Interview of Robert Sasek

2/4/2025

0:00
Going OK.

0:04
The date is February 4th, 2025 and the time is 11:00 AM.

0:09
My name is Scott Bayland.

0:10
I'm a law enforcement consultant with the Commission on Peace Officer Standards and Training, POST.

0:15
I am interviewing Robert Sasek.

0:18
The purpose of our meeting today is to talk to you about the facts and circumstances involving an investigation into serious misconduct in violation of Penal Code section 13510.8, subsection B, subsection 1 of dishonesty, and 13510.8, subsection B, subsection 6, Acts that violate the law, involving you and an incident on September 1st, 2022.

0:47
You were given notice of this interview on January 29th, 2025.

0:52
The interview is being recorded and statements you make here may be used by post in connection with its duties.

0:59
The recording helps us ensure that all of your statements are completely and accurately transcribed and is authorized by Commission Regulation Title 11, Section 12, O Six of the California Code of Regulations.

1:12
You will have access to a copy of the recording of if future proceedings are contemplated or if any further interview of you occurs.

1:20
You also have the right to record this interview.

1:24
Let's see.

1:25
You have the right to representation.

1:27
During the interview, the representative shall not be a witness to the case or the subject of your of the investigation.

1:35
The representative may ask clarifying questions but is not permitted to answer question posed to you or interfere with the interview.

1:42
If you need to take a break to use the restroom or attend to personal necessities, you may do so upon request.

1:48
However, before making any such requests, you must answer any pending questions.

1:54
This interview is not subject to Government Code section 33 O three of the Peace Officers Bill of Rights Act POST is acting independently from your agency and is representing only the interests of the people of the State of California.

2:09
Penal Code section 13510.8, Subsection A, subsection 8 includes the definition of serious misconduct, failure to cooperate with an investigation into potential police misconduct, including an investigation conducted pursuant to this chapter.

2:26
For purposes of this paragraph, the lawful exercise of rights granted under the United States Constitution, the California Constitution, or any other law shall not be considered.

2:36
Failure to cooperate.

2:39
Since you have been asked to participate in this investigation and since a failure to cooperate with an investigation may subject you to an action against your certification in order to protect your 5th Amendment right against self-incrimination in a criminal proceeding, any information you provide as part of this interview cannot be used against you in any subsequent criminal proceeding.

3:01

With that all that in mind, is there any reason why you would not be able to give accurate and truthful answers to our questions today?

3:08
No, Sir.

3:09
OK.

3:10
Please keep in mind that dishonesty in connection with an investigation of police misconduct is itself serious misconduct as set forth in Penal Code section 13510.8, subsection A, subsection one.

3:23
With that in mind, do you agree to answer our questions truthfully today?

3:26
I do.

3:27
OK.

3:29
And then to maintain the integrity of the investigation, we must ask that you not discuss the questions asked and the facts discussed in this interview with anyone other than your legal counsel or as otherwise required by law.

3:40
Do you agree to comply with this request?

3:43
I do.

3:44
OK.

3:45
And do you have any questions before we proceed?

3:48
No, I'm just going to let you know that I am going to screen record it for my own records because

3:50
Absolutely.

3:52
Get out there and I I like that idea.

3:55
No problem.

3:55
That's a good, good call.

3:58
OK, so I'm going to oops, hang on, minimize this so I can.

4:07
OK, All right, so I'm just going to go ahead and get going.

4:17
Let's see.

4:28
So this this is regarding post case number 231-8309.

4:37
So were you working for the Oroville Police Department on September 1st, 2022?

4:45
Yes.

4:47
And do you recall what your work hours were on this day?

4:50
I believe I was working nights.

4:54
I'm not sure if it was weekday nights or weekend nights.

4:57
OK.

4:59
And then who else, if you recall, was working with you on this date?

5:03
Sergeant Ali Khan, I don't know if he was a Sergeant at the time he was the supervisor and Isaac Herrera.

5:17
OK and officer, former Officer Herrera now advised that on September 1st, 2022, that it was a Thursday and would have been your last day working before going on regular days off.

5:26
Does that sound about accurate?

5:29
I'd have to look at a calendar, but yeah.

5:33
OK.

5:35
On September 1st, 2022, do you recall a call for service at the Dollar General?

5:42
I do.

5:42
And what was the nature of the call for service?

5:45
It was a trespassing call.

5:48
And did you make an arrest as a result of this call?

5:51
I did.

5:55
and then during that incident at the Dollar General, was your body worn camera activated?

6:00
It was and then it was deactivated when I took my vest off.

6:04
And then I believe it was reactivated when my vest went on.

6:06
I had to climb over some debris to try to get complainant out of the area where she was hiding.

6:13
So I took my vest off.

6:15
OK.

6:17
And then in your or I should say, what is your understanding of Oroville Police Department's policy regarding body worn camera at that point in time?

6:31
I believe it was not a shall but a a may.

6:34
Like you can use it when when you desire at at any given time.

6:40
It wasn't a shall.

6:42
You have to have to use it at that time.

6:45
I know because my Lieutenant had yelled at me about a previous incident.

6:49
OK.

6:49
And then I'm assuming it's obviously body worn camera.

6:54
So it's on your body.

6:55
Is it just a simple like push button feature to activate it and deactivate it?

7:00
Those ones were a it had the I think there were the number twos, the Axon on number twos and it had the the slide on top and you would slide it and it would wait 5 seconds and then you would tap it until it either vibrated or beeped depending on the settings that you had it set on.

7:15
OK, I only ask because when I was with CHP, we didn't, we didn't have body worn cameras.

7:21
So I, I don't have experience using them, using them myself.

7:24
So that's why I asked.

7:25
Yeah, they, we, we've upgraded or they the police, the Oroville Police Department has upgraded to a better version since then.

7:32
But the other ones had a it had like a little red record sign, like a red for recording.

7:37
And you flip it over and it would take a few seconds and then you would tap it.

7:40
And sometimes you'd have to just tap it a lot to get it to work.

7:44
OK, so back-to-back to the incident from the Dollar General.

7:50
Did you book complainant into Butte County Jail?

7:53
No, she was denied for high blood pressure.

7:56
I did take her to the Butte County Jail.

8:00
I was going to book her.

8:02
The only reason I arrested her and took her from the scene was because she was trespassing.

8:06
Otherwise I would have just issued her a citation then and there.

8:09
But she already was refusing to leave.

8:11
So it was kind of the only way to solve the problem.

8:16
OK, and then if you recall, what was she wearing and specifically like was she disheveled, homeless looking?

8:24
Was she wearing shoes?

8:25
She didn't have property, she wasn't wearing shoes.

8:28
She didn't have a purse.

8:30
She didn't have anything.

8:31
I think she was in a tank top because at one point in time when she, I think when she came out from underneath all of the, the, the freight carts that were in the back, her breasts were exposed.

8:46
And I was like, Hey, ma'am, like let's you know, and at that point in time, I'd put her in handcuffs.

8:50
So I was like, let's, you know, adjust your shirt.

8:52
I believe that's all on all on body camera there.

8:55
That was in front of two other officers.

8:57
I was like, let's not have you exposed.

8:58
You know, I, I would like to, you know, help keep you decent and not, you know, not be humiliated or anything like that.

9:06
OK And then you said no purse, but no cell phone or any other property purse, just her just the clothes on her back.

9:16
Just the clothes on her back.

9:17
And I think she was in like some sort of maybe sweats or pants.

9:22
I I don't really remember, but she had she had on a top and bottom.

9:26
OK.

9:28
And then according to the arrest report that you authored for this arrest, which was dated on September 2nd, 2022, you stated [redacted] was I think, quote un-quote, "most likely under the influence of a CNS stimulant."

9:42
And what did you base that statement on?

9:45
So based on that, like when I first contacted her, she was kind of acting erratic, you know, fast twitch movement, stuff like that.

9:54
And then when I got her to the hospital, she had changed over the course of our interaction up until that point.

10:02
And then when it this jumps down to after I recontacted her, she was going up, up and down.

10:09
So at first I thought she was under the influence, but then the more time I spent with her, I was thinking more meth induced psychosis because she was really fast and rapid.

10:18
And then she would calm down and like, "hi, Sir, how are you?" and answer my questions and, you know, in full statements and, and less all over the place.

10:27
OK.

10:28
And then just for clarification purposes, have you gone through any kind of drug recognition expert training or anything like that?

10:38
Or is this just based on your experience on the streets?

10:42
Just based on work experience on the street.

10:44
I was trying to go to POST certified courses while I was employed, but we were understaffed and we worked a lot.

10:52
It was one of the things that I had been trying to do.

10:56
Gotcha.

10:57
And you mentioned, so when you took her to the jail, they refused her for high blood pressure and then they did they advise you that she required medical clearance before she could be booked?

11:08
Yeah.

11:08
They asked me if I wanted a medical clearance sheet and I said no, I was just going to take her to the hospital and cite her out and advise her to seek medical treatment.

11:17
Because again, the only reason I had placed her under arrest and transported her was because it was a trespassing.

11:23
And if she was going to go to the hospital, she wasn't at the Dollar General where she was causing issues anyway.

11:27
So I could just give her her citation and, you know, advise her to stay away from the Dollar General and seek medical treatment.

11:35
OK, so then, but after the jail, you went to the Medical Center with, with complainant in your car in custody still, but you went inside and she didn't go in with you.

11:45
So why didn't, why didn't you take her in?

11:49
I don't, I don't remember if I did go inside without her.

11:52
I, I must be if you're, if you're saying I did, I think I went in to let him know that I had somebody and

ask if like most of the time when we go drop somebody off at the jail, we'll pop in and be like, hey, are you guys super busy?

12:02
Like is this going to be something where she's going to be out and about sitting in the lobby?

12:06
And they were like, no, they weren't super busy.

12:08
So I think that's what I was doing was going into check to see how busy they were.

12:12
So that way I can be like, hey, you know, they're they're ready for you to come in.

12:15
Just go on in and let him know that, you know, I dropped you off and they can they can start seeing you.

12:21
OK.

12:22
And then according to your call log, you after you cited and released her, you told her to go seek medical attention, right?

12:30
Because that's why.

12:31
OK.

12:32
And then so I guess maybe explain why you didn't proceed with getting the clearance and then returning to book her.

12:43
What was your reasoning for not doing it?

12:45
Was it just because it was a trespass?

12:48
It was just a trespass.

12:49
It was a simple trespassing.

12:51
She didn't seem like she was causing too much issues in Oroville.

12:54
We get a lot of, a lot of people that they just feel like being nuisances.

13:00
So that's, that's more like what it felt like it was being.

13:02
I didn't think she was, you know, trying to cause any harm, but she was refusing to leave and she was being a nuisance.

13:09
OK.

13:10
And then is what's, what's Oroville's police department's policy for cite and release?

13:17
Are you required to get a supervisory approval first?

13:19
And if so, did you?

13:22
I, I can't remember if we have to get supervisor approval, but I, I, I know my supervisor approved, as weird as it is to say that because it's kind of a common practice.

13:34
If, you know, we have a busy, a busy day and our shift wasn't, it wasn't heavy, but we were kind of in like the busy section of it.

13:43
So I, you know, I, I got there and I, I was like, hey, you know, I started her out and then when I told my supervisor, I decided her out, he was, he was OK with it.

13:51
OK.

13:53
And then so after you cited and released her to the hospital, did you receive a phone call from somebody?

14:01
And if so, who was that from?

14:02
Yes, so I went to go back my partner on another call, I believe it was on the other side of town.

14:08
I want to say it was near the AM/PM, which is like almost on the entire other side of town.

14:12
I got there around the time the call was ending and then we were headed back.

14:17
I think we're headed back to the office.

14:18
And I got a call from one of our retired peace officers.

14:21
His name's guard .

14:22
He was a security officer at the hospital.

14:25
And he was letting me know that the lady that I had dropped off was not seeking medical attention, was like trying to get into offices or cars or something like that.

14:33
But she wasn't.

14:34
She wasn't trying to seek medical attention.

14:36
And he wanted to trespass.

14:38
OK.

14:39
And then according to looking at your call logs, you were dispatched and it was about 10 minutes after you had dropped her off initially after the cite and release.

14:50
Does that sound accurate to you?

14:52
Yeah.

14:52
So I I advised her a dispatch.

14:53
I can't remember if I called them on my phone or if I if I let him know over the radio that, you know, guard was had told me that she was acting, acting out again and not trying to seek medical attention so that I was on my way back over there.

15:06
OK, so this was essentially a second trespassing, this time at Oroville Medical Center?

15:11
Yes, Sir.

15:12
OK, let's see.

15:20
And so then when you arrived back on scene, what did you observe?

15:25
When I arrived on scene, we pulled up to the back where the ambulance is normally parked.

15:30
And we have two trailers over there, like diesel, like tractor trailers, but they have MRI machines in them, or at least one of them does.

15:39
And they were walking from the top of the hill down towards where the entrance to the hospital would be.

15:46
And it was guard and complainant

15:49
So I started talking to her.

15:50
You know, I looked at guard

15:51
I was like, what's going on?

15:52
He was like, you know, same old, same old.

15:55
So I, you know, I was like, hey, complainant like, how do we, you know, solve this issue?

15:58
Because we can't, we can't keep doing this.

16:01
I did not reactivate my body camera for some stupid reason.

16:06
I would say that I was a young copper in the time and I learned from it.

16:08
I used my body camera a whole lot more because of this incident.

16:13
But you know, I, I was like, you know, how do we solve this incident?

16:15
Can I get you into the Hope Center or the Mission, which are some, some safe places for people that don't have homes or transients to stay like a shelter for the night?

16:27
And that's when she told me she wanted to go home.

16:29
And I asked her like, OK, where's home?

16:32
And she said Chico, my supervisor was standing right, right behind me and heard her say she wanted to go to Chico.

16:39
And I didn't even have to ask him.

16:40
He said "courtesy transport approved."

16:45
guard was right there.

16:47
I opened up the back of my patrol car and she hopped in of her own free accord.

16:53
OK.

16:53
And then was when you got there, because I think it was guard said that she was actually underneath one of those trailers.

17:04
Do you recall her being underneath one of those trailers when you got there?

17:06
I did not see her underneath the trailer.

17:08
They were walking down between the trailers when I, when I pulled up because you can pull up really close to him.

17:13
So if she was underneath one of the trailers, like he must have just got her to get out and start walking with her because I did not see her under a trailer.

17:21
OK.

17:22
And then after she was there and you got there, I'll call him guard .

17:29
But former guard said that complainant was handcuffed.

17:33
And that was, you know, also supported from a statement from Sergeant Kahn.

17:40
So do you recall handcuffing complainant

17:43
complainant was handcuffed when I initially dropped her off and then cited her out.

17:46
But I did not put [complainant] back in handcuffs after citing her out and initially releasing her.

17:53
OK.

17:53
So when at this point, when you got her and got called back to the Medical Center and then we're good.

18:00
Was again basically going to take her back to Chico.

18:02
You did not put her in handcuffs.

18:04
I did not, I did not put her back in handcuffs at all.

18:07
OK.

18:09
And so she goes back to her car.

18:11
I don't I don't remember putting her in handcuffs.

18:13
I'll say that I don't think that I put her in handcuffs at all.

18:17
So I don't it's been 2 years.

18:19
So I'm, I'm, you know, and, and honestly, I don't have, I don't have anything other than a couple statements saying that she was handcuffed.

18:26
But I don't, I mean, if you don't recall, you don't recall.

18:29
I don't, I don't think I ever put her back in handcuffs.

18:31
And that was part of the whole, you know, she wasn't, she wasn't detained at that point in time.

18:35
At this point in time, it was a 100% courtesy transport.

18:39
And then so you take her back to your car and I'm assuming you put her in the back seat.

18:45
Yes.

18:46
And then our, I think all of Oroville Police Department patrol vehicles are caged cars, correct.

18:54
They are.

18:56
I, I think they're all caged cars.

18:58
Yes.

18:59
Yes, all patrol cars.

19:02
My patrol car was definitely a caged car.

19:04
OK.

19:05
And then I'm assuming she was still dressed in the same manner as when you sighted and released her.

19:10
I believe so, yes.

19:13
And then at some point while you're still at the hospital, do you recall that Officer Herrera arrived on scenes?

19:20
I do, yeah.

19:21
So I'm trying to think of how to say this.

19:28
So when I pulled up, I pulled up as close as I could.

19:31
And then I believe Sergeant Khan pulled up like, right next to behind me.

19:36
And then Khan or Ali, not Khan and Ali are the same person.

19:39
Isaac would have pulled up kind of behind him off to the side because it's not a very big area.

19:44
And it's kind of like a, you can't drive through it.

19:47
You'd have to drive in park and then turn around and then like come back out.

19:51
And he pulled up kind of on the back.

19:53
So it's kind of like 3 cars in a row.

19:55
But I think Isaac's might have been kind of parked next to the backside of his.

20:00
So like almost kind of like a felony stop.

20:03
So like I'm trying to stand up.

20:05
So like his would have been like if this was Ali's car, mine would have been in front right here.

20:09
And I think Isaac's was kind of like back here.

20:13
So it was two, 2 1/2, almost three car lengths away from where Isaac would have pulled up.

20:19
And then he when he arrived on scene, he, he'd stated previously that he never got out of his vehicle, that he was seated in the driver's seat.

20:26
Do you, does that sound correct to you?

20:30
I'm not quite sure.

20:31
I kind of remember him getting out, but he stayed back by his car because I know Ali walked back towards him because when Ali gave me the go ahead for the courtesy transport, he was at the backside of his patrol vehicle.

20:46
OK, well, at, at some point, I believe Officer Herrera was back in his car and then you and Sergeant Khan approached his patrol vehicle and spoke to him through the, his, the driver's side window.

20:59
Do you recall that?

21:00
I don't, I don't remember that.

21:05
It's entirely possible, but I, I don't remember.

21:09
He, he had stated that both you and Sergeant Khan were basically for like, almost like leaning on like his open driver side window kind of by the mirror kind of just right there.

21:21
He's, he estimated less than a foot away from him while you guys were having a conversation.

21:27
So I, I don't, does that help you at all or?

21:29
I, I, I don't, I don't remember.

21:32
Honestly, it could have happened.

21:35
I, I, I don't remember.

21:36
Like I said, it is a long time ago now.

21:38
So because at this point is when he said that there was the conversation about transporting [redacted] compl to Chico, and then that's when Sergeant Kahn gave the approval.

21:50
So are you, is it your recollection?

21:53
I guess I would say that that conversation didn't happen at Herrera's car, that it happened somewhere else.

21:59
No, there was there was no other conversations had after I left because after I left the hospital, it was right there.

22:06
But I, I again, I don't, I don't remember going back over to his car.

22:10
It it could have happened, but I'm, I don't remember.

22:14
So I'm not going to tell you I didn't.

22:16
OK.

22:18
And then in in his interview, Officer Herrera stated that essentially you seemed kind of upset about having to make this transport all the way to Chico.

22:27
So I guess were you frustrated at any point with having to do that?

22:32
Yeah, I was frustrated.

22:33
It's like, you know, it's, it's frustrating that people 'cause like just the issues, Oroville's a place full of issues.

22:48
I knew it was going to take me away from the city for at least half hour to 45 minutes.

22:53
You know, we, we, we're, we're busy all the time.

22:56
I don't like leaving my partners because again, Oroville is a, it's a dangerous city.

23:01
If I was going to leave him, it was, that was a team that I was not happy with, but OK with leaving him because Ali is a, you know, he's a proactive guy also.

23:09
So it wasn't like I was going to leave him and nobody was going to cover him.

23:12
But it's Oroville and it's dangerous.

23:14
And I like having the most officers there because we're already understaffed.

23:20
That that would have been my frustration is just that it was like, you know, it's going to take me away from being able to transport or not transport, but be there, be there for my partner, you know what I mean?

23:30
Yeah.

23:30
So essentially you're leaving those two to handle all the calls.

23:33
Yeah.

23:33
And it was like I said, it wasn't a it wasn't our most busy night, but it was a busier time in our night And when things go South and Oroville like it's busy non-stop back-to-back to back.

23:45
You know, I mean, so that's why I didn't like the idea of leaving him.

23:48
But again, my supervisor was one of those supervisors that was OK with it.

23:51
And I trusted there are other supervisors there that I would not have been comfortable leaving him with because they don't go to calls and support their officers and you know, that type of issues.

24:02
What's like just on a approximation, what how frequently would you say you have to provide courtesy transports to like Chico?

24:14
Not a lot, but not it's, it's not like it's a everyday thing or a every week thing, but it, it happens quite a bit.

24:26
That's the plus side of being on like a day shift or it happening earlier in the shift is because we have CS OS that would provide transports for people to Chico quite a bit.

24:37
OK.

24:37
And then back to the frustration. Was any of the frustration that you had because you didn't want to deal with complainant anymore because you know, you'd already arrested her at Dollar General and now you're he's not at least you're what's happening.

24:54
None of my frustration was directed towards complainant

24:59
It was like, that was the first time I'd ever seen her.

25:02
I do have people that I would get frustrated with because we've got guys that like, I've arrested four and five times in a day.

25:09
And that gets frustrating because it's just like, dude, like, fix yourself.

25:12
Like you're doing the same thing over again.

25:14
I've never met complainant before.

25:15
I had no history with her.

25:17
So there was no reason for me to have any, you know, ill will or upsetness towards her because like I said, it's the first time we've met.

25:24
Like I arrested complainant's bf like five times in one day, 'cause he's a drunk.

25:33
And that, that would, you know, I mean, I would be more irritated towards that, but I had no, no irritation towards, you know, and she was actually like I said, she was on, on highs and lows where like at first I thought she was high.

25:45
And then I was like, OK, this is, you know, there's some, some, maybe some mental health issues here, maybe some meth induced psychosis.

25:52
Because like the second time I talked to her, she's like, no, like I want to go home.

25:55
Like, it was a pleasant conversation, you know what I mean?

25:58
It was like, OK, click, cool.

25:59
Like that's a sound decision.

26:01
That's a good idea.

26:03
Yeah.

26:05
What is your understanding of Oroville Police Department's policy regarding transports?

26:11
Like, what are what are you required to provide when you're going to do that?

26:15
We give start time, stop time and mileage.

26:17
And destination?

26:18
Yes.

26:25
And then at the end like the final disposition of the transport?

26:27
Yes.

26:32
OK.

26:33
And then when Officer Herrera was interviewed, and I know you were asked about this before, but he advised in his statement that as a result of you not wanting to go all the way to Chico that he had made a, an off color joke or comment about you dropping complainant off on Neal Rd. instead of going to Chico.

26:55
And specifically he stated when I asked him about it that his statement was quote, un quote "Drop that bitch off on Neal Rd."

27:04
However, after being told by Herrera that he informed, after being told about that, when questioned, you advised that you didn't hear it, is that correct?

27:17
I did not hear that statement. No, I did not.

27:19
OK.

27:20
And so it's just to be clear, your statement is that you did not hear Herrera make a joke or comment about dropping?

27:28
I did not, not at all.

27:30
I did not hear him otherwise.

27:33
I understand entirely how that looks, that I would have done what my chief said I should have done and ignored her and got her to Chico, which I also don't agree with, but given the circumstances of how the whole event played out, I understand how that looks.

27:52
I did not hear him say that or hear Herrera say that.

27:55
And if I had, when she said let me out, I would have drove her all the way to Chico and I would have ignored her, which was part of one of my main concerns.

28:07
And then let's see if when you are, I should say when advised that your previous statement to EIS investigators was that you didn't hear the Neal Rd. joke from Herrera. And the fact that you ended up dropping her off on Neal Rd. was, I think he said 100% coincidence and just bad luck.

28:35
When Herrera was asked and told about that in his interview, he said that essentially you were lying and that you definitely heard the joke or statement.

28:46
So OK, so I just, I'm just going to keep reiterating that, that it's your statement that you didn't ever hear the joke or statement about Neal Rd.

28:54
I did not hear the joke or statement.

28:56
[redacted] PC 832.7

29:03
PC 832.7 [redacted].

29:06
[redacted] PC 832.7 .

29:16
PC 832.7 [redacted]

29:29
PC 832.7 [redacted].

29:32
We've had a few conversations about it because I've, you know, it's a small town.

29:37
I've heard him, you know, running, I heard about him running his mouth at bars from friends and stuff like that.

29:41
So I, I, I think there's some bad blood and salt because he thinks that, you know, I got him fired and I had nothing to do with his incident.

29:51
So I don't know if he's just mad at the department and mad at anybody that was there or involved, but yeah.

30:00
OK.

30:01
And then he also said that when he made the statement or the joke that you had given a non verbal response of like basically smirking when he did it.

30:13
So do you recall?

30:14
You don't recall that either, I'm assuming?

30:16
No, Sir.

30:17
OK.

30:20
Have you ever had a conversation with either Isaac Herrera or Ali Khan where you admitted to hearing the joke or statement about Neal Road either on the date of the incident or afterwards?

30:32
No, because when he had told me about it initially about him being brought up for the interview and he was like, I have to tell him now that I said this and I was like, said what?

30:43
And he's like, I made a joke and I was like, I had no clue that you had ever said that.

30:47
And that was in front of his mom's house 'cause I was checking on him because he was in a not good place for quite a while.

30:55
And I was like, I didn't, I didn't know you said that.

30:58
And he's like, oh, yeah, well, I said that.

30:59
And I was like, OK, well, you know, don't, don't lie to him when it comes time.

31:02
If you said it, you said it all right.

31:08
After the civil suit came out.

31:12
So that we're now we're when probably like in October-ish of 2022, did you ever meet with Herrera and or Khan to discuss the allegations that were being brought forward?

31:27
Wait, after the after the civil suit initially when it when it?

31:29
Yeah.

31:31
So yeah. So this would be like, like I said, maybe October of 2022.

31:38
So obviously not the date of the incident, but at some point afterwards.

31:42
When this got brought forward to the department through the civil student, did you guys meet?

31:49
No, we never, I don't know.

31:51
I don't think we ever met. We never met and discussed anything about it.

31:54
I know that before I got called in and notified of it, Ali called me and was like, hey, you know that Lady that you left at Neal Rd.? She was alleging that she got hit by a car.

32:05
And you know what you're it's, it's being brought up.

32:09

And I was like, OK, OK, so Officer Herrera had advised that you and him and then also with Sergeant Kahn met probably three to five times after the incident around the time of the civil suit.

32:28
And he and he and he said like a different like highlight points.

32:32
So the civil suit like when it was hitting the news, that sort of thing, you guys would have or had meetings.

32:39
So you don't recall any of those?

32:40
Not at all.

32:42
OK.

32:43
On one occasion and he actually provided me a picture of this.

32:46
I guess this was around October again, October 2022.

32:52
You and you and Officer Herrera went for a run on Oroville Dam after you were put on admin leave.

32:57
Do you recall that?

33:00
I think I did, I think I did go for a run with him on the dam.

33:03
I did go for a run with him on the dam.

33:07
I think I may have gone for a run with him on the dam.

33:09
OK.

33:09
He, he sent me a picture.

33:11
I guess he took a selfie of you too.

33:12
So he was like, yeah, here it is with the, with the date, you know, so it was, it did.

33:19
There was a picture.

33:20
It's hard to see because it's his face and he's holding up the camera.

33:24
So you're kind of in the background.

33:25
But he says that to you.

33:27
So I'm assuming it is.

33:29
They apparently have it on an e-mail.

33:30
So otherwise I would show it to you to confirm.

33:33
But no, it's probably me.

33:34
I do, I do vaguely remember going for a run with him, but that was mental health run.

33:41
Not we're going to talk about that type thing.

33:45
You know what I mean?

33:45
Because like I said, he was, he was in a bad place at that point in time.

33:48
I don't think I was in the greatest place because I was, you know, concerned about my future.

35:22
[redacted] PC 832.7

35:27
[redacted] PC 832.7

35:38
[redacted] PC 832.7 .

35:41
[redacted] PC 832.7

36:05
OK.

36:08
And again, this is, this is just off of his statements to me.

36:11
So again, I'm not saying they're, they're true or what his mindset was, but...

36:13
No, I get that.

36:16
I just, I, I, he, he stated that during these meetings, you specifically and expressly told him that you had heard him make the Neal Rd. joke on the date of 9/1/22.

36:27
You told him that this is after the fact during these later meetings, but that you had, that you had in fact heard it on the 1st, September 1st.

36:35
And you told him that you heard it and believed that maybe [redacted] complainant had also heard it and that it was your opinion, meaning yours, Robert, that when you reached Neal Rd. that's what kind of triggered her and caused her to change her demeanor.

36:48
So, does that ring any bells for you?

36:51
I think so.

36:52
Remember when I told you that he told me he was going to tell the Dusty about, about the statement?

37:00
I think I think I did say something to him about maybe, you know, maybe she heard it because I was trying to justify, like not justify, but trying to find a logic in the whole thing.

37:08
Like I don't know why she wanted out or she wanted out or any of that.

37:12
You know what I mean?

37:12
Like I've, I've tried to run this scenario through my head 1000 times.

37:16
I've tried to think like I know there's a bunch of transient camps over there.

37:19
Like I've tried to find a reason, any reason for why she would have wanted out of the vehicle.

37:26
And that was one of those things when he said that I was like, well, maybe, you know, maybe she heard that and that maybe that's why she wanted out.

37:33
If, if, if she possibly heard it, it doesn't, I don't, I don't know how she would have heard it, honestly.

37:39
Like the vehicles were far enough away, like I, I don't know how she would have heard it.

37:43
And that's why I like everybody knows that I have, I've had hearing damage.

37:46
I've, I've deployed to Afghanistan twice.

37:48
I have a hearing aid.

37:49
Like everybody knows that if you say something to me, you have to like, you have to have my attention.

37:54
I have to be focused on you paying attention.

37:56
So like I said, like I, I, I never heard him say it.

38:00
He could have said it right in front of me and I just, I didn't get it.

38:03
But I, I am saying I never heard him say it.

38:06
OK, then you don't know if complainant heard it?

38:09
That was just an assumption on your part that like I said, I was trying to find any, any reason to make sense of the whole incident.

38:18
But if, if she was in the back seat of the patrol car, I don't, wouldn't you recall if the window back window was rolled down or was it...?

38:23
I, I don't remember if the back window was rolled down.

38:28
But even like I said, even if, even if the back window was rolled down, I don't see how she would have heard it because there, I think there's a generator on the MRI machine.

38:39
It, it's, it's loud and noisy out there.

38:40
It's the outside of a hospital right near I think there's a maintenance bay near it or something like that.

38:44
Like it's, it's a noisy place.

38:50
So when during some of these meetings that you had, was there ever, there was never, or I should say, was there ever a plan of action on your part to deny hearing the joke because it was only the three of you guys?

39:07
No.

39:07
OK, so going back to the actual date of the incident, September 1st, 2022, do you recall having any type of radio RIMS or other technology technological difficulties?

39:22
Yes.

39:23
So we have RIMS on an iPhone.

39:25
I think it's an iPhone 10 or it's an iPhone, a newer one, but not the newest one.

39:32
And it was constantly crashing.

39:34
It would constantly crash maybe one or two times a shift.

39:38
So I had hopped in my car and started to leave.

39:41
I'd advise mileage and I was leaving.

39:46
I was en route to an unknown unknown location in Chico.

39:49
I gave my mileage and I started my trip.

39:52
And to check your RIMS, you have to swipe down to refresh it and it'll freeze.

40:00
And when it freezes, the common practice was to do a hard reset on your phone.

40:04
You could shut the application down all you wanted, but then there was some sort of Rico update or something that it wouldn't it wouldn't load in again or if it did load it would take like 45 minutes to an hour to even log back in.

40:18
So the easiest way to log back in was to hard reset your phone, turn it back on and then log in.

40:25
[redacted] PC 832.7

40:32
I was told by my supervisor, Sergeant Khan, that that was the fastest way to fix it.

40:36
[redacted] PC 832.7 .

40:42
So just in because again, I don't have familiarity with the RIMS, just kind of going through the case and whatnot.

40:49
In my understanding, and correct me if I'm wrong, is that it's essentially like a phone-based app, is that..?

40:52
Yes, Yeah, sorry about that.

40:56
It's it's a phone-based app system.

40:59
You can review your calls, you can look up known subjects in our database and, you know, access quite a bit of material.

41:08
OK.

41:09
And then so when you were having issues, what's and does this do the issues happen frequently?

41:16
I think you said yes.

41:17
Yeah, like once or twice the shift is not a unheard of thing to reset your phone.

41:23
Are you what are you required at that point to just make any kind of notification, whether it be your supervisor or dispatch just to let them know "Hey, I'm shutting down RIMS."

41:32
Not at that time.

41:33
We weren't required to notify anybody on anything.

41:35
I don't know if they have changed the policy since then, but we weren't there was no hey, my RIMS is down.

41:41
You know, sometimes we would advise dispatch, my RIMS is down and I'm trying to look up somebody Can you look them up?

41:48
But Oroville is mostly like a radio based operation anyway.

41:52
Like we run 27's, 29's, like we run all of that through our radio.

41:57
Unless you're tech savvy and can use RIMS really well.

42:00
And I never figured it out well enough to run people a lot.

42:03
I figured it out a little bit here and there, but I would have to spend way too much time trying to figure it out.

42:09
So, so RIMS works independent of the radio.

42:12
So if RIMS goes down, the radio system should in theory still work?

42:17
Yes.

42:18
OK.

42:18
And then if for some reason RIMS and the radio would go down, what would be your secondary method to communicate?

42:24
My personal cell phone.

42:28
OK.

42:29
And then do you get a..does or we'll give you a...I think you said the RIMS is on a iPhone.

42:35
Is that a work cell phone that they provide to you?

42:37
It's a work cell phone.

42:38
OK,so then essentially you might have two phones with you when you're on shift, correct? Your personal and your work?

42:41
Yes.

42:44
OK.

42:45
And then in your experience, have you ever had to contact dispatch your supervisor or Coworkers via one of those cell phones instead of RIMS or the radio?

42:57
Yes, if I'm like away from so I've I've used my either my work phone or my, my personal phone when my radio, my handheld radio was wasn't working and I was away from the car.

43:06
If we would have issues with RIMS.

43:09
But most of the time I would just use my patrol radio, which I think I kind of know where we're leading to on that one.

43:17
Well, I mean, yeah, I might get there.

43:19
So just I got more questions.

43:21
I'm just I'll go down line.

43:22
So I stay, stay on pace.

43:26
Let's see.

43:29
And I know you said earlier that it's not uncommon to provide transportation to Chico.

43:36
So, and I know in your previous interview you said that you occasionally at least have radio issues when you travel to Chico.

43:46
Is that correct?

43:47
Yes.

43:48
[redacted] PC 832.7

44:02
But we were in the process of transitioning over to a whole new digital based radio system because it was a known issue.

44:11
I believe, I believe, I believe Khan even states in his interview that he knows like our radios were garbage like they weren't working very well in town.

44:23
They worked decent unless like there was a big cloud like our radios were really not that good.

44:30
Since then they've transitioned to a new radio system and it works way better.

44:37
And to your, I'm just going off of your your knowledge base.

44:42
I'm not asking any technical expertise, but what do you attribute the issues being?

44:48
Is it the distance from like a repeater antenna or is it like weather based?

44:53
I have no clue.

44:54
I think it was just like they were new radios off of an old system.

44:59
I believe it what it was and that's why they were in the transition to get to a new system.

45:03
But I'm not I'm not entirely sure.

45:07
I just know that depending on where you were in town, sometimes you had no working radio and normally like you got a past the big hill on the way out of town.

45:18
If you were lucky, you would make it to the split between Butte College and Chico.

45:24
OK.

45:26
And so, yeah, and this is I'm just going off again, my CHP experience.

45:33
So, so pardon me for that, but for CHP, when we go from one area to another or we're travelling, we have the option of switching frequencies to basically have better radio coverage.

45:49
Is that something that Oroville PD has say for instance, you could switch to like Chico PD and let them know?

45:57
I mean, in theory we could.

45:59
We don't normally operate that way.

46:01
If we were doing like mutual aid, we have those other channels.

46:06
I, you know, I guess I could have done that, but it's not a practice that's taught or practiced unless, like I said, we're, you know, if I was doing something and I was working in Chico or we worked at Butte

County Fair, they're like, hey, you know, we picked Tac 1, so you go to Tac 1 and you know, your, your radios work, but our dispatch also doesn't monitor those.

46:27
So I would have had to also advise our dispatch, which is, you know, thinking of it now, it's not a bad idea, but at the time it was above my level.

46:38
No, I get that.

46:39
I just, I'm, I'm just curious.

46:40
Like, so let's hypothetically like, let's say you were transporting to Chico, but then for some reason you get into like a, let's say a pursuit or a combat shooting or something.

46:51
And obviously now with spotty radio coverage, is that, would that be a, I guess an option for you like to switch to Chico and just put it out?

46:59
"Hey, Oroville, whatever your call sign is on Chico, I'm having this issue."

47:03
I'm not saying, you know, I'm not questioning why you didn't use it.

47:06
I'm just saying it would, is that something like a situation where you could see using that?

47:11
Yeah.

47:12
OK.

47:12
Yeah, I could see that.

47:14
Most of the time I would just I would, I would have called though.

47:17
Yeah.

47:17
I would have been like, there's this going on.

47:21
Yeah, no, I get it.

47:22
What is, if you had to switch to Chico PD and I'm not saying, you know what, what's the process?

47:27
Is it just a basically a button push or is it..?

47:30
It's a dial on there and you look down at your radio and you cycle through the dial.

47:33
OK.

47:34
I think we had we had something similar to that on our scanners.

47:37
We could do that.

47:40
OK.

47:41
So in in your, in your previous interview, you stated that as you were driving back, you began to hear some chatter over the radio.

47:49
But did you ever lose radio service?

47:52
Oh, yeah.

47:52
I lost, I lost radio service probably about, I'd say two or three miles out of town.

48:00
When you leave Oroville, you hit Oro Garden ran or Oro Oro Garden, is it Oro garden or no, It's Garden, Garden view.

48:07
It's where the after Bay is.

48:08
And you crest this hill and then you come down and it's immediately starts to get spotty.

48:13
Sometimes you can hear like broken transmission.

48:16
And then a little bit after that we normally lose, you know, lose it all.

48:22
OK, so then, so that was when you're on your way out and then at what point did you get the surface back?

48:28
I'd say about the same time I was coming in, I think it actually popped through as I was starting to come up the hill, I started to hear some broken transmission and I was like, OK, that's a lot of transmission.

48:41
And there was no cars on the road.

48:42
And that's when I looked down at my phone because I thought my phone had come back on because I, I was trying to reset it.

48:48
But then I was also driving and there was traffic and that's why I didn't entirely, you know, get through the free login process.

48:55
So I looked down at my phone and got everything logged back on and was cycling through and I saw where the other two officers were.

49:04
I think they were right behind the Police Department at what they thought was a burglary.

49:09
And by the time I came up, I started hearing transmission of a fire.

49:14
And that's when I ended up giving up like my final mileage because I had everything, I had a good communication and I got sent to the fire code 3.

49:24
So just 'cause I'm not familiar with the area, what would you estimate the distance is from the point you lost radio to, to like I'm assuming Neal Rd. where you dropped [redacted] complainant off?

49:35
What's that?

49:36
What would you say that distance is like how far did you travel without radio coverage?

49:41
I guess I'm trying to think of where I, I think maybe 10 miles.

49:51
OK, maybe 'cause I think it's, I think it's like 20 something miles to Chico and Neal Rd.

49:56
Is almost in Chico.

49:58
Like I've I've gone back and played out the scenario and was like, man, I was so close.

50:07
So I think it's maybe between and I, I don't know.

50:11
I'm not, I'm just ballpark is perfect.

50:13
I just, I'm just curious because I don't, again, I don't know the area.

50:17
Yeah, no, it's wondering how far you had to go with without radio.

50:20
It's about, I would say probably 10 miles down and you know, maybe 10 miles back or around 14 to 20 miles between both, you know, to and from.

50:32
So and you mentioned earlier, you know, you, you knew when you kind of gave me your understanding of Oroville PD policies regarding transports.

50:42
So if you're having radio issues, yeah, I mean, I, I guess you, you already stated that you, you what did you do to provide the required information to dispatch?

50:51
And you, you essentially stated that it was when you got back into town and had radio.

50:56
When I got back into town, when I got back into town, I'd given, I gave my mileage.

51:02
And then I know there's like the question of, you know, why didn't you use your cell phone or, you know, and I was honestly dumbfounded by the entire situation, trying to wrap my mind around it because it happened that like that randomly, you know what I mean?

51:16
Like I was trying to get her home and then all of a sudden she freaked out and I was like, OK, I pull off the side because I didn't want to let her off on Hwy 99.

51:26
So I go, you know, I, I, I grew up in this place.

51:29
I grew up here.

51:29
And I was like, OK, where's the safest place that I can let her out because I'm going to listen to her wishes, but I also don't want to put her in danger.

51:38
So I pulled up to that big old dirt tractor trailer turn out spot and let her out.

51:43
And then she started kicking rocks at me and motherfucking me.

51:46
And I was like, "bye."

51:49
Like that's this is like, I don't, I don't know what else to do.

51:51
And you know, I thought about like, you know what, you could go rearrest her, but then we're just going to do this over and over again.

52:02
So, you know, I, I hopped my car and I left.

52:04
And the, the second I had the calm moment, I did let my supervisor know, hey, like this lady freaked out and I let her off on the road and he said, OK.

52:17

Did you ever, I know you said you, you have radio issues out there, but did you, did you attempt to put it out over the radio at all at the time you dropped her off?

52:28
No, because I knew my radios didn't work in in Chico or anywhere near outside of town.

52:37
Hindsight's 2020.

52:38
No, no, I get that.

52:40
I'm not trying to Monday morning quarterback you all to death.

52:43
I'm just, I'm just asking again, these are the questions I'm going to I'm going to get asked.

52:48
So unfortunately I got to ask you them because you know the answers better than I do.

52:56
And then and you said, I think you said already, but and you didn't you didn't think to use your cell phone because you were just kind of dumbfounded at kind of what happened.

53:05
Yes.

53:06
OK.

53:08
And let's see.

53:11
And so when you provided the information over the radio at the time you got back into Oroville area, I believe I read in the the previous interview that you hadn't you didn't or you didn't remember to write down what the ending mileage was so you provided the basically the mileage when you got back into Oroville, is that correct?

53:33
Correct.

53:34
OK.

53:37

And then you already mentioned you you'd shut down your RIMS earlier right after given the starting mileage because it was giving you some, some issues.

53:52
Yes, Sir.

53:52
Like it when it freezes, it entirely freezes.

53:54
You can't access anything.

53:57
It just, it becomes a paperweight.

53:59
But at that point you didn't, you didn't turn off your radio and while you were still in Oroville, your radio was on and you never turned it off?

54:06
I didn't turn my radio off at all because I know that there's some, some questions of whether I was trying to hide my location or anything like that.

54:15
And I, you know, I reset the RIMS.

54:18
That's the only reason that the work phone got hard reset.

54:21
I left my personal phone on and I left my everything in my radio on or everything in my patrol car on.

54:27
So my radio was on, my handheld radio was on, everything else that was supposed to be on was on.

54:35
And then and I, and I know this came up in the past one, but there's I think a GPS on your guys' patrol car.

54:43
And then what if you know what, what controls that?

54:46
Is that based with the radio or?

54:48
I didn't know if there was or wasn't a GPS.

54:50
I or maybe there's not.

54:51
Maybe I, I thought I was gonna say, I always thought there was GPS in our patrol cars and tell this incident when they were like, there's no GPS in your patrol car.

55:02
It's all through your phone.

55:03
And maybe I didn't, maybe I misread it.

55:06
Yeah.

55:06
And I didn't know that.

55:07
I was like, you know, I, I thought there was a GPS in our car 'cause I'd even advised, advised them, like, you know, I left my personal phone on, you know, I mean, like I'm, I, I wasn't trying to hide any of this, anything about where I was, where I was going, because I know that that got brought into question.

55:24
I don't know if it got brought into question during this or with the civil suit, but you know, I mean, like I, I was never trying to hide any of this or where I was going or what, what happened.

55:35
No, And I, and I get, you know, and I read that too, you know, I, I get where somebody could see that and I'm sure you do too.

55:41
Oh, no, I just based on the everything that happened, I guess in hindsight, like you said, it's, you know, it doesn't look good, you know, but and I know that previous investigators kind of said, you know, hey, man, you had these these layers of protection and you know, it just each one, you know, you kind of didn't utilize and that would have saved just maybe, you know, some some of these issues.

56:02
But so you'd stated previously that while you were in en route to Chico, that [redacted] complainant mood or attitude, if you will, changed.

56:13
And she kind of became adversarial.

56:16
Yeah.

56:17
So it was like we we literally passed the Butte College exit and we were cruising up towards the Neal Rd. exit and I crested the hill and I remember the light going from red to green.

56:29
And when the light turned green, she freaked out.

56:32
At least that's, that was, that's my, my remember of it.

56:34
I was like, I remember the light turning green because I slowed down for the light because I was coming up the hill.

56:40
And then I just remember everything glowing green.

56:42
And then she freaked out, like "I want out of the car, let me out, fuck you."

56:47
"I want out of the car, I want out"

56:47
And I was just like, OK, like that's where did this come from?

56:54
And then so when, when I got a a copy of the OPD Oroville Police Department body worn camera policy and, and I know you stated it basically should be activated for a lot of things.

57:10
But one of the one of the instances it says that any other contact, this is quoting from the policy.

57:14
Any other contact that becomes adversarial after the initial contact in a situation that would not otherwise require recording.

57:21
Essentially that was an instance where, you know, the body worn camera probably should have been on correct?

57:25
Correct.

57:29
And Monday morning quarterback-ing, I should have had it running the whole time.

57:32
And I don't, not that you have access to the, the stuff afterwards, but every time somebody's in my patrol car has been in my patrol car since that incident, my body camera's been on the whole time.

57:44
There was a, there was a lot learned from this incident.

57:47
No, I, I, I don't doubt that.

57:48
And I, and, and like I said, CHP didn't have body worn cameras.

57:52
We had MVARS, you know, dash cameras and there's there's still, as far as I know, only testing body one cameras in like two of our areas, Stockton and Oakland.

58:04
But I learned because I well, I was I retired as a Lieutenant, but when I was a supervisor, a Sergeant, I learned how beneficial the MVARS cameras were, you know, so oh, yeah, yeah.

58:16
And hindsight, you know, it's, it's basically an amazing, it's definitely a CYA, you know, thing to have.

58:26
So, and this is just me asking some questions while this was going on.

58:32
And again, Monday morning quarterback-ing it.

58:34
But why didn't you just pull over and maybe get out of the car and call Sergeant Khan to get guidance on what to do?

58:42
I, I didn't even think of it.

58:45
I had like this moment pop up from our Academy and it was like, if somebody's not detained and they want to walk away, let them walk away.

58:53

So I was like, let me find the fastest immediate place to stop and give this person the option to walk away or to do what they wish because they were not, they were not detained.

59:07
You know what I mean?

59:10
But and and I'm just I'm assuming because it's a patrol car, but she can't open the door from the inside, correct?

59:17
Not at all.

59:19
I get and that's that's why I like fastest possible place.

59:22
I can pull over safely and open the door and she can be free was what popped into my head.

59:27
OK.

59:29
And I'm just what I, when I was a supervisor, you know, I guess one of the and fortunate and, or unfortunate things about being a supervisor is, you know, when an officer contacts you that, you know, basically takes the monkey off of your back and puts it on the Sergeant.

59:44
That's why I that's why I asked the question, you know, put, you know, put Sergeant Khan in the position to make the decision.

59:51
And then that way it kind of takes it off of you.

59:53
Like, hey, what you wanna do?

59:55
Was it ever a thought?

59:57
I know you said you thought first, but maybe in hindsight couldn't you have just turned around and either got back into radio contact, you know, with dispatch or indoor Sergeant Khan, you know, turn back around and get to where you have radio coverage.

1:00:13

Yes, I, I have entirely thought about that and that's, you know, kind of where my mind was going on the way back to town.

1:00:20
But then, like I said, I got sent to a fire code three.

1:00:24
It was a big brush fire where known transient camp.

1:00:27
There were known transient camp is and then when I like I ended the fire and went to Sergeant Khan immediately.

1:00:34
What I mean like while you still had complainant in your car.

1:00:37
Oh no, I I did not think to turn around and get to radio contact.

1:00:40
I, like I said, I pulled over and let her free immediately was the only thought process that I, that was going through.

1:00:50
And yeah, and the reason, and so the reason why you didn't just put your, your ear plugs in, so to speak, and keep going towards Chico was because you, you felt it was a courtesy transport and you didn't want to keep her any longer than she wanted to be kept?

1:00:57
100%.

1:01:06
Like, you know, like I said, there's that, that the defining moment that is ingrained in my, my, my mind from the Academy is whether, you know, a consensual contact is a consensual contact.

1:01:17
If they want to be free, they're free.

1:01:18
I have no legal obligate or not, not obligation, but no legal authority to detain somebody any longer than they can.

1:01:25
And if you, if you do like, you know, it's a serious amendment violation.

1:01:30
And then the second part that popped into my head was she is in a cage in your patrol vehicle.

1:01:37
And if she feels like she's being moved somewhere that's not good for her, that also pops into a kidnapping scenario, all under the color of authority.

1:01:47
And I, you know, I mean, like, I was like, no, we're not.

1:01:50
We're going to stop and we're going to let her out because she wants out.

1:01:52
And it can be a an extremely dumb decision to be let out here, but she's a human being and it's her right to have that decision.

1:02:02
And then so you stated when when you got back, back and clear.

1:02:07
Was it when you cleared the fire call that you made contact with Sergeant Khan?

1:02:10
Yeah, I cleared the fire and I, I can't remember if he showed up at the fire or if I went to him right after I cleared the fire.

1:02:18
And I was like, hey, just so you know, she freaked out and this is where I let her out.

1:02:24
OK.

1:02:26
Because Sergeant Kahn advised that you would never...

1:02:30
He, this is when I interviewed him.

1:02:32
He you he advised that you never told him about having issues with it with [redacted] complainant when you got to come back into Oroville.

1:02:38
So are you saying that you did and he maybe he just didn't remember it or?

1:02:41
100%?

1:02:44
I said, hey, she freaked out. So I let her out here and he said, OK.

1:02:48
I know in his interview because I have my I have the whole IA.

1:02:52
He says that he doesn't remember.

1:02:55
And then, you know, he says that if he told me, he told me because I'm not a liar.

1:03:01
I have some, some issues.

1:03:03
No, no.

1:03:03
Yeah, I got, I remember reading that too.

1:03:06
I remember reading that too.

1:03:07
And I, my, my understanding I'd have to go back and read it, but I, I think it was related to basically just your ending mileage or, or like that you dropped her on Neal Rd. but not necessarily about having any kind of issues with her.

1:03:25
I could be wrong.

1:03:26
I'd have to go back and read what his initial statement was to the investigators.

1:03:30
I'm just going off of what he told me, 'cause then he stated again that the first time he heard about dropping her off on Neal Road and having issues with the transport was after the civil suit was filed, which was like a month later.

1:03:47
And I would, I would say I disagree with that because when he called me before I even got notified of my IA, he said, you remember the lady you dropped off at Neal Road?

1:03:55
And I said, yeah, he said she filed a complaint because she was saying she was hit by a car.

1:04:01
But you know, like I said, I didn't, I didn't make, I just, I didn't tell him.

1:04:05
I didn't tell him all of the details.

1:04:07
I was like, hey, she freaked out and wanted out of the car.

1:04:10
So I let her off here.

1:04:11
That was, that was the extent of it.

1:04:13
We didn't go on any details.

1:04:15
I just let him know, hey, she was in my car, she wanted out of my car and was freaking out, so I let her out on Neal Rd.

1:04:21
But then he doesn't say that he thought Neal Rd. was closer to Estates Drive, which is he's our pursuit guy, like he knows exactly where Neal Road is.

1:04:33
He grew up here just like I did.

1:04:34
No, I, I got that too.

1:04:36
Yeah, I, I, I know he, I know he said he thought it was Estates Drive.

1:04:41
And I kind of asked him about it.

1:04:42
And even when I asked him about it, he was very, just kind of very vague.

1:04:48
I guess he put he played everything and and you know, and I, you know, I can't just like with you, I can't, you know, I'm just asking you a question.

1:04:56
And if he says I don't recall, then, you know, I, I can't prove that he's, you know, lying.

1:05:00
I just have to take him at his word that he's telling me the truth.

1:05:06
And so did, other than mentioning it to Sergeant Khan, did you tell anybody else about the incident or, you know, the issues like I'm, and I'm talking about like now, like like the day and like day or slash morning of, you know, or like when the, when you were preparing the report anytime just in that...?

1:05:13
Not at all it it, it honestly, it didn't pop into my head at all.

1:05:33
My supervisor didn't think it was a big deal.

1:05:34
So I didn't think it was a big deal at all.

1:05:36
Like it was like, like, again, I guess you know, one of those things like she's a, you know, a, a free person who has rights.

1:05:42
She wasn't detained.

1:05:43
She wanted out.

1:05:44
So I let her out and then I made sure that I let my supervisor know there's a, there's a 20 minute window of huge mistake where I should have, I should have called him.

1:05:53
I should have, you know, pulled away from her and pulled down the road and called, you know, but hindsight is 2020.

1:06:00
Like, like we've been saying, there's a lot of things that I, I did wrong.

1:06:05
I 100% did them wrong.

1:06:07
But you know, I learned from it.

1:06:09
None of it was malicious.

1:06:12
That was a baby cop then.

1:06:14
I'm still kind of a baby cop in the, in the, you know, in this game of things.

1:06:17
Cause I've only been a patrol officer for 3 1/2 years on the street.

1:06:21
And then I had this last admin leave that was so long.

1:06:24
So, you know, I mean, like, I'm still, I'm still learning.

1:06:26
I, I think I'm a significantly better cop than the incident cause of how much caution I've taken from it.

1:06:33
And, you know, so there's all that.

1:06:37
Yeah.

1:06:38
I mean, you got to learn from the good and the bad, right?

1:06:40
Yeah.

1:06:40
Unfortunately and I and I know your statement was that she wasn't handcuffed or you do not recall handcuffing her.

1:06:50
So I'm not saying that she was handcuffed.

1:06:53
I'm just asking if I mean we can even generalize it.

1:06:58

If somebody is handcuffed and in back of the cage car, would you consider that being in custody or not free to leave?

1:07:07
You know, that's a confusing question because I know some places have policies where like if somebody's in the back of their car, they have to be in handcuffs.

1:07:10
Which yeah, that's and that's how CHPS, that's how CHPS is.

1:07:13
And you know, I understand that, but I think with the difference between that would be it was like, OK, so are they in a formal state of detention?

1:07:28
Potentially, yes, because if they say they want out and you have no reason to hold them, that's that's your ass.

1:07:35
You know what I mean?

1:07:36
Like you're going to be the one that's getting in trouble if you don't let them go.

1:07:38
Whereas if they say they went out and you're like, OK, I'll let you out and then you get out and you take the handcuffs off immediately.

1:07:44
I don't, you know, you get where I'm going with that.

1:07:47
Like it's no, no, I understand.

1:07:49
I'm just, I'm just trying to I guess get your thought like if somebody was well and let's I'll take it a step further because she had been at least arrested on the trespassing.

1:08:05
If let's say, let's say you never cited and released her and you had her in the patrol car.

1:08:11
But you just let's say you got okayed to take her to Chico from that point, but she was still handcuffed, arrested for a misdemeanor in the back of your patrol car.

1:08:20
She wouldn't have been free to go.

1:08:21
She would have been in custody right until you cited and released her out to maybe a family member or something else.

1:08:27
Yes.

1:08:28
OK.

1:08:32
And then I guess I'll just reiterate you don't recall putting handcuffs on her at Oroville Medical Center the second time you were called out?

1:08:40
Not at all.

1:08:40
And I'm almost willing to go to the point where like she wasn't in handcuffs when I let her out of the car.

1:08:45
So I didn't put her in handcuffs at the hospital.

1:08:47
Well, that was, that was going to be my follow up question was, and you know that you don't recall having to take handcuffs off her when she got out?

1:08:53
Not at all.

1:08:54
I like I said, yeah, no, I, I never put her in handcuffs at the hospital because when I opened up the door, I was like, what?

1:08:59
I, I asked her.

1:09:00
I was like, what's going on?

1:09:01
Are you OK?

1:09:02
And she just started walking like power walking.

1:09:05
And then she got really ****** *** and then started throwing rocks at me.

1:09:10
And I was like, I'm not going to stick around for this.

1:09:16
And I know you kind of given your, your opinion, I guess, if you will, of like courtesy transport somebody who you're just giving a ride to essentially.

1:09:28
But the I guess the difference, at least the way I kind of see it, is as I kind of mentioned earlier, she was arrested for a misdemeanor and required medical attention for the jail staff.

1:09:40
And then your arrest report was that she was either most likely under the influence of a stimulant and/or having some kind of mental health issue.

1:09:48
Guard , who was a retired officer, stated that she was definitely under the influence of drugs.

1:09:56
And then Herrera and Khan stated that, kind of like you, she was either under the influence of something and or experiencing some kind of mental health issue.

1:10:05
So I guess the, the question would be, do you think she was in a position to make a good decision for herself, for her well-being at the time she wanted out of the car.

1:10:15
I would go with at, at the time, I was thinking, yes, because she had made all of the right decisions, you know, to put herself in a better situation.

1:10:30
She wanted to go home.

1:10:31
She lived in Chico, you know what I mean?

1:10:32
She was making a, a smart choice.

1:10:34
It wasn't like, oh, no, I want to go play in traffic or oh, no, you know, I want to.

1:10:39

So if if you're wondering, like had I thought 5150 maybe for like a split second, but then she was making this the right decision.

1:10:48
She wanted to go home, you know what I mean?

1:10:51
But until she, you know, flipped and until she flipped, maybe my mind should have slowed down and started assessing some other scenarios.

1:11:05
But that's my mind.

1:11:07
My mind didn't go there.

1:11:08
I was thinking detention, unlawful detention.

1:11:13
And that's, yeah, that's where I arrived to my conclusion.

1:11:17
But generally speaking, and again, not necessarily in this instance, but if, if somebody was under the influence of narcotics or having a mental health issue, do you feel like they can care for themselves?

1:11:31
Not if they're trying to hurt themselves, but they're, I mean, this is a, it's a loaded question without being...

1:11:38
No, no, no and I get that.

1:11:39
I'm, I'm not trying to, I'm not trying to tie you down for this one in specifically.

1:11:43
I'm just generally speaking, are they normally able to care for themselves?

1:11:48
You know, and again, I'm not putting it on her because I know you said she was answering questions and making good decisions up until that point.

1:11:55
So, but it just generally speaking, not so generally speaking, like making good decisions is like it's, it's a slippery slope.

1:12:05
I normally base mine off of like, are you going to cause harm to yourself?

1:12:08
You're going to cause harm to your others.

1:12:10
And that is, you know, I didn't feel like she was trying to cause harm to herself or others.

1:12:17
She hadn't been violent.

1:12:18
She hadn't been doing anything like that.

1:12:19
So, you know, do I?

1:12:21
Did I think it was a good idea?

1:12:23
No.

1:12:23
But did I think she was making a horrible decision or an unsafe decision?

1:12:29
No.

1:12:31
That's, you know, again.

1:12:32
But like, that's why I stopped.

1:12:33
If I thought she was going to try to put herself in harm's way or anything like that, then I would have intervened.

1:12:40
But I don't know if I'm answering like I...

1:12:42
No, no, yeah, no. I just, and I know it is kind of a loaded question, but and I guess I'll go back to the take it back to the incident.

1:12:50
Like so at the point she's mother-f'ing you and throwing rocks and kicking rocks or whatnot.

1:12:57
I mean, essentially she could have potentially tried to harm you, right.

1:13:01
If she was if you were to try to go hands on with her again.

1:13:04
Yeah.

1:13:04
And that was the reason I decided not to go hands on is I'm in a remote location all by myself with a radio that doesn't work and you don't really make phone calls in a in a fight if you're going to get into one.

1:13:16
And I didn't feel that it was necessary to necessary or worth it to try to re engage.

1:13:23
All right, so in your previous or...

1:13:26
Let me not say worth it, let's say not worth the potential escalated factors that could have come from it.

1:13:39
You know what I mean?

1:13:41
Obviously people are worth it, but like is it worth it to go hands on with somebody in the middle of nowhere when you can not?

1:13:51
No, I get that.

1:13:53
So, and I guess because you've said you've taken other transports to not even generally, not even to Chico just, but if it's just a courtesy transport at the point that you drop somebody off, are they usually code 4, you know, well within their, you know, minds and whatnot?

1:14:12
I would say yeah.

1:14:13
Like that's why this is the first time anything like that had happened.

1:14:17
You know what I mean?

1:14:19
Which is probably why I was flawed in how I reacted.

1:14:25
And then in your in your previous interview, you had stated that at the point that you cited and released her at the hospital that you didn't feel like she was 647 F Is that correct?

1:14:39
No, she was extremely calm.

1:14:40
Like she sat there calm and patient waiting for me to fill out her site at the front of my car.

1:14:48
OK.

1:14:51
And then, but in your report you stated that she was most likely under the influence of something.

1:14:59
So you see how there's a little contradiction there.

1:15:02
No, I, I get that.

1:15:03
And I just, I didn't want to, I'm trying to think how to say like, I didn't want to leave it out just in case it was there.

1:15:11
Because when I, when we, like I said, when we initially contacted her, I had thought that she was on something.

1:15:17
So I don't know if I was when I was writing my report.

1:15:19
I don't know if I wasn't even thinking about the ending point where she was calm or if I was just thinking about the interaction at the location.

1:15:27
All right, because most of the time when I do that, I do, I do review my body cameras.

1:15:31
So it was like, you know, you're reviewing it as you're watching it.

1:15:34
And then I went from there.

1:15:38
And then, but you prepared the report the next day or on the 2nd.

1:15:41
So the whole incident with her and the ride had had occurred already, but you didn't include that in your report.

1:15:49
No, I did not.

1:15:50
How can where would you put that in there?

1:15:53
I, I honestly, I didn't think of it and I was thinking of it as a separate incident and that was, I was stupid and didn't put it in there.

1:16:03
And then just a, this is just a, a question again, I'm kind of a Monday morning quarterback-ing, but why not just at the point that you, you know, we got to the Medical Center, Why not just get the clearance and follow through with booking her into the jail?

1:16:22
Because that takes a very long time, normally like two to three hours tied up at the hospital.

1:16:33
And we run two patrol officers and a Sergeant for a city that needs probably 4-5 on patrol.

1:16:42
All right.

1:16:43
So, yeah.

1:16:43
So the mindset was more just getting back to answering calls, getting back to, yeah, being able to

answer calls and take care of my teammates when I needed to so he could take care of me when he needed to.

1:16:55
And then.

1:16:56
So when when you got sworn in to Oroville, you know, 3 1/2 or whatever years ago it was, I'm assuming you were given some kind of oath to protect and serve the, you know, citizens of Oroville and the state of California.

1:17:11
Yes

1:17:12
And up and to uphold their constitutional rights?

1:17:16
Yes.

1:17:18
OK and then it's this is included in your Oroville Police Department policy.

1:17:24
But I'm just going to ask if you're familiar with the law enforcement code of ethics.

1:17:30
Yes, All right.

1:17:32
I mean, I, I have it written down, I could read it to you if you want me to, but essentially kind of says the same thing.

1:17:37
You know, it's your duty to serve the community, safeguard lives and property, protect innocent, you know, respect constitutional rights.

1:17:46
Does that sound familiar to you?

1:17:49
Yes, it does.

1:17:50
OK.

1:17:50

1:19:00
OK, so having kind of that knowledge in in mind, do you feel like you put [redacted] complainant [redacted] in a position of greater danger when you left her on Neal Rd. without her shoes, no cell phone, in darkness, or any kind of money or anything like that.

1:19:19
Obviously, you know, Monday morning quarterback-ing it how how everything went.

1:19:22
I don't feel that I put her in a position of danger, but I don't feel like I put her in a position better than she was.

1:19:30
You know what I mean?

1:19:32
Like I, I, I own the fact that there were mistakes made.

1:19:35
I was trying to listen to her wishes and unfortunately, I, I may have put her in a position that was not for her, not better for her than where she was, which is kind of that double edged sword because here she is potentially getting herself into trouble, violating laws and whatnot versus, you know what, what happened?

1:19:59
Yeah.

1:19:59
And, and I get it and I know she alleges she was hit by a car.

1:20:03
I don't know if that was ever proven or disproven per se.

1:20:07
You know, she ended up, as, you know, the next morning and being found with some bruises, scratches and whatnot.

1:20:14
But generally speaking, putting a female in the dark, with no shoes, no no means of contacting people.

1:20:25
Do you see that as being...?

1:20:27

Yes, that's definitely not a better position than when I mean being in town but or or even or even just in the back of your patrol car until you figure it out right correct.

1:20:42
So as part of the code of ethics and her constitutional rights, that was to safeguard the, the, the life and, you know, protection of citizens.

1:20:52
So obviously, do you feel like it kind of goes hand in hand with that, you know, greater danger, But do you feel like you might have, you didn't safeguard her?

1:21:03
When I feel like I tried, I feel like I tried to protect her rights, but while doing so may have put her in a worse position.

1:21:12
And then I know you've mentioned this already, but you were upset about having to go all the way to Chico for complainant because you were leaving Herrera and Khan to handle the calls, Was that correct?

1:21:28
Correct.

1:21:29
All right.

1:21:31
And then did you purposely or fail to activate your RIMS body worn camera to cover up your actions and plan to drop complainant off on the old road?

1:21:42
Not at all.

1:21:43
And to go back to that last question, and I've, I've, I've asked this question my, to myself a lot of times because I know that I've been, that people have said that I did this on purpose, like, oh, you took her there.

1:21:57
It, it has no benefit to take her there for, for a reason to get rid of her.

1:22:03
None whatsoever.

1:22:05
Because I'm already 99, almost 90%, like I'm like 99% of the way to Chico, You know what I mean?

1:22:11

The reason she was let off there was because she asked to be let out of the car because it was another 50, 50, 60 seconds to be into Chico, You know what I mean?

1:22:22
Like we were that close.

1:22:24
I literally come across the bend and I'm into Chico.

1:22:28
She was left there because that's she wanted out of my vehicle.

1:22:32
And that's, and again, that's the, the Monday morning quarterback in me says, man, just drive the extra 60 seconds and get her.

1:22:40
And, and I and you know, I, I struggle with thinking that because my, my and my chief even said something, which I you know, it's, it's a, a stupid state from for him to make, but it's, it's also the same thing as like, you know, he's like, why didn't you just turn up your radio and pretend like you didn't hear?

1:22:56
And you know, I, I'm not, I'm not that guy.

1:23:00
Like I'm, I'm gonna follow people's wishes.

1:23:04
Unfortunately, this was a stupid one where, like you said, I should have kept her in the back of the car and made a phone call and dumped all that responsibility onto my supervisor versus letting her out and then going to dump the responsibility on him.

1:23:17
But like I said, like, you know, I, I was a young cop at the time, still learning a bunch of stuff, learned a bunch of stuff from it.

1:23:25
So it's, you know, just a very fucked up situation because it's affected not only her, you know, it's, it's, it affected her life a ton, but it's also affected mine and my children's.

1:23:37
And you know, no, I get that.

1:23:39
No, I get that.

1:23:40
And then you'd, you'd made the statement just a second ago about, you know, why, you know, leaving her, leaving her on Neal Road.

1:23:48
You know that there was, it wouldn't do you any good because you were almost a Chico.

1:23:52
But I guess the, the flip side of that could be, and I know I, and I'll be 100% honest, this is what I thought when I first kind of had read this before talking to you and before even really looking into it, was that, oh, he, he dropped her off on Neal Rd. because, you know, now she's whatever, 15 miles away from Oroville, she's on foot, she's going to have to walk a mile back just to get to Hwy. 99.

1:24:17
At that point, if she ever did make it back to Oroville, it wouldn't be during your shift and you wouldn't have to deal with her anymore.

1:24:22
I mean, that's the way I kind of read it at first and I was like, you know, I hope I'm wrong, but you know that that is a conclusion somebody could see by taking her out there.

1:24:34
You see how somebody could have that thought.

1:24:35
I see how somebody could have that thought.

1:24:37
But it was the where I dropped her off is 1/4 mile is not a full mile.

1:24:41
It's a quarter mile off of Hwy. 99 and then it's a two mile walk.

1:24:45
Now, I do look at things a little different for people walking because I'm a United States Army infantryman and and I can, you know, I can, I can walk that in, in 20 minutes, You know what I mean?

1:24:58
Which is probably not the best way to look at the rest of the world because they're not, you know, they're not, they're not built like us.

1:25:04
So they're not doing those things is, you know, like I, I put her in a position to where I felt that she was safe.

1:25:09
And if she was going to make any of those decisions, they were her conscious decisions to make.

1:25:15
I didn't put her there because it would get rid of her from my shift because in my mind she was right.

1:25:22
You know, she was right around the corner.

1:25:23
It was just where she happened to say she wanted out.

1:25:28
I mean, right around the corner to to 99.

1:25:31
But back to get to Oroville.

1:25:32
It would be a while.

1:25:33
It would, that would be a she was right.

1:25:36
She wasn't wanting to go to Oroville.

1:25:37
She was wanting to go to Chico and Chico was, I think a mile and a half up the road.

1:25:43
So I mean, I, I know, I know where you're going with that, but then I, this might be digging a hole for myself, but I don't know if you've dug enough to know that Oroville has a bad history.

1:25:56
And if it was one of those situations where I wanted to get rid of her for my sake, to get rid of her from my shift.

1:26:04
Oroville has the history of taking people to the rock piles in the clay pits, which I believe is why they settled.

1:26:10
And that's in Oroville.

Like I genuinely do this because I like taking care of people and I like the, the camaraderie and I can handle the violence and I can handle the chaos and I can be there for somebody when they need me because I'm built the way to handle that.

1:27:11
I know you understand that.

1:27:12
Cause like this is what you did for your life.

1:27:14
You know what I mean?

1:27:15
There's not a lot of people who can do what we do and hold it together, you know what I mean?

1:27:21
So I mean, I, I get the whole, well, you, you took her there to get rid of her for your shift.

1:27:25
Like if that was my plan, I could have done that and stayed in town and not left my partner for 25 or 30 minutes or however long I was gone.

1:27:34
I dropped her where she wanted to be dropped because she said she wanted out of my vehicle and it's just a whole fucked situation.

1:27:43
OK no I get that and I guess I might have asked this in one way shape or form but I have it written down so I'll ask it.

1:27:51
Do you feel like you provided complainant with the appropriate level of care during this incident?

1:27:56
Meaning, did you drop her off at a safe location given her condition, both physically and mentally?

1:28:06
Again, I, I would, I would answer no, I don't think that I dropped her off in a good location, but I dropped her off in the location that she wanted, which is it's, it's that fucked situation with the 14th Amendment that you were talking about, like the safe care, like it's not always our choice to put somebody in the best position.

1:28:26
And I don't know if I just misunderstood my authority in that situation where I could have denied her that or if I would have gotten myself in more trouble, but I was just trying to follow her wishes.

1:30:29
OK and then let's see I already asked you there are asked you this question about the report.

1:30:36
I'm almost done.

1:30:37
I literally have two questions left.

1:30:39
So looking back, what would you have done differently in this incident?

1:30:45
So I, I kind of changed how I operate entirely.

1:30:50
I don't, I don't provide people courtesy transports anymore.

1:30:53
I think, you know, like if the Pope needed a ride, I might, I might give him a ride.

1:30:57
But other than that, I don't, I don't do courtesy transports, especially to other cities.

1:31:04
I run my body camera 24/7 and everything is excessively documented.

1:31:09
Excessively documented, almost to the point where my supervisor's like, dude, stop putting in stuff and shut up.

1:31:15
I, I make sure that every little detail is noted and it's on body camera and I make sure that I won't ever put myself in this position again.

1:31:24
And then just, and it just kind of popped in my head, but I just want to.

1:31:31
So during the transport, I'm kind of just going to summarize it all and you just tell me, you shut off your RIMS after giving your starting mileage and to an unknown location in Chico, you shut off your RIMS and had to do a hard reset on your cell phone, correct?

1:31:47
So the phone, your work cell phone is turned off?

1:31:49
Yes.

1:31:50
OK.

1:31:51
And then the radio is still turned on.

1:31:54
But because of radio issues leaving Oroville, you didn't attempt to utilize the radio when she started giving you problems, correct?

1:32:03
Correct.

1:32:04
And then your personal phone, you just didn't try to call either dispatch or anybody else, correct.

1:32:13
But it that was available and on you just didn't use it.

1:32:16
I didn't I didn't think of using it because like I said, there's the same reason I didn't call Sergeant Khan.

1:32:21
I was kind of dumbfounded to that about what had just happened.

1:32:25
And I was just driving back and I was like, let me just let me get back so I can go talk to Sergeant Khan.

1:32:30
And then this is my my last question other than to let you say anything else you want.

1:32:36
But, and I think I already know the answer, but looking back at the statements that I gave you from Isaac Herrera about you, you know, him saying that you smirked when he made the comment that you definitely quote un quote heard him and that you made statements to him afterwards and some of the meetings that you had heard it.

1:32:56
Is it still your statement that you did not hear his original statement at the Medical Center about dropping complainant off on Neal Road?

1:33:03
I did not hear his original statement about that.

1:33:06
The only time I heard about it was, again, like I told you when we were talking in front of his house when he told me that he was going to have to tell Dusty that he had made the comment.

1:33:15
And that was before his initial interview?

1:33:17
I believe so, yes.

1:33:18
Yeah.

1:33:19
OK.

1:33:20
That's all the questions I have.

1:33:22
Robert, do you have any questions of me or anything you want to put out there since it's recorded, you know, and that you have an option to, you know, talk about that I didn't ask?

1:33:29
Not really.

1:33:34
What are the, what are the next steps?

1:33:35
Like how long and kind of how long does it take before I hear 'cause I, I want to get back to work?

1:33:41
Honestly, no, no, I and I appreciate that as, as I, when I spoke to you on the phone a couple months back, it's where we're at now is, hey, I wanted to interview you so that I can write up, I guess the way my, my findings, if you will.

1:33:59
And then I have to present those to our, the POST executive people.

1:34:04
And they'll, they'll be the ones that will decide whether or not we submit this to the Accountability Board for review.

1:34:11
And that in that case you'll get notified.

1:36:42
And if they say, yeah, we don't feel it's strong enough or we believe that Robert, you know, had no ill intent and we don't think a board's going to move forward with it.

1:36:51
They might shut me down right there.

1:36:52
And then at that case, I would just write up a closure.

1:36:55
You would get notified, hey, this was closed and your certifications would stay intact.

1:36:59
OK, So yeah, go ahead.

1:37:03
Any other?

1:37:03
No, no.

1:37:04
So other than that, I just, you know, since there's a whole thing where you're going to present it to some people, I do take responsibility for this, right?

1:37:11
I'm not, I'm not trying to dust any of that off.

1:37:14
There was a lot of things that I learned from this.

1:37:18
I did mess up and just let him know that like this will never happen for anybody like me or anybody that I train, because the whole thing is I was trying to become a field training officer and a lot of officers would learn from my mistake because I've, I'm, I'm on campus right now quite a bit.

1:37:34
So I talked to some of the officers and I was like, Hey, make sure you're covering yourselves.

1:37:37
Make sure you guys are not doing this and, you know, make sure you guys are talking to your supervisor.

1:37:42
So, you know, like I, I accept my, my responsibility in this.

1:37:45
I did mess up, but it was not malicious.

1:37:48
I'm not a malicious person.

1:37:49
You could go around this town and, you know, find a ton of people who, who would agree with that, even people that I've arrested or people, people that I've fought, you know what I mean?

1:37:59
I'm not a I'm not a bad person.

1:38:01
And, you know, I've learned from this and I accept responsibility.

1:38:04
So I would like to move past it and continue to, you know, go, go to work.

1:38:09
So, yeah, no, I don't blame you.

1:38:12
And I appreciate that.

1:38:13
And if it does go to, like I said, if it does go to the board, you'll have an opportunity.

1:38:17
And I would almost encourage you to, to take part in it because, you know, other than that, they're only going to hear my side, you know, so if I'm writing up like, hey, he dropped her there.

1:38:27
He did this and this I want you to be able to say, you know, hey, This is why I did it.

1:38:32
This is, you know, and to hear it from you and like the board likes to hear from the officers involved, you know, in my experience of watching them because, you know, they want to ask, because they'll be able to ask you questions, point blank, you know, and say, you know, hey, Robert, why didn't you do this or this?

1:38:46
And you can answer them and maybe, you know, you know, get in their head like, OK, this guy had no ill intent.