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
Attorney IV
Legal Affairs Bureau

CHANDLER KNAPP
Associate Governmental Program Analyst
Executive Office

BRIAN SOUTH
Bureau Chief
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

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: No.
MR. KNAPP: That's five in favor. Motion carries.
CHAIRPERSON DUDLEY: Okay. So the motion passes. And there is an agreement for decertification.
Okay. Now calling the next -- thank you, gentlemen.
And at this time I will call upon Law Enforcement Consultant Raymond Bechler, Professional Conduct Northern; and Brian Hoffman, Attorney IV, Legal Affairs Bureau, to provide a report on POST2402338 [sic], Elliott Lopez, who, at the time of the events at issue

in this case, was employed with the California Highway Patrol.

Thank you.

MR. BECHLER: Good afternoon, Chair, Members of the Board. My name is Ray Bechler, and I'm a law enforcement consultant assigned to the Professional Conduct Northern Bureau in the Peace Officer Standards Accountability Division.

With me today is Brian Hoffman, an attorney with our Legal Affairs Bureau.

I'm here today to present Case Number POST2402838 involving Elliott Lopez, 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 an act of serious misconduct as set forth in Penal Code section 13510.8 on March the 24th, 2024.

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

In this presentation, I will present a brief outline of the Division's findings regarding this matter.

The respondent began his career with the California

Highway Patrol on June the 8 -- June the 18th, 2004. He received his Basic Certificate on March the 18th, 2009. He was an active member of the Peer Support Team.

The respondent had three past annual performance evaluations for 2024, 2023, and 2022. The respondent was rated either proficient or excellent in all categories.

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

In regard to the present allegation, the California Highway Patrol became aware of the respondent's misconduct following his arrest in Las Vegas, Nevada, on March 24, 2024, for domestic violence against the victim, who he was in a qualifying relationship with.

The respondent resigned from his employment prior to being interviewed by Internal Affairs and discipline being imposed.

The CHP completed their administrative investigation and sustained allegations of misconduct against the respondent.

On October the 15th, 2024, CHP reported this case to POST.

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

On March 24 -- in March of 2024, the respondent and victim traveled to Las Vegas, Nevada, for an annual trip with friends. The respondent, victim, and friends checked into the Westgate Hotel on Thursday, March the 21st, 2024, and planned to stay for several days to attend a popular cigar conference.

The next three days were spent with friends and seemed to go as planned as they enjoyed the conference and Las Vegas festivities at night.

However, on Saturday, March the 23, 2024, the victim, Respondent, and their friends visited Fremont Street to dance and enjoy music. As the night ended, the respondent and victim returned to their hotel for the evening.

At approximately 4:15 in the morning of March the 24th, 2024, the respondent physically attacked the victim by punching her in the face, head, arms, and upper torso, multiple times, causing significant injuries.

Hotel security received numerous calls from nearby guests regarding screaming and yelling, emanating from the respondent's room. They were directed to the respondent's room where the yelling was coming from and contacted the respondent.

According to security, they made -- entering into

the room and saw the respondent holding a trash can and had vomited. He also had blood on his finger.

Security asked the respondent where the victim was and eventually called her on a cell phone. The victim answered the phone and alerted hotel security that she was on the 25th floor. Security contacted her and called 911 for police and medical assistance.

Security detained the respondent in handcuffs and escorted him down to the security office, awaiting a police response.

Las Vegas Metro PD Officers Mayer and Nguyen arrived at the hotel. Mayer contacted the respondent who was being detained in the security office, while Nguyen checked on the victim, who was on the 25th floor.

According to the Las Vegas Metro PD crime report and inner CHP administrative interview, the victim stated that she and the respondent had been drinking at the Fremont Street Experience. The respondent drank too much, fell to the ground, and blacked out.

Friends had to call an Uber to get the respondent back to the hotel. Their friends had to help walk the respondent to their room and place him on the bed.

While the respondent laid on the bed, sleeping, the victim looked through his cell phone. In doing so, she found several sexually explicit messages and photographs

between the respondent and another person. The victim thought to herself, "Not again."

After sitting with her sadness and disappointment, the victim tried to go to sleep. But it was difficult for her to get into the bed as the respondent was taking up most of the bed space. The victim made numerous attempts to wake the victim -- or wake the respondent in order to have him move over so she could sleep.

Lacking a response -- lacking a response by the respondent and frustrated, the victim asked the respondent about the person he exchanged sexually explicit photographs and messages with. Calling the person out by name, who is -- upon hearing the person's name, the respondent suddenly woke up, looked around the room, and began wailing on her.

The victim described "wailing" as throwing punches to her face. She fell on the bed. She fell off the bed, onto the floor, curled up in a fetal position, and screamed for the respondent to stop, as he continued to repeatedly punch her.

The respondent -- the respondent stopped his attack momentarily, which allowed the victim to grab a cell phone off the table and run out of the room.

Officer Nguyen took numerous photo- -- photographs of the victim's injuries.

Las Vegas Metro PD Officer Mayer contacted the respondent, who said he had been out drinking with the victim on Fremont Street. They had an argument and then took an Uber back to their hotel where he passed out.

The next thing the respondent recalled was security waking him up. The respondent said he didn't remember the incident. He added that he and the victim had been having troubles but were working on their relationship.

Officer Mayer arrested and booked the respondent at the Clark County Detention Facility on a misdemeanor domestic violence charge.

The victim was transported by ambulance to a local hospital where she was treated for her injuries and released.

The victim was interviewed by CHP Internal Affairs on March 28th, 2024, just four days after the assault took -- and took these photos, which were caused by the respondent.

On March the 28th, 2024, the Clark County Nevada District Attorney's Office filed an amended criminal complaint to battery resulting in substantial battery harm, constituting domestic violence, which was a Category B felony.

On July the 9th, 2024, the respondent pled nolo contendere to a misdemeanor domestic battery charge.

The respondent was required to attend 13 classes of anger management counseling, spend two days in jail, pay court fines, and submit to a mental health evaluation.

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

For purposes of this -- of the Division's analysis, clear and convincing evidence means evidence of a charge is clear and convincing so long as there's 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 certification be revoked or suspended. The Division's recommendation is based on the following:

The Division found that 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); and that on March the 24th, 2024, the respondent physically harmed the victim by hitting and punching her numerous times about the head, face, and shoulders.

The respondent's actions were inconsistent with the respondent's obligation to uphold the laws of the state.

The Division finds -- the Division finds the

respondent's act of violence upon the victim not only violated CHP's internal policies, but also a criminal act by violating Nevada Revised Statute 33.018, which, had it occurred in California, would have violated Penal Code section 273.5, corporal injury upon a spouse or cohabitant, a felony.

In addition to violating the department's policy, clear and convincing evidence exists that the respondent violated California Penal Code section 13510.8(b)(C) and Commission Regulation 1205(a)(6), acts that violate the law.

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

CHAIRPERSON DUDLEY: I was wondering if there was any consideration to the fact that he may have been legally unconscious at the time of his acts.

MR. BECHLER: Go ahead.

MR. HOFFMAN: When you say "legally unconscious," I'm --

CHAIRPERSON DUDLEY: As we know, as attorneys, if you commit an act, but at the time that you commit the act, you are unconscious --

MR. HOFFMAN: So --

CHAIRPERSON DUDLEY: -- then you are not liable for an action.

MR. HOFFMAN: So battery is from -- in Nevada and California, is a general intent mens rea.

In terms of whether or not he was legally unconscious or not, the investigation -- I -- I don't remember if there's was there was a BAC level taken promptly as part of the investigation or not. So we don't know what his level of intoxication actually was.

But I don't think there's a full determination made on whether or not he was legally unconscious by anyone in Las Vegas or by the Division.

CHAIRPERSON DUDLEY: Okay. Yes.

MEMBER LARA: I remember reading in the -- in the -- in the report that the defendant had mounted the victim.

And so for me --

CHAIRPERSON DUDLEY: I'm sorry. He did what?

MEMBER LARA: Well, a mount is a position, say, in, like, in a mixed martial art, where the person is either kneeling over or on top of.

And so if -- if we're talking about intentionality, this does not appear to be wild flailing of an uncontrolled intoxicated person; but a purposeful, intentional mounting of a person to inflict more severe harm.

And so could you elaborate for us if you -- if I'm

correct in my recollection of reading that the -- some of the attack occurred from a mounted position?

MR. BECHLER: Yeah. The -- excuse me. Yes. Yeah. The victim did mention that when he got off the bed, got on top of her, in an MFA -- or MF- -- whatever --

MEMBER LARA: MMA.

MR. BECHLER: MMA style, mounted her, and then began wailing on her. That's -- that's her words.

To address your point, Chair, the issue of his awareness spiked when he was -- when he heard the name being said, is when he came to. And then that -- the whole subsequent violent act occurred after that.

So he was aware enough to understand who -- who she was talking about, the victim was talking about. And then responded, reacted accordingly.

CHAIRPERSON DUDLEY: And he pled guilty.

MR. BECHLER: He -- he pled nolo contendere.

CHAIRPERSON DUDLEY: Right. Okay.

MR. BECKER: Yes. Essentially.

CHAIRPERSON DUDLEY: So the same as pleading guilty for all criminal purposes.

So we don't -- so there was never really a hearing on this. And certainly no attorney raised this issue that he may have been unconscious.

Okay. Anything else on that, Captain?

MEMBER LARA: No.

CHAIRPERSON DUDLEY: Okay. Other thoughts and comments from the Board?

MEMBER CLAVO: I had a -- Mr. Lara, did you have another question?

MEMBER LARA: No.

MEMBER CLAVO: Oh. I had a question, and hopefully I'm not getting cases confused.

But I think I recall him saying that he thought she did this to herself. Was that his case?

(No response.)

MEMBER CLAVO: So I'm a little confused during his statement, during the investigation, him making this reference to, oh, she did this herself. She's just trying to take me down, take my job, this, that, or another. But, yet, he pleaded "no contendere." Hopefully I said that right.

But -- so I was just a little confused. But he did state those things in the report?

MR. BECHLER: Yes. I -- I called and had an interview with him. And he had mentioned that's -- he had mentioned, at that time, that maybe the possibility that she might have done that. Because he was saying that he didn't know what happened. So he -- he had mentioned that and maybe she had done that by -- to

herself. You are correct.

CHAIRPERSON DUDLEY: Yes.

MEMBER HATCHER-CRAWFORD: So one of the things that kind of caught my attention was although he mentioned he wasn't aware of what he did -- and then Chair Dudley talks about there being an unconsciousness -- in reality, in the community's world, those type of circumstances are not exceptional.

If it had been me, and I had been drinking and I did this, I would be charged with assault. And that comes to that responsibility piece and accountability piece. That, as a community, just as you expect more from me, I expect more for anyone who is wearing a uniform, who is sworn to serve and protect me.

So I will say out loud -- and I think putting it back on the victim, whether -- we were not in that room. They were in the room.

Looking at the pictures, I could not possibly see how she could have inflicted those marks on herself, unless she had somebody drive in from wherever, to Las Vegas, and give her a black eye, this on the arm. And I just didn't understand that.

So I think what took me back was the accountability piece. And so...

CHAIRPERSON DUDLEY: Just to be clear, I'm talking

about a state of blackout.

MEMBER HATCHER-CRAWFORD: Right.

CHAIRPERSON DUDLEY: So where -- where someone who commits what would be a crime, if you weren't in this state of blackout, versus someone who was.

The reports that we read talk about him collapsing; him needing to be lifted; him needing to be moved on to the bed; his being nonresponsive when she wanted to get into the bed.

And I just didn't have a clear understanding about that as I was reading the reports. And that's where my question came from.

I mean, there's no doubt in my mind that if he was conscious and these were the kinds of things he was doing, how outside the law they are. I just wanted to address that question. But I certainly understand the accountability issue.

Yes.

MEMBER PENA: I believe it was in this record where, once they got into the hotel room, he was on Chat G -- what is it called? He was communicating with someone online.

MR. BECHLER: I'm not familiar with what you are referring to.

CHAIRPERSON DUDLEY: That he was -- that he was

texting his girlfriend or somehow communicating with her.

MR. BECHLER: So the victim found that on his phone? Yes.

MEMBER PENA: She found it on his phone. But he had been -- he was on his phone right before he went to sleep. I believe I read that in the record.

MR. BECHLER: No. He was -- he was blacked out completely. But -- well, he was a -- he was on the bed, sound asleep. Passed out. I will say that.

CHAIRPERSON DUDLEY: What you read, a communication between --

MEMBER PENA: Was earlier?

CHAIRPERSON DUDLEY: I believe so.

MEMBER PENA: Okay.

CHAIRPERSON DUDLEY: Is that your -- gentlemen? The communication he allegedly had with his alleged girlfriend was before this incident.

MR. BECHLER: Oh, yeah. We're assuming so. Prior. Prior to this incident.

MEMBER PENA: Okay. Thank you.

CHAIRPERSON DUDLEY: Yes. Mr. Johnson.

MEMBER JOHNSON: I'm curious. I have -- I must have missed it.

Why are we here? I mean, he resigned, correct?

CHAIRPERSON DUDLEY: But we're talking about whether he is decertified. Meaning, he can't apply for --

MEMBER JOHNSON: Oh, no. I mean, I understand that.

But -- because he has a right to contest it, right? The fact that he was resigned and the fact that it's been reported to POST. So is he asking for his job back?

I'm just saying, I'm not clear on -- I understand we have procedures to follow. But does he really want his job back?

CHAIRPERSON DUDLEY: I don't know. But I think our decision needs to be based on whether he should get his job back. What he wants, none of us know.

MEMBER JOHNSON: Okay. So then, really, all the other details don't matter because it is pretty obvious he don't want his job back because he hasn't taken a form of defense. And so, really, to me, we just waste -- this is just me speaking. We're wasting more time about it then.

MR. BEATTY: Yeah. I think that we're just making a decision. You all are voting on the record in front of you --

MEMBER JOHNSON: Okay.

MR. BEATTY: -- and whether that is something that it proceeds to an ALJ -- you know, if those facts were to be proved, would warrant, you know, the charge be brought in front of it. So that's what -- we don't know his intention and probably shouldn't -- shouldn't calculate on it, because it is unknowable.

MEMBER JOHNSON: Okay.

MS. DEL MUGNAIO: One point of clarification.

So Board Member Johnson, he affirmatively appealed --

MEMBER JOHNSON: Okay.

MS. DEL MUGNAIO: -- the decertification proceeding, which is why it is here in front of you.

MEMBER JOHNSON: Okay. Yeah.

MS. DEL MUGNAIO: Yeah. Has he defaulted, which means didn't respond to us, you wouldn't be hearing this matter.

MEMBER JOHNSON: Right.

MS. DEL MUGNAIO: It would be an automatic revocation.

MEMBER JOHNSON: Right.

MS. DEL MUGNAIO: So his intent was to appeal this body. To appeal to this body. Yeah.

MEMBER JOHNSON: All right.

MS. DEL MUGNAIO: Thanks.

MR. HOFFMAN: Just -- if I may add a point of clarification on the point of consciousness or lack of consciousness, under California law, a person who is presumed to be conscious is a criminal defendant. And they would have to produce -- the burden is on the defendant to produce that they were in an unconscious state or a state of blackout beyond a reasonable doubt.

That's not necessarily the standard that we apply here in the administrative process, but just to provide a little bit further clarity on that topic.

CHAIRPERSON DUDLEY: Yeah. Thank you.

Because there wasn't a hearing, that never came up. He pled nolo.

MR. HOFFMAN: Correct. We have no evidence either way on that -- in light of the --

CHAIRPERSON DUDLEY: And, yes. The administrative standard of beyond a reasonable doubt versus clear and convincing. Clearly different standards.

Anything else on this? Any other questions?

(No response.)

CHAIRPERSON DUDLEY: At this time, does the subject officer and/or their counsel wish to make a public statement?

And is he here or remote?

MS. DEL MUGNAIO: He's here.

CHAIRPERSON DUDLEY: Okay. Thank you.

You will be given 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 defenses 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 a high probability that serious misconduct, as defined in Penal Code section 13510.8, and Commission Regulation 1205 occurred?

And, sir, would you introduce yourself, please.

MR. LOPEZ: Thank you. My name is Elliott Lopez, formerly with the California Highway Patrol.

I would like to begin by saying thank you for listening to this and taking it into consideration for not revoking my certificate.

First of all, I would like to say that this is something that is completely and unequivocally out of character for me. I have never been in contact with law

enforcement negatively other than a traffic stop.

I did go out that night. We did have drinks. And I had not been drinking for quite some time. I am diabetic and I've been taking care of it. For the week leading up to it, I had not taken my medication.

And I did, 100 percent, completely black out. The last thing I remember was watching some show with some young child on Fremont Street.

The next thing I remember, somebody is pounding on the door, asking me to get out of the room.

As per witnesses on BR11, Witness 1 in the IA investigation corroborates the fact that this was something completely out of character. On talking to one of the witnesses, he gave me a statement stating that my spouse, once they threw me in the room -- because I was completely unconscious -- followed them out to the elevator and told him that I had asked her for a divorce the month before.

The reason I went to this -- to Vegas for the cigar convention was because friends of mine, of ours, had paid for the entire trip and I didn't want to leave them behind. I didn't want to not -- to spend the money that they had already spent on me going.

She told him that ever since I asked them for the divorce, all I talked about was wanting to beat her up,

which, I can tell you, 100 percent is not true.

After the incident that occurred and everything that happened, law enforcement did not take any photographs of myself, of any wounds that I may have had on my hands, or defensive words from her. Nothing. There was nothing on me, which is something that I remember sitting in jail, just looking at, to try to see if I had anything.

Since the occurrence, I have done everything that is required of me.

I know the question of did I plead no contest came up? Yes. And I will explain myself at the end, because I don't want to -- make sure I have enough time.

CHAIRPERSON DUDLEY: If you need additional time, you can have additional time.

MR. LOPEZ: Okay. The reason I pled no contest was because I was given five minutes. I went to Vegas. I was told, hey, this is a preliminary hearing.

I said perfect. No -- not guilty. We'll go -- we'll figure this out later.

He goes no, no, no, no. That's not how this works. He goes, you can either plead no contest or you take this to court and you lose; you go to one year in prison automatically, no matter what. You have five minutes to decide.

So being an ex-police officer in another state, going to prison for a year; or I plead no contest and I do everything they ask and this goes away in a year. To me, it was an easy decision. I don't feel I did it, and I'm not placing blame on her.

It is just very hard that we were married for 14 years, together for 18. I asked her for a divorce a month before this happens. And then, all of a sudden, I become this violent monster that attacks her?

That's why I find it very difficult to believe that I had something to do with this. It sucks. I was a horrible husband towards the end of the years. But I'm not violent by any means.

I did this job for 17 years. Not once -- you heard him testify. Not once did somebody complain. And I was in a lot of fights. And I would pick people up, dust them off. And my commander would actually tell -- actually, we talked about this after the fact. She goes, it's funny how you get in fights with people and you guys are laughing on the way to the jail, because they think you are the coolest guy ever for not going farther beyond of what you've -- what you should have, because they deserved it. She goes, and you guys are like friends. She goes, I don't know how you do it, but it always happens.

Getting back to this, the reason I believe -- and I'm not, again, shifting blame -- the victim, my ex-wife in this, has changed her stories on three different written accounts of this.

The first was she found text messages. The report she gave to Vegas Metro was she just pushed me and I went crazy.

Another account was she just walked by and I just woke up and started swinging.

And she told several people that she felt her life was in danger. Yet, again, at no point did I have any kind of defensive wounds.

Being a diabetic, those defensive wounds stay for quite a long time. I have scratches on my feet from two years ago. So I still, to this day, have nothing from that night.

This is the last thing I will say.

I am the first person in my family to do anything good, so to speak. My father came over from Mexico, worked his ass off. And if I can be half the man that guy is, I'd lead a pretty good life.

My mother, who passed away three years ago, wasn't the greatest mom but she did her best.

I would never do anything to make anybody ashamed or do any -- I wanted to be a cop since I was a kid. I

was an Explorer with the Highway Patrol at 14 years old. I did it for the four years. After that, I tried to join at 21 and my -- my score wasn't high enough to become an officer because my oral was only 85 and not 95. And then when I finally went through in 2007 -- not 2004, I apologize -- when I went through in 2007, they were letting 70s through. So my 85 got me in pretty quick.

But I did my job great. From my first year, when I, unfortunately, watched my partner get killed; and then being in two shootings subsequently over the following years, I had every reason to drink. I had every reason to be an asshole. I had every reason to be a horrible person, and I did my damnedest not to be. And I was a great cop. I was a horrible highway patrolman. I hated writing tickets. But I was a damn good cop.

So with that, I will tell you and I will say thank you for listening. I will say thank you for taking my answers and any questions you may have and respect for not -- I would like to go back to the Highway Patrol.

CHAIRPERSON DUDLEY: Let me start with some questions.

How long were you in custody?

MR. LOPEZ: I was arrested -- that's another --

that's another -- I was arrested about 4:30 in the morning, I believe the report says. And I was detained in handcuffs until about 10:30 in the morning, before I was actually taken to the jail.

I was never given a BAC. The nurse finally at the hospital -- or sorry, at the jail, checked my -- my diabetes, my blood sugar. And I was well over 400. And that was six hours, seven hours after the fact that I had finished drinking. So it was pretty high up there.

CHAIRPERSON DUDLEY: Okay. That wasn't my question.

How many hours were you in custody?

MR. LOPEZ: Oh. I was let out -- so I -- I'm horrible at math. That's why I became a cop.

CHAIRPERSON DUDLEY: Okay.

MR. LOPEZ: I was let out at about 2:00 on Monday morning. 2:00 or 3:00 on Monday morning. Or, sorry, 2:00 or 3:00 on Monday afternoon.

CHAIRPERSON DUDLEY: So you said that no one took photographs of your hands to show any defensive wounds.

You did -- you have done evidence collection your entire career. Why don't you get photographs of your hands?

MR. LOPEZ: It wasn't -- how do I say this? It wasn't -- I was so in shock of everything that happened.

I mean, I should have. I -- I understand what you are saying.

CHAIRPERSON DUDLEY: No. Only because you said, when you were in custody, you were looking at your hands and saying they didn't take pictures of my hands. So it was a thought you already had.

But when you got out of custody, you didn't get photographs of your hands?

MR. LOPEZ: No.

CHAIRPERSON DUDLEY: Okay.

MR. LOGGINS: I was just trying to get home. I apologize.

CHAIRPERSON DUDLEY: And help me understand. Was this a private lawyer or a public defender?

MR. LOPEZ: Private.

CHAIRPERSON DUDLEY: And this is someone you were paying.

MR. LOGGINS: Yes.

CHAIRPERSON DUDLEY: And they were telling you, you have five minutes to make a decision?

MR. LOPEZ: Yes.

CHAIRPERSON DUDLEY: Okay. But you have been in this world of attorneys and law enforcement for a long time.

Why couldn't you say, "No. I want more than five

minutes or I want another lawyer"? Why did you feel you had to be, for lack of a better term, a victim to what he was telling you about the fact that you only had five minutes?

MR. LOPEZ: It was a -- it was a decision that rationale and emotions kind of played in. It was, hey, this or that. Now, like -- we can take this, but you are going to go to prison. You have no defense.

CHAIRPERSON DUDLEY: And you felt help- -- you felt there was nothing you could do.

MR. LOPEZ: I felt helpless. It was -- it was just -- I was so emotionally charged.

CHAIRPERSON DUDLEY: Okay. Even though this is someone you are paying to do a job. Okay.

And how did your ex-wife get all those injuries?

MR. LOPEZ: I don't know. I can -- I can assume but I can't tell you.

CHAIRPERSON DUDLEY: So what do you think happened?

MR. LOPEZ: What do I think happened?

Unfortunately, with circumstances after the fact, I believe she did them to herself. And the reason I say circumstances after the fact is because she has changed her story. And she had a restaining order against me for about a year and three months. And then she goes, hey, I'm going to take it off but I want you to

continue -- you can't be a cop. Like, maybe go to POST and all that stuff.

And just recently, in the last 30 days, she's upset because I'm not paying for everything. So she has told her lawyer to place a restraining order back on me so I can pay for all the bills at the house. Not for --

CHAIRPERSON DUDLEY: You explained the ways that she changed the story. I didn't hear you ever say that she admitted to you or anyone else that she did it to herself.

MR. LOPEZ: No. She hasn't. That's just --

CHAIRPERSON DUDLEY: Okay.

MR. LOGGINS: -- my thought.

CHAIRPERSON DUDLEY: I don't have any more questions.

Other board members?

MEMBER CLAVO: You asked all mine.

CHAIRPERSON DUDLEY: I'm sorry?

MEMBER HATCHER-CRAWFORD: Go ahead, Nicole. Then I'll go --

MEMBER CLAVO: You asked all mine.

CHAIRPERSON DUDLEY: Ms. Hatcher, you go first.

MEMBER HATCHER-CRAWFORD: I would say that, unfortunately, you -- you get to see on the other side of some of the things that the community goes through.

And to the point of I'm not an attorney, one. But I have seen people going through the court system where they are told what you were told.

And your first life survival is let me take this and please, God, let it go away, not understanding the ramifications or the end results of why we are here now.

One of the things that I'm struggling with -- and so I'm talking to you -- is the -- the blackout statement, you know, of swinging and her -- her story, not yours. Swinging. And then the injuries where they are -- I'm -- I literally at one point tried and I'm like, how do I hit my arm and get this?

And so that was the accountability piece. And so as Chairman Dudley talked about, a little bit about the blackout portion and some of the other things, those raise doubt.

But I would -- I guess my question to you is -- couples do things, and when they are in a battle, things are said and things are done.

I guess my question to you is the accountability piece of it. Do you feel that you played any role other than that what you described, or what maybe later you thought about, that happened in that room in your blackout statement?

That's kind of -- I know it kind of sounds --

MR. LOPEZ: I think I understand what you are trying to say is, do I take any accountability for what happened in that room that night?

MEMBER HATCHER-CRAWFORD: Right.

MR. LOPEZ: Yes. I take accountability for the fact that I was not completely divorced, and I was speaking to another woman, and it was not the first time that I had, unfortunately, cheated on my wife.

We had had this conversation many times over, where I felt that she was more of a roommate than a spouse. And I had asked her about going to counseling. We never went.

And then, finally, I had the courage to ask her for a divorce, which, again, is why -- I don't understand why after all these years of nothing, I asked her for a divorce and then less than 30 days later, here we are.

I will say this: I am accountable for drinking. I was handed those drinks. And I -- I willingly took them. I drink rum and tequila is what I usually -- or sorry. Rum and pineapple juice is what I usually drink. These drinks were tequila and pineapple juice. So an extremely higher BAC alcohol.

And they were -- they weren't a glass. They were cups. I take responsibility for drinking those and allowing myself to get in state of inebriation that I

could not take care of myself. For that, I'm an idiot. It had been years since I drank like that. And I can't remember the last time I drank so much that I blacked out. But I allowed myself to get to that stage.

I cannot say 100 percent without a doubt, hey, she did it. I cannot say. I can only speculate.

What I can say is that I have no recollection of --

MEMBER HATCHER-CRAWFORD: Do you currently drink now?

MR. LOPEZ: No. I stopped. After -- after that incident, I stopped drinking.

Even -- I was just in a motorcycle accident that -- you saw, when I was limping when I walked up -- six months ago. And I broke every -- my legs, both legs, both arms, broken. I didn't even take the pain meds. Whatever they gave me in the hospital, I took. And they sent me home after a month of rehab, and I didn't even take those.

MEMBER HATCHER-CRAWFORD: So you went through, also, anger management classes?

MR. LOPEZ: I did.

MEMBER HATCHER-CRAWFORD: Do you recall that?

MR. LOPEZ: Yes.

MEMBER HATCHER-CRAWFORD: Was it helpful?

MR. LOPEZ: They were. They were -- in the

beginning, I'm like, why am I here? I don't feel like I have anger problems. Again, I have every reason to have them, but I didn't feel like I had them.

But after kind of listening to other people's stories and kind of being part of the classes, I think they were good.

I learned to -- I have always been -- I have been on our peer program since 2011. And I was in multiple line-of-duty deaths, talking to people, and I -- that was one of the thing I would tell them, hey, talking is the best thing. Keeping it bottled up, you are going to be like a firework. You are going to explode. Let it out. And if you have to explode over one drink every now and then, that's fine. But don't -- don't hold it in.

So this helped me realize that much more.

MEMBER HATCHER-CRAWFORD: Okay. Thank you, sir.

MR. LOPEZ: Thank you.

MEMBER CLAVO: I have a question. I have a couple.

CHAIRPERSON DUDLEY: I know.

MEMBER CLAVO: I know.

Did you enjoy your job?

MR. LOPEZ: I loved it.

MEMBER CLAVO: I have heard you made this estimate a couple of times while you were speaking that you had

every reason to feel angry. Why?

MR. LOPEZ: So December of 2009, I watched my partner get run over and killed while I was working in Los Angeles. That was trauma that not -- I would say a very small percentage of officers deal with. Being with someone that you went to the academy and you watched them lose their life right in front of you. And you can't do anything to save them.

And I remember me and my spouse -- she was my girlfriend at the time, arguing about it. And I'm telling her, hey, I should have died. We have no kids. He's got five. Why did God decide to take him and not me?

Many times people would get into fights with me. Again, as a highway patrolman, we work alone, for the most part, until we get together at night. So there was plenty of times where I fought with people by myself.

And in an -- in an unincorporated area like Tuolumne County, back-up will be 45 minutes away. That's why it's nice being in -- when I worked in LA, because back-up was always about five minutes away. So there was always that portion of stuff.

I, in my career, have been in two shootings. Unfortunately, the second shooting I was in, in March of 2022, the party that I was involved in the shooting with

did lose his life. That is something that we know, as law enforcement, is possible, but that is not something that any of us want to do. And I didn't want to do it. But when somebody points a gun at you, you have to protect yourself and the person next to you. So it happened.

And, again, you know what? I can just drink and I will be fine. But I couldn't --

MEMBER CLAVO: Did you seek counseling for any of those incidents?

MR. LOPEZ: All of them.

MEMBER CLAVO: Are you seeking counseling now?

MR. LOPEZ: Yes. So I did seek counseling for all those incidents. And as of the incident that occurred in March of '23 -- '24? '24. I have been going to counseling every two weeks minimum. So either by phone or in person.

MEMBER CLAVO: So it would be my assumption that through your training, you have probably seen domestic violence victims. You may have investigated some.

So how would you say, in your professional opinion, one would receive bruises as extensive as your previous -- your former wife received, and how would one do that to themselves? How would -- how could one do those type of arm bruising, black their eyes, facial,

jaw bruises to themselves?

MR. LOPEZ: So many ways, unfortunately.

And the only reason I know is from conversations that I have had after the fact with people that have had -- like one friend I talked to, she goes, yeah, my mom used to beat herself all the time and tell -- call the cops on my dad. And she hit herself or grab something and hit herself. She would run into the wall and do all these things. I don't know if she did that.

I will tell you this: That I was an instructor for physical methods of arrest and fighting and defense tactics in the academy -- or not in the academy. But at the office. I was the training officer for that.

And I'm a large individual. Something I did think about after the fact is, if I did hit her the way she said I did, she has veneers. I would have easily knocked the veneer out. I would have easily broken a nose. I would have easily broken an eye socket. I'm not a small man. And if I was as angry as she is saying I was, and I was trying to murder her like she said I was, those wounds that you see those photographs would have been much worse.

So, again, I'm not saying that -- in my heart, I don't feel like I did it. The only other thing is, I feel that she did it to herself. I do feel had it had

been me, the injuries would have been much worse, given her account of the actions.

MEMBER CLAVO: Last question: In your hotel room, were there items in the room that could have -- she could have used to do that type of violence to herself?

MR. LOPEZ: It's been a while. I mean, she could have hit herself with a lamp. There was lamps in the room, type thing. There was TVs. There was drawers. There was the bed. There was the floor. There was walls.

MEMBER CLAVO: Normal --

MR. LOPEZ: Normal.

MEMBER CLAVO: -- hotel room, right.

MR. LOPEZ: Yeah. Nothing I could -- there was no bat in the room.

MEMBER CLAVO: Okay.

MR. LOPEZ: Nothing like that.

MEMBER CLAVO: Thank you.

CHAIRPERSON DUDLEY: Yes.

MEMBER LARA: I have a couple of questions for you.

So first thing is I -- the first things I've heard you to say today is "I don't feel I did it. I don't believe I did it."

And so that being the case, just with your background as a law enforcement officer, if you don't

believe or feel or perhaps, at some point, you will say today that "I didn't do it," why would you not have taken this to trial?

Instead of -- I mean, I hear the "I had the six-odd minutes to do so."

But you had two opportunities to explain and defend yourself: The first at trial; and, to my mind, the second is you could have given a compelled statement with your agency under -- under the threat of losing your job. But you chose to take neither of those opportunities to defend yourself.

Can I ask why?

MR. LOPEZ: So the first reason for the -- while we were in trial, was the one year in prison. That was hands down the reason that I took the plea, because he's like, hey, one year in prison, you are now a felon. You can never own guns ever again. And kiss your law enforcement career goodbye. That was hands down for that one.

For the one before that, in April, so the -- the jury trial was July. Or not the jury trial. But when I pled no contest was July.

The interviewer resigning from the Highway Patrol was in April. I was told by our union, one of the head guys in our union, don't even fight it because you are

going to lose your job.

And I'm like, wait. What do you mean? Like, I shouldn't have a chance?

And he's like nope.

We had a case where a husband and wife got into an argument. He was arrested for pushing her. She recanted the whole thing, and they still fired him. He goes, so take away, quit, resign with your head held high, and at least you can go to another agency.

Worst -- worst decision I ever made by not -- by not going through with the interview.

And as I told the investigator, when he called me, I'm like, any questions you have, I will answer. There was no reason for me not to answer that question. And that's why I'm here today so that you folks can ask any questions that you may have regarding any of this situation.

I have nothing to -- to hide. I'm not trying to do anything. I literally just would love to get back into my career.

MEMBER LARA: But there was no threat of a felony or compelled statement through your agency; is that correct?

MR. LOPEZ: Correct.

MEMBER LARA: That's all I have.

CHAIRPERSON DUDLEY: Yes. Mr. Johnson.

MEMBER JOHNSON: So as I was reading your wife's interview, she talked about two to three years prior to the incident that she kept asking you to get help. And she did lean toward the fact that you was involved in a shooting.

You know, so it's pretty obvious that there was trouble in the home to such a degree that she was repeatedly asking you to get help. Why?

MR. LOPEZ: So I'm going to say this with all respect. And I apologize for using vulgar language. I am, to all extent, the nicest asshole you will ever meet.

The communication between me and my wife was horrible. We never talked. I never told her anything because everything I told her was used against me. So she took me shutting down and not saying anything as me being -- needing help. And it wasn't that she was -- she was upset because I didn't tell her, because I didn't talk to her.

The reason I didn't talk to her was, case in point, after my last shooting, I got home at 1:00, 2:00 in the morning and she's blitzed. She had gone out with friends. I called her. "Hey, I have had an incident. I was involved in a shooting. Someone died. I'm okay."

And instead of being like, okay, that's it, I'm done, I'm going to go home and wait for my husband, she proceeded to get blackout drunk. Well, not blackout because she was still awake when I got home. But she was highly, highly intoxicated.

And she told me, as soon as it happened, I went back to the table and I'm like, hey, let's -- I got to take shots. We got to take shots. Elliot was just in a shooting. He killed someone. Let's take shots.

We get to that night -- or I get home that night and she asked me what happened. I tell her the entire story.

The next day, she's upset at me because I told somebody else the story. I'm like, yeah, the officer -- the other officer was injured. She's like, "You didn't tell me that."

I'm like, "Yes, I did." We were -- I told you that he got hurt by -- when I fired my gun. It was in his ear so he got hurt.

And me and her just didn't have communication. So that's why she would say that I needed help because I didn't ask her for it.

MEMBER JOHNSON: So I guess my follow-up question, then, would be if I heard correctly earlier, you talked about the struggles of the shootings. I'm not sure if I

read or heard you state the loss of a parent, someone being really sick.

But in your own mind, you didn't feel that was nothing wrong with you and it all had to -- it is pretty obvious because it keeps sounding like it was more your wife than yourself.

So I'm -- my last, though -- you know, and I would like to hear a response to that. But I wanted to add this too: Why are you here without representation?

So that's two -- a two-part question.

MR. LOPEZ: Okay. Can you ask the first again? And then I will --

MEMBER JOHNSON: Yeah.

MR. LOPEZ: -- tell you the second.

MEMBER JOHNSON: It appeared earlier that you were stating that you knew you needed some help. You have been involved in the shooting. Parent was dying or someone dying. You know, there was trouble happening in your life.

But you just expressed that it really wasn't you. You are okay. But I think earlier, if I heard it correctly, that there was some struggles in your life, and you knew that. And but, yet, you refused to get help.

And -- and because of that it escalated to a point.

And it is really hard for me to believe, unless it was a true blackout, that you beat your wife the way she had those bruises.

I mean, she had two black eyes that was just horrifying. I mean, and it is almost like you -- we know there's abusive folks in the -- in the home. Especially it could be a husband. And sometimes he will beat his wife more than once over a period of years.

So you never, ever touched your wife before violently like that, until that night?

MR. LOPEZ: Well, that is the reason why I do not believe I did it. I never --

MEMBER JOHNSON: But, yet, you still say you didn't believe you needed help.

MR. LOPEZ: I didn't -- I didn't believe that I needed so much help that this would happen. Everybody needs help. Everybody -- I tell every -- every new person that comes on, I tell every -- every new person that's been around for 20 years, "Hey, man. You know what? Go find a good counselor, even if you go once a month."

MEMBER JOHNSON: And so I know you was a part of a peer group, and I think you was mentoring in that peer group. So you know all the right things to say. But, yet, you didn't apply them to yourself.

And so my last question, though, is what happened in Vegas and pleading no -- "nololo," whatever it's called? What is it called?

CHAIRPERSON DUDLEY: No contest.

MEMBER JOHNSON: No contest. Right? Why -- I mean, and that was the biggest mistake in your life that you stated.

Why are you here without representation today?

MR. LOPEZ: I don't want you to think that I have anything to hide. I don't. I'm not hiding anything. I'm not hiding behind a lawyer. I'm not hiding behind anyone. I just want to be a cop again. I was a good cop. And I am a good cop. I did everything in my 17-year career. I was good. I was a horrible "Chippie." I worked at night for probably 12 out of the 16 years, 17 years that I worked. But I was a damn good cop.

So I don't have anything to hide. That's why I don't need a -- to hide behind a lawyer. That's why I did not bring any counsel with me today.

CHAIRPERSON DUDLEY: Anything else, Mr. Johnson?

MEMBER JOHNSON: I'm done.

CHAIRPERSON DUDLEY: Okay. Ms. Hatcher-Crawford?

MEMBER HATCHER-CRAWFORD: I just have one more thing.

CHAIRPERSON DUDLEY: Sure.

MEMBER HATCHER-CRAWFORD: Thank you for coming here because we really appreciate you being here.

You always make the statement -- and I have heard you twice say it, maybe more than twice -- that you are a nice asshole. Excuse my --

MR. LOPEZ: Yes.

MEMBER HATCHER-CRAWFORD: -- words for saying it.

But what does that exactly mean? Again -- and I'm speaking from the community. And I believe in community policing. And if I run across an officer that is that, I may have a problem. So could you kind of expound on that?

MR. LOPEZ: So I -- the reason I say that I'm a nice asshole is because you get what you give. If you are nice to me, I will be nice. I was told a long time ago, in the beginning of my career, to do the job like your family is standing over your shoulder. And if somebody is being nice and somebody is being respectful, that's exactly what you get.

If somebody is trying to be an A-hole back to you, if somebody is just trying to chip on you and somebody is trying to -- sometimes you kill them with kindness, but sometimes you got to treat them the way they are treating you.

And I can't tell you how many times in -- I have an old partner that still complains to this day how he would say "please" and "thank you" and I would tell people to shut their fucking mouth. And after that, they are like, okay, you are not messing around.

And I'm like, nope, we're not messing around. We -- you did something wrong. And if you want to try to find a complaint, you can find a complaint. If you are going to be rude about it, I'm going to be rude back.

That's why I tell people I am either the nicest thing that you will ever meet in people's story or I'm the worst thing you will ever meet in people's story. And I believe both of those. Because they got what they deserved accordingly. So that's why I say I'm the nicest asshole you will ever meet.

CHAIRPERSON DUDLEY: Is there anything else?

MEMBER PENA: I have two.

CHAIRPERSON DUDLEY: Yes, Ms. Pena.

MEMBER PENA: You said that you had had problems in your marriage for a while.

MR. LOPEZ: Correct.

MEMBER PENA: How many years would you say you'd had problems?

MR. LOPEZ: Five or six, if not -- yeah. Five or

six years at least.

MEMBER PENA: You also mentioned -- I think you mentioned that -- well, you mentioned you were having an affair, and it wasn't your first time.

MR. LOPEZ: Correct.

MEMBER PENA: And so you had other -- another affair earlier.

Did your wife know about that one?

MR. LOPEZ: She did.

MEMBER PENA: So I would imagine you probably had arguments from time to time?

MR. LOPEZ: Yes. From time to time. We were -- I wouldn't say that we were that couple that argued every week or every -- every month even. We would get into big arguments, like, once every six or seven months and then not talk to each other for 24 hours. And then the next day, one of us would see who wanted to go to lunch. I'm not one to hold grudges nor was she.

MEMBER PENA: Would your wife -- when you would get into arguments, would your wife ever be physical with you?

MR. LOPEZ: Yes.

MEMBER PENA: And what -- what did that look like?

MR. LOPEZ: There was one occasion, September 2019, I believe. We were in Vegas for the softball

tournament. She found messages on my phone that were sexual in nature. And I had had a couple of drinks so I was kind of in the bathroom. And she began kicking me in the stomach while I was on the ground.

And I didn't tell anybody because -- just a couple of kicks. I was an idiot.

And, unfortunately, it is not one of those things where it's like, oh, my God, my wife beat me up. You know what I mean? So I didn't say anything.

She threw the first -- the first affair that I had that she found out about when we were talking. She goes, "You haven't said no to any of this."

And I'm like, "No. I had the affair."

She had the glass beer bottle in her hand and she threw it at my face, and I was able to swipe it away with my hand. So, again, it didn't cause any arm. It didn't cut me, it didn't hurt me in any way. But she threw a glass beer bottle at me.

I have only told my counselor and an old lawyer, and that was the only person I have ever told about that. Well, now everybody knows. But those are the only two true incidents that I can think of where she physically hit me.

MEMBER PENA: Did she ever shove you or slap you?

MR. LOPEZ: She did. The -- the day that I asked

her for the divorce, she -- we were at our friend's cigar lounge. She had tons of drinks. She was with another friend that kind of amped her up to the point where I could see it.

And I remember telling my buddy, and I'm like, I do not want to go home. This is going to be bad.

Completely quiet all the way home. We get home, and as soon as I park the car, she begins to yell at me to the point where I yell back. And I'm like, you know what? There's no point to fighting like this. I get out the car. I go to open the garage door to go inside. And she bum-rushes me, pushes me up against the fence we have there. In a defensive mode, I kind of just do this. She is so intoxicated that she literally falls on the ground.

I went to help her up and she had her wallet and she threw it at my face. I caught it and I was like, you know what? You can stay on the ground.

I walked away, threw her wallet in the garage, and then that's when we proceeded to argue and yell inside. Several times, she got into my face and told me, "Just hit me, just hit me, just hit me."

And I'm like, what are you talking about? I was not intoxicated at the time.

And that's the night I asked her for a divorce.

And then that night, she goes, "Hey, what can we do to fix this?"

I'm like, "Nothing. It's over. It's been too long. You are not happy. I'm not happy. We're done."

And that was a month leading up to this incident.

MEMBER PENA: And so the next time that there was anything physical was the night in question.

MR. LOPEZ: Correct.

MEMBER PENA: Did she -- that night that you don't recall what happened, was she physical with you that night? Did she strike you at all?

MR. LOPEZ: Not that I recall. Not that I -- like I said, we were out on Fremont Street. And I remember talking to some -- one of the people that was performing. And then that was the last thing I remember until somebody was pounding on the door.

So anything that may have happened in between there, the Uber ride, and whatever, there's -- there's talks of a fight on Fremont Street. But nothing that I recall.

MEMBER PENA: Was she also intoxicated?

MR. LOPEZ: She was.

MEMBER PENA: Okay. Thank you.

CHAIRPERSON DUDLEY: Anything else?

MEMBER CLAVO: Yes.

How tall is your wife?

MR. LOPEZ: 5'10", 5'11".

MEMBER CLAVO: And how tall are you?

MR. LOPEZ: 6 feet.

MEMBER CLAVO: Did you guys have an emotionally verbally abusive relationship?

MR. LOPEZ: No. No. It was just, like I said, towards the --

MEMBER CLAVO: Infrequent arguments.

MR. LOPEZ: Infrequent arguments. And like I said, towards the end there, we were roommates. We weren't even friends. It sucked.

MEMBER CLAVO: If you were investigating this case, what would be your thought process? And if you were investigating yourself, what would you think?

MR. LOPEZ: Old me? And that's -- that's the crappy part is from what I have learned from this. Old me, didn't care. Not that I didn't care. But like, okay, she's got bruising on her face. You are clearly drunk. You -- she said you did it and you don't remember; you are clearly guilty. Let's go to jail.

I will say this: The DA did initially drop the charges. They said there were misdemeanors and they took me and in. And Monday morning, when we went to court, they are like, hey, we're dropping the charges,

and they let me go.

Several days later, after my ex-wife and her lawyer called the DA is when they decided to press charges for felonies. So...

MEMBER CLAVO: The old you would be like, yeah, you did this.

MR. LOPEZ: Oh, yeah. 100 percent.

MEMBER CLAVO: Who is the new you?

MR. LOPEZ: The new me seeing kind of like -- like, hey, man, like, you didn't recall. Like all these things happened. Kind of going on. And I would slow down, if that made sense. I wouldn't rush to make a decision.

So there was no -- and that was the other thing that killed me, was there was all these witnesses and all these people that called in that night that said it was a -- something happened in the room. But there's no -- there's no witness statements from those people in this report at will. Nobody went to go talk to anybody. Nobody said, hey, what did you hear? What was going on? Was it all her? Could you hear him? What happened? Nothing.

It was just, hey, there were multiple people who called in, so we responded. But nobody talked to any witnesses. That's the one thing I would have changed.

I would have gone and talked to those witnesses.

MEMBER CLAVO: Thank you.

CHAIRPERSON DUDLEY: Anything else?

Yes.

MEMBER JOHNSON: So you are -- you are getting help now.

MR. LOPEZ: Correct. I go every two weeks.

MEMBER JOHNSON: We're getting ready to make a very important decision about your life. And it could be good, it could be bad. And I'm saying that to say you speak about that choice you made in Vegas that you shouldn't have made.

Are you are mentally prepared for what can happen?

MR. LOPEZ: Absolutely.

MEMBER JOHNSON: Okay.

CHAIRPERSON DUDLEY: Yes.

MEMBER LARA: All right. So I just wanted to ask a question based on your statement.

You -- you gave us a window into -- into you by saying, "I'm the nicest asshole you will ever meet."

The statement that -- so you kind of -- the equivalent of that is you match energy. Is that -- am I -- am I kind of saying that correctly?

MR. LOPEZ: Yes. For -- for work me, yes.

MEMBER LARA: Okay. So -- and you said the stories

may change and that your ex-wife's story has changed.

But would your ex-wife's confrontation of you, with your infidelity, which -- who is she going to get? Is she going to get the nice guy or she going to get the asshole?

MR. LOPEZ: I don't know. I wasn't -- well, I don't want to say I wasn't there. But I don't -- I don't remember that night. I don't know who she got.

So -- and even if she did get the asshole, never once did I raise a hand. Never once did I -- I screamed. I'm a man. I'm a human. I'm emotional. It gets the best of me. But never once did I charge her. Never once did I attack her. Never once did I do anything that would physically harm her.

CHAIRPERSON DUDLEY: How do you -- how do you know if you don't know?

MR. LOPEZ: No. I'm saying, up to that point, never once in the 18 years we were together had I ever done any of that to her.

CHAIRPERSON DUDLEY: But you don't know what you did that night.

MR. LOPEZ: I do not.

CHAIRPERSON DUDLEY: Okay. Anything else?

MEMBER JOHNSON: Yes. Me.

I'm sorry. Lara.

MEMBER LARA: I'm finished. Thank you.

MEMBER JOHNSON: The -- the marriage has been strained for, what, 14 years.

MR. LOPEZ: We were married 14 -- sorry. Yes. For 14 years.

MEMBER JOHNSON: And, you know, we're not talking about one night, even though that is why we're here. But the history of the relationship and her complaints didn't center on what happens that night. It is centered on what was going on prior to that night and, of course, even earlier. And she advocated consistently about yourself getting help.

But it doesn't appear that you recognize beyond the first night of beating her up, that there was any other issues that ever existed.

MR. LOPEZ: There was issues. I will -- I will say that. My infidelities were 100 percent issues. My attitude at times were issues.

You are getting the "CliffNotes" into our marriage of the horrible times. You are not seeing the great times that were in there in between. You are not seeing the vacations. You are not seeing the years that I told her, "You don't have to work. I got us." And we were happy. And you are seeing all the good times that were 90 percent of it. Nobody sees that. We see the

negative.

So my career, nobody saw, hey, Elliott drove an hour because -- or two hours away because somebody talked about killing themself, and he sat with them all night long. I'm not saying hoorah me. I'm saying you don't hear that stuff. You are hearing the bad stuff. You are hearing about one night.

So yes, was it a bad relationship towards the end there? Yes. Was it always that way? No.

CHAIRPERSON DUDLEY: Are there any other questions? We're going to have to take a break for the reporter, which means that we're going to have to take ten minutes and then come back and ask any other questions you have.

Does anybody else have any questions? Do you -- do you have a quick one?

MEMBER HATCHER-CRAWFORD: It is a quick one.

CHAIRPERSON DUDLEY: Okay.

MEMBER HATCHER-CRAWFORD: So in the statement -- and it's actually to the attorneys. In the statement that was from his former wife, I noted that she had stated that he has never previously acted like this before.

Am I correct, for the record?

MR. BECHLER: Yes. That is correct.

MEMBER HATCHER-CRAWFORD: Okay. Thank you.

CHAIRPERSON DUDLEY: Okay. Is there anything else?

(No response.)

CHAIRPERSON DUDLEY: Do you want to go in private and discuss this further? Or do you -- is there a motion now?

Let me just ask, is there anybody that wants to go in private to discuss this?

MEMBER LARA: I will go.

MEMBER HATCHER-CRAWFORD: I do.

CHAIRPERSON DUDLEY: Okay. Then what we're going to do is we will come back at -- I don't know. Probably around five to 2:00, but it might be a little longer. We'll see. When we come -- let me first ask for public comment before we go back.

Is there anyone in the public who would like to address the Board at this time?

MS. JOHNSON: Yes.

CHAIRPERSON DUDLEY: Okay. Ms. Johnson.

Okay. Sir, you can step away from the mike. Thank you.

MS. JOHNSON: Beatrice Johnson. I'm here as a community person. And I did not want to say anything, but I think I -- I just -- as a community person -- and this is a police officer, Highway Patrol, but the job is to protect and serve.

There were some very disturbing things that I heard is that "I give back what I get." And in public service, that's really not the best attitude, because people say all kind of things to the police, and you are supposed to just continue to do your job. And if you are going back and forth and you giving back what you are getting, that, to me, is not good.

And the fact that, as a woman, if he's -- I can't believe that he and his wife did not argue. If you are consistently cheating, that doesn't make sense. Because -- I haven't experienced that, but women do not just go along to get along with that. There's a lot of emotions that go on. I work with a lot of women. I don't believe that.

I don't believe that -- that -- I just don't believe him, and I just wouldn't want him to be out in the community.

And the other thing is that people called in. Why would people call in if there was no raucous? I don't feel that the wife could make enough raucous by herself, beating herself up, for people to call in.

Also, if I'm correct, it was, like 4:00 and he was arrested at 4:10. And he was arrested not shortly after. I don't see how the wife could do all that before the police come and he be arrested.

And the other thing is that he said that he was not -- not trying to be like a hoorah him, or rah-rah him. But, yes, everything he said was about him.

And if he has been married to this woman a long time, even if he did not do it, he showed no compassion. Because where -- is she mentally ill? Why would she do that? As -- you know, even if she was in that state, there was no compassion for her because if somebody does that to themselves, there should be some compassion about, you know, well, if she did this. And, you know, I feel bad if she did it or whatever. There was no compassion for her. This testimony was all about, yes, rah-rahing him.

And that's what I want to say. I don't think that he should continue to be an officer.

CHAIRPERSON DUDLEY: Thank you, Mrs. Johnson.

Is there any other public comment in the audience?

(No response.)

CHAIRPERSON DUDLEY: How about remote?

(No response.)

CHAIRPERSON DUDLEY: Okay. We'll now take a break and be back somewhere around 2:00. Yeah. 2:00.

(Time noted: 1:45 p.m.)

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(Closed session was held:
1:57 p.m. to 2:17 p.m.)

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(Time noted: 2:25 p.m.)

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CHAIRPERSON DUDLEY: Let's start up.

Apparently there's someone online who would like to make a public comment and looking forward to hearing the public comment.

MS. KRUEGER: Okay. Am I online?

CHAIRPERSON DUDLEY: You are on and we hear you. This is Joyce Dudley. Please go ahead.

MS. KRUEGER: Thank you, Ms. Dudley.

My name is Olivia Krueger (phonetic), and thank you for taking the time to hear me. I apologize for my voice and potential cough. I'm getting over the flu.

I appreciate the opportunity to speak. I would like to do so on behalf of Mr. Lopez. I have known him since 2007. We have been friends and continue to be friends.

I would like to corroborate that this incident is completely out of character for him. Never once have I witnessed him to be violent to his wife. I have known them both since before they were married and after they were married.

I had the opportunity to speak with his wife the day after the incident occurred. She was immediately wanting to send me pictures of her injuries. I asked her if this had ever happened before and her response was "never."

She reached out to his captain, the local DA, other officers, close friends, prior to his release from jail.

I asked why, and she said she was worried no one would believe her. I found that to be suspicious. This had made me consider this story possibly to be by design, to eliminate him from continuing to be a peace officer, for efforts to defame him, and take away his livelihood, his dreams, as to what appears to be revenge by a woman scorned. I have never witnessed her be affectionate or loving towards him. I have never asked why, because personal dynamics among married people are their own.

As a woman, a wife, a mother, and a friend, I vehemently stand against domestic violence; something I do not support.

There are many things that do not add up in this scenario in my opinion, humbly.

For example, finding explicit photos and explicit messages of a sexual nature and then getting into bed, that doesn't make sense to me.

I would like to humbly ask you to give him the opportunity to fight for his reinstatement of his POST certificate -- excuse me -- and present his entire side of the story.

I hope you can find that he's a meaningful person who wants to do good and correct his mistakes. I can say that when he is stressed, sometimes he talks too much. He is truthful to a fault. His statement about being a nice asshole is a result of that. Pardon my language.

I believe that his police record reflects that, and he has responded professionally and appropriately. I have always found him to be a genuinely good person. He tries to see the good in other people. He is not violent. He is a gentle giant.

I wish I could add to how or why this happened, but the truth is, I don't know. And I appreciate your time and consideration, ladies and gentleman.

CHAIRPERSON DUDLEY: Okay. Thank you.

And just because you may not be familiar with the process, this is part one of the process. Then it goes to the Commission. He can go before an administrative judge. So it doesn't end here today. I just wanted to make sure you understood that.

And thank you for your call.

Any other --

MS. KRUEGER: Okay. Thank you, ma'am. I appreciate that.

CHAIRPERSON DUDLEY: Yes. Any other public comments?

(No response.)

CHAIRPERSON DUDLEY: Okay. So any more discussion? Or is there a motion?

MEMBER JOHNSON: I would like to make a motion.

CHAIRPERSON DUDLEY: What is the motion?

MEMBER JOHNSON: Decertification.

CHAIRPERSON DUDLEY: Is there a second?

MEMBER LARA: I will second the motion.

CHAIRPERSON DUDLEY: Okay. Any questions, comments, abstentions?

(No response.)

CHAIRPERSON DUDLEY: Okay. Would you take the roll call, please.

MR. KNAPP: Thank you, Chair.

Clavo.

MEMBER CLAVO: Aye.

MR. KNAPP: Clavo, aye.

Crawford.

MEMBER HATCHER-CRAWFORD: No.

MR. KNAPP: Crawford, nay.

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.

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
Certified Shorthand Reporter
License No. 13061