AGENDA ITEM REPORT

Title: POST2322062 - HECTOR VICTORIO (POST ID: C87-Q51)
**LAST EMPLOYING AGENCY: SAN BERNADINO POLICE DEPARTMENT (CURRENT) **

REPORT PROFILE

MEETING DATE 04/15/2026	**BUREAU SUBMITTING THE REPORT** Professional Conduct Southern Bureau	
RESEARCHED BY Michael Marshall		**REVIEWED BY** Christine Ford
REPORT DATE	**APPROVED BY**	**DATE APPROVED**
PURPOSE		**FINANCIAL IMPACT** No

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: The matter is before the Peace Officer Standards Accountability Advisory Board (POSAAB) for review and recommendation regarding the subject peace officer's certification status.

BACKGROUND: The Respondent began his employment with the San Bernardino Police Department on 3/14/2022, as a full-time Police Officer. This position is defined as a peace officer under Penal Code section 830.1(a). At the time of these events, the Respondent was employed as a Peace Officer with the San Bernardino Police Department. The Respondent is not currently employed as a peace officer in the state of California.

At the time of this incident, the Respondent held a peace officer position as defined under California Penal Code 830.1(a) and was required to be certified pursuant to California Penal Code 13510.1(a).

On November 27, 2023, the Respondent was involved in a vehicle pursuit of a suspect. Upon completion of the vehicle pursuit, the suspect exited his patrol vehicle, laid face down on the ground with his hand extended above his head and his palm face down on the pavement. The Respondent approached the suspect and struck the suspect at least six times in the head with a closed fist and struck him four times in the head with his knee. As a result to the assault, the suspect sustained a fractured orbital socket, abrasions to his face, and

broken teeth.

The Respondent was investigated by the DA's Office but not charged with a crime. The Respondent was later demoted to a Community Service Officer for other policy violations.

Video Evidence Links:

- **BR05 POST2322062 Victorio Attachment B Pursuit BWC**
- **BR06 POST2322062 Victorio Attachment C Witness Video**
- **BR07 POST2322062 Attachment I Victorio 10 08 25 POST Respondent Interview**
- **BR08 POST2322062 Attachment J Victorio 10 07 25 POST Rodriguez Interview**
- **BR09 POST2322062 Victorio Attachment O BWC Burglary**

ANALYSIS:

The Division determined that there was clear and convincing evidence that Respondent engaged in serious misconduct as defined in California Penal Code §13510.8(b)(3) and Commission Regulation 1205(a)(3), physical abuse, including the use of excessive or unreasonable force. Specifically, the Division determined that Respondent engaged in excessive force when the Respondent physically assaulted the Victim, whom he was trying to take under arrest following a vehicle pursuit. The Division determined there was clear and convincing evidence that the Respondent's use of force was unreasonable and excessive.

RECOMMENDATION:

The Peace Officer Standards Accountability Advisory Board (POSAAB) shall review the findings of investigations presented by the Peace Officer Standards Accountability Division (POSAD) and make a recommendation regarding what action should be taken, suspension or revocation, on the certification of the subject peace officer.

ATTACHMENT(S):

BR01_POST2322062_Victorio_Hector_ISF_Final.pdf
BR02_POST2322062_Executive_Review_Division_Recommendation.pdf
BR03_POST23022062_EDI_Profile_Victorio (1).pdf
BR04_POST2322062_Attachments_A_D_E_F_G_H_K_L_M_N_P_Q_R_S_T.pdf