Commission on Peace Officer Standards and Training
860 Stillwater Road
West Sacramento, CA 95605-1603
www.post.ca.gov

On May 1, 2023, Danny Perez was interviewed in a conference room located at the California Department of Consumer Affairs, Bureau of Automotive Repair, 3331 North Sillect Avenue, Bakersfield, California by Kevin Sherburne and Darryl Elliott, Law Enforcement Consultants at the California Commission on Peace Officer Standards and Training ("POST"). Communications by the parties during the interview were electronically recorded. The recording will serve as the true and accurate record of the statements made by Perez. After being advised of the identity of the interviewers and the purpose of the interview, that being to obtain information related to allegations of serious misconduct, Perez provided the following information:

Perez was a sergeant in Internal Affairs ("IA") at Kern County Sheriff's Office ("KCSO") from February 2021 to June 2022. The lieutenants over that timeframe were David Hubbard from March 2021 to May 2021 and John Carpenter after Hubbard left IA.

Perez was the investigator of the IA case against S1 The allegations started in 2021 and the IA case was tolled pending a criminal investigation. Perez worked the IA case in September and October 2021.

Perez was acting sergeant when S1 was assigned to Special Victims Unit ("SVU") and worked with S1 on occasion. They are work associates. They got along and had a respectful relationship. Perez thought S1 was a really good senior deputy and detective.

Hubbard was Perez' supervisor for the three years prior to Perez joining IA while Perez was in homicide. Perez considered Hubbard to be a friend. He had been to Hubbard's house two to three times. Hubbard hosted a Christmas party for the homicide unit. Everyone brought their significant others. Perez texted Hubbard about three to four months prior to May 2023 to check in see if he had time for coffee. They did not end up meeting. The text messages were just light and Perez saying to Hubbard that he was thinking about him.

Perez also considered Hubbard to be a mentor. Hubbard was acting lieutenant and selected Perez to be acting sergeant. Perez looked to Hubbard for mentorship and advice.

V1 worked in the complaint unit while Perez was assigned to homicide. Perez supervised V1 for one to two years. He found her to be very competent and pretty dedicated. Homicide was busy and she could be counted on to put together "murder books," complex things, and officer involved shooting binders. She did not collect information. She compiled information the detectives obtained and put it in the correct format. V1 had medical issues, but her performance was above standard. He thinks of her as a work friend. Perez also knows R9

Perez did not know if Hubbard and R9 had any kind of relationship.

The friends closest to V1 included R3 Perez didn't know about R2 W1 and Bess Rutter. V1 was always friendly with everyone. She was very busy and worked with everyone, from patrol to detectives.

When it came time for Perez to interview witnesses in the S1 IA case, he sent emails to them. He told her the purpose of the interview was to obtain information about S1 Before the interview, she seemed very distressed. Hubbard called Perez the same day as Perez' email to V1 and said, "hey, is this starting? She's freaking out." Perez said he would talk to V1 and tell her what to expect in general terms to calm her nerves. Perez called V1 in for a pre-meeting discussion, which took place with that same day or the next. It was behind closed doors with Professional Standards Unit ("PSU") and IA. Hubbard and V1 were both there with Perez. Perez said he could not tell V1 the questions he was going to ask but told her it's about S1. Perez told her she could have someone there at the interview so long as they don't interfere and that questions may be pointed but need to be asked. That meeting was not recorded. The meeting was about 15 minutes long. Hubbard provided merely words of affirmation. They did not talk about how the criminal investigation went. Perez did not think V1 understood the process from criminal to IA.

Generally, Perez gave seven to ten days' notice prior to an interview. The notice says something to the effect that the person was identified as a witness and to let him know availability over the next seven to ten business days.

When Hubbard called Perez about V1 interview notice, he was her lieutenant in PSU at the time, but maybe Justin Weidenkopf was her direct supervisor. The interview was October 15, 2021, so a week before that, Perez had sent the email notice. Perez checked and confirmed he sent the email on October 11, 2021 at 11:00 a.m. It was likely an internal call when Hubbard phoned Perez, which showed his name and extension.

Perez interviewed V1 in an executive conference room at KCSO headquarters. There are two doors to the conference room. The room has a separate entrance. PSU is in the same building but at the opposite end. Perez also conducted S1 interview in the conference room.

Perez was not aware of the rumors that V1 and S1 were dating. The first person to say it out loud was S1 during his interview. Perez never thought that was going on, just thought V1 and Hubbard were close. He didn't get the vibe they were dating. All the years Perez knew Hubbard, he did not think Hubbard was that person.

Somewhere after serving notice to V1 Hubbard told Perez he was going to be her representative during Perez' interview of her. Hubbard told him that somewhere between the phone call and the 15 minute meeting. Perez told Hubbard at the outset not to interfere with the interview.

Hubbard reached out during the interview and touched V1 elbow toward the end of the interview during questions like "how did it make you feel? Did you want to come to work anymore?" Perez was also asking questions about whether she had gone to therapy. Perez recalled that she was having a hard time emotionally and Hubbard's touch was to say, "hey, it's all

right." Hubbard sat to the back and side of V1 He was comforting her. Perez can't tell one way or another if she was coached. She became very emotionally intense after the recording was turned off and she seemed genuine. She said she wished she had never come forward to make allegations against S1

V1 cried during her interview. Hubbard leaned in when she cried and looked at her, patting her arm and elbow.

V1 was everyone's "annoying little sister." Hubbard had a very paternal way toward V1 She had dizzy spells called POTS. They used to call her Dizzy as a nickname. She fell down. They would take her home and call her boyfriend. Hubbard was very concerned for her when she couldn't walk. Perez would roll her in a chair to her car. Hubbard picked her up and carried her to the car. She was coherent, but very weak. Perez did not know of any fainting spells where Hubbard carried V1 to his office. Perez just recalled one time in 2017-19 timeframe.

With respect to conflict of interest, Perez stated that the office didn't have a policy, but if they were having an affair, one could not be objective.

In forming his questions to ask S1 Perez started mentally forming questions as early as October 1, 2021. He put his questions on paper weeks in advance of the interview. Hubbard came to Perez' office and Perez bounced ideas of questions for S1 around people in the office. Perez told Hubbard he was gearing up for the S1 interview and asked Hubbard to look over the questions. Hubbard made a suggestion but Perez did not accept Hubbard's suggestion and make the change. S1 had made statements along the lines of "Danny, you know how she was. She was with everyone in the office (Justin Weidenkopf, Ray Ray, Hubbard, and Brad)." S1 turned it around on her, she's the one who started it. He implied she was sleeping around. S1 said she's lying, she's crazy, she's going to beat me up, she jumped on the desk at one time. Hubbard did not provide Perez with strategy.

Perez did not ask for input on the S1 interview from anyone else outside IA – Hubbard was the only person not in IA whom he asked.

On November 23, 2021, Hubbard came to Perez' office and asked how the interview went. Perez told him there was a lot to process, a world of emotions. Perez told Hubbard that S1 threw a lot of people under the bus, maybe he was just venting but Perez told Hubbard that Hubbard might be a subject officer. Hubbard got quiet and said he might need a representative for that. It didn't register with Perez until later. Hubbard had a physical reaction. He leaned back and looked upset. Perez reported S1 allegations to his lieutenant and told him it was all preliminary and asked his lieutenant to let him process the whole thing.

Perez got a call from a co-worker, Sergeant Ryan Pitcher, who supervised R9 Pitcher told Perez on a Saturday that he told Pitcher he needed to report the allegations of Hubbard and V1 having an affair up the chain of command. Perez felt sick to his stomach.

Perez was told to go take Hubbard's cell phone. Perez called Hubbard ahead of time. Hubbard apologized to Perez. It was maybe a Monday or Tuesday after it all came out when Perez took the cell phone.

In reviewing the cell phone records, John Carpenter asked Perez if Carpenter was reading them correctly. Perez' access was limited but from what Perez saw there were no indications that there were gaps in the data. Perez did not know if Hubbard had deleted texts or records of calls after Perez called Hubbard to take his phone.

Hubbard had complained about the PS investigation. PS wanted to have V1 wear a wire. She was hesitant. Hubbard thought PSU was just giving up and that they need to push this. V1 came to Perez' office in IA and they spoke behind closed doors in Hubbard's office. PSU investigators were not aware of those discussions to Perez' knowledge.

Hubbard did not intervene in other investigations, just the S1 investigation.

Perez did not hear about any order not to brief Hubbard until after the whole thing was over. Weidenkopf said that Hubbard said he wanted briefings.

Perez did not know if Hubbard shared information with anyone about what S1 had said during his interview. V1 came to Perez a few weeks after the S1 interview and asked Perez for information. Perez asked her why she wanted to know and said he was not going to tell her what S1 had said. She said she needed closure. He told her she needed to move on. That was during his second interview of her. Hubbard was not at her second interview.

Hubbard's affair, personal connection, and emotional investment in the outcome of the investigation could have derailed the whole thing. If Perez knew about the affair, there was no way he would have allowed let Hubbard become involved.