AGENDA ITEM REPORT

Title: POST2322062 - HECTOR VICTORIO (POST ID: C87-Q51)
LAST EMPLOYING AGENCY: SAN BERNARDINO POLICE DEPARTMENT (CURRENT)

REPORT PROFILE

MEETING DATE	**BUREAU SUBMITTING THE REPORT**
06/04/2026	Professional Conduct Southern Bureau

RESEARCHED BY	**REVIEWED BY**
Michael Marshall	Christine Ford

REPORT DATE	**APPROVED BY**	**DATE APPROVED**

PURPOSE	**FINANCIAL IMPACT**
	No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

The matter is before the Commission for review and action regarding the subject peace officer's certification status. The Commission shall return any determination requiring action to be taken against an individual's certification to the division, which shall initiate proceedings for a formal hearing before an administrative law judge in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), which shall be subject to judicial review as set forth in that Act.

BACKGROUND:

The Respondent began his employment with the San Bernardino Police Department on March 14, 2022, as a full-time Police Officer. This position is defined as a peace officer under Penal Code section 830.1(a). At the time of these events, the Respondent was employed as a Peace Officer with the San Bernardino Police Department. The Respondent is not currently employed as a peace officer in the State of California but is employed by the San Bernardino Police Department as a Community Service Officer.

At the time of this incident, the Respondent held a peace officer position as defined under California Penal Code 830.1(a), which was required to be certified pursuant to California Penal Code 13510.1(a).

On November 27, 2023, the Respondent was involved in a vehicle pursuit of a suspect. Upon completion of the vehicle

pursuit, the suspect exited the stolen vehicle, laid face down on the ground with his hand extended above his head and his palm face down on the pavement. The Respondent approached the suspect and struck the suspect at least six times in the head with a closed fist and struck him four times in the head with his knee. As a result to the assault, the suspect sustained a fractured orbital socket, abrasions to his face, and broken teeth.

The Respondent was investigated by the District Attorney's Office but not charged with a crime. The Respondent was later demoted to a Community Service Officer for other policy violations.

Video Evidence Links:

- **BR05 POST2322062 Victorio Attachment B Pursuit BWC**
- **BR06 POST2322062 Victorio Attachment C Witness Video**
- **BR07 POST2322062 Attachment I Victorio 10 08 25 POST Respondent Interview**
- **BR08 POST2322062 Attachment J Victorio 10 07 25 POST Rodriguez Interview**
- **BR09 POST2322062 Victorio Attachment O BWC Burglary**

ANALYSIS:

The Division determined that there was clear and convincing evidence that Respondent engaged in serious misconduct as defined in California Penal Code §13510.8(b)(3) and Commission Regulation 1205(a)(3), physical abuse, including the use of excessive or unreasonable force. Specifically, the Division determined that Respondent engaged in excessive force when the Respondent physically assaulted the Victim, whom he was trying to take under arrest following a vehicle pursuit. The Division determined there was clear and convincing evidence that the Respondent's use of force was unreasonable and excessive. On April 15, 2026, the Peace Officer Accountability Advisory Board voted to decertify Respondent.

RECOMMENDATION:

The Commission shall review recommendations made by the Peace Officer Standards Accountability Advisory Board (POSAAB) regarding, what action if any, should be taken, suspension or revocation, on the certification of the subject peace officer. The Commission's decision to adopt a recommendation by POSAAB to seek revocation shall require a two-thirds vote of Commissioners present and shall be based on whether the record, in its entirety, supports POSAAB's conclusion that serious misconduct has been established by

clear and convincing evidence. In any case in which the Commission reaches a different determination than POSAAB's recommendation, it shall set forth its analysis and reasons for reaching a different determination in writing.

ATTACHMENT(S):

BR01_POST2322062_Victorio_Hector_ISF_Final.pdf
BR02_POST2322062_Executive_Review_Division_Recommendation.pdf
BR03_POST23022062_EDI_Profile_Victorio (1).pdf
BR04_POST2322062_Attachments_A_D_E_F_G_H_K_L_M_N_P_Q_R_S_T.pdf
POST2322062_Victorio_Hector_Board_Hearing_Public_Comment.pdf
POST2322062_Victorio_Hector_April_2026_POSAAB_Agenda_Record.pdf
POST2322062_Victorio_Hector_Board_Recommendation_Signed.pdf
POST2322062_Victorio_Hector_Transcript_Board_04.15.2026.pdf