SUPPLEMENT TO INVESTIGATIVE SUMMARY AND FINDINGS

Michael Kim

POST ID A63-W93
San Francisco Sheriff's Office
POST2410050

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July 2, 2025

This Supplement to Investigative Summary and Findings provides additional information related to the findings in the Investigative Summary and Findings dated May 2, 2025 ("ISF"). This Supplement does not alter the ISF– rather, it augments the analysis supporting the findings based on the interviews of Michael Kim (Respondent) and Ryan Dunnigan, Ph.D., who performed a secondary background psychological evaluation. The Division was unable to conduct these interviews prior to issuance of the Notice of Intent to Revoke Respondent's Certifications.[1]

Reasonable Grounds that Respondent is Unable to Serve Effectively as a Peace Officer

As stated in pages 22-26 of the ISF, reasonable grounds exist for regulatory action against Respondent. Respondent is unable to serve effectively as a peace officer. He is currently assigned to a patrol unit at Laguna Honda Hospital. In a patrol position, Respondent has the responsibility to maintain public safety, including enforcing laws. His role requires conducting preliminary and follow-up investigations, gathering evidence, interviewing witnesses and victims, making arrests, and testifying. In this role, he poses a risk to public safety as a currently employed peace officer in California and is unable to effectively perform fundamental duties as a peace officer based upon his dishonesty and the underlying reasons for his dishonesty because his lack of credibility precludes his ability to testify in a meaningful way. Specifically, any testimony the Respondent could offer would be subject to impeachment based on his criminal conviction for contempt of court based on his filing of a false declaration under penalty of perjury.

Even if Respondent were reassigned to a corrections position, he would still not be able to perform effectively. As a deputy assigned to corrections work, Respondent would still have to write reports, including reports for use of force. As referenced in Respondent's background information file, the San Francisco Sheriff's Office placed Respondent on unpaid leave in 2000 for 10 days and extended his probationary period by one year as a result of finding that he used excessive force when Respondent placed his hands on an inmate's neck. The public should be able to trust that Respondent's reports of use of force are accurate and truthful. Further, if assigned to corrections work, Respondent would have contact with the inmate population. Given his transgressions where he placed his personal loyalty to a convicted felon, Andy Li,

[1] Respondent initially declined to be interviewed on the basis of his Fifth Amendment rights. He ultimately agreed to be interviewed, although after the Division served the Notice of Intent to Revoke his peace officer certificates. On June 25, 2025, I interviewed Respondent. During my interview, Respondent did not assert any Fifth Amendment protections and answered every question I posed.

Dr. Dunnigan initially declined to be interviewed. After being served with a subpoena, Dr. Dunnigan agreed to be interviewed. On June 25, 2025, I interviewed Dr. Dunnigan.

above his professional obligations, the public should be able to trust that Respondent is above reproach.

Reasonable Grounds that Respondent's Lack of Credibility is Disruptive to San Francisco Sheriff's Office's Ability to Maintain Discipline and Uphold Public Trust

As stated in the ISF on pages 10, 19, and 22-26, Respondent lacks credibility and there are reasonable grounds for regulatory action. During his interview, Respondent stated that he wrote a memorandum to then-Chief Deputy Matt Freeman that repeated the lies he told FBI Special Agents in August 2014. Respondent's lies disrupted the San Francisco Sheriff's Office's ability to maintain discipline, which is necessary to upholding and maintaining public trust and a culture of accountability.

Respondent's statements during his interview demonstrated a lack of candor, lack of accountability, and lack of awareness of the egregious nature of his conduct. Respondent stated during his interview that he spoke with numerous people at the San Francisco Sheriff's Office, including people within the chain of command, who told him the department would "love to have [him] back." As also described in the ISF, Dr. Dunnigan wrote that Respondent told him that "the Sheriff and background personnel . . . were comfortable with him coming back and working there." Yet, when Respondent named individuals in the chain of command or background investigations unit who supported his return to the department, the only person who had any part in the hiring process was Sheriff Paul Miyamoto. Respondent's lack of credibility further illustrates his inability to serve effectively as a peace officer.

Respondent minimized his conduct throughout his interview. For instance, he blamed Andy Li's lawyers who "badgered" him to sign the materially false Declaration. He also stated that the ballistic vest he gave Li was old, thin, and would likely have been available for sale on the open market.

Dr. Dunnigan's Interview

Dr. Dunnigan would not have found Respondent suitable but for the letter from Paul Miyamoto supporting Respondent's candidacy with the San Francisco Sheriff's Office.[2] Dr. Dunnigan stated that letters from police chiefs and sheriffs were very unusual and Respondent's case included an "abnormal" process. Dr. Dunnigan stated that Respondent kept saying during the evaluation that he and Sheriff Miyamoto were very close and he would not have found Respondent suitable in the absence of the letter.

[2] Through counsel, Respondent provided me during his interview with a digital copy of the letter. The digital properties showed the author as Paul Miyamoto and the last date it was modified was 2/15/2024.

Dr. Dunnigan assessed that Respondent did not meet the POST Background Investigations Manual's Dimensions, which address moral character and other qualities essential to being a peace officer. In Dr. Dunnigan's assessment, Respondent displayed a lack of understanding of the gravity of his contempt conviction. Dr. Dunnigan concluded the risk of liability was too high to rehire Respondent but that, if the Sheriff wanted to accept that risk, Dr. Dunnigan relied on his statements in the letter supporting Respondent.

As stated in the ISF and in this Supplement, the clear and convincing evidence substantiated violations of California Penal Code Section 13510.8(b)(1) and POST Regulation 1205(a)(1). Reasonable grounds exist to submit this case to the Peace Officer Standards Accountability Advisory Board and the POST Commission for consideration of revocation or suspension of Respondent's peace officer certificates pursuant to California Penal Code Section 13510.8.