Commission on Peace Officer Standards and Training
Peace Officer Standards Accountability Division
860 Stillwater Road, Suite 100
West Sacramento, CA 95605
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NOTICE OF DETERMINATION

CASE NO.: POST 2321753 **SUBJECT OFFICER:** Riley T. Bandy

POST ID: C38-W81 **EMPLOYING AGENCY:** *San Francisco Police Department*

POST INVESTIGATOR: Robert Maynard, Law Enforcement Consultant II (RA)

NOD DATE OF ISSUANCE: 04/29/2026

ALLEGED MISCONDUCT: PC 13510.8(b)(8)/11 CCR 1205(a)(8) – Failure to Cooperate

EXECUTIVE SUMMARY:

On November 24, 2021, the complainant contacted San Francisco Police Department (SFPD) officers and reported her adult daughter missing. The daughter was an adult but was described as having multiple personality disorder and being cognitively delayed to the point of being child-like.

On November 27, 2021, the complainant and her daughter contacted Officer Riley T. Bandy, hereinafter "Respondent", and advised she was no longer missing but had escaped after being held in an unknown place against her will. Respondent completed an Incident Report to clear the daughter as a missing person and in his report wrote the daughter had come to San Francisco to party and do drugs and did not want her parents to know where she was. On December 2, 2021, the complainant contacted the San Francisco Department of Police Accountability (DPA) and alleged Respondent was rude to them and had failed to investigate a kidnapping.

Over the course of several years, Respondent was repeatedly unavailable for a DPA interview due to leave, including military leave for a year-long deployment. After his return to duty following his deployment, DPA subpoenaed Respondent three times within two months for scheduled interviews, but he failed to appear for any of these interviews. The DPA administrative investigation was completed on September 30, 2024, without Respondent's participation, and found "Improper Conduct" for Neglect of Duty (failure to properly investigate and preparing an incomplete or inaccurate incident report) and Conduct Unbecoming (inappropriate behavior or comments).

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The DPA investigation was sent to SFPD for review and Police Chief evaluation. Respondent resigned his employment on November 12, 2024, before that review was complete.

POST issued an Immediate Temporary Suspension of Respondent's Basic, Intermediate and Advanced certificates on January 30, 2025.

SFPD reported a serious misconduct allegation of Dishonesty to POST. During the POST investigation, serious misconduct in the form of Failure to Cooperate was identified.

ANALYSIS/FINDINGS:

1. **The alleged misconduct violated Penal Code section 13510.8(b)(8) and Title 11, California Code of Regulations section 1205(a)(8) – Failure to Cooperate**

Penal Code section 13510.8(b)(8) and Commission Regulation 1205(a)(8) define as serious misconduct "Failure to cooperate with an investigation into potential police misconduct, including an investigation conducted pursuant to Chapter 1 of Title 4 of Part 4 of the Penal Code. For purposes of this paragraph, the lawful exercise of rights granted under the United States Constitution, the California Constitution, or any other law shall not be considered a failure to cooperate."

There is clear and convincing evidence Respondent failed to cooperate with an investigation into potential police misconduct, in violation of Penal Code section 13510.8(b)(8) and POST Regulation 1205(a)(8), when he failed to appear for scheduled DPA interviews for which he was subpoenaed on three specific occasions:

- **Scheduled interview April 11, 2024 at 1000 hours**
  - Respondent was served with a subpoena on April 1, 2024
  - Respondent's Peace Officer Association (POA) representative emailed the DPA investigator on April 10, 2024 at 1711 (after business hours) requesting to reschedule the interview to May, citing Respondent's unspecified scheduling issues.
    - The DPA investigator emailed the POA representative on the morning of April 11, 2024, asking for the reason for the delay and the reason for not being able to attend the interview. No response was received.
  - Respondent's schedule shows:
    - April 1-7, 2024 – Off (Regular day off, vacation, and sick leave)
    - April 8-10, 2024 – Regular Duty 0700-1700
    - **April 11, 2024** – Regular Duty 0600-0900, Vacation 0900-1600

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- April 12, 2024 – Regular Duty 0600-1600

- **Scheduled interview April 25, 2024 at 1000**
  - Respondent was served with a subpoena on April 16, 2024
  - Respondent failed to appear for the interview, and there was no communication with DPA
  - Respondent worked Regular Duty on April 25, 2024, the date of the scheduled interview, and responded to several calls for service as Unit 3A11A from 0600-1600.
  - The POA representative called DPA after the scheduled interview (unknown date/time) and advised that the Respondent was on Military Leave for the last two weeks of April and would not be available until May for an interview. However, Respondent's schedule shows:
    - April 14-16, 2024 – Off Duty
    - April 17, 2024 – Vacation
    - April 18, 2024 – Regular Duty 0600-1600
    - April 19-20, 2024 – Military Leave
    - April 21, 2024 – Holiday Leave
    - April 22-23, 2024 – Off Duty
    - **April 24-25, 2024** – Regular Duty 0600-1600
    - April 26, 2024 – Sick Day
    - April 27-30, 2024 – Off Duty

- **Scheduled interview May 30, 2024 at 1000**
  - Respondent was served with a subpoena on May 14, 2024
  - The DPA investigator emailed Respondent and the POA representative May 21, 2024 at 1208 reminding them of the interview. A Government Code section 3304 waiver[1] was attached to the email due to the lengthy delay in conducting an interview.
    - The POA representative emailed the DPA investigator May 21, 2024 at 1900 asking why Respondent was being asked to sign the waiver since he was scheduled for an interview on May 30, 2024. The POA representative also said the delays were because of Respondent's military service obligations as well as personal family leave which were both sanctioned and approved by

[1] Government Code section 3304(d) establishes a one-year statute of limitations for disciplinary action against a public safety officer. This prohibits disciplinary action for any allegation of misconduct if the investigation is not completed within one year of the public agency's discovery by a person authorized to initiate an investigation of that misconduct.

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the department. Respondent did not sign the Government Code 3304 waiver.

- On May 23, 2024 at 1125, Respondent's POA representative emailed the DPA investigator and confirmed "we will see you next Thursday, May 30th at 1000 hours for our interview."

- The POA representative emailed the DPA investigator May 29, 2024 at 1718 advising Respondent had been injured at work that day and requested the interview be rescheduled.

- **POST2406321**
  It was alleged that on May 29, 2024, Respondent faked an on-duty injury and submitted a fraudulent disability claim. At the beginning of the shift an SFPD officer reported to his supervisor that he overheard Respondent was planning to "go out" on an injury that day. The supervisor notified his lieutenant of the report. Toward the end of the shift, the lieutenant was notified an ambulance had been called to the Central Station for an injury Respondent sustained while working that day and the lieutenant authored a memorandum to his captain memorializing what had been reported regarding a potentially planned injury.

  The captain ordered the reporting officer to submit a memorandum memorializing what he overheard. The officer wrote that he was randomly assigned to work partners with another officer on May 29, 2024, and his partner told him that day would be Respondent's last day at work because he had secured employment in Hawaii and was going to create an incident which would cause him to be on disability leave so he could move out of state. The officer also wrote that on multiple occasions he heard Respondent make statements that he wanted to leave the department.

  During an IA interview, the officer stated his partner told him Respondent was going to fake an injury and go on disability leave because he got a job in Hawaii and wanted to "double dip."

  The partner officer was interviewed during the IA investigation and said he had known Respondent since probation and on May 29, 2024, Respondent told him in lineup something to the effect of "hey man, I might be getting out of here soon", or "you might not see me." The partner officer thought

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Respondent meant he was either going to another department or going on another military deployment. The partner officer denied Respondent had made any statements about planning an injury, that he got a job out of state, or that it would be Respondent's last day at Central Station.

The District Attorney's Office declined to file criminal charges citing insufficient evidence. The District Attorney's Office noted that the initial supervisory notification of a planned injury was third-hand information not heard directly by the reporting officer. It was also noted that the fall was captured on surveillance video and the on-scene supervisor completed a Supervisor's Report of Injury Report that coded the injury "non-preventable." Additionally, a doctor placed Respondent off duty for two days following the incident.

Respondent was served with an IA interview notice on November 6, 2024, and he resigned his employment on November 12, 2024, before the interview was conducted. The department determined there was Insufficient Evidence that Respondent committed disability fraud.

This incident occurred the day before Respondent failed to appear for a scheduled DPA interview. POST determined there was not clear and convincing evidence of serious misconduct.

- Respondent's schedule shows:
  - May 29, 2024 – Regular Duty 0600-1600, Injury O/T 1600-2100
  - **May 30-31, 2024** – Disability Leave
  - June 1, 2024 – Sick Leave
  - June 2, 2024 – Regular Duty 0600-1600
  - June 3, 2024 – Off Duty

Respondent was mailed a POST interview request on October 21, 2025. Respondent called POST on November 4, 2025 at 1258 and said he wanted to participate in an interview. During the call:

- Respondent said he wanted to refute the DPA claims of dishonesty and that the investigation was totally inaccurate.
- Respondent said he left SFPD without sitting for an interview with DPA because, *"I was so fed up with DPA and how they treat officers. I wasn't in the mood to do it anyway."*

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- Respondent said his *"life timeline was definitely not in sync with DPA. I had to make decisions what to do with my life."*
- Respondent resented the fact that DPA said that he was dishonest.
- Respondent felt *"SFPD has gone too far as far as throwing police officers under the bus, and I was one of them."*
- Respondent said he wants to clear his name and although he was *"not in the game anymore"*, if he moved back to California, he would like to have his options open, but definitely not with SFPD.
- Respondent was told the focus of the POST investigation was his failure to cooperate with a DPA investigation and was provided with the dates of three scheduled interviews for which he failed to appear which would be discussed during a subsequent POST interview.

Respondent was interviewed by POST on January 28, 2026, via Microsoft Teams. The interview was held remotely because Respondent lives out of state. During the POST interview Respondent confirmed he was aware of departmental policy that required officers to cooperate with a DPA investigation saying, *"Yeah. I, I know that*."

Note: The Department of Police Accountability is codified in San Francisco Charter section 4.136, and their mandate is to impartially investigate all complaints and allegations of misconduct against SFPD officers. DPA recommends disciplinary actions to the Chief of Police and conducts audits of SFPD misconduct investigations. San Francisco Charter section 4.136(j) mandates full cooperation with DPA investigations from every department, officer and employee of the City and County.

San Francisco Police Department General Order 2.04 – Complaints Against Officers
2.04.01 – Officers shall cooperate fully with the DPA and provide their full assistance in the expeditious and impartial processing of such complaint.
2.04.03(D) – Members shall appear for scheduled interviews and be prepared to proceed. If a member must reschedule, the member must contact the assigned investigator at least 24 hours prior to the interview. The inability to arrange for a specific representative will not necessarily be cause for rescheduling the interview. If an exigent circumstance presents itself, the officer or their representative shall notify the DPA investigator and the on-duty senior ranking supervisor of the officer to be interviewed. The DPA has sole authority to grant a request to reschedule.

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Respondent was asked about subpoena service to attend a DPA interview and he said service is handled different ways, sometimes sending an email and other times giving officers paperwork in lineup.

Respondent was asked if departmental policy required officers check their email and he responded, *"if I'm working, but if I'm not working, I'm not required to check it."* Respondent was asked if when returning to work from days off he was required to check unread departmental email that was received and he responded, *"Yeah. I mean,… if I see it, I see it. If I don't see it then I don't see it…this is not something I was trying to dodge."* Respondent also stated that *"it's just silly to me that it got to this point."*

Respondent was asked why he didn't reach out to DPA and he said he did talk to his POA representative and that he was just trying to get through the day and that it wasn't the first thing on his mind. Respondent added, *"it'd be different if DPA called me on the phone and I was like, no, I'm not coming. They, I, they didn't even, I don't, I don't, I don't ever remember them ever reaching out to me even on the phone"* and *"that doesn't mean that I was, I was not trying to, um, not go to these ridiculous '<laugh> uh, DPA meetings."*

Respondent said he was on leave under the Family Medical Leave Act (FMLA) for most of 2024 due to difficulty reintegrating with the department and his personal life after returning from a one-year military deployment, and opined that was probably the reason he didn't know about the scheduled interviews or was unable to attend. **Note:** While Respondent's schedule shows he was on FMLA for periods of time during 2024, FMLA was not a cause of Respondent's unavailability for the three DPA interviews for which he was scheduled.

During the POST interview, Respondent was asked about each of the scheduled DPA interviews:

- **Scheduled interview April 11, 2024 at 1000 hours**

  Respondent was asked if there was a reason he failed to appear for the scheduled interview. Respondent said, *"I'm guessing if I wasn't at work then I must have been on FMLA."* Respondent was asked if he remembered being served with a subpoena to attend the interview and he replied, *"No, I don't remember that at all <laugh>,* and *"if I'm not working then, um, I'm, there's no way I'm gonna check emails while I'm not working."*

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Respondent was asked what the scheduling issues were that were referenced by his POA representative and he replied that he was facing family issues and was having a hard time getting back to normal life after his deployment.

Respondent was reminded of his work schedule for April 11, 2024, noted above (3 hours on duty, followed by 7 hours of vacation time taken 1 hour before the scheduled DPA interview) and asked why he took 7 hours vacation time on April 11th when he was supposed to be at his DPA interview. He replied, *"I mean, this is, this is April 2024. I mean, again, uh, and like I said, that's what I was dealing with at the time."*

Respondent was asked if he told his supervisor he was scheduled for a DPA interview when he asked to take vacation time and he responded, *"I have no idea what I talked to them about that day. It's April 2024."*

- **Scheduled interview April 25, 2024 at 1000**

  Respondent replied, *"No"* when asked if he remembered being scheduled for the DPA interview.

  Respondent was told he worked a full shift as Unit 3A11A and asked why he didn't appear for the DPA interview. Respondent said that he was surprised he didn't go that day if he was working, and that he must have just forgot.

  Respondent was asked what conversation he had with his POA representative after failing to appear for the interview since the representative should have been there with him and he replied that he remembered talking "to a POA guy" and saying something about needing to reschedule the interview. Respondent then attempted to shift blame onto his POA representative by saying that he didn't remember ever sitting down and doing any sort of interview preparation, "*so maybe it slipped their mind as well, you know? Usually, they'll be the ones to like, remind us. Um, I just don't remember at all getting a reminder. So, I mean, whose fault is that? It's, you know, it's mine too, but it's not like I'm, again, it's those kinds of things happen. It's not like a deliberate, um dodging the <laugh>, the DPA."* Respondent said it was not a deliberate decision not to go and that, *"those things happen. I, you know, I must have forgotten."*

  Respondent was asked why his POA representative thought he was on Military Leave the last two weeks of April when his schedule showed he was only on leave for two

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days on April 19th and 20th. Respondent replied, *"So I was on military leave, um, in that part of April then."* Respondent was asked again why his POA representative thought he was on military leave the whole last half of the month when it was really only two days and he replied, *"That's a good question. Did you ask him that?"*

Respondent then asked if DPA rescheduled the interview and he was told it was rescheduled for May 30, 2024 at 1000.

- **Scheduled interview May 30, 2024 at 1000**

Respondent said he did not remember being served with a subpoena for the interview, and then asked, *"Do you have any record of me, me signing anything?"* **Note:** It had already been established during the POST interview that email was an acceptable method of service.

Respondent was told there was a record of the DPA investigator emailing both Respondent and his POA representative a reminder on May 21, 2024 at 1208. Respondent replied, *"And then did I respond to that email?"*

Respondent confirmed he was injured at work on May 29, 2024, at approximately 1445 hours and said he came back to work a couple days later. Respondent thought he remembered having a conversation with his POA representative later that evening reminding him of the interview. Respondent was asked if he made an attempt to reschedule the interview and he replied, *"I think he said he was going to."* Respondent was asked if he ever inquired about a rescheduled interview and he replied, *"that wasn't on my mind at the time."*

Respondent confirmed he was mobile and not bedridden after his on-duty injury and was asked if there was a reason he couldn't have suggested participating in the DPA interview remotely, as he was doing during the POST interview. He replied, *"Is it really up to me to facilitate that? You facilitated this interview and you provided the link and should I have provided them the link?"* Respondent was reminded that the remote POST interview was set up because he indicated he wanted to participate and was asked if he ever indicated to DPA he wanted to participate and if he asked what his options were. Respondent replied that he told the POA representative they *"would eventually do it, but I certainly didn't lay out my life's plan for my department to*

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> *scrutinize, and you know, um, to pick, to nitpick at and, and decide whether or not my life's plan was in sync with DPA's agenda."*
>
> Respondent was asked if it was just a coincidence that his on the job injury happened the afternoon before he was scheduled for his third DPA interview. He replied, *"DPA is not something that is so scary that anybody in SFPD would do something to, um, avoid. It's just DPA, there's nothing scary about them. I'm trying to tell you guys; I would've easily gone to DPA to sit before them for this."*

During the POST interview, Respondent used the phrase "eventually reschedule" multiple times and was asked why he thought it was in his control to decide when he was going to cooperate with the DPA investigation. He replied, *"I always cooperated. I never did not."* Respondent was asked to explain how he cooperated when the facts showed he didn't. He replied, *"Because I never told DPA that I would not ever show up to these things. Obviously, I would show up, and, and it was part of the, the department rules to show up."*

> **Note:** Respondent did not, in fact, cooperate with a DPA interview and resigned his employment before the investigation was completed. Additionally, Respondent never invoked any constitutional, statutory, or other legally recognized right as a reason for not cooperating with the DPA investigation which is the only allowable reason specified in Penal Code section 13510.8(b)(8).

Respondent was asked, as a police officer, if a witness said they wanted to provide a statement, but over seven months there were three different meetings scheduled for which the witness failed to show, if he would draw any inferences about whether the witness was really going to cooperate. Respondent did not answer the question but deflected back asking, *"I'm asking you guys to think about how you would feel given if you were in my shoes, if you'd just come back from a year deployment."* Respondent went on to say he didn't receive any support from his department and that on his first day back his lieutenant just gave him a beat assignment in the worst car sector.

Respondent said he was never given the benefit of the doubt or any professional courtesy, and asked, *"Would you really, would you, would you, would you like it if your POST certificate was revoked over something like this?"*

Respondent was asked to explain, based on the way Penal Code section 13510.8(b)(8) defines failure to cooperate, how he was not in violation. He replied, *"Because I never denied DPA. I never said or did anything where I said or acted in such a way where I was not going to, um, show up to, or to their,*

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to their DPA interview." Respondent was told he did act in such a way that he was not going to show up for DPA interviews, and he deflected back saying, *"Have you ever missed a meeting? Have you ever, have you ever missed something by accident?"*

Respondent said, *"I've had every intention of cooperating. I had every intention of going of, um, rescheduling and, um attending whatever DPA wanted to, wanted me to attend to."* Respondent also stated, *"I don't know about where you only get three chances and then you're done. Like, is that a rule someplace? 'Cause in my, in my mind, there is no three strikes rule when it comes to DPA. You just reschedule. That's why, that's why, that's why I'm saying in this situation I feel like this is ridiculous."*

Respondent said, *"I did have the intention of sitting for the interview. Is there one officer who ever felt this DPA organization is really great, and I'm really glad they've investigated this because this is really important? Have you ever heard that from anybody? And I know you haven't. The idea is every officer usually, I would say 99% of the time, is like I can't believe this. You know this is ridiculous."*

Respondent expressed his opinion of DPA saying, *"In many ways, they're a stat-driven organization that, um, is looking for ways to throw officers under the bus."*

Respondent ended the POST interview by saying he hoped he would be given the benefit of the doubt and asking to put ourselves in his shoes thinking how we would feel coming back from a deployment feeling estranged and alienated from the department, and feeling stressed out and burned out.

In summary, during the POST interview Respondent acknowledged he was aware of his responsibility to cooperate with a DPA investigation as required by SFPD General Order 2.04. Additionally, Respondent is familiar with the DPA investigative process, answering *"a handful"* when asked how many times he had been investigated by DPA.

Respondent demonstrated his opinion of DPA, laughing when referencing the organization and calling their *"little meetings ridiculous."* Respondent referenced his *"life plan"* not being *"in sync with the DPA agenda"* twice. He showed no accountability for failing to appear for scheduled interviews and said he had every intention of participating in an interview but that he *"didn't have an opportunity."* Respondent also said his intention of participating in an interview was evidenced by the fact that he never called and told them directly he was not going to be interviewed. Respondent blamed DPA for missing his scheduled interviews, saying they could have reached out to him by phone to remind him.

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Respondent claimed he was unable to attend scheduled DPA interviews because he was off on FMLA most of 2024, however his work schedule shows otherwise, including one interview date on which he worked a full shift and another on which he worked for three hours until taking vacation time just before his scheduled interview. Additionally, Respondent's POA representative told DPA that Respondent was on Military Leave the last half of April 2024 and would be unavailable for an interview until May. This information could only have come from Respondent, but the evidence proves Respondent was only on Military Leave for two days in the last half of the month and was untruthful in the representation of his schedule, likely in a continued effort to ignore DPA.

Overall, Respondent demonstrated and verbalized his lack of respect for DPA and the investigative process. Respondent demonstrated his lack of concern about not participating in the DPA investigative process as evidenced by the fact that he failed to do any research or give any thought to circumstances surrounding the interview dates which were provided to him almost three months before the POST interview. Further demonstrating his lack of concern, Respondent volunteered during the POST interview that he had found FMLA paperwork and would email it following the interview. To date, no paperwork has been received by POST.

Departments have legal and moral obligations to investigate allegations of misconduct against their officers. When peace officers refuse to cooperate with investigations into police misconduct, it undermines public trust and signals to other officers that policy and ethics are optional and erodes the legitimacy of police administrators and their ability to enforce standards of conduct.

Respondent has the following history of departmental disciplinary actions:

- IA 2017-0268 – Failed to appear for range qualification. Admonished and retrained in September 2018
- IA 2019-0006 – Improper conduct for behaving inappropriately
- IA 2019-0021 – Improper conduct for contacting a victim for personal reasons and compromising an investigation
- IA2019-0053 – Improper conduct by inappropriately contacting a victim for non-work related reasons and failing to document the available facts in an investigation
    - **Note:** The above three incidents occurred within close proximity, and the discipline was combined into a five-day suspension which was served in December 2020.
- IA 2021-0048 – Failure to activate BWC
    - This administrative investigation was open and incomplete at the time of Respondent's resignation

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Respondent has the following additional reports of serious misconduct on record with POST:

- POST2410278 – Demonstrating Bias
  - On February 19, 2020, Respondent detained a possible automobile burglary suspect in an area with a high incidence of auto burglary/theft. The complainant alleged he was detained without probable cause because of his race. The department found Insufficient Evidence of Bias but Sustained that Respondent wrote an incomplete/inaccurate incident report. POST determined the inconsistencies in the incident report were minor in nature and did not affect the outcome of the investigation and did not result in any arrest, criminal prosecution or other harm to the complainant. Respondent's actions did not rise to the level of serious misconduct, and the case was closed by POST with no further action.

- POST2504643 – Physical Abuse
  - It was alleged that on April 16, 2021, Respondent and another officer used excessive force. The department determined the allegation was Unfounded and POST determined Respondent's actions did not meet the definition of serious misconduct. The case was closed by POST with no further action.

- POST2509019 – Failure to Cooperate
  - It was alleged that Respondent failed to appear for one scheduled DPA interview on April 11, 2024. This incident is included in the current investigation.

- POST2406321 – Acts that Violate the Law
  - As described above, it was alleged that on May 29, 2024, Respondent faked an on-duty injury and submitted a fraudulent disability claim. At the beginning of the shift a fellow SFPD officer reported to his supervisor that he overheard that Respondent was planning to "go out" on an injury that day.

    Respondent was served with an IA interview notice on November 6, 2024, and he resigned his employment on November 12, 2024, before the interview was conducted. The department determined there was Insufficient Evidence to support the allegation.

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- This incident occurred the day before Respondent failed to appear for a scheduled DPA interview. POST determined there was not clear and convincing evidence of serious misconduct. This event is referenced in the current investigation.

Note: SFPD originally reported a serious misconduct allegation of Dishonesty to POST. There is insufficient clear and convincing evidence that Respondent committed dishonesty, as defined by Penal Code section 13510.8(b)(1). To qualify as actionable dishonesty in these circumstances, Respondent's statements or conduct must relate to the reporting, investigation, or prosecution of a crime. During the interaction between the Respondent and the complainant's daughter, she states, "I didn't want to put a report," "I wasn't really kidnapped," and "I mean, I don't really remember. But we were partying." While Respondent was interviewing the daughter, another officer interviewed the complainant and then told Respondent, "her parents said she is addicted to alcohol and drugs, and sometimes when she's on drugs, she'll like talk in circles."

These statements, at the time that they were made, are insufficient to establish that a kidnapping involving the daughter had occurred. While Respondent's conduct was inappropriate and demonstrates poor police work and lack of diligence, based on the statements of the daughter and of the other officer who interviewed the complainant, there is not clear and convincing evidence that Respondent committed actionable dishonesty for purposes of decertification.

FINDINGS

The Peace Officer Standards Accountability Division determined, by clear and convincing evidence, Respondent committed serious misconduct, as defined in Penal Code section 13510.8(b)(8) and Title 11, California Code of Regulations section 1205(a)(3) – *Failure to Cooperate with an investigation into potential police misconduct*. For purposes of this report, clear and convincing evidence means "evidence of a charge is clear and convincing so long as there is a 'high probability' that the charge is true. The evidence need not establish a fact beyond a reasonable doubt."

Based on its investigation and the consideration of factors enumerated in Title 11, California Code of Regulations section 1213(a), the Peace Officer Standards Accountability Division has determined that reasonable grounds exist to seek suspension or revocation of Respondent's certifications, in accordance with Penal Code section 13510.85.