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PRESS RELEASE

For Immediate Release

Date: November 1, 2021
Re: Kenneth Robert Powell
Domestic Violence Conviction and Prison Sentence

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Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Kenneth Robert Powell, age 38, of Modesto, was convicted on October 12, 2021 of assault with great bodily injury on his former girlfriend and sentenced to serve 19 years in prison. Deputy District Attorney Melissa Chichportich prosecuted the case on behalf of the People.

On the evening of July 1, 2019, Powell accused the victim of cheating on him when she was too tired to be intimate with him. Later that night, the victim woke up and realized Powell was not in bed. She went to the living room and asked him what he was doing. When Powell became upset, shouting and cursing at her, she asked him to leave. Powell responded by jumping over the couch, tackling her and throwing her violently to the floor.

As the victim repeatedly begged Powell to stop, he wrapped his arm around her throat and strangled her to the point where she lost consciousness. When she awoke, Powell still had his arm around her neck and she could feel him begin to strangle her again. When she tried to scream for help Powell used his hand to cover her mouth and nose, making it impossible to scream or even breathe.

The victim tried to run away but Powell prevented her from leaving. When she was finally able to call 911, Powell was right behind her rubbing her back and telling her, "I'm sorry. I'm sorry. Please don't do this. I didn't mean it that way." Powell ran away before police arrived.

Investigating officers documented the victim's injuries which included scratches on her nose, lacerations inside her lips, swelling and bleeding to her face, bruising to her arms and scrapes to her legs and knees. At the time this occurred, Powell and the victim had been dating for one year.

Powell was arrested and charged with felony domestic violence and assault likely to produce great bodily injury along with an enhancement for causing great bodily injury to the victim. Powell pled no contest to assault likely to produce great bodily injury and admitted inflicting great bodily injury on the victim. He also admitted having been previously convicted of domestic violence in 2015 in Sacramento County and having a prior arson conviction in 2009 in El Dorado County.

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The arson conviction is a “strike” under California’s “Three Strikes” law and was used to increase his sentence in this case.

Upon entry of the plea, Judge Ricardo Cordova sentenced Powell to serve 19 years in state prison.

This conviction counts as Powell’s second “strike” under California’s “Three Strikes” Law and may be used to further increase his sentence for any future felony crimes he commits.

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