DALY CITY POLICE DEPARTMENT MEMORANDUM

TO Acting Chief of Police
Cameron Christensen

FROM Sergeant Matthew Ciucci #68

SUBJECT Administrative Investigation **24-06/Officer Smithmatungol #150**

BACKGROUND

On October 28, 2024, Administrative Directive 5917 was forwarded to me from Acting Chief of Police Christensen, requesting an administrative investigation be conducted on the following incident:

Request for Administrative Investigation:

DALY CITY POLICE DEPARTMENT
Memorandum

October 25, 2024

To: Acting Chief of Police

From: Sergeant Jerel Tualaulelei #60

Subject: Request for Administrative Investigation – Officer Smithmatungol #150

The purpose of this memorandum is to request for an Administrative Investigation for Officer Smithmatungol #150.

On Thursday, 06/20/2024, Officer Smithmatungol was scheduled to work at 0700 hours to participate as an instructor for Department Training. At approximately 0745 hours, Officer Smithmatungol walked into the DCPD Operations Center (DOC) where the training was being held then quickly entered a rear office room.

During the next break, Sergeant Douglas and I spoke to Officer Smithmatungol to address his tardiness to the training. When Officer Smithmatungol was asked why he was late, he immediately responded with something similar to, "I was downstairs with Rose [Property Room Manager]." Sergeant Douglas then asked Officer Smithmatungol what time he had arrived at the department, and he said, "around 7:10" then followed up with saying something to the effect of, "I worked late last night and didn't get out until around 11:30."

In speaking with Officer Smithmatungol, I advised him that he could not be late to work considering his start time was at 0700 hours and further explained how all the instructors were there on time. Officer Smithmatungol went on to explain, "my part [of the training] isn't until later." I told Officer Smithmatungol that he needed to at least make a notification to myself, Sergeant Douglas, or Sergeant Tone if he was going to be late so that we could be aware which he stated he understood.

Following this conversation, Sergeant Douglas contacted Rose who advised that she did not in fact meet or speak with Officer Smithmatungol earlier in the morning as he had previously stated. Rose further confirmed Officer Smithmatungol did not meet with Ben (Property Room Specialist) and that Officer Smithmatungol did not book anything into the Property Room earlier that morning. Rose did however mention that she had just received a text message from Officer Smithmatungol that stated something similar to him wanting to make arrangements to fix a previous property request.

Based on the above-mentioned information, I am requesting an Administrative Investigation into Officer Smithmatungol for violations of Lexipol policies 340.5.9 – Performance and 340.5.10 - Conduct.

Sergeant Jerel Tualaulelei #60
Patrol Division – B2
Daly City Police Department

INVESTIGATION

- Reviewed request for an administrative investigation.
- Reviewed DCPD Administrative Directive 5917.
- Reviewed Daly City Door Code Logs.
- Reviewed Planit Schedule Program.
- Interviewed Sergeant Douglas (Witness).
- Interviewed Sergeant Tualaulelei (Witness).
- Interviewed Property Room Manager Rose Meere (Witness).
- Interviewed Officer Smithmatungol (Subject).

INVESTIGATION NARRATIVE:

After receiving the above memorandum, I began my investigation by conducting a review of the "PlanIt" scheduling software which is utilized by the City of Daly City. I wanted to better understand Officer Smithmatungol's work schedule on or about June 20, 2024.

Sergeant Tualaulelei has discovered no independent evidence that supports or disproves that Officer Smithmatungol met with Rose Meere prior to his shift on June 20, 2024. Sergeant Tualaulelei never adjusted Officer Smithmatungol's timecard to reflect his actual hours and to his knowledge neither had Lieutenant Klier.

End of Interview.

On Wednesday, November 20, 2024, at approximately 1306 hours, I interviewed property room manager Rose Meere regarding this investigation. I read Rose the "Witness Admonishment" which she signed, and stated she understood. The signed admonishment was retained and has been added as an attachment to this investigation. Rose provided the following statement:

Statement of Rose Meere, summarized and audio recorded:

On Thursday, June 20, 2024, Rose was working at the Daly City Police Department property room in her capacity as the property room manager. Rose begins her shift at 0630 hours however she arrives approximately 30 minutes early everyday and is generally in her office by 0600 to 0605 hours. Ben Bermudez, who is the property room specialist, reports to Rose as her sole employee. Ben begins his shift at 0730 hours, and he was at work on Thursday, June 20, 2024.

On June 20, 2024, at approximately 0802 hours, Rose received a text message from Sergeant Karen Douglas inquiring if she had interacted with Officer Smithmatungol earlier in the day. Rose provided me with a printout of the text message conversation she had with Sergeant Douglas which read as follows:

-0802 hours

Douglas: "Hi Rose"

Douglas: "Did Smithmatungol meet with you this morning? If so what time?"

Meere: "Im going to a Martin in ssf at 9 ends at 1130"

Meere: "He was here yesterday and started taking care of his items. Thank you"

Douglas: "He said he was late to training because he was meeting with you this morning ..just want to verify that."

-1007 hours

Douglas: "And just to confirm, did he book anything this morning?"

Meere: "I did not see him this morning and I'll have to check if anything was in the locker"

Douglas: "Thank you"

-1236 hours

Douglas: "Can you let me know once you know please."

Meere: "There was a pipe in the locker that I received in yesterday and he came by approx. 30mins ago to take care of the pipe issue. He took care of the e.com stuff yesterday with one exception which he is now addressing."

Douglas: "Thank you. Pls don't mention to him that I checked up on this."

Meere: "Of course not"

Meere: "You can check the cameras"

Douglas: "And just to confirm he did not book in anything this morning"

Meere: "Nothing new"

Douglas: "Copy. Thank you"

Meere: "Just came by to take care of the pipe"

Douglas: *Thumbs up emoji*

After reviewing the text message conversation with Rose, she recalled Sergeant Douglas may have called her between 8am and 10am. Rose believes there was a phone conversation because she remembered turning to Ben Bermudez and asking him if Officer Smithmatungol had stopped by the property room. She recalls relaying this information possibly via telephone to Sergeant Douglas.

Rose had no recollection of meeting with Officer Smithmatungol prior to texting with Sergeant Douglas at approximately 0800 hours. Rose also had no recollection of speaking with Officer Smithmatungol prior to 0800 hours. Rose never received any evidence from Officer Smithmatungol prior to 0800 hours and she confirmed that Ben Bermudez didn't either.

I asked Rose if Officer Smithmatungol ever calls or texts her on her personal cell phone and she said he has. I asked if she could check her phone to confirm if there were any messages or calls from Officer Smithmatungol on June 20th and she said she would check at the conclusion of our interview.

I then ended the interview at 1315 hours, but asked Rose if I could accompany her to the property room so we could review her cell phone for the following information:

- Any text messages from officer Smithmatungol on June 20, 2024.
- Any call logs indicating a phone conversation with Officer Smithmatungol on June 20, 2024.
- Any emails from Officer Smithmatungol on June 20, 2024.
- The remaining text message conversation between her and Sergeant Douglas (one message had been cut off and was incomplete).

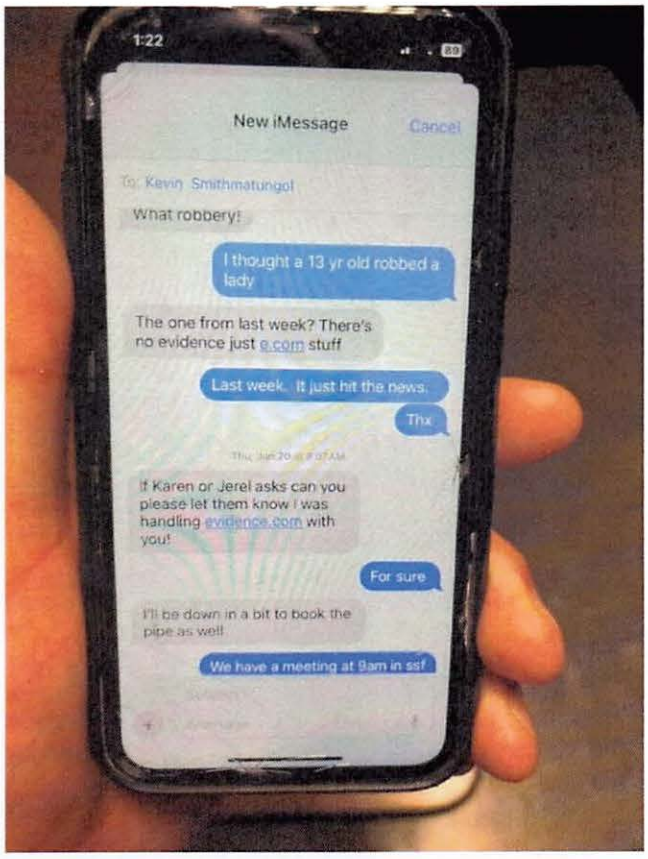
At approximately 1325 hours, Rose and I responded back to the Professional Standards Office and continued our interview. I reminded Rose that we were still conducting an Internal Affairs investigation, and she was obligated to answer my questions truthfully, honestly and to the best of her ability. Rose stated she understood.

Rose explained that once we retrieved her cell phone, she checked her text messages and noted that on June 20, 2024, at approximately 0807 hours, she had a conversation with Officer Smithmatungol that read:

Officer Smithmatungol: "If Karen or Jerel asks can you please let them know I was handling evidence.com with you!"

Meere: "For sure"

Officer Smithmatungol: "I'll be down in a bit to book the pipe as well"



Upon discovery of this text message conversation Rose appeared perplexed because she had not recalled speaking with Officer Smithmatungol on June 20, 2024. I then asked Rose if she would ever lie for another employee and she appeared to take offense, explaining that she would never lie because it would tarnish her reputation and jeopardize the integrity of the property room. I asked if she has a habit of arbitrarily responding to text messages with responses similar to "for sure." Perhaps done to acknowledge the message without fulling reading it? Rose explained it is not her habit; however, if she was in a rush, there is a possibility it could occur. I then photographed the text message and retained it as an attachment.

Rose was able to locate the missing text messages between her and Sergeant Douglas, she was unable to locate any email correspondence with Officer Smithmatungol on June 20, 2024. Rose provided me with a copy of the above text messages, which have been added to this case as an attachment.

End of Interview.

On Wednesday, November 20, 2024, at approximately 1342 hours, I interviewed property room specialist Ben Bermudez regarding this investigation. I read Ben the "Witness Admonishment" which he signed, and stated he understood. The signed admonishment was retained and has been added as an attachment to this investigation. Ben provided the following statement:

Statement of Benedicto Bermudez, summarized and audio recorded:

Ben confirmed that on June 20, 2024, he was working in the Daly City property room from 0730 to 1630 hours. Ben had absolutely no recollection of any events from the above date and time. He subsequently could not make a statement due to his inability to remember June 20, 2024.

End of Interview.

On Friday, January 31, 2025, at approximately 1030 hours, I interviewed Officer Kevin Smithmatungol regarding this investigation. The interview took place in the office of the Professional Standards Unit. Present during the interview were the following persons:

- Officer Smithmatungol
- RLS Attorney Julia Fox

I provided Officer Smithmatungol with the "Subject Admonishment" which he read, signed, and stated he understood. The signed admonishment was retained and has been added as an attachment to this investigation. Officer Smithmatungol then provided the following statement in summary:

Statement of Officer Smithmatungol, summarized and audio recorded:

On Thursday, June 20, 2024, Officer Smithmatungol attended department training where he was an instructor for the implementation of the "Starchase" GPS device. The training day had a 0700

understood it was a misrepresentation of fact for him to tell his Sergeants he was delayed working on evidence items, when he was in fact late for work on June 20, 2024. Officer Smithmatungol understood the question and responded "yes." I then asked him if he did not tell his Sergeants he was late to circumvent discipline and he responded that he should have been more detailed as to the exact time he arrived and not just relied upon the statement that he was "doing evidence."

Julia Fox asked if he took advantage of the fact that he was doing "some evidence" work to soften the reality that he was actually late. Officer Smithmatungol had to have this question repeated twice and he responded with an answer that did not address the question Julia Fox had posed.

He was asked if looking back at the situation, if he felt he should have told his Sergeants that he was late and he responded that he wasn't asked by his sergeants what time he arrived but rather why he was late coming into the training room. The semantics of the question is why he didn't inform them of the exact time he came in the building or openly disclose how late he was.

As we were ending the interview I asked Officer Smithmatungol if he had anything further to add and he voiced that he would never jeopardize his job, and he has never been late or missed a day of work. Julia Fox asked Officer Smithmatungol a follow-up question because she was still confused by an answer he had given previously. She asked if he ever logged into a physical computer to handle evidence items on June 20, 2024, prior to going upstairs at 0740 hours. Officer Smithmatungol responded that he had planned to but didn't. This concluded his interview.

End of Interview.

I asked Administrative Assistant Sierra Harrington to conduct an audit of Officer Smithmatungol's Evidence.com activity on June 20, 2024. Sierra provided me with an excel spreadsheet that outlined the dates and times Officer Smithmatungol modified property items in his Evidence.com account. The first time Officer Smithmatungol made changes to his Evidence.com account on June 20, 2024, was at 11:07:24.164 AM. Prior to approximately 1100 hours he made no changes to any of his evidence items. I have included the spreadsheet as a digital attachment to this report.

I re-contacted Public Works employee Ryan Fernandez and I requested he retrieve the door code log from door #11, which is the 1st floor police department entrance adjacent to the Daly City Training Room. This was the door Officer Smithamtungol had indicated in his interview that he used to enter the Police Department on June 20, 2024. A keycode audit of the above door had not been originally conducted by Fernandez.

On Friday, May 9, 2025, Fernandez conducted a door code audit and provided me with the results:

- **PD Front Parking Lot Entrance** – While reviewing these entries I noticed on June 20, 2024, at approximately 07:31:16 AM, Officer Smithmatungol entered his door code into

the double doors that grant you access into the police department. I have attached a screen shot of the door code entry.

06/20/24	08:22:25 AM	223	Garret Quon PD PA	User Entry
06/20/24	08:21:28 AM	25	Benedicto Bermudez PDA	User Entry
06/20/24	07:31:16 AM	203	Kevin Smith Matungol PO	User Entry
06/20/24	07:26:29 AM	25	Benedicto Bermudez PDA	User Entry
06/20/24	06:50:45 AM	187	Tyler Green PO	User Entry
06/20/24	06:38:44 AM	208	Kiera O'Shea PO	User Entry
06/20/24	06:37:19 AM	35	Michael Cattaneo PO	User Entry

I called Fernandez and spoke with him to ensure that these results were from the door I had requested, and he confirmed they were.

Reviewing these results would indicate that Officer Smithmatungol entered the police department on June 20, 2024, at approximately 0731 hours. He then presumably walked into the men's locker room to change into his uniform. The path from the "Front Parking Lot Entrance" doors to the men's locker room does not require you to pass through any key-coded doorways. Upon changing into his uniform, which he explained in his interview only takes him "5 to 6 minutes" to accomplish, he presumably walked to the upstairs training room. The path from the men's locker room to the upstairs training room could potentially require him to pass through one key-coded doorway ("PD 1st Floor double door by the mailboxes" double door). There is a record of his code being entered into the "PD 1st Floor double door by the mailboxes" doorway at approximately 0739 hours.

A digital copy of the results from the door #11 audit (PD Front Parking Lot Entrance) has been attached to this investigation.

RECOMMENDATIONS

I recommend this administrative investigation packet be reviewed for findings and recommendations.

ATTACHMENTS

- Administrative Directive 5917
- Request for Investigation Memorandum
- Sgt. Douglas Witness Notice
- Sgt. Douglas Witness Admonishment
- Sgt. Tualaulelei Witness Notice
- Sgt. Tualaulelei Witness Admonishment
- Rose Meere Witness Notice
- Rose Meere Witness Admonishment
- Ben Bermudez Witness Notice
- Ben Bermudez Witness Admonishment