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

At the time of the criminal investigation of S1, Weidenkopf was the sergeant supervising that investigation. The lead investigator was Ray Seibert. James Money was also working it. There was a transition period where Bess Rutter came in. Rutter worked for David Hubbard and she came over to PSU when Hubbard transferred to PSU. She would not have come to PSU until the end of summer or August 2021. Rutter came over as part of a deal to come over to PSU with Hubbard from IA.

It was unusual for someone to be in the IA position as lieutenant for such a short period of time. But Kern County Sheriff's Office ("KCSO") needed someone in PSU because the PSU lieutenant had just retired. Hubbard's background was criminal, not administrative. Weidenkopf did not know if Hubbard came to PSU as a result of Hubbard's intervention in the S1 criminal investigation. KCSO had a thing where if you were a lieutenant or higher, you did not have a right to a particular assignment and served at will. Hubbard wanted to stay in IA and was making changes there. It worked out for both the new IA lieutenant and Hubbard for Hubbard to go to PSU.

Juan Trevino was the lieutenant at PSU. As such, he reported directly to the Undersheriff. At that time, the stipulated judgment hit and KCSO needed to put together a new compliance and standards division. That was assigned to Erik Levig.

Hubbard went to this then-bureau chief, Damian Nord, to complain about the PSU investigation of S1. Nord went to Doug Jauch. Jauch called Weidenkopf and Trevino into his office. It was early in the investigation, likely late April or early May. Weidenkopf did not know if Jauch called or texted. Levig came in as PSU commander. Legiv and Trevino also met with Jauch and brought it back to Weidenkopf. They asked Weidenkopf questions to clarify what they had told Jauch and then brought Weidenkopf back up with them to meet with Jauch.

Jauch was satisfied they were not idiots. Jauch ordered them not to give updates to IA. The impression was that something was breaking down in IA, they did not know what it was and they may not have known it was Hubbard. The order was that all communications with IA would be at the sergeant level, but Weidenkopf conceded that communications with IA might have been in the hallway. Danny Perez was brand new in IA as a sergeant. Carpenter was the lead lieutenant on the S1 IA case. As sergeant, Perez supervised the investigators. Weidenkopf did not know if Perez had the IA of S1.

After V1's initial interview after she brought forward allegations against S1, she did not want to pursue it criminally. Weidenkopf's strategy was to interview everyone in detectives and lock them all into their stories. They had the same line of questioning for witnesses and looked for other possible victims. PSU met again with V1 and she again reiterated she did not want to pursue the case criminally. That's when Hubbard started questioning PSU's investigation. If he had a personal interest in protecting V1 or vindicating her, Hubbard would have been motivated to intervene in the investigation. V1 was "everyone's little sister," and was workplace friends. Weidenkopf was not aware at that time that Hubbard's wife was babysitting V1's children.

Weidenkopf did not know that Hubbard was talking to V1 and, after reviewing a memorandum he drafted in December 2021, recalled that Hubbard had talked to V1. Weidenkopf learned from V1 that she met with Hubbard twice outside the presence of PSU investigators. That was before Hubbard transferred to PSU, which occurred about May 21, 2021. It was unusual for anyone outside the unit to have contact with a victim. Had he known that Hubbard was meeting with V1, Weidenkopf would have spoken with Hubbard. Weidenkopf was in IA's offices one day and Hubbard told V1 this is going to have to happen because you deserve justice – that, if S1 did it, he needed to be held accountable.

V1's reticence was based on her desire not to have to testify. She actually did not report it directly. She told a deputy and the deputy reported it.

V1 had a laundry list of medical problems. She had Pott's disease, a syndrome where she'd faint. She would walk up stairs and faint, which happened about once a month. Between 2017 and 2021, there was an ambulance about three to four times, plus KCSO staff got her to the hospital about six times.

Weidenkopf did not know if Hubbard carried her to his office after fainting.

V1 also had allergies to everything and they had to EPI pen her. An analyst drove her to the hospital. Hubbard was not there that day. Weidenkopf would put her in a chair and roll her into the office, where she would recover. Hubbard monitored her. He went to the hospital with her one time and stayed with her, while he sent Weidenkopf's staff back to theoffice. This was in about June 2021. She got transferred over to work with Weidenkopf and Hubbard in late June/early July.

V1 was classified as a Sheriff's Aide. Hubbard and Levig were building the body worn camera ("BWC") unit. They had a room next to PSU on the second floor. There were ten aide positions, but KCSO was only going to staff five of them and leave five vacancies in the Office of the Undersheriff. V1 was assigned to the complaint unit in detectives. Carpenter complained that Hubbard just came in and took her. Things were getting hot for her in detectives after she made allegations against S1 as people were questioning which woman in the building pulled the alarm. So, Hubbard brought her to PSU to save her. Weidenkopf did not complain because V1 was a good worker. Weidenkopf had written a memo to justify an analyst role to be created and the transfer made sense. KCSO did not have any analyst positions at that time.

V1's medical episodes continued and everyone was on the lookout for her because she'd be passed out in the hallway or cubicle. In August 2021, Hubbard came in and assumed supervisory duties over V1. He came in and said he needed her file and needed her in his section. He said she was performing section responsibilities, not unit responsibilities. An "EPR" is an annual review unless an employee is probationary. Weidenkopf did not question Hubbard taking over her supervision. Weidenkopf was relieved because he was supervising a lot of important things at the time and did not want to be any part of what V1 was working.

Looking back on it, there was a chain of causation. Weidenkopf missed it at the time. Hubbard was giving special project assignments to V1. Weidenkopf did not see special treatment, that Hubbard gave her flowers and told her she was pretty.

Weidenkopf only learned of Hubbard's wife babysitting for V1's children in July 2021. V1 drove early in the morning to Hubbard's house, have coffee, and drop her children off. Weidenkopf did not know what agreement there might have been for payment. Hubbard and V1 lived about as far apart as you could in Bakersfield. Hubbard lived in Rosedale, while V1 lived out East.

In April to May 2021, while Weidenkopf was walking between buildings on KCSO campus, Hubbard stopped him and asked for an update on the PSU investigation of S1. Weidenkopf told him that was not going to happen and referred Hubbard to Weidenkopf's chain of command. Hubbard got made and gave a look or said "what the hell" or something to that effect.

The practice up to about May to June 2021 was there was no instance where a prosecutor met with the PSU lieutenant without notifying or involving the investigators. Weidenkopf's practice was that the sergeant and detective met with the prosecutor, not the lieutenant. He brought the lieutenant one time to meet the prosecutor and he sat in the corner and did not say a word. Hubbard did not really attend a meeting with Ken Russell as V1's representative. Weidenkopf had one discussion with Russell about the S1 investigation. He did not know if Russell thought Hubbard was at the meeting as V1's representative or as lieutenant of PSU. Either V1 had cold feet or Russell passed on prosecution.

There was no hard line when it came to conflicts of interest. It's always a hard question for investigators.

S1 lives in Weidenkopf's neighborhood. Two days prior to the case breaking, S1 was in Weidenkopf's driveway with a golf cart and S1's kid. To investgate S1, KCSO needed someone one rank higher than S1. Weidenkopf conflicted himself out of the interview with S1 and Trevino himself did it.

Hubbard is highly intelligence and likely the most respected investigator. He knows the most defensible thing to do is recuse himself in the event of a conflict.

Weidenkopf did not know why V1 put doors on her cubicle. The doors went up in June 2021. Weidenkopf did not see flirtation or touching and complimenting each other's appearances. Although she was in her mid-20s, she acts at times like a 2-year old and at other times like a 55-year old.

After S1 's IA interview, Hubbard was visibly upset. He had to walk through Weidenkopf's office to get to his office and Weidenkopf saw his body language. Hubbard was angry for a couple of days. Weidenkopf waited a couple days and went into Hubbard's office and asked what was wrong. Hubbard said that S1 made allegations and he was dragged into this thing and may have to lawyer up. Hubbard did not tell Weidenkopf what the allegations were. Hubbard was down in IA fishing for information and they told him he was about to be a subject officer. Perez handled S1 's IA and Carpenter handled Hubbard's IA.

Perez and Hubbard had a good relationship. They were a super respected duo. Perez became acting lieutenant in homicide after Hubbard and Hubbard pulled Perez into IA. They were tight.

Hubbard and S1 were never assigned as detectives at the same time. Hubbard would not have likely supervised Special Victims Unit where S1 was. Weidenkopf did not recall any drama but they were not hanging out after work.