PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

July 16, 2026
AGENDA
10:00 AM

Meeting Location: CA Commission on POST Headquarters, 860 Stillwater Road - Training Rooms A/B, West Sacramento, CA 95605.

The Peace Officer Standards Accountability Advisory Board (Board) operates under the requirements set forth by the Bagley-Keene Open Meeting Act (Bagley-Keene) under Government Code sections 11120 through 11132. Bagley-Keene generally requires that the Board publicly notice meetings, prepare agendas, allow public participation, and conduct meetings in a location accessible to public members unless specifically authorized by Bagley-Keene to meet in closed session.

Public comment will be limited in time at the discretion of the Board Chair. The public comment period preceding items on the agenda will allow members of the public to comment on items not on the agenda but that are within the Board's jurisdiction. The Board cannot act on or deliberate on items not on the agenda and can discuss the matter only to the extent necessary to determine whether it should be made an agenda item at a future meeting, to respond briefly to statements or questions posed during public comment or to request clarification, or to refer the item to staff. Agenda items may be taken out of order and action (e.g., voting) may be taken on any agenda item. Public comment relating to each item on the agenda will be allowed at the time each matter is heard. Members of the public who wish to participate during public comment may do so in person by attending the meeting, or, as stated hereafter, by telephonic means or by submitting written public comment.

Written public comment is intended to allow members of the public, if unable to attend in person, an opportunity to participate to the same degree as if they attended in person; as such, written comments should be limited to no more than three pages in length and longer written comment will not be accepted or distributed to Board members. To be considered for inclusion in the meeting record, written comments should be received by no later than 10 a.m. on the fourth business day before the scheduled meeting. Accepted written public comments will be published on POST's website under the Public Comment section under the corresponding meeting date. Written public comments can be submitted via email to posadpc@post.ca.gov. Telephonic public comment can be made by dialing (916) 866-9583 and following the prompts provided.

Persons requesting disability-related accommodations or modifications may do so by contacting the Board assistant at (916) 227-3909 (voice), posadpc@post.ca.gov (email), or Speech-to-Speech users may dial 7-1-1 for the California Relay Service to request special accommodations. Please note: This meeting and all public meetings will be recorded.

No weapons are allowed on the premises during public meetings. Upon entering POST's

facility, you are subject to a weapons screening and will be denied entry if you possess any weapon. POST's Executive Director retains the discretion to grant exceptions for duly-authorized individuals, such as on or off-duty law enforcement officers who are not the subject of a POST administrative investigation, suspension, or decertification action.

I. CALL TO ORDER

II. ROLL CALL OF POSAAB MEMBERS

Dr. Nicole Clavo Psy.D - Governor Appointee - Public Member
Regina Hatcher-Crawford - Governor Appointee - Public Member
Robert Doyle - Governor Appointee - Former Command Rank Peace Officer
Joyce E. Dudley - Chair - Governor Appointee - Attorney
Cephus Johnson - Governor Appointee - Public Member
Captain Charles Lara - Governor Appointee - Management Rank Peace Officer
Margaret Pena - Speaker of Assembly Appointee - Public Member
Vacant - Senate Rules Appointee - Public Member
Vacant - Governor Appointee - Public Member

III. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

The Board Chair will advise the audience of the following:

This time is set aside for members of the public who wish to comment on items not on the agenda but within the board's jurisdiction. Public comment on matters on the agenda will be heard at the time each item is called. Public comment on specific peace officer revocation cases to be heard today will be heard at the time of the hearing of each such matter. Members of the public who wish to speak during the public comment period may be asked to limit their remarks in time at the discretion of the Board Chair.

IV. APPROVAL OF MEETING TRANSCRIPTS

Approval of meeting transcripts from the previous Peace Officer Standards Accountability Advisory Board Meeting held on April 15, 2026.

a. Approval of Meeting Transcript from the April 15, 2026 Hearing

If the Board concurs, the appropriate action would be a **MOTION** to approve the meeting transcripts from the last Board meeting.

V. ASSISTANT EXECUTIVE DIRECTOR COMMENTS

VI. NEW BUSINESS

a. Proposed 2027 Peace Officer Standards Accountability Advisory Board Meeting Dates

If the Board concurs, the appropriate action would be a **MOTION** to approve the 2027 POSAAB meeting dates.

b. Report on Data for Serious Misconduct Reporting, Investigations, and Disciplinary Action Outcomes

This item is presented for information only. No action is required.

VII. NEW CASES - REVIEW, DISCUSSION AND RECOMMENDATIONS TO COMMISSION

a. POST2507244 - Eduardo Escareno-Davila (POST ID: C99-P62) Last Employing Agency: Mendocino County Sheriff's Office

The Peace Officer Standards Accountability Advisory Board (POSAAB) shall review the findings of investigations presented by the Peace Officer Standards Accountability Division (POSAD) and make a recommendation regarding what action should be taken, suspension or revocation, on the certification of the subject peace officer.

b. POST2505112 - Kevin Smithmatungol (POST ID: C88-T32) Last Employing Agency: Daly City Police Department

The Peace Officer Standards Accountability Advisory Board (POSAAB) shall review the findings of investigations presented by the Peace Officer Standards Accountability Division (POSAD) and make a recommendation regarding what action should be taken, suspension or revocation, on the certification of the subject peace officer.

VIII. CLOSED SESSION

At this time the meeting will adjourn into closed session for for deliberations on the cases presented today.

IX. FUTURE BOARD MEETING DATES FOR 2027

Upcoming Board meetings will be held:

- October 14-15, 2026 - POST HQ, West Sacramento

X. ADJOURNMENT

AGENDA ITEM REPORT

Title: POST2505112 - KEVIN SMITHMATUNGOL (POST ID: C88-T32) LAST EMPLOYING AGENCY: DALY CITY POLICE DEPARTMENT

REPORT PROFILE

MEETING DATE 07/16/2026	**BUREAU SUBMITTING THE REPORT** Peace Officer Standards Accountability Division	
RESEARCHED BY Christina Moore	**REVIEWED BY** Brian South	
REPORT DATE	**APPROVED BY** Annemarie Del Mugnaio	**DATE APPROVED**
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

The matter is before the Peace Officer Standards Accountability Advisory Board (POSAAB) for review and recommendations regarding the subject peace officer's certification status.

BACKGROUND:

Respondent began his employment with the Daly City Police Department on January 3, 2022, as a trainee, becoming a full-time Police Officer on July 11, 2022. At the time of the events at issue, Respondent was employed as Police Officer with the Daly City Police Department. After receiving the Notice of Intent to Terminate, the Respondent resigned effective October 1, 2025. At the time of this incident, Respondent held a peace officer position as defined under California Penal Code §830.1(a) and is required to be certified pursuant to California Penal Code §13510.1(a).

On June 2, 2024, the Respondent contacted a female subject, who was detained by Target security for shoplifting, and cited and released the party. On the day of the incident, when questioned by his supervisor regarding how the party was identified, the Respondent stated he obtained the subject’s fingerprint, when he had not. The Daly City Police Department initiated an internal affairs investigation and confirmed the Respondent did not obtain the female subject’s fingerprint.

During his Internal Affairs interview on January 31, 2025, the Respondent falsely stated he obtained the subject's fingerprint. During his interview with POST conducted on January 13, 2026, the Respondent admitted he did not obtain a fingerprint from the subject at any time and was dishonest in his internal affairs interview.

On June 20, 2024, when asked by his supervisors as to why the Respondent had arrived late for his scheduled training day, the Respondent explained he was addressing some outstanding evidence with the Property Room Manager. Then, the Respondent sent the Property Room Manager a text message which stated, *"If Karen or Jerel* [supervisors] *asks can you please let them know I was handling evidence with you!"* The Daly City Police Department initiated an internal affairs investigation and determined the Respondent was approximately 30 minutes late for training and had not been working on outstanding evidence that morning. During his internal affairs interview on January 31, 2025, the Respondent falsely stated that he had been handling evidence for the Property Room Manager and denied the purpose of the text message was to create an alibi. During his interview with POST conducted on January 13, 2026, the Respondent admitted he claimed in his internal affairs interview that he was handling evidence for the Property Room Manager when he had not been. The Respondent admitted he sent the text to the Property Room Manager that morning, despite not having worked on evidence with her, but he had not intentionally asked the Property Room Manager to lie on his behalf.

On October 25, 2024, the Respondent was assigned two (2) subpoenas to serve. Respondent informed his supervisor and wrote on the subpoena return slip that he had attempted to serve each subpoena when he had not. The Daly City Police Department initiated an internal affairs investigation and confirmed the Respondent did not attempt to serve either subpoena. During his Internal Affairs interview on January 31, 2025, the Respondent falsely stated he had attempted to serve the subpoenas. After being presented evidence which indicated he never attempted service of either subpoena, the Responded explained "maybe I didn't do it." During his interview with POST conducted on January 13, 2026, the Respondent admitted he did not attempt to serve either subpoena and was dishonest in his internal affairs interview to avoid disciplinary action.

Following the conclusion of the three (3) internal affairs investigations, the Respondent was served a Notice to Intent to Terminate. On August 15, 2025, the Respondent attended an administrative meeting, where he resigned effective October 1, 2025.

ANALYSIS:

Clear and convincing evidence substantiated that the Respondent violated California Penal Code §13510.8(b)(1) and Commission Regulation §1205(a)(1), Dishonesty. The Respondent admitted to POST he knowingly and deliberately provided false information to an internal affairs investigator during three (3) investigations into his own misconduct.

RECOMMENDATION:

The Peace Officer Standards Accountability Advisory Board (POSAAB) shall review the findings of investigations presented by the Peace Officer Standards Accountability Division (POSAD) and make a recommendation regarding what action should be taken, suspension or revocation, on the certification of the subject peace officer.

ATTACHMENT(S):

BR01_POST2505112_Smithmatungol Kevin_ISF.pdf
BR02_POST2505112_Smithmatungol Kevin_Executive Review Division Recommendation.pdf
BR03_POST2505112_Smithmatungol Kevin_POST Profile.pdf
BR04_POST2505112_Smithmatungol Kevin_Att.C_Administrative Investigative Memorandum Excerpts 24-04.pdf
BR05_POST2505112_Smithmatungol Kevin_Att.D_Administrative Interview Transcript 24-04.pdf
BR06_POST2505112_Smithmatungol Kevin_Att.E_Administrative Investigative Memorandum Excerpts 24-06.pdf
BR07_POST2505112_Smithmatungol Kevin_Att.F_Administrative Interview Transcript 24-06.pdf
BR08_POST2505112_Smithmatungol Kevin_Att.G_Administrative Investigative Memorandum Excerpts 24-07.pdf
BR09_POST2505112_Smithmatungol Kevin_Att.H_Administrative Interview Transcript 24-07.pdf
BR010_POST2505112_Smithmatungol Kevin_Att.I_Notice of Intent to Terminate.pdf
BR011_POST2505112_Smithmatungol Kevin_Att.J_Letter of Resignation.pdf
BR012_POST2505112_Smithmatungol Kevin_Att.K_Division Interview Transcript.pdf