth that people like Paul Flores, who give no second thought to drugging and raping women, walk freely around us all the time. In trying to prepare myself for hearing the testimony of the Does, I read of the horrifying account of one "Jane" from The Daily Beast[1] and realized my own daughters, now 2, 4, and 6, might face a monster like this before they get their driver's licenses.

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[1] M.L. Nestel. Updated Jul. 12, 2017. "Four Women Say the Man Suspected of Murdering a College Student Sexually Assaulted Them". The Daily Beast. Accessed Nov. 30, 2022. https://www.thedailybeast.com/four-women-say-the-man-suspected-of-murdering-a-college-student-sexually-assaulted-them/

*"One day, Jane was congregating in front of the high school when a male friend approached and warned her about one particular junior.*

*"This boy walked up to me and said 'Oh hey, you need to be careful of that Paul Flores, I think he's stalking you. He was writing your name like 150 times on a piece of paper and he kept circling it.'*

*"High school boys are weird anyway," Jane thought at the time. "So maybe he had a crush on me. I wasn't freaked out."*

*But soon Flores took his shot with Jane after another drop-off at her mom's house.*

*He returned later that Friday night and they drove to his friend's home which Jane described as [sparsely] furnished. "The living room had a TV and one sofa and the floor was white," she said. The duplex was located up the same street from where her mom resided.*

*It was just the three of them standing in the kitchen before Jane was handed a plastic cup.*

*"I drank this drink and I don't know what it was but let me tell you something the next thing you know I was passed out," Jane said.*

*And for a few moments Jane came to and saw Flores having his way with her.*

*"I was lying down on my back. He's on top of me. I know I didn't have any pants on and he was in me and I could feel him," she said of the three seconds she managed to wake from the slumber that took hold of her. "He was staring at my face looking at me and he was enjoying himself."*

*After that she blacked out.*

*The only thing that she remembered next was being dragged in the barely lit street by her alleged rapist on one arm and his pal on the other.*

*"They took off running," Jane said. "I remember thinking: 'If my mom's not home I'm going to die right here.'"*

*Jane's mother frantically phoned her father. When he arrived she stayed at home while Jane's father hightailed it to Arroyo Grande Community Hospital.*

*Once Jane was admitted her story seemed to fall on deaf ears.*

*The Arroyo Grande cops, Jane said, favored Flores's story that she willingly drank and had sex that night.*

*"The next thing I know is the cops telling me 'We can't do anything because [Paul] and his friend are saying she was drunk and it was consensual.'"*

*But Jane said she fought to get them to reconsider. "I was like 'It wasn't. I blacked out and didn't consent to anything.'"*

*However hard she and her father fought back, there was no chance they were going to get beyond the "he said, she said." "I was drunk and he had a witness and I didn't," Jane said."*

I get the thought out of my mind that Jane, Kristin, or any of Paul's other victims did nothing wrong, and that there is a chance that my daughters might face their same fate.

The depravity and pain that Paul Flores has brought to our society has shaken me deeply. I have enrolled my six year old daughter into Jiu Jitsu with the hope that she will have enough muscle memory by the time she's an adult to defend herself against an assault, but also knowing there is no defense if drugged. Many times sitting in this courtroom, I could feel my hands trembling with rage at the sight of Paul Flores, which is a feeling I've never had before and wish to not experience again. The images of the gravesite, and the ball-gaged victim, haunt the back of my mind no matter how hard I try to forget them. Simply knowing that Paul had so many images of exploited children collected on his harddrives enrages me.

Not even our children have found shelter from what Paul Flores did to their aunt, despite our best efforts to shield them from reality. My oldest daughter has asked us several times questions like, "What happened to Kristin?" or "Is the bad man who killed Kristin in jail?" A year ago, my then three-year-old led me across a friend's yard to a flower pot, saying "Kristin is buried here!" During the trial, Lindsey and I would leave early and come home late, book-ended with our kids crying and saying how much they missed us. They could feel the tension in us for months on end.

Your honor, please put Paul Flores away for the rest of his life. At the core of his being, he is an unapologetic sexual predator. At any point for the last 26 years, he could have done the right thing by confessing and returning Kristin's remains. Instead, he used the freedom that his parents afforded him after Kristin's murder and just kept on drugging and raping woman after woman after woman. At his age, he is who he is and unlikely to change his ways.

Thank you for your time,

Patrick Stewart

November 29, 2022

The Honorable Judge Jennifer O'Keefe
Monterey Superior Court
Salinas, California 93901

Honorable Judge O'Keefe,

There are many emotions connected to violent crime. The Smart family has undoubtedly experienced each of those emotions countless times over the past twenty-six years since their daughter Kristin went missing. I among many have seen those emotions manifest in Denise, Stan, Matt, and Lindsey Smart over those twenty-six years. Notably one gut wrenching time was when they had their Kristin declared dead. Prayers, thoughts, searches, friendships, law enforcement activities, and ongoing speculations somewhat and temporarily softened their emotions. However, nothing could relieve them of the raw emotions of angst, anger, fear, helplessness, hurt, injustice, rage, isolation, loneliness, devastation, wonder, sorrow, and loss as they worked tirelessly with authorities and advocates to keep the case active so that justice might prevail. They lived with the absence of Kristin as part of life's milestones, special moments, and normal family life. With faith, friends, and fierce determination they lived with hope that justice would be served, her body would be found, perpetrator Paul Flores found guilty of her murder, and that he would be sentenced to the maximum possible sentence.

Meanwhile, Paul Flores lived a full active life, protected by the Fifth Amendment after he refused to cooperate with authorities regarding Kristin's disappearance. He worked, played, socialized, celebrated holidays, and spent time with family/friends. He designed and lived each day without obligation to accountability for his role in Kristin's disappearance. And, to that end---he lived free of the responsibility of his role in her disappearance and murder.

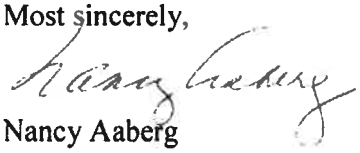
I met Denise and Stan Smart in 1976 shortly after they arrived in Yuba City from Germany with baby Kristin and we became lifelong friends. Kristin was a curious, happy, smart, active child who loved school, travel, friends, and family. She was soon the oldest of three children to Denise and Stan when joined by Matt and Lindsey. They were a happy, busy, social family and enjoyed their active lifestyle. We remained close friends through the years after they relocated to Stockton and stayed connected with a myriad of activities, special occasions, and holidays. Denise and Stan continued to work as educators but never gave up their other full time jobs as parents and all-consuming role as search team for Kristin.

The trial and related procedures spared nothing in the defense's attempt to convince the jury that Paul Flores was not the one responsible for taking Kristin's life. Humiliation, distrust, shame, dishonor, and degradation were among the tactics used to discredit the reputation of Kristin and her family. Fortunately the evidence gave way to paint a picture of Paul Flores accumulating videos on "how to do" for victimizing and sexually violating women, collecting child pornography, and other nefarious behaviors.

Denise and Stan Smart have spent nearly a quarter of their life time entrenched in the emotions noted above and related to the search of justice for their daughter Kristin. Matt and Lindsey Smart have spent more than half their lives missing their first friend and big sister as they live the nightmare of the unanswered questions surrounding her disappearance and demise.

Please consider the impact to not only Kristin as the victim of this crime, but of her family that relinquished a "normal life" as they never gave up and relentlessly pursued justice for their beloved oldest child. My husband and I are among countless others that have lived the nightmare as we supported the Smart family in search activities, awareness campaigns, tearful conversations, notable and emotional life milestones celebrated without Kristin, and now the reconstruction of their lives after the trial. We will be there for them forever and will remain active as the search for her body continues.

Most sincerely,



Nancy Aaberg

November 26, 2022

Dear Judge Jennifer O'Keefe,

I am writing this impact letter as a friend of the Smart's after the disappearance and death of Kristin. I initially met Kristin's mother, Denise approximately 15 years ago in a water aerobics class where no discussions were encourage or done. Denise and I were the " tall ladies" in the deep end of the pool. As time went on, and out of the pool , we developed a strong friendship over many discussions around children life and eventually Kristin.
I found both Denise and Stan, to be bright , intelligent, social individuals, trying to forge ahead in life with a horrible emptiness inside of both of them.

In the years that ensued, we spoke of the importance of not staying in anger and resentment. The idea of scholarships in memory of Kristin was born. It was important for everyone to share a positive part of her life and not to dwell on the years of loss. We all worked at making some lives financially easier and embrace the positives of Kristin's personality. I hope these scholarships continue to occur.

In the last two years Paul Flores came more to the forefront, not as a person of interest, but a suspect. During this time, I saw more stress and anxiousness the Smarts. There was more pressure to never give up on seeing justice for their daughter. I cannot personally comprehend the pain and loss they felt at losing Kristin at the hands of Paul Flores.

I am not a vindictive, full of rage person. Both my husband and I are retired social workers that regularly dealt with deaths of parents or children. We do feel Paul has harmed others and has had many years to do as he pleased. He obviously harmed other women before and after Kristin. During all the years of Paul being free in society, the Smarts have suffered the loss of their child.
Paul needs to be held accountable for his actions. To this day Paul doesn't accept any responsibility in killing Kristin. We feel Paul will always be a risk to women. His history of drugging and raping women bares this out. After 30 years of working around rapists, we know that there are people who cannot change their core behaviors and beliefs. Paul is one of these people. He should not be paroled or have a reduced sentence.

We are hoping at some point in time, the Smart's will have the final location of their daughters remains. We feel it is time for the family to know, move on and heal as much as they can in this lifetime. I have noticed the shifting to a positive place for this family . This happened after the Paul Flores guilty verdict. For this we are grateful.
We thank you for taking the time to read and consider this letter.

Sincerely,
Lauren and Denny AhTye

[redacted]

30 November 2002

Dear Judge Jennifer O'Keefe,

**Kristin Smart Impact Statement**

Thank you for taking the time to read my impact statement.

Kristin and I met in our teenage years. We became friends whilst on holiday with our families in Yosemite National Park. Over the years we grew closer and visited each other's homes. Kristin came to stay with my family for the summer in London, whilst we visited the Smarts in Stockton and Lake Tahoe. It seems to me that wherever we went together we swam in lakes, ate pizza and created lots of happy memories. Kristin was a strong, wise and brave young person and she was lots of fun to be around.

Kristin's sudden disappearance came as a huge shock to me. Like many others, I hoped and prayed that there had been a misunderstanding and that she would show up with a story to tell. I still find it hard to accept that this will never be the case.

I think particularly of Kristin and her family at Christmas. Following her disappearance, her family came to stay with us again in London. I imagine the thought of being at home without her over the holiday season was too much to bear. It was a dark time for us all, but we lit a special candle every day and remembered Kristin as a bright and shining light. I will light a candle again this year to keep her memory alive.

Yours sincerely,

Elizabeth Bottrill

Dear Judge Jennifer O'Keefe,

I want to Thank You for your role in helping to bring a dangerous criminal to justice. As we know Paul Flores has been found guilty of the rape and murder of Kristin Denise Smart. As you are also aware video evidence was discovered on Paul's laptop of him raping numerous women who were unconscious. Crimes that were committed in Los Angeles County for which he has not yet been charged. Unfortunately, Kristin's body is still missing which has been a terrible injustice to her family Stan, Denise, Lindsey and Matthew. Kristin has millions of supporters around the world that all want the same thing: **Justice for Kristin**.

I never knew Kristin Smart when she was alive. At the time of her disappearance, I was a high school freshman in Bakersfield, California. Three and a half years after she disappeared, I enrolled as a freshman at Cal Poly. I lived in Fremont Hall which is one of the red brick dorms located just 500 feet from Muir Hall where Kristin lived. At least twice a day while on my way to the cafeteria or to class. I walked past the intersection of Perimeter and Grande Ave, the last place where Kristin was seen alive. On the weekends it wasn't uncommon for me and my friends to walk from the dorms to the frat houses surrounding campus looking for parties. On the way back to the dorms I often walked from Crandall Way to Perimeter Road to Grand Ave. The last walk Kristin took on this earth. As a Cal Poly Freshman I walked many of the same paths that Kristin walked and I struggled to adjust to life as a young adult away from home for the first time.

I think that most college students struggle that first year. Everyone's trying to figure out who they are and what they want out of life. I sometimes wonder what would have happened if Kristin had made it safely back to her dorm room that night. She would have turned 45 this year. Chances are she would be seeing her own children off to college, and perhaps even telling her own stories from her first year at Cal Poly.

During my four years at Cal Poly, I knew next to nothing about Kristin's story. I don't believe I ever heard it talked about on campus. It certainly wasn't discussed at our orientation or during the Cal Poly Week of Welcome that is held every year for new students the week before fall classes start. It wasn't until I visited the village of Arroyo Grande that I first saw her face on the billboard in front of James P. Murphy's Law office. I knew she was missing but that was all I knew about Kristin Smart while I was a student at Cal Poly.

After I graduated in 2003 I joined the Navy and moved away from the area. Years passed and I lived in different parts of the country. I got married, finished my commitment with the Navy, got out, had children, and started a new career. I was happy with my life but my time at Cal Poly had made me fall in love with the Central Coast. So, in 2011 when I got a job offer in

Santa Maria, California it was easy to say yes. My wife and I moved to Arroyo Grande where we lived for the next 8 years and raised our family. When we first moved to Arroyo Grande I would often take my kids for walks through the village, they loved the rope bridge, the creek and the roosters that run free in the village park. And I would always look with sadness at Kristin's billboard and say a prayer for her and her family. But I still knew next to nothing about her story.

Then one day in 2013 I found a newspaper on my doorstep. The same newspaper had been placed on the doorsteps of all my neighbors but none of us had subscribed to it. On the cover was Kristin's beautiful smiling face and a headline about her disappearance. All the articles were written by one man, David Smallwood. I spent the rest of the morning reading the newspaper cover to cover. It was the first time I had learned anything about Kristin other than the fact she was missing. The more I read, the more outraged I became. I am a proud Cal Poly alumni a Mustang through and through, I bleed Green and Gold. I made lifelong friends while I was a student at Cal Poly. I earned a degree that has given me great opportunities, and throughout my professional life the Cal Poly name always got me nods of respect from colleagues. But reading about how Kristin's case was handled and how her family was treated by the school I loved, was the first time I felt embarrassed to be a Mustang.

Reading that Kristin's body might be located just a few miles from my house near the village of Arroyo Grande made me wonder what kind of a community I was living in. How could anyone, who lived, worked, and shopped in the same town where I lived keep information about Kristin from her family? I asked myself how could our law enforcement and justice system let this happen? I was outraged and wanted to do anything I could to help bring Kristin home to her family.

Searching online I found a Facebook Group called "Find Kristin Smart" that was started by someone named Dennis Mahon. Over the years I followed the page and gradually I learned more about Kristin and her disappearance, but I still didn't know much about her as a person. It wasn't until 2019 when Chris Lambert released the first episode of his podcast "Your Own Backyard" that I learned about who Kristin really was. I learned that she loved children and was a great babysitter and big sister. I learned that she loved the beach, and water sports. She loved Aloha shirts and reggae music. She dreamed of traveling the world and was a dedicated friend, daughter, and sister. Kristin came alive for me because of Chris Lambert's podcast and I can picture her now walking down many of the path's I walked as a student on the Cal Poly campus, swimming at the same pool, shopping at the same bookstore, eating at the same cafeteria, going to parties in the same off campus houses. I can imagine Kristin trying to make new friends and adjust to life away from home just as all Cal Poly freshmen do. Kristin's case has gained worldwide recognition. In part that's because it was an unsolved case for decades. But it's also because of who she was. Kristin was a kind, smart, beautiful person. She had so

much potential in front of her that was taken away. I think the other reason this case has touched so many people is the Smart Family. I can't imagine going through what they have been through, but they have endured all their suffering with kindness, grace, and patience.

I moved away from Arroyo Grande three and a half years ago for a job opportunity in the central valley. Before I left, I would occasionally drive for Uber and Lyft to make extra money to support my growing family. Many nights I ended up driving home Cal Poly students from parties off campus. I asked some of them if they had heard of Kristin Smart or her story. Most had not. Kristin's story was not told to me during my freshman orientation or during the week of welcome that I attended prior to starting classes in the fall. As far as I know Kristin's story still isn't told by the school to incoming freshmen. There is no memorial to her on campus and it was only recently that the registrar's office reversed Kristin's failing grades from her last quarter at Cal Poly. I don't need to go into all the details of the early mis-steps in the investigation or the rude treatment her family received from the administration. No organization is perfect but real leaders admit their mistakes, learn from them and share the lessons so they don't happen again.

I want to commend Cal Poly President Jeff Armstrong for being the first school President to meet with Kristin's parents Stan and Denise Smart, to offer an apology for the way Kristin's case had been handled in the early days. I think it is fitting that the press conference announcing the arrest of Paul Flores was held on Cal Poly's campus. It is my hope that Kristin's story will be shared with all incoming Cal Poly freshmen and transfer students. Cal Poly and the Central Coast is one of the safest places I've ever lived but all it takes is one evil person to take a life. By teaching students about Kristin and her story we can educate them about the dangers that exist around all college campuses. There are predators who place drugs into drinks at parties, who wait to assault intoxicated women. All students should learn Kristin's story so that they never leave a friend alone, or trust someone who is making them uncomfortable or scared.

The California Legislature passed the "Kristin Smart Campus Safety Act" to get colleges throughout the state to do a better job of communicating with local law enforcement. As I stated earlier a true leader acknowledges mistakes, learns from them, and shares the lessons so others can learn from them also. I saw this leadership demonstrated in episode 7 of the podcast "Your Own Backyard" Sheriff Ian Parkinson allowed his department to be interviewed by Chris Lambert. He didn't try and make excuses for the mistakes of the past, he acknowledged them and revealed to the public for the first time the extent of the work his office had been doing behind the scenes. Three Sheriffs before him had failed to make an arrest, but fortunately for us he's not like his predecessors. Sheriff Parkinson has made sure his department relentlessly pursued this case and kept the Smart Family updated on its progress.

Now a conviction has finally been made over twenty-five years after Kristin disappeared. Fortunately, we have a Justice System that stands up for victims and is willing to take on the challenge of putting away the man who took Kristin away from her family. Everyone connected with this case from Cal Poly alumni to Central Coast residents and the millions around the world who have heard Kristin's story through the "Your Own Backyard Podcast" is hoping that Paul Flores will be put away where he can never again harm another woman.

With Gratitude,

Pascoe Bowen

December 1, 2022

Dear Honorable Judge Jennifer O'Keefe,

My name is Debbie Boyd. I came to know the Smart family a few years ago when one of their friends introduced Denise and I after seeing my daughter's story on CBS 48 hours. Sadly, I have walked a similar journey as the Smart family, as in 2005 my daughter Christie Wilson was kidnapped and murdered in Placer County, CA. Although our cases have their own uniqueness's, the journey we walk is similar. Fortunately, Honorable Judge Garen Horst, former Prosecutor for Placer County was successful in achieving the first no body homicide conviction in Placer County. Like the Smart Family, we too had tremendous media coverage which resulted in a change of venue to Sacramento. I know firsthand the physical and emotional toll it takes on a family having to obtain lodging to attend a trial away from home, the impact it has on those who are trying to hold down a job in parallel with sitting through trial etc. I think you would agree, the Smart family's composure, professionalism, kindness has been stellar throughout the process; I am proud to know them and admire their strength.

As you prepare to sentence Paul Flores, I would like to provide some perspective. You see, not only did Paul Flores murder Kristin Smart, he also disposed of Kristin's remains to an unknown location and continues to refuse to disclose the location of Kristin. The Murder of Kristin Smart, in my view, is a Murder with Special Circumstance; the Special Circumstance being he has hidden her body and continues to impose emotional torture on the Smart Family. Yes, there is the conviction he will be sentenced for, however it is bittersweet, as Kristin is still missing.

Fortunately, in my situation we too got a no body conviction. Thereafter I lived "15+ years" trying to move forward, however I must share with you that night after night I continued to lay in bed being emotionally tortured wondering where my daughter's remains were hidden. In August of 2020, 17 years post-conviction my daughter's remains were finally recovered....and of all places, they were recovered in the backyard, of the killer's former residence.

I share this with you, to bring awareness to the fact that once my daughter's remains were recovered, I realized a profound difference in how I walk through my day-to-day, as the torture of not knowing where her remains were was finally lifted.

As you prepare to sentence Paul Flores, please consider the pain that Paul Flores continues to inflict on the Smart family by refusing to cooperate in leading investigators to Kristin's remains. To kill someone is evil, however to kill them and then continue to hide the victim is beyond evil...Judge O'Keefe, it's torture!

As we all have witnessed, Paul Flores has shown no remorse, has remained indignant in not cooperating with investigators, and continues to inflict immense pain on the Smart Family.

I ask that you please consider the testimony you heard from Paul Flore's sexual assault victims during trial as it is clear nothing short of a life sentence will most certainly pose a threat to society.

Finally, in the absence of law that would allow you to sentence Paul Flores to Murder with Special Circumstance, I ask that you please sentence Paul *Flores to life in prison without the opportunity for parole*. The fact he continues to hide Kristin's remains should not be overlooked at sentencing.

Thank you for your consideration.

Sincerely,

Debra Boyd

**Debra Boyd**

Honorable Judge O'Keefe,

It is hard to put into words how this has impacted my life and the lives of the people who I love but I will try.

In 1996, when Kristin disappeared, I was 14 years old. I remember my mom telling me the news in our kitchen and not fully understanding what it meant. I was so scared for Kristin. My best friend Lindsey, her younger sister, who I have known since the moment I was born, couldn't find her sister. Surely she would be found soon and there would be a reason for all of the confusion? But no, time would start to pass and I remember wanting to do whatever I could to help the Smart family but being so young I felt helpless to do so. It made me very scared and anxious to be a girl, not knowing what life was going to be like growing up. Would something like this happen to me when I left home? How dangerous was the outside world going to be? I suffered with panic attacks and anxiety for years and even went to therapy when it was time for me to leave for college. I felt like something bad would happen when I left the safety of my parents and my home.

So much time went on and we had so few answers to where Kristin had been, but one thing seemed to be clear. There was boy named Paul Flores who had been the last to be seen with Kristin and there were so many reasons to think that he knew where she was.

Hopefully whoever is reading this letter knows most of the nuances of this case. The lies Paul told and the mishandled evidence. The poor way campus police handled her disappearance which was so detrimental to the case that the Kristin Smart Campus Safety Act was put into place in 1998, (I was present at the Capitol with the Smart Family when it was signed into law). It felt like there were so many bumps in the road along the way that it made the 26 years of impossible heartache for the family and friends of Kristin.

I bring all of this up because Kristin has now been missing for longer than she was alive. The Smart family and all of the people who cared about Kristin had to wait 26 years for Paul Flores to be convicted of murder. 26 years! Can you imagine what that waiting was like for the family? I can't. Even though I lived through it right beside them. It was hard on me as a friend watching from the outside as they fought for years for someone to do something to bring the man who murdered their daughter to justice. All that time Paul was able to live his life in the world. Free to terrorize more women. He is a frightening man who has proven that he will never be a safe member of society to be around. He scares me and many women that know his history.

We will never have Kristin back. Her family will never know who she was supposed to become in this world. The grandkids that she may have had. The love that she would have shared with her siblings as they grew into adults with lives of their own. So many things were robbed from her family and friends the night that she was murdered. We miss Kristin and will continue to honor her memory and to fight to keep this world safe from people like Paul Flores.

Thank you for your time,

Alanna Cavanagh

29 November, 2022

Dear Judge O'Keefe:

Where to begin?????
Denise Smart and I were teaching colleagues for many years and became dear friends along the way. Having witnessed up close the ungodly toll Kristin's murder has taken on the entire Smart family, it is my hope Paul will spend the rest of his life in prison.

My great aunt was murdered in Golden Gate Park many years ago. Sadly, the nature of evil and the loss of innocence was a common theme as I grew up. Kristin's murder forced me to reckon, once again, kicking and screaming, with the random, ugly nature of evil. There's no making sense of it....

Stan and Denise are both rare human beings who dedicated their lives to helping others, cherishing their children and creating goodness in the world. Who knew their valiant fight to honor Kristin, with so many odds against them, would inspire thousands around the world to stand up for good??? May justice be served for Paul as we continue to shine our collective light.

In loving compassion,
Cynthia Chappell

Kristin Smart and I met when we were in 4th grade. We were the same age my daughter is now.

Kristin's last words to me in a handwritten letter she wrote shortly before her life was taken was: "My thoughts are always with you...and our friendship I hope lasts with us through eternity."

How do you quantify or even begin to explain the impact of the loss of a childhood best friend when you were both only 19 years old? You can't. It is not possible.

· HUGS · BIRTHDAYS · PICTURES · JOYS · CHALLENGES · PHONE CALLS · REUNIONS · PARENTHOOD · TIME · CARING ·

· GRADUATIONS · BIRTHS · FUNERALS · SUPPORT · LETTERS ·

· LAUGHTER · WEDDINGS · HOLIDAYS · ENCOURAGEMENT ·

The blank space on these pages symbolize all the loss. The loss of time with my family while I supported Kristin's family during a lengthy prelim and trial. The loss of our continued friendship that Kristin and I never got to share. Blank. Empty. Gone.

I can only imagine (represented by the words around the border) what our lives would have been like and all the memories, stories and hugs we would have shared. I have lived 26+ years without her while her killer has been free and was given the opportunity to victimize other women.
This is shameful.
I have personally witnessed her family's repeated suffering and anxiety from a moving timeline of hope for justice, while praying for answers.



· CELEBRATIONS · PURPOSE · LISTENING · JOKES · MEALS · BAPTISMS · SELFIES · CHILDREN · VACATIONS · BELONGING ·

Although Kristin's killer has not yet been sentenced, he has already handed out a life sentence to Kristin, her family and friends. The daily agony the family has had to endure over the last 26+ years will not simply go away because her killer was caught. Kristin is still gone forever.

The person who was found guilty of murdering Kristin not only took her life, but also took and hid her body while they lived their life without care. This has only prolonged and increased the pain and suffering. Once the location of her body is revealed, healing can begin.

There is no price that can be paid, there is no sentence that can be served, there is no justice that can be obtained for a lifelong friendship that was stolen by a murderer.

Kristin, we love you and shall never give up hope for you to finally rest in peace and for a lifetime of justice to be served.

~ Ann-Marie Christian
& Family

11/30/2022

Judge O'Keefe,

On behalf of the Smart family, I'd like to take this opportunity to outline the significant impact both Kristin and the Smart family have had on, not only my life but the life of my daughter and our Shell Beach community. In 1996 Kristin was kidnapped, sextually assaulted and murdered by Paul Flores, in 1998 my daughter was born. Kristin's disappearance became the story that bought terror into our home and for all young women throughout the Central Coast. Kristin's "untold" story organically circulated throughout many arenas; coffee shops, living rooms, school drop offs, classrooms, and college campuses. Kristin's murder caused unnecessary anxiety within our community knowing that the killer / sexual predator was alive and thriving.

I had the extreme honor to meet Denise Smart at a small music gathering that I host on the cliffs of Shell Beach, such gatherings have cultivated a circle of love for Denise which created a "safe space" for her to enter while visiting during these most challenging visits. For 26 years, twice a year, Denise would visit to celebrates Kristin's birthday in February and to meet with law enforcement, it was the latter that kept Kristin's case out of law enforcement's cold file. A parents persistence power's overall.

I, Therese Cron, should not have had the opportunity to create a friendship with Denise Smart and her family 6 years ago. Paul Flores, murderer, and sexual predator should've been locked up in 1996 along with his parents.

As a community, our hope is that Paul Flores is sentenced to life in prison with no chance of parole.

Respectfully,

Therese Cron

Honorable Judge O'Keefe,

November 29, 2022

"If I start crying, I don't know if I'll ever stop."

She used to laugh. Sitting on her college bed in our rental apartment, Lindsey fleetingly wanted to talk about her sister Kristin but didn't know how to. Didn't know where to start. Didn't know how to handle the emotions, heavy and thick and impossible. So she laughed. All the while saying "I know it's not funny."

Lindsey was a child when her sister was taken from her. She was still in middle school, awaiting her eighth grade graduation. On that Sunday that Kristin didn't call home, Paul Flores claimed another victim. He irreversibly shattered the life of a quiet, hard working, smart and kind little girl. Lindsey would never see her sister again nor would she see her world the same.

All of a sudden, Lindsey and her family weren't taking road trips to Cal Poly to visit Kristin, they were taking road trips to look for clues, for her body. All of a sudden, Lindsey was graduating eight grade with still no word from her sister and the worry and devastation of her parents spilling onto her dinner plate. How do we expect a child to keep going to school, keep going to swim practices and birthday parties and first dances? How is a child supposed to mourn her sister who is....missing? But Kristin Smart was not missing. She was dead and buried under Ruben's deck. All the while, my friend Lindsey was hoping for a miracle.

Lindsey and I are kindred spirits. At almost the exact same time as Kristin was murdered, I endured severe sexual abuse at the hands of two middle school teachers. Trauma at that precocious age has a way of stunting growth, of putting us in an emotional freeze. I am proud of Lindsey's healing and the healing that she will continue to do for the rest of her life. I am proud that she no longer laughs, but is at the part of her healing process where she can cry and grieve and ask for what she needs. But I am also angry. I am angry that she has to heal in the first place. I am angry that her childhood was robbed. I am angry that she had to face an emotion that was so large, she-as a child- could not bear to hold it.

The last time Lindsey went down to visit Kristin she was supposed to stay in her dorm room. It got late. It didn't work out. She would have a slumber party with her sis on the next trip. But there was no next trip. Paul Flores did not just kill Kristin. He murdered sister sleepovers and maid of honors and a million tiny memories.

Paul should spend the rest of his days in prison as Lindsey will spend the rest of her days healing. Paul should never feel freedom as Lindsey will never feel the freedom from this scar. He did this. He murdered Kristin, hid her body and allowed a wonderful young girl to wonder for years upon end, if she would ever possibly see her big sister again. For years, Lindsey held on to tragic hope. Please take away Paul's hope as he has taken Lindsey's hope. Please see to it that Paul never sees freedom in his life.

Sincerely,

Kristen Cunnane
Friend and College Roommate of Lindsey Smart
Supporter of Smart Family.

Attn: Judge Jennifer O'Keefe

We are submitting a victim impact statement on behalf of Kristin Smart. We are friends of the family; acquainted more so with Kristin's parents, Stan and Denise, and Kristin's siblings Matt and Lindsay. Kristin attended the same high school as our own children that were a bit younger than her. Our paths often crossed during UOP swim meets as all of the Smart children were amazing athletes. We could not help but think that any of our friends' children including our own could have been affected by this act of violence committed by Paul Flores. We have kept up with the events in the 26 years over her disappearance and attended Kristin's memorial service when her disappearance reached 5 years. It was a beautiful, albeit heartbreaking ceremony with doves released over her beloved ocean. But emotions, feelings, frustrations and raw pain was evident then as it continued to be 26 years later. In the beginning our neighborhood would take turns in delivering dinners to the Smarts as they were beyond consumed with searches in the SLO area, working with law enforcement and doing all they could to locate their missing daughter. I specifically recall Denise Smart saying she would not be able to go on if this continued for 6 months.

Yet, they did go on, somehow. With a determination that could only be explained by pure love for their daughter, they kept on with billboards, a memorial bench, bumper stickers, a scholarship fund and continually acknowledged her disappearance year after year despite no breaks in the case. Although we knew many details, it was not until the podcaster Chris Lambert told his compelling stories along with attending the trial and hearing the evidence that the true horror of what Paul Flores did became more than circumstantial. As he continued to victimize other women, his evil and sociopathic personality became clear and there was no doubt that he was indeed the perpetrator.

We have great empathy for the Smart family in having to hear these details of the crimes he continued to commit. Yet, the Smarts fought harder and despite the statistics that often end up with profound grief resulting in divorce, they stayed together as a family and were able to welcome grandchildren, anniversaries, milestone birthdays, and participate in community activities and celebrations for their own friends and family. Yet, the black cloud of Kristin's disappearance hung over them, the elephant was always in the room and their heartache remained. People spoke of "closure" which is a term we don't feel is appropriate for someone's life that they love, and will always love. It's a real estate term and although justice for Kristin was thankfully finally served, they suffered through it all. But they became better and not bitter. They spoke up for others, they appreciated others, and they worked tirelessly to keep Kristin's memory alive.

We hope someday Kristin's remains will be found. We feel strongly that the world will be a safer place if Paul Flores receives the maximum sentence of life in prison.

Sandi Edde

Don Edde

November 30, 2022

Judge Jennifer O'Keefe,

My name is Sarah Elizabeth Drouin, and I am a childhood friend of Kristin's. I went through school and grew up in the neighborhood with Kristin. Our siblings are the same ages and also grew up together. I vacationed with the Smart family, and Kristin and I babysat together. Trying to come up with the words to fully convey how Kristin's case has affected my life has been extremely challenging. Is it possible to put 26 years into one page?

When Paul Flores decided to drug, rape, and kill my friend, he made this decision to destroy a family and their friends, forever. I remember coming home from my freshman year of college to find out my friend was missing. His act of violence put fear into thousands, if not more, freshman girls across the country. We never walked our campuses the same. There was now fear that something might happen to us as well.

I watched my family friends suffer to get answers and to continue to try and get help to figure out where she had disappeared to? From Day 1, we knew that the assailant was Paul Flores. We knew it, but we had to watch our friends go through the motions year after year to get the truth out. It is now FINALLY confirmed. Paul's act of violence has affected me exponentially. Sitting through the testimony of the Jane Doe's that endured the violent drugging and rape from Paul Flores was continued trauma for me. I have brought my daughter and my niece up differently. Knowing that there are evil people like Paul Flores in the world, keeps me fearful that this could possibly happen to them. Is it right that I have to live in fear because he is evil? He continued to do harm and damage while Krisitn's family and friends suffered year after

year. This shows me that he will NEVER change, and he deserves to be locked up behind bars FOREVER to protect our community from this truly evil predator.

Feel free to contact me with any further questions or comments.

Respectfully,

Sarah Elizabeth Drouin

November 30, 2022

Your Honor,

I have known the Smart Family almost my whole life. I grew up with Lindsay (Smart) Stewart since the age of 3. We attended preschool together, elementary school and high school. In those years, we have created a friendship for the ages... We continue this relationship today, and I am super blessed that she is in my life.

So many memories have occurred in the past 38 years. Denise Smart was part of the carpool as we grew up. She was so entertaining with fun songs that she would sing and teach us. She created such a wonderful atmosphere for me and the other people around her. Denise is so creative and over the years planned birthday parties, bridal showers and baby showers for Lindsey that were full of fun for everyone.

The Smart family was like a part of my family. From sleepovers to car trips, we formed a bond that is unbreakable. When Kristen went missing, this bond brought Lindsey even closer to my family as she stayed with us for a good part of the summer and anytime that Stan and Denise needed to go to San Luis Obispo to pursue the search for their oldest daughter. I have two siblings as well, two brothers. I cannot imagine the pain and suffering that occurs when someone goes missing with little resolution for so many years.

Lindsey and I had a passion for swimming. We belonged to the Tiger Aquatics Swim Team. Kristen, Matt, and Lindsey all swam on the team. Lindsey and I played many sports together throughout the years of elementary school, high school, and college. I can remember Lindsey looking up to her big sister and brother as they completed at many meets throughout the year.

I will never forget the Memorial Day swim meet in 1996. Lindsey, Matt, and I competed that weekend at the Annual Tiger Aquatics Memorial Day meet. Denise and Stan were always present to cheer on Lindsey and Matt, along with the rest of the team. This meet was no different. A few days later, I vividly remember how I felt when Lindsey told me that they could not find her sister. This memory will haunt me forever.

I was able to attend the closing arguments for the trial of Paul Flores on October 3rd. I wasn't sure how I would feel attending the court trial and facing the person that I felt in my heart was responsible for the disappearance and murder of Kristen Smart. After all these years and the evidence collected in this case, I am satisfied that the jury made the decision that they did. I feel Mr. Flores is directly responsible for the

loss of my best friend's sister, Kristen. I believe that he should serve a term that is the maximum for the crime of First-Degree Murder in which he was convicted.

This man changed the Smart family dynamics FOREVER. The family of five is now a family of four. The pain and suffering that I have witnessed is so hard to describe, but I know the strength of the Smart family will carry on as it has for the past 26 years of this journey. They have added five beautiful grandchildren to the family. They continue to travel and live life to the fullest. I know this journey, if Kirsten had the opportunity to still be present on this earth, would be the same, full of love and laughter.... And family.

Sincerely,



Robin Errecart

Dear Ms. Hannah,

I have known the Smart family since they moved to Stockton. Lindsey Smart and my daughter, Robin have been friends since preschool and are best friends to this day. Denise and I worked together on many schools and sports activities. Stan and Denise were always very involved as a family in whatever the kids were interested in. The Smart kids were always encouraged to learn activities that weren't what everyone else was doing, but things to make very well-rounded people.

Lindsey and Robin played competitive soccer and swimming together. Denise and I spent many weekends out of town watching and working at swim meets. The last "normal" swim meet weekend was Memorial Day 1996. Denise and I worked the meet together Friday until Monday, not knowing that Kristin was missing, and that life would never be the same for the Smart family. I will also never forget two weeks later seeing Stan and Denise stand in the back of the room at Lindsey's middle school promotional. They were in such shock and of course glad to be there for Lindsey.

Stan and Denise never gave up looking for Kristin. They did everything possible to try to find her, heading up search parties and yet always trying to make life normal for Matt and Lindsey. There are so many family events that Kristin missed. She was never able to graduate from college, see her brother and sister graduate from high school, or college, see them get married or be probably the best aunt her four nieces and one nephew could ever ask for.

Everyone is so happy that justice was finally served, and that Paul Flores was found guilty. As a parent I could never imagine what Stan and Denise have been through and especially not knowing where she is. I know Paul will never tell where she is, but hopefully he can spend the rest of his life behind bars and go through the hell that he has put the Smart's through.

Thank you for your time,

Sue Errecart

Sue Errecart

From: una hernlund <vallegal59@yahoo.com>
Sent: Sunday, November 27, 2022 7:45 PM
To: dhannah@co.slo.ca.us
Subject: [EXT]Impact letter-Paul Flores/Kristin Smart Case

ATTENTION: This email originated from outside the County's network. Use caution when opening
attachments or links.

Honorable Jennifer O'Keefe. I am writing to inform the court of how the actions of Paul Flores and the murder of Kristen Smart has affected my life and those of the Smart family. I am one of Denise and Stan's oldest friends having met them in college in 1967. Very early on in the disappearance of Kristin I was informed by Denise and Stan. From that time on I traveled with Denise to talk shows on the east coast, have been there for many of her frustrating moments leading to anger and tears, supported her when she met with sheriffs, district attorneys and various investigators assigned to Kristin's case. I was there when Kristen was declared dead-one of the hardest, saddest days for me and my mother who also was in attendance. I know that I could never feel exactly as Denise and Stan did but as a friend and also a mother I did feel for them and supported her in any way that I could. She called-I was there. Denise and I have two sons very close in age, my eldest son a few years older than Kristin and her youngest daughter is my Goddaughter so I am very connected with the Smart family. Not only did this disappearance and murder affect the parents but both Matt and Lindsey too.As parents, on one hand you are grieving and fighting to find out what happened to your oldest child but you still have to maintain as much of a normal life for your other children.You are being torn in two directions all the while still getting up , going to work and all the other daily tasks as parenting requires. It's like spinning plates trying to keep them from falling but at the same time working everyday to find your missing daughter while running into roadblocks with authorities and others. Those of us close to the Smarts felt all the frustration and anger too. As far as Paul is concerned I believe he was a menace to every female with which he came in contact. He is a sick individual and has been raised by a family that continues to enable him. Enabling is not supportive. When parents support a child they also disallow any inappropriate behavior but the Flores parents ,by enabling Paul, allow all his

behaviors with no
consequences. They lie for him, refuse to work with the authorities, and then have the audacity to
complain that they have been emotionally hurt by the Smart family. So, in closing I ask that you give
attention while making your sentencing decision, to the fact that it has been 26 years of living in limbo
for the Smarts and all the people who love and support them that he be sentenced to life in prison. As
far as parole, men like Paul do not change their mindset or behavior-as it has been unchecked and will
continue if he is released back into society. We may never learn the whereabouts of "our girl"but you
will also be getting Paul off the streets, out of the bars and his workplace but most importantly out of
unsuspecting womens' vaginas that he has drugged as this is his Modus Operandi that has gone
unchecked.
Respectfully,
Una M. Hernlund
Sent from my iPhone

November 30, 2022

To: Judge Jennifer O'Keefe
From: Carla Hoffman
Re: Sentencing of Paul Flores

It was October 2018 when Denise Smart and I first met together with Sheriff Ian Parkinson and two of his detectives. We were there to talk about progress in the investigation into Kristin Smart's 1996 disappearance and presumed death. It was the first of many years of Denise and I traveling together from Stockton to San Luis Obispo, all in an effort to get where we are today. At that October meeting, Denise did her best to remain hopeful; however her words were, "I see a minutiae of a possibility of a prosecution."

And yet, here we are, at long last. So many times Denise and I met with the very best of law enforcement officers, garnering strength and hope from their words and actions. They didn't not let us down. So many times I supported her and held her up as she doggedly trudged through the years of loss and prolonged, unending trauma. Ultimately, all Denise wanted was her daughter's remains returned to her. That did not happen.

There is immeasurable relief that Paul Flores is no longer harming women. There is also immeasurable fear that he will be able to harm them again, should he receive less than a life sentence. Our one hope is that the justice we now have for Kristin—26 years in the making—will not be squandered to a prison term that negates the travesty of such a horrific crime. We don't know where Kristin is, but we know where Paul Flores is.

If nothing else, please bring us the unsettled peace of always knowing where he is.

Sincerely,

Carla Hoffman, Ed.D.

November 30, 2022

Your Honor, Judge Jennifer O'Keefe,

I knew Kristin as a young child and have been close family friends with the Smart family for close to 40 years.

When Kristin was little, she was a quiet, reserved (shy) child with a beautiful smile. She loved playing with her siblings, Matt and Lindsey. I remember her as always being a helper. She was sweet and kind. She loved brussel sprouts and would ask for them when I would babysit. I don't know of too many kids that would do that.

I remember hearing the news of Kristin's disappearance shortly after Memorial Day 1996. I was pregnant with my daughter at the time and lived in another state. I was in disbelief and scared for Kristin and The Smarts. I couldn't even imagine the pain of not knowing what happened to her. There is not a Memorial Day since that I haven't known how long Kristin has been gone. I am reminded of it yearly with my daughter's age.

As my own daughter got older, I found that I would constantly remind her of being aware of her surroundings when she would go out with friends. We would talk about not leaving her friends, making sure everyone got to where they needed to be at the end of the night and discussions about not leaving drinks unattended. I know that I was more diligent about this because of what happened with Kristin.

Denise and Stan have never stopped seeking answers for Kristin's disappearance. From the beginning searches for Kristin, the emotional heartbreak of having their oldest daughter declared deceased, the long pauses when it felt like there was no progress in the case, to the present, when justice has finally been given to Kristin and her family with Pauls' murder conviction. Denise and Stan have had an unwavering and steadfast perseverance in bringing justice to their daughter Kristin. They have had to endure what no parent should at the hands of Paul Flores.

The fact that Paul Flores has known what happened to Kristin and has kept it from her family all these years is aggravating. The twenty-six plus years of emotional distress he has caused the Smarts through his lack of cooperation with law enforcement is disheartening. How can Paul have such little regard for Kristin's life?

The Smart Family and their many friends have been deprived of knowing Kristin as an adult. We were not able to see her accomplish her goals, get married or have a family. Kristin was robbed of time. Time spent with the family she loved. Time with the nieces and nephew she would have adored. Time spent pursuing her dreams. It is saddening knowing that my friends have had to endure this pain for so long and that it will never truly go away.

I plead with you to fully punish Paul Flores to the extent of the law. He is a predator that has been allowed to be free for far too long.

Respectfully,

Mary K Hollenbeck

November 30, 2022

Your Honor, Judge Jennifer O'Keefe,

My name is Skylar and I have known the Smart Family my entire life. Denise and Stan were good friends with my grandparents. My mother babysat Kristin, Matt, and Lindsey when they were growing up. I went to the same high school as Kristin, swam in the same pools for swim team, and the house she grew up in was basically a second home for me growing up. My mom and I have shared countless birthdays, anniversaries, holidays, graduations, and many other life events with the Smart Family. The only one missing was Kristin.

Growing up, my mom would constantly remind me to always be aware of my surroundings, never leave drinks unattended, make sure that my friends and I stuck together, and make sure that everyone got where they were going. I think it took me until I was in my early twenties before I realized that she pushed these warnings so hard because of Kristin and what happened to her.

I have no children of my own yet, so I can't even begin to imagine the pain and heartbreak of what Stan and Denise have been through these past twenty-six years. They have never stopped looking for Kristin, have endured what no parent ever should, and Paul Flores is the one responsible. He deprived them of the joy of watching Kristin grow up and fulfill her dreams. They were never able to watch Kristin become an aunt to her nieces and nephew, or become a parent herself, because of Paul Flores. He is responsible for the life she never got to live, and the time that was taken from her.

Paul Flores was free to live his life for twenty-six years while Kristin was robbed of hers. I ask that you fully punish Paul Flores to the extent of the law. He should not be allowed to be free after everything that he has put Kristin and the Smart Family through.

Respectfully,

Skylar Hollenbeck

December 1, 2022

Dear Judge O'Keefe,

I met the Smart family when I was 5 years old. Lindsey Smart and I attended pre-school together and we both shared a love of sports. We were instant friends. I loved going to the Smart's house. It was warm and inviting and Denise and Stan, both being educators, always had fun activities for us. Denise and Stan always made it feel like it was all about the children, Kristin was five years older than Lindsey and I always admired her as an older sister. Kristin played games with us at our sporting events and was always kind. She was the big sister I did not have and I genuinely looked up to her.

Lindsey and I played soccer together joining a competitive team that would travel all over California to play matches. One of our favorite trips was to Santa Maria. Kristin always came on the trips and was there cheering us on. On one of our trips to Santa Maria, we decided to make it a girls' trip. Denise drove my mom, Margie Mordaunt, Lindsey and Kristin. We had a great time in the back of the mini-van. The trip was one that I will never forget since it involved Kristin visiting colleges, specifically UCSB and Cal Poly. When we stopped at Cal Poly, Kristin instantly felt a connection to the school and decided that was where she wanted to go to school. We were all so excited for her and went straight to the bookstore to stock up on Cal Poly gear. Kristin helped me pick out the perfect sweatshirt and backpack keychain. That trip is one that still brings up a lot of emotion when I think about it. If only we had not gone on that roadtrip maybe Kristin would still be alive.

Kristin went missing when Lindsey and I were in 8th grade. I remember to this day the conversation I had with my mother when she told me Kristin was missing. We talked about the feelings and emotion that my good friend Lindsey must be feeling and the worry being experienced by the Smarts. I remember feeling uneasy, heartbroken and sad for one of my very best friends.

While my thirty-five year friendship with the Smart family continues to this day, I still feel the sadness that this family has had to endure and it stays with me on a daily basis . I have prayed for justice for Kristin. No family should have to endure the pain of their child and sister being raped and killed by Paul Flores. I hope my prayers will be answered when you send Mr. Flores to prison for life. It is something that he deserves.

Thank you for considering my letter.

Molly Hummel

Molly Hummel

6th November 2022

Dear Judge Jennifer O'Keefe,

**Re: Impact Statement**

I was a childhood friend of Kristin Smart. Although I lived in England, my family became friends with the Smarts when, by chance, we met in Yosemite and the kids of both families began playing together. Our families became close, despite living so far away. Several times we travelled to California for holidays and would always spend a few very happy days with Kristin and her family at Lake Tahoe and in Stockton. One year Kristin came to England by herself and spent the summer with us in London, we took her to Paris and then on to Switzerland. For that summer Kristin was like an older sister to me and I really looked up to her. I thought she was so beautiful, and she had a spirit full of fun and adventure. I wanted to be just like her.

Our family was devastated when we heard the terrible news that Kristin was missing. On the other side of the globe, we felt helpless. I remember I kept wishing that Kristin had run away, and she would turn up in London and we would find her. I would look out for tall, blond-haired, young women just in case it was Kristin. I was only a teenager and I innocently hoped for a miracle. The Smart family came to spend their first Christmas without Kristin with us in London. Of-course they couldn't bear to have Christmas without her and so needed a change. When the Smarts arrived, we lit a beautiful candle to represent that Kristin was with us in spirit.

The Smart family have been remarkable throughout, but no family should have to go through what they have endured. They not only lost their precious girl, but for so long they did not know what happened to her and they have had to fight so hard to get any justice. Kristin had so much to live for, so much potential and so much passion for life. As I have grown older, graduated from university, got married and had children I have always thought about what Kristin has missed out on. All my happy milestones, tinged with sadness that my Californian sister Kristin never got the chance to do the same. I think of all the birthdays and Christmases Kristin has missed and the babies she never had. I would have loved to hear from Kristin and her family about what she went on to do after graduating, who she fell in love with and whether she had a family of her own. Losing Kristin, and sadly coming to the awful conclusion that her life was brutally taken by a man who was seeming to escape justice certainly has an impact on me. Of-course it is tiny in comparison to the awful impact it has on her family, but speaking for myself, I was confronted as a teenager with a helplessness and fear of how suddenly life can be transformed. To see such a vibrant, happy, positive, assertive spirit disappear, to lose such a special friend, to see a family so close to my own enduring such pain and to feel helpless and afraid. We might live across the Atlantic, but the pain of this terrible crime continues to be felt keenly by me and my family. Tears are streaming down my face as I write this.

That man, I cannot bear to name him, took Kristin's life, took her future, ruined Matt and Lindsey's adolescence, and scarred their lives forever. His evil actions crushed Denise and Stan and put a whole community of family and friends through agony. He deserves the maximum sentence possible, unfortunately he escaped justice for far too long and this should be addressed through giving him the maximum sentence and ensuring he serves the entirety of it. Women need to be protected from such evil. Kristin's memory needs to be respected and all steps must be taken to make sure he pays the maximum price possible.

Yours sincerely,

Josie Nicholson

Dear Honorable Judge Jennifer O'Keefe,

I have lived my whole life in a town 30 minutes south of where Kristin Smart was last seen. In May of 1996, I was 8 years old.

I have grown up in a community that mourns the loss of a girl who only lived there for 9 months of her life. As I got older, I occasionally checked in on the case out of curiosity. Why weren't we all looking for her? Why was there never any progress?

As I started to ask questions around my community, I developed the impression that this story had all but disappeared from the public consciousness. I asked if anyone knew Kristin Smart. If they remembered her from Cal Poly.

What I found instead were women who remembered Paul Flores. Women who spoke quietly to their friends about how close they had come to *being* Kristin Smart. Every time I sat down with a woman to hear her story, she would ask, "Do you know about ****? She had an even worse run-in with Paul."

Each woman I tracked down had a story about their encounters with Paul, and a picture began to emerge of a man who showed up to parties uninvited, cornered women there, and made them extremely uncomfortable. Often by the end of the night, Paul would be found in a bedroom or bathroom with an intoxicated or unconscious woman, and forcefully thrown out.

As I have learned, this behavior never stopped.

Before I met the Smart family, I expected them to be sad, withdrawn, bitter, hopeless. Instead, I found them warm, upbeat, funny, and still pushing to find their 19 year-old daughter, who by now should be in her 40s.

The more I got to know them, the more abundantly clear it became that Kristin would never willingly leave this family. No one would willingly leave this family.

Two decades after he was supposed to walk Kristin home to her dorm room, Paul Flores still refused to speak with her family. He refused to ever help look for their daughter. He never put up a single flyer to help find information about what had happened to the girl he had promised to take home safely.

He hid Kristin from the rest of the Smart family, and he continues to keep her hidden today.

This is a family who would likely be asking for leniency if on the morning of May 25th, 1996, Paul had picked up the phone and called an ambulance instead of an accomplice.

Instead, Paul got away with murder, and continued down a path of victimizing and brutalizing women until the day he was finally arrested. I have sat with some of his victims and listened to their stories. I learned that law enforcement agencies had tracked down even more victims, and when I heard their stories on the witness stand, they were remarkably consistent.

I don't believe that Paul Flores has the ability or the willingness to stop this behavior.

I hope that he has the decency to reveal the location of Kristin's remains to her family, and soon. But until that day, I believe that he will be a danger to women wherever he goes.

Thank you for your time and attention,



CHRIS LAMBERT

# [EXT]Paul Flores

Sylvia <syl1471@gmail.com>
Sat 11/19/2022 9:57 AM
To: Diana M. Hannah <dhannah@co.slo.ca.us>
ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or links.

Dear Judge Jennifer O'Keefe;

My husband, David, and I are writing this letter as witnesses to the horrific damage Paul Flores has done to Stan, Denise, Matt, and Lindsay Smart and all their relatives, and many close friends who have suffered with them for 26 years.

Paul Flores stalked, drugged, raped and murdered our wonderful Kristin Denise Smart on May 25, 1996. Then he proceeded to lie about it for the next 26 years. His father, Ruben Flores, lied about it for 26 years as well. We are 100% convinced that Ruben helped Paul bury Kristin's body under Ruben's deck where it laid for 26 years while they both proceed to lie about it over and over again.

The rape and murder of Kristin was horrific absolutely, but the 26 years of lies told by Paul and Ruben put the Smart family through so much additional torture, it is hard to describe. Stan and Denise have spent years and years searching for Kristin's remains. It has consumed their lives and the lives of their family members and friends. They spent untold thousands and thousands of dollars on the search and on legal advice. Denise filled up notebook after notebook of information they have gleaned on the search.

It is impossible to gauge the full destructive nature of the cruelty of Paul Flores. He has had difficulty since childhood getting along with people. He has been accused of being a peeping Tom as an adult. He has drugged and raped other women and filmed himself doing it. Paul Flores needs to be incarcerated for life! Women around him are not safe and never will be.

My husband and I have been very close friends with Stan and Denise since 1980 when we lived in the same neighborhood in Yuba City, CA. Denise and I met at the park across the street from our home, and we became very close friends from then on. Kristin and our daughter were the same age and best friends. They went to preschool together and later had dance classes and Campfire Girls together. Matt and our son were the same age and Lindsay was born a few years later. Our families are very close, enjoying many activities together over the years, including traveling together.

Stan and Denise, Matt and Lindsay and their families are wonderful people who have suffered immensely for 26 years. To see the agony on their faces is deeply distressing for all of us. Paul Flores' murderous actions to Kristin are like the pebble cast into the pond, the ripples continue to travel outward causing more and more grief as the years go by. Every day of their lives the Smarts are confronted by the knowledge that they have lost their beautiful, smart, talented daughter, sister and aunt forever.

For all of this horrific chaos, Paul deserves a life sentence in prison. To protect any women that might come in contact with Paul, he must be incarcerated for life! To give him a lesser sentence would be opening the door to further drugging, rapes and potential murders. We have sat in the courtroom trial of

Paul and Ruben with Stan and Denise this summer and we have seen your fairness and wisdom, Judge O'Keefe. We know you will come to the same conclusion, and protect society from Paul Flores for the length of his murderous life.

Sincerely Yours,

David and Sylvia Lamon

November 30, 2022

To the Honorable Judge O'Keefe,

My name is Jacqueline Lamping and I write to you on behalf of the Smart family, whom I've been honored to know for almost 20 years and have felt their ongoing tragedy deeply. Kristin Smart's younger sister, Lindsey, was my roommate in San Francisco from around 2006 to 2008, and we've remained close confidantes ever since. We were bridesmaids in each other's weddings, we've supported one another through many challenges over the years, and I enjoy playing the role of 'Aunt Jackie' for each of Lindsey's three beautiful daughters.

When I first met Lindsey, my flatmates and I were looking for a new roommate, and Lindsey stood out immediately from everyone else we interviewed. She was an athlete, a graduate of UCLA, disciplined, ambitious, grounded, and most of all – kind. She was the type of person whose calm demeanor and positive yet realistic outlook on life made everyone else around her feel at ease. But there were also walls she had up, which I first chalked up to being introverted or shy. Walls that I wouldn't fully understand for another year or more. Lindsey has always been a private person, and didn't share with me that she had an older sister or what had happened to her until much later, when I can only assume she finally felt safe to talk to me about something so painful. I recall this moment vividly, because it seemed to be a story from a horror movie. How could it be that someone's sister could just disappear out of thin air, with the sole prime suspect free to move about as he pleased?

It was surreal and harrowing to hear Lindsey recount the few details she was willing to share at the time. As a young woman I had been taught to be vigilant about men / boys with bad intentions, watching my drinks, making sure friends got home safely, but this hit too close to home. Sadly, I had come to know about friends who had been raped in college, which was itself brutal enough, but none of them were murdered.... Now knowing that this kind of crime was so easily accessible, each night I walked home to our apartment, I became more worried about being followed, checking each intersection, and constantly turning around to make sure no one was about to leap out of a hidden corner. When I drove home, I would anxiously wait as the garage door closed, each time wondering if a man was about to slide under and overtake me. I was realistic about the fact that I was 5' 7" and 120 pounds, and wouldn't stand a chance against a man with larger motivations. I can't help but think about every female student at Cal Poly then and ever since, their mothers and fathers worrying about their safety, or anyone in the community who knew about Kristin's story, and how much fear it must have instilled for 26 long years knowing a targeted killer was on the loose.

Later Lindsey confided in me, as you would expect, that she had the same anxieties – feeling unsafe walking home, worried about someone following her, even while accompanied by her 6' 7" tall boyfriend (now husband). To this day I don't know how she managed to trust or date any man after knowing what Paul Flores had done to her sister. She was robbed of the ability to live a life free of these deep anxieties, and frustration that the system had failed to catch and put away this man. She worries constantly about her daughters, how to keep them safe, how to tell them about what happened to their lost Aunt Kristin without instilling permanent

paralyzing and debilitating panic. There will never be a day that she doesn't have in the back of her mind that something like this could happen again.

And how absolutely devastating this has been for the Smart family... it's beyond comprehension. Denise and Stan are the most loving, generous, kind, law-abiding parents and their resilience and persistence in finding justice for their daughter is admirable. Every year that went by, on Kristin's birthday, and over Memorial Day Weekend, Denise and Stan held vigils and asked friends, family, and the community to remember Kristin. It was heartbreaking to see this happen to such a wonderful family, but they refused to let it tear them apart. I think about what it must have been like for Denise to have gotten that first call that her young daughter was missing, those confusing first days and weeks... that dragged onto gut-wrenching months, and years, and ultimately decades. To later negotiate with attorneys about having Paul Flores give up Kristin's location in exchange for a lesser sentence. I have tears streaming down my face thinking about this even now.

I came to your Salinas courthouse to support the Smart family one day this August. By way of background, I've been to court many times before as my parents are both attorneys and I understand the general proceedings and protocols. However, nothing could have prepared me for the ill I felt in my stomach as expert witnesses described discovering evidence of the obvious signs of posthumous remains of my dear friend's sister... It was all I could do to stay focused on the content of the testimony and not vomit knowing the person who did this had been able to run free for 26 years after... and then noticing Paul Flores' eyes stare directly at me with such creepy demeanor as the jury let out. I've seen men stare at me before, but this was different. His eyes lingered, unnecessarily long. There was a combination of 'elevator eyesing' and sizing me up. I could tell he viewed me as a threat, but couldn't place me. Was he wondering if I was one of the dozens (hundreds?) of women whom he drugged, raped, and/or sodomized on video at his home and would potentially testify against him?

I'm fully aware that Paul Flores and his attorneys will be given a copy of my letter and will therefore know my identity, and likely be able to ascertain my address and location. I am writing today hoping that you, Judge O'Keefe, will keep Paul Flores safely in prison for the rest of his life and therefore unable to continue his pursuits of drugging, rape, sexual exploitation, or exacting revenge on anyone who has stood up against hin. It is terrifying knowing there are people like Paul Flores who might encounter me or someone I love and do despicable things that we might never recover from. I also fear his family who has clearly been dutifully involved in keeping his dark secrets guarded for so long.

I have wondered what would make someone carry out such horrific things. It would not surprise me to hear that Paul Flores was a victim of abuse as a child, and frankly it is the only scenario I can come up with for how someone can become such a depraved adult. However, many people have been through abusive or otherwise terrible childhoods and never hurt another person. Whatever his background may be, the awful truth is that Paul Flores has been, continues to be, and will forever be, a pervert of women. He is a creep and deviant of the community at large. There's no possibility for rehabilitation for someone who's successfully gotten away with so many crimes and perfected his craft over his lifetime.

Having looked Paul Flores in the eyes, I can say with certainty he is deranged. His brain was wired incorrectly and is hardwired for depravity. I believe deeply in forgiveness, but he is not a person who is capable of recovery or rehabilitation. Hearing reports from other victims has solidified for me that Paul Flores has not only become more successful at targeting and silencing his prey, but also in successfully escaping accountability. Please honor Kristin, the broader community, and all of Paul's victims by ensuring he will never have an opportunity to seek parole and attempt his life's craft again. I ask you on behalf of women everywhere to keep this man off the streets.



Jacqueline Lamping

I was a neighbor of the Smart family. We moved in across the street from them in September of 1990. I had two small children at the time, 5 and 3. Kristin would sometimes babysit and we spent a few holidays and various occasions with them at their home. My children got to know Kristin, Matt and Lindsey and looked up to them.

As my children got older we moved around the corner and I coached my daughter's soccer team. Kristin would sometimes help me with practice at our neighborhood park.

When Kristin disappeared, myself and my children were very affected by it. We were all in disbelief at first and then grew more and more anxious and sad when she was not found. The always wondering and answering young children's questions about where she could be and what might have happened was terribly unsettling.

I have tried to be supportive of the Smart family and remain friends with them to this day. My children and I love them and are heartbroken by what has happened. The fact that they still don't know where she is, still haunts us.

Recently I was scheduled to FaceTime with my niece, who is at college in upstate New York. I didn't hear from her at the scheduled time and tried to convince myself she was running late or forgot. I couldn't shake the feeling that something was wrong, so after not getting a returned text and no response to a phone call, I was beside my self. I live in Alaska and there is a 4 hour time difference and I didn't want to alarm her parents at 11:30 at night. I finally heard from her and everything was fine, just a typical college kid busy with other distractions.

I truly believe that my over reaction to not hearing from my niece was a direct correlation to the day I got the call from our friend saying "Kristin is missing!" It happened so fast and was handled so poorly that I felt I would have to act immediately to save my niece. She of course thinks I am now her second "Smother"!!

Sincerely,

Nancy Logan

Nov 21, 2022

Dear Judge O'Keefe,

I'm not telling you something you don't already know, but as far as I am concerned, Paul Flores' parade of crimes is still marching on, even today.

Flores could help the Smarts get Kristin back (if he wanted to) but for his own selfish reasons, he is choosing to 'twist his knife' each and every day deeper and deeper into the Smart family's broken heart.

He is no longer a free man but he is still able to still inflict so much pain, sorrow and sadness upon a family that never deserved any of this. His 'daily acts of emotional violence' are a window into the darkness of his heart.

What's his motivation for doing this?

Does he get a macabre sense of enjoyment out of it, or is he just scared? Either way, I don't really care as this is not about him. This is about Denise Smart and her innocent family.

I've known Denise since December of 1997. I've probably literally spent a few thousand hours over the past two decades talking with her about her missing child. I know firsthand how strong she is, but I also know (*as much as anyone can*) first hand how hard this has been on her.

Years ago, Denise was traveling overseas (I forget where) and she was telling me about how she saw people wearing T-Shirts that said, '**Same, Same, but Different.**' *(It was just an ad slogan for some Brand and/or Company.)*

In her mind, Denise adopted that slogan to fit her own life. In her mind, the slogan reads: '**Same, Same, but Same'.**

In other words, as the years went by, her child (1) was still missing, (2) the guilty person was still out walking around a free man and (3) the public no longer had her child on its mind. Nothing was changing.

She was caught in this very sad, **'Same Same but Same'** reality.

Thankfully, Detective Clint Cole was hired as a Cold Case Detective a few years ago and then Chris Lambert appeared on the scene with his podcast. Things began to change and those changes led us to your courtroom.

As you decide on what the proper sentence is for Paul to receive, please factor in the fact that as you sentence him, in the back of his mind he is still thinking to himself, 'They still don't have Kristin and as long as they don't, that still means 'I'm still in control.'

Please do what you can to make him understand and accept that his continued crime spree is not acceptable.

Sincerely,

Dennis Mahon
Friend of the Smart Family.

From: Marcia <martinez.marcia77@yahoo.com>
Sent: Tuesday, November 29, 2022 12:52 PM
To: dhannah@co.slo.ca.us
Subject: [EXT]Kristen Smart

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or
links.
To Judge Jennifer O'Keefe

I have known the Smart family for over 45 years. I have a daughter Kristen's age and they were close friends in
elementary school.
Loved Kristen being one of my daughters friends as she was fun and had a good sense of humor.
They had a nice group of friends growing up and trying to follow their dreams.
Kristen didn't get to follow her dreams!
My daughter has a beautiful life with her husband and two children. We are a happy family!
My heart breaks for Kristen and her family as they have a void I can't even fathom. They have been put through hell
and continue to mourn the loss of their beautiful daughter. No one deserves this in their lifetime. Too much to bare!!
May the family find some comfort and peace in knowing Paul will finally pay for his awful acts.
May God bless this strong and united family!
Sincerely, Marcia Martinez

November 28,202

Judge Jennifer O'Keefe,

Kristin Smart is my first cousin on my mother's side of the family. I am 13 years older than Kristin; I used to babysit her and helped her learn to ski when she was a toddler. Our families are very close, we visit and vacation together. For the last 26 years there has been sorrow and an empty place in our family.

Kristin's murder has affected me personally in so many ways. I mourn the loss of my cousin that was such a joy to me, her family and friends. I hurt with my grief and sorrow for myself and for my family members. I did not really understand though until I held my own babies and then I knew the fear and pain of my Aunt Dani and Uncle Stan. I look at my wonderful brother and his family and know the pain of Lindsey and Matt, Kristin's brother and sister.

Kristin and I had a lot in common. We did so many of the same things growing up and while I did them several years ahead of her, it was wonderful to share our stories and sense of adventure in learning new things. This included going away from home for our first year of college.

I was able to safely complete college, have a career, get married, and have three children. These are things that Kristin was prevented from doing.

I often wonder what my relationship would have been with adult Kristin. I know we would have been close. We would have continued to share our interests as adults. We would have shared the joys of having loving spouses and children. We would have continued our family tradition of holidays and vacations together. I believe we would have had some great solo adventures together too. She would have comforted me when my Dad died last year.

This murder made me fearful. I was especially fearful for my own daughter Madeline when she became a young adult. I was so afraid that she would not be safe in social situations and it made me scared to let her explore the world. I will always struggle with trusting others.

The hardest part is that I see the pain that my aunt, uncle and cousins have endured on a moment by moment basis for 26 years. It is a pain that never goes away. The heart, soul and time that our family has invested in seeing justice for Kristin can never be recovered. We miss her every day.

Respectfully, Valerie Mastriano

Valerie Mastriano

November 20, 2022

To the Honorable Jennifer O'Keefe,

A person's first year of college is supposed to change them. I was prepared to learn the consequences of being unprepared for class and the joys and frustrations of living with people who might be very different from me. I was ready for both the elation of my first real taste of freedom and the sadness of missing the security of my loving family and small hometown. I was not however prepared to go to sleep on Friday night of Memorial Day 1996 and live in a completely different world by Tuesday. Paul Flores killed my dorm neighbor and friend Kristin Smart that weekend and I have not been the same since.

I was never naive enough to believe that there were only good people in the world but before Memorial Day Weekend 1996 that had mostly been the case for me. As a parent to two middle schoolers I now have to constantly remind myself that this is still mostly true. I have to fight against the part of me that says that the people I care about aren't safe in the world. I fight to remember that I can let my kids ride their bikes into town with their friends, that I can trust the adults in their lives, and that I can give them the space to grow and experiment so that they can become the people they are meant to be. It's a constant battle because Paul Flores killed Kristin Smart and has been lying about it for 26 years.

Two of my best friends have high school aged daughters that are like nieces to me. When the subject of college comes up instead of celebrating their hard work and accomplishments my default thoughts are that they might not be safe. I worry constantly that they too may go out one night and never come home because Paul Flores killed my friend Kristin Smart when I was a Freshman at Cal Poly and I had to call the police.

When the subject of college comes up and friends and acquaintances begin to reminisce about the best years of their lives I usually start to shut down. Instead of stories of late nights and inside jokes I'm thinking about how dangerous it is to simply exist as a woman. One night a girl goes out to look for a party and they just never come home. I'm thrown into memories of driving around putting up fliers before the police took my friends and I seriously, of going to fraternity houses and asking anyone if they'd seen my friend, and of sleeping in one room because everything just felt so scary. Paul Flores promised he'd get Kristin home safely and he didn't, he killed her and made my memories of college both scary and sad.

I'm a thoughtful person. Reliable, responsible, and always hyper aware of what is going on in most social situations. For the past 26 years I've tortured myself with thoughts of whether or not I could have done more to make the Cal Poly and San Luis Obispo police departments pay attention when I said something was wrong. If I had been louder, if I hadn't been so polite would they have acted quicker and found Kristin? It's only in the last year with some kind words from two detectives and a therapist that I've acknowledged that the 19 year old me did all that she could. 26 years is too long to feel somehow responsible for the disgusting actions of Paul Flores.

As you decide how long Paul Flores spends in jail for the murder of my friend I ask you to consider the countless other woman who have been haunted by him since 1996.

Respectfully,

Jennifer Medeiros

From: Angie Mocci <angel5551@cox.net>
Sent: Sunday, November 27, 2022 2:00 PM
To: dhannah@co.slo.ca.us
Subject: [EXT]victim impact/Kristen Smart

ATTENTION: This email originated from outside the County's network. Use caution when opening attachments or
links.

Dear Judge Jennifer O'Keefe, November, 28,2022

I remember the day I received the call. My niece, Denise's daughter Kristen went missing at college. The feeling of helplessness was overwhelming. All I could do was pray. Over the years, I have often asked Denise, how do you deal with this? There are no answers.

Paul Flores knows what he did. He knows how, and he knows where she is buried. Denise and Stan will never know. Paul Flores was a free man for 26 years with no remorse. He went on with his life and continued to assault other women.

The jury has found Paul Flores guilty of murdering Kristen. Has justice been served? Yes and no. Yes, because Paul Flores will no longer walk a free man. No, because Stan and Denise STILL DO NOT KNOW WHERE THEIR DAUGHTER IS BURIED. Paul has kept that information in his head for all these years. He should never ever be allowed to walk on this earth a free man again. NEVER EVER.

He had his freedom for 26 years. Kristen's life ended when he killed her. Stan and Denise have been deprived of sharing in Kristen's accomplishments in her life and so much more. Even deprived of giving her a proper burial. There are no words to describe the emotional pain and suffering this family has endured. A pain no parent should ever have to go through. Paul Flores should remain behind bars for the rest of his life! Thank you for reading my letter

Sincerely,
Angelina Mocci

Virus-free.www.avast.com

Judge Jennifer O'Keefe –

Our friendship with the Smart family has spanned 48 years. We first met Stan and Denise Smart while we were all living in Germany in the 1970s. My husband was in the U.S. Army and the Smarts were educators working abroad through the Department of Defense. Denise and I were pregnant at the same time, and I remember the exact day Kristin Denise Smart was born: February 20, 1977, because I was at the hospital to help celebrate her arrival. After the military, we all ended up in California where our friendship has continued over the last four decades. Through many shared family vacations, holidays, birthdays, weddings, and get-togethers, our families have continued to be intertwined as we celebrate life together. We've been blessed to share so many special and fun memories – both while Kristin was with us physically and now that she's with us spiritually.

I will never forget the day I received the phone call telling me that Kristin was missing. It was unthinkable and shocking beyond belief. We were living in Kansas at the time, and I flew out immediately to be with our dear friends, Denise and Stan. There are no words to describe the emotional shock of seeing grieving parents struggling with such a catastrophic loss. The magnitude of suffering was further intensified because there were no answers as to how and why this happened. No one could have ever imagined that Kristin's disappearance and death would remain unsolved for 26 years. This is a torture that no family should *ever* have to endure.

While a tragic loss of this magnitude could destroy a family, the energy it took for the Smarts to keep Kristin's story alive actually brought them closer together. They've grown stronger over the years and the torch they carry for her justice has never extinguished. Remarkably, the Smarts have always expressed their deep gratitude and appreciation to everyone who has supported them in their quest of Justice for Kristin. No act of support or kindness went unnoticed and Denise frequently reached out to strangers (who would soon become friends) with hugs, gifts and personal notes. All of this amid such a horrific loss, and instead of becoming bitter, angry and mad at the world, the Smart family has instead chosen empathy, light and love.

On the opposite end of light, love and empathy is Paul Flores – the person responsible for, and found guilty of, killing Kristin. Throughout this 26-year nightmare, he has shown himself to be a serial, sexual predator by continuing his pattern of what has been proven to be repeated rapes, assaults, and violence against women. He not only took Kristin's life, but has refused to reveal where Kristin is buried. These monstrous actions reflect Paul's lack of remorse, regret or guilt. And because of this, it is our sincere hope that Paul receives the maximum sentence allowed by the law. Even then, he still gets to keep his life, the most basic human right that he took from our beloved Kristin so many years ago.

Signed with eternal love for Kristin,
Karen Murphy

[redacted]

Bishop Emeritus Mark W. Holmerud

November 23, 2022

The Honorable Jennifer O'Keefe, Judge
Superior Court of Monterey County

Your honor,

I write as a longtime friend of the Smart family to share the impact the disappearance of Kristin Smart has had on my life, the lives of my family members, and what I have seen and observed in the Smart family over the last 26 years.

My wife, Debbi, was an educator who worked in the same school district as Denise Smart and served as principal of a local high school in Stockton at the same time Stan was serving as the principal of another high school. Additionally, our children grew up together, playing soccer, going to the same schools, and sharing circles of friends. We watched, Kristin, Matt, and Lindsey grow up alongside our children. That's why, on Memorial Day weekend in 1996, it was particularly hard to hear that Kristin had disappeared. Her family are not strangers to us and are more than acquaintances. Many families in Stockton shared the same reaction as the news of Kristin's disappearance became known — shock, disbelief, and the hope that she would be found. It has had an impact on our children, who still follow this case and have hopes that justice for Kristin will finally be realized.

From those first few days in May of 1996 until now, I have walked with Stan and Denise and Matt and Lindsey as a friend and as someone who served as a local pastor, I have provided spiritual and moral support and a listening ear as needed. I witnessed firsthand the devastation that Kristin's disappearance brought to the Smart family. Many things did not add up to the story that she had just "gone away for the weekend." Denise and Stan struggled to help the authorities understand that more needed to be done to ascertain her whereabouts. They made many trips to the San Luis Obispo area in those first months of her disappearance to advocate for a more comprehensive investigation. Many people from Stockton participated in searches that were conducted in the hills around Cal Poly. You are no doubt aware of the inconsistent support the Smart family has received in their search for answers from law enforcement over the years. This has led to several disappointments when it seemed some answers were tantalizing close, and yet little was being done. I need not repeat that sad history here. Suffice it to say, it has been particularly heartening for the family to see recent efforts of law-enforcement in finally bringing Paul Flores to justice for his role in the disappearance and death of Kristin.

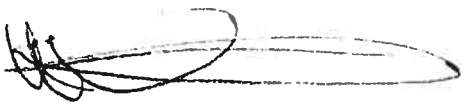
[redacted]

One piece of closure in the Smart family's hope for justice for Kristin has yet to be realized – finding the location of where her remains have been hidden. It was my honor, and my sad duty, to preside at a memorial service that was held for Kristin in May of 2001, after she had been declared "legally dead." We gathered that day (and many times before and since then) to celebrate her life, her love of family and friends and the ocean, to grieve her loss, and to acknowledge the whereabouts of her remains are unknown except to the person responsible for her death. Billboards have asked the public for help with information in her disappearance, graced with a picture of her smiling face. A monument to her memory is located on Dinosaur Shores in Arroyo Grande. Yet these remembrances and monuments are stark reminders of the hope Kristin's family has after all these years to recovery her body and bury her in a place of their choosing. We know of the power of "bringing someone home" to rest from the families of those who died serving their country finally being told their loved one's remains have been identified.

It is my hope that Paul Flores, in addition to being sentenced to the maximum sentence possible under the law for his role in the death of Kristin Smart, will also be compelled to make known what he has known since 1996 – where her body is buried. His failure to take responsibility for his crimes, to make right a huge and unbearable wrong in the lives of those who knew and loved Kristin, is ample evidence of his lack of remorse and should be a factor in determining his sentence. As a pastor, I can only pray that somehow the path to the amendment of his life will become evident to him, and that he will do the one thing he has left to do which can show true remorse – to apologize for his role in Kristin's death and to reveal where the Smart family can find her and finally lay her to rest. It is my sincere hope you will consider and speak to this at the sentencing hearing.

Thank you for your consideration of this impact statement. My prayers go with you in your work in serving all who come before you who seek justice.

Sincerely,



The Rev. Mark W. Holmerud, Bishop Emeritus
Sierra Pacific Synod, Evangelical Lutheran Church in America (offered for identification purposes only)

To the Honorable Judge Jennifer O'Keefe:

I met Denise Smart and her family in 1986, when Kristin was nine years old. Denise and I taught together at an elementary school in Stockton. I took an instant liking to Denise's upbeat, friendly, intelligent, fun-loving nature, not to mention her intuitive, skilled teaching. We quickly became good friends. I enjoyed the frequent times I spent with her, Stan, and the three kids. Kristin, Matt, and Lindsey were all three vibrant, athletic, smart, and loving children. Their lives were rich with activities, friendships, and experiences, and the bond of family love was a joy to witness.

When Kristin first went missing, the disbelief and confusion made it all so surreal. As the days, weeks, and months went by, the hope of Kristin's return grew dimmer and dimmer, and the agonizing conclusion that she must be dead grew ever stronger. It was such an emotional roller coaster, not just for the family, but for all who loved them. Tips of "sightings", psychic readings, dead-end leads... it consumed every moment of Denise and Stan's life and spun them in multiple directions. Every avenue to find Kristin was explored. I once went with Denise to put up missing person posters in Tahoe, "just in case" that area might yield something. For months, Stan spent every free moment combing the vast and endless hilly terrain of San Luis Obispo County...a father, turning over manhole covers, hiking canyons and exploring brush with the bizarre "hope" of finding his daughter's body. There was little help to be found from law enforcement. The family felt alone and without recourse.

The growing conviction that Paul Flores was responsible for Kristin's disappearance led to nothing but frustration, angst, and anger. Seemingly untouchable, Paul's involvement became ever more obvious, and yet the years went by without an arrest, much less a recovery of Kristin's remains. During this time, Denise was relentless in pursuing every avenue to try to gain information and move the case along, in spite of blatant bungling of the case and the changes in law enforcement in San Luis Obispo County. At the same time, she exerted enormous effort to try to "normalize" life for her other two children. Every holiday, every special event, every family milestone had a Kristin-sized hole that Denise desperately tried to minimize and offset for their sake. We all watched Matt and Lindsey grow into adults and have families of their own, ever mindful that Kristin never would.

Over the last 26 years, my friendship with Denise and Stan has deepened and grown, and yet... in the background, there is always the heaviness of their excruciating heartache in not just Kristin's loss, but not knowing, never knowing exactly how she died and where her remains are. Denise and Stan are giving, selfless people, and their ongoing tragedy introduced them to many caring people, but nothing could ever compensate for the huge portion of their lives spent in turmoil and grief. Now, their daughter's murderer has been convicted, the long wait for justice is over. And yet, none of us will ever draw a deep breath of relief until Kristin's remains are found, returned if possible to her family, and that last piece of information is not just under the control of her killer.

Anne Ross

11/27/2022

11/27/2022

Judge Jennifer O'Keefe,

My name is Jon Saunders, I am a first cousin of Kristin Smart.

I wanted to submit this Impact Statement of the 1st-degree murder of Kristin Smart and how Paul Flores' action impacted our family.

This was such a tragic event for our family and so many others in the community, local and across the country. My Uncle Stan and Aunt Deni, along with their other two kids (Lindsey and Matt) have suffered terribly EVERY SINGLE DAY for over the past 26+ years without knowing what happened to Kristin. All of us in the family and extended family of friends and acquaintances have also suffered over the years not knowing what happened.

Now as we know, Paul Flores was responsible for Kristin's death (1st-degree murder), as determined by the jury. For 26+ years, Paul kept this secret and made everyone else suffer, while he lived his life "free" for 26+ years. I don't know how to quantify the penalty for this abhorrent behavior, but I feel like anything short of the maximum penalty would not be enough for this heinous crime against not only Kristin but so many others that loved her. My recommendation is life in prison for Paul Flores and nothing less. Paul doesn't deserve any leniency in my opinion.

Thank you for considering my input in this matter.

Jon Saunders

Dear Judge O'Keefe,

I am writing this impact letter to tell you the death of Kristin Smart has greatly affected me, and the Stockton community for the entire 26 years Paul Flores was out free. I have been close family friends with Smart family for over 35 years. My daughter and Kristen's younger sister have been friends since before kindergarten. Since, Kristen disappearance, a black cloud has been hanging over the Smarts, Cal Poly, and all of Stockton all this time.

It affected our relationships with the whole family even though we were there emotionally and physically for them the best we could.

What Paul Flores did to Kristin was so horrific that I couldn't imagine how Denise and Stan felt every waking moment. Their pain was felt by many of us all these years. The guilty verdict is what everyone wanted and he deserves the maximum time in prison. It still isn't over the family until her remains are found. My love and support goes out to them everyday.

Sincerely,
Debbie Shaughnessy

Victim Impact Statement – Kristin Smart

November 18th, 2022

Dear Judge O'Keefe,

Kristin Smart was a good friend during my freshman year at Cal Poly SLO in 1996. She was also my dorm mate with just one room between us. From the moment Kristin moved into the Muir Hall dorm she quickly became friends with me and the other girls at that end of the first floor. We were all normal college students enjoying life, school, and having fun. All that changed on Memorial weekend in 1996. Until then we lived a carefree existence not knowing the dangers the world was capable of. We were young, naïve, and trusting of other students. Why wouldn't we? We knew nothing to the contrary and felt safe experiencing our first year at college and co-existing with countless new faces. That was part of the excitement and novelty of being away from home for the first time in our young adult life.

Kristin was a happy young woman who was smart, driven and had numerous plans and goals for her future. She had an energy that was infectious, with her smile and laugh that could turn around your day in no time. She caught people's attention when she walked into a room, both male and female. She had a presence that was attractive beyond her height and beauty, and a spark in her eye that I can only describe as sweet and slightly mischievous. Besides being students in the same dorm, we found a commonality in our love for travel and anything to do with water as we were both swimmers and lifeguards. Kristin was a woman who was compassionate, friendly, and helpful to anyone she came into contact with. It was part of her engaging personality.

Prior to Memorial weekend, I did not know Paul Flores, only knowing of him visually as he lived in the dorm next to us. He was one of many students who I saw on campus and around the dorms but never actually spoke to. I never gave him much thought until a party about 4-6 weeks before Kristin went missing. The only reason I took note of him at this party was he was alone which was very unusual for students at a party. You usually came with friends or a group. But what caught my attention was his intent stare and clear interest in Kristin. It wasn't a friendly or happy stare but one that I would describe as intense, dark, and extremely creepy. It made me feel uncomfortable and thought it was odd behavior for a guy that was showing a focused interest in Kristin as he did not smile or give off a good vibe. If you want a girl to like you, you smile and don't make her feel uncomfortable but he did the opposite.

A few weeks later about 2-3 weeks prior to Memorial weekend we were at a party and again we saw Paul. Until this night we had never spoken to him or even knew his name. As with the previous party, he was alone and staring intently at Kristin in a disturbing way that was unsettling and made the hairs on the back of my neck stand up. He didn't appear a confident guy so it was surprising when he came up to us and introduced himself to Kristin. That is when I learned his name was Paul.

Besides finding him creepy, my first impression was that he was socially awkward and didn't understand personal space, talking so close to us. My initial reaction was to step back and move away from him. After a minute or two of small talk, we made an excuse to go to the bathroom or get another drink so we could remove ourselves from his presence as he creeped us out and not someone we wanted to hang out with. He continued to stare at Kristin from across the room for a while and I just remember thinking "what is that guy's deal? so strange and creepy..."

We talked about it a little later that night and the next day but that was the extent of it. Although he made us feel VERY uncomfortable and something seemed off about him, we didn't think too much more of the encounter after that. Let me be clear, Kristin had absolutely no interest in Paul. She was polite and friendly but not in a way that could be conveyed as flirtatious. She was not attracted to him at all, only being polite to a fellow student that came up to talk to her. Nothing more.

Friday, May 24th (1996) was like any other day in the dorms at Cal Poly with the exception that many students were going home or away for the holiday weekend. I was one of those students heading home as I had to work as a lifeguard that weekend as a condition for my summer job. I remember speaking with Kristin before I left that morning as she was in a good mood and was talking about going out that night. I was so bummed as I really wanted to go out too. Her plans were to go out that night in hopes of finding a great party and then spending the rest of the weekend studying with no other major plans. As it was before cell phones and social media, we made plans to catch up when I got back on Monday evening.

With people she was close to, Kristin was very vocal about her day, what she was doing, and where she might be going. She wouldn't have just "gone away" without telling one of us girls in the dorm or her family. That would have been totally out of character for her. If she had plans, she would have been excited to tell someone.

When I returned on the evening of Memorial Day, 1996, life changed in a direction no one could have imagined. I soon realized that Kristin wasn't there and inquired as to her whereabouts. No one had seen her since late Friday night and although they were worried they just figured she went home last minute and would be back on Monday. But something seemed off as she would have told someone where she was going and it was evident that her disappearance was not planned or voluntary when all her belongings were still in her room. These were items she would have taken with her if she had planned a weekend away.

When I and other students reported Kristin missing I knew something bad had happened to her but didn't want to imagine the full extent of what that could mean. I felt that uneasy sick feeling in my stomach as I knew she was in trouble if no one including her family hadn't heard from her in days. Once campus and local authorities got involved, it was evident that they did not take me or others seriously. Authorities did not show concern as they believed she was off having fun or a runaway. For anyone that was close with Kristin, you knew this wasn't the case. It was scary and frustrating that my friend was missing and quick action to find her didn't seem to be happening.

Eventually, students began talking and we started to piece together her last whereabouts, what party she was at, and who was with her. At some point, I learned that Paul had been the last person to be seen with Kristin that night and all I can remember was a feeling of dread. I was sad and scared to admit to myself that I would never see Kristin again. It was my opinion that if Paul was the last person to be with her then something terrible had happened based on the previous interactions with him at the two parties. He had an interest in and an infatuation with Kristin that I can only describe as creepy, unhealthy, and potentially dangerous. Even after voicing my concern, I still felt like authorities didn't take me or anyone else seriously. What did I know as I was only 19... Maybe I didn't know a lot about life yet, but I knew my friend and knew after days and weeks went by that she was not off traveling. I knew that if she couldn't contact anyone it was because she was held against her will or dead.

It is a realization that no 19-year-old wants to acknowledge about their friend but I had zero doubt that the one responsible for her disappearance and death was Paul Flores. From the moment I learned he walked her home; it was obvious that he took advantage of a situation where she was described as being drunk. It is my belief that when he took her back to his room he forced himself on her and she tried to fight back. I know she would've fought back as best she could as she was not attracted to or interested in Paul at all. He wasn't her type and would reject his advances whether she was sober or not.

That night, Paul Flores proved to be a dangerous predator waiting for the ideal moment when he could get Kristin alone and under the influence of alcohol or a drug he may have slipped her. I believe he picked a weekend when many students were out of town including his roommate so that there would be fewer eyes on what he had planned. For weeks leading up to Memorial Day weekend, he had shown an uncomfortable interest and determination to be near Kristin.

It's devastating to think how she lived out her final moments, the fear, anger, and confusion she'd have felt. It breaks my heart for her family to have to live with the image of what she likely endured by the hands of a violent man. At the end of the day, Paul ended her life because she didn't like him. Because she didn't want to sleep with him. It's disgusting and horrifying that he killed her because she didn't respond to his advances.

I felt strongly that it was only a matter of time before he was arrested for her murder. I never fathomed that it would take 25 years until his arrest and 26 years to convict. I was optimistic in the first year or two that his arrest was imminent but eventually as years and decades went by, I lost some hope of getting justice for her. I can't begin to express the amount of relief when I found out that he had been arrested. And no, I wasn't the least bit surprised when the current lead investigator contacted me at the beginning of 2022. I knew and hoped this day would come since 1996.

Paul violently took Kristin's life, denying her the opportunity to finish college, have a career, get married, have children, travel, and live life how she wished. He stole countless memories that she and her family could have had together. He stole a piece of her family that can never be reversed. And what is worse, he has kept the location of her remains from her family. To hide her body and prevent her family from having some sort of closure shows he has no remorse. It displays a complete lack of empathy for her family and friends.

During the trial in 2022, I learned about several women who had been assaulted, drugged, and raped by Paul since 1996. I was not aware of these other acts of violence until court which only validates he is a dangerous predator. It tells me that when he killed Kristin, it wasn't an accident and he didn't feel any guilt associated with the act of taking someone's life. If anything, it only fueled his confidence to continue acts of violence against women. He killed my friend yet he was free to hurt countless other women for another 25 years. It is my belief that he will never stop unless he is stopped. His actions have shown that he has the compulsion to keep hurting women and will keep doing so if he had remained free. And it is why I am so grateful that the verdict came in as guilty. When I heard the verdict I cried both in happiness and relief knowing he will not get the opportunity to ruin another woman's life.

Her disappearance and murder catapulted me to the realities of adulthood where life is not fair, horrible things happen to good people, and the awareness of the violence that is all too prevalent in the world. I ask that Paul Flores never be granted parole at any point during his incarceration. If he were ever to be released back into society, I am convinced he will continue to fulfill his sick desires and continue where he left off. And that is hurting or even killing any woman he comes into contact with. I do not believe this is a man that can be rehabilitated based on his actions over almost three decades. This behavior is ingrained into him and is not something that can be stopped unless he remains behind bars for the rest of his life.

I am so grateful that we got justice for Kristin but still saddened that nothing can bring her back. Kristin does not get the chance to live another day free and so I ask that Paul never get to live another day free in society. I would like to thank you for allowing me to express my feelings and for the opportunity to voice my concern about Paul.

Respectfully,

Vanessa Shields (formerly Vanessa Brinley)

Judge Jennifer O'Keefe

Your Honor,

My name is Taylor Murphy-Sinclair. I am the eldest daughter of James Murphy and Garin Sinclair, the Smart family's civil legal team.

Kristin went missing when I was 6 years old, and her unsolved murder served as a macabre backdrop for my upbringing. I remember staring up at her picture on the billboard in front of my family's law office, admiring her hair accessories and cute 90's clothes. She was almost like a distant older sister that I would never have a chance to meet.

Like Kristin, I was raped in college by a man I met at a party. He offered to walk me safely home. Instead, this man ripped from inside me a small piece of my humanity. However, unlike Kristin, I was fortunate that the sexual predator I encountered chose not to kill me.

For Paul Flores, life without the possibility of parole is the only appropriate punishment, because the possibility of parole means the probability of continued degradation and terror for women. The best predictor of future behavior is relevant past behavior, and Paul Flores's past behavior speaks for itself.

A life sentence would mean accountability for Paul Flores and justice for our community as a whole. After 26 years of vulnerability, we deserve a restoration of safety. I am sure you have women in your life that you love, and Paul Flores is a danger to every single one of them.

Thank you for taking the time to read this and for your service on this case.

Sincerely,

Taylor Murphy-Sinclair

Honorable Judge Jennifer O'Keefe
Superior Court of Monterey County

Re: Sentencing of Paul Ruben Flores, Case No. 22CR003712

Dear Judge O'Keefe:

My name is Laura Uslan and I am a retired educator and school administrator with 36 years of service in California Public Schools. It was my honor to serve as Principal for the Lincoln High School Class of 1995, in which Kristin Denise Smart was a student. I was also a professional colleague of both of her educator parents. During Kristin's 4 years in high school, I had many occasions to meet with and come to know Kristin, as well as her devoted parents. Kristin was an excellent student, quiet but well-spoken, and determined to live a life that mattered in a positive way. Tragically, her dreams and tremendous possibilities were stolen by Paul Flores in May 1996, just short of a year after I last saw her at graduation.

When I learned of Kristin's disappearance, I was alarmed that something may have happened to one of "my kids". I followed news coverage and prayed for her safe return to her family. My heart has ached for 26 years that her return has yet to come.

When my first son was born, 14 months after Kristin went missing, my empathy and sorrow for the loss inflicted on the Smart Family grew exponentially. I understood in a new way the agony they were enduring, the unimaginable loss of a child.

When my husband and I lost our younger son in an accident in 2013, I gained even more clarity of the horrendous sorrow the Smart Family has been put through because of the actions of Paul Flores. I wouldn't wish this type of loss on anyone. Stan, Denise, Matt and Lindsey have been robbed of their beloved child and sister, and their lives are forever altered. My husband and I have discussed the Smarts hundreds of times as we willed and waited for justice to be served. Each time, we have concluded that the loss of their beloved Kristin, compounded with never being told where her remains are or being able to bring them home, is indescribable torture.

The actions of Paul Flores in May of 1996 and his subsequent inaction for over 26 years, prolonging the agony of the Smart family and of Kristin's extensive community, justify his imprisonment for life. His predatory conduct that led to Kristin's death and the assault on so many other women also supports this decree.

Respectfully,



Laura D. Uslan

Margie and Mike Mordaunt
[redacted]

November 9, 2022

Dear Judge O'Keefe,

We are sending you this letter to document the impact that Mr. Flores' actions have had on the Smart family, their friends, and supporters.

We have known the Smart family for thirty-five years. Our children went to the same schools and our daughter Molly was and continues to be best friends with Lindsey, Kristin's younger sister. When Kristin visited Cal Poly while in high school, Molly, Lindsey, and I (Margie) were with Kristin and Denise. I can remember how excited Kristin was after the visit, telling us that this was the place where she wanted to go to college. She was looking forward to a great four years! We have also attended the trial to support the Smart family during this very difficult time. We have watched first-hand the toll that this loss has taken on the entire Smart family.

Stan and Denise were in their early 50s, working full time with two children at home, when Kristin was taken from them. They have not enjoyed a normal life since that day in 1996. For the past 26 years, they have searched for Kristin and sought justice for her. Their retirement years have certainly not been the golden years. Stan had to wait until he was 77 years old before receiving justice for his daughter. The Smarts are now both in their late 70s and worry that they will pass away without bringing Kristin's body home.

Our two children attended college after Kristin's disappearance. Kristin's murder caused us concern for our own children who attended college in Stockton and Davis. We worried that what happened to Kristin could happen to them, especially to our daughter Molly. Molly was especially impacted because she was only 14 at the time of the visit to Cal Poly with Kristin. We all lost a sense of innocence and security with Kristin's murder.

One of our greatest concerns has been the length of time it has taken to bring Mr. Flores to justice. During that time, he had the opportunity to harm others as documented by the witness testimony at trial and what has been found on his computer. He has been free to assault other women which he appears to have accomplished on a regular basis. He should never be allowed to harm any other women during his lifetime.

We witnessed first-hand the loss experienced by the Smart family. Their grief continues because Mr. Flores will not disclose where Kristin's body is located and continues to prevent the Smarts from bringing her home. Given his conviction, the pain he has inflicted and will continue to inflict on the Smart family and friends as well as his other victims, we ask that you sentence Mr. Flores to the maximum allowed by law.

Sincerely,

Margie Mordaunt Mike Mordaunt

Margie and Mike Mordaunt

Your Honor Judge Jennifer O'Keefe, November 24, 2022

When first hearing from Denise Smart that Kristin did not return home from a party I assured her she was out with friends and would be home soon. I was wrong! No one expected Kristin to not return to her dorm room after Memorial weekend 1996. This weekend was the beginning of the emotional, disturbing, and frustrating journey of twenty-six years to Justice for Kristin. The infuriating issue for the Smart Family and their friends is Paul Flores has known exactly what happened that weekend in 1996 and his lack of cooperation is deplorable. Paul Flores's actions during the investigation and his lack of cooperation has left deep scars on the family and friends of Kristin. There is permanent heartbreak for the Smart Family and for all of us who loved Kristin.

It's hard to believe it's been twenty-six and one half years since Kristin's disappearance. Denise and Stan have never given up hope on finding their daughter. They were tenacious in their efforts to keep the investigation ongoing. They have been broken hearted and life will never be the same for them without their precious daughter. The sadness is palpable when Denise and Stan speak about Kristin. But they have done an amazing job of enjoying life with their children, Matt and Lindsey and their families. Stan and Denise will keep Kristin's memory alive by sharing all the vacations and day-to-day life they experienced as a family.

The Smarts were our neighbors and our families were very close. Our children played and vacationed together. I knew Kristin as a little girl of nine years old and watched her blossom into a beautiful young woman. My children loved when she babysat tor them as she always engaged them in crafts and fun activities. She used to set up activities in their backyard like tie dying t-shirts and swim parties, which all the neighborhood kids loved. My daughter loved having Kristin as her assistant soccer coach as she was always encouraging and playful. On Halloween Kristin would dress up and take the young neighborhood kids trick or treating while the parents gathered at the Smarts and enjoyed chili and camaraderie. I imagine that I would have remained close to Kristin and shared many more adventures and fun times with her. The impact of Kristin missing the past twenty-six years has left a hole in my heart as well as great anxiety when sending my own daughter off to college. I worried about my daughter not being safe while attending Chico State and constantly called and checked up on her especially at night, which was not greatly appreciated by her.

Paul Flores robbed Kristin of her adult life and the opportunity to express her talents to the world. She was denied the chance to get married, have a family, and enjoy life with her parents and siblings. That saddens me tremendously. Aside from murdering Kristin, Paul Flores has traumatized many women by drugging, raping, and torturing them. The lives of these women have been forever changed by this sexual deviant and predator. He has left indelible scars on each one of these women as well as the Smart family and deserves punishment to the full extent of the law.

Respectfully submitted,

**Denise Pearce**

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# DECLARATION OF KAREN KINSLEY

I, Karen Kinsley, declare:

1. I am the sister of Susan Flores and I have known my nephew, Paul Flores, all Paul's life.
2. As a child Paul was a really good kid. He was shy and I believe that part of that was because he stuttered. As a child Paul had speech therapy which helped. Paul also took tap dancing and piano lessons as a young child. Paul listened to his parents and got along with his older sister very well. Paul also played soccer as a child.
3. Paul is close to his parents and his older sister and they have always had a good relationship. At family functions Paul gets along well with everyone and is always helpful.
4. Paul has had dogs for pets all his life. A few years ago, Paul adopted several rescues dogs and he loved them very much. He has always been good to his pets and takes very good care of them.
5. Paul has always been very kind to me. I have had back surgery and some things are difficult for me to do. Without asking, during the pandemic, Paul would bring me food so I didn't have to go out. He would take it upon himself to fix something that was broken in my yard or house without being asked. He removed a large amount of old brinks that were an eyesore and I no longer needed.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on 11/2/2022 at 919 W. 28th Street, San Pedro, California.

DocuSigned by:
karen kinsley
E960E026373345F
Karen Kinsley

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# DECLARATION OF PAUL MARQUEZ

I, Paul Marquez, declare:

1. I have known Paul Flores for about 15 years. We met at our workplace and have been friends since this time. After I left this moving company, I recommended Paul to my new employer and Paul was hired and we continued to work together.
2. Paul has always been an honest and hard-working person. He is one of the few people I can count on if I need help and he always works with integrity.
3. Both myself and my wife, Sandra, have socialized with Paul. Paul has attended the ministry we belong to and interacted well with people. Paul and I share a love of classic cars and we have attended events and worked on our classic cars together. Our ministry has a group that has a classic car group and Paul has attended this several times. Paul got along well with the people in the ministry.
4. I trust Paul and he has never been dishonest or a concern in the time I have known him. Both my wife and I were aware of the allegations with regard to Paul but we based our friendship and trust on Paul and his actions. One at least one occasion, Paul was alone with Sandra and helped me out by driving her home. Paul was never a concern and he has always been appropriate with myself, my wife, co-workers and people in the ministry.
5. Paul had his rescue dogs and cared for them. If I stopped by Paul's house or dropped Paul off, he always wanted me to say hi to his dogs. When Paul got his first dog, he ended up getting a second dog to keep the first one company while he was working.
6. Paul did stutter at times and it made him a bit shy. I feel that some people judged Paul because of this and if you knew Paul he is a

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hardworking, honest and caring person.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on 11/10/2022 at Long Beach, California.

DocuSigned by:
Paul Marquez
AEB2B8EEB04F4FF...

Paul Marquez

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# DECLARATION OF ROGER ARGUELLO JR.

I, Roger Arguello Jr., declare:

1. I am 34-years old and Paul Flores is my cousin. and have known Paul since I was 18-years old and I moved to this country. After a falling out with my parents, I was basically homeless when Paul took me in and let me live with him. Paul gave me time to figure things out and to grow up. Paul has been like a big brother to me and helped me over the years. When I couldn't pay rent, Paul let me live with him for free. Paul bought all the food for us when I lived with him and kept a roof over my head. I lived with Paul for about 6 years at two different residences. Paul always worked and paid his bills. At times Paul would work two jobs.
2. Paul rescued several dogs from the shelter and took great care of them. Paul's dogs were a very important part of his life. Paul even stopped on a major freeway in Los Angeles to rescue a puppy before it got hit by a car.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on 11/2/2022 at Lakewood, California.

DocuSigned by:

65DCF380769546E...

Roger Arguello Jr.

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# DECLARATION OF YOLANDA DELGAO

I, Yolanda Delgado, declare:

1. I am 47-years old and am employed as a teacher in the Los Angeles Unified School District. I am the cousin of Paul Flores and have known Paul all my life. Ruben is my mother, Rachels' brother.
2. Paul has been respectful of others and a helpful and caring person. He has always been very caring of elderly persons and goes out of his way to help everyone. This was very true during the pandemic when he checked on myself and my mother, Rachel. He brought us groceries and made sure we were alright during this time. He would fix things around our house if they were not working and kept in touch. He would look around and if he saw something broke he took it upon himself to fix it. Paul is a very thoughtful person.
3. Paul has always worked hard and been employed. Sometimes he worked two jobs. Paul is family oriented and is close to his numerous immediate and extended family members.
4. When Paul was young he played soccer and enjoyed swimming. Paul also attended the local Catholic Church with his family.
5. We have attended family functions and Paul has always been helpful and kind. He is fun to be around and a bit of a jokester.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on 11/18/2022 at Los Angeles, California.

DocuSigned by:
Yolanda P Delgado
A522F5795468B4C8...
Yolanda Delgado