Commission on Peace Officer Standards and Training
860 Stillwater Road
West Sacramento, CA 95605-1603
www.post.ca.gov

Following is the record of an Administrative Interview conducted by Professional Conduct Central Bureau Law Enforcement Consultant Kevin Sherburne on June 25, 2025, with Dr. Ryan Dunnigan, who is a witness in this investigation. The interview was recorded and is being maintained by the Professional Conduct Central Bureau. The recording will serve as the true and accurate record of the statements made by Dr. Dunnigan. This transcript was AI generated by Axon software and reviewed by accuracy by Division Staff Services Analyst Jessica Seno.

[00:00]

Kevin Sherburne: All right, we are being recorded now. It is Wednesday, June 25th, uh, 2025, and the time is 2:54 PM. My name is Kevin Sherburne. I'm a law enforcement consultant with the California Commission on Peace Officer Standards and Training. Um, with me today is Carrie Woolley. She is a lawyer with our Legal Affairs Bureau. And today we're here interviewing. If you could please state your name.

[00:22]

Dr. Ryan Dunnigan: Dr. Ryan Dunnigan.

[00:24]

Kevin Sherburne: Okay. And, um, we are gonna ask you some questions. Uh, we are conducting an investigation of serious misconduct, uh, under California Penal Code 13510.8. You are not the subject of the allegation, sir, but we asked for your interview and we issued a, a subpoena. And, uh, we appreciate the time that you're spending with us today.

[00:46]

Dr. Ryan Dunnigan: Absolutely.

[00:46]

Kevin Sherburne: We are recording the interview, as, as we've discussed before the recording came on, any statements that you make may be used by POST in connection with its duties. The recording helps us ensure that all of your statements are completely accurately transcribed and authorized by our regulation 1206. You'll have a copy of the recording if further proceedings are contemplated or any further interview, uh, occurs. If you want, you can also record the interview. Um, would you like to record it or?

[01:11]

Dr. Ryan Dunnigan: No, thank you.

[01:12]

Kevin Sherburne: You're fine. Okay. Um, if you need to use the restroom or take a break, just let us know. We would just simply ask if you could, um, a, answer any pending questions before we do take that break.

[01:23]

Dr. Ryan Dunnigan: Sure.

[01:23]

Kevin Sherburne: Um, so these don't apply because, uh, is there any reason today why you wouldn't be able to give us truthful and accurate answers to the questions that we ask of you?

[01:35]

Dr. Ryan Dunnigan: No.

[01:35]

Kevin Sherburne: Okay. Um, we ask that we, we, we wanna maintain the integrity of the investigation, and so we ask that you, unless you have a, a legal reason not to discuss with anybody else other than your legal counselors, otherwise required by law. Do you agree to comply with the request for, um, uh, comply, uh, for privacy?

[01:56]

Dr. Ryan Dunnigan: Yes.

[01:57]

Kevin Sherburne: Okay. Do you have any questions, sir?

[01:58]

Dr. Ryan Dunnigan: No, I do not.

[01:59]

Kevin Sherburne: Okay. You're ready to proceed?

[02:01]

Dr. Ryan Dunnigan: I am.

[02:01]

Kevin Sherburne: Thank you.

[02:02]

Dr. Ryan Dunnigan: Yes.

[02:02]

Kevin Sherburne: Sorry, I stumbled over my words.

[02:04]

Dr. Ryan Dunnigan: No, no. [laugh].

[02:05]

Kevin Sherburne: Um, so the, the background of this is we're, um, we're here today because in your role, uh, as, uh, uh, psychologist, you performed two psychological evaluations for a background investigation of Michael Kim, who ended up being hired at the San Francisco Sheriff's Office. Do you understand that?

[02:27]

Dr. Ryan Dunnigan: I do.

[02:28]

Kevin Sherburne: Okay. And, um.

[02:30]

Dr. Ryan Dunnigan: Re, rehired.

[02:31]

Kevin Sherburne: Uh, he was rehired.

[02:32]

Dr. Ryan Dunnigan: Right.

[02:32]

Kevin Sherburne: So he had been from 1999 to 2016.

[02:37]

Dr. Ryan Dunnigan: Right.

[02:37]

Kevin Sherburne: Uh, a sheriff sergeant, ultimately, and then he got rehired in 2024?

[02:42]

Dr. Ryan Dunnigan: Correct. Okay. Yes.

[02:43]

Kevin Sherburne: So, um, as a background, November one, 2023, you conducted the assessment in connection. How did, how did that assessment come to be?

[02:54]

Dr. Ryan Dunnigan: Apparently, I, or, or I believe that he, within the secondary psychological evaluation, uh, a candidate will go and apply and, uh, to, uh, department, he was applying for San Francisco Sheriff's Office, and he apparently didn't pass the initial, I believe he didn't pass the initial, uh, psychological evaluation. And then it was forwarded, or he contacted me, um, per either on his own or per the direction of the department. And they, he sought out my services to provide that a secondary evaluation. Um, and the San Francisco Sheriff's Office doesn't provide the initial, uh, any secondary evaluation. They don't provide the initial, uh, psychological evaluation. So we, I do believe they both provide us with a polygraph, and that, I believe that's it, that that's all that they, they provide us. So Mr. Kim reached out to me and asked me to perform that for him so that he could go re be, re potentially be rehired by the de department.

[04:07]

Kevin Sherburne: Okay. Um, had you had any preexisting, uh, relationship with Mr. Kim prior to him reaching out to you?

[04:13]

Dr. Ryan Dunnigan: No.

[04:13]

Kevin Sherburne: For the evaluation?

[04:14]

Dr. Ryan Dunnigan: No.

[04:14]

Kevin Sherburne: Uh, in a professional way, is what I'm asking.

[04:16]

Dr. Ryan Dunnigan: No, no.

[04:17]

Kevin Sherburne: Did he have any professional relationship with you subsequent to your evaluation on behalf of the sheriff's office?

[04:24]

Dr. Ryan Dunnigan: Uh, no. I mean, other than.

[04:26]

Kevin Sherburne: But did he come for you for treatment is my question.

[04:27]

Dr. Ryan Dunnigan: Oh, no, no, no, no.

[04:28]

Kevin Sherburne: Okay. Okay.

[04:28]

Dr. Ryan Dunnigan: No, no. Other than when he came back, um, and wanted to have the, another, uh, a subsequent secondary evaluation performed.

[04:37]

Kevin Sherburne: Okay.

[04:37]

Dr. Ryan Dunnigan: Yeah.

[04:38]

Kevin Sherburne: And so was the, to sum it up then, was the only relationship that you had with Michael Kim in relation to his background investigation at the sheriff's office?

[04:47]

Dr. Ryan Dunnigan: Yes, it was.

[04:47]

Kevin Sherburne: Understood. Okay. Um, did you meet him in person for either assessment?

[04:53]

Dr. Ryan Dunnigan: I did not. And they were virtual.

[04:55]

Kevin Sherburne: And so, like, uh, Zoom or a.

[04:56]

Dr. Ryan Dunnigan: Zoom.

[04:57]

Kevin Sherburne: Okay.

[04:57]

Dr. Ryan Dunnigan: Both Zoom.

[04:58]

Kevin Sherburne: Um, did you have any conversations with San Francisco Sheriff's Office personnel prior to your assessment with Kim? The first time?

[05:06]

Dr. Ryan Dunnigan: Uh, that's when I was, I was trying to check, uh, most of the time, not, not verbally. Uh, we communicate, uh, almost entirely through their internal email system.

[05:17]

Kevin Sherburne: Okay.

[05:18]

Dr. Ryan Dunnigan: So sometimes I will request, I, I always request the records and, uh, but I don't believe we, we spoke anymore than just the [cough], I, I reached out to most likely Sergeant Mel Fonthal.

[05:31]

Kevin Sherburne: Mm-hmm [affirmative].

[05:31]

Dr. Ryan Dunnigan: And, and so Sergeant Fonthal is usually the point person, and he provides me with the records. So I don't believe that there was anything more than that.

[05:40]

Kevin Sherburne: Okay. And approximately how long prior to the conduct, conduct of the assessment, do you have access to those records? Is it like two weeks they give you?

[05:51]

Dr. Ryan Dunnigan: It's usually, if I make the request, Sergeant Fonthal usually pretty quick around it, like three to five days I'll get the records, and then I will typically make the appointment with the candidate within, uh, one to two weeks. Uh, no, or about no more than, like, usually no more than seven business days.

[06:14]

Kevin Sherburne: Okay.

[06:15]

Dr. Ryan Dunnigan: Yeah.

[06:16]

Kevin Sherburne: Um.

[06:16]

Dr. Ryan Dunnigan: And then I tried to look in their, their internal system just to see if there were any records. And they purge it every 30 days, I think.

[06:25]

Kevin Sherburne: Uh, okay. Do, do links expire?

[06:27]

Dr. Ryan Dunnigan: All every, everything goes away.

[06:29]

Kevin Sherburne: It's in the cloud, you have access.

[06:30]

Dr. Ryan Dunnigan: No email. Yeah. All of their system. And then I think they didn't, uh, which is the downside of that using their, their system.

[06:38]

Kevin Sherburne: Right.

[06:38]

Dr. Ryan Dunnigan: Right. So, because I don't have it independently in mind, uh, because I would normally cc myself or have copies.

[06:45]

Kevin Sherburne: Yeah.

[06:45]

Dr. Ryan Dunnigan: Yeah.

[06:45]

Kevin Sherburne: Understood. Um, after you made the finding of not suitable on November one 2023?

[06:53]

Dr. Ryan Dunnigan: Yes.

[06:53]

Kevin Sherburne: How did you communicate that finding to the Sheriff's Office?

[06:57]

Dr. Ryan Dunnigan: I, uh, completed the paperwork, the psychological suitability declaration and the findings report, and then I submitted to the, probably Sergeant Fonthal or their, the Lieutenant, if they happen to be covering for him at that time. So I submitted internally in their system.

[07:18]

Kevin Sherburne: Okay.

[07:18]

Dr. Ryan Dunnigan: [cough]

[07:21]

Kevin Sherburne: And did they ever respond to you?

[07:23]

Dr. Ryan Dunnigan: Uh.

[07:23]

Kevin Sherburne: Not respect to Michael Kim? That is.

[07:26]

Dr. Ryan Dunnigan: They do not, they never, they do not respond. Uh, the only time that I did respond, uh, later, later on, I'm not sure of the timing exactly, but they reached out and they asked that, <cough>, I changed one of the words, uh, I, I'd, actually, specifically with Mr. Kim, I had used the phrase correctional deputy.

[07:50]

Kevin Sherburne: Yeah.

[07:50]

Dr. Ryan Dunnigan: Because he and his paperwork had said that he was applying for a correctional deputy position, which is different than a deputy sheriff.

[07:59]

Kevin Sherburne: Yeah.

[07:59]

Dr. Ryan Dunnigan: Right. So, um, one's out in patrol, one is specifically in correction setting. So, Sergeant Fonthal wanted me to change it subsequently and to that, and then I, I think in probably some of my paperwork, I changed it and initial did.

[08:14]

Kevin Sherburne: Understood.

[08:15]

Dr. Ryan Dunnigan: So that was the only communication I had around that.

[08:19]

Kevin Sherburne: After that communication, what other communications did you have regarding Michael Kim?

[08:25]

Dr. Ryan Dunnigan: I didn't have, I don't remember any other until, because I, I didn't find him suitable at that time. Hits. He, he asked that if I could wait and postpone, uh, ah, a finding, and that's, that's clinically not very acceptable for a number of different reasons. Some of the information can be at stale. Other thing, uh, events could happen that could impact his, you know, uh, whether, you know, something traumatic or dramatic could take place. So if it were a couple days, okay, that would probably be reasonable before doing it. But he was talking months, so that's wasn't going to happen. And so I did find, submit my finding tan or the not suitable, and he said, well, I've got all these things pending and they're all gonna clean up and everything's gonna be fine. It's great. The Sheriff really wants me to come work here. I've worked there a long time, I'm very, very highly thought of. And I said, I still can't wait. So I'm gonna submit this later on. If for some reason the, all this stuff, the dust settles, and you, the sheriff, they want to open it back up to you and allow that, then I can potentially perform a, a secondary evaluation at that time,

kind of with this new information. And he said, okay. And then that was what, and then I didn't hear from him until March or around March of 2024. Excuse me.

[10:04]

Kevin Sherburne: Okay.

[10:04]

Dr. Ryan Dunnigan: Yeah.

[10:05]

Kevin Sherburne: And when, so did anybody else reach out to you regarding that not suitability between that November non suitable finding and that March recontact by Michael Kim?

[10:18]

Dr. Ryan Dunnigan: I don't believe so, no.

[10:20]

Kevin Sherburne: Okay.

[10:21]

Dr. Ryan Dunnigan: The only other person, nobody from their department.

[10:23]

Kevin Sherburne: Yeah.

[10:24]

Dr. Ryan Dunnigan: Yes.

[10:24]

Kevin Sherburne: Okay.

[10:25]

Dr. Ryan Dunnigan: And the only other time is sometimes they would have a third psychologist reach out if they're gonna do a third time to like a tiebreaker person. But I found them not suitable as well, so they're not gonna -

[10:36]

Kevin Sherburne: Yeah.

[10:36]

Dr. Ryan Dunnigan: Refer to a third clinician.

[10:38]

Kevin Sherburne: Have you ever had any applicant reach back to you after a finding of not suitable and say, hey, I want another bite at the apple?

[10:47]

Dr. Ryan Dunnigan: Only if the department allows that to happen after a certain amount of time. So, uh, it's very, very unusual. This case was very unusual. Uh, and just in the sense of, uh, he made it clear that all this stuff was pending and that the, that they, the Department, really wanted him to do that. Normally when they're found not suitable, a lot of departments have that you can't even reapply for another minimum of a year. And that apparently was not the case for San Francisco. And so, when, and particularly when he submitted the letter from the Sheriff saying that he wanted him to be considered, uh, or reportedly wanted him considered for the position, that's when we opened it back up. So if their policy is that they wanted to reopen it and allow that and do another one, then that's, I, I didn't see a ethical or a clinical issue at that time.

[11:43]

Kevin Sherburne: Okay. So you referred to a letter, I'm, I'm gonna show you a document. Its top, top of it says, to whom it may concern, the bottom has a signature block, there's no, um, handwritten ink signature, um, uh, but it's signed apparently, Paul Miyamoto. Is that the letter, the one that I'm showing you, is the one that you have?

[12:01]

Dr. Ryan Dunnigan: It is.

[12:01]

Kevin Sherburne: Okay. Um, what was your reaction when you first got that letter?

[12:06]

Dr. Ryan Dunnigan: I thought it, I, I, uh, I think I've only received maybe two letters from a sheriff or a chief, uh, in, as part of this process. And so that was significant and it was just, you know, memorable. Uh, it was very rare that, um, particularly that as chief would step in or a chief or a sheriff would step in. But so that, you know, on certain levels is interesting. Uh, and it, and it carries considerable weight since they would, a lot of times when we're doing psychological evaluations, if the person's psychiatrically unstable or they have personality traits or archeological attributes straight outta the gates that are gonna preclude them from being safe or effective in the role, then it makes it pretty clear. Then it's in my lane. And I just say, okay, you're not going, you're not moving along, with Mr. Kim, he actually was psychiatrically fairly, I mean, he did really well on both psychometric tests, his personality traits, you know, according to those tests, were actually pretty well-rounded and, and, and good, and nothing in there would preclude him from moving forward. It was mostly the things that were in his background that were concerning to me. So, when he came back and the different things, you know, they said the dust had settled everything that his current work had resolved itself with no sustained, nothing sustained. And then coupled with the Sheriff's letter saying, hey, I really want him to come back, then that carried quite a bit of weight for me on that, of simply saying, okay, well if you want, if he's psychiatrically stable and you want to take him on, and then also bring him back in on probationary terms and work with that, then that's, that's it. That's your department. You can do that.

[14:00]

Kevin Sherburne: Okay.

[14:01]

Dr. Ryan Dunnigan: Yeah.

[14:04]

Kevin Sherburne: Did you notice that this letter didn't have a date on it?

[14:06]

Dr. Ryan Dunnigan: I -

[14:07]

Kevin Sherburne: When you first received it?

[14:09]

Dr. Ryan Dunnigan: Not the date, actually. I noticed that it didn't have a, a, the signature.

[14:12]

Kevin Sherburne: Okay.

[14:12]

Dr. Ryan Dunnigan: But it was also sent electronically. So….

[14:15]

Kevin Sherburne: Yeah.

[14:16]

Dr. Ryan Dunnigan: I'm not, you know, I, I wasn't sure if that's something that, and it wasn't on letterhead either. So, which normally they, you know, captains. I would've, I, I mean, I, unless the Sheriff were, were write, was writing this because it was his buddy and not a coworker, you know.

[14:37]

Kevin Sherburne: Okay. Did you, um, ask anybody at the Sheriff's Office about that letter?

[14:42]

Dr. Ryan Dunnigan: Don't, I don't know if I asked, and that was why I was checking. I don't believe so because they are very, they don't really communicate with us at all.

[14:52]

Kevin Sherburne: Okay.

[14:52]

Dr. Ryan Dunnigan: We're clinicians.

[14:53]

Kevin Sherburne: Yep.

[14:54]

Dr. Ryan Dunnigan: They have kind of a policy of this is what we give you and which is fair 'cause then they don't want to give, you know, one clinician more than the other. So I don't believe that, and I don't think Sergeant Fonthal would be that helpful anyway. I mean, not, he's very, he's very helpful. I just don't think he would, would know unless he were to go, you know, talk to the Sheriff directly.

[15:16]

Kevin Sherburne: Uh, did you call the Sheriff and ask him if?

[15:19]

Dr. Ryan Dunnigan: I did not, and I did not. No.

[15:21]

Kevin Sherburne: Okay.

[15:21]

Dr. Ryan Dunnigan: I didn't, no, I didn't.

[15:23]

Kevin Sherburne: Okay.

[15:23]

Dr. Ryan Dunnigan: So this, because, because I was submitting my report, that was another reason why I quoted it in my report.

[15:32]

Kevin Sherburne: Okay.

[15:33]

Dr. Ryan Dunnigan: Because, uh, if Sergeant Fonthal, the Lieutenant or the Sheriff or anyone had any issue with it, then it was going to be naming that specifically the Sheriff had written a letter, and if it was, you know, in question or if he didn't, which could be problematic, then they would know that that was fraudulent or if you know,

they were submitted by Mr. Kim or somebody else. Uh, that, you know, and that would be, you know, I just wanted to make sure that was very clear that that was -

[16:03]

Kevin Sherburne: Sure.

[16:04]

Dr. Ryan Dunnigan: I wasn't just going rogue and, and turning over my original statement without some forethought.

[16:10]

Kevin Sherburne: Okay. Did you solicit that letter?

[16:12]

Dr. Ryan Dunnigan: What's that?

[16:13]

Kevin Sherburne: Did you solicit that letter? Did you ask Mr. Kim?

[16:15]

Dr. Ryan Dunnigan: I did not.

[16:16]

Kevin Sherburne: Okay.

[16:16]

Dr. Ryan Dunnigan: No.

[16:17]

Kevin Sherburne: Um, ha uh, uh, you answered that one. You, you received two others. Um, did you tell anybody at the Sheriff's Office or Mr. Kim that you could change your mind based on a finding of not suitable? Like, did you make a suggestion that, hey, I'm going to, I could find you not suitable, but if circumstances changed, then I could change my mind?

[16:42]

Dr. Ryan Dunnigan: Um.

[16:42]

Carrie Woolley: Do you mean with regard to the other investigation that was pending against him in the, in his current workplace?

[16:49]

Kevin Sherburne: Yeah.

[16:49]

Carrie Woolley: At War Memorial?

[16:51]

Kevin Sherburne: So in other words, yeah, let's start over again with the question.

[16:54]

Dr. Ryan Dunnigan: Yeah.

[16:54]

Carrie Woolley: Yes.

[16:54]

Kevin Sherburne: So Mr. Kim told you he had a, a, a pending harassment case at the War Memorial?

[16:59]

Dr. Ryan Dunnigan: Yes.

[16:59]

Kevin Sherburne: His then current employer.

[17:01]

Dr. Ryan Dunnigan: Right.

[17:01]

Kevin Sherburne: So did he, did you ever suggest to him, well, look, if that ever goes away, then I'll mark you as suitable.

[17:08]

Dr. Ryan Dunnigan: No.

[17:09]

Kevin Sherburne: Okay. Um.

[17:11]

Dr. Ryan Dunnigan: No. I said we can, because at that point it was already, it would've been after I had already submitted not suitable. So then it's not up to me, it would be up to the Department with whether or not they would want to open up the process, his hiring process to him again.

[17:28]

Kevin Sherburne: Okay.

[17:28]

Dr. Ryan Dunnigan: Or not. Yeah. That's.

[17:30]

Kevin Sherburne: Ronnie Wan is a deputy at the Sheriff's Office, and he works in the background investigation. Do you recall talking to Deputy Wan about the letter when you received it initially?

[17:42]

Dr. Ryan Dunnigan: I don't think so, did I? I, no, I don't remember that. Did I, did I speak with him?

[17:47]

Kevin Sherburne: Well, I, uh.

[17:48]

Dr. Ryan Dunnigan: Oh, you, I'm sorry.

[17:48]

Kevin Sherburne: Deputy Wan says that you called him and said, hey, what's this letter about? And that you said that, oh, I'll call Paul Miyamoto.

[17:56]

Dr. Ryan Dunnigan: I said that?

[17:57]

Kevin Sherburne: Yeah.

[17:58]

Dr. Ryan Dunnigan: I never said, no, I'm not gonna call the Sheriff.

[18:00]

Kevin Sherburne: Okay.

[18:01]

Dr. Ryan Dunnigan: I don't have time to do that.

[18:03]

Kevin Sherburne: Okay.

[18:03]

Dr. Ryan Dunnigan: So no [laugh] I'm not gonna call the, no.

[18:07]

Kevin Sherburne: Um, the second assessment that you performed for Mr. Kim was March 13, 2024.

[18:12]

Dr. Ryan Dunnigan: Yes.

[18:12]

Kevin Sherburne: Um, do you have an any understanding of the appeals process, the psychological evaluations or assessments of peace officer candidates?

[18:21]

Dr. Ryan Dunnigan: The appeal process? Oh.

[18:22]

Kevin Sherburne: Yeah. Like if there's a finding of not suitability.

[18:26]

Dr. Ryan Dunnigan: Yes.

[18:26]

Kevin Sherburne: Do you have an understanding or you just take what you get? Do you have an understanding of like, would you tell a candidate no, you can't do that, there's no appeal, like you can't appeal, stop coming to me, I deemed you not suitable?

[18:38]

Dr. Ryan Dunnigan: Uh, no. I mean, that's, that's, you know, a lot of that's really department dependent. So.

[18:47]

Kevin Sherburne: Okay.

[18:47]

Dr. Ryan Dunnigan: Uh, they, again, if they wanted to send 'em to a third party, you know, because it's a little vague. So that's the problem with our, some of the codes don't, specifically is my understanding, don't specifically, you know, per- preclude or exclude us from, preclude us from, from doing another one. It just needs to be within, there needs to be, you know, obviously a reason for it. And then they, the, but the departments are the ones who are going to allow on or per permit it. So now I, um, I'm sorry, can you rephrase, can you just tell me that remind me of?

[19:23]

Kevin Sherburne: I was just, I was trying to explore your understanding of the appeals process.

[19:27]

Dr. Ryan Dunnigan: Yeah.

[19:28]

Kevin Sherburne: After, uh, you make a finding of not suitable.

[19:30]

Dr. Ryan Dunnigan: So just with their department, my understanding is that the, like, that was the strange part is that normally if they're not found suitable, then they're, they're out for a certain amount of time,

whatever that is. And I can't remember what San Francisco Sheriff's Office is, because they're all different. Uh, usually, but usually it's a year. And he came back and, uh, said that everything had taken place. So now that they're reopened, they're, they're welcome to reopen it again. And which was again, very strange. Uh, I don't think I've done that really before. Maybe once or twice there was something similar. Um, but there was, there were other reasons for that. I believe nothing's as specific as this, but, uh, no, I normally, their, their process is the first person f finds 'em not suitable. If I found 'em suitable, then it would go to the third person. But if it's, if I, they the first person found not suitable, and I found them not suitable, then it's not going anywhere.

[20:36]

Kevin Sherburne: Yeah.

[20:37]

Dr. Ryan Dunnigan: Yeah.

[20:37]

Kevin Sherburne: Okay.

[20:37]

Dr. Ryan Dunnigan: So it was very strange that they opened it back up. But the Sheriff, and then with the letter, I thought that the Sheriff really wanted them to be back in the mix, and maybe they were buddies, I think.

[20:51]

Kevin Sherburne: Okay. So, so that's a couple -

[20:53]

Dr. Ryan Dunnigan: Or, or c-colleagues.

[20:54]

Kevin Sherburne: Yeah. That's a couple of times though that I, I heard you earlier say friends and just now I heard the word buddies.

[21:00]

Dr. Ryan Dunnigan: Yeah.

[21:00]

Kevin Sherburne: But then you kind of, um, corrected that to that they were colleagues.

[21:04]

Dr. Ryan Dunnigan: Yeah. Yeah.

[21:04]

Kevin Sherburne: Um, was, were there statements that Mr. Kim made to you when he talked to you after he sent the letter that you would infer that they were buddies, that the Sheriff really wanted him into this role?

[21:16]

Dr. Ryan Dunnigan: No, it was more during the interviews where they've known each other for a really long time and that there's, and because he was saying a lot of the similar things, uh, that, you know, during it, if, you know, I'm really close with the Sheriff's Office, we've been, we went up in the ranks together, or he's great. He really wants me to be here. That was in the first one and the second one.

[21:34]

Kevin Sherburne: Okay.

[21:35]

Dr. Ryan Dunnigan: It's just of describing why he should be back and that's his home, and he really is looking forward to going back there. So I, whether they're buddies or not, I, he was, he was saying that they were very close. They were close.

[21:48]

Kevin Sherburne: Okay. Okay. Um, in, in the document -

[21:52]

Dr. Ryan Dunnigan: Mm-hmm [affirmative].

[21:53]

Kevin Sherburne: That you, the assessment, um, you said that, uh, he understood your concerns and had discussed them with the Sheriff and background personnel at the department, and that they were comfortable with him coming back and working there. Did he name, names as to who was comfortable with him coming back?

[22:14]

Dr. Ryan Dunnigan: No, I, no, and no. I mean, I knew there was the, uh, the Sheriff obviously, because he said, I mean, he, he said this Sheriff specifically, but they being whoever I, I am not sure, I can't remember if he mentioned who this specific background was.

[22:30]

Kevin Sherburne: Okay.

[22:31]

Dr. Ryan Dunnigan: Background guy was, or person, excuse me.

[22:33]

Kevin Sherburne: Okay.

[22:33]

Dr. Ryan Dunnigan: Uh, yeah, I don't remember.

[22:35]

Kevin Sherburne: About how long did these assessments take? Are they half hour? Are they a set amount of time or?

[22:40]

Dr. Ryan Dunnigan: No.

[22:40]

Kevin Sherburne: Or as much time as it takes?

[22:42]

Dr. Ryan Dunnigan: They're not set, but usually secondary evaluations take about an hour to, I mean, two an hour to two.

[22:51]

Kevin Sherburne: Oh, okay.

[22:52]

Carrie Woolley: They're long.

[22:53]

Dr. Ryan Dunnigan: They're long, yeah.

[22:53]

Carrie Woolley: Yeah.

[22:54]

Dr. Ryan Dunnigan: Because there's a lot more to go over typically.

[22:58]

Kevin Sherburne: Yeah.

[22:58]

Dr. Ryan Dunnigan: And also he had a lot to go over.

[23:01]

Kevin Sherburne: Yeah.

[23:01]

Dr. Ryan Dunnigan: Because he had a lot of stuff in his jacket that was, I thought he had a lot of stuff in there that, in, that was concerning to me for sure. Particularly at the beginning. The first time I met with him, it was enough for me to find him not suitable, even though he was psychologically stable. And then the second time I was still, I mean, I think you could probably read in my report, I was still a little hesitant to, um, some, but if the, the Sheriff wanted to sign off on him and take that liability and they were comfortable enough with that, then that's, that's, I believe that they should have the right to do that then.

[23:43]

Kevin Sherburne: Okay.

[23:43]

Dr. Ryan Dunnigan: Mm-hmm [affirmative].

[23:44]

Kevin Sherburne: When you said the first time that there was a lot in the file, what do you, what, um, sort of information?

[23:51]

Dr. Ryan Dunnigan: Well, he mentioned that he had gotten in trouble where, and he was in contempt, found contempt of court. And then he was saying that it was, now I remember. I, I asked him, is that a felony or is that a misdemeanor? So, and he said, I think it's a mis, it's a misdemeanor. I'm still fighting certain aspects of it, but the Sheriff, and everyone's comfortable with that, that's not a big deal. I, I said, that's a big deal to me, I, I, I, an, anything else? And he said, well, that's when I have the, I've got these other things going on in my work, um, these allegations. But that's really, it is more, um, it's blown outta proportion. Um, and these people are really, they just kind of are leaning towards that they are. And it'll all be kind of taken care of soon. I'm fighting it. And it's very common that that takes place at that, uh, organization that happens all over, uh, all the time. And he's just kind of falling victim to it.

[24:58]

Kevin Sherburne: Did you find that he accepted, uh, or had accountability for his own actions?

[25:04]

Dr. Ryan Dunnigan: I think he, if I remember correctly, he tended to gloss over things and minimize things and, you know, put it really rosy colored glasses. And it took me more diving into it and asking more pointed questions around that. Um, and he, uh, it was usually, you know, well, I'm working on this, I'm going to, I've got counsel, I'm going to, it's hopefully all of this gonna be taken care of. He was very, very pleasant, very kind of, I don't just well spoken. Um, and then just, you know, very comfortable too, which was interesting. So, uh, and very comfortable, like so much of where I, I thought that that was a little bit incongruent, just simply the sense, the gravity of what I was reading and then his presentation. But a lot of people present in a certain way because they want to kind of blow smoke on my skirt and then

be very charming to me so that I can, would be, you know, fall for the charms and then, you know, uh, sign off on them and put them, get 'em back in there. But, uh, he, he just was saying that he had, I can't remember if he had anything else. I think he got written up for some kind of use of force and like to that early in his career. And then I think the Captain said something like, or supervisor, I can't remember which one said something like, that's not a big deal. That's your, you're a new cop or something then, and it's fine. Something. And uh, and that's, I, I just, and maybe that was the culture. I don't know. I, I've never worked there, but, uh, I thought that was, it kind of stuck with me.

[26:42]

Kevin Sherburne: Yeah. During the second evaluation that you performed.

[26:46]

Dr. Ryan Dunnigan: Yeah.

[26:46]

Kevin Sherburne: You, you, you, in your report, and today when you're talking to me, I hear a lot that the Sheriff's Office, the Sheriff's letter -

[26:53]

Dr. Ryan Dunnigan: Mm-hmm [affirmative].

[26:54]

Kevin Sherburne: That to, to whom it may concern a letter weighed a lot. Is that, was that letter, the sine qua non the without, which not you would, would've, if you had not had that letter, you would've failed him again?

[27:04]

Dr. Ryan Dunnigan: I probably would've.

[27:05]

Kevin Sherburne: Okay.

[27:06]

Dr. Ryan Dunnigan: Yeah.

[27:08]

Kevin Sherburne: And, and the reason for that failure would've been?

[27:11]

Dr. Ryan Dunnigan: I just still didn't feel comfortable enough putting him, like working unless the Sheriff signed off on that and, and had and felt him that he was comfortable with all that. I didn't have enough. I don't have enough information or records, you know, I have little bullet points that I'm providing. A lot of the information I'm being provided is, are self reports from the candidates, and I have to take that with a grain of salt. So a lot of times, like I said, very rosy, not a big deal. And so I have to kind of tease that out. And especially since the, that organization doesn't provide me with the background reports, so I don't have that kind of solid information. Most departments do do that. So I can do, um, again, usually just compare and contrast the different statements. So that makes it a richer, much more solid. And, and, but they, they don't do that. And then it makes me, I get a little more uncomfortable around that because I don't have as much, you know, I can't, um, corroborate different information or the stories. And if the Sheriff's letter, if I didn't have that kind of recommending it, I would've erred on the side of caution because I, I don't think I would've felt comfortable with all of that stuff in his jacket, whether the dust had settled or not to move him forward. And that wasn't necessarily because of a psych, not psychiatric, just characterological. And also the history. There was a lot in there. And I, I think if I were a chief or sheriff, I would, I, I wouldn't, I wouldn't have hired him.

[28:46]

Kevin Sherburne: So are you familiar with the, um, dimensions?

[28:48]

Dr. Ryan Dunnigan: Yes.

[28:48]

Kevin Sherburne: In the POST background? So I heard you use the word in, integrity and, and some of the other language that you just used, um, the, the contempt conviction.

[28:59]

Dr. Ryan Dunnigan: Yes.

[28:59]

Kevin Sherburne: Did Mr. Kim explain to you the underlying facts of what led to that conviction?

[29:05]

Dr. Ryan Dunnigan: He, not somewhat. I mean, he, in his own words, had, he was saying that he was trying to protect the house or, you know, the, the Department, uh, and tried to downplay certain things. And some, I think he said that he didn't disclose or something about evidence, and it came up and it kind of blew up in his face. So he, rather than pointing fingers, he took it upon himself to resign. And, and so, and then they, because of that, they adjudicated it, or, or I think they dropped the charge from like a felony to a misdemeanor at that time per, per his statement. Um, and, but then he couldn't work in that capacity, uh, because he had already retired, uh, or, uh, whatever.

[29:52]

Kevin Sherburne: Okay. Contempt of court can, can encompass a variety of different behavior or actions -

[29:57]

Dr. Ryan Dunnigan: Yes.

[29:57]

Kevin Sherburne: Before a court.

[29:58]

Dr. Ryan Dunnigan: Yeah.

[29:58]

Kevin Sherburne: In Mr. Kim's case, he filed a false declaration.

[30:02]

Dr. Ryan Dunnigan: Yes.

[30:02]

Kevin Sherburne: Under penalty of perjury with the court. Did he explain that to you, or were you aware of that?

[30:07]

Dr. Ryan Dunnigan: He, he said that he had, he didn't bring that up initially, but that was some of those, some of the questions that I had to pull, kind of pull out of him of like what that looked like. And he said he, I think he just, he missed, he said that he didn't, he, he lied, essentially.

[30:27]

Kevin Sherburne: Okay.

[30:27]

Dr. Ryan Dunnigan: I think he lied during, uh, testimony and I can't remember about what, but I thought it, for some reason, I'm thinking it was about evidence or some kind of process. I can't remember what it was, but that was what I was wondering because in law enforcement that expression, you lie, you die.

[30:45]

Kevin Sherburne: Yeah.

[30:45]

Dr. Ryan Dunnigan: How are you going back if you can't, if you can't. And he said it was a big, especially if it's a felony, you can't, so I, I can't sign off on that. So he said it was a misdemeanor and then they would allow him to go back. And so, because it was that, uh, it, the Sheriff's Office was okay with that.

[31:04]

Kevin Sherburne: Okay. Um, did he or did you ever learn the circumstances for his motivation in, in submitting the false declaration to the court?

[31:16]

Dr. Ryan Dunnigan: N-No. I can't remember. He said I'm not, I think, may I ask you if you could refresh my memory, did it have another, was there another guy involved? He was protecting his buddy or something?

[31:27]

Kevin Sherburne: Yes.

[31:28]

Dr. Ryan Dunnigan: Was it, did it involve a gun? Not a gun, right?

[31:30]

Kevin Sherburne: Ballistic vest.

[31:31]

Dr. Ryan Dunnigan: Yeah. Or ballistic vest.

[31:32]

Kevin Sherburne: That he lent to his -

[31:33]

Dr. Ryan Dunnigan: That's what it was.

[31:34]

Kevin Sherburne: Friend from high school?

[31:35]

Dr. Ryan Dunnigan: Yes. That, oh, I didn't know it was a friend from high school.

[31:37]

Kevin Sherburne: Okay.

[31:37]

Dr. Ryan Dunnigan: But I thought it was a coworker. Oh. Or he, I guess it was, um, he lent it and that's what it was. He did, he said he lent it and he wanted to protect his buddy or the Department. I can't remember. But I remember, I think I noted that he was presenting himself as very selfless and uh -

[31:59]

Kevin Sherburne: Yeah.

[31:59]

Dr. Ryan Dunnigan: That he, he, he took it on. He knew it was wrong at that time, but he was going to do it for the greater good for the, the, for the Department and his buddy.

[32:09]

Kevin Sherburne: Okay.

[32:09]

Dr. Ryan Dunnigan: Yeah.

[32:10]

Kevin Sherburne: Thank you.

[32:11]

Dr. Ryan Dunnigan: Sorry about that. My, it's been awhile, [laugh].

[32:13]

Kevin Sherburne: Yeah, it's been quite awhile.

[32:14]

Dr. Ryan Dunnigan: Yeah.

[32:14]

Kevin Sherburne: Um. And uh, just the final question, and I think we covered this, but had you not received that letter, what would your conclusion have been?

[32:34]

Dr. Ryan Dunnigan: Well, I mean, that's tough to say. I, the – He's, some of the issues that were going on, I probably would've found him not sus – not suitable. Uh, the, it did mean something that, because he said that the other issues, um, that were going on the different complaints at that, at his place of employment, were going away. And that's good. I mean, that's fantastic. I mean, there are a lot of different issues and complaints, and I work with a lot of folks like over in Oakland, and sometimes they have 17 different complaints going on, and none of them are sustained. And so I don't always hang my hat on that, but it really didn't change the fact that there was all these, uh, different issues and the contempt.

[33:22]

Kevin Sherburne: Mm-hmm [affirmative].

[33:23]

Dr. Ryan Dunnigan: And the issues there that I'm not going to, if I, I mean if I, I, I wouldn't put someone in a department with that kind of liability in there, just even from a business perspective, even though it's not psychological, but it is characterological because I, for the POST dimensions, you know, whether or not his judgment is good or the ethics, I would've really questioned that. Or even his emotional regulation or stress tolerance, if they, you know, there was a lot of different behavioral issues in there. Uh, if the, if he hadn't, if I hadn't seen the, the letter, I would've probably found him not suitable. Yeah. There's not enough change. Not enough change.

[34:07]

Kevin Sherburne: Do you have questions?

[34:08]

Carrie Woolley: No.

[34:09]

Kevin Sherburne: Doctor, thank you for your time today.

[34:11]

Dr. Ryan Dunnigan: Of course.

[34:11]

Kevin Sherburne: It's 3:28 and I'm gonna turn off the recorder now.