STATE OF CALIFORNIA

COMMISSION ON

PEACE OFFICER STANDARDS AND TRAINING

PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

(POSAAB) MEETING

THURSDAY, FEBRUARY 5, 2025

10:00 A.M.

MEETING HELD

AT THE OFFICES OF

COMMISSION ON POST

860 STILLWATER ROAD, SUITE 100

WEST SACRAMENTO, CALIFORNIA

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Stenographically Reported By:
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California Certified Shorthand Reporter #13061, RPR

A P P E A R A N C E S

POSAAB MEMBERS PRESENT

JOYCE DUDLEY
Governor Appointee
Attorney
(Chairperson)

NICOLE CLAVO, Psy.D.
Governor Appointee
Public Member

REGINA HATCHER-CRAWFORD
Governor Appointee
Public Member

CEPHUS JOHNSON
Governor Appointee
Public Member

CHARLES LARA
Governor Appointee
Management Rank Peace Officer

MARGARET PENA
Speaker of Assembly Appointee
Public Member

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PEACE OFFICER STANDARDS ACCOUNTABILITY
ADVISORY BOARD LEGAL COUNSEL

CHRISTOPHER BEATTY
Deputy Attorney General
Department of Justice
Office of the Attorney General

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A P P E A R A N C E S C O N T I N U E D

POST STAFF

ANNEMARIE DEL MUGNAIO
Assistant Executive Director
Peace Officer Standards
Accountability Division
Executive Office

RAYMOND BECHLER
Law Enforcement Consultant
Professional Conduct Northern Bureau

BRYANT HENLEY
Attorney IV
Legal Affairs Bureau

BRIAN HOFFMAN
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Professional Conduct Central Bureau

ROBERT TRIPP
Law Enforcement Consultant
Professional Conduct Central Bureau

SARAH WALLACE
Bureau Chief
Intake and Disposition Bureau

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A P P E A R A N C E S C O N T I N U E D

ALSO PRESENT

BEATRICE JOHNSON
Public Speaker

ELLIOTT LOPEZ
POST ID: C15-H32

APPEARING REMOTELY:

OLIVIA KRUEGER
Public speaker

RICHARD ADAMS
POST ID: C56-Q43

JASON EWERT
Counsel for Richard Adams,
POST ID: C56-Q43

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Thursday, February 5, 2026, 10:01 a.m.

West Sacramento, California

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CHAIRPERSON DUDLEY: Good morning, everyone. Today is Thursday, February 5th, and the time is 10:00 a.m.

Thank you all for attending the Peace Officer Standards Accountability Advisory Board hearing.

Please note that this hearing is being live-streamed, recorded, and transcribed.

Further, please note that the microphones are auto on/off. When you begin speaking, they will go live. With this, you will need to watch your cross-talk.

We will now call the roll of board members.

Chandler.

MR. KNAPP: Thank you, Chair Dudley.

Good morning, Members.

Member Clavo.

MEMBER CLAVO: Present.

MR. KNAPP: Member Crawford.

MEMBER HATCHER-CRAWFORD: Present.

MR. KNAPP: Member Doyle.

(No response.)

MR. KNAPP: Chair Dudley.

CHAIRPERSON DUDLEY: Here.

MR. KNAPP: Member Johnson.

MEMBER JOHNSON: Here.
MR. KNAPP: Member Lara.
MEMBER LARA: Present.
MR. KNAPP: And Member Pena.
MEMBER PENA: Present.
MR. KNAPP: Madam Chair, that's six of nine members present.
CHAIRPERSON DUDLEY: Thank you. A quorum has been established.
I would now like to introduce board counsel, to my left, Christopher Beatty; and POST Assistant Executive Director Annemarie Del Mugnaio.
This time is set aside for members of the public who wish to comment on items not on the agenda, but those within the Board's jurisdiction. Public comment on matters on the agenda will be heard after each item is presented. 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.
Is there anyone present in the audience or appearing remotely who would like to address the Board during public comment?
First checking the audience.
(No response.)
CHAIRPERSON DUDLEY: Seeing no one.

Is there anyone remotely?

(No response.)

CHAIRPERSON DUDLEY: There's nobody remotely either. Please be advised that the Board cannot take action on items not in the agenda and may discuss those items only to the extent necessary to determine whether any matter should be made an agenda item for further meetings, to respond briefly to statements or questions posed, to request clarification, or to refer to -- the items to the staff.

Please remember this meeting is being transcribed, so I may politely interrupt and ask you to repeat or speak slowly and clearly so your comment can be correctly captured on the transcript.

As the Board Chair, I may ask members of public to limit their remarks to no more than three minutes pursuant to existing board policy.

I may conclude the public comment period if multiple speakers are voicing repetitive already similar statements and the 15-public -- 15-minute public comment period has expired.

You will be given five minutes to speak and the limits will be strictly enforced, so please ensure that you complete your thoughts within the allotted time.

Before I open public comment or matters not on the

agenda, please note that if you wish to comment on disciplinary matters scheduled to be heard today by the Board, you must wait until that matter is called to offer public comment.

If you have a specific complaint about an officer that is not on today's agenda, you should file a complaint with POST or with the officer's employing agency. Staff will assist you in this regard.

I would like to remind individuals making comments to discuss [sic] pending complaints or pending disciplinary actions that may later come before this board for a recommendation. If the Board takes action on your complaint, you will have an opportunity to address the Board at that time. Following these rules is necessary to comply with the law and to avoid compromising the Board's mission.

When it is your turn, you may state your name and organizations.

So is there any public comment?

Again, looking out into the audience.

(No response.)

CHAIRPERSON DUDLEY: And remotely?

(No response.)

CHAIRPERSON DUDLEY: No. There's no public comment.

One moment, please.

Is there anyone present or appearing remotely or by phone who would like to address the Board regarding the approval of the October/November meeting transcripts? When it is your turn, you may state your name and organization if you wish. Each gets three minutes.

Anybody want to comment on the agenda?

(No response.)

CHAIRPERSON DUDLEY: Okay. Are there any questions or comments from the Board?

(No response.)

CHAIRPERSON DUDLEY: Seeing none.

If the Board concludes [sic], the appropriate action would be a motion to approve the meeting transcripts from the October and November 2025 meetings.

Is there such a motion?

MEMBER LARA: I can make a motion.

CHAIRPERSON DUDLEY: Thank you.

MEMBER CLAVO: I second.

CHAIRPERSON DUDLEY: Thank you.

Is there any opposition? Any abstentions?

(No response.)

CHAIRPERSON DUDLEY: At this time I will ask -- okay. So I think that, then, the motion passes.

And at this time, POST Assistant Executive Director

Dudley.

CHAIRPERSON DUDLEY: Yes.

MR. KNAPP: Dudley, aye.

Johnson.

MEMBER JOHNSON: Aye.

MR. KNAPP: Johnson, aye.

Lara.

MEMBER LARA: Aye.

MR. KNAPP: Lara, aye.

And Pena.

MEMBER PENA: Aye.

MR. KNAPP: Pena, aye.

That's five in favor. Motion carries.

CHAIRPERSON DUDLEY: Okay. Thank you.

At this time, I will now call upon Law Enforcement Consultant Raymond -- let's see -- hang on. Let me make sure I'm not lost here. It's the same person?

MS. DEL MUGNAIO: Yeah.

CHAIRPERSON DUDLEY: Raymond Bechler, Professional Conduct Northern, and Bryant Henley, Attorney IV, Legal Records [sic] Bureau, to provide a report on POST2403212, Richard Adams -- why does it say Elliott Lopez? -- who, at the time of the events at issue in the case, was employed by the California Highway Patrol.

Okay.

MR. BECHLER: Good afternoon, Chair, Members of the Board.

My name is Ray Bechler, and I'm a law enforcement consultant signed to the Professional Conduct Northern Bureau in the Peace Officer Standards Accountability Division.

With me today is Bryant Henley, an attorney with our Legal Affairs Bureau.

I'm here today to present Case Number POST2403212 involving Richard Adams, hereafter referred to as the respondent, formerly of the California Highway Patrol.

It is the Division's determination that clear and convincing evidence exists to demonstrate that the respondent committed acts of serious misconduct as set forth in Penal Code section 13510.8, on July the 13th of 2023.

Specifically, the Division has determined that the respondent committed the following acts of serious misconduct: Acts that violate the law and dishonesty.

In this presentation, I will provide a brief outline of the Division's findings of investigations into this matter.

The respondent began his career with the California Highway Patrol on June the 26th of 2017. He holds a Basic POST certificate, which he received on June 8th,

2019.

The respondent had no prior complaints of misconduct resulting in disciplinary action from his agency.

In regard to the present allegation, the respondent reported his interaction with law enforcement to his agency on March the 19th of 2024.

On April the 19th, 2024, CHP reported this case to POST.

The California Highway Patrol completed their investigation and sustained allegations against the respondent, and the respondent was terminated on November the 5th of 2024.

A factual summary of the respondent's misconduct is as follows:

On February 25th, 2024, the respondent and his live-in girlfriend, referred to as the victim, were staying at the Hampton Inn Hotel in Poway, California.

At approximately 4:00 p.m., the victim called 911 after she and the respondent got into an argument and his behavior was scary.

The victim waited in the parking lot for police to respond.

San Diego County sheriff's deputies arrived and contacted the victim, who explained the respondent was

an off-duty CHP officer and was inside the hotel.

The victim told the deputies she and the respondent were verbally arguing, and she -- and he did not get physical with her. The victim added she wanted to drive back to their residence in Yucca Valley by herself, and the respondent wasn't letting her leave without him.

While talking to the deputies, the victim informed them about several incidents of physical violence by the respondent over the past two years.

One of the allegations of prior physical violence reported by the victim was captured on their front door home camera system. This video is shown to the deputies by the victim and depicted the respondent dragging the victim outside of the front door of their residence, forcibly pushing her to the ground, causing the victim to land on her head and upper torso.

The video further showed the respondent using two hands to get control of the victim's right leg as he dragged her out the front door while the victim frantically yelled "Richard, stop, stop."

The victim said this incident occurred on July the 13th of 2023.

At this point, I would like to show the video.

(Video played.)

MR. BECHLER: The victim further reported -- the

victim further reported to the San Diego sheriff deputies three other domestic violence incidents which occurred in June of 2022, May of 2023, and February of 2024, where she endured violence from the -- from the respondent.

After speaking to the victim, the San Diego sheriff deputies elected not to contact the respondent for a statement, as all the reported incidents of violence occurred in San Bernardino County.

The deputies ensured the victim safely drove away from the hotel parking lot without further incident by the respondent.

San Diego County deputies reported these incidents and forwarded their report to the San Bernardino County Sheriff's Office for follow-up.

Each of the prior incidents reported by the victim were investigated both criminally and administratively. Ultimately, the San Bernardino County District Attorney's Office filed and pursued prosecution of the respondent for one misdemeanor domestic violence charge, involving the incident captured on video that occurred on July the 13th of 2023.

The District Attorney's Office did not file in any of the other reported domestic violence incidents reported by the victim.

The criminal case against the respondent was ultimately dismissed on February 4th, 2025, by the District Attorney's Office.

In the administrative investigation and subsequent findings against the respondent, the CHP sustained one allegation of committing domestic battery upon the victim which involved the incident captured on video. All other -- all other domestic violence incidents were not sustained by the agency.

The agency further sustained a finding against the respondent for being dishonest when he asked -- when he was asked about the domestic violence incident captured on the video.

The respondent filed an appeal from dismissal to the -- to the State Personnel Board. The respondent's case was heard before a State Personnel Board Administrative Law Judge Douglas Purdy on April 1st and 2nd of 2025.

After hearing testimony and weighing all evidence, Judge Purdy rendered his decision. Judge Purdy specifically assessed the credibility of the respondent's testimony regarding the video evidence from their home recorded on July the 13th of 2023.

Judge Purdy documented, "The video footage from the doorbell camera was not consistent with consensual

role-playing. The respondent lifted the victim, tossed her onto the front porch, where she landed on her back. That action could clearly have resulted in serious injury to the victim, which makes it unlikely she willingly consented to it."

Judge Purdy further wrote, "The respondent was dishonest when he told Sergeant Mason" -- who was the IA investigative sergeant -- "that the July 13th, 2023, incident was consensual role-playing and when he stated that his disputes with the victim had never escalated into physical conflicts."

In his concluding remarks, Judge Purdy wrote, "Peace officers hold special positions of trust and are held to the highest standards of behavior. Also, peace officers must frequently testify in court and must be credible and honest to perform their duties effectively. Because of the special position of trust peace officers hold, dishonesty by a peace officer -- peace officers warrants harsh punishment."

Judge Purdy sustained Respondent's dismissal by the agency.

Following POST investigation and review, POST found, by clear and convincing evidence, that reasonable grounds existed for consideration of revocation pursuant to Penal Code section 13510.8.

The facts I have just -- I have just recited support the Division's finding that the respondent was involved in serious misconduct, specifically acts that violate the law and dishonesty.

For purposes of the Division's analysis, "clear and convincing evidence" means evidence of a charge is clear and convincing so long as there is a high probability that the charge is true.

The evidence need not establish a fact beyond a reasonable doubt.

The Division recommends that the respondent's POST certificate -- certification be revoked. The Division's recommendation is based on the following:

The Division finds that the clear and convincing evidence substantiated that the respondent's conduct amounted to acts that violate the law as described in Commission Regulation 1205(a)(6). On July the 13th, 2023, the respondent physically harmed the victim by forcibly throwing her to the ground outside their residence and further dragging her on the ground by her ankles.

This conduct was inconsistent with Respondent's obligation to uphold the law or respect the rights of members of the public.

The Division finds the respondent's act of violence

upon the victim not only violated CHP's internal policies, but also California Penal Code sections 242 and 243(e)(1), which confirms the respondent's unlawful conduct.

In addition to violating the CHP's policies with regard to off-duty conduct, clear and convincing evidence exists that Respondent violated California Penal Code section 13510.8(b)(6), and Commission Regulation 1205(a)(6), acts that violate the law.

The Division further finds that the clear and convincing evidence substantiated by the respondent's conduct amounted to dishonesty, as described in Commission Regulation 1205(a)(1), in that the respondent claimed that the domestic violence encounter recorded on the front door video camera was merely role-playing incident, in which the respondent played the role of a landlord and the victim was a tenant who was late on paying her rent.

Respondent made these dishonest statements, first through the San Bernardino County sheriff's investigators, who were investigating a crime; and then later to CHP administrative investigators, who were investigating the same events as part of an investigation into misconduct.

Misconduct was inconsistent with Respondent's

obligation to uphold the law or respect the rights of members of the public.

The Division finds the respondent's statements to the San Bernardino Sheriff's Office and the CHP concerning the July 13th, 2023, video -- video established clear and convincing evidence he violated California Penal Code section 13510.8(b)(1) and Commission Regulation 1205(a)(1), dishonesty.

With that, I'm happy to answer any questions the Board may have.

CHAIRPERSON DUDLEY: Okay. Questions?

(No response.)

CHAIRPERSON DUDLEY: Apparently the Board doesn't have any questions.

And do we have somebody -- okay. Remote. Right?

MS. DEL MUGNAIO: Yes.

CHAIRPERSON DUDLEY: Okay. So at this time, does the subject officer and/or their counsel wish to make public comment? If so, you will have five minutes to speak, and the time limits will be strictly enforced. So please ensure that you complete your comments within the allotted time.

While commenting, keep in mind that the Board will only consider the facts as presented by the Division today and will not consider any additional facts or

defense at this time.

The sole question before the Board today is the following: If the facts offered by the Division today are, in fact, proven at a later hearing, do those facts demonstrate high probability that serious misconduct, as defined in Penal Code section 13510.8 and Commission Regulation 1205, occurred?

And I won't hold you to those five minutes. I want to make sure you can say everything you need to say.

So please.

MR. EWERT: Good afternoon, Madam Chair.

My name is Jason Ewert, and I am the representative for Mr. Adams. I will be making a statement, and then Mr. Adams would also like to provide a short statement, and then we are both happy to entertain any questions that the Board may have.

So our position as to the facts of this case do not demonstrate clear and convincing evidence that serious misconduct occurred. Specifically, everything relates back to this video of a video that was captured by the San Diego County Sheriff's Department during an incident where Mr. Adams's significant other called the police in order to handle a verbal argument that they had had at a hotel.

This person, Mr. Adams's significant other -- I

know there's been significant efforts to redact her name from the materials, so I'm just going to refer to her as the "significant other" -- has an established practice of calling the police any time that she has any issues with her significant other.

This was demonstrated through the number of times that she called the police department or law enforcement and did not result in even reports being taken or any charges being filed against Mr. Adams.

Now, on the date in question, in San Diego, I think it is important to note that the Division has acknowledged that there was no act of physical violence that occurred at that point in time, as determined by the San Diego Sheriff's Department.

In fact, they looked at the situation and said that they weren't even going to take a statement from Mr. Adams due to the fact that they didn't have any evidence that there was actually a physical altercation that occurred.

The significant other acknowledged that she had been drinking during this incident in a letter that she later submitted to the District Attorney's Office, which is also admitted as evidence in these proceedings.

So the --

CHAIRPERSON DUDLEY: Excuse me, Counsel. Counsel,

excuse me.

I am already confused about what incident you are talking about. So are you talking about the hotel in Poway? Or are you talking about the time the video was made? So could you clarify what you are responding to?

MR. EWERT: So my initial response is to the call for service that occurred in San Diego at the hotel.

CHAIRPERSON DUDLEY: Okay.

MR. EWERT: And that is where the video was -- was delivered to the San Diego Sheriff's Department via their body-worn camera system.

CHAIRPERSON DUDLEY: Right. But then you made a subsequent comment. And I'm lost.

So -- so I understand you are talking about when they came to Poway, they came to the hotel. Everyone agrees, nothing physical happened. And she was just saying she wanted to be able to go home safely. And that was the end of that incident.

Was there more that you wanted to say about that?

MR. EWERT: It is demonstrative of her practice for calling law enforcement every time they got involved in an argument, and there is no evidence that those arguments became physical.

CHAIRPERSON DUDLEY: Okay. Go ahead.

MR. EWERT: So the two issues at issue for this

board are whether or not Respondent, Mr. Adams, engaged in acts that violate the law or are sufficiently egregious or repeated as to be inconsistent with his obligation to uphold the law or respect the rights of members of the public, as determined by the Commission.

Mr. Adams's position, during this entire proceeding, has been that this was a consensual role-play scenario that was captured by his significant other at the time on video so that it could be used as ammunition against him at the time she deemed it to be proper. This was her established practice to call law enforcement in order to end arguments.

There is no evidence tending to support that there was actually physical violence that occurred between Mr. Adams and his significant other, including in the incident that happened on July 13th of 2023 that was captured on that body-worn camera.

The second issue is related to dishonesty relating to the reporting, investigation, or prosecution of a crime. And essentially, it relates back to whether or not Mr. Adams did, in fact, commit the act of domestic violence that he is alleged to have committed on July 13th of 2023.

He has remained consistent in his statements that he did not engage in an act of domestic violence both

with his statements to the San Bernardino County Sheriff's Department, as well as the California Highway Patrol.

Now, he has currently been dismissed from his employment with the California Highway Patrol. However, I do think it is important for the Commission to note that that dismissal is on appeal through civil writ proceedings in the San Bernardino County Superior Court.

Now, the clear and convincing standard requires a finding of a high probability that the facts which are asserted as being true do more than show that the facts are probably true.

In this case, POST's Division of Investigation is relying exclusively on the San Diego County Sheriff's Department report, which is attached to the report as Attachment C;

The San Bernardino County Sheriff's Department report, which is attached as Attachment D;

The victim letter, which is attached as Attachment F;

The doorbell video footage that has been shown during this proceeding, which is attached as Attachment G;

The State Personnel Board Resolution and Order that is attached as Attachment H.

And the transcripts of Mr. Adams's statements to both the California Highway Patrol as well as the POST Division of Investigation regarding this matter.

Now, it is very important to note that Adams was not interviewed by the San Diego Sheriff's Department and was not given an opportunity to provide his side of the story with respect to that video.

Again, as this has already been discussed, this is because the San Bernardino County deputies confirm that the alleged acts of violence all occurred in San Bernardino County and the matter was referred to the San Bernardino County Sheriff's Department.

Now, the San Bernardino County Sheriff's Department reached out to Mr. Adams and asked for him to give a statement. Because he didn't feel like he had done anything wrong, he went in and gave a statement. Actually, the statement occurred in his driveway at his home, when multiple deputies from the sheriff's department came to his house to obtain a statement. He didn't have a chance to meet with counsel. He didn't have a chance to see what the evidence was that they allegedly had against him. He felt he did nothing wrong. So he decided to show up and give that statement.

Now, the Division of Investigation has alleged that

there is no corroborating evidence to support the respondent's claim of role-playing.

This is in the Investigative Summary and Findings at page 11.

However, if you look at the actual San Bernardino County Sheriff's Department report, that's attached as Attachment D, you will see that the significant other of Mr. Adams stated to the San Bernardino County Sheriff's Department, the video that you are referring to, that's not what happened in that video.

Now, again, there are allegations that Mr. Adams has been inconsistent in the statements that he provided to the sheriff's department, as well as the California Highway Patrol.

However, if you look at the sheriff's department report, it specifically indicates that "Mr. Adams described they sometimes role-play in a rough manner which could be misinterpreted. Adams could not explain how or why the role-playing would have ended outside, as normally that is a thing for the bedroom."

Now, the victim letter, that was attached as Attachment F, specifically includes the statement from respondent's significant other that she had been drinking alcohol and Richard did not want her to drive. He wanted to leave -- or she wanted to leave. So she

called the police, and when they arrived, she was drunk, upset, and angry at Richard. She made the comments that were untrue at most and exaggerated at least.

I think it is also important to note that she has not testified at any point during the administrative proceedings against him or the criminal proceeding.

And I haven't ever talked to her. But my understanding is that she does have professional licenses of her own, and she is concerned with the fact that she provided false information to a law enforcement agency during the course of her interactions with the San Diego Sheriff's Department.

Now, the State Personnel Board -- I'm sorry.

The doorbell video footage, which is attached as Attachment G, was admitted over hearsay objections at the State Personnel Board hearing.

Our position is that this is incompetent hearsay. That is an out-of-court statement being offered to prove the truth of the matter asserted. In other words, that this was an act of domestic violence and not a consensual role-play scenario without authentication from Ms. -- the respondent's significant other.

The State Personnel Board Resolution and Order specifically acknowledges the absent and applicable hearsay exception. The Board cannot base findings

solely on hearsay evidence. And that's the State Personnel Board.

As I previously indicated, this decision is on appeal, and the decision in that case is also based on a preponderance of the evidence standard, not the clear and convincing standard that is subject to POST.

Now, if you look at the respondent's IA interview transcript, which is included as Attachment I, this was also considered by the State Personnel Board.

And if you look at pages 170 to 173, Respondent attempted to explain to the California Highway Patrol how he was caught offguard by the fact that this deputy was someone that was close to the respondent's mother's age, and another sergeant were in his driveway asking him about his very personal sexual preferences in a way that he was not prepared to adequately respond to.

Again, he didn't lawyer up for this. He didn't talk to any counsel. He didn't know what video they were talking about out of the gate.

And when they presented the video to him, it was difficult to see. It didn't have sound. And he was also embarrassed by the fact that he was going to have to explain some of his more exotic sexual preferences to these law enforcement officers.

Again, Mr. Adams was consistent in his statements

to POST during his investigation and interview with them. And he has done everything in his power to try to get his side of the story across the table in these proceedings.

Now, the Division alleges that it finds it implausible to believe the video footage is consensual role-playing after watching the video numerous times. However, again, there is no direct evidence outside of that video tending to go against what Mr. Adams is saying is actually depicted in that video.

The allegations that Mr. Adams was dishonest to California Highway Patrol and the sheriff's department and POST rely on the fact that it had to be a nonconsensual act of domestic violence, which Mr. Adams adamantly contests that this video actually depicts.

It is important to note that when the Division subsequently interviewed the respondent, he continued to maintain that the doorbell video footage was nothing more than consensual role-playing. And in assessing his credibility, the Division find -- found the respondent not to be credible.

That conclusion was based, in part, on the tone of the voice of the respondent, who sounds and appears angry, and the actions of the victim, who seems to be protecting herself and sounds frightened as she

repeatedly tells the respondent to "stop."

Therefore, the Division found the respondent's representations in that video depict an act of domestic violence and not a consensual role-play scenario.

This is all based off of non-direct evidence, and there is no testimony outside of Mr. Adams's testimony tending to indicate that what he is saying is not true.

I understand my limitations during this -- this hearing. And so I will not discuss the additional evidence that we intend to introduce if it becomes necessary. However, it is our hope and sincere intent to avoid any further proceedings on this matter.

Mr. Adams has already been through a significant amount of work related to this incident. And we are continuing to work on that in the writ proceedings. And so it is our hope that we can provide you with the facts and evidence necessary to make a decision not to proceed with decertification of his peace officer certificate at this time.

Thank you.

CHAIRPERSON DUDLEY: Thank you.

Mr. Adams, you wanted to speak.

MR. ADAMS: Good afternoon, ladies and gentleman. Can you hear me okay?

CHAIRPERSON DUDLEY: Yes, we can.

MR. ADAMS: Okay. I just want to say thank you for giving some time to this manner. I appreciate that.

Like Jason has said, I have had the same statement and same -- testified to the same events multiple times now. My story has not changed.

My -- (Zoom malfunction) --

CHAIRPERSON DUDLEY: I'm afraid you have frozen, Mr. Adams.

MR. ADAMS: I have fought this on every level.

Can you hear me now?

MR. EWERT: Richard, I don't -- it seems like it might be on their end.

MR. ADAMS: Uh-oh.

CHAIRPERSON DUDLEY: We have heard everything you've said so far.

The last thing that I recall you saying is that your story has been consistent throughout.

Did you want to add to that?

MR. ADAMS: Yes, ma'am. Can you hear me okay?

CHAIRPERSON DUDLEY: Yes, we can.

MR. ADAMS: Okay. Yes. So my statement has been consistent throughout. My testimony has been consistent throughout. I have fought this on every level possible, which obviously brings us here today.

And, you know, I continue to fight as much as I can

to show the proof of what actually was going on that day.

And that event that has caused me just -- it's destroyed my life. I have had to liquidate retirement funds to afford for lawyers to fight this.

And, you know, I loved being a CHP officer. And this has really destroyed that future. And that's why it means so much to me to be able to -- to speak my mind and speak my side of the story.

Because I understand the video -- you know, it is what it is. It looks out of context. It does not look good.

And -- but when I add context to it, like I have done throughout all the investigations and interviews, I hope that adds to that.

You know, I can't control who calls for help, who calls 911. I can't control that.

And as Jason had said, that was what she would do. And she would call 911 when we would get in a verbal argument. And that's -- that's what was going on there.

So...

CHAIRPERSON DUDLEY: Are you through?

MR. ADAMS: Other than that, that's all I have.

CHAIRPERSON DUDLEY: Okay. What is the context you want us to consider?

MR. ADAMS: Well, the role-playing. The role-playing is the context.

So we -- just not to go down rabbit holes. But her ex-husband was deployed with the Marine Corps for six months prior to this incident. He came back -- I think it was in June -- and then he had the kids. I was taking care of the kids. She was living with me with the kids. And we had had like six months of a very -- I guess a dry spell, if you would call it that.

So he had the kids starting in July. And that's the -- the month of July is when this event happened that she -- she reported. And that is when we started the role-playing: Renter/rentee or lessee scenario.

So about halfway through the month is when she wasn't paying the rent. So we went through that role-playing, which is not comfortable for me to explain to the world right now. I have had to explain it now multiple times. But so we go through that process.

And then she held on to it for a time that she felt as though she wanted to get me back for whatever it was that she felt as though was necessary.

CHAIRPERSON DUDLEY: So is this role-playing something you did more than once?

MR. ADAMS: Yes, ma'am.

CHAIRPERSON DUDLEY: How many times?

MR. ADAMS: Over the course of a five-year relationship, I would say probably two or three times.

CHAIRPERSON DUDLEY: And it was always renter and rentee?

MR. ADAMS: That was one of multiple different scenarios.

CHAIRPERSON DUDLEY: Okay. What were the others?

MR. ADAMS: It was a passionate relationship.

CHAIRPERSON DUDLEY: What were the others?

MR. ADAMS: It would be -- I mean, it is not very comfortable. But, you know, like cleaning the house, French maid outfits, things like that. It was -- we were trying some new things to -- to spice up the relationship.

CHAIRPERSON DUDLEY: So were there French maid outfits that she would actually put on?

MR. ADAMS: Yes.

CHAIRPERSON DUDLEY: And was there rentee outfits she would put on?

MR. ADAMS: It would just be normal, like, clothes.

CHAIRPERSON DUDLEY: Okay. All right. I don't have any questions for now.

I will turn it to the Board and see if they have any questions for either Mr. Adams or his attorney.

Yes, Ms. Clavo.

MEMBER CLAVO: Can you explain to me the incident in which the daughter of the victim called?

MR. ADAMS: Yes, ma'am.

So that incident, I was taking a shower -- so I have a -- the house is like a -- think of it as a rectangle, and then the backyard is another rectangle of concrete with a pool and a pool I put in for the kids to be able to play and have fun at home during COVID. You couldn't go anywhere, so I wanted to give the children an environment to enjoy.

So we were in one part of the house. She had found something on a social media site that somebody had liked of mine. So she came into the -- to the bathroom that basically attaches to that concrete pad where the pool is. The children were outside by the pool.

I think she was 13 and then the boy was 4.

She came in to where I was taking a shower. She's yelling, smashed a glass. And that was all going on inside the house.

We go outside the house. And by that point, her daughter, who had seen her call 911 in the past relationships, was already on the phone with 911.

And we go outside, and we go over by where there's like a grill area. We're over there. We hear her on the phone with somebody and then realize it's -- she

called 911.

So at that point, I just left and distanced myself from the environment.

And being a law enforcement officer, I know some basic domestic violence investigations or disturbances, domestic disturbances investigations, where they are going to separate us. So I just distanced myself, went outside, and awaited the deputies to come and talk to me.

MEMBER CLAVO: Thank you.

CHAIRPERSON DUDLEY: Yes. Captain Lara.

MEMBER LARA: Question. The -- do -- have the role-plays that you have done in the past involved physical violence?

MR. ADAMS: Yes in -- neutrally. So we would agree upon -- I'm trying to think of the word. Yes. We would -- we would -- you know, spanking and the -- the choking and things like that.

MEMBER LARA: What would prompt termination of the role play if things went too far one side or the other?

MR. ADAMS: Disengagement. I think we would leave the scenario. And then normally a text would come after that. Like "hey." Or a phone call once we're separated.

MEMBER LARA: Was there a verbal cue either one of

you would give to prompt "role play over"?

MR. ADAMS: I couldn't hear that. I'm sorry.

MEMBER LARA: Was there something to the effect of a safe word? A "role play over" signal that would be given if things went too far? Say if somebody got shoved to the ground and thought, "Hey, this is probably not for me."

MR. ADAMS: Right. Not every time. I can probably count on a hand that we would kind of jokingly discuss a fruit or pineapple or something. Something random to shut it down. But we were both consenting adults, so we didn't think that that was an issue.

MEMBER LARA: That's all I have. Thank you.

CHAIRPERSON DUDLEY: So you didn't think "Stop, Richard," said multiple times, meant that you, as Richard, should stop?

MR. ADAMS: That was part of the role-playing.

CHAIRPERSON DUDLEY: So part of the role play is she would tell you to stop?

MR. ADAMS: So, again, the video is out of context. It really just shows a small snippet of time. After that, she comes back in the house and we end up sleeping together. But there's only like a five-second time where I'm pushing her out of the house, and then she gets up. And what is not on there is her coming back in

the house.

CHAIRPERSON DUDLEY: So what did you think "Stop, Richard" meant?

MR. ADAMS: I think that was just part of the role-playing in her mind.

CHAIRPERSON DUDLEY: So she didn't want you to stop?

MR. ADAMS: No.

CHAIRPERSON DUDLEY: Okay. Other questions?

Yes. Mr. Johnson.

MEMBER JOHNSON: Okay. Yes. You said, I think, you had taken it all the way through the procedures or "litigational" processes.

So the CHP Internal Affairs sustained dishonesty, correct?

MR. ADAMS: Yes.

MEMBER JOHNSON: The administrative law judge also found dishonesty, correct?

MR. ADAMS: Yes, sir. Yes, sir.

MEMBER JOHNSON: Then the State Personnel Board also adopted the administrative judge's decision on dishonesty, correct?

MR. ADAMS: Yes, sir.

MEMBER JOHNSON: And POST itself also has reached the same conclusion.

Do you have another job -- at least an opportunity for a policing job somewhere else in the state of California?

MR. ADAMS: No, sir.

MEMBER JOHNSON: So you are here purposely to not be reemployed by the policing agency? Or are you here --

MR. ADAMS: No, I'm --

MEMBER JOHNSON: Yeah. I would like to know, are you trying to get back into --

MR. ADAMS: Yes.

MEMBER JOHNSON: -- the policing field?

MR. ADAMS: Yes, sir. I -- that was my life for seven years. I -- the best part of being a CHP officer or an officer in general was helping the community. And the best part of my job was changing a tire for somebody on the side of the road. That's why I joined. That's why I wanted to be the good guy.

I grew up with two older sisters. I have always had to kind of help out where I can with them or look out for them. And that's what -- me growing up, that's what I wanted to do. I joined the Marine Corps and worked for them now 20 years, with no disciplinary issues there. And that, again, was to be a good guy and to be the good guy.

That's -- this allegation and this accusation -- this is something new for me.

MEMBER JOHNSON: I'm -- I mean, you were dishonest, at least we believe -- all the agencies that heard you speak has all agreed that you have been dishonest.

MR. ADAMS: That's what the --

MEMBER JOHNSON: And you are here telling us today that they are all wrong.

MR. ADAMS: Correct.

MEMBER JOHNSON: That's all the questions that I have.

CHAIRPERSON DUDLEY: Thank you.

Anything else? Anything else from any board member?

(No response.)

CHAIRPERSON DUDLEY: Okay. Counsel.

MR. HENLEY: Thank you, Madam Chair. I know this -- there's been a lot of questions already and I will do my best to be brief. But I think there's some level setting we want to do here regarding the position here at the board, the presentation before the Board, as well as the stages that come after.

And Chair Dudley already alluded to this some, so I will try not to spend too much time on it. But I think, again, to level-set where we are and where we go from

here, I would like to redirect from Mr. Ewert's comments back to what happens here.

And under Regulation 1209, what this board is looking at is whether the Commission's or the Division's presentation and the sufficiency of the Division's findings that have been presented to this board, whether those are enough to advance the case on to the Commission and potentially to an administrative Procedure Act hearing before an administrative law judge.

So again, the question is, is the sufficiency of the findings the Division has presented to you, are those sufficient to move the case forward?

So I want to start there, because that's an important threshold question. That's what you will be voting on today, as you all well know.

I want to speak to Mr. Ewert's comments about the hearsay nature of the video evidence.

So as he did allude to a little bit, I want to emphasize, there will be an opportunity before an administrative law judge to litigate this issue. But suffice it to say, for now, the standards of admissibility of evidence in an Administrative Procedure Act case are very different from a criminal law courtroom or even a civil courtroom.

And what that means is under Government Code section 11513, that rules of evidence are relaxed. And so even hearsay evidence, if it is the sort of evidence that is reasonably relied on by professional people, that type of evidence is admissible, especially in the scenario where, as here, we have not just the video evidence, which has been suggested is that all we have is a video. But I want to remind this board, we have many representations by Mr. Adams acknowledging that the video is real.

Now, Mr. Adams says what happens in the video is role-playing. But he told the CHP, he told the San Bernardino sheriffs who investigated the case, and he told Mr. Bechler in a separate interview -- at least three different interviews, he has acknowledged the video is real. It depicts Mr. Adams and the victim. So there is no question about whether this video is real or not.

Suggestions that it is hearsay are simply be out of order and beyond the nature of what we should be considering.

Moreover, those statements by Mr. Adams are what are known as an admission, and there's an exception to the hearsay rule called an admission.

So Mr. Adams's own statements added admitting that

the video occurred and it depicts him, these are admissions. They allow so-called hearsay evidence to be admitted even in a criminal courtroom. So that's important to emphasize.

This video is a very key piece of evidence, but it is, by no means, the only evidence we have here today.

We would submit to this board that there is a mountain of evidence that shows there is high probability that Mr. Adams did abuse his ex-wife, spouse -- excuse me, fiancee, not spouse -- did abuse his ex-fiancee and that he did lie about what the video depicts.

You are encouraged to view the video. You have it. It is publicly available now as part of agenda. It was presented to you before you had this case. I would urge you to view the video a few times if you have any question about what happened in the video, about the nature of the violence towards the victim, about how she was -- how she landed on the ground and whether this was a consensual encounter of role-playing or something else.

I also want to focus briefly on the fact that, unfortunately, in any domestic violence case and, sadly, both in this case and the one we heard prior, there is a common tactic among those who are accused, and that

tactic is to attack the victim. And sadly, we're seeing that again here.

We have heard from -- from Mr. Adams's lawyer that there is this, quote, established past practice of calling the police by the victim. Silently, there's no acknowledgment until the questions were asked by this board, but, obviously, also the victim's daughter, at the age of 13 or 14, herself called 911. There's no mention of that. It is focused on the victim and the victim calling the police.

There are suggestions that the victim is lying and that's the reason that she didn't cooperate with these investigations.

There's suggestions that somehow she would be exposed to liability for lying to police by reporting these encounters.

But I would ask you, as board members, to ask yourselves, if you are worried about being prosecuted, will you -- would you want to write a letter that says, "I was dishonest and these things never occurred"? Because in this case, which is part of the ISF you have, is a letter from the victim saying that these events didn't occur. If you were concerned about criminal prosecution, is it -- is it reasonable to believe you would write a letter like that?

There's something else going on here. And it is the kind of thing that happens many times when you have a victim of domestic violence. And I leave it to you to think about what those things may be.

The last point I want to make -- and then I will stop -- is they are, again, attacking the victim, suggesting that when the incident occurred in Poway, that she had been drinking; and that the reason this incident occurred was Mr. Adams was going to stop her from driving.

But I would ask you to take a look at the ISF and the exhibits to the ISF, because two peace officer from San Diego, who were physically, as you saw in the video, within less than a feet -- a foot or two from her face, both testified before the State Personnel Board, on witness sworn testimony, that no, in fact, they never detected any indicia of alcohol on the victim.

Again, we need to move away from the victim and attacking the victim here, and we need to look at Mr. Adams of his conduct.

I would urge you to look at the video. I would urge you to consider whether that video does depict, as the Division concludes, depicts domestic violence towards the victim. And I would urge you to consider whether it is plausible or whether it is dishonest of

Mr. Adams to suggest that was a role-playing encounter of a landlord-tenant sexual encounter.

With that, we believe there is a high probability that Mr. Adams engaged in spousal abuse and that he was dishonest about it.

We would urge you to take this case to the Commission so that it can proceed to an administrative law judge, and we can have our hearing, and Mr. Ewert can make any arguments he wishes about hearsay evidence.

And with that, I am happy to answer any questions.

CHAIRPERSON DUDLEY: I just want to add that these law enforcement officers, after being with her, and having conversation with her, smelling her breath, listening to her, watching her, let her get into a car and drive away.

And that would be, in my mind, rather compelling evidence that she wasn't under the influence of alcohol.

And Mr. Adams saying that she was is his perception or his statement.

Yes, Ms. Crawford.

MEMBER HATCHER-CRAWFORD: A clarification. He or the attorney can answer.

In the report I read, Mr. Adams and his fiancee are still together, correct?

MR. BECHLER: When I had last spoken to the

respondent, Mr. Adams, he had told me that he lives now on the East Coast, but they are still a long-term relationship. And so I don't know as of today what their relationship is like.

MR. ADAMS: Correct.

MEMBER HATCHER-CRAWFORD: Okay.

MR. ADAMS: Yes.

MEMBER HATCHER-CRAWFORD: And she wrote a rebuttal letter, but due to her -- her licensing, she did not want to participate in this proceeding. Am I correct?

MR. EWERT: State of mind. Speculation.

MR. BECHLER: Yeah. I don't know the intent behind why she wrote the letter. She just wrote the letter, and we're in possession of that.

MEMBER HATCHER-CRAWFORD: So I'm -- now I'm asking the attorney. Why if -- if she wrote this rebuttal letter that was submitted as evidence, why didn't she want to participate in this type of hearing? I mean, she is his fiancee. So...

MR. EWERT: The -- you would have to ask her. Ultimately, she's lawyered up several times throughout this process and has elected not to participate.

MEMBER HATCHER-CRAWFORD: Thank you.

MR. HENLEY: Madam Chair, if I could address that question to Board Member Crawford.

We can only speculate as to why she hasn't participated, of course. But as -- as we know, in many domestic violence cases, it is common for a victim, who has reported domestic violence, not to participate in the prosecution process.

That is exactly what happened in the criminal proceedings. There were a number of instances where the criminal case was continued because the witnesses, meaning the victim and other witnesses, were not available. The Court had to continue the case numerous times.

Eventually, as is reflected in Mr. Bechler's interview of Mr. Adams, Mr. Adams told his lawyer, I don't want to waive -- they call it waiving time. You have a right to a speedy trial. You can waive that right. You can waive time.

And Mr. Adams advised his lawyer, as he told Mr. Bechler, "I don't want to waive time anymore. Let's get this case moving." So they brought the case forward. The case went to a criminal trial, and, again, the victim did not participate.

That's a common thing that happens in domestic violence situations.

And the last comment I will make about this is I think it is interesting not only what the letter says,

but what it doesn't say. As Mr. Bechler noted, there is not one mention, one indicia within the entire letter, of any sexual role-playing that occurred.

So I just ask you to consider that.

MEMBER HATCHER-CRAWFORD: Thank you.

CHAIRPERSON DUDLEY: Thank you, Counsel.

MEMBER JOHNSON: I guess I have one more question.

So this before us is about dishonesty. Of course, you know, what happened behind the role-playing and whether you were honest about is being role-playing consensual.

But, you know, I'm just having trouble getting past the fact that the Internal Affairs saw it as dishonesty. You know, the administrative law judge saw it as dishonesty. Of course, the Division itself has saw dishonesty. And the State Board has saw it all as dishonesty.

And now you are telling us something different, that you are not being dishonest. She's being dishonest?

MR. ADAMS: Sir, I'm just stating that I have been consistent in my explanation of what is on that video.

CHAIRPERSON DUDLEY: Any other questions from the Board?

(No response.)

CHAIRPERSON DUDLEY: Okay. At this time -- let's see. Is there anyone from the public who would like to address the Board? Anybody in the audience?

(No response.)

CHAIRPERSON DUDLEY: Anybody remotely?

(No response.)

CHAIRPERSON DUDLEY: Okay. Thank you, gentlemen.

MR. ADAMS: Thank you.

MR. EWERT: Thank you.

At this time, does anyone want to go into closed session? Looking at all of you. Just raise your hand if you want to go into closed session.

(No response.)

CHAIRPERSON DUDLEY: Okay. Seeing nothing, no hands are raised.

Is there discussion or is there a motion? How would you like to proceed?

MEMBER JOHNSON: Johnson. Decertification.

CHAIRPERSON DUDLEY: Okay. Is there a second?

MEMBER HATCHER-CRAWFORD: I second it.

CHAIRPERSON DUDLEY: Okay. And is there any more discussion? Questions? Abstentions?

(No response.)

CHAIRPERSON DUDLEY: Okay. Please take the roll.

MR. KNAPP: Thank you, Chair.

Clavo.
MEMBER CLAVO: Aye.
MR. KNAPP: Clavo, aye.
Crawford.
MEMBER HATCHER-CRAWFORD: Aye.
MR. KNAPP: Crawford, aye.
Dudley.
CHAIRPERSON DUDLEY: Aye.
MR. KNAPP: Dudley, aye.
Johnson.
MEMBER JOHNSON: Aye.
MR. KNAPP: Johnson, aye.
Lara.
MEMBER LARA: Aye.
MR. KNAPP: Lara, aye.
And Pena.
MEMBER PENA: Aye.
MR. KNAPP: Pena, aye.
That's six in favor.
CHAIRPERSON DUDLEY: Okay. And motion passes.
At this time, that was the last item on the agenda.
Do any of the members of the Board have any additional comments before we adjourn?
(No response.)
CHAIRPERSON DUDLEY: I am looking at one exhausted

CERTIFICATE OF REPORTER

I, KATHRYN S. SWANK, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing proceedings were reported, to the best of my ability, in shorthand by me, Kathryn S. Swank, Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said proceedings nor in any way interested in the outcome of said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of February 2026.

Kathryn S. Swank, CSR
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