reactions to the relevant questions on this examination.

A copy of the polygraph report is retained in the background file under Tab (Polygraph / CVSA / EyeDetect).

Medical Assessment:

[redacted]

Psychological Assessment:

Dr. Nucci, Ph. D., California Licensed Psychologist of LEPS psychologically assessed Kim on September 20, 2023, and determined he was **Not Suitable** for the position of Deputy Sheriff.

Kim appealed his psychological exam. On November 1, 2023, Dr. Ryan Dunnigan, Ph. D., California Licensed Psychologist of Dunnigan Psychological & Threat Assessment, LLC, assessed Kim and determined he was **Not Suitable** for the position of Deputy Sheriff. On March 13, 2024, Dr. Dunnigan sent a revised report that Kim was **Suitable** for the position of Deputy Sheriff.

Dr. David M. Corey, Ph. D., California Licensed Psychologist of Corey & Stewart Psychology, reviewed the results of both prior psychological assessments. On April 9, 2024, Dr. Corey determined Kim was **Suitable** for the position of Deputy Sheriff.

A copy of the assessment summary letter is retained in the background file under Tab (Med / Psych Clearances).

The Applicant meets the requirements of the California Peace Officer's Standards and Training and the San Francisco Sheriff's Office minimum standards for the position of 8302 Deputy Sheriff.

Respectfully Submitted,

☐ **High School Proficiency Exam**

2. High School

List all High Schools (or equivalent) attended

Did you attend any high schools? Yes

2.1

☐ **Currently Enrolled**

Name of High School: [redacted] **Start Date:** [redacted] **End Date:** [redacted] **GPA:** [redacted]

CITY: [redacted] **STATE:** [redacted] **COUNTRY:** United States

Did you graduate from this school? [redacted]

3. Colleges, Universities, Vocational, etc.

List all schools attended including: colleges, universities, online schools, vocational schools, trade schools, etc.

Did you attend any schools after high school? [redacted]

3.1

Are you currently enrolled? [redacted]

Name of School [redacted] **Start Date:** [redacted] **End Date:** [redacted] ☐ **I only attended online**

Type of School [redacted]

STREET: [redacted] **APT/UNIT:** N/A

CITY: [redacted] **STATE:** [redacted] **ZIP:** [redacted] **COUNTRY:** United States

Degree Earned [redacted] **Major/Area of Study:** [redacted] **Units / Hours Completed:** [redacted] **GPA:** [redacted]

3.2

Are you currently enrolled? [redacted]

Name of School [redacted] **Start Date:** [redacted] **End Date:** [redacted] ☐ **I only attended online**

Type of School [redacted]

STREET: [redacted] **APT/UNIT:** N/A

CITY: [redacted] **STATE:** [redacted] **ZIP:** [redacted] **COUNTRY:** United States

Degree Earned None **Major/Area of Study:** [redacted] **Units / Hours Completed:** [redacted] **GPA:** [redacted]

3.3

Are you currently enrolled? [redacted]

Criminal Contempt of Court | Misdemeanor

Arresting or Detaining Agency: FBI/US Marshals

Date: 08/2014

Deposition or Penalty
August 6, 2014 I plead guilty to 1 count of contempt of court. I was placed on federal probation for 3 years, fined $30,000 dollars, 300 hours of community service. I was not truthful when interviewed by the F.B.I.

1.2. Have you ever been placed on court probation? Yes

1.2.1

Court Case or Document Number: CR-18-00124-001

Date: 02/2020

Circumstances:
This was the same case as above. Criminal contempt of court. one and half year on probation.

1.3. Were you ever required to appear before a juvenile court for an act which would have been a crime if committed as an adult? [redacted]

1.4. Have you ever been a party in a civil lawsuit (e.g., small claims actions, dissolutions, child custody, paternity, support, etc.)? [redacted]

1.5. Have the police ever been called to your home for any reason? [redacted]

1.5.1

Court Case or Document Number: [redacted]

Date: [redacted]

Circumstances: [redacted]

1.6. Have you or your spouse/partner ever been referred to Child Protective Services? [redacted]

1.7. Have you ever been the subject of an emergency protective order/restraining order/stay-away order? [redacted]

1.8. Have you settled any civil suit in which you, your insurance company, or anyone else on your behalf was required to make payment to the other party? [redacted]

1.9. Have you ever fraudulently received welfare, unemployment compensation, workers' compensation, or other state or federal assistance? [redacted]

1.10. Have you ever been required to repay any welfare payments, unemployment compensation, or other state or federal assistance? [redacted]

1.11. Have you ever filed a false insurance or workers' compensation claim? [redacted]

1.12. Add any additional incidents/infractions you committed that are not specified above using the "Add Incident" button below:

No items added

2. INVOLVEMENT IN CRIMINAL ACTS - PART 1

At any time in your life, have you ever committed any of the following acts?

NOTE: You may not withhold any information regarding your involvement in any of the following acts, even if federal or state law relieved you from reporting the detention, arrest, or conviction that arose from it.

2.1. Animal abuse and/or neglect: [redacted]

2.2. Annoying, obscene, or harassing contacts by telephone or other electronic communication device: [redacted]

2.3. Battery (use of force or violence upon another): [redacted]

3.12.1. Theft of a firearm:	[redacted]
3.13. Hit & run (with injuries):	[redacted]
3.14. Hate crime:	[redacted]
3.15. Illegal sex acts:	[redacted]
3.16. Insurance fraud:	[redacted]
3.17. Murder, homicide, or attempted murder:	[redacted]
3.18. Perjury (lying under oath):	Yes

3.1

Provide Details:

Crime:	Individuals Involved:	Date:
Perjury	myself	08/2014

This was the same incident as above section 1.1 I was charged with a misdemeanor contempt of court. I submitted a false statement to the court.

3.19. Possession of an explosive/destructive device:	[redacted]
3.20. Robbery (theft from another person using a weapon, force, or fear):	[redacted]
3.21. Stalking:	[redacted]
3.22. Theft of a vehicle and/or vehicle parts:	[redacted]
3.23. Viewing, Production of, and/or possessing child pornography:	[redacted]
3.24. Is there anything posted on the internet that depicts you in an unlawful act, or might discredit the city or agency to which you are applying if hired?	[redacted]
3.25. Have you ever been refused a permit to carry a concealed weapon?	[redacted]
3.26. Are you now, or have you ever been, a member or associate of a criminal enterprise, street gang, or any other group that advocates violence against individuals because of their race, religion, political affiliation, ethnic origin, nationality, gender, sexual preference, or disability? If yes, provide location (city and state) and name of gang.	[redacted]
3.26b. Have you ever engaged in, or are currently engaging in any type of membership in a hate group, participation in any hate group activity, or advocacy of any public expressions of hate?	[redacted]
3.27. Have you ever hit or physically overpowered a spouse, romantic partner, or family member?	[redacted]
3.28. Since the age of 15, Have you ever been involved in an anger-provoked physical fight, confrontation or other violent act?	[redacted]

3.1

Provide details:

Date:

[redacted]

3.29. Do you have, or have you ever had, a tattoo/marking signifying membership in, or affiliation with, a criminal enterprise, street gang, or any other group that advocates violence against individuals because of their race, religion, political affiliation, ethnic origin, nationality, gender, sexual preference, or disability? If yes, provide the approximate date you got it, and a description of its meaning and where it is located on the body.	[redacted]

3.30. Add any additional criminal acts you committed that are not specified above using the "Add Incident" button below.

[redacted]

Section 8. Legal

Theft of a firearm: changed from "" to "0"

Section 8. Legal

Incidents

Please Explain changed from "This was the same incident as above section 1.1 I was charged with a misdemeanor contempt of court." to "This was the same incident as above section 1.1 I was charged with a misdemeanor contempt of court. I submitted a false statement to the court."

Section 8. Legal

[redacted]

Section 8. Legal

Activities

[redacted]

Section 9. Motor Vehicle Information

[redacted]

Section 9. Motor Vehicle Information

[redacted]

Personal History Statement – Peace Officer (POST 2-251)

Updates to the POST PHS address changes in state law and Commission regulations. This form is a continuation of the POST PHS questionnaire.

EMPLOYMENT ELIGIBILITY

Are you legally authorized to work in the United States under federal law?

[redacted]

SECTION 5: EXPERIENCE AND EMPLOYMENT continued- PREVIOUS PEACE OFFICER EXPERIENCE

46. Do you have previous peace officer experience in this state or any other jurisdiction?

✓ Yes __No

During, or after, your employment as a peace officer:

46.1 Have you ever been terminated for cause from employment as a peace officer in any State?

[redacted]

46.2 Have you ever had your peace officer certification suspended or revoked in any State, including California?

[redacted]

46.3 Have you ever been dishonest in the reporting, investigation, or prosecution of a crime, or relating to the reporting of, or investigation of misconduct by, a peace officer or custodial officer, including, but not limited to, false statements, intentionally filing false reports, tampering with, falsifying, destroying, or concealing evidence, perjury, and tampering with data recorded by a body-worn camera or other recording device for purposes of concealing misconduct?

✓ Yes __No

46.4 Have you ever abused your power, including but not limited to, intimidating witnesses, knowingly obtaining a false confession, or knowingly making a false arrest?

[redacted]

46.5 Have you ever committed physical abuse, including, but not limited to, excessive or unreasonable use of force?

[redacted]

46.6 Have you ever committed sexual assault as described in subdivision (b) of Penal Code Section 832.7, but to also include acts committed amongst members of any law enforcement agency?

[redacted]

46.7 Have you ever demonstrated bias on the basis of actual or perceived race, national origin, religion, gender identity or expression, housing status, sexual orientation, mental or physical disability, or other protected status in violation of law or department policy or inconsistent with a peace officer's obligation to carry out their duties in a fair and unbiased manner?

[redacted]

46.8 Have you ever committed acts that violate the law and are sufficiently egregious or repeated as to be inconsistent with a peace officer's obligation to uphold the law or respect the rights of members of the public?

[redacted]

46.9 Have you ever participated in a law enforcement gang, as defined in Penal Code §13510.8(b)(7)?

[redacted]

46.10 Have you ever failed to cooperate with an investigation into potential police misconduct, including an investigation conducted pursuant to Penal Code §13510.8?

[redacted]

46.11 Have you ever failed to intercede when present and observing another officer using force that was clearly beyond that which was necessary?

[redacted]

- **If you answered "YES" to ANY of the item(s) in Question 46, fully explain (include dates and circumstances). Reference the corresponding number (e.g., 46.5) for each explanation.**

46.3 - OVER THE TELEPHONE, AN ATTORNEY CALLED ME TO GET MY STATEMENT FOR A BAIL HEARING FOR MY FRIEND. I TOLD HIS ATTORNEY THAT I LEFT MY DEPARTMENT'S BULLET PROOF VEST AT MY FRIEND'S WIFE HAIR SALON AND FORGOT TO PICK IT UP. THAT IS WHY MY FRIEND HAD A SHERIFF'S BULLET PROOF VEST WHEN HE WAS ARRESTED AT HIS HOUSE. THIS STATEMENT WAS SUBMITTED IN COURT.
I WROTE A MEMO TO CHIEF DEPUTY MATHEW FREEMAN STATING THE SAME FACT. THE FBI ARRIVED AT MY WORK AND INTERVIEWED ME ABOUT MY STATEMENT THAT WAS FILED IN COURT.
I TOLD THE FBI THE SAME STORY.
THE NEXT DAY I OBTAINED AN ATTORNEY AND SPOKE WITH THE FBI AND THE ASSITANT UNITED STATES ATTORNEY. I COOPERATED WITH THE FBI AND WAS CHARGED WITH A MISDEMEANOR CONTEMPT OF COURT.

degree. Admits he did re certify with POST certificate in 2021.

EMPLOYMENT HISTORY:

San Francisco Sheriffs Office: (Sergeant) Dates: 1999 to 2016
Admits he left this job as he was charged with contempt of court as he lied during a federal investigation about giving his friend his department issued vest. Explains his friend was arrested and his attorney asked him to write his friend Andy Li a statement. Admits he wrote a letter/statement saying he left his department vest at his friends wife's salon when he actually gave it to his friend. Says this was a big mistake on his part and he did this as he thought Andy was changing his life and becoming a better person. Says Andy told him he was working in security and he wanted to be safe. Says he was questioned about this by the FBI who spoke with him and he told them the same thing. Says he then spoke with his departments union, got an attorney, and he then told the feds the truth and cooperated with them. Says this was his childhood friend and he thought he could help him. Says his friend was involved in Asian gang activity and was in and out of prison a lot. Says he spoke with the Sheriff about this and she told him she would consider hiring him again at some point and so he resigned from this agency. Says he was eventually charged with a misdemeanor. Says he was on probation, paid a $30,000.00 fine, completed 300 hours of community service, and was on home monitoring. Says he knew his friend Andy committed these crimes over the years but when he got out of prison he thought he was better and no longer committing any crimes. [redacted]

[redacted]

War Memorial: (Supervisor) Dates: 2016 to the present

[redacted]

Securitas: (Supervisor) Dates: 1/18 to 2/20

[redacted]

DUNNIGAN PSYCHOLOGICAL & THREAT ASSESSMENTS, LLC

Dr. Ryan Dunnigan
License #PSY27458
930 B Street
San Rafael, CA 94901
Office 415-720-2663

November 1st, 2023 *(Page 1 of 3)*
San Francisco Sheriff's Department
Attn: Supervising Investigator – Sergeant Mel Fonthal
Re: (Secondary) Psychological Pre-Employment Evaluation
Applicant: Kim, Michael

The following is supplementary information regarding the applicant and their testing results. This information is based on the results of two psychological instruments, a psycho-social history questionnaire, a limited amount of psychiatric records (provided by the candidate), and an extensive clinical interview. The candidate-suitability determination included the consideration of the established California Peace Officer Standards and Training (P.O.S.T.) Peace Officer Psychological Screening Dimensions. A polygraph report was provided to this examiner by the San Francisco Sheriff's Department. It was reviewed and before the clinical interview portion of this process and was considered while making the psychological suitability declaration and decision. No other background information or applicant-related records (psychological or otherwise) were provided to this examiner by the intended hiring agency, the San Francisco Sheriff's Department.

[redacted]

DUNNIGAN PSYCHOLOGICAL & THREAT ASSESSMENTS, LLC

Dr. Ryan Dunnigan
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930 B Street
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Office 415-720-2663

Re: Secondary Psychological Pre-Employment Evaluation ***(Continued, Page 2 of 3)***
Applicant: Kim, Michael

[redacted]

It should be noted that this examiner had previously met with and evaluated Mr. Kim in October 2023, for this process and for this Department. This examiner had concerns at that time, as Mr. Kim had some pending investigations at his work. He was the subject of a sexual harassment investigation that was in progress at his security company at that time. That investigation, coupled with a number of different incidents that he had been involved in the past, resulted in this examiner not finding him suitable for the position at that time. Most notably, Mr. Kim I had been found guilty and have been placed on formal probation, following a conviction involving misrepresenting information or facts during a criminal/court investigation. A Findings Report and Psychological Declaration of Suitability was provided at that time.

Mr. Kim reached out to this examiner again in February 2024. He informed this examiner that the investigation at his security company had been completed and that the allegations had not been sustained. Mr. Kim also stated that he had received a letter from Sheriff Miyamoto strongly supporting him and his believed appropriateness for the position of a Correctional Deputy at this time. This letter will be included with my Findings Report. The Sheriff stated that he has "no concerns at this time of bringing him back as a member of the Sheriff's Office." Mr. Kim stated that the Sheriff's Office is aware of his misdemeanor arrest (related to the false reporting case) and still were interested in having him come back to work for the Department. He said that now that the sexual harassment investigation

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Re: Secondary Psychological Pre-Employment Evaluation (*Continued, Page 3 of 3*)
Applicant: Kim, Michael

From the Clinical Interview (*continued*):

… has been completed and was not sustained (and another had not been pursued), he and the Department feel that it would be appropriate for him to again apply for a ~~Correctional~~ Deputy position within ~~the~~ Department.

This examiner did explain to Mr. Kim and initially that there were concerns relating to POST Peace Officer Psychological Screening Dimensions for Officers. The standards were called into question in a number of different categories. Specifically, *Social Competence; Decision-Making and Judgment;* and, *Integrity/Ethics*. Mr. Kim said he understood these concerns and had discussed these matters with the Sheriff and background personnel there at the Department. He stated that they were comfortable with him coming back and working there. He mentioned that he would be brought on in a probationary status (as with all new or returning Correctional Deputies) and that he could be let go at any time (while in that probationary period) if they had any concerns about him, his appropriateness, or his performance. This examiner expressed that he very likely would not have been considered "suitable" if not for the letter from the Sheriff recommending him for the position and speaking to his abilities and his seemingly good fit and past with the Department.

Based on the results of the psychometric tests, the polygraph results/information, and the limited information provided and made available to this examiner, and the letter of recommendation from the Sheriff, Mr. Kim appears to be acceptable to perform the duties of a ~~Correctional~~ Deputy Sheriff at this point in time.

Psychological Suitability Finding:

I can certify that Michael Kim (based on the records made available to this examiner and the results of the clinical interview and evaluation process) is currently psychologically suitable to perform the San Francisco Sheriff's Department's duties and the responsibilities of a ~~Correctional~~ Deputy. The candidate was found to be free from any emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation, that might adversely affect the exercise of the powers of a ~~Correctional~~ Deputy. A "***Suitable***" or "***Did Pass***" determination was made

Date: March 13th, 2024

Dr. Ryan Dunnigan
Public Safety Psychologist
California License # PSY27458

SHERIFF RD + PEACE OFFICER

Fitness-for-Duty Evaluations *Pre-Employment Evaluations* *Promotional Evaluations*

Dunnigan Psychological & Threat Assessments, LLC
Info@DunniganAssessments.com

[redacted]. 8/2014 I was questioned by the FBI 8) I was a witness and testified in a criminal court case involving Andy Li [redacted] 35) I falsified a memo I wrote to my supervisor. This was related to the misdemeanor contempt of court charge 37) I perjured on a written statement to the court, This was the misdemeanor contempt of court charge [redacted] 43) I plead guilty to a misdemeanor contempt of court , fined 30,000 dollars, 3 years probation and 300 hours of community service. This was in federal court [redacted]

LAW ENFORCEMENT JOB APPLICATION STATEMENT

List all law enforcement agencies for which you have every previously applied or tested with, for any position. Begin with the most recent application.

Provide date of application, agency name, position applied for, and results/status of application.

[redacted]

List the agencies where you are currently on an active employment eligibility list:

(Provide # on list, agency name, and position applied for)

[redacted]

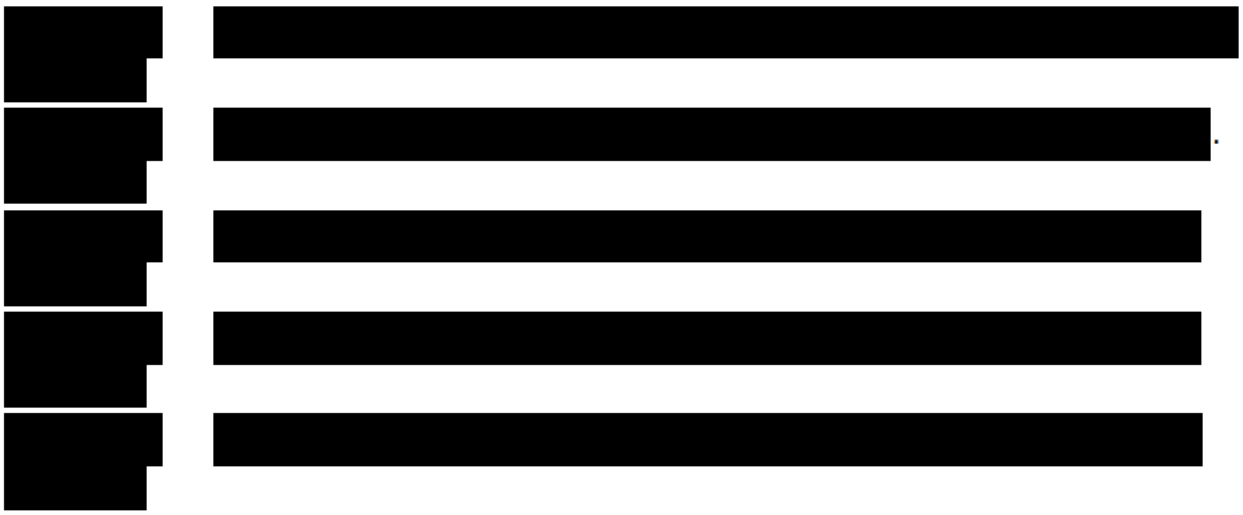
Have you ever failed any test (i.e. written, agility, oral, polygraph, psychological, medical, background investigation, etc.) with any agency? If so, list and explain reasons in detail:

[redacted]



If several agencies all called and offered you a job at the same time, which position would you select? Why?





Approval

11/05/2024 15:08 PST — Approval Process completed successfully.

11/05/2024 15:08 PST — Paul Miyamoto cast a resolution for the active Approval (yes).

11/05/2024 12:16 PST — Approval reached level 6.

11/05/2024 12:16 PST — Katherine Johnson cast a resolution for the active Approval (no).

11/02/2024 20:53 PDT — Approval reached level 5.

11/02/2024 20:53 PDT — Tanzanika Carter cast a resolution for the active Approval (no).

11/01/2024 07:20 PDT — Approval reached level 4.

11/01/2024 07:20 PDT — Approval level 2 skipped by Linda Bui.

11/01/2024 07:20 PDT — Approval reached level 3.

11/01/2024 07:20 PDT — Linda Bui cast a resolution for the active Approval (no).

10/31/2024 — Approval reached level 2.

11:22 PDT

10/31/2024 11:22 PDT Approval level 0 skipped by Darrin Martindale.

10/31/2024 11:22 PDT Darrin Martindale cast a resolution for the active Approval (yes).

10/31/2024 11:22 PDT Approval reached level 1.

10/31/2024 11:22 PDT Darrin Martindale started Approval Process (Hired).

Sharing History

There is no activity currently recorded for this section.

Approval 10/31/2024

Outcome: Hire

Status: Completed 11/05/2024

Levels Completed: 6 of 6

Final Comments

N/A

Approval Notes

N/A

Comments

N/A

Level 1 : Skipped
Sergeant Sgt. Mel: Pending (10/31/24 @ 06:22)
Lieutenant Darrin: Approved (10/31/24 @ 06:22)

Level 2
Linda: Declined (10/31/24 @ 06:22)

Level 3 : Skipped
John: Pending (10/31/24 @ 06:22)

Level 4
8616 Assistant Sheriff Tanzanika: Declined (10/31/24 @ 06:22)

Level 5
8518 Undersheriff Katherine: Declined (10/31/24 @ 06:22)

Level 6
8350 Sheriff Paul: Approved (10/31/24 @ 06:22)

Rejection email sent to MICHAEL SHERMAN KIM on 11/30/23 @ 11:36 PST

Dear MICHAEL SHERMAN KIM,

We are writing to inform you of the outcome of your application for the 8504 Deputy Sheriff at San Francisco County Sheriff's Office. After careful consideration, we regret to inform you that we have elected not to proceed with your application.

Please note that this decision was made based on a thorough evaluation of your application and the requirements of the position. We appreciate the time and effort you have invested in applying for this role with our agency.

Please use the username and button below to access your Guardian account. You will be asked to create a password when accessing your account for the first time.

This email serves as an official notification of your application status and has been logged with a date and time as follows:

Date: 11/30/2023 11:36:59 America/Los_Angeles

We wish you the best of luck in your future endeavors and thank you for your interest in joining our team at San Francisco County Sheriff's Office

Sincerely,

Sgt. Mel Fonthal
Sergeant
mel.fonthal@sfgov.org
(415) 734 - 2331