STATE OF CALIFORNIA

COMMISSION ON

PEACE OFFICER STANDARDS AND TRAINING

PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

(POSAAB) MEETING

THURSDAY, JANUARY 16, 2025

9:01 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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Registered Professional Reporter

A P P E A R A N C E S

POSAAB MEMBERS PRESENT

JOYCE E. DUDLEY
(Board Chairperson)
Governor Appointee
Attorney

NICOLE CLAVO, Psy.D.
Governor Appointee
Public Member

REGINA HATCHER-CRAWFORD
Governor Appointee
Public Member

ROBERT DOYLE
Governor Appointee
Former Command Rank Peace Officer

JACK GLASER
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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A P P E A R A N C E S C O N T I N U E D

POST COMMISSION STAFF

ROBERT BRINGOLF
Law Enforcement Consultant
Professional Conduct Los Angeles County Bureau

ANNEMARIE DEL MUGNAIO
Assistant Executive Director
Peace Officer Standards
Accountability Division
Executive Office

BRAD EHRMAN
Law Enforcement Consultant
Professional Conduct Los Angeles County Bureau

CHRISTINE FORD
Bureau Chief
Professional Conduct Southern Bureau

BRYANT HENLEY
Attorney IV
Legal Affairs Bureau

CHANDLER KNAPP
Staff Services Manager
Executive Office

LORALYNNE KONG
Law Enforcement Consultant
Professional Conduct Los Angeles County Bureau

SARAH WALLACE
Bureau Chief
Intake & Disposition Bureau

CARRIE WOOLLEY
Attorney IV
Legal Affairs 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

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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ALSO PRESENT

ELIZABETH GIBBONS
Counsel for
Braulio Robledo
POST ID A83-R39
(Via videoconference)

COREY GLAVE
Counsel for
Blake Williams
POST ID C57-X01
(Via videoconference)

BEATRICE JOHNSON
Public Comment

BRAULIO ROBLEDO
POST ID A83-R39
(Via videoconference)

DANNY SANCHEZ
Public Comment
(Via videoconference)

TOMMY THOMPSON
POST ID B81-T83
(Via videoconference)

LESLIE WILCOX
Counsel for
Gabriel Gaxiola
POST ID B9-S96

A P P E A R A N C E S C O N T I N U E D

TOM YU
Counsel for
Joshua Satterfield
POST ID C46-V20
(Via videoconference)

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Thursday, January 16, 2025, 9:01 a.m.

West Sacramento, California

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CHAIRPERSON DUDLEY: Thank you all for being on time.

Good morning, everyone. Today is Thursday, January 16th. And the time is 9:00 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 in mind, you will need to watch your cross-talk.

We will now start with our roll call for our board meetings.

Mr. Knapp, please take roll call.

MR. KNAPP: Good morning, Members of the Board. Welcome. Good to see you today.

Board Member Buchen.

(No response.)

MR. KNAPP: Board Member Clavo.

MEMBER CLAVO: Present.

MR. KNAPP: Board Member Crawford.

MEMBER HATCHER-CRAWFORD: Present.

MR. KNAPP: Board Member Doyle.
MEMBER DOYLE: Here.
MR. KNAPP: Chair Dudley.
CHAIRPERSON DUDLEY: Here.
MR. KNAPP: Board Member Glaser.
MEMBER GLASER: Present.
MR. KNAPP: Board Member Johnson.
MEMBER JOHNSON: Present.
MR. KNAPP: Board Member Lara.
MEMBER LARA: Present.
MR. KNAPP: And Board Member Pena.
MEMBER PENA: Present.
MR. KNAPP: Thank you.
CHAIRPERSON DUDLEY: It looks like we are just missing one person, and a quorum has been established.
I would now like to introduce Board Counsel Christopher Beatty and Board Assistant Executive Director Annemarie Del Mugnaio. Right?
This time is set aside for members of the public who wish to comment on items not on the agenda but with -- excuse me -- 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

Santa Barbara. And we have been living what -- in a very soft way with what Los Angeles has been going through. It is an unbelievable, unbelievable disaster.

For those of you that have come up from Los Angeles, I'm sure your hearts are very heavy in terms of what is happening to your communities. For those calling in, again, please know that you have our empathy, our concern, our love from POST and from everybody here today.

So we're going to proceed, but understanding that this is a very difficult time for all of you.

The other thing is later on, we're going to have some cases with alleged statements of bias in texts. Some of those are very difficult for people to hear, very difficult for people to consider. And I just want to, again, acknowledge that it is difficult to read those texts, to see the words, and to make decisions on them.

So, again, our empathy for those people that are feeling those sense of violation if, in fact, anyone is going through that.

Tough cases require a tough board, and we have got you here today for that.

So at this time, I will call upon Law Enforcement Consultant Brad Ehrman, Professional Conduct Los Angeles

County Bureau; and Carrie Woolley, Attorney IV, Legal Affairs Bureau, to provide a report on Case POST2400920, Tommy Thompson, who at the time of the events at issue in this case, were employed with the Los Angeles Police Department.

Thank you.

Please go ahead whenever you are ready.

MR. EHRMAN: Good morning, Chair and Members of the Board.

My name is Brad Ehrman. I'm a -- I'm one of the law enforcement consultants assigned to the Professional Conduct Bureau Los Angeles County in the Peace Officer Standards and Accountability Division. With me today is Carrie Woolley, an attorney with our Legal Affairs Bureau.

I am here today to present Case POST2400920, involving Tommy Thompson, formerly with the Los Angeles Police Department.

It is the Division's determination that clear and convincing evidence exists to demonstrate that Mr. Thompson committed an act of serious misconduct, as set forth in Penal Code section 13510.8(b)(6) on March 14th, 2023, and March 17th, 2023.

Specifically, the Division has determined that Mr. Thompson committed the following acts of serious

misconduct:

Acts that violate the law and that -- and that are sufficiently egregious or repeated as to be inconsistent with a peace officer's obligation to uphold the law when he drove under the influence of alcohol and drugs on two separate occasions during work hours.

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

Mr. Thompson began his career with the Los Angeles Police Department on June 10th, 1996. On June 25th, 2006, Mr. Thompson was promoted to the position of Detective I. On November 3rd, 2013, Mr. Thompson was promoted to the position of Detective II. On July 30th, 2023, Mr. Thompson was demoted to the position of Detective I.

Mr. Thompson holds the following POST certificates: He has a basic, intermediate, advanced, and supervisory.

Mr. Thompson has a prior alcohol-related discipline from March 13th, 1998, for which he received a three-day suspension.

Mr. Thompson's other disciplinary matters are not relevant in these proceedings.

As set forth in the ISF, Mr. Thompson was arrested for a DUI twice in a four-day period while on duty.

The first incident occurred on March 14th, 2023, at approximately 9:30 a.m. According to the California Highway Patrol report, Mr. Thompson, who was driving an unmarked LAPD vehicle, was involved in a single-vehicle accident after he attempted to make a U-turn and lost traction. He drove over a raised curb and struck a tree located on the side of the roadway.

Mr. Thompson left the scene of the accident and drove to a nearby ARCO gas station where he spent approximately 40 minutes attempting to fix the damage to the front of his vehicle.

Mr. Thompson then left the ARCO gas station and drove to a Mobil gas station where he continued -- where he contacted the supervisor about the accident and that he was involved in -- sorry.

And then he was involved in a second minor vehicle accident when he backed into another vehicle at the gas station.

Mr. Thompson then spent approximately 30 minutes trying to fix the damage to his vehicle.

Mr. Thompson left the Mobil gas station, and his vehicle became disabled in the roadway. A LA sheriff deputy discovered him stalled in the roadway and called the CHP to respond.

The CHP -- the CHP officer conducting the

investigation conducted -- conducted the investigation and determined that Mr. Thompson was under the influence of alcohol or drugs, prescription Ambien, and arrested Mr. Thompson.

At approximately 1308 hours, Mr. Thompson submitted to a chemical breath test, which showed he had a blood alcohol content of .03 percent. The CHP also took a blood sample from Mr. Thompson to test him for the admitted prescription drugs.

Since Mr. Thompson's sample showed a drug -- drugs in his system, the Los Angeles County District Attorney's Office charged him with a violation of Vehicle Code section 23152(g), driving under the combination and influence of any alcohol and drug.

On February 22nd, 2024, Mr. Thompson pled no contest to one misdemeanor count of Vehicle Code section 23152(a), driving under the influence of alcohol.

The conviction included the sentence of 14 days' time served, fines, and he was ordered to complete an 18-month driver -- driving under the influence program.

The second incident occurred on March 17th, 2023, while assigned to home duty because of the March 14th DUI arrest. Mr. Thompson was driving his personal vehicle and lost control when the vehicle ran out of gas. The vehicle then hit a pole.

Los Angeles sheriffs responded and conducted an investigation, which found that Mr. Thompson was operating his vehicle while under the influence of alcohol. Mr. Thompson provided a breath sample, which showed that he had a BAC of .08 and .09.

On February 22nd, 2024, Mr. Thompson pled no contest to one misdemeanor count of wet reckless driving.

Mr. Thompson was assessed fines, fees, and ordered to complete an 18-month driving-under-the-influence program, which he could complete concurrent with his first DUI conviction.

The Los Angeles Police Department conducted an Internal Affairs investigation on both DUI arrests. The Internal Affairs investigation resulted in five sustained policy violations with a recommendation that Mr. Thompson be directed to a Board of Rights hearing, with the proposed penalty of termination.

During Mr. Thompson's Internal Affairs interview, Mr. Thompson stated that after his -- after his two DUI arrests, he checked himself into the Betty Ford clinic for treatment and was attending anonymous -- Alcohol [sic] Anonymous meetings.

On February 22nd, 2024, Mr. Thompson signed a settlement agreement with the Los Angeles County Police

Department that imposed a 22-day suspension as a result of the two DUI arrests; and while employed with the Los Angeles Police Department for a period of three years, required him to:

One, abstain from the use of alcohol -- alcoholic beverages;

Two, not enter any establishment whose primary business is selling alcoholic beverages while on off-duty;

Not purchase any alcoholic beverages while off-duty;

Four, submit to a substance test up to three times a month as directed by a supervisor;

And, five, submit to unscheduled, unannounced directed testing for controlled substances up to five times a month as directed by a department supervisor.

The facts I have just recited support the Division's findings that Mr. Thompson was involved in serious misconduct, specifically acts that violate the law.

For the purpose of this -- for the purpose of the Division's analysis, clear and convincing evidence means evidence of -- of a charge is clear and convincing so long as there is a high probability that the charge is true. The evidence need not establish a fact beyond a

reasonable doubt.

The Division recommends that Mr. Thompson's POST certificate be revoked. The Division recommends this based on the following:

Between March 14th and March 17th, 2023, Mr. Thompson engaged in conduct that would lead to two separate arrests and convictions for DUI. Impaired driving is illegal because of inherent dangers to the drivers themselves and to others.

Under Penal Code section 13510.8(b)(6), and POST Regulations 1205(a)(6), acts that violate the law constitute serious misconduct when they are sufficiently egregious or repeated as to be inconsistent with a peace officer's obligations to uphold the law or respect the rights of the members of the public.

Impaired driving and repeated acts of impaired driving are acts that violate the law and are both sufficiently egregious and sufficiently repeated as to be inconsistent with Mr. Thompson's obligation to uphold the law, respect the rights of the members of the public.

As a homicide detective charged with investigating our most serious crimes, Mr. Thompson's actions and driving impaired on two occasions established that he committed serious misconduct.

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

CHAIRPERSON DUDLEY: I have a few. Thank you so much.

I may have misheard this.

In '98, was there a first DUI?

MR. EHRMAN: It was a alcohol-related. It didn't say DUI.

CHAIRPERSON DUDLEY: What was it?

MR. EHRMAN: We don't know.

CHAIRPERSON DUDLEY: Okay.

MR. EHRMAN: I think it's based on the time --

CHAIRPERSON DUDLEY: I'm sorry, what?

MR. EHRMAN: It was over 20 years ago.

CHAIRPERSON DUDLEY: Okay. In the future, if it's ever possible to get more information about if we're looking at a second DUI but, in fact, it is somehow related a prior alcohol offense, it's helpful for the Board to know more about that.

And I really appreciate the timeline there. That is very helpful.

I'm trying -- now could you -- Chandler, are you controlling that? Whoever is controlling that, can we start at the beginning there? I can't see it from here.

Okay. Great.

Now, this is for the second DUI; is that right?
MR. EHRMAN: No.
MS. WOOLLEY: This is for the first DUI.
CHAIRPERSON DUDLEY: The first DUI. Or -- right.
So this is the one where he hit the tree --
MS. WOOLLEY: Yes.
CHAIRPERSON DUDLEY: -- correct?
MS. WOOLLEY: Yes.
CHAIRPERSON DUDLEY: Okay. So -- okay. Respondent arrives at -- keep it there. Don't move it. Take it back to the beginning.
Who is controlling that? I can't -- oh, okay. You guys are.
So is that the time that he arrived at work, 6:00 a.m.?
MS. WOOLLEY: Yes, Chair Dudley. That's the time he arrived at work that morning. He arrives at work at 6:00 a.m. He takes an LAPD car out sometime that morning, and then he is coming back from retrieving his cell phone in Santa Clarita. Hits a tree at around 9:35.
CHAIRPERSON DUDLEY: Okay. Now, I want to go slower.
MS. WOOLLEY: Sorry.
CHAIRPERSON DUDLEY: That's okay.

We don't have any information that he had been drinking prior to coming to work at 6:00 a.m.?

MS. WOOLLEY: Well, his blood alcohol is .03 when they take it at 1:00 p.m.

CHAIRPERSON DUDLEY: Right.

MS. WOOLLEY: And he does have drugs in his system.

CHAIRPERSON DUDLEY: Right.

MS. WOOLLEY: Generally, if you have a blood alcohol at .03 at 1:00 p.m., you have probably consumed alcohol at some point earlier in the day.

It is unknown when he consumed it. His statements at the IA were that he had consumed alcohol earlier in the morning. I believe it was somewhere in the neighborhood of 4:00 a.m.

CHAIRPERSON DUDLEY: Name of what?

MS. WOOLLEY: Neighborhood of 4:00 a.m.

CHAIRPERSON DUDLEY: 4:00 a.m.

MS. WOOLLEY: Yes.

CHAIRPERSON DUDLEY: And that would be inconsistent with the blood alcohol level at 1:00 of .03, correct?

MS. WOOLLEY: Well, if he had stopped drinking at about 4:00 a.m., his blood alcohol could have gone down to .03 because it would have continued to lower.

There's a formula that LAPD could have applied to determine what his blood alcohol would have been at

9:35.

CHAIRPERSON DUDLEY: Okay.

MS. WOOLLEY: They just did not do so.

CHAIRPERSON DUDLEY: Was there any information when he arrived at work at 6:00 a.m. that he was -- that anyone made any comments about him being under the influence of alcohol?

MS. WOOLLEY: There was no indication in the IA investigation that that was done.

CHAIRPERSON DUDLEY: Okay. So the next thing we have is he allegedly had left his cell phone at home.

MS. WOOLLEY: Yes.

CHAIRPERSON DUDLEY: And we're going to assume there's alcohol in his home because he said he consumed some before 4:00 a.m. So what we know is that after he received his cell phone, this hit-and-run occurred?

MS. WOOLLEY: There's our information, yes.

CHAIRPERSON DUDLEY: Okay. So the alleged hit-and-run.

And then what is the distance between -- okay, let me just start with that alleged hit-and-run there at 9:38.

Oh, no -- that's when he arrived at the ARCO station. We don't know what time the hit-and-run happened.

MR. EHRMAN: The bottom square.

MS. WOOLLEY: Right. It's about 9:35. It's probably three minutes or so before.

CHAIRPERSON DUDLEY: Okay.

MS. WOOLLEY: The ARCO station is right around the area of where that tree was.

CHAIRPERSON DUDLEY: Okay. So let me say that again, then.

From the -- the distance between the tree that was hit and the ARCO station was about a three-minute drive?

MS. WOOLLEY: About, yes.

CHAIRPERSON DUDLEY: Okay. So then he gets -- now, would -- if he had left the car where the tree was, would that have created a -- an issue in terms of safety for other drivers?

MS. WOOLLEY: That would require speculation on the part of the Division at this point.

CHAIRPERSON DUDLEY: Okay.

MS. WOOLLEY: It wasn't something that LAPD had looked at in their investigation.

CHAIRPERSON DUDLEY: Okay.

MS. WOOLLEY: It wasn't something that the Division looked at in our investigation.

CHAIRPERSON DUDLEY: Okay.

MS. WOOLLEY: It was something, though, that was

sustained that it was a hit-and-run. He was --

CHAIRPERSON DUDLEY: Last part again?

MS. WOOLLEY: It was sustained as a hit-and-run as part of the sustained findings.

CHAIRPERSON DUDLEY: Okay. We will get back to --

MS. WOOLLEY: He was charged with that, yes.

CHAIRPERSON DUDLEY: I'm just trying to take it piece by piece.

Then during that 40-minute encounter, there is some information about him spending some time dealing with the car.

And then he drives from the ARCO station to the Mobil station. And that's about 40 minutes apart?

MS. WOOLLEY: He spends approximately 40 minutes at that ARCO station, and then goes to the Mobil station, which is also nearby.

CHAIRPERSON DUDLEY: Okay. Then at the Mobil station, tell me about the minor incident with another car.

MS. WOOLLEY: He pulls into a parking spot at the Mobil station. He is there for about a minute or two. This is all in surveillance camera footage.

CHAIRPERSON DUDLEY: Right.

MS. WOOLLEY: He then pulls out of that parking space and backs into a Kia that has pulled in behind

him, causing some minor damage. He does get out of the car. The CHP investigation says that it appears that he has -- exchanges some information with that driver, but neither LAPD nor CHP did any further investigation to determine if they exchanged, like, insurance information or something.

CHAIRPERSON DUDLEY: Okay. Then he hits another vehicle 10:24.

MS. WOOLLEY: Yes.

CHAIRPERSON DUDLEY: Let's stop it again.

So after he's hit the tree, gone to the ARCO station, gone to the Mobil station, and hit the second vehicle, that is when he calls his supervisor?

MS. WOOLLEY: Yes.

CHAIRPERSON DUDLEY: And that's from the Mobil station?

MS. WOOLLEY: Yes.

CHAIRPERSON DUDLEY: Okay. Then after that, he -- his car becomes disabled, and it's on the side of the road, on the roadway?

MS. WOOLLEY: It's in the number one lane of a roadway. And LASD deputy sees him, is going the opposite direction, makes a U-turn, comes up behind him, determines his car is disabled, blocking traffic, calls CHP.

CHAIRPERSON DUDLEY: Okay. What information, if any, do you have about the nature of the conversation he had with his supervisor about whether he should proceed, stay there, come into the station, if they discussed the damage to the car at that point.

Any ideas?

MS. WOOLLEY: We do not have any information in regards to that conversation.

CHAIRPERSON DUDLEY: Okay.

MR. EHRMAN: I think the only thing that was said was to contact CHP for the report.

MS. WOOLLEY: Oh, I'm sorry. Thank you, Mr. Ehrman.

CHAIRPERSON DUDLEY: Say it again.

MR. EHRMAN: It said -- the only thing in the IA report it said for him -- the supervisor requested him call CHP to come investigate -- to do a traffic report.

CHAIRPERSON DUDLEY: Okay. But he doesn't, as far as we know, call CHP. CHP sees the car in the roadway?

MS. WOOLLEY: They are notified by LASD.

CHAIRPERSON DUDLEY: Okay. So I'm assuming then the supervisor or somebody notified CHP?

MS. WOOLLEY: No. LASD notified CHP.

MR. EHRMAN: There was nothing stated that anyone from LAPD --

CHAIRPERSON DUDLEY: All right. And then the CHP arrives. I may have been confused about this .

At some point, was the respondent asked about the tree incident?

MS. WOOLLEY: He was asked where he -- what he hit and where the accident occurred.

The CHP -- or it appears from the CHP investigation that he was asked that. But it is not very clear in the CHP investigation at what point that question happened.

What is in the investigation is that the CHP officer, who was conducting the investigation, made some assumptions that he thought the accident may have occurred in a couple of locations.

And so he took the respondent to two different locations that involved a pole that had been hit.

Mr. Thompson was able to categorically tell the CHP officer, no, that was not what I hit. That's not where the accident occurred.

They then took Mr. Thompson to a hospital to get him medically cleared and then cited and released him.

CHAIRPERSON DUDLEY: Okay. Go back to that.

MS. WOOLLEY: Sure.

CHAIRPERSON DUDLEY: I want to understand this a little bit more.

The respondent has some discussion with the

investigating CHP officer. And as a result of that discussion, they go to two -- three places.

MS. WOOLLEY: Two different places at this point.

CHAIRPERSON DUDLEY: Two different. And then is it the second or the third place that ends up being the tree?

MS. WOOLLEY: It ends up being a fourth place. So they go two places with Mr. Thompson. Mr. Thompson is able to exclude both places. They then take Mr. Thompson to a hospital to get him medically cleared since he's been in an accident, and he is under the influence. It also appears they take the blood sample at that time.

CHAIRPERSON DUDLEY: So we have no idea what led the CHP officer to take Mr. Thompson to place one or place two?

MS. WOOLLEY: The CHP officer states in his report that he believes, based on damages he had seen from the poles, that he suspects those may have been where the accidents were.

So they are basing it off of the damage to the car and where he is seeing damage to objects that look like they could have caused damage to the vehicle.

CHAIRPERSON DUDLEY: Just so I can understand this better, there's some discussion prior to going to place

one and place two that it was a pole versus a tree?

MS. WOOLLEY: It's not clear --

CHAIRPERSON DUDLEY: If you don't know, that's fine.

MS. WOOLLEY: Right. It's not clear how the CHP drew that conclusion.

CHAIRPERSON DUDLEY: Okay.

MS. WOOLLEY: But that's what they did.

MR. EHRMAN: I believe there was damage at those locations.

MS. WOOLLEY: Right.

MR. EHRMAN: So he naturally thought, okay, there's damage, we're going to go to that location. Previous.

Then after that he goes back, and he is able to determine that those other locations were prior accidents and not this vehicle.

And then he locates the other location of the actual accident.

CHAIRPERSON DUDLEY: Okay. So why this is interesting to me is if we're looking at dishonesty as one of the issues here, I don't know -- the Board doesn't know whether it was as a result of dishonesty that they ended up at those two prior locations and even the third location, and then it wasn't until the fourth.

So that's where there's some confusion. I'm not

even sure we can answer that question at this point.

MR. EHRMAN: That wasn't in the CHP report what they specifically asked him --

CHAIRPERSON DUDLEY: Right.

MR. EHRMAN: -- or what he answered.

CHAIRPERSON DUDLEY: Okay.

MR. EHRMAN: Besides the -- that's not it. He -- when he gave the -- when they rolled up, and he gave the answer to that, "This is not the location; it's further down," those are the only statements that they wrote in the report.

CHAIRPERSON DUDLEY: Okay. So then am I also to understand that both the second -- excuse me, the -- we'll call it -- no, we don't know about the prior alcohol-related offense.

So the first DUI and the second DUI both had to do with the hit-and-run issues, right?

MS. WOOLLEY: No. The second DUI, he stayed at the scene. His vehicle, which was his personal vehicle, ran out of gas. And he was pushing it to get to a gas station. And it got away from him. It hit a pole in front of some Southern Cal Edison employees.

CHAIRPERSON DUDLEY: And he stayed there?

MS. WOOLLEY: And he stayed at the scene.

CHAIRPERSON DUDLEY: Okay. So as to the first DUI,

the arrest was made, including the DUI and the hit-and-run. And the District Attorney's Office did not proceed on the hit-and-run?

MS. WOOLLEY: No. They did charge him with a hit-and-run, but the plea deal was just DUI -- a straight DUI under subdivision (a).

CHAIRPERSON DUDLEY: Okay. Those are my questions. By the way, again, thank you for this timeline.

MS. WOOLLEY: Of course.

CHAIRPERSON DUDLEY: Other questions from the Board?

MEMBER LARA: Yes.

CHAIRPERSON DUDLEY: Yes.

MEMBER LARA: So these are for Brad.

So is it clear -- I believe it's clear --

CHAIRPERSON DUDLEY: Would you move the mic a little closer?

MEMBER LARA: Okay. It appears clear to me, but I want to ask you as the investigator: Did the -- did Mr. Thompson have the ability after the first collision to immediately notify his supervisor?

MR. EHRMAN: It is not clear exactly what his condition was.

We're assuming that based on his alcohol content that he wasn't making rash decisions on that. And he

didn't make it -- I don't know if -- we would -- we couldn't figure out if he was trying to see if he could fix the car enough where he -- you know, he could get away.

But it was, obviously, that the car was not in that condition. So he could have --

CHAIRPERSON DUDLEY: Was your question whether he had a phone?

MEMBER LARA: Yes.

CHAIRPERSON DUDLEY: Yes. That's what I thought.

MR. EHRMAN: Oh, sorry.

CHAIRPERSON DUDLEY: He's not talking about his mental state. He's merely saying, did he have a phone in order to do it?

MR. EHRMAN: Yes. Because he called later on.

MEMBER LARA: And because the point of my question is, is one of, you are in a hole, and you have the ability to stop digging, then you should probably do so.

If he had the means immediately at his disposal, rather than attempting to repair his vehicle, and move -- and then ultimately cause yet another collision at another scene and impair people further, I wanted to see if there was some way at that point he could stop digging.

And he -- your answer is, yes, he had the means.

MR. EHRMAN: He had a phone.

MEMBER LARA: Thank you.

CHAIRPERSON DUDLEY: Thank you.

Other questions?

Yes.

MEMBER DOYLE: I just wanted clarification.

I saw somewhere -- and I think it was in the court notes -- that on the 17th, was a wet reckless. The 14th was DUI, no contest. And an admission of a previous DUI, so that had to have been in the 1990 --

MS. WOOLLEY: No. That's not how they did it.

What they did was, is they had him admit to -- I'm going to get this wrong -- the -- they had him admit to the March 17th incident first.

MEMBER DOYLE: Right.

MS. WOOLLEY: It was part of the plea deal.

So what they did was, they had him admit to the March 17th deal first, and then the March 14th deal second. And because the admission for the March 17th deal came in first, it became a prior conviction that he had had to admit for the March 14th one.

So they did --

MEMBER DOYLE: But that was a wet reckless; that was not a DUI.

MS. WOOLLEY: But that can be a prior conviction for a DUI. A wet reckless can be, yes.

MEMBER DOYLE: Okay.

CHAIRPERSON DUDLEY: Can we go back to the timeline again?

What I'm looking for here is, we can extrapolate what his blood alcohol level was at the time of the first -- let's go to -- move over to the left a little more if you would, please. I want to see. Yeah. Thank you. And then if you can close in -- do a close-up. Thank you.

So at approximately 9:38, he arrived at the ARCO station. We said it was three minutes away.

So 9:35 a.m. would have been about the time that he hit the tree. And the blood alcohol of .03, was that based on blood or breath?

MS. WOOLLEY: That was a breathalyzer test.

CHAIRPERSON DUDLEY: I'm sorry?

MS. WOOLLEY: That was a breathalyzer test.

CHAIRPERSON DUDLEY: Okay. And the breathalyzer -- how much time went by between 9:35 and the blood -- and the PAS device?

MS. WOOLLEY: It's three and a half hours.

CHAIRPERSON DUDLEY: Okay. So regardless of when he started the drinking, can you give the Board a sense

of what his blood alcohol level was at the time, 9:35 -- assuming he had nothing alcoholic to drink between the 9:35 and the PAS device?

MS. WOOLLEY: There is a formula that the DMV has as part of the driver's manual. However, the application of that formula really does require special training, which none of us have. That would be something if this went to hearing, we would hire an expert -- employ an expert to present at trial as part of the evidence, to say, you know, whether or not Mr. Thompson was over the legal limit at the time he had his accident.

So at this time, we would not be in the position to opine what his blood alcohol would have been at.

CHAIRPERSON DUDLEY: Okay. Fair enough.

And then the blood sample, what was that result?

MS. WOOLLEY: We do not have the blood sample. But we do know, because the DA, the Los Angeles District Attorney's Office, charged him with the (g) count of 23152, that he would have had some form of a drug in his system as well, because in order for the DA to be able to charge him with that, he had to have had alcohol plus a drug in his system.

CHAIRPERSON DUDLEY: Okay. So allegedly he took the Ambien --

MS. WOOLLEY: Yes.
CHAIRPERSON DUDLEY: -- the night before and had a prescription for that.
Do we know if the blood test would show the percentage of the drug Ambien?
MS. WOOLLEY: It probably did, but we do not have that information.
CHAIRPERSON DUDLEY: Okay.
Thank you.
MS. WOOLLEY: You're welcome.
CHAIRPERSON DUDLEY: Other questions from other hearing officers?
MEMBER HATCHER-CRAWFORD: Hi, Counsel.
For clarification, the wet and reckless law is not really familiar to many. I have a little bit of knowledge of it.
Could you give us a little bit of summary about the wet and reckless law and why it was applied?
And to my second question of the wet and reckless law, from my understanding in that, in the first arrest, which was March 14th, if I'm correct, March 14th; and then he had a second incident, March 17th. But the wet and reckless was applied to the March 17th --
MS. WOOLLEY: Yes.
MEMBER HATCHER-CRAWFORD: -- and not the

March 14th?

MS. WOOLLEY: Yes.

MEMBER HATCHER-CRAWFORD: That was my confusion.

MS. WOOLLEY: It's --

MEMBER HATCHER-CRAWFORD: Go ahead.

MS. WOOLLEY: It will make more sense when I explain what wet and reckless means.

MEMBER HATCHER-CRAWFORD: Okay. Thank you.

MS. WOOLLEY: So wet and reckless is something that is available to prosecutors as a plea -- as a plea deal, essentially.

So a prosecutor has some discretion to offer a wet and reckless to those defendants who are close to the legal limit.

So on the March 17th incident, Mr. Thompson was at a .08, .09. So he was close to the legal limit.

As far as we know, he only had alcohol in his system.

So the prosecutor had the discretion to offer what is known as a wet reckless, which means you had alcohol in your system, and you were driving, and you engaged in conduct that ended up being reckless on the streets. Because, by definition, if you are driving with any alcohol in your system you are, in fact, reckless under the law. So that's what wet and reckless means.

And it ends up being a driving under the influence of alcohol conviction on your record for purposes of, like, prior convictions for DUI and that sort of thing. So that's where that comes in.

And Chair Dudley can correct me if I'm wrong about any of this, since she's got such a history of being -- well, a lot of experience, obviously, of being a district attorney.

For the March 14th incident, however, that probably was not available to the district attorney, or just wasn't something the district attorney would have been interested in offering because of that drug that was in Mr. Thompson's system.

And under that one, the (g) count, if you have any alcohol in your system and you have a drug, it is a -- it's a DUI just full stop under (g).

So if you have got something that's a controlled substance, such as Ambien. Xanax would be another one that's common. People will get some alcohol in their system and have something like a Xanax. It's a DUI. It is a full-on DUI misdemeanor under (g).

And frequently, it's not uncommon for a district attorney to not offer wet reckless in that situation because you are so impaired at that point for driving.

MEMBER HATCHER-CRAWFORD: And so in a wet reckless,

because of the accidents -- this is where I was kind of confused on -- is both of them involved accidents, 14th and the --

MS. WOOLLEY: They did.

MEMBER HATCHER-CRAWFORD: They both involved that.

And the district attorney has a discretion to apply.

Now, here's the next question. On a wet and reckless -- because to me, it sounded like it was a DUI, and because I'm not familiar with either/or.

But what is the purpose of even offering the wet and reckless? I mean, what is -- is the penalty different or less --

MS. WOOLLEY: Yes.

MEMBER HATCHER-CRAWFORD: -- or same?

MS. WOOLLEY: The fines and fees for a wet reckless are significantly less. There's less jail time. I believe, but I would have to check, there may, in fact, not be a mandatory jail sentence for a wet reckless.

The DUI program's usually less for a wet reckless for the first offender. Since he had two in a row, that's how he got the 18-month program. And he also had a drug in his system, which is probably also why the 18-month was imposed.

So there are significantly less penalties imposed

for somebody with a wet reckless.

So that's one of the reasons why it gets offered in those kinds of cases and why defendants will take that. Even though there's a consequence of it being a prior conviction if you get a second.

MEMBER HATCHER-CRAWFORD: So the wet reckless is not really held -- held as high as regard compared to the DUI. But he was offered it. That's...

MS. WOOLLEY: For criminal penalties, yes. But on your driver's record, it is going to have a similar effect, is my understanding. Yes.

MEMBER HATCHER-CRAWFORD: Thank you.

MS. WOOLLEY: You are welcome.

CHAIRPERSON DUDLEY: Any other questions or comments?

Yes, Dr. Glaser.

MEMBER GLASER: Thank you. One question. There was some contradiction or inconsistencies among the various documents that we reviewed about when he was on duty and when he was off duty.

And I just wanted to get clarification. I think he was on duty on the 14th and off duty on the 17th?

MS. WOOLLEY: He --

MEMBER GLASER: No?

MS. WOOLLEY: There was some contradiction in the

records.

So LAPD initially said in their IA documents he was off duty on the 17th. That is incorrect. He was actually on duty on the 17th as well, but he was on what they call "home duty."

So a lot of agencies will call it, like, administrative leave. He was sent home. But he was supposed to be on duty. He was just at home. So he wasn't coming into the office. He wouldn't be like what they would consider active.

There's a follow-up memorandum in his IA investigation that said he had to report in. I think he had a meeting with another department. He had just finished at that point right before he left to go get food, and then ended up in the accident. So he was on duty.

MEMBER GLASER: And then on the 17th --

CHAIRPERSON DUDLEY: Let me respond to that a little further.

So even though he was at home, the concept of being on duty relates to the fact that they could call him in and, therefore, could call him in. And being at that blood alcohol level is part of this whole scenario.

MS. WOOLLEY: Correct. Yes.

MEMBER GLASER: And on the 17th, there was also an

indication that he had a nearly empty open container in his vehicle. And I was just wanting to know if we could get some clarification on how nearly empty. But also an open container that is empty is problematic anyway.

MS. WOOLLEY: Right.

The police report from Los Angeles Sheriff's Department said there was an open vodka container that was nearly empty, yes.

CHAIRPERSON DUDLEY: Thank you.

Any other questions?

Yes.

MEMBER JOHNSON: Yes. Johnson.

I had heard you mention something about dishonesty. And you didn't go into the detail of that.

Then Board Member Charles talked about, at some point, when do you stop digging a hole for yourself?

CHAIRPERSON DUDLEY: I'm sorry. Could you move the mic closer?

MEMBER JOHNSON: Yes.

CHAIRPERSON DUDLEY: Thank you.

MEMBER JOHNSON: Board Member Charles spoke about, at some point, when do you stop digging a hole for yourself?

So we do know that he lied to the officer in the first incident that he wasn't drinking. Three days

later, he got pulled over, and he lied to that officer that he wasn't drinking.

I mean, it is obvious that the facts show that he was under the influence.

At some point, it is troubling that an officer consistently can try to fabricate a situation that he's in. Now, he has signed a document that I believe is supposed to save his job. And so we're here gathered today to discuss on whether to decertify him even though he has signed is this document.

Is there a conflict with that?

MS. WOOLLEY: The civil settlement that he filed with LAPD is separate from these proceedings. POST has independent jurisdiction as to Mr. Thompson's certification. So there's no conflict.

POST can proceed separate from any actions that LAPD chose to take.

MEMBER JOHNSON: So he can still be decertified?

MS. WOOLLEY: Yes.

MEMBER JOHNSON: Even though he made an agreement with LAPD that if I do this, this, this, and that, can I keep my job?

MS. WOOLLEY: Absolutely, yes.

MEMBER JOHNSON: So now I guess I'm jumping ahead. How would an administrative judge look at that?

MS. WOOLLEY: The administrative judge would give it the weight that they felt was appropriate. So they could take it and decide it had no weight. They could take it and decide that it should be given great weight.

One of the things that they would be looking at is the terms that Mr. Thompson had agreed to. So the terms that he had agreed -- the agency had proven -- it would just depend upon the administrative law judge.

But, again, these proceedings are entirely independent, so POST's position would be that it really does not have much weight, since the agency acts independently from POST.

MEMBER JOHNSON: And I guess the last follow-up question.

I think it's been a history that POST normally would grant the right for that officer to continue on his job if he signs off on an agreement.

So even though we may feel he should be decertified because of the history that has been established, that most officers that sign an agreement to stay on the job, if they follow this, this, this, and this, normally is granted that at the POST level.

So I'm trying to see if we can break that cycle.

But, anyhow, yes, I'm listening to figure this out.

MS. WOOLLEY: The Board will make its

recommendation, and it will go to the Commission, who will be able to either adopt the recommendation or do what the Commission wants to do.

This particular case is a bit different than the other DUI cases we have taken.

As you have -- as everybody has pointed out, these particular DUIs did happen on duty. There was some concealing conduct. I don't -- we don't know how the Commission is going to respond to this particular case.

But the Board does make its own recommendation.

MR. BEATTY: Board Member Johnson, I think it's productive just to remind ourselves of sort of the grounding trajectory that we're supposed to be taking as a Board.

And it's, you know, 13510.85, right, which is to say, basically does the investigation, summary of findings, and the recommendation by the Division, does that justify decertification under the Board's perspectives?

And so, you know, not getting outside the four squares of what we have in the investigation, and based on the presentation, I think we should really be guided by those perspectives.

CHAIRPERSON DUDLEY: And I -- I would like to call upon our Assistant Executive Director for some comments.

MS. DEL MUGNAIO: Thank you, Board Member Johnson, for the questions. I would like to speak to all of them if I can.

In terms of the settlement agreement that the respondent signed, he subsequently retired from Los Angeles Police Department on August 31st, 2024. He's not currently working.

Second, apart from that, you asked about ALJ weighing the employment agreement versus the certification status, that would be the interest of the state.

In my experience with administrative law judges, what they are looking at is: Does this individual pose a threat to the public health, safety, and welfare through his inability to make choices that pose an immediate threat?

In this situation, the employment status and the agreement, what the judge would be looking at is any rehabilitative efforts on the part of the individual to prevent this from happening again.

And the respondent would have to demonstrate that he no longer poses this threat. And it would be difficult for us to assess whether or not he can make those claims at this point.

The employment status is not what's considered,

if you will, from the administrative law judge. It's whether or not this individual still poses a threat because the behaviors and judgments and decisions made that has brought this case before us today.

In terms of making a decision on a stipulated settlement, I think you have talked about in previous DUI cases, it's not POST that is making the decision. The Commission itself can make the decision to enter into a stipulated settlement.

Again, those are not perfunctory. They do not happen in every case, and they have to examine the very specific circumstances of each and every case to determine whether the public would be well served by entering into an agreement with the individual who has overcome whatever those issues with and has proven, for a period of time, that they can, in fact, engage in the professional conduct of a peace officer safely, effectively, and without issue of controlled substances in their system.

So it is not an automatic. It is not perfunctory. And the Commission would have to weigh those very same things in this case and make the determination that they do not believe that the public would be at risk by allowing this individual to return to the profession.

CHAIRPERSON DUDLEY: Thank you.

MS. DEL MUGNAIO: You are welcome.

CHAIRPERSON DUDLEY: We're going to need a break. But I want to say are there any other questions for -- yes, please.

MEMBER PENA: How long of a delay was there between the time he encountered, I guess it was, CHP that came on the scene and when he was actually tested?

It was a -- it was a lengthy period of time, correct?

MS. WOOLLEY: CHP got on the scene at around 11:05, and he doesn't take the alcohol screening test until 1:00 o'clock, a little after 1:00 o'clock.

So, yes, it takes them some time.

MEMBER PENA: Is that -- is that typical?

MS. WOOLLEY: I wouldn't be able to answer that question. I think each investigation is unique. It probably depends upon the facts and circumstances.

CHAIRPERSON DUDLEY: Anything else? Any other questions?

Yes.

MEMBER JOHNSON: So -- Johnson.

He has retired in August. What -- I don't want to say what bearings would it have with the settle- -- with the agreement that he's made. To me, it becomes a moot

point, I mean, because he's no longer employed by the LA Police Department.

So I guess I'm saying that being that there was an egregious act and a violation of law, it should be pretty simple. It is like him not appealing the issue. So there should not be no reason, I believe, for him to be so much concerned of whether he's certified or decertified. He's no longer a police agent -- a police officer in the state of California, anyway.

So this should be an easy fix by simply decertifying him for the egregious act that the Division, as well as the agency, saw that he had acted in.

MS. WOOLLEY: Mr. Thompson is available by phone. I believe he would be able to answer that question best.

CHAIRPERSON DUDLEY: Anything else for now? Otherwise, we will take a ten-minute break and then come back and ask if Mr. Thompson or his attorney has any comments for us.

Okay. So the time is now 10:21. If you could come back at 10:30.

(Break taken in proceedings.)

CHAIRPERSON DUDLEY: At this time, does the subject officer and/or their counsel wish to make public comment? If so, you will each be given four minutes to

speak, and the time limits will be strictly enforced. So please ensure that you are -- complete your comments within the allotted time. There will be a clock on the screen that will start counting down from three minutes.

Because the discussion this morning was so lengthy, I'm going to extend it, at my discretion, to four minutes to ensure that each of you get to say what you want to say.

So 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 defense 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 these facts demonstrate a high probability that serious misconduct, as defined by Penal Code section 13510.8, and Commission Regulation 1205 occurred?

So is there anyone from the public who would like to address the Board at this time? When it is your turn, you may state your name and the organization you wish.

And we will limit it to three or four minutes, depending who you are, in terms of this case. And I said, it's generally three minutes, but leaving

additional time for the respondent and his counsel. The time limits will be strictly enforced. So please ensure you complete your comments within the allotted time.

So is there anyone here on this case?

Remote or in person?

MR. THOMPSON: Ma'am, I'm the officer involved in this incident.

Can you hear me?

CHAIRPERSON DUDLEY: Is this Mr. Thompson?

MR. THOMPSON: Yes, ma'am.

CHAIRPERSON DUDLEY: Yes. We can hear you. Please go on.

MR. THOMPSON: I'm sorry. If I could, I would just like to summarize a couple things.

CHAIRPERSON DUDLEY: Sure.

MR. THOMPSON: First and foremost, I want to -- I want to thank the Board for giving me the opportunity to speak and kind of maybe hopefully clear some things up if needed.

I understand why the Board needs to convene on this matter and what's led for us to be here today.

And just a brief summary:

I'm a 28-year veteran with LAPD. I was hired in 1996. I have worked in South LA for all but one year of that.

I have been one of the highest, if not the highest, producer in all areas of works. I received hundreds of commendations for productivity. I patrolled areas troubled by gun -- gang violence. And I've made hundreds of observational felony arrests, including many gun arrests, of armed gang members.

I received a Master 10851 Award from the CHP, all of which were occupied stolen vehicles, several of them being used for the purpose of drive-by shootings.

I always wanted to be a detective and started -- started in it working the due diligence unit, which finds suspects of 187, of homicides that have warrants.

I then linked into being investigator and within a few years received a Detective of the Year from my division and also Detective of the Bureau -- for essentially the bureau in Los Angeles.

I received several mayor -- several citations from the mayor for my clearance of homicides. And I have been involved in arresting and convicting hundreds of murder -- homicide suspects.

I promoted to supervisor and received -- as you know, I'm -- I have supervisor POST certificate.

I was on call for several years working homicides, and it took its toll. It all came to a head March 14th and 17th where these incidents occurred.

I did -- I did understand that -- that the development of alcoholism, and I checked myself into Betty Ford. And I'm still in -- I go to AA meetings, and I'm still in the DUI program with the state.

I have a sponsor. I have a very good support system. My partner, who I live with, she's a superior court judge with the state of California. I've been with her for 13 years. My mother, who has been sober for over 40 years. I have two children, Isabella and Shae (phonetic). Bella finished her college and is pursuing her law degree. My second -- my younger child is in her third year of college.

I'm very proud of the badge that I wore, and I'm sad that I tarnished it.

I did -- I did retire from the department. I did so after I did my suspension days because I wanted to retire honorably. And, you know, during this process and working so long, over 20 years as a homicide investigator took its toll, which led into -- to the events that happened in these two days.

I developed a sleep disorder that -- because of it -- because of the hours I worked. I worked several days straight, and that's why I was prescribed Ambien.

I did -- again, I did and do acknowledge that I am an alcoholic. I have quit drinking since, and continue

with my -- with my efforts to remain sober and, again, I have a very good support system that assures that I am.

In conclusion, if the Board needs any clarification on any of the matters or -- I would be happy to speak on that.

CHAIRPERSON DUDLEY: Okay. Let me just, on behalf of the Board, thank you for your years of public service. Thank you for calling us. Clearly, you do have a distinguished career. And to extend our understanding and appreciation of the actions you have taken to deal with your alcoholism.

So aside from that, I will see if the Board has any other comments or questions.

MEMBER CLAVO: Board Member Clavo.

Are you attending AA? Do you have a sponsor? What are you doing to --

MR. THOMPSON: Yes, I do go to several AA meetings a week and I do have a sponsor.

MEMBER CLAVO: How long have you been sober?

MR. THOMPSON: Since this incident.

MEMBER CLAVO: Thank you.

CHAIRPERSON DUDLEY: Anything else?

(No response.)

CHAIRPERSON DUDLEY: Okay. Mr. Thompson, are you being represented by counsel, or are you here by

yourself today on the phone?

MR. THOMPSON: I'm here by myself, ma'am.

CHAIRPERSON DUDLEY: Okay. I think there are no other questions.

Is there anyone from the public who would like to address this matter? Anybody on the phone? Anybody here with us?

(No response.)

CHAIRPERSON DUDLEY: Okay. Seeing none and hearing none, Mr. Thompson, thank you for calling in, and we wish you the best.

MR. THOMPSON: Thank you, ma'am.

CHAIRPERSON DUDLEY: Okay. So at this time, the Board's -- we can adjourn into closed session and discuss this case. Ready? Where are we going today?

MR. KNAPP: The executive conference room.

CHAIRPERSON DUDLEY: Okay. Mr. Chandler is going to show us where to go. Thank you. Okay. We'll be back.

This meeting will adjourn into closed session for deliberation on this case. The board members will now exit the room and be back for regular session shortly.

(Time noted: 10:43 a.m.)

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(Closed session was held:
10:48 a.m. to 11:20 a.m.)
---o0o---
(Time noted: 11:25 a.m.)
CHAIRPERSON DUDLEY: We will now reconvene to regular session to take a vote on the Board's recommendation in the matter of Case POST Number 2400920, Tommy Thompson, who, at the time of the events at issue in this case, was employed with the Los Angeles Police Department.
What comments does the Board have on this matter?
Please. Dr. Glaser.
MEMBER GLASER: Oh, I'm ready to make a motion unless there are people who want to make comments prior to that.
CHAIRPERSON DUDLEY: I'm sorry. I couldn't hear you.
MEMBER GLASER: I'm ready to make a motion unless there are people who want to make comments prior to that.
CHAIRPERSON DUDLEY: Does anybody want to make any comments before a motion is called?
(No response.)
CHAIRPERSON DUDLEY: Okay. Go ahead. Is there a motion -- excuse me. Is there a motion to make a

recommendation to the Commission on this matter?

MEMBER GLASER: Yes.

CHAIRPERSON DUDLEY: Okay. What is that motion?

MEMBER GLASER: I move that we recommend to the Commission that Mr. Thompson's certification be revoked, and that that revocation be stayed contingent on a settlement agreement between Mr. Thompson and POST that would suspend his -- or that would put him in a period of probation of ten years, during which he would have to submit to the standard agreement that we have seen unfold in the past.

And I defer to counsel to provide any further detail on that, but I have no pride of memory on that matter.

And that should he violate the terms of that settlement during that period, that there would be automatic revocation.

CHAIRPERSON DUDLEY: Okay. Thank you. Is there a second?

MEMBER PENA: I second.

CHAIRPERSON DUDLEY: Okay. The second was?

MEMBER PENA: Margaret Pena.

CHAIRPERSON DUDLEY: Ms. Pena. Okay.

Now, Mr. Knapp, if you would call for a roll call vote on that.

MR. KNAPP: Yes, Madam Chair. Thank you.
Clavo.
MEMBER CLAVO: Nay.
Clavo, nay.
MR. KNAPP: Crawford.
MEMBER HATCHER-CRAWFORD: Aye.
MR. KNAPP: Crawford, aye.
Doyle.
MEMBER DOYLE: No.
MR. KNAPP: Doyle, nay.
Dudley.
CHAIRPERSON DUDLEY: No.
MR. KNAPP: Dudley, nay.
Glaser.
MEMBER GLASER: Aye.
MR. KNAPP: Glaser, aye.
Johnson.
MEMBER JOHNSON: Nay.
MR. KNAPP: Johnson, nay.
Lara.
MEMBER LARA: Nay.
MR. KNAPP: Lara, nay.
And Pena.
MEMBER PENA: Aye.
MR. KNAPP: Motion fails.

CHAIRPERSON DUDLEY: I'm sorry? Motion failed?
MR. KNAPP: Motion failed.
CHAIRPERSON DUDLEY: Okay. And the numbers, for the record?
MR. KNAPP: We had two yes -- I'm sorry. Three yeses and six -- or five noes.
CHAIRPERSON DUDLEY: Okay. That motion failed.
Is there another motion?
MEMBER DOYLE: Doyle. Motion to decertify.
CHAIRPERSON DUDLEY: Doyle made a motion to decertify.
Is there a second?
MEMBER LARA: I second.
CHAIRPERSON DUDLEY: Okay. Lara seconded.
Would you please call roll call now.
MR. KNAPP: Yes.
Clavo.
MEMBER CLAVO: Aye.
Clavo, aye.
MR. KNAPP: Crawford.
MEMBER HATCHER-CRAWFORD: No.
MR. KNAPP: Crawford, Nay.
Doyle.
MEMBER DOYLE: Yes.
MR. KNAPP: Doyle, aye.

Dudley.

CHAIRPERSON DUDLEY: Yes.

MR. KNAPP: Dudley, aye.

Glaser.

MEMBER GLASER: Aye.

MR. KNAPP: Glaser, aye.

Johnson.

MEMBER JOHNSON: Aye.

MR. KNAPP: Johnson, aye.

Lara.

MEMBER LARA: Aye.

MR. KNAPP: Lara, Aye.

Pena.

MEMBER PENA: Aye.

MR. KNAPP: Pena, aye.

The motion carries.

CHAIRPERSON DUDLEY: Okay. That motion -- so there was not a unanimous motion. There were, in fact, three negatives, but there were five positives. So that motion does, in fact, pass.

Okay. No?

MEMBER HATCHER-CRAWFORD: Everyone else agreed.

MEMBER GLASER: There was only one no.

CHAIRPERSON DUDLEY: Oh, I'm sorry. So on the second vote?

MR. KNAPP: Madam Chair, for the record, that motion carried with seven yeses and two noes.

CHAIRPERSON DUDLEY: Okay. Seven and two. All right. Thank you very much. Thanks for clarifying that.

MEMBER DOYLE: There's only eight of us here. How could it be 7-2?

CHAIRPERSON DUDLEY: I couldn't hear you.

MEMBER DOYLE: Sorry.

MR. KNAPP: It's one of those mornings. Seven ayes. One nay vote.

MEMBER HATCHER-CRAWFORD: For the record, I wanted to say -- (inaudible) -- I'm sorry.

CHAIRPERSON DUDLEY: I can't hear you.

MEMBER HATCHER-CRAWFORD: For the record, I meant to say "abstain," but I said "no."

MEMBER PENA: She meant to say "abstain."

CHAIRPERSON DUDLEY: Okay. You know, this has gotten a little too confusing for the record, so we're going to do that one again. Okay.

I want to make sure everybody votes what they want to vote.

MR. KNAPP: I think that's a good idea.

CHAIRPERSON DUDLEY: So there was a motion to decertify. And that was made by Doyle and that was

seconded by Lara.

So let me ask you again, would you please take that vote.

MR. KNAPP: Yes, Madam Chair.

CHAIRPERSON DUDLEY: No, not your fault.

MR. KNAPP: Clavo.

MEMBER CLAVO: Yes.

MR. KNAPP: Clavo, aye.

Crawford.

MEMBER HATCHER-CRAWFORD: Abstain.

MR. KNAPP: Crawford, abstain.

Doyle.

MEMBER DOYLE: Yes.

MR. KNAPP: Doyle, aye.

Dudley.

CHAIRPERSON DUDLEY: Yes.

MR. KNAPP: Dudley, aye.

Glaser.

MEMBER GLASER: Aye.

MR. KNAPP: Glaser, aye.

Johnson.

MEMBER JOHNSON: Yes.

MR. KNAPP: Johnson, aye.

Lara.

MEMBER LARA: Aye.

MR. KNAPP: Lara, aye.
Pena.
MEMBER PENA: Aye.
MR. KNAPP: Pena, aye.
CHAIRPERSON DUDLEY: Now, would you give us the final record on that, please.
MR. KNAPP: We have seven ayes and one abstention.
CHAIRPERSON DUDLEY: There were no noes?
MR. KNAPP: No noes.
CHAIRPERSON DUDLEY: Okay.
Okay. Moving on to the next case, and, again, we will break at noon.
At this time, I will call upon Law Enforcement Consultant Robert Bringolf, Professional Conduct Los Angeles Bureau; and Carrie Woolley, Attorney, Legal Affairs Bureau, to provide a report on Case POST2302971, Gabriel Gaxiola, who, at the time of the events at issue in this case, was employed by the Los Angeles Police Department.
Please.
MR. BRINGOLF: Good morning, everybody. My name is Robert Bringolf. I'm one of the law enforcement consultants assigned to the Professional Conduct Bureau for Los Angeles County.
With me today is Carrie Woolley, an attorney with

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, a 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 5th day of February 2025.

KATHRYN S. SWANK, CSR
Certified Shorthand Reporter
License No. 13061