Commission on Peace Officer Standards and Training
Peace Officer Standards Accountability Division
860 Stillwater Road, Suite 100
West Sacramento, CA 95605
www.post.ca.gov

STATEMENT OF FINDINGS

POST makes the following information available to the public pursuant to Penal Code §13510.85(c) which establishes that POST shall publish the names of any peace officer whose certification has been suspended or revoked and the basis for the suspension or revocation.

CASE NO.: POST2302599

SUBJECT OFFICER: Sonny Aguilera **POST ID:** C73-A71

EMPLOYING AGENCY: San Bernardino Police Department

ALLEGED MISCONDUCT: 13510.8. (b)(2)/11 CCR 1205. (a)(2) – Abuse of Power, 13510.8.(b)(1)/11 CCR 1205. (a)(1) – Dishonesty.

CASE SUMMARY:

On August 25, 2022, Officer Sonny Aguilera, hereinafter, "Respondent" and a partner officer responded to a domestic violence incident. The Complainant, hereinafter, "Victim" was the victim of a domestic battery wherein Respondent was dispatched to the victim's residence. The Victim's long time live in ex-boyfriend was arrested for domestic battery. The Respondent obtained the Victim's cell phone number and called and text the Victim numerous times over the next two months pursing a physical relationship with the Victim. Respondent and Victim engaged in a physical relationship one more than one occasion. The Victim indicated that she did not want a sexual relationship with the Respondent but felt pressured to perform sexual acts with the Respondent because she feared the police. The San Bernardino Police Department conducted an administrative investigation, which subsequently sustained allegations of misconduct against Respondent for Conduct Unbecoming of a Peace Officer, Neglect of Duty and Dishonesty. The Respondent resigned from the San Bernardino Police Department on November 1, 2022. Following POST's investigation and review, POST found, by clear and convincing evidence, that reasonable grounds existed for consideration of revocation pursuant to Penal Code 13510.8. The findings in the POST Investigative Summary and Findings report are as follows:

ANALYSIS/FINDINGS:

1. **The alleged misconduct violated Penal Code Section 13510.8 (b)(2) and Title 11, California Code of Regulations Section 1205 (a)(2) – Abuse of Power**

Penal Code Section 13510.8 (b)(2) and Commission Regulation 1205 (a)(2) defines as serious misconduct "Abuse of Power, including, but not limited to, intimidating witnesses, knowingly obtaining a false confession, and knowingly making a false arrest."

The Respondent utilized his position of authority as a peace officer to obtain the Victim's cell phone number after she was the victim of a domestic violence incident. He continually called and texted the Victim, pressuring her to meet him while he was off duty and perform sexual acts.

2. **The alleged misconduct violated Penal Code Section 13510.8 (b)(1) and Title 11, California Code of Regulations Section 1205 (a)(1) – Dishonesty**

Penal Code Section 13510.8(b)(1) and Commission Regulation 1205 (a)(1) defines as serious misconduct: "Dishonesty relating to 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."

The Respondent was dishonest during his administrative interview regarding the number of sexual encounters he had with the Victim. He was also showed dishonesty when he deleted the call and text history from the Victim's cell phone and his own cell phone to conceal evidence of his serious misconduct.

OUTCOME/IMPOSITION OF DISCIPLINARY ACTION AGAINST PEACE OFFICER CERTIFICATION:

The Peace Officer Standards Accountability Division determined that reasonable grounds existed to seek revocation of the Respondent's certifications in this case. A notice of intent to revoke was served on November 16, 2023. Respondent did not file a request for review within the 30-day response period, pursuant to Penal Code section 13510.85 (a)(2), thus resulting in default revocation of Respondent's certification with no further proceedings. On January 9, 2024, the default order was issued and served on Respondent. Respondent Sonny Aguilera's (POST2302599) (POST ID: C73-A71) peace officer certification was revoked on January 9, 2024.