

INVESTIGATIVE SUMMARY AND FINDINGS

PEACE OFFICER NAME: Ivan D. Sarabia-Medina

POST ID NUMBER: C12-A96

EMPLOYING AGENCY: Los Angeles County Sheriff's Department

POST CASE NUMBER: POST2322012

WRITTEN BY: LEC Robert Bringolf

DATE: 12/19/2023

Contents

I. Executive Summary I-2

II. Background Information 2

a. Identity of Respondent 2

b. Respondent's Service Record, Relevant Training, and Prior Complaints and Discipline 2

c. Peace Officer Certification 2

d. The Present Allegations of Serious Misconduct 2

III. Investigative Methodology 2

IV. Factual Summary 2

V. Analysis and Findings 20

a. Does the alleged conduct violate California Regulation 1205(a)(1) –Dishonesty? 20

VI. Supporting Evidence and Documentation 25

VII. Findings 26

I. Executive Summary

The Los Angeles County Sheriff's Department (LASD) submitted this case, in which they alleged the subject officer, Sergeant Ivan D. Sarabia-Medina, hereinafter "Respondent," was involved in serious misconduct when he lied to internal affairs investigators during an internal affairs investigation into LASD policy violations.

II. Background Information

a. Identity of Respondent

At the time of the events at issue, Respondent was employed as a Sheriff's Sergeant with the Los Angeles County Sheriff's Department.

b. Respondent's Service Record, Relevant Training, and Prior Complaints and Discipline

Respondent began his employment with the Los Angeles County Sheriff's Department on 07/13/2007 as a deputy sheriff. Respondent was promoted to the rank of sergeant on 10/16/2016. Respondent was terminated from the Los Angeles County Sheriff's Department on November 4, 2023.

Prior Employment History

Respondent does not have any additional law enforcement appointments in California.

c. Peace Officer Certification

Respondent is assigned POST ID C12-A96. He received the following peace officer certificates from the Peace Officer Standards and Training (POST):[1]

- Basic #132572 (08/11/2008)
- Intermediate #123444 (08/13/2013)
- Advanced #115908 (11/14/2017)
- Supervisory #88205 (10/15/2018)

[1] Respondent's POST profile (Attachment G).

d. The Present Allegations of Serious Misconduct

This alleged serious misconduct occurred during internal affairs interviews by the Los Angeles County Sheriff's Department (LASD) on June 8, 2023, and July 14, 2023. Respondent was being interviewed related to several social media postings Respondent made while on duty and in full LASD uniform.

During an internal affairs interview, Respondent was dishonest with LASD investigators when he said he had not recorded any TikTok videos while on duty.

The complaint was received by POST on December 7th, 2023, at 1029 Hours via the "Mark 43" report management system.

III. Investigative Methodology

This report summarizes the findings related to allegations of serious misconduct. This investigation was conducted in accordance with the regulations and policies of POST. The investigation included a review of the LASD administrative investigation, review of several hours of audio recordings of interviews, and review of several TikTok videos Respondent had posted to his TikTok account.

Information obtained was analyzed using the clear and convincing evidence standard. 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."

This report is necessarily summary in nature and does not include every fact or issue that might be found in the underlying investigation and attachments. It does, however, contain reference to that evidence that establishes the requisite facts, and proves the serious misconduct charged, by clear and convincing evidence.

IV. Factual Summary

The specific allegation in this complaint is that Respondent was involved in serious misconduct when he lied to internal affairs investigators during an internal affairs

investigation into misconduct related to posting several videos on the social media platform TikTok[2]:

An internal affairs investigation was initiated after LASD command staff learned Respondent was posting videos on TikTok. Several of Respondent's videos showed Respondent in full LASD uniform and apparently on-duty when he recorded the videos. On August 23, 2022, a Watch Commander Service Comment Report was generated after a retired LASD sergeant contacted the internal affairs bureau and filed a complaint regarding Respondent's actions in his TikTok videos, some of which appeared to be in violation of LASD policy.

Upon LASD's review of the videos, it was discovered Respondent created and posted numerous videos on his personal TikTok account. Several of those videos showed Respondent may have been in violation of LASD policies.

In summary, the videos showed Respondent activating a taser in his hand while in uniform and in a police vehicle. Respondent was also seen inside the Walnut Station (Respondent's duty station) critiquing another TikTok user's video related to search and seizure. Respondent made additional TikTok videos while inside Walnut Station, one such video was filmed in the station armory and showed Respondent manipulating a shotgun in his hands and another video manipulating a less-lethal weapon and pointing it at the camera. Respondent made other videos from the interior of his patrol vehicle which showed his Mobile Digital Computer (MDC), the vehicle's takedown lights illuminating the exterior of the vehicle and showing the interior of the vehicle and the vehicle's inventory of weapons. Respondent recorded himself receiving a gratuity in the form of a discounted meal while on duty, in a police vehicle, and in full department uniform. The LASD reviewed a total of 26 TikTok videos for their investigation.

[2] Attachment H – Policies related to Respondent's misconduct attached in one comprehensive document.

These apparent policy violations led to the internal affairs interviews in which the serious misconduct of dishonesty in this allegation occurred. Internal affairs investigators asked Respondent several times whether he recorded any of the TikTok videos while he was on duty. Respondent told investigators in no uncertain or equivocal terms that he had never recorded a TikTok video while on duty. Through their investigation and through detailed observations within the videos, internal affairs investigators found evidence Respondent was being dishonest about the times he recorded the videos and that the videos had, in fact, been recorded while Respondent was on duty. Respondent was ultimately terminated for dishonesty.

In the internal affairs investigation, Respondent was shown specific videos and asked whether he was on duty at the time he recorded the videos. At least 18 times in the internal affairs investigation, Respondent told internal affairs investigators that he was off duty when filming a specific video, or while filming any video. Respondent repeatedly stated that he never recorded any of his TikTok videos while on duty. These statements are the basis for the dishonesty allegation against Respondent.

I reviewed all of the TikTok videos provided by LASD in which Respondent appeared in full LASD uniform and appeared to be on duty and reviewed the full internal affairs transcripts. In each TikTok video, I looked for facts that supported the claim Respondent was off-duty when the video was recorded. I also analyzed the videos for facts that tended to refute Respondent's claim he was off-duty. I coupled my observations of the videos with statements made by Respondent in his internal affairs interviews. The following is my analysis of several videos where Respondent appeared to be on duty:

Video 1 – "Arcing Taser in Vehicle"

- Respondent was in full LASD uniform.
- Interior of vehicle was consistent with a Chevy Tahoe.

- Uplighting (illumination from a low source of light) from center of vehicle consistent with mobile data terminal (MDT) placement.
- Respondent held a taser in his hand and activated it.
- It was dark outside consistent with video taken at night.
    - Respondent's shift was from 2100-0500.[3]
- Respondent told internal affairs investigators he was off-duty when he recorded this video.[4]
- Respondent told internal affairs investigators that he did not possess his own Taser or take his taser home.[5]
- Respondent implied he could have recorded the video in his sister's Chevy Tahoe.
    - He could not do this if he did not take his taser home.

Conclusion:

There was no evidence found that directly supports Respondent's assertion he was off duty when the video was recorded. There was no evidence to support Respondent's speculation that his sister's vehicle may have been used to film the video – there was uplighting in the video consistent with the mobile data terminal shown in other videos. Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 2 – "Armory Video with Shotgun"

- Date showed video was uploaded on 08/12.
    - Respondent was on-duty on 08/12/2022.[6]
- Respondent was in full LASD uniform.
- Respondent's shift was from 2100-0500 hours.[7]
- Body-worn Camera was on Respondent's uniform.

[3] (Attachment A) Respondent Interview Transcripts, Pg 94 of 138, Paragraphs 12 and 13.
[4] (Attachment A) Respondent Interview Transcripts, Pg 105 of 138, Paragraphs 15 and 16.
[5] (Attachment A) Respondent Interview Transcripts, Pg 106 of 138, Paragraphs 8 and 9.
[6] (Attachment A) Respondent Interview Transcripts, Pg 89 of 138, Paragraphs 6 and 7.
[7] (Attachment A) Respondent Interview Transcripts, Pg 94 of 138, Paragraphs 12 and 13.

- In another video, Respondent shows the last thing he does before getting ready to go in service is to attach his body-worn camera.[8]

- Respondent was wearing his patrol radio.
- Respondent stated he may have recorded the video on a different date than the date it was uploaded.[9]
- Respondent stated he was off-duty when the video was recorded, and that it "might" have been recorded before he started his shift.[10]

Conclusion:

There was no evidence found that directly supports Respondent's assertion he was off duty when the video was recorded. Respondent could not advise when he recorded the video, but suggested the video may have been recorded on a separate date and he ultimately uploaded on the date he was working. It is reasonable to conclude Respondent was on duty because he was seen in full uniform, wearing a body-worn camera, a patrol radio, and was in the armory at Walnut station. Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 3 – "Police Takedown Lights"

- Date shows video was uploaded on 08/4.
  - Respondent was on-duty on 08/04/2022[11]
- Respondent was clearly inside a patrol vehicle when the video was recorded.
- Respondent activated vehicle's takedown lights and illuminated a building.
- Video was clearly not taken at the Sheriff Station or in the parking lot of the Sheriff Station.

[8] (Accessed via Evidence.Com) Video 7 –"Inside Locker Room".
[9] (Attachment A) Respondent Interview Transcripts, Pg. 89 of 138, Paragraphs 12, 13, and 14.
[10] (Attachment A) Respondent Interview Transcripts, Pg. 90 of 138, Paragraphs 2 and 3.
[11] (Attachment A) Respondent Interview Transcripts, Pg 109 of 138, Paragraphs 4 and 5.

- Internal Affairs investigators determined the video was recorded in the parking lot of the Latter Day Saints Church located at 20801 Marcon Drive, in Walnut, CA[12].

- In his internal affairs interview, Respondent stated he was not on duty when he recorded the video.[13]
- Respondent could not remember where he recorded the video. In the same paragraph, he stated he could not tell where the video was recorded because he worked nights and it was dark.[14]
- Respondent said he had never gone to the station to record a video on a day off.[15]

Conclusion:

There was no direct evidence other than Respondent's own assertion that he was off duty when the video was recorded. It is unreasonable to believe Respondent came to work, obtained a vehicle in the middle of the night, and then drove over a mile away from the station to a location he did not remember. Further, the Respondent stated he could not remember where the location was, because it was dark when he was at work. Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 4 – "Singing Spanish in Uniform"

- Date showed video was uploaded on 08/03.
  - Respondent was on-duty on 08/03/2022.[16]
- Time on Respondent's watch (visible in video) showed 0440 Hours.[17]
  - Respondent's shift was 2100 to 0500 hours.[18]
- Respondent was in full uniform.

[12] (Attachment B) Respondent Interview Transcripts, Pg 54 of 54, Paragraphs 1 - 7.
[13] (Attachment A) Respondent Interview Transcripts, Pg 109 of 138, Paragraphs 12 and 13.
[14] (Attachment A) Respondent Interview Transcripts, Pg 109 of 138, Paragraph 9.
[15] (Attachment B) Respondent Interview Transcripts, Pg 5 of 54, Paragraphs 2 and 3.
[16] (Attachment A) Respondent Interview Transcripts, Pg 87 of 138, Paragraphs 14-17.
[17] (Attachment C) Photograph of wristwatch showing 0440 Hours.
[18] (Attachment A) Respondent Interview Transcripts, Pg 94 of 138, Paragraphs 12 and 13.

- Respondent was wearing a body-worn camera on his uniform.
- The video was taken while it was dark outside.
- Uplighting was consistent with MDC near the center console.
- In his internal affairs interview, Respondent told investigators he was off duty when the video was recorded.[19]

Conclusion:

There was no direct evidence other than Respondent's own assertion that he was off duty when his videos were recorded. There was direct evidence from Respondent's wristwatch, however, supporting the time the video was recorded was 0440 hours, which fell within Respondent's work hours. Video was taken in a vehicle that appeared to be consistent with the interior of a Chevy Tahoe. There was uplighting in the interior of the vehicle which was consistent with a mobile data terminal. Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 5 – "Armory Video with 40 mm Less Lethal"

- Date stamp showed video was uploaded on 07/30
    - Respondent was on-duty on 07/30/2022[20]
- Respondent's shift was from 2100-0500 hours.[21]
- Respondent was in full uniform.
- Respondent was wearing a body-worn camera on his uniform shirt.
- Respondent was wearing his patrol radio on his lapel.
- Respondent was in the armory at Walnut Station.
- In his internal affairs interview, Respondent told investigators he was off-duty when he recorded this video[22]

[19] (Attachment A) Respondent Interview Transcripts, Pg 88, Paragraphs 5 and 6.
[20] (Attachment A) Respondent's Interview Transcripts, Pg 98 of 138, Paragraphs 10 and 11.
[21] (Attachment A) Respondent Interview Transcripts, Pg 94 of 138, Paragraphs 12 and 13.
[22] (Attachment A) Respondent's Interview Transcripts, Pg 98 of 138, Paragraphs 16 and 17.

- Respondent stated the date stamp may not reflect the date he recorded the video, only the date he uploaded the video[23]

Conclusion:

There was no direct evidence other than Respondent's own assertion that he was off duty when the video was recorded. Respondent was in full uniform, wearing a body-worn camera, a patrol radio, and at his place of work. Further, Respondent uploaded the video on a day he was at work, which is consistent with other videos in which the Respondent is seen in full uniform. There is no direct indication of the time the video was recorded. Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 6 – "Armory Showing Shotguns"

- Respondent was in full uniform.
- Respondent was wearing his patrol radio on his lapel.
- Respondent said he often had 20 to 30 minutes between when he arrived at the station and started his shift, and, in this case, he believed he just walked into the armory and recorded himself doing a "360."[24]
- Respondent asserts he was off duty for all the videos he recorded.[25]
-

Conclusion:

Aside from Respondent's own assertion that he never recorded videos while on duty, there was no direct evidence found to support Respondent was off duty when he filmed this video. Respondent was in full uniform with his patrol radio on his lapel. There is no direct indication of the time the video was recorded. The Respondent's appearance in the video in full uniform is indicative of being on duty.

[23] (Attachment A) Respondent's Interview Transcripts, Pg 100 of 138, Paragraph 3.
[24] (Attachment A) Respondent's Interview Transcripts, Pg 79 of 138, Paragraph 2.
[25] (Attachment A) Respondent's Interview Transcripts, Pg 105 of 138, Paragraphs 8 and 9.

Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 8 – "Inside Watch Sergeant's Office"

- Date showed video was posted on 7/9.
    - Respondent was on duty 07/09/2022.[26]
- Respondent was assigned as the patrol sergeant.[27]
- Respondent's shift was from 2100 – 0500 hours.[28]
- Respondent was in full LASD uniform.
- Respondent had his patrol radio on his lapel.
- Respondent was wearing his body-worn camera.
- Video was taken in the Patrol Sergeant's office.
- Respondent asserts he was off duty for all the videos he recorded.[29]

Conclusion:

There is no direct evidence other than Respondent's own assertion that he was off duty when the video was recorded. Respondent was clearly on duty in "Video 10" below, which was filmed during the same shift and posted prior to midnight during that shift. Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 9 – "Showing Weapons in Sergeant's Vehicle"

- Date showed video was posted on 7/8.
- Respondent asserted he was off duty when he recorded all of the videos.[30]

Conclusion:

[26] (Attachment B) Respondent's Interview Transcripts, Pg 42 of 54, Paragraph 1.
[27] (Attachment B) Respondent's Interview Transcripts, Pg 42 of 54, Paragraph 1.
[28] (Attachment A) Respondent Interview Transcripts, Pg 94 of 138, Paragraphs 12 and 13.
[29] (Attachment A) Respondent's Interview Transcripts, Pg 105 of 138, Paragraphs 8 and 9.
[30] (Attachment A) Respondent's Interview Transcripts, Pg 105 of 138, Paragraphs 8 and 9.

There is no direct evidence other than Respondent's own claim he was off duty when the video was recorded. Direct evidence that refutes this video was recorded off duty is that this video is another clip of "Video 10" below, in which evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 10 – "Sergeant Vehicle Inspection"

- Date showed video was uploaded on 7/8.
- Respondent's watch showed the time as 2136 Hours.
- Respondent says, "It's Friday, July 8th, 2022. Let's go 10-8."
- Radio traffic heard in background.
- Respondent clearly in a police vehicle.
- Respondent's taser is hanging in a holster on the gun rack.
- Respondent asserted he recorded this video prior to the start of his shift and he had been off-duty.
- LASD Investigators were able to determine Respondent logged into his MDT at 2124 Hours on 07/08/2022[31].
- LASD investigators were able to locate the radio traffic heard in the background of this video – it was broadcasted at 21:31:44 hours on 07/08/2022[32].
- Toward the end of the video, Respondent's wristwatch showed the time as 2136 Hours.[33]
- When confronted with the above, Respondent continued to deny he was on duty when the video was recorded.[34]
- During his internal affairs interview, Respondent told investigators he never came to the office on his days off and recorded TikTok videos.[35]

[31] (Attachment B) Respondent's Interview Transcripts, Pg 42 of 54, Paragraphs 10-15/
[32] Audio Recording with timestamp provided by LASD and is accessible via evidence.com
[33] (Attachment C) Photograph of wristwatch showing 2136 Hours.
[34] (Attachment B) Respondent's Interview Transcripts, Pg 51 of 54, Paragraphs 7-9.
[35] (Attachment B) Respondent Interview Transcripts, Pg 5 of 54, Paragraphs 2 and 3.

Conclusion:

There is evidence that proves beyond the "highly probable" clear and convincing evidence standard that Respondent recorded the video while he was on duty. The time was clearly shown on Respondent's wristwatch. The radio transmission was broadcasted while Respondent was on duty. Respondent had logged into his MDT in the vehicle prior to recording the video. The video was posted on the same day it was recorded. Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 11 – "Debriefing a Call for Service"

- Date showed the video was posted on 6/25.
    - Respondent was on duty on June 25th, 2022.[36]
- Respondent was inside a police vehicle.
    - Gun rack was visible in background.
    - Uplighting consistent with MDC was visible.
- Respondent says, "It's almost four in the morning so I've got about an hour – one more hour to go."
    - Respondent's shift was from 2100 – 0500 hours.[37]
- Respondent debriefs a call from the night prior in which he talks about a mentally ill subject who tried to light her garage on fire.
    - LASD located the call for service and determined it was, as described, from the night prior to when the video was posted.[38]

Conclusion:

There is no direct evidence other than Respondent's own assertion that he was off duty when the video was recorded. In fact, direct evidence from the video directly contradicts Respondent's assertion. Respondent stated the time in the video,

[36] (Attachment A) Respondent's Interview Transcripts, Pg 93 of 138, Paragraphs 8-11
[37] (Attachment A) Respondent Interview Transcripts, Pg 94 of 138, Paragraphs 12 and 13
[38] (Attachment D) CFS report - Incident #:WAL22174-0017

which fell into the hours of his shift. Further, the light from the MDC was providing uplighting on Respondent and the interior of the vehicle. Respondent was in full LASD uniform and had his radio affixed to his lapel. Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video – "Video In Supervisor Vehicle"

- Date showed the video was uploaded on 06/25.
    - Respondent was on duty on June 25th, 2022.[39]
- Respondent said in the video that he was on duty and says the time was 0327 Hours.
    - Respondent's shift was from 2100 – 0500 hours.[40]
- Uplighting was consistent with an MDC in center console.
- Respondent was in full LASD uniform.
- Respondent told internal affairs investigators he filmed the video after his shift and made it look like he was on-duty when he filmed the video.[41] Respondent told internal affairs investigators he misled his followers and misstated the time intentionally.

Conclusion:

There was no direct evidence other than Respondent's own assertion he was off duty at the time the video was recorded. Respondent was clearly in a police vehicle. Respondent said during the video that the time was 3:27 AM, which was during his work hours (2100-0500). Respondent was in full LASD uniform and it was clearly dark outside when the video was recorded. Respondent's statement of the time appeared spontaneous and was also specific - there would be no reason to state the exact time if recording the video after one's shift. Further, the next video

[39] (Attachment A) Respondent's Interview Transcripts, Pg 93 of 138, Paragraphs 8-11
[40] (Attachment A) Respondent Interview Transcripts, Pg 94 of 138, Paragraphs 12 and 13
[41] (Attachment A) Respondent's Interview Transcripts, Pg 95 of 138, Paragraph 10.

recorded, on the same date, was a video in which Respondent told followers that the time was around 4:00 AM. This also supports the video was recorded while Respondent was on duty. Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 13 – "IN-N-OUT Discount"

- Date showed the video was uploaded on 07/28.
    - Respondent was on-duty on 07/28/2022.[42]
- Respondent's shift was from 2100-0500 Hours.[43]
- Respondent used hashtag "#policediscount on the video.
- Video showed Respondent ordered a "Flying Dutchman".
- The exterior of the vehicle showed it was very dark outside.
- Lighting was consistent with the uplighting from an MDC in the center console.
- Respondent was in full uniform.
- Respondent was wearing a body-worn camera on his uniform.
- In his internal affairs interview, Respondent stated "a lot of times" he would don his uniform, get a patrol vehicle, and go across the street to In-N-Out and got a burger before his shift started.[44]
- In his internal affairs interview, Respondent stated he filmed this video before his shift started (Shift started at 2100 hours on 07/27/2022).
- I contacted In-N-Out corporate offices and asked if they retained receipts. I provided the store location for the In-N-Out store directly across the street from the Walnut Station (Industry City In-N-Out). I asked for all receipts for purchases that received a 50% discount and had a "Flying Dutchman" between 1930 hours on 07/27/2022 and 07/28/2022 (the date the video was posted). There was only one order during that time frame, placed at 11:48 PM on 7/27. I clarified – and they

[42] (Attachment A) Respondent's Interview Transcripts, Pg 82 of 138, Paragraphs 17-18
[43] (Attachment A) Respondent Interview Transcripts, Pg 94 of 138, Paragraphs 12 and 13.
[44] (Attachment A) Respondent's Interview Transcripts, Pg 85 of 138, Paragraph

confirmed – that this order was an in-car dining order and the discount was a 50% "Police Discount."[45] Further, the timeframe to search started at 1930 hours on 07/27/2022 because this would cover the hours of dusk, as the sun set in Los Angeles on 07/27/2022 at 1958 hours[46], and the video was clearly shot when it was dark outside.

Conclusion:

There is no direct evidence other than Respondent's assertion that he was off duty when this video was filmed. Other evidence (In-N-Out receipt) refutes Respondent's assertions. Further, Respondent was seen in a patrol vehicle, in full uniform, and wearing a body-worn camera and patrol radio when the video was recorded. There was only one order matching Respondent's order at the Industry City In-N-Out in a timeframe beginning 1.5 hours before Respondent's shift started on 07/27/2022 to the last moment Respondent's video could have been posted (23:59:59) on 7/28/2022. Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 15 – "Moto Duet"

- Respondent was in full LASD uniform.
    - Respondent stated he had worked as the Watch Commander at Walnut Station on several occasions.[47]
- Respondent was in the Watch Commander's Office.
    - Watch Commander's Office identified by Respondent.[48]
- Respondent's wristwatch showed the video was recorded at 0125 Hours.

[45] (Attachment F) In-N-Out receipt – received from In-N-Out corporate offices on 12/20/2023, via secure web platform "Genetec Clearance" – In-N-Out case # 199-072722.
[46] Sunrise / Sunset schedule for Los Angeles, CA – retrieved from https://griffithobservatory.org/explore/observing-the-sky/whats-in-the-sky/the-sun/2022-sunrise-and-sunset/
[47] (Attachment A) Respondent's Interview Transcripts, Pg 116 of 138, Paragraphs 1-4.
[48] (Attachment A) Respondent's Interview Transcripts, Pg 114 of 138, Paragraph 4.

- Attached still image of Respondent's watch, enhanced and shown in mirror image.[49]

- Respondent said he was not on duty when this video was recorded.[50]
- Respondent said he never came into the office and recorded videos on his days off.[51]
- Respondent said he took the video at the end of his shift, and it was, "…just a quick little video that [he] took before going downstairs to the locker room."[52]

Conclusion:

There was no direct evidence other than Respondent's own assertion that he was off duty when this video was recorded. This video was recorded at 0125 hours on an unknown date. Respondent told internal affairs investigators he did not come in on his days off to record videos. If Respondent did not record videos on his days off, the video had to be recorded at 0125 hours on a day Respondent was working. Respondent was in full uniform and in the Watch Commander's Office when the video was recorded. Respondent's wristwatch in this video and in other videos was found to be in military time format. There is evidence that shows the video was filmed in the middle of the "Early Days" shift hours (2100-0500). Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 17 – "Duet with Lawyer"

- Date on video showed it was uploaded on 08/18 [2022].
    - Respondent was assigned as Watch Commander from 2100-0500 on 08/18/2022.[53]
- The video was filmed in the Walnut Station Watch Commander's Office.

[49] (Attachment C) Screen shots from video "0125 Watch Commander" .PDF.
[50] (Attachment A) Respondent's Interview Transcripts, Pg 114 0f 138, Paragraphs 7-8.
[51] (Attachment B) Respondent Interview Transcripts, Pg 5 of 54, Paragraphs 2 and 3.
[52] (Attachment A) Respondent's Interview Transcripts, Pg 115 of 138, Paragraph 14.
[53] (Attachment E) 08/18 EM Shift In-Service log - Desk Operations, Line 1 (W/C).

- Respondent identified the location of this video as the Walnut Station Watch Commander's Office.[54]

- Respondent was in full LASD uniform.
- In his internal affairs interview, Respondent told investigators he recorded this video at the end of his shift.[55]
- Respondent's wristwatch showed the time as 0205 Hours.
  - Attached still image of Respondent's watch, enhanced and shown in mirror image[56]
- Respondent said he never came to work and recorded a video on his days off.[57]
- Respondent's shift was from 2100-0500 hours.[58]

Conclusion:

There is no direct evidence other than Respondent's own assertion that he recorded this video at the end of his shift; to the contrary, there is direct evidence refuting Respondent's assertion. Respondent's wristwatch showed the video was recorded at 0205 hours (2:05 AM). The respondent told investigators this video was recorded at the end of his shift – that was clearly not the case. Since Respondent stated he never went into the station on his days off and recorded a video, this video had to be taken during his work hours and while he was on duty. Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 18 – "Reaction to Playground Confrontation"

- Red light was illuminating the interior of the vehicle.
- A gun rack was visible behind Respondent in video.

[54] (Attachment B) Respondent's Interview Transcripts, Pg 18 of 54, Paragraphs 13-14.
[55] (Attachment B) Respondent's Interview Transcripts, Pg 19 of 54, Paragraphs 10-11.
[56] (Attachment C) Still image of video (00:50) – mirror image and turned 180 degrees.
[57] (Attachment B) Respondent Interview Transcripts, Pg 5 of 54, Paragraphs 2 and 3.
[58] (Attachment B) Respondent's Interview Transcripts, Pg 19 of 54, Paragraph 7.

- Respondent's patrol radio was attached to his lapel.
- Dark conditions were consistent with Respondent's shift hours.
- Badge and patches covered by "digital stickers".
    - Respondent was in full LASD uniform and had to cover intellectual property (badges and patches identifying and trademarked by LASD).[59]
- Respondent stated he never recorded videos at work on his days off.[60]

Conclusion:

There is no direct evidence other than Respondent's own assertion he was off duty when he filmed this video. Respondent was in uniform, in a patrol unit, during hours of darkness. Respondent stated he never came in on his days off to film a video. Respondent chose to use the red light to illuminate the interior of the vehicle – red light reduces the potential to compromise an officer's night vision which is critically important when working at night. Evidence establishes to a clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Video 22 – "Two Reaction Videos"

- Both videos were filmed while Respondent was in uniform.
- Respondent appeared to be in a police car.
- Respondent was wearing his patrol radio on his lapel.
- Darkness during filming consistent with Respondent filming during nighttime hours, during his shift of 2100 to 0500 hours.

Conclusion:

There is no direct evidence other than Respondent's own assertion that he was off duty when he recorded these videos. Respondent is in full uniform and had to use "digital stickers" to cover intellectual property. It appears the videos were recorded during nighttime hours. Uplighting from center of the interior of the video is consistent with uplighting from a mobile data terminal. Evidence establishes to a

[59] (Attachment A) Respondent's Interview Transcripts, Pg 13 of 138, Paragraphs 5-11.
[60] (Attachment B) Respondent Interview Transcripts, Pg 5 of 54, Paragraphs 2 and 3.

clear and convincing standard of proof that Respondent was on duty when the video was recorded.

Respondent was terminated from employment at the Los Angeles County Sheriff's Department on November 4, 2023. The LASD cited several policy violations that supported Respondent's termination and also supported an allegation of serious misconduct pursuant to Penal Code Section 13510.8(b)(1).

LASD Policy 3-01/040.69 – Honesty Policy

Department members are held to the highest standards of integrity and ethics. In particular, honesty and trustworthiness are of paramount importance to the credibility and integrity of all Department members. Honesty and maintaining the trust of those we serve depend on candor, forthrightness, sincerity, and accuracy.

Dishonesty destroys trust and violates Department policy. Examples of dishonesty and violations of trust include not only false statements, but also deliberate distortions of the truth; intentional exaggerations, concealment of or failure to disclose material facts, observations, or recollections, and failure to make full, complete and truthful statements when required.

Department members who violate this section are subject to discipline up to and including discharge.

LASD Policy 3-01/040.70 – Dishonesty / False Statements

Members shall not make false statement or commit any other violations of the honesty policy, section 3-01/040.69, when questioned, interviewed, or in reports or documents submitted. Department members who violate this section are subject to discipline up to and including discharge.

LASD Policy 3-01/040.75 – Dishonesty / Failure to Make Statements And / Or Making False Statements During Departmental Internal Investigations

False statements and any other form of dishonesty during an official Departmental internal investigation or inquiry shall, absent extenuating circumstances, result in discharge.

Failure or refusal to make statements when ordered during Department internal investigations constitutes insubordination and shall, absent extenuating circumstances, result in discharge.

V. Analysis and Findings

a. Does the alleged conduct violate California Regulation 1205(a)(1) – Dishonesty?

California Regulation 1205(a)(1) defines serious misconduct as, "Dishonesty relating to the reporting, investigation, or prosecution of a crime, or relating to the reporting of, or investigation of misconduct by, a peace officer or custodial officer, including, but not limited to, false statements, intentionally filing false reports, tampering with, falsifying, destroying, or concealing evidence, perjury, and tampering with data recorded by a body-worn camera or other recording device for purposes of concealing misconduct…"

Respondent clearly lied to internal affairs investigators several times during two separate internal affairs interviews. Respondent categorically denied having ever filmed TikTok videos while on duty, yet review of the videos proved Respondent was lying. Rather than admit he was lying, Respondent doubled down in a second interview and provided implausible explanations as to why it may appear he was on duty when he filmed the TikTok videos. Respondent never provided any direct evidence beyond his own assertions that the videos in which he appeared to be on-duty were actually filmed while he was off-duty.

In the videos reviewed for this investigation, Respondent was in full LASD uniform, at the Walnut Sheriff Station or in a police vehicle. Respondent worked night shift from 2100 hours to 0500 hours. In Respondent's "Sergeant Vehicle Inspection" video described above, Respondent showed himself in full LASD uniform inventorying the rear of a sheriff's patrol unit. While panning across his hand, Respondent's wristwatch was captured in the video. When slowed, the video showed the time to be 2136 Hours, 36 minutes after Respondent's shift started. Respondent told investigators he filmed this video prior to his shift and he was not on duty when the video was filmed. Radio traffic from the patrol radio was captured on the video recording. LASD investigators were able to locate the transmission and found it was broadcast at 2131 hours. The time discrepancy between the time of the radio traffic and the time shown on Respondent's wristwatch show that the video was edited and consisted of different takes spanning an abbreviated amount of time. Even after being confronted with these discrepancies, Respondent continued to assert all of his videos were filmed while he was off duty.

In the "Moto Duet" video described above, Respondent filmed himself in full LASD uniform inside the Walnut Sheriff's Station. Respondent told investigators he had decided to film this video after his shift before he changed out of his uniform. Again, his watch was shown in the video. After freezing the frame and flipping the image to a mirror image, it was clear that the video was filmed at 0125 hours. The "Duet with Lawyer" video showed the time on Respondent's wristwatch to be 0205 hours. In the "Singing Spanish in Uniform" video Respondent's watch showed the time was 0440 hours – it is highly probable that all of these times were times in which Respondent was on-duty, as Respondent said he never came into the office to film on his days off.

Other videos show Respondent in full LASD uniform in his patrol vehicle. In the video entitled "Video in Supervisor Vehicle," described above, Respondent told his followers the date and time he was recording the video. He mentioned that he only had a short amount

of time before the end of his shift. When questioned about that specific video, Respondent told investigators he was off duty and that he was misleading TikTok followers as to the date and time the video was being recorded. This explanation was both implausible and unsupported by any evidence.

In the video entitled “IN-N-OUT Discount” above, which was posted on July 28, 2022, Respondent filmed a video of himself in full uniform, in the interior of a patrol vehicle. Respondent was in the drive-through of an In-N-Out Hamburger restaurant. The restaurant employee can be heard saying something about getting Respondent a discount. Respondent posted he received a 50% discount on his order of a “Flying Dutchman.” When asked about this video, Respondent told internal affairs investigators he was off duty when he filmed the video. Respondent said he would often get into his uniform early and take a marked police vehicle across the street to the In-N-Out and buy his meal before his shift started. In-N-Out corporate security office was contacted as to whether any “Flying Dutchman” orders were given a 50% discount between 07-27-2022 at 1930 hours and 7-28-2022 at 2359 hours at the In-N-Out that was the subject of Respondent’s video. There was only one order in that time frame that matched the search criteria, it was for a “dine in the vehicle” order. The order was made on 07-27-2022 at 2348 hours, during his shift.

After objective analysis of the videos in which Respondent appeared to be on-duty, evidence established to a clear and convincing standard of proof that Respondent was on duty when the videos were recorded. Each video described above contained evidence that establishes with high probability that Respondent was on duty when the video was recorded. In each case where direct evidence of the date or time could be located, it further proved Respondent was on duty when the videos were recorded – it also proved Respondent was repeatedly dishonest with LASD internal affairs investigators.

Respondent presented several possible ways his videos could have been recorded while he was off duty, to include the possibility he filmed videos in his sister's vehicle, or in a garage to make it look dark outside, or minutes before his shift started. These possibilities were considered during the review of the facts and they were not credibly supported.

While this case addresses social media usage on duty, those issues are not at play in the question of whether to decertify and remain a matter of the LASD purview. However, there is clear and convincing evidence that Respondent repeatedly lied to LASD internal affairs investigators. Based on California Regulation 1205(a)(1) that dishonesty constitutes serious misconduct.

The lies told by Respondent were not low-stakes white lies of little consequence. These were not lies to hide his opinion or personal feelings. These were not lies told to maintain social cohesiveness. Respondent's lies were high-stakes lies told to cover up misconduct. Indeed, Respondent's motivation for lying is plainly evident, in part, from Respondent's own words during his internal affairs interview:

> I always made it my goal to, every time I record something, to make sure that I am – you know, before my start time or after my end time…I've always made it a goal to, you know, make sure that it's off duty because it's pretty obvious that if you're on duty, you know, you're – doing any social media, that might get you in trouble.[61]

Courts have repeatedly emphasized that integrity is an essential requirement for any job:

> *A deputy sheriff's job is a position of trust and the public has the right to the highest standard of behavior from those they invest with the power and authority of a law enforcement officer. Honesty, credibility, and temperament*

[61](Attachment A) Respondent's Interview Transcripts, Pg 81 of 138.

are crucial to the performance of an officer's duties. Dishonesty is incompatible with the public trust[62].

Further aggravating this misconduct is the fact that Respondent was a sergeant, tasked with supervising others and at times acting as the watch commander in the absence of a lieutenant. Respondent's integrity calls directly into question the accuracy and objectivity of his written reports, his testimony, and his workplace evaluations of subordinates.

Peace officers are routinely placed in situations that the normal civilian may never experience. The officer's ability to remain unbiased, objective, and truthful is critically important. Integrity is not only an issue of police witness credibility in a court of law; it strikes to the core of the ability to perform essential functions effectively. Peace officers are required to draft truthful and objective reports based upon their investigations and observations. Those reports and an officer's testimony are relied upon to further investigations or provide critical evidence in a variety of hearings[63].

Dishonesty is one of the most dangerous and severe factors in the erosion of public trust. In this case, Respondent lied to investigators about key facts that would prove or disprove the allegation of misconduct for which he was being questioned. Police are not expected to be perfect, but they are necessarily held to a higher standard, particularly when serving in a supervisory capacity. The Law Enforcement Code of Ethics, a code that is established by regulation in California, emphasizes the importance of a peace officer being truthful and reads, in part, "*I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department."*[64]

---

[62] *Kolender v. San Diego County Civil Service Commission* (2005) 132 Cal. App. 4th 716.
[63] https://www.law.berkeley.edu/files/Honesty_is_the_Best_Policy.pdf
[64] 11 Cal. Code Regs. § 1013.

Another consideration in this case is the fact that Respondent will likely be placed on a *Brady* List. California Government Code Section 3305.5(e) defines a *Brady* List as, "..any system index, list, or other record containing the names of peace officers whose personnel files are likely to contain evidence of dishonesty or bias, which is maintained by a prosecutorial agency or office in accordance with the holding in *Brady v. Maryland* (1963) 373 U.S. 83."[65] Pursuant to *Brady,* the prosecutor must disclose evidence or information that would enable the defense to more effectively impeach the testimony or credibility of government witnesses.

The zero-tolerance policy towards dishonesty is founded on the core principle articulated in *Christal v. Police Commission of the City and County of San Francisco* (1939) 33 Cal.App.2d 564 567[66]:

> *[Peace] officers are the guardians of the peace and security of the community, and the efficiency of our whole system, designed for the purpose of maintaining law and order, depends upon the extent to which such officers perform their duties and are faithful to the trust reposed in them.*

VI. Supporting Evidence and Documentation

- Attachment A – Respondent's Interview Transcripts – Selected pages from Respondent's First Interview.
- Attachment B – Respondent's Interview Transcripts - Selected pages from Respondent's Second Interview.
- Attachment C – Still photos of Respondent's wristwatch captured from video recordings provided by LASD.
- Attachment D – Call for service report – LASD Incident #:WAL22174-0017.

[65] California Government Code Section 3305.5(e)

[66] https://www.law.berkeley.edu/files/Honesty_is_the_Best_Policy.pdf

- Attachment E – EM Shift In-Service logs – July 11, 2022 and August 18, 2022.
- Attachment F – In-N-Out receipt.
- Attachment G – Respondent's POST profile.
- Attachment H – Copies of LASD policies mentioned in this record.
- Video 1 – "Arcing Taser in Vehicle" – Accessed via Evidence.com
- Video 2 – "Armory Video with Shotgun" - Accessed via Evidence.com
- Video 3 – "Police Takedown Lights" - Accessed via Evidence.com
- Video 4 – "Singing Spanish in Uniform" - Accessed via Evidence.com
- Video 5 – "Armory Video with 40 mm Less Lethal"- Accessed via Evidence.com
- Video 6 – "Armory Showing Shotguns" - Accessed via Evidence.com
- Video 8 – "Inside Watch Sergeant's Office" - Accessed via Evidence.com
- Video 9 – "Showing Weapons in Sergeant's Vehicle" - Accessed via Evidence.com
- Video 10 – "Sergeant Vehicle Inspection" - Accessed via Evidence.com
- Video 11 – "Debriefing a Call for Service" - Accessed via Evidence.com
- Video 12 – "Video In Supervisor Vehicle" - Accessed via Evidence.com
- Video 13 – "IN-N-OUT Discount" - Accessed via Evidence.com
- Video 15 – "Moto Duet" - Accessed via Evidence.com
- Video 17 – "Duet with Lawyer" - Accessed via Evidence.com
- Video 18 – "Reaction to Playground Confrontation" - Accessed via Evidence.com
- Video 22 – "Two Reaction Videos" - Accessed via Evidence.com

VII. Findings

Reasonable grounds exist to submit this case to the Peace Officer Standards Accountability Advisory Board and the POST Commission for consideration of revocation pursuant to Penal Code 13510.8.

Sarabia: He's the captain of the station. So sergeant, lieutenant and then obviously the captain.

Sandoval: So is he the highest-ranking member at Walnut Station?

Sarabia: Yes.

Sandoval: I believe you mentioned earlier that you did agree with Captain Tousey's concerns when he initially talked to you. Is that correct? About your video?

Sarabia: Yeah, he made it clear that, I could not show intellectual property, so I did agree with him, yes.

Cary: And you said he made it clear so it was crystal clear?

Sarabia: Yes.

Sandoval: Did you take any corrective action or actions to address Captain Tousey's concerns about your social media account?

Sarabia: Yes.

Sandoval: What actions did you take?

Sarabia: I covered up the patches with, digital stickers and covered up the badge or whatever was intellectual property with digital stickers.

Cary: Can you just explain just for the recording, for the people who, I don't wanna say behind the times, but with social media just what a digital sticker is?

Sandoval: It could be a picture of a, digital badge or maybe a patch, that either says, you know, sergeant or it'll say police and it goes over the, the intellectual property so people cannot see what's behind the, digital sticker.

Cary: So am I safe in saying, like, it can potentially cover or conceal something if you put a digital sticker over something?

Sarabia: Yes.

Sandoval: Did you consider using those stickers before you were talked to by Captain Tousey for any of the videos?

LASD-000259 RELEASE DATE: 12/11/2023

Sandoval: This is a copy of your calendar. Your work schedule. And this video says July 11th. And based on your calendar, if you can glance at it, on July 11th were you working or were you assigned to work that day? July 11th of 2022.

Sarabia: July 11, 2022.. it shows that I'm a RDO.

Sandoval: And for the record, what's RDO?

Sarabia: It's a regular day off.

Sandoval: Okay, and the previous video that I showed you, was timestamped 7-8. Can you glance at your July calendar again for 2022 and on July 8th were you, working that day?

Sarabia: On July 8th?

Sandoval: Yes.

Sarabia: 2022? It shows that I was the watch sergeant.

Sandoval: Okay. Thank you. Was it your goal in making this video to have your video appear as it represents the department when making and posting your video in uniform?

Sarabia: None of the videos that I've posted in uniform are meant to make people believe that it's an official, LASD video.

Sandoval: How can someone distinguish when you appear in full Class A uniform, if you represent or don't represent the department on your videos?

Sarabia: Well I can't speculate as to, you know, what people are going to assume or what they're going to be able to tell. I mean, the purpose of the video is just to inform, you know, people about the duties of a police officer.

Gibbons: And he did say before it was two, maybe three, times that there's a disclaimer on the site.

Sandoval: Okay.

Cary: Do you have any regrets about posting that video online?

Sarabia: No, I found it to be just.. informative and fun at the same time.

LASD-000322 RELEASE DATE: 12/11/2023

Sandoval: Why did you choose to appear in the full Class A uniform versus doing this outside of the uniform? If you stated that you were off duty.

Sarabia: Again, a lot of the times, depending on what time I get to the station, and I know during maybe when I did the video - I can't really remember what I was thinking at the time - but a lot of times when I get to the station and have got, let's say, 20, 30 minutes before my shift starts, you know, a lot of times I'll record myself doing something, whether it's walking down a hallway, I think- I just walk into the armory and, recorded myself doing a 360 or walking into the armory. But it was never meant to, make people believe that it's an official, sheriff's video.

Sandoval: Can someone assume that you're on duty based on uniform appearance?

Sarabia: People can make all the assumptions they want, sir. I mean, people could assume that I'm off duty, on duty. I have no control over that.

Cary: Do you have any regrets about posting that video and making it available online?

Sarabia: No. Again, sir, I believe it was an informative video at the time. That's why I posted it.

Cary: Okay sir. And if you had it to do all over again, would you do the same thing and post that video? Since you said there's no regrets?

Sarabia: Well, you know, given the fact that, you know, Captain Tousey was upset- or my captain was upset about some of the videos, then of course if I can have a do-over then of course I wouldn't've posted, now that I know that, you know, it upset my captain.

Sandoval: Do you intentionally include the badge in the department logos to increase credibility with your viewers?

Sarabia: No, I would generally post videos and purposely sometimes not show, or kind of try to show an angle that doesn't display, the shoulder patch so they can't tell where I work.

Sandoval: Any safety concerns with showcasing all the weapons that are kept inside the station armory?

Sarabia: I don't believe so.

Sandoval: Is there a station trustees at Walnut Station?

LASD-000325 RELEASE DATE: 12/11/2023

Sarabia: Yes.

Sandoval: Is it- Are your videos public or private on TikTok with regards to this one specifically?

Sarabia: They are public, but trustees don't have access to TikTok or cellphones.

Sandoval: Do trustees get visits from family members at the station?

Sarabia: Yes.

Sandoval: Does he get access to the telephone where they can communicate with the, public, correct?

Sarabia: Correct.

Sandoval: Knowing that they get visits and have telephone access, did that cause any concern for you when you were showcasing the department's weaponry in this video?

Sarabia: No. Everything's under lock. It's heavily secured. If you ever open that door, it is a very heavy door and it's not accessible to just anybody. You would have to [redacted]. So it's extremely secure.

Sandoval: Did you submit this video for editing prior to posting this video on your social media account with SIB?

Sarabia: No.

Sandoval: How about the two previous videos? Did you submit those to SIB for editing prior to posting those videos?

Sarabia: I didn't submit any videos, to SIB, sir.

Sandoval: Okay. Does it appear that you promoted yourself or the department in this video?

Sarabia: The intent was to promote myself, a peace officer, and show my followers, again, part of the process of being a police officer.

Cary: In your opinion, are there any positive aspects of the video that you posted to your followers?

LASD-000326 RELEASE DATE: 12/11/2023

Sarabia: 7-28, okay.

Sandoval: And can you look at your calendar? Hold on; let me finish my other video. And did you pick the title for this video?

Sarabia: I did. (continues video, indecipherable talking; '…give you a discount.' 'Oh okay, I appreciate that, thank you').

Sandoval: Now the video's repeating itself; I paused it at 38 seconds. Tell me what you saw in this video.

Sarabia: It's myself. I'm going through what appears to be an In & Out drive-through.

Sandoval: Okay, and, were you able to tell what the conversation was between you and someone else in this video?

Sarabia: It appears, maybe I'm placing an order, about to get maybe what looked like a flying Dutchman.

Sandoval: Okay and do you recognize the person in the video?

Sarabia: Yes, it's myself.

Cary: Flying Dutchman is food, right?

Sarabia: Yes.

Cary: Okay.

Sandoval: Were you on duty when you recorded this video?

Sarabia: No I was not.

Sandoval: So once again, did you record this video before or after your shift?

Sarabia: Before. So it's not uncommon a lot of times when I get to the station, you know, get ready, especially if I didn't eat the entire day, before I make relief, I will just, you know, grab a black-and-white and go out to In & Out, get me a burger, then go make relief. It did happen before.

Sandoval: Okay, and I think the date on that video says 7-28. Can you look at your calendar and tell me if you were on duty or off duty on 7-28 of 2022?

Sarabia: It looks like I was on duty.

LASD-000328 RELEASE DATE: 12/11/2023

could infer a lot of things. You can say, well it appears that he is, but.. but I'm not, 'cause I purposely do my videos before or after my shift.

Cary: And is that common though, when you are off duty before your shift for you to have the radio on and for you to be in a patrol car like that?

Sarabia: Is it common before or after my shift?

Cary: Before.

Sandoval: Or after.

Cary: When you're actually listening to the radio.

Sandoval: M-hm.

Sarabia: Is it common? No, I mean, it depends on if I decide to get something to eat before I go 10-8 and, you know, what the process will be that I go down to the locker room, I get ready, I go upstairs, haul ass to- I'm sorry, drive to the In & Out, get me something, take it back to the station, provide relief. They go and then I sit down and I eat.

Sandoval: What kind of vehicle do you think you were in when you recorded this video?

Sarabia: I can't really tell. I don't know if it's a, an Explorer; I don't know if it's a Tahoe. I don't know if it's a- I can't really tell.

Sandoval: And again, if you would've been off duty, why didn't you use your personal vehicle to go to the drive-through at In & Out? And place a order for food?

Sarabia: Well the In & Out is directly across the station from, you know, from Walnut Station. So a lot of times, you know, I get to the station, my concern is do I have enough time to get a burger? Depends on how fast I get ready, go downstairs, get ready, suit up, and if I look at the clock and I'm, like, hey I got 20 minutes, then I'll run to In & Out, get something, come back and then provide relief.

Sandoval: Do you think the public who sees this video might not agree with law enforcement receiving discounts at In & Out?

Sarabia: So you're asking me what the perception of the public will be?

LASD-000331 RELEASE DATE: 12/11/2023

Sandoval: And basically in uniform appearance, can anyone tell what department you work for?

Sarabia: No.

Sandoval: And are you trying to represent the department while making this particular video in uniform?

Sarabia: No.

Cary: Do you have any regrets about posting that video online?

Sarabia: Again, after I talked to the captain and he, he showed his discontent, then of course yeah, I- at that point, I said okay, maybe, you know, I should not do that, where I post myself getting a discount because the captain was pretty upset about that.

Sandoval: Yes.

Cary: And did you agree with his discontent?

Sarabia: I agree with it because of, you know, how he explained it. Again, you know, cannot show intellectual property, especially, you know, because we have policies in place about receiving gratuities, as you mentioned.

Cary: And at that time, when you recorded that video, did you think you were violating any department policies?

Sarabia: No.

Sandoval: (plays video clip #5- music, no talking) Are you able to see the date on this video?

Sarabia: It appears that it says 08-03.

Sandoval: And can you take a look at your August calendar and tell me if you were on or off duty on August 3rd 2022.

Sarabia: 08--

Sandoval: No, 8-3 22.

Sarabia: Oh 8-3. Yeah, it appears that I was assigned 290Sam.

LASD-000333 RELEASE DATE: 12/11/2023

Sandoval: Okay. (continues video #5). Alright, so for that video, can you tell me what you saw on the video?

Sarabia: It looked like there's a video of me singing a, you know, to a Mexican song and I'm using the radio as a mic.

Sandoval: Okay. Did you recognize the person in the video?

Sarabia: Yes, it's myself.

Sandoval: Okay, were you on duty when you recorded that video?

Sarabia: No I was not.

Sandoval: Again, why did you make this video?

Sarabia: It was a trend at the time. It was a catchy song. A lot of people were doing it. I thought it would be funny if I did it.

Sandoval: Were your sleeves rolled up in this video and your tattoos visible while you were in uniform?

Sarabia: Yes.

Sandoval: Okay. What's your understanding of department policy related to tattoos while in uniform?

Sarabia: It's- it's my belief that the department policy states that if you're on duty, then you should cover your tattoos.

Sandoval: If you're on duty? Not if you're just in uniform?

Sarabia: It's my understanding that if you're, on duty, obviously in uniform.

Sandoval: Okay. Does it appear that you were representing the department in that video?

Sarabia: No it does not appear so.

Sandoval: And again I'm going to ask you, this video, why do you keep choosing to appear in the Class A uniform versus out of uniform if you're stating that you're off duty?

Sarabia: Yeah, for the same reason I stated before, it's, you know, a lot of those videos are spur-of-the-time [*sic*], whether or not I've got, you know, time

LASD-000334 RELEASE DATE: 12/11/2023

Tousey spoke to me and, you know, directed me to take 'em down, then I did.

Sandoval: So at that time you thought it was appropriate, when you made that video.

Sarabia: Yeah, I didn't see anything inappropriate with the video.

Sandoval: And does it appear that you promoted yourself or the department in this video, based on your appearance- your uniform appearance?

Sarabia: Every single video that I posted, including this one, it's to promote myself as a police officer, not affiliated to any agency.

Sandoval: This video, can you tell me the date that appears on this video?

Sarabia: That video appears to be 06-25.

Sandoval: Okay and can you look in your calendar for June of 2022 and tell me if you were on or off duty that day?

Sarabia: June 25th?

Sandoval: Yes.

Sarabia: It appears that I was on duty.

Sandoval: (plays video clip #7: "What's going on guys? It is Saturday morning. It is 3:27 in the morning on June 25th and I am tired. Today is my kick-off. That means I get the next two days off and time to get a few hours. I've got, let's see, I'm off at 5 so I've still got about an hour and a half before I get to go home and relax. I'll go home and, take a little nap, wake up and go on about my day. I think I'll make it a nice little barbecue today, maybe hit the pool, hang out with the kiddos. I don't know; we'll see. But right now I'm just eating some snacks.") Can you tell me what you see in this video?

Sarabia: Yeah, it's myself and I appear to be talking to the camera.

Sandoval: Based on the video- on your knowledge of this video, can you tell me where this video was recorded?

Sarabia: It looks like, based on the setup, it looks like I was inside a Tahoe.

Sandoval: And what kind of vehicle- I'm sorry, is this a supervisor vehicle?

LASD-000339 RELEASE DATE: 12/11/2023

Sarabia: Yes.

Sandoval: Did you recognize the person in the vehicle?

Sarabia: It's myself.

Sandoval: Were you on duty when you recorded this video?

Sarabia: I think that was at the end of my shift when I recorded that video.

Sandoval: Were you on duty or off duty when you recorded this video?

Sarabia: I was off duty.

Sandoval: Okay. So according to the video and the audio, you said it's 3 AM. What's your shift for early mornings at Walnut Station?

Sarabia: So, the reason why I said it's 3 AM - it's not necessarily because it was 3 AM; I was trying to portray to my followers that it was 3 AM and I was tired. That was actually at the end of my shift. I was getting ready to unload my stuff and I decided to make that video. It's not common that I would say, Oh hey guys it's, you know, 2 in the morning, I'm tired, I just get off call - and I could be sitting in my garage or sitting in the parking lot. It's just something that, you know, I've done in the past.

Cary: What was your intent to deceive your followers by giving them the incorrect time?

Sarabia: It's catchy. A lot of the followers, you know, they want to see officers on duty or going to 10-8. Since I know I can't go 10-8 and show myself, I will sometimes pretend that I'm on duty when I'm not on duty.

Sandoval: What are the hours for an early morning sergeant- Or yourself? What are your hours for your shift at Walnut Station?

Sarabia: 21 to 05.

Sandoval: Okay, and for- for example, if Captain Tousey saw this video, how would he know if you're on or off duty if you're inferring that it's 3 AM and you're almost gonna end your shift. If he sees that video, can he assume that you're on duty?

Gibbons: Well he could ask him. Instead of just assuming.

LASD-000340 RELEASE DATE: 12/11/2023

Sandoval: Right, but if he first--

Gibbons: Like you just assuming he's trying to deceive anybody. He's not trying to deceive anybody.

Sandoval: Right. If Captain Tousey sees this video, on a Saturday morning and you're off and he sees that video, can he perceive that you're on duty based on the recording that you provided on your TikTok account?

Sarabia: Again, he could- I mean, I don't know what he's going to perceive by looking at it, I mean--

Sandoval: Well if he looks at his calendar and it says June 25th and you're on duty, and the video you say, Hey guys I have- it's 3:30, I'm about to get off shift, I have an hour and a half left to go, what are you infer- you yourself, what are you inferring to your viewers?

Sarabia: So, obviously when I recorded this video I'm not, you know, I'm not selling that video to Captain Tousey so I don't know- 'cause you said what's he going to infer? I mean, I don't know what he's going to infer.

Sandoval: What are you inferring when you say, It's 3:30, I have an hour left to my shift. What are you inferring to your viewers, in general, that have access to your public account?

Sarabia: I think what I was trying to infer that it's, like, Hey I am tired, I'm about to get out and I was talking about, you know, what I was gonna do on my day, or on that day later on on that day. I think I mentioned something about the pool or barbecue.

Sandoval: So even after watching this video, your stance is that it doesn't appear you're on duty? Even after watching this video?

Sarabia: A lot of the videos that I post, I will make it seem like I'm on duty, to my followers because a lot of my followers want to see me on duty. And I get a lot of requests about, Hey man, when are you gonna show us you going on duty? You are going 10-8? I know I can't do that on duty so sometimes I will pretend like I'm on duty when I really am not. I've done videos out of my garage pretending I'm on duty because some of my viewers want to see that. And because I don't want to violate policies and I'll make it seem like I'm on duty when I know I'm not.

Cary: But don't you think that puts you in, potential risk for the department? When they see that?

LASD-000341 RELEASE DATE: 12/11/2023

Cary: Okay.

Sandoval: Again, are you making- are you appearing in these videos in full Class A uniform to make your videos appear official or endorsed by the department?

Sarabia: That is not my intent.

Sandoval: Can the public that sees this video determine what department you work for?

Sarabia: I don't believe so.

Sandoval: Do you promote yourself or the department in that video?

Sarabia: I promote myself.

Sandoval: (plays video clip #8 - no talk, music Remember the Name) Can you see a timestamp on this video? On the bottom left corner?

Sarabia: It looks like… the posted video dated 7-30.

Sandoval: And can you look at your calendar for July 30th and tell me if you were on or off duty?

Sarabia: It looks like I was on duty.

Sandoval: (replays video #8) Can you tell what you saw on this video?

Sarabia: It looks like it's myself, again at the armory and I'm showing what appears to be a less-lethal weapon.

Sandoval: Did you recognize the person on the video?

Sarabia: It's myself.

Sandoval: Were you on duty when you recorded this video?

Sarabia: No, I was off duty.

Sandoval: Were your shoulder patches and badge visible in this video?

Sarabia: The patch was blurry, but the badge was definitely visible. Shoulder patches I can't recall if they were visible or not.

LASD-000344 RELEASE DATE: 12/11/2023

Sarabia: Again, my intent is not to portray that, but it- I can't, I can't tell you what other people are going to assume or believe.

Sandoval: Do you recall if you recorded this video before your shift, after your shift or on duty?

Sarabia: None of the videos that I recorded are on duty. A lot of the videos I think like this one might've been part of the other ones. I think I recorded, you know, multiple videos on that one instant, and then I'll break down the videos into multiple videos and then I'll post 'em throughout the time. I mean, I think I might've draft that for a couple of weeks and then ultimately I ended up posting it. Keep in mind that the posted date is not necessarily the date that it got recorded. I can record something on one day, wait multiple weeks, break it down into multiple videos and then post them.

Sandoval: So the timestamp reflects the day you posted it, not the day you created it.

Sarabia: Exactly.

Sandoval: Okay. And again, I ask you, why did you choose to record this video, if you were off duty, in full Class A uniform, for your personal TikTok account?

Sarabia: It was.. again, a video that I posted, showing the 40, mm, and I happened to be, in uniform when I posted it. There was no specific reason as to why I did it.

Sandoval: Do you appear in Class A uniform to make your videos appear that these videos are official?

Sarabia: That is not my intent, no.

Sandoval: Do you think that anyone who sees this video can assume that department members are trigger happy since we have several videos where we're displaying, weaponry, whether lethal or nonlethal?

Sarabia: Yeah I won't speculate as to what someone else might assume.

Sandoval: Well, do you think someone can infer that we're trigger happy based on several TikTok videos you posted on your account showing lethal and less-lethal weapons?

LASD-000346 RELEASE DATE: 12/11/2023

Sarabia: Yeah, the title of the video says 15000 Volts, Please Fight Us In Court, Not On the Street. It's meant as a message to say, you know, please don't fight police officers, you know, just wait 'til you go to court and then you can state your case in court.

Sandoval: Did you pick the title of the video?

Sarabia: I did.

Sandoval: Does it appear that you represent the department in this video?

Sarabia: No.

Sandoval: Why did you choose to appear in full Class A uniform in this video?

Sarabia: There was no specific reason. I can only assume that, you know, I did it just as a reaction video, just like multiple of my other videos. There's no logic behind it; it's just me doing a reaction video.

Sandoval: And I think you said you were- you said you were off duty for this video, right?

Sarabia: For all the videos.

Sandoval: All the videos, okay. Is it common for you to appear off duty on the videos for TikTok in full Class A uniform with a radio attached to your uniform?

Sarabia: Is it.. common?

Sandoval: Yes, is that a common theme for your videos?

Sarabia: Yeah I'll do that every now and again. You know, sometimes, you know, I've done that again out of my garage too, where I put on a radio, maybe a vest or maybe a, you know, Class A shirt. I'll try to cover, you know, the intellectual property then I'll do some sort of reaction video.

Cary: And sir, with that video with the taser, do you have your own personal taser like that or that taser that we saw that you were employing, was that a.. Walnut Station taser?

Sarabia: I don't--

Cary: We can go back and play it if you need to see the tape again.

LASD-000351 RELEASE DATE: 12/11/2023

Sarabia: I can't remember exactly where it was located or where it was recorded. I know it's in a parking lot. It looks like a dark parking lot.

Sandoval: Would it happen to be a parking lot to a church in the RD for Walnut Station?

Sarabia: Very possible.

Sandoval: And can you look at your calendar for August 4th and can you tell me if you were on or off duty on August 4th?

Sarabia: August 4th, it appears that I am on duty.

Sandoval: Is that a parking lot to a Baptist church?

Sarabia: I could not tell you that based on the video.

Sandoval: Not off the video; off your recollection of recording the video.

Sarabia: As I mentioned, I don't recall where I recorded the video. I record videos at different locations, different times. So that specific one, I don't know if it was a Target parking lot, if it was the In & Out parking lot across the street. Obviously 'cause I work night it's actually dark, so. But more specifically I can't tell you.

Sandoval: Did you recognize the voice in the video?

Sarabia: It's my voice.

Sandoval: Were you on duty when you recorded this video?

Sarabia: No I was not.

Sandoval: Okay. Can you tell me what image you were able to see on the MDC?

Sarabia: The MDC show LA County Sheriff.

Sandoval: Okay. Based on that, can someone viewing your video tell what department you work for?

Sarabia: Based on that video, yes.

Sandoval: Okay. Can you explain the meaning of this video?

LASD-000355 RELEASE DATE: 12/11/2023

Sandoval: We have two more videos and we're done. (plays video clip #11 - talking: "Ahh I see _____ moving in. Ahhh!" Car driving. "Oh I thought he- I thought you pulled in front of me and turned your lights on, but is he pulling me over? Oh bro, okay, alright. It was like come on. I didn't want any trouble, bro!") Can you tell me what you saw in that video?

Sarabia: Yeah it appears that I'm doing a duet on a different agency, or a duet- a reaction video, on TikTok.

Sandoval: Based on the video, can you tell me where this video was recorded?

Sarabia: It appears that- the background appears to be the watch commander's office.

Sandoval: Do you recognize anyone in that video?

Sarabia: Yeah, myself.

Sandoval: Were you on duty when you recorded this video?

Sarabia: I was not.

Sandoval: Can you explain the meaning of that video?

Sarabia: The meaning of the video is essentially just that, you know, sometimes people do something and they feel guilty. He saw a police officer. He automatically assumed that he was being pulled over because there was a police officer that was making a left turn and essentially was finding the fact that he pulled himself over, and that was just a reaction to that video.

Sandoval: What kind of uniform are you wearing in that video?

Sarabia: It looks like a Class A uniform.

Sandoval: And you base that on what?

Sarabia: The fact that I know what a Class A uniform looks like.

Sandoval: Are you basing it on shoulder patches and badge that is on the uniform?

Sarabia: Yeah, I mean, there's a badge on the video, obviously a metal badge, and that's what we use on Class A uniforms.

LASD-000360 RELEASE DATE: 12/11/2023

Sandoval: Okay. And were the shoulder patches or badge visible in that video?

Sarabia: No they were not. You can see the patches, you can see the badge, but you cannot clearly read what is on the badge or the patches.

Cary: And sir, I just had a quick question for you. I know you just said this is a, like a duet video with another agency. Do you ever contact those other agencies and get their approval before you do the reaction video like we just saw from that agency?

Sarabia: No.

Cary: Okay, never?

Sarabia: Never.

Sandoval: Why did you make this video?

Sarabia: I thought it was funny, that it was a funny video.

Sandoval: Did you pick the title for the video?

Sarabia: Yes.

Sandoval: Does it appear that you were representing the department in this video?

Sarabia: No.

Sandoval: And again, why did you appear in this video in full Class A uniform if you're off duty versus being out of uniform?

Sarabia: Again, a lot of the videos, you know, I would either do 'em at the beginning or the end of the shift. That video, I think I might've done it after- at the end of my shift. It's just a quick little video that I decided to take before going downstairs to the locker room.

Sandoval: Right, but we keep appearing again in full Class A uniform and.. I wanna show you the date on this. (replays video #11 - talking). There's no date on this. You remember the date you posted that?

Sarabia: I do not.

Sandoval: Okay.

LASD-000361 RELEASE DATE: 12/11/2023

Cary: Have you worked in that role before at Walnut Station on early morning or any other shifts as the watch commander?

Sarabia: Multiple times, yeah.

Cary: Multiple times.

Sarabia: Multiple times.

Sandoval: Are you appearing in full Class A uniform to make your videos appear official and endorsed by the department?

Sarabia: No.

Cary: Were you ever concerned that the other agency that are in some of your duet videos would have any issues or concerns with the video that you're posting?

Sarabia: No. A lot of those videos.. surface the internet once they go viral, whether someone reports a video, once it's posted on the internet, it's for everyone to kinda see and do reactions, whatever, so I don't see that they would have an issue with that.

Sandoval: Can the public who sees your video here determine what department you work for based on uniform appearance?

Sarabia: No.

Sandoval: Are your tattoos visible in this video?

Sarabia: Yes.

Sandoval: You know what the department policy is related to department members showing their tattoos while on duty.

Sarabia: Right. You cannot display your tattoos while on duty.

Sandoval: Can someone.. Again, department members that I'm talking about, other deputies that might see your TikTok videos, can it appear to them that you're on duty when recording this video?

Gibbons: You know you've asked him this 25 times now.

Sandoval: I know and we keep- It's a different video, so I've gotta ask it again because--

LASD-000362 RELEASE DATE: 12/11/2023

Sarabia-Medina: I have, yes.

Sandoval-Mendoza: You know what? Can I just get you to initial this part, yeah. The picture that we covered earlier, initial and date it, please. Have you ever gone to the station on a day off to record a TikTok video? Walnut Station to record a TikTok video?

Sarabia-Medina: No.

Sandoval-Mendoza: No. For your -- on your transcript, Page 52, I had asked you about monetary compensation. I know Miss Gibbons had objected to that during our first interview stating you couldn't be asked any questions related to financial information. Was that under Government Code 3308, Miss Gibbons?

Gibbons: Yes.

Sandoval-Mendoza: I'm gonna go ahead and ask you some financial information today as it pertains to the department's belief that you had outside employment and you didn't report this employment to the department and, therefore, the scope of the investigation entails some questions regarding financials from TikTok to you.

Gibbons: Okay, that's still a violation of the Peace Officers Bill of Rights. That is not an exception under the statute. So -- and you're, again, violating his rights. I asked you at the beginning if there was any other allegation and now you're telling us -- before you said no. Now you're telling us that there is an allegation that he didn't properly report outside income.

Sandoval-Mendoza: Oh, that was brought up during --

Gibbons: That is a --

Sandoval-Mendoza: -- during first interview, ma'am.

Gibbons: That is not an allegation either then or now that is listed on the form that you are required to tell him in advance. And if you want to violate his rights, there's nothing I can do to stop you, but I'm gonna take some further action later on down the road.

Sandoval-Mendoza: Your objection has been noted for the record.

Gibbons: And I assume you're ordering him directly to answer those questions?

LASD-000390 RELEASE DATE: 12/11/2023

Sandoval-Mendoza: Would you have a record of that message when it was posted on your live stream?

Sarabia-Medina: No, because it was during a live stream and people just come in and comment.

Cary: And did you report that potential fraudulent activity to TikTok at all?

Sarabia-Medina: I did not only because I've heard of people reporting massively and nothing ever happens.

Cary: Okay.

Sarabia-Medina: So people that have, you know, massive following, they'll get duplicated three, four times. They'll start ripping people off and then, you know, they'll report them and, apparently, TikTok doesn't do anything about it unless you're a verify user with a checkmark then they'll pay attention to it.

Sandoval-Mendoza: On Page 47 for -- there was a shotgun video that was posted on August 12. You mentioned you believed you were off duty when you recorded the video. It -- was there a reason why you weren't sure if you were on or off duty? You mentioned you believed you were off duty.

Sarabia-Medina: I know when I recorded a video at the armory prior to my shift and it must have been a few minutes prior to I remember getting there kind of early, went to the armory, shot the video. And then I -- I went ten-eight or started doing briefing or whatever I did that day.

Sandoval-Mendoza: So you're saying you are sure you were off duty?

Sarabia-Medina: Yeah, pretty confident I was --

Sandoval-Mendoza: Okay.

Sarabia-Medina: -- off duty.

Sandoval-Mendoza: For the video that was -- that went viral and I keep getting confused. Was that in the watch sergeant's office or the watch commander's office?

Sarabia-Medina: Watch commander's.

Sandoval-Mendoza: The watch commander's, okay. And you said you recorded that video also off duty. Was anyone else in that office when you recorded that video?

LASD-000403 RELEASE DATE: 12/11/2023

Sarabia-Medina: No.

Sandoval-Mendoza: And you work an early morning shift; is that correct?

Sarabia-Medina: That was correct.

Sandoval-Mendoza: So if you're recording a video prior to your shift, where is the p.m.'s watch commander when you are recording this video?

Sarabia-Medina: Where is the p.m. watch commander?

Sandoval-Mendoza: Right.

Sarabia-Medina: Well, I start at 21 so when I get there, the p.m. watch commander would have taken off.

Sandoval-Mendoza: So do you know -- what kind of -- what time do you -- would you say you normally show up to make your relief for your partners for the p.m. watch commander?

Sarabia-Medina: It varies. It could be 10 minutes before, give or take.

Sandoval-Mendoza: So if I understand you correctly you believe you made relief that day and the p.m.'s watch commander left and then you recorded your video?

Sarabia-Medina: No. That day I think I recorded it at the end of my shift not at the beginning because I remember I looked kind of tired. I was about to leave. Relief showed up and I was already relieved and then I -- I remember I recorded the video. But it was -- it was at the end of my shift.

Sandoval-Mendoza: And you mentioned "relief showed up." So I'm assuming it was a a.m.'s watch commander that relieved you?

Sarabia-Medina: Correct.

Sandoval-Mendoza: And tell me how -- how did that relief go for you that day when the a.m.'s watch commander showed up.

Sarabia-Medina: On that specific day?

Sandoval-Mendoza: On that specific day.

Sarabia-Medina: What's the date on that video again? It was -- are you talking about August of 2022?

Sarabia-Medina: It looks like on Saturday, July 9th, 2022, I was assigned to 290 Sam.

Sandoval-Mendoza: And what are the -- is that -- are you out in the field or in the station based on your assignment for that day?

Sarabia-Medina: Field operations.

Sandoval-Mendoza: And I'm gonna show you the sign-in sheet for that same day for July 9th. Does your name appear on the sign-in sheet?

Sarabia-Medina: Yes.

Sandoval-Mendoza: And what are the times next to your name where your signature is?

Sarabia-Medina: Twenty-one to zero five.

Sandoval-Mendoza: And that's your typical workday, right, 21 to zero five?

Sarabia-Medina: Yes.

Sandoval-Mendoza: And I'm gonna show you a log-on, a unit history report for your unit for that day.

Sarabia-Medina: Okay.

Sandoval-Mendoza: Can you tell me what time appears on your log-on sheet for that day? What time did you log on?

Sarabia-Medina: 2124.

Sandoval-Mendoza: 2124 hours.

Sarabia-Medina: Uh-huh.

Sandoval-Mendoza: And that's a short time after your start -- your start time, correct?

Sarabia-Medina: Correct.

Sandoval-Mendoza: This is also a Deputy Daily Worksheet for the same day.

Sarabia-Medina: Okay.

Sandoval-Mendoza: Are the hours on this timesheet that are -- that are reflected on the timesheet, are they true and accurate to the best of your recollection?

Sarabia-Medina: Yes.

Sandoval-Mendoza: Can you provide any explanation as to why your watch and the radio traffic indicate that on July 8th, 2022, you were on duty when you recorded that video?

Gibbons: I think he's already given you all the explanations he can. He already told you he can't explain it any further than what he told ya.

Sandoval-Mendoza: Is this -- is there -- I'm gonna order you to answer the question. Can you provide an explanation as to why the radio traffic and your watch indicate that you're on duty for that day?

Sarabia-Medina: The radio traffic indicates that there was a call of a 242 and my watch simply indicates the time. Whatever implications, you know, you want to get from that it's entirely up to you.

Sandoval-Mendoza: I'm not trying to implicate anything. I'm asking you if you can provide an explanation, any further explanation that we've already discussed as to why the radio traffic and your watch seem to indicate that you're on duty based on your log-on time, which was 2124 hours?

Sarabia-Medina: I mean, same explanation. If I record, you know, some audio at 3:00 in the morning and I play it as a background. You might say, well, that's audio. It's 3:00 in the morning, you were on duty. Well, I could have recorded the video, you know, that morning or that, you know, that evening or whatever. So we got the -- it didn't necessarily -- I don't believe it necessarily clears that I was on duty; that's my opinion.

Sandoval-Mendoza: So it's still your standing or your -- your statement today that none of your videos were recorded on duty even after what I just showed you?

Sarabia-Medina: Yeah, because my -- my start time is between one, again, if I start recording something at 2058, 2059 and it's my belief that I'm off duty.

Sandoval-Mendoza: Right, but based on your watch it looks like you're recording it at 2130 hours that day. At the bare minimum, 2031 hours. So it's not --

Sarabia-Medina: Yeah, but how --

Sandoval-Mendoza: -- an indication that you were off duty, it's an indication that --

Sarabia-Medina: -- how --

Sandoval-Mendoza: -- you're on duty.

LASD-000436 RELEASE DATE: 12/11/2023

required to tell us that before you start asking him questions. So you can play dumb all you want but you are violating his rights.

Sandoval-Mendoza: Mr. Sarabia, actually, I do have a question for you. That MDC picture with the department's name on it, during the first interview, I believe you mentioned you don't recall where that video was recorded, correct?

Sarabia-Medina: Correct.

Sandoval-Mendoza: I'm gonna show you a picture here. This is a church in Walnut's reporting district and the name of the church is Jesus Christ of Latter Day Saints on Marcon Drive. Is that sound familiar? Am I pronouncing that street correctly in Walnut?

Sarabia-Medina: Sure, yeah, it's -- it's --

Sandoval-Mendoza: Do you recognize this church and --

Sarabia-Medina: I think I've seen that church, yeah.

Sandoval-Mendoza: -- okay. Have you ever recorded any videos at this parking lot to the church?

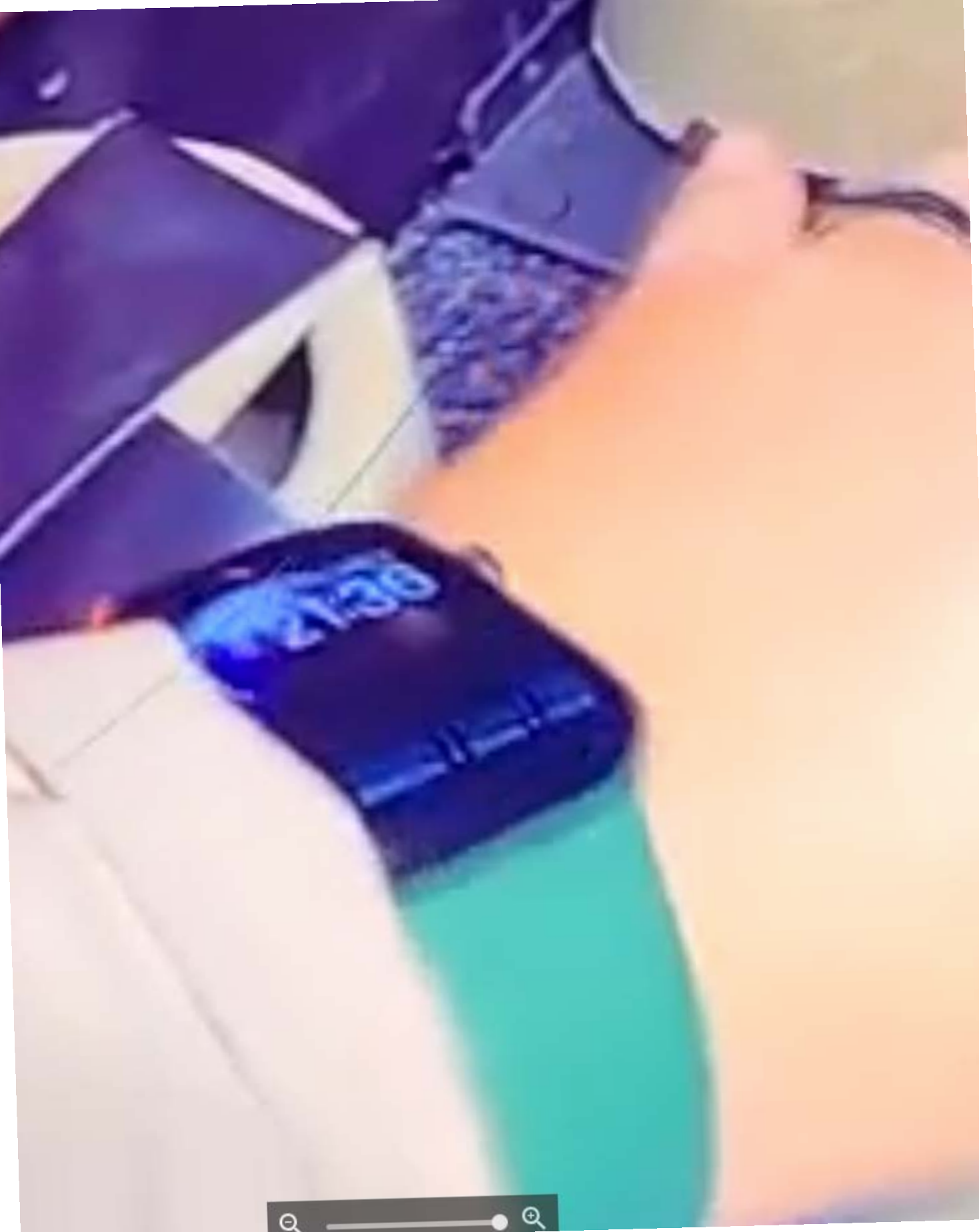
Sarabia-Medina: I don't remember recording any videos in this parking lot, to be honest with you.

Sandoval-Mendoza: Those are all the questions I had for you. All right. If you have nothing else to add to this investigation, then we're gonna go off the record. The time is 1211 hours.

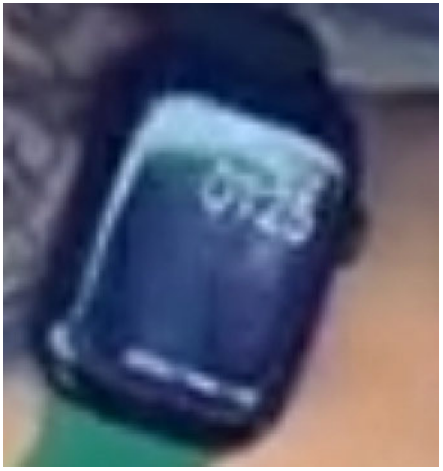
LO
Cron & Associates Transcription 714-573-7172

LASD-000439 RELEASE DATE: 12/11/2023

ATTACHMENT "C"




Police


07:25



ATTACHMENT "D"

Report Date: 01/02/24

INCIDENT HISTORY REPORT
WALNUT

Station: WAL Incident Date:06/23/22 Tag #:17 Incident #:WAL22174-0017

/0205 ENTRY (440739) INCIDENT, [redacted] DB,P,415F,918,,,,,, [redacted] [redacted] IS SCHITZO,,SET CLOTHES ON,FIRE IN GARAGE,,SON [redacted] BANGING ON DOORS,,,BOTH DPS REFUSING TO LV,,,,,WAL,,,,,WAL01

/0205 ASSIGN/B (440739) 292K5/E #639908 MARQUEZ

/0205 ASSIST/B (440739) 292K2/E #465510 MOORE

/0205 ASSIST/B (440739) 292K3/E #485025 REYES

/0205 ASSIST/B (440739) 290S/E #525113 SARABIA MEDINA

/0205* ACK (525113) 290S/E <000>

/0205* ENR (525113) 290S/E <000>

/0205* ACK (639908) 292K5/E <000>

/0205* ENR (639908) 292K5/E <000>

/0205* ACK (485025) 292K3/E <000>

/0205* ENR (485025) 292K3/E <000>

/0205* ACK (465510) 292K2/E <000>

/0207 CHGRMK5 (440739) BOTH DPS REFUSING TO LV,,->BOTH DPS REFUSING TO LV,, *UD*

/0207 CHGRMK6 (440739) ->NO WPNS

/0207 REDISP/B (440739)

/0208* ENR (465510) 292K2/E <000>

/0212* 10/97 (639908) 292K5/E <000>

/0213* 10/97 (485025) 292K3/E <000>

/0213* 10/97 (465510) 292K2/E <000>

/0215* 10/97 (525113) 290S/E <000>

/0305* 10/15 (639908) 292K5/E <000>

/0308* 10/98 (525113) 290S/E <000>

/0328* 10/98 (465510) 292K2/E <000>

/0350* 10/98 (485025) 292K3/E <000>

/0352* CLEAR (485025) 292K3/E,,,780,,,,,,,ASSISTED 292K5 AS NEEDED RE:,415F/918,SEE HER CLEARANCE FOR F,URTHER,,,,,,,

ATTACHMENT "E"

EM Shift In-service, Walnut/Diamond Bar

Thursday, August 18, 2022

DESK OPERATIONS			
W/C		2100-0500	*SARABIA MEDINA, I.*
W/SGT		2100-0500	*OT REDUCTION*
W/DEP		2200-0600	[redacted] 8.0T
DISPATCHER		2200-0600	[redacted]
COMP 1		2200-0600	[redacted]
COMP 2		2200-0600	
COMP 3		2200-0600	
JAILER		2200-0600	
JAILER 2		2000-0600	[redacted]

FIELD SERGEANTS UNIT	VEHICLE	HOURS		NAME	CODES
290S	SH7670	2100-0500		[redacted]	Z L
291S		2100-0500			
292S	SH8438	2100-0500			

CITY OF WALNUT UNIT	VEHICLE	HOURS		NAME	CODES
291		2300-0700			
291K1	SH6120	2300-0700	R	[redacted]	Z L
291K2		2200-0600			
291K3	SH7729	2200-0600		[redacted] 8.0T	TW

CITY OF DIAMOND BAR UNIT	VEHICLE	HOURS		NAME	CODES
292K1	SH8306	2200-0600		[redacted] 8.0T	Z M
292K2	SH6203	2300-0700		[redacted]	M T
292K3	SH7919	2200-0600		[redacted] 0100 Start 8.0T	M
292K5		2300-0700			

ROWLAND HEIGHTS UNIT	VEHICLE	HOURS		NAME	CODES
293	SH8272	2200-0600		[redacted]	Z MD P W
				[redacted]	
293B	SH7803	2200-0600		[redacted]	B L
293D		2300-0700	R	****DARK****	
				****DARK****	
293K1	SH1270	2200-0600		[redacted]	
293K3		2300-0700			
293K4		2200-0600			
293K5		2300-0700			
293K6		2300-0700			
293B1	SH7811	VARIABLE		[redacted]	Z M P
				[redacted]	Z MDL TW
293U2		2300-0700			
295		2300-0700			

SPECIAL ASSIGNMENT		
SPE.A	VARIABLE	

SECRETARIES UNIT	VEHICLE	HOURS		NAME	CODES
SECRE		1600-0200			
SECRE		2000-0600			

LEGEND: R=RESPONSE TEAM; A=AR-15; Z=ARWEN/SL6/SL1/Duce; B=Bi-Lingual*; M=Crisis Intervention Trained; D=Desk; L=Live Scan; P=PIT Trained Deputy*; T=Traffic; W=WMD;

ADULT DAY: 10-17-22 08:00 AM ADULT NIGHT: JUVENILE TRAFFIC: 10-17-22 08:00 AM MISDEMEANOR: 10-17-22 08:00 AM

WATCH COMMANDER APPROVING TIME COPY:

LASD-000457 RELEASE DATE: 12/11/2023

Today's Julian Date: 22230

ATTACHMENT "F"

IN-N-OUT Burger



Eat-In

164

2 FLYING DUTCHMAN	**$7.10**
Police Discount	-$3.55
CONTACTLESS	$3.89
DRIVE-Eat In	$3.55
Tax	$0.34
Amount Due	$3.89
Tender CC	$3.89

Cashier: [redacted] Transaction # 4749
07/27/2022 11:48:28 PM
Store #199 City Of Industry POS6

POST PROFILE NAME:

SARABIAMEDINA, IVAN D.

CALIFORNIA COMMISSION ON **POST**

Certification Status: Active

AKA: SARABIA-MEDINA, IVAN D

DATE: 01/05/2024

PERSONAL IDENTIFICATION

POST I.D.	Agency	Birth Date	Gender	Race/Ethnicity
C12-A96		[redacted]	[redacted]	[redacted]

CERTIFICATES AWARDED

Cert No.	Type	Awarded	Education	T	T+	Comments
132572	B	08/11/2008	[redacted]			
123444	I	08/13/2013				
115908	A	11/14/2017				
88205	S	10/15/2018				

Total Number of Certificates: 4

EMPLOYMENT

Hired From	To	R*	Rank	Rank Date	Agency	Agency Name	F/P	P/U	Seas
07/13/2007	10/16/2016	7	DPTY	07/13/2007	19000	LOS ANGELES CO SD	F	P	
07/13/2007	11/04/2023	8	SGT	10/16/2016	19000	LOS ANGELES CO SD	F	P	

***Reason for Separation: 7 = Promotion/Demotion, 8 = Involuntary Separation**

POST CERTIFIED TRAINING

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
06/12/2007	K	4890-23272-06-126	8		Y	19000	M TOLERNCE		CULT. DIV.-TOOLS FOR TOLERANCE (MOT ONLY)
07/13/2007	A	1820-00100-06-007	720	R	Y	19000	LASD		BASIC COURSE-INTENSIVE
04/30/2010	C	1820-00310-09-007	80	X	Y	19000	LASD		ADVANCED OFFICER COURSE (FTC)
05/03/2010	K	1820-21779-09-051	4		Y	19000	LASD		CPR REFRESHER
09/15/2011	K	9180-25554-11-077	2	X	Y	19000	POST	*	COMMUNICATION: KEEPING YOUR EDGE (WEB)
09/10/2013	K	1820-20147-13-001	8		Y	19000	LASD		MACTAC BASIC
01/08/2014	K	1820-22386-13-006	8	X	Y	19000	LASD		DECISION-MAKING/BASIC
01/21/2015	K	4890-23272-14-044	8		Y	19000	M TOLERNCE		CULT. DIV.-TOOLS FOR TOLERANCE (MOT ONLY)
03/18/2015	K	1820-23161-14-025	16	X	Y	19000	LASD		GANGS-CAL GANG COMPUTER SYSTEM
03/27/2015	K	1820-23220-14-002	40	X	Y	19000	LASD		ETHNIC RELATIONS AND GANGS
04/21/2015	K	1820-32075-14-018	16	X	N	19000	LASD		FIREARMS/TACTICAL RIFLE
08/17/2015	K	1820-31810-15-018	8		Y	19000	LASD	*	FIREARMS/SEMI-AUTO PISTOL
08/26/2015	K	1820-21055-15-019	8		Y	19000	LASD		FIREARMS/LASER TRAINING UPDATE
11/04/2016	D	1820-00400-16-002	80		Y	19000	LASD		SUPERVISORY COURSE
03/11/2021	K	1820-29504-20-080	2		Y	19000	LASD	*	TACCOM(PSP)
03/11/2021	K	1820-21055-20-102	6	X	Y	19000	LASD		FIREARMS/LASER TRAINING UPDATE
03/16/2021	K	1820-29501-20-083	8		Y	19000	LASD	*	FIREARM(PSP)
04/28/2021	K	1820-29515-20-094	8	X	Y	19000	LASD	*	ARSTCTL/DRVTNG(PSP)
02/09/2022	K	1820-29580-21-055	4	X	Y	19000	LASD	*	USE OF FORCE (PSP)
04/20/2022	K	1820-21797-21-046	8		Y	19000	LASD		FIRST AID/CPR/AED REFRESHER
08/10/2022	K	9180-25595-22-041	4	X	Y	19000	POST		BEYOND BIAS:RACIAL & ID PROFILING UPD- SELF PACED
01/03/2023	K	1820-29582-22-106	8	X	Y	19000	LASD	*	ARSTCTL/USE OF FORCE (PSP)
01/10/2023	K	1820-29540-22-055	2	X	Y	19000	LASD	*	STRATEGIC COMMUNICATIONS (PSP)
01/10/2023	K	1820-21055-22-071	6	X	Y	19000	LASD		FIREARMS/LASER TRAINING UPDATE
01/17/2023	K	1820-29501-22-065	8		Y	19000	LASD	*	FIREARM(PSP)

POST PROFILE NAME:

SARABIAMEDINA, IVAN D.

CALIFORNIA COMMISSION ON **POST**

Certification Status: Active

AKA: SARABIA-MEDINA, IVAN D

DATE: 01/05/2024

POST CERTIFIED TRAINING *continued*

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
02/02/2023	K	1820-21135-22-060	8		Y	19000	LASD	*	DRIVER AWARENESS UPDATE

***Meets Perishable Skills**

FOOTNOTES

NO FOOTNOTE ON FILE.

PLEASE REFER TO THE ENCLOSED EXPLANATION SHEET FOR ADDITIONAL INFORMATION.

COMMISSION ON POST – PROFILE REPORT

The Profile Report contains confidential information.

EXPLANATION SHEET

PERSONAL IDENTIFICATION: Subject's personal information as indicated in POST database (EDI system)	
POST ID:	Unique identification number assigned to subject by POST.
Agency:	Indicates the agency (or one of the agencies) where subject is currently employed. An "*" indicates that the subject is employed in more than one position within the same agency.
Birth Date/Gender:	Self-explanatory.
Race/Ethnicity:	**A** = Asian **B** = African American (Black) **N** = Native American **S** = Spanish/Hispanic **W** = White **O** = Other

CERTIFICATES AWARDED	
Cert:	Certificate serial number.
Type:	**B** = Basic **I** = Intermediate **A** = Advanced **S** = Supervisory **M** = Management **E** = Executive **R** = Reserve **D** = Public Safety Dispatcher **SX**= Specialized X (example: SA = Specialized Advanced)
Awarded:	Date certificate was issued.
Education:	Educational points or degree used for earning a certificate.
T:	Training points used for awarding the certificate.
T+:	Additional training points.
Comments:	Comments regarding training or institute(s) where subject received education.
Total Number of Certificates:	Number of certificates awarded to subject as indicated in POST database.

EMPLOYMENT: Subject's employment history as indicated in POST database	
Hired From:	Date subject was hired or sworn into the agency.
To:	Date subject left agency (if applicable).
R*:	Reason for separation as indicated by number in the Report description.
Rank / Rank Date:	Indicates rank as translated by POST database and date subject made rank.
Agency / Agency Name:	Agency code number and name where subject is currently working or previously worked.
F/P:	Time base: **F** = Full time **P** = Part time
P/U:	Wage status: **P** = Paid **U** = Unpaid
Seas:	Provisional or seasonal employment.

POST TRAINING: Courses attended or completed as indicated in POST database	
Comp Date:	Date course ended.
Cat:	General course category (for POST use only).
CCN:	Course Control Number.
Hrs:	Hours completed in course.
Rmb:	Reimbursement indicator: **R** = Reimbursed *(before FY 83/84 reimbursable agency not necessarily reimbursed)* **J** = Job specific * = Job specific, SALARY NOT PAID **Blank** = None or no data available
Cmp:	Completion indicator: **Blank or Y** = Course completed **N** = Course not completed **?** = Prior to 1979
Agency:	Agency where subject was employed at time of course enrollment.
School:	Training institute offering the course.
Course Name:	Course name as shown in POST database.

NON-CERTIFIED COURSES

This section will only appear if applicable.

FOOTNOTES

This section reserved for additional information.

ATTACHMENT "H"

3-01/040.70 - Dishonesty/False Statements

Members shall not make false statements or commit any other violations of the honesty policy, section 3-01/040.69, when questioned, interviewed, or in reports or documents submitted. Department members who violate this section are subject to discipline up to and including discharge.

Revised: 11/24/2015

LASD-000472 RELEASE DATE: 12/11/2023

3-01/040.69 - Honesty Policy

Department members are held to the highest standards of integrity and ethics. In particular, honesty and trustworthiness are of paramount importance to the credibility and integrity of all Department members. Honesty and maintaining the trust of those we serve depend on candor, forthrightness, sincerity, and accuracy.

Dishonesty destroys trust and violates Department policy. Examples of dishonesty and violations of trust include not only false statements, but also deliberate distortions of the truth; intentional exaggerations, concealment of or failure to disclose material facts, observations, or recollections, and failure to make full, complete and truthful statements when required.

Department members who violate this section are subject to discipline up to and including discharge.

Revised: 11/24/2015

LASD-000473 RELEASE DATE: 12/11/2023

3-01/000.10 - Professional Conduct

All Department members shall be held accountable for any on-duty or off-duty conduct which has a tendency to adversely affect, lower, or destroy public respect and confidence in the Department, or its members. Conduct unbecoming also includes any conduct which brings the Department or any members into disrepute or brings discredit upon the Department or its members. Department members shall also be held accountable for their utterances, writings, conduct, and visual representations; including electronic and web-based communications, when they conflict with our Core Values, our Mission, or our Creed and personnel can be reasonably identified as Department members.

Personnel who cause undue embarrassment or damage to the reputation of and/or erode the public's confidence in the Department shall be deemed to have violated this policy and shall be subject to counseling and/or discipline up to and including discharge.

Unit commanders shall ensure copies of our Mission, our Core Values, and our Creed are clearly and prominently displayed and maintained in the public lobbies of all Sheriff's Department facilities.

Unit commanders shall ensure copies of our Mission, Core Values, and our Creed are clearly and prominently displayed and maintained within a high-traffic work area in all Sheriff's Department facilities (e.g., briefing room) for viewing by assigned personnel.

Unit commanders shall routinely express to the members of their staff their expectations of honesty, integrity, trustworthiness, and acceptable conduct, including the tenets of the Core Values. The message that shall be conveyed to each employee is, "You are part of something greater than yourself. Don't dishonor it!"

Revised: 7/22/2021

LASD-000474 RELEASE DATE: 12/11/2023

3-01/000.13 - Professional Conduct - Core Values

Members shall conduct themselves in a manner consistent with the Department's Core Values. Members shall not ignore nor contradict the Department's Core Values. Examples of conduct inconsistent with the Department's Core Values include, but are not limited to, the following:

1. Conduct or behavior resulting from a situational outburst of emotion including, but not limited to, the use of profanity and/or other inappropriate, inconsiderate, and/or insensitive language, phrases, or terms of speech;
2. Conduct or behavior that demonstrates a bias, prejudice, and/or intolerance, or demonstrates a trend or pattern of undesirable and/or unprofessional behavior; and/or,
3. Conduct or behavior so egregious that it constitutes a severe and immediate threat to the integrity of the Department and/or jeopardizes the health, safety, and/or welfare of the public including, but not limited to, criminal misconduct of members, and/or the misuse of Department assets, resources, or intellectual property.

Revised: 1/27/2013

LASD-000475 RELEASE DATE: 12/11/2023

3-01/000.15 - Electronic and Web-Based Communications

Electronic and web-based communications include any medium used to deliver information electronically or digitally. Examples of electronic and web-based communications include, but are not limited to, websites, "smart" phone technologies, text messaging, Nixle, electronic mail (email) and "social media" sites such Facebook, Myspace, Pinterest, and Twitter; photo sharing websites such as Flickr; video sharing websites such as YouTube; and/or any other similar electronic or digital delivery system.

"Social media" includes any electronic medium where users may create, share, and view user-generated content, including uploading or downloading videos or still photographs, blogs, video blogs, podcasts, or instant messages, or online social networking content.

Revised: 1/27/2013

LASD-000476 RELEASE DATE: 12/11/2023

3-01/025.45 - Safety of Firearms

Sworn employees assume a significant responsibility in protecting and serving the public. As a result, they enjoy a considerable level of public trust. Consequently, high standards are placed upon their conduct. These high standards extend to both on and off duty conduct. This is particularly applicable when the off duty conduct involves the consumption of alcohol. In order to remain beneficiaries of the public trust, we must balance the rights of our sworn employees with the responsibility to maintain the highest standards of professional and personal conduct.

Sworn employees and Security Officers carrying or handling any firearm while on or off duty shall not consume any intoxicating substance to the point where the employee is unable to or does not exercise reasonable care and/or control of the firearm.

> NOTE: For purposes of this section, intoxicating substance shall include alcoholic beverages, medication (both prescription and over-the-counter), and/or controlled substances.

A violation of this section shall be determined upon the totality of the circumstances. It shall be presumed that an employee who has a 0.08 percent or more by weight of alcohol in his or her blood is unable to exercise reasonable care and/or control of a firearm. However, the fact that the employee acted reasonably and without negligence may rebut the presumption.

Revised: 8/9/2010

LASD-000477 RELEASE DATE: 12/11/2023

3-01/030.05 - General Behavior

A member shall not act or behave while on or off duty in such a manner as to bring discredit upon himself or the Department.

Members' arrests and/or referrals for prosecution are an embarrassment to the Department and bring discredit upon the member and the Department regardless of whether a criminal case is filed and/or ultimately results in a conviction or plea agreement.

Members who are publicly intoxicated to the extent their recollection about an allegation of misconduct is affected have brought discredit upon themselves and/or the Department.

Revised: 6/7/2013

LASD-000478 RELEASE DATE: 12/11/2023

3-01/030.10 - Obedience to Laws, Regulations, and Orders

a) Members shall not willfully violate any federal statute, state law or local ordinance;

b) Members shall conform to and abide by the following:

- Charter of Los Angeles County;
- Los Angeles County Code; and
- Rules of the Department of Human Resources;

c) Members shall obey and properly execute all lawful orders issued by any supervisor of higher rank or classification or who is officially acting in such capacity;

d) When assigned to duty with another member of the Department, an employee shall be subject to disciplinary action for any violation by the other member of any provision of this chapter unless the employee was unaware of the violation or unless the employee, if the situation permits safe and prudent action, attempts in good faith to prevent the violation and, at the earliest reasonable time, reports the violation to his supervisor;

e) Members who violate any rules, regulations, or policies of the Department or the County, shall be subject to disciplinary action. The commission or omission of any other act contrary to good order and discipline shall also be the subject of disciplinary action;

f) Members who are arrested or detained for any offense, or named as a suspect, other than an infraction under the Vehicle Code, shall immediately notify their immediate supervisor or Watch Commander of the facts of the arrest or detention or allegation.

> After business hours, if the member is unable to contact their immediate supervisor or Watch Commander at the Unit of Assignment, the member shall contact Sheriff's Headquarters Bureau and request immediate notification to their Unit Commander. The member shall provide details of the arrest or detention to Sheriff's Headquarters Bureau, including alleged charge(s), location, police agency jurisdiction, and return phone number where the member can be reached, for relay to the Unit Commander. The Sheriff's Headquarters Bureau member receiving notification shall immediately notify the employee's Unit Commander.
>
> The Unit Commander shall immediately notify Internal Affairs Bureau. The employee's Unit Commander shall immediately respond to the member's location if the member is arrested and taken into custody.

According to the nature of the offense and in conformance with the rules of the Department of Human Resources, disciplinary action may result and may include, but is not limited to, the following:

- a reprimand (written);
- suspension without pay;
- reduction in rank; and/or
- dismissal from the Department.

LASD-000479 RELEASE DATE: 12/11/2023

NOTE: For purposes of this section, any reference to "members" shall include any member of the Department, both sworn and professional staff.

Revised: 12/12/2013

LASD-000480 RELEASE DATE: 12/11/2023

3-01/040.62 - Use of Sheriff's Intellectual Property/Star/Logos

The Department's intellectual property is among the County of Los Angeles' most valuable assets. The Department has spent considerable time and resources in developing and protecting its valuable trademarks, copyrights and other intellectual property. The goodwill associated with its intellectual property is of vital importance to the Department. To protect their intellectual property, the Department and the County are committed to carefully considering requests for its use and policing possible infringements in the marketplace.

Definition of Intellectual Property

The term "intellectual property" means all logos, marks, stars, seals, emblems, badges, insignias, symbols and slogans which were created by, or at the request of, the Department, or were transferred or assigned to the Department, and which are identified with the Department or any of its Divisions, Units, Stations, programs or groups. Examples of the Department's intellectual property are as follows: Department's name, flag, yearbook, uniform patches, slogans (i.e., "A Tradition of Service"), Sheriff's Star, 150th Anniversary Commemorative Badge, memorial patches, SEB shoulder patch, computer programs, marks, emblems and logos. This policy applies to all of the Department's intellectual property, whether or not registered with a governmental agency.

Definition of Sheriff's Star

The term "Sheriff's Star" includes all photographs or graphic depictions of the six-point star used by the Department, whether represented in color or black and white, and all substantially similar stars which could reasonably be considered the Sheriff's Star. This includes the graphic depiction of the regular uniform badge/flat badge, and the 150th Anniversary Commemorative Badge. The Sheriff's Star is the official mark, logo, and insignia of the Department.

Prohibited Use

Use of intellectual property by Department members or non-members is prohibited unless authorized by this policy or statute. Other than for the official business-related purposes of the Department, use of the intellectual property on any written, printed material, posters, advertisements, merchandise, films, movie or television programs, photographs, clothing, Internet web sites, video presentations or any other display or communication medium, is strictly prohibited, unless authorized pursuant to this policy. The intellectual property may not be used in any unofficial capacity and/or where its display may erroneously portray an official sponsorship by, or association with, the Department or reasonably confuse the public as to the relationship with the Department and the user of the intellectual property.

Procedure to Request Authorization to Use Intellectual Property

All requests from outside entities, vendors, individuals, agencies or organizations to use the Department's intellectual property in any form or by Department members to use the Department's intellectual property for any non-official Department use must be made in writing to Sheriff's Headquarters Bureau. The approval process involves two steps:

- Submitting a completed application (Outlook-All Forms/Miscellaneous/"Application to Use Sheriff's

LASD-000481 RELEASE DATE: 12/11/2023

Intellectual Property") to Sheriff's Headquarters Bureau (SHB); and

- If the application is recommended for consideration, SHB will forward it to the Legal Advisory Unit for review and preparation of a license agreement, if appropriate. The Board of Supervisors must approve all license agreements for outside use of intellectual property.

Policy Application

This policy also applies to all requests by organizations, clubs, foundations and programs which are affiliated or associated with the Department and wish to use the Department's intellectual property.

Department members requesting to use the Department's intellectual property for on-duty, inter-Departmental, County business, such as Department-related or sponsored events, training, speaking engagements, presentations, or any event that includes the distribution of publications, handouts, etc., depicting a Department image, even that which involves an outside entity and is **not for tangible gain or commercial purposes**, need only to obtain the approval of their respective Unit Commander and abide by all Department policies.

Use of the Department's intellectual property by Department members or Units for official business-related purposes must comply with this policy and the Department's Organizational Identity Manual located on the Department's Intranet website. Approved artwork graphics shall be obtained through the Department's Intranet website via the graphics repository. **All** variations from the official artwork or new conceptual designs must be approved through the Department's approval process.

Use of the Department's intellectual property in any manner that will or could result in any immediate or future, foreseen or unforeseen tangible gain (i.e., charity events, fund-raisers, product development or endorsement, partnerships, sponsorships, tactical endorsements, publication by-lines or credits, donations, etc.), even that which is not immediately identifiable (i.e., increased subscriptions to a publication because it contains LASD intellectual property or endorsements), will require the Department member or outside entity to submit an "Application to Use Sheriff's Intellectual Property" and go through the Department's approval process.

Unauthorized use of the Department's intellectual property by Department members is subject to discipline and legal action. Department members are encouraged to report any unauthorized use of Sheriff's intellectual property to the Department's Legal Advisory Unit.

Unit Commander's Responsibility

All requests by Department members to use the Department's intellectual property must have the member's Unit Commander's approval on the concept alone. The Unit Commander shall review the proposed usage and make a decision as to whether it conforms to the Department's mission, philosophy and ideals, and whether the usage would promote the image and reputation of the Department. The Unit Commander should also consider when reviewing the proposed usage whether any other Department Unit (i.e., Uniform Committee, etc.) should become involved prior to approving the concept. After approving the concept, the Unit Commander should follow the concept through the "Request to Use Sheriff's Intellectual Property" flowchart to assist the Department member in determining whether the concept requires an "Application to Use Sheriff's Intellectual Property" to be submitted to Sheriff's Headquarters Bureau. If an application is required, the Unit Commander should ensure sufficient supporting documentation and artwork is included with the application prior to signing it. The application should include enough detail to stand on its own merit

LASD-000482 RELEASE DATE: 12/11/2023

without follow-up correspondence prior to it being submitted to Sheriff's Headquarters Bureau.

Revised: 12/12/2013

LASD-000483 RELEASE DATE: 12/11/2023

3-01/080.10 - Public Appearances, Writing, Etc.

Unless authorized to do so by the Sheriff's Headquarters Bureau, an employee of this Department shall not:

- Address any public or private gathering or make radio or television appearances where his identity, as a member of this Department, is made known and any remarks made by the employee could be considered to represent the Department's view of the subject or subjects discussed; and/or
- Write articles or manuscripts for publication in which references or inferences are made to this Department, or in which, as the author, his identification as a member of the Department would add authenticity or weight to the contents.

(Procedure governing authorized public appearances of Department personnel are covered in the Miscellaneous Administrative Procedures chapter.)

Revised: 12/12/2013

LASD-000484 RELEASE DATE: 12/11/2023

3-01/100.46 - Use of Communication Devices

Absent extenuating circumstances, members shall not use a cellular telephone or other similar communication/recording device for a Department-related tactical purpose (i.e., coordinating field units to a radio call, advising other units of possible suspect locations) when an established, Department-authorized communication device/system is available, and/or a Department-authorized regulation/protocol has been established (e.g., Department radio and communications systems etc.).

NOTE: This prohibition shall apply to the use of the cellular telephone for both voice communications as well as data (text) communications.

Members shall not use a personal cellular telephone or any other similar personal communication or recording device to record, store, document, catalog, transmit, and/or forward any image, document, scene, or environment captured as a result of their employment and/or while performing official Department business that is not available or accessible to the general public. Official Department business shall include, but is not limited to, confidential, sensitive, or copyrighted information that is printed, audio recorded, photographed, or video recorded; information related to any past, present, or anticipated criminal, civil, or administrative investigation, including reports, declarations, evidence, photographs, videos, or audio recordings; and/or photographs of suspects, arrestees, defendants, evidence, or crime scenes.

In addition, Department members who respond to scenes where human remains are present shall be guided by MPP section 5-09/475.00, Photographs/Recordings at Scenes Where Human Remains are Present.

NOTE: A personal cellular telephone or any other similar personal communication or recording device used exclusively to record contacts with members of the public during legitimate Department business (e.g., traffic stops, etc.) are exempt from the provisions of this section.

Revised: 7/23/2020

LASD-000485 RELEASE DATE: 12/11/2023

3-01/100.47 - Use of Communications Equipment and Systems

Members shall not initiate, modify, or have installed any non-authorized communications equipment or services within a County operated facility for personal, social, or unofficial purposes. This equipment includes, but is not limited to, wired or wireless services such as internet services, computer terminal equipment and hardline/landline telephone equipment. Members shall refrain from entering into any personal non-authorized Departmental communications service agreement which lists any County operated facility as a host, party to the action, or as the billing address.

Members shall conduct all Departmental related official business with an established Department authorized, controlled and auditable communications device and/or system. Official Department business includes, but is not limited to, confidential, sensitive, or copyrighted information that is printed or transferred via digital means, Department or County related emails, audio recordings, photographs, or video recordings; information related to any past, present, or anticipated criminal, civil, or administrative investigation, including reports and evidence.

Members shall also observe policies and procedures regarding County information technology assets, computers, networks, systems, and data as detailed in the Acceptable Use and Confidentiality Agreement as related to Board of Supervisors Policy # 6.101.

> **NOTE:** This section does not preclude members from having a personal cellular telephone and/or tablets at their workplace unless it violates policy and/or the law.

Revised: 12/7/2016

LASD-000486 RELEASE DATE: 12/11/2023

3-01/030.75 - Bribes, Rewards, Loans, Gifts, Favors

The following rules shall apply:

- A member shall not accept a bribe or engage in any act of extortion or other unlawful means of obtaining money or property through his position with the Department;
- Members, individually or collectively, shall not solicit or accept any reward, fee, loan or gratuity in conjunction with services rendered in the performance of their duties;
- Members shall not use their positions to seek free admission to places of amusement, sporting events, etc. and shall not solicit free meals or transportation or any other favors or gratuities which would not ordinarily be accorded a private citizen; and/or
- All members are prohibited, without express permission of the Department, from the following:
    - Making any gift for or presenting any gift to or receiving a gift from any prisoner or arrestee;
    - Having any barter or dealing with a prisoner or arrestee; and/or
    - Having any direct or indirect interests in any contracts or purchases by and for a custodial facility.

Violations under this rule shall be subject to penalty under 2540 PC, wherein members of this Department shall be discharged and contractors or agents shall be expelled from the Department facility and not permitted entry in those capacities.

Revised: 12/12/2013

LASD-000487 RELEASE DATE: 12/11/2023

3-09/170.25 - Internal Requests

Department personnel desiring to participate in any group, club, organization, society, radio or television program as an official representative of this Department shall submit, through channels, a Sheriff's Department Office Correspondence (SH-AD-32A) giving all necessary details. The memo shall be addressed to the Sheriff and marked "Attention: Sheriff's Headquarters Bureau ."

The concerned Division Chief or Division Director, or his designated subordinate, shall confer with the Sheriff's Headquarters Bureau concerning the request. This Bureau shall submit the request and any recommendations to the Sheriff for approval or denial.

Personnel will be guided in such requests by the above and will not independently accept any speaking engagements for themselves or for other members of the Department under their command except as indicated below:

- Ranking members of the Department, Lieutenant and above, are encouraged to seek speaking engagements and avail themselves of any opportunity where they may speak on behalf of the Department and its role in public service. Such personnel shall not avoid extemporaneous speeches on behalf of the Department at any public or social meeting; and/or
- Ranking personnel speaking in spontaneous situations shall complete a Public Appearance on Behalf of the Sheriff form (SH-AD-177) to be retained at the Unit for record purposes.

Revised: 12/12/2013

LASD-000488 RELEASE DATE: 12/11/2023