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

On March 11, 2025, California Commission on Peace Officer Standards and Training ("POST") Law Enforcement Consultants Kevin Sherburne and James Saso interviewed Ronnie Wan in a conference room located at 455 Golden Gate Avenue, San Francisco, California. Communications by the parties during the interview were electronically recorded. The recording will serve as the true and accurate record of the statements made by Wan. After being advised of the identity of the interviewers and the purpose of the interview, that being to obtain information related to allegations of serious misconduct, Wan provided the following information:

Wan started with the San Francisco Sheriff's Office about 25 years ago – 26 this December. He started in the jails, then worked the City Hall security unit, then courthouse, then personnel unit. He is currently assigned to the background unit, which he joined in January 2022. He serves ancillary roles in the Emergency Services Unit and is an instructor for EVOC, force option, and taser.

His supervisor when he first joined was Sergeant Tiffany Martin. There was no lieutenant at the time. Toward the end, before Martin left to become a lieutenant, the background unit got a lieutenant assigned to it. She left the unit about 2022 or 2023. His current sergeant is Mel Fonthal.

The structure of the background unit is one sergeant and six deputies, including Wan. His duties include checking backgrounds for employment purposes of both sworn and non-sworn applicants. A background file is assigned to one person, who starts the investigation and works it from beginning to end, unless they go on extended leave or their time's up in the unit. The normal time for a background investigation to be completed is about four to six months generally for sworn personnel. Currently, Wan is working cases for about six to eight months.

If there is a red flag in a background investigation – both at the time of Michael Kim's background investigation and currently – he sends information up to the Assistant Sheriff for a decision whether to disqualify the applicant or move forward with the investigation. If the decision is made to move the case forward, it is tracked in Guardian software. The Assistant Sheriff only gave a thumbs up or thumbs down, there was no explanation. At some point, it switched from the Assistant Sheriff to the Undersheriff. When Kim went through, it probably got switched to the Undersheiff, who was Kathy Johnson.

Other than SB2 Government Code 1029 disqualifiers, Wan is not aware of absolutes of disqualifying an applicant that his department had. The hiring authority is always the Sheriff. At the time Kim went through the process, Paul Miyamoto was the Sheriff.

Wan did not know the standards for a psychological evaluation assessment of a candidate. After a background investigator is assigned a case, the applicant must complete a written test, undergo physical agility testing, then the applicant is invited to complete a Personal History Questionnaire ("PHQ"). SFSO uses POST's PHQ. They are screened and assigned to an investigator. At one point, he had 25 cases, now it's about

10. Then, the applicant is interviewed, polygraphed, and law enforcement and employment checks are done. After that, there is a psychological test. At this time, some psychologists require that a conditional offer is given to the applicant before they evaluate the applicant. If they pass, home checks and other steps are done to complete the background investigation.

If an applicant fails the psychological assessment, the background investigation stops. There is a different process at that point for the applicant. There is an appeal process.

The applicant is given a form through Guardian, which is almost identical to POST's questionnaire.

If an applicant fails a psychological evaluation, the sergeant sends an email telling the applicant they failed and instructions how to proceed with an appeal. It's very time sensitive. The applicant can hire his or her own doctor and they have a certain window of time to conduct a new evaluation. SFSO operates under POST's law enforcement criteria for whether a person is deemed suitable or not. The city has a third doctor that only the city uses who then reviews the applicant's doctor's determination. Wan did not know if the third doctor saw the applicant in person or only reviewed paperwork. Successful appeals are not that common. Wan has only seen appeals about two times. Kim was one of them.

Wan knows Kim. They worked together when Wan went to the City Hall Security Unit for about two years. Then Kim got promoted and left. Also, as a coordinator in the Emergency Services Unit, Kim also worked with Wan.

Wan has only been to Kim's house during the background check. He has only socialized with Kim in group settings. Wan calls Kim co-workers/friends.

Kim's reputation is that he is funny but is hard on staff. He works hard. Wan gets along with Kim. Kim is hard core sometimes.

Wan was aware of an earlier background investigation dating to 2021. There was no background investigator assigned to conduct an investigation. Wan did not hear anyone talk about why Kim withdrew the application. From the paperwork, it looked like Kim just withdrew the application.

Wan set up an interview of Kim to come in person to talk about his answers on the PHQ. Shown a copy of Wan's background investigation of Kim that concluded June 27, 2023 that says "withdrawn," Wan stated that it was not documented in the file. Wan conducted the background investigation that was concluded on December 12, 2024. When Wan concluded the December 12, 2024 background investigation, he did not review the documents contained in the June 27, 2023 file. Wan does not log the interview in the background file. He takes notes of the interview.

Wan was aware that Kim had applied in 2021. Kim did not tell Wan why the 2023 file was withdrawn. You cannot tell from the digital file why the application was withdrawn and Kim did not hear from anyone the reasons for it being withdrawn. Wan was assigned

the background investigation on July 13, 2023. The older background file was withdrawn the same date as the newer background file that ended up getting assigned to Wan.

Wan does not have the applicant initial at the bottom of each page of the PHQ. He was never taught that when he started in the background unit. If the applicant has any changes, Wan has them write in red ink. Red ink was in the old days of paper files. In Guardian, the background investigator cannot change the answers. The applicant has to sign back into Guardian and make the changes which are tracked by the system.

When Wan first got assigned to work Kim's background investigation, he went to his sergeant and lieutenant asked if they were sure they wanted to do this. They said to continue working it, so he worked it. Wan updates his superiors on what he was finding in the background investigation. The background investigator does not have any say in a disqualification, they just type in all the good and the bad and let the supervisor raise it up the chain. They look at it to make sure he completes all tasks. The supervisor reviews it for completeness and sends it up the chain if it's complete.

Shown the background investigation file for December 12, 2024, Wan explained that his supervisor is noted as approving the file, but that only meant that the file was complete and ready for review. The word "skipped" means the person might be on leave or out of the office.

When his sergeant or lieutenant have a note that they approved it, it means that they reviewed his work are certifying that he completed everything that he said he did and the file is approved for sending up the chain for hiring decision. Wan has never seen the word "declined." Starting Level 2 meant that it was the first time that the chain of command saw his report. When the file reached the level of Assistant Sheriff, Undersheriff, or Sheriff, that's when the "approved" note meant that the person had a vote and voted to approve or reject hiring the applicant. Even if everyone voted to reject an applicant, if the Sheriff said "yes, hire," then the applicant would be hired.

On page 375/376, the file noted that Kim received an email on November 30, 2023. Kim had failed the psychological evaluation. So, he had a chance to appeal. Wan understood that Kim failed the appeal (the second evaluation), so the rejection email went out. Some time later, Wan was told there was a change of mind by the doctor who reversed his earlier "not suitable" assessment and Kim's file went to the third doctor. Kim had failed his own psychologist. Wan did not know the reasons why he failed.

Wan was not sure where rejection reports would be kept. He only kept success letters. This was the very first time that Wan had seen two failures. He has seen 5-7 situations where an applicant failed their own doctor were rejected.

Wan did not hear that there was any pressure from above to pass Kim. They did want to see the file completed in a timely manner.

Kim always applied for a deputy position. Those are the only positions at SFSO, which does not have a corrections deputy position.

Wan has not seen a purported letter from Miyamoto. The third doctor called Wan and asked him about Kim. The third doctor called him one day and asked if Wan knew Kim and what Kim's character was. Wan said he did not know. Wan has never seen Miyamoto write letters in support of applicants. Kim had not told Wan about Miyamoto's letter. Wan thought the letter was suspicious; Wan did not know if the doctor thought the letter was suspicious. Wan told the doctor he did not know anything about it. After talking to Wan, the doctor said he'd call Miyamoto to ask about the letter. Wan did not know if the doctor called Miyamoto.

Wan talked internally at SFSO about the conviction for contempt and whether he was qualified to be a Deputy. He talked with his sergeant and lieutenant. They looked at SB2 and what convictions qualify as a disqualifier. They called POST reps and were told felony convictions. So, Wan continued his investigation because Kim's conviction was not a felony conviction.

They did not talk about POST's Dimensions. They sought guidance from POST. There were concerns about Kim.

Asked if Wan reached out to City College of San Francisco ("CCSF") as part of his background investigation based on Kim's statement that he also applied for a law enforcement position there, Wan stated that he did not believe he reached out to CCSF.

When conducting neighborhood checks, there was an individual named Li. Wan did not know if this Li was related to Andy Li.

Wan did not know about any memorandum that Kim wrote to Matt Freeman.

Wan talked with his team when Wan was first assigned to the background investigation. Wan knew that the underlying charge was dishonesty. Wan talked internally about Kim's conviction and they did not have anything to back it up from the FBI that he lied. Wan only had the court document that he pled to.