POST COMMISSION SERIOUS MISCONDUCT HEARING

March 5, 2026
AGENDA
9:00 AM

CALL TO ORDER AND WELCOME

COMMISSION MEMBERS

Alan Barcelona
Ingrid Braun
Rick Braziel - Vice Chair
Jim Cooper
Justin Doering
Charles Duggan
P. Lamont Ewell
Kelly Gordon
Jacob Johnson
Geoff Long - Chair
Michael Moodian
Shannan Moon
Tina Nieto
Freddie Rodriguez
Benjamin Therriault
Stephen Woolery- Ex-Officio
Vacant (Elected County Official)
Vacant (Sergeant or Below)

ROLL CALL OF COMMISSION MEMBERS

INTRODUCTION OF POSAAB COUNSEL AND THE EXECUTIVE DIRECTOR

The Commission Chair will introduce the POSAAB Counsel and the Executive Director.

PUBLIC COMMENT

The Commission Chair will advise the audience of the following:

This is the time on the agenda for public comment. This time is set aside for members of the public to comment on either items on the Commission agenda or issues not on the agenda but pertaining to POST Commission business. Public comment on specific peace officer revocation cases to be heard today will be heard at the time of the hearing of each such matter. Members of the public who wish to speak are asked to limit their remarks to no more than three minutes each. Please be advised the Commission cannot take action on items not on the agenda.

I. **CASE REVIEW OF RECOMMENDATIONS MADE BY THE PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD**

The Commission will review the recommendations made by the Peace Officer Standards Accountability Advisory Board from the last Board Hearing held on February 05, 2026 in West Sacramento, CA.

a. POST2402838 - Elliott Lopez (POST ID: C15-H32) Last Employing Agency: California Highway Patrol

The Commission shall review recommendations made by the Peace Officer Standards Accountability Advisory Board (POSAAB) regarding, what action if any, should be taken, suspension or revocation, on the certification of the subject peace officer. The Commission's decision to adopt a recommendation by POSAAB to seek revocation shall require a two-thirds vote of Commissioners present and shall be based on whether the record, in its entirety, supports POSAAB's conclusion that serious misconduct has been established by clear and convincing evidence. In any case in which the Commission reaches a different determination than POSAAB's recommendation, it shall set forth its analysis and reasons for reaching a different determination in writing.

b. POST2403212 - Richard Adams (POST ID: C56-Q43) Last Employing Agency: California Highway Patrol

The Commission shall review recommendations made by the Peace Officer Standards Accountability Advisory Board (POSAAB) regarding, what action if any, should be taken, suspension or revocation, on the certification of the subject peace officer. The Commission's decision to adopt a recommendation by POSAAB to seek revocation shall require a two-thirds vote of Commissioners present and shall be based on whether the record, in its entirety, supports POSAAB's conclusion that serious misconduct has been established by clear and convincing evidence. In any case in which the Commission reaches a different determination than POSAAB's recommendation, it shall set forth its analysis and reasons for reaching a different determination in writing.

II. **CLOSED SESSION**

At this time the meeting will adjourn into closed session for deliberations on the cases presented today.

ADJOURNMENT

AGENDA ITEM REPORT

Title: POST2402838 - ELLIOTT LOPEZ (POST ID: C15-H32) LAST EMPLOYING AGENCY: CALIFORNIA HIGHWAY PATROL

REPORT PROFILE

MEETING DATE 03/05/2026	**BUREAU SUBMITTING THE REPORT** Professional Conduct Northern Bureau	
RESEARCHED BY Raymond Bechler	**REVIEWED BY** Robert Guyton	
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 02/18/2026
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

The matter is before the Commission for review and action regarding the subject peace officer's certification status. The Commission shall return any determination requiring action to be taken against an individual's certification to the division, which shall initiate proceedings for a formal hearing before an administrative law judge in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), which shall be subject to judicial review as set forth in that Act.

BACKGROUND:

Respondent began his employment with the California Highway Patrol (CHP) on June 18, 2004, as a full-time Officer. At the time of the events at issue, Respondent was employed as an Officer with CHP. 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 830.2(a) and is required to be certified pursuant to California Penal Code 13510.1(a).

On March 24, 2024, Respondent was visiting Las Vegas, Nevada for a non-work related event with Victim. Victim and Respondent had been in a relationship for over 10 years. After a night of drinking, Respondent and Victim returned to their hotel room. At approximately 4:15 a.m. Respondent physically assaulted Victim by punching her numerous times in the face, head, arms and torso. Officers from the Las Vegas Metro

Police Department arrested Respondent.

As a result of Respondent's attack, Victim sustained two swollen and blackened eyes, swollen forehead, bruises to her legs, arms, and shoulders, and complained of pain to her jaw and head. She was taken to a local hospital for her injuries and later released.

The Clark County District Attorney's Office prosecuted Respondent for Nevada Revised Statutes 33.018 and 200.485 and (domestic violence). Respondent pled nolo contendere to the charge of misdemeanor domestic violence on July 9, 2024, and was ordered to complete agreed upon terms of diversion. On December 17, 2024, Respondent met the requirements of diversion, and the charge was subsequently dismissed.

Respondent resigned from the CHP on April 15, 2024, prior to being interviewed by Internal Affairs.

ANALYSIS:

Clear and convincing evidence substantiated that Respondent violated California Penal Code §13510.8(b)(6) and Commission Regulation 1205(a)(6) regarding acts that violate the law; in that Respondent engaged in domestic violence when Respondent physically assaulted the Victim, whom he was in a relationship with, while on a trip in Las Vegas that caused severe injuries to her face, head, arms, and torso. Respondent's actions are sufficiently egregious as to be inconsistent with the Respondent's obligation to uphold the law or respect the rights of members of the public.

RECOMMENDATION:

The Commission shall review recommendations made by the Peace Officer Standards Accountability Advisory Board (POSAAB) regarding, what action if any, should be taken, suspension or revocation, on the certification of the subject peace officer. The Commission's decision to adopt a recommendation by POSAAB to seek revocation shall require a two-thirds vote of Commissioners present and shall be based on whether the record, in its entirety, supports POSAAB's conclusion that serious misconduct has been established by clear and convincing evidence. In any case in which the Commission reaches a different determination than POSAAB's recommendation, it shall set forth its analysis and reasons for reaching a different determination in writing.

ATTACHMENT(S):
BR01_POST2402838_Lopez_Elliott_ISF_Redacted.pdf
BR02_POST2302838_Lopez_Elliott_ExecReviewDivisionRec_Redacted.pdf
BR03_POST2302838_Lopez_Elliott_ProfileReport_Redacted.pdf
BR04_POST2402838_Lopez_Elliott_CHP_IA_Summary_Redacted.pdf
BR05_POST2302838_Lopez_Elliott_Attachment_A-Hotel_Sec_Rpt_Redacted.pdf
BR06_POST2302838_Lopez_Elliott_Attachment_B-Crime_Report_Redacted.pdf
BR07_POST2302838_Lopez_Elliott_Attachment C photos_Redacted.pdf
BR08_POST2302838_Lopez_Elliott_Attachment_D-Arrest_Report__1__Redacted.pdf
BR09_POST2402838_Lopez_Elliott_Attachment_E_ Abbrev Vic IA Trans_Redacted.pdf
BR10_POST2302838_Lopez_Elliott_Attachment F_Redacted.pdf
BR11_POST2402838_Lopez_Elliott_Attach G_ Abbrev_Witness_1_IA Abbrev Trans_Redacted.pdf
BR12_POST2302838_Lopez_Elliott_Attachment_H-Court_Doc_s_Redacted.pdf
BR13_POST2302838_Lopez_Elliott_Attachment I_LEC-Res Interview Transcribed_Redacted.pdf
BR14_POST2402838_Lopez_Elliot_NRS.pdf
POST2402838_Lopez_Elliot_February_2026_POSAAB_Agenda_Record.pdf
POST2402838_Lopez_Elliot_Board_Recommendation_Signed.pdf
POST2402838_Lopez_Elliot_Transcript_Board_02.05.26.pdf



INVESTIGATIVE SUMMARY AND FINDINGS

PEACE OFFICER NAME: Elliott Lopez

POST ID NUMBER: C15-H32

EMPLOYING AGENCY: California Highway Patrol

POST CASE NUMBER: POST2402838

WRITTEN BY: Raymond Bechler, LEC

DATE: 1/13/2026

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I. Executive Summary

On March 24, 2024, Officer Elliott Lopez of the California Highway Patrol (CHP) travelled to Las Vegas, Nevada for a non-work-related event with his wife and several friends. After a night of drinking and socializing, Lopez and his [redacted] (hereafter referred to as "Victim") retired to their hotel room. At approximately 4:15am, Lopez physically assaulted Victim by punching her numerous times in the face, head, arms, and torso.

Officers from the Las Vegas Metropolitan Police Department (LVMPD) were called to the scene and ultimately arrested Lopez for misdemeanor domestic violence. Lopez was transported and booked into the Clark County Detention Facility.

As a result of Lopez's attack, Victim sustained two swollen and blackened eyes, swollen forehead, bruises to her legs, arms, and shoulders, and complained of pain to her jaw and head. She was taken to a local hospital for her injuries and later released.

The Clark County District Attorney's Office prosecuted Lopez for Nevada Revised Statute 33.018 (domestic violence). Lopez pled nolo contendere to the charge on July 9, 2024, and was ordered to complete agreed upon terms of diversion. On December 17, 2024, Lopez met the requirements of diversion, and the charge was subsequently dismissed.

Lopez resigned from the CHP on April 15, 2024, prior to being interviewed by Internal Affairs.

II. Background Information

a. Identity of Respondent

At the time of the events at issue, Elliott Lopez (hereafter referred to as the "Respondent") was employed as a Police Officer with the California Highway Patrol.

b. Respondent's Service Record, Relevant Training, and Prior Complaints and Discipline

The Respondent began his employment with the California Highway Patrol on June 18, 2004, as a full-time Police Officer.

The Respondent had three past annual performance evaluations for 2024, 2023, and 2022. Respondent was rated either proficient or excellent in all categories.

The Respondent was an active member of the Peer Support Team. There were no prior complaints of misconduct submitted with this case.

According to his POST profile, the Respondent was provided training on Domestic Violence on the following dates: 12/20/2018, 12/30/2019, and 12/21/2023.

When evaluating whether suspension or revocation is appropriate, Penal Code section 13510.8(c)(5) and California Regulation section 1213(a)(5) provide that the Commission must consider Respondent's prior conduct, discipline and service record. The relevance and weight the Commission may choose to assign to a peace officer's prior conduct and service record will depend on the facts in each case.

c. Prior Employment History

The Respondent has no additional law enforcement appointments in California.

d. Peace Officer Certification

The Respondent is assigned POST ID C15-H32. He received the following Peace Officer certificates from the Commission on Peace Officer Standards and Training (POST):

- Basic 03/18/2009

e. The Present Allegations of Serious Misconduct

On March 24, 2024, the CHP became aware of the Respondent's misconduct following his arrest in Las Vegas, Nevada for domestic violence committed against [redacted].

The CHP completed their Administrative Investigation and sustained allegations of misconduct against the Respondent. The Respondent resigned from his employment prior to being interviewed by Internal Affairs and discipline being imposed.

On October 15, 2024, CHP reported this case to POST.

III. Investigative Methodology

This report summarizes the findings related to allegations of serious misconduct. This investigation was conducted in accordance with the regulations and policies of POST. The investigation included a review of the California Highway Patrol's administrative investigation which included criminal police reports, photographs, and interviews of several witnesses including the Respondent.

All of the documentation and information obtained was analyzed using the clear and convincing evidence standard. For purposes of this report, clear and convincing evidence means "evidence 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."

This report is necessarily summary in nature and does not include every fact or issue that might be found in the underlying investigation and attachments. It does, however, contain reference to that evidence that I believe establishes the requisite facts, and proves the serious misconduct charged by clear and convincing evidence.

IV. Factual Summary

In March 2024, the Respondent and Victim traveled to Las Vegas, Nevada for an annual trip with friends. The Respondent, Victim, and friends checked into the Westgate Hotel on Thursday March 21, 2024, and planned to stay for several days to attend a popular cigar conference. The next three days were spent with friends and seemed to go as planned as they enjoyed the conference and Las Vegas festivities at night.

However, on Saturday March 23, 2024, the Victim, Respondent, and their friends visited Fremont Street to dance and enjoy music. As the night came to a close, the Respondent and Victim returned to their hotel for the evening. At approximately 4:15 in the morning, the Respondent physically attacked the Victim by punching her in the face, head, arms, and upper torso multiple times causing significant injuries.

Hotel Security received numerous calls from nearby guests regarding screaming and yelling emanating from the Respondent's room. They were directed to the Respondent's room (22-132) where the yelling was coming from and contacted the Respondent. According to Security, they made entry into the room and saw the Respondent holding a trash can and had vomited. He also had blood on his finger. Security asked the Respondent where [redacted] was and eventually called her on a cell phone. The Victim answered the phone and alerted them she was on the 25th floor. Security contacted her and called 9-1-1 for police and medical assistance. They detained the Respondent in handcuffs and escorted him down to the security office awaiting police response. **(Attachment A -Security Officer Report)**

LVMPD Officers Mayer and Nguyen arrived at the hotel. Mayer contacted the Respondent who was being detained in the Security Office while Nguyen checked on the Victim who was in an office on the 25th floor.

According to the LVMPD crime report (verified by Body Worn Camera footage), the Victim told Officer Nguyen that she and the Respondent had been drinking at the Fremont Street Experience. The Respondent drank too much, fell to the ground, and blacked out. Friends had to call an Uber to get the Respondent back to the hotel. They were staying in room (22-132). Their friends had to help walk the Respondent to their room and then place him on the bed.

When the Victim tried to go to sleep, it was difficult for her to get into bed as the Respondent was taking up most of the bedspace. The Victim made numerous attempts to wake the Respondent in order to have him move over so she could sleep. The Victim stated the Respondent suddenly woke up, looked around the room, and began "wailing" on her. The Victim described wailing as throwing punches to her face. She fell off the bed onto the floor, curled up in a fetal position, and screamed for the Respondent to stop, as he continued to repeatedly punch her. The Respondent stopped his attack momentarily which allowed the Victim to grab a cell phone off the table and run out of the room. **(Attachment B – Crime Report #LLV240300089696)**

Officer Nguyen took numerous photographs of the Victims injuries which are attached to this report. **(Attachment C – Victim Injuries at Scene)**

LVMPD Officer Mayer contacted the Respondent who said he had been out drinking with [redacted] on Fremont Street. They had an argument and then took an Uber back to their hotel where he passed out. The next thing the Respondent recalled was security waking him up. The Respondent said he didn't remember the incident. The Respondent said he and [redacted] had been having [redacted] troubles but were working on their [redacted].

Officer Mayer arrested and booked the Respondent at the Clark County Detention Facility on a misdemeanor domestic violence charge. **(Attachment D – Arrest / Booking Report)**

The Victim was transported by ambulance to the local hospital where she was treated for her injuries and released.

On March 28, 2024, the Victim filed for and was granted a Domestic Violence Restraining Order in Tuolumne County (residence of Victim and Respondent) against the Respondent.

On March 28, 2024, the California Highway Patrol (CHP) Internal Affairs Investigators contacted the Victim regarding this incident. In the interview with IA, the Victim said, "Yeah….so there's been back-to-back incidents (referring to the Respondent) for two years, since March, and that was the shooting. He got injured. His mom died, his brother just recently passed away, and through all of that he's just completely shut down to me. And especially over the last two months, and now I know why, because he has been having an affair. So, he didn't want to go this weekend, but he felt guilty about going because our friends had spent so much money on the hotel rooms... So, he still went, obviously. And the whole time, he was -- he was okay. He wasn't that bad. Just being quiet. He was still very quiet. But Saturday night he was okay, he wasn't drinking until midnight. So, we went out and had pizza, and so he was eating dinner. He had a couple of Cokes with dinner. And then we went over to Fremont Street and our friends left, and he just started drinking then, but it was only four drinks between midnight and 2:00. And I was listening to music, and dancing with friends and everything else. And then as it was about 2:15, I looked over because I heard some thing, and it was him hysterically crying. And even when his partner passed away when he was barely off probation he never cried like that. I have never seen him cry like that, in that guttural like just hysterically sobbing. So, he had to be taken out of Fremont

Street, carried out, which is completely unusual as well. He never -- if he -- he is always very careful in public when he drinks, and never ever gets to that point where he's even like stumbling or you can even kind of tell that he's a little bit intoxicated by like his walk if he's out in public. He only, like he'll have drinks like that, like what he was, but at houses, like where he knows that he's in a safe environment and nothing's going to happen. So, it was very, very, very strange. And so, I called the Uber. I came back around the corner because it's a drop-off and pick-up spot. And when I came back around the corner, that's when I noticed that he was on the ground, he had puked… they were able, with the help of strangers, to pick him up because he was just completely out of it. And they had to pick him up, and they were able to, and then take him to the Uber. We got him up to the hotel room, and they flopped him on the bed, and that's when he was diagonal across the bed. So, I went and got my pajamas on. And I had a feeling something was going on because he was using WhatsApp, …. And so, I looked through his phone and that's when I found all the messages. And that's when I confirmed that he was having an affair. So, I went down with pajamas on, and he was laying across the bed, so there was no room for me. So, I'm like, hey, wake up, hey, wake up, and like trying to get him awake, and I couldn't. And I finally was like shaking him, and he was kind of like in the whole like, ugh, like grogginess, And he finally woke up, and he was in and out of it a little bit more, but not to the point that I could be like, hey move over, and for him to understand what I mean by like move over in the bed. And he's a big guy. And I finally said, you know what, who's XX? And he woke up and he looked at me and he just started swinging. And the first swing was him laying down, sitting up, and then coming across. And I backed up into the corner, lost my balance, fell, and then he just jumped over me like an MMA fighter going for the knockout. And he's just on me just back and forth, back and forth. So, I was calling him to, you know, get away as best as I could. And I was on my back, and so I kind of like Rabbit punched him in his shoulder because I know his shoulders are bad, and tried to do anything to just get him away. And so, I kicked him, and when I kicked him, he fell backwards, and that was when I was able to run out of the room. And I grabbed a

phone, I thought it was my phone, but it was his phone. And I grabbed the phone and just tried to go up to Witness 2's and Witness 3's room (on the 25th Floor) to get their attention and something. So, they weren't answering the door, so I called everybody that I could. And I called [redacted] and he came up, and as soon as his elevator door opened and he comes over and he looks at my face, the other elevator opened up and it was security and they're like, are you [redacted]? I'm like, yeah. They're like, we've been looking for you. And then they whisked me away and had Metro come, did the interviews with him, had the EMTs come." **Victim transcript, Pages 3-9]**

The IA Investigators asked the Victim about how many alcoholic drinks the Respondent consumed. She replied that he was drinking pineapple and Malibu rum 12-ounce glasses and saw him drink (4) of them. The Victim said the Respondent didn't have his first drink until a little after midnight. She said it was not out of the ordinary for the Respondent to consume (4) alcoholic drinks. The Victim added at around 2:00am she saw the Respondent crying hysterically and wouldn't tell anyone why. She said after 10 or 15 minutes of crying, his friends helped carry him to wait for the Uber. At approximately 2:45am, the Uber arrived to take them back to their hotel. The Respondent was completely passed out during the ride and was helped by his friends to the hotel room. **[Victim transcript, Pages 36-40]**

Investigators asked the Victim to describe what happened in their hotel room and the Victim said, around 3:15 or 3:30 the Respondent was finally in bed and she was able to spend a little time looking through his phone. In doing so, the Victim saw messages to and from another woman which were graphic, nude, and sexually explicit. Crying and disappointed, the Victim tried to go to sleep and climbs into bed. In doing so, the Respondent was taking up most of the bed, and the Victim kept yelling for him to move over. After about 2 minutes of the Respondent not reacting, the Victim asked "Who's XX" He wakes up. The Victim further stated that the name triggered him because she read in the messages XX kept asking him to wipe his phone so the Victim

wouldn't find out. The Victim said at that point the Respondent opened his eyes, sat up, looked around the room, looked at me with anger and struck her for the first time. The Victim fell off the bed onto the floor in the corner of the room. He was able to hop off the bed and stand over me and start punching. The Victim said she started screaming, "Elliott stop, stop, you're hurting me. His face showed anger and he was like a raging bull." The Victim couldn't recall how many time the Respondent punched her but he used his closed fists and was punching with both hands. The Victim was able to kick the Respondent causing him to lose his balance. The Victim was able to quickly get to her feet, grab her cell phone, and flee the hotel room. **[Victim transcript, Pages 52-69]**

The Victim said she called Witness who met her up on the 25th floor where he and his wife were staying. Security Officers arrived thereafter.

IA Investigators took photographs of the Victim's injuries that were sustained at the hands of the Respondent just 5 days prior (March 23, 2024). **(Attachment E – Photographs of Victim's Injuries).**

On April 4, 2024, IA Investigators contacted and interviewed Witness 1. Witness 1 said he recently retired from the CHP and had been friends with the Respondent since 2009. Witness 1 said he met the Respondent and Victim in Las Vegas and stayed at the Westgate Hotel for the cigar convention. Witness 1 said he and his wife spent the day hanging out with the Respondent and Victim on Saturday March 23, 20204 (day of incident) and spent most of the day at the cigar convention. Once the convention was over they all ate dinner and then went down to Fremont Street with some other friends. Witness 1 said he noticed the Respondent did not have any alcoholic drinks like the rest of the group. Witness 1 thought it was due to the Respondent being a diabetic and was being tame (not drinking).

In the interview, Witness 1 was asked when he bought the Respondent his first drink

and he said, “I'd say -- because we had been there for quite some time, so like maybe midnight, 1:00-ish, somewhere in that vicinity, because it was closer to the end of the night like thing. So, I was getting ready to go -- go up there to buy a drink, and I was like, hey, you want something or whatever? And he's like, no, no. I'm like, are you sure? And he's like, ah, screw it, just get me a tequila and pineapple. Like, all right, done. So that's what I did. So yeah, maybe midnight, 1:00, somewhere around there**.”** **[Witness 1Transcript, Pages 16-17]**

In the interview, Witness 1 was asked how many drinks he saw the Respondent consume? Witness 1 said**, “**Yeah, that's all I -- yeah. I know -- I know I purchased two for him, and then I think Witness 3 or somebody after might have given him one more afterwards.” **[Witness 1 Transcript, Page 19].**

Witness 1 said they were ready to leave Fremont Street at about 3:00am. Witness 1mentioned he watched the bartender prepare the drinks and he seemed to pour them heavy. He told investigators, **“**Yeah, definitely a little -- a little bit. And I remember thinking about, you know, like watching him pour them, and yeah, he pours them heavy, but I didn't -- It didn't -- things didn't seem to fit. Like, it wasn't -- you know, something seemed a little bit off, for sure.” **[transcript, Page 26]**

IA investigators asked Witness 1 about the Respondents intoxication level and he said**, “**And I think we were getting ready to go, to get, catch the Ubers or whatever. So, I went in and used the restroom or whatever. So that timeframe would be maybe 3:00-ish, is when we're getting ready to leave. So 2:30, 2:00 -- yeah, 2:30, 3:00 is when we're about to -- you know, I go in there and use the bathroom, come out, I see him, him and Witness 2 are talking, he's crying, he's very emotional and like completely over the top as far as like intoxication. Like it went from -- it was like a switch. Like it went from fine to like he's had too much, you know? Like it didn't make -- it didn't -- I was like, wow, how'd that happen? Like, because I've never seen him to that extent ever. And I've hung out with him quite a bit. And he could -- he could put alcohol away. And

that was not -- that was not indicative of what he had been doing that night. And it didn't -- those two things weren't jiving in my brain." **Witness 1 Transcript, Pages 30, 31].**

Witness 1 explained that it was then that he and another friend helped escort the Respondent to an Uber, "And we – Witness 2 (friend of Respondent), which I didn't realize at the time, was pretty intoxicated. He had fallen; him and Respondent had fallen. Respondent's, you know, 240, 50 pounds or whatever. And I thought he had it and he didn't. So, I helped him, everybody get up, and then we went to the Ubers." **[Witness 1 Transcript, Pages 34, 35]**

Once at the Hotel, investigators asked if the Respondent was talking on the way up to the hotel room**, "**I want to say he tried to mumble like, I'm sorry or something like that, you know, because he felt like he was like -- but that would have been about it, you know? I know he said maybe in the elevator that he hurt or whatever, cause Witness 1 was like, hey, don't worry, we're going to take care of you. You know, we're going to get you the help you need, kind of thing. **[Witness 1 transcript, Page 38]. "**And like, when we (Witness 3- friend) laid him on the bed, there was no help from him. We just basically kind of plopped him on the bed and picked his legs up and slid him on there and left him**." [Witness 1 Transcript, Page 38]**

Witness 1 explained that he left the Respondent's hotel room at 3:23am because his wife had just texted him as he left the room. Witness1 told IA investigators approximately 30 minutes later he received a cell phone call from the Victim and said, "I was like, hello? And Victim was like, Respondent just beat the shit out of me, I need your help. And I was like, okay, where are you? And she said she was on -- she was outside of Witness 2's and Witness 3's room on the 25th floor in the other tower. I was like, "I'll be right there." **[Witness transcript, Page 61].**

The IA investigators asked Witness 1 what he saw upon seeing the Victim and he said**, "**Oh, no. I was very taken back by her injuries, and I was -- I was very surprised. Like I did not -- like that's not what I expected to see." **[Witness 1 transcript, Page 63]**

Witness 1 further added, "She's got a pretty good lump on her -- above her right eye, and her, like her -- her cheeks were -- and her -- like the cheekbones were like a little swollen up. I didn't see any like black and blue or anything yet. But yeah, she definitely looked like she'd been punched a few times." **[Witness 1 transcript, Page 68]**

Witness 1 said Hotel Security was attending to the Victim and he went to the Respondent's room to check on Respondent. He other members of Hotel Security detaining the Respondent.

Note: The Respondent was detained by security at approximately 5:00 in the morning. The Respondent was able to walk with little help of two security officers to the security office on the 1st floor. Once in the security holding area, he was contacted by Officers from the LVMPD and was able to answer basic questions reflecting his awareness and lucidness, as seen on their body worn cameras. This was approximately 30-40 minutes after the incident. **(Attachment F – BWC Video Respondent)**

The Victim said she has been [redacted] the Respondent for (11) years and have no children together. There have been no other acts of violence towards her from the Respondent.

The Clark County District Attorney's Office prosecuted the Respondent after amending the initial misdemeanor domestic violence charge to a felony due to the substantial bodily harm to the Victim. The Respondent ultimately pled Nolo Contendere to a misdemeanor domestic battery charge and accepted terms of his sentence for violations of

Nevada Revised Statute 38.018 and 200.485. **(Attachment G – Court Documents)**

On July 30, 2025, personnel from the Clark County Division office interviewed the Victim. The Victim's statement was consistent with both the LVMPD and the CHP IA Investigators. She added that in her experience, the Respondent typically does not get affected by alcohol consumption. She had not previously seen his mood or demeanor change when drinking and alcohol does not trigger anger or cause him to have violent behavior. She further added that the amount the Respondent drank on the night she was assaulted was "nothing major," or out of the ordinary and he has never acted violent towards her in the past. Victim, Respondent and other witnesses all reported that they were unsure whether or not Respondent's drink may have been altered or spiked.

On August 4, 2025, personnel from the Clark County Division office interviewed the Respondent. Respondent was consistent with what he told the responding LVMPD Officers by saying he didn't remember physically assaulting the Victim. Specifically, he did not recall anything about getting into an Uber, being escorted to his hotel room by his friends, or anything that occurred inside his hotel room. The Respondent said the only thing he does remember is being awoken by Hotel Security who contacted him in his room.

The Respondent said he started drinking heavily around midnight. He thought he had four (32) ounce alcoholic drinks which consisted of pineapple juice and Tequilla.

The Respondent doesn't believe he assaulted the Victim and claimed she may have hurt herself in an effort to destroy the Respondent's career. Respondent stated he and the Victim had been having [redacted] problems and talked about [redacted] about a month prior to the incident occurring in Las Vegas.

Analysis and Findings

a. Does the alleged conduct violate Penal Code section 13510.8(b)(6) and California Regulation 1205(a)(4) – Acts that Violate Law, specifically Nevada Revised Statute Section (NRS) 33.018 – Domestic Violence?

According to Penal Code section 13510.8(b)(6) and Title 12 of the California Code Regulation 1205(a)(6), serious misconduct includes, "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, as determined by the POST Commission."

On March 24, 2024, the Respondent engaged in egregious acts that violate the law when he severely battered the Victim during a trip with friends to Las Vegas. At the time of the incident Respondent was [redacted] to Victim and battered her in their hotel room. LVMPD responded to the incident and arrested for violating Nevada Revised Statute 33.018, domestic violence.

NRS 33.018 defines the acts which constitute domestic violence as:

"*Domestic violence occurs when a person commits one of the following acts against or upon the person's spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person's minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child:*

(a) A battery."

(Attachment H – NRS Definition)

Respondent's actions resulted in significant injuries to the Victim's face, head, arms, and torso constituting domestic violence in violation of Nevada State Law (NRS) 33.018. On July 9, 2024, the Respondent pled nolo contendre to a misdemeanor violation of domestic violence in Clark County, Nevada. The Division further believes the Respondent's actions and resulting serious injuries to the Victim fall within the definition of egregious acts that violate the law as serious misconduct.

The Division based its conclusion on the following facts:

- The LVMPD Crime Report which clearly documents statements made by both the Victim and Respondent. After a thorough investigation, Officers on scene determined there was sufficient probable cause to arrest the Respondent for domestic violence upon his [redacted].
- The Respondent violated Nevada State Law NRS 33.018 – Domestic violence upon a [redacted] **(Attachment G – NRS 33.018 Definition)**
- The Victim's statements made to the Internal Affairs investigators as well as to Officers on scene were consistent and told of being physically attacked by the Respondent.

- The Hotel Security Officer's statement who immediately rendered aid to the Victim and noted her injuries. Hotel Security then contacted the Respondent in his room who did not recall what happened. **(Attachment A – Security Report).**
- BWC footage reflecting the Victim's statement and displays her injuries.
- The Respondent's Statement of not being able to recall attacking his [redacted] or anything that occurred during this incident.
- The Arrest Report

- The Photos of Victim's injuries to her face, head, arms, and legs. **(Attachment- B).**

As summarized above, it is irrefutable that the Respondent, an officer who was sworn to serve and protect the public, inflicted grave and serious injuries on his [redacted] His actions, while under the influence of alcohol, resulted in serious physical injuries. Respondent also continues to fail to take responsibility for his actions or demonstrate a desire to be accountable for his conduct, even going as far as to state he believed the Victim may have caused herself injuries to damage his career. Respondent's arrest and ultimate conviction for domestic violence shows that he lacked the ability to responsibly wield the powers of a peace officer. For the above-stated reasons, the Division finds Respondent's repeat offenses particularly egregious and inconsistent with his obligation to uphold the law and respect the rights of members of the public.

V. Supporting Evidence and Documentation

- Attachment A – Security Officers Report
- Attachment B – Crime Report LLV 240300089696
- Attachment C – Photos of Victim's Injuries
- Attachment D – LVMPD Arrest Report
- Attachment E – BWC Video Respondent
- Attachment F – Court Documents / Plea agreement
- Attachment G – NRS 33.018 - Definition of Domestic Violence

VI. Findings

After thorough analysis, the Division has concluded that Respondent engaged in acts that violate the law which are sufficiently egregious or repeated and in conflict with his obligation to uphold the law. As a peace officer, the ability to follow the laws they have sworn to uphold is paramount. Peace officers are held to a higher standard of conduct. A peace officer's failure to follow the law required of all members of society destroys the trust between that officer's agency and the community the agency serves. In addition to violating his agency's policies to follow the law, clear and convincing evidence exists to show that Respondent violated Penal Code section 13510.8(b)(6) and Title 12 of the California Code Regulation 1205(a)(6), "Acts that Violate the Law and are Sufficiently Egregious or Repeated. Therefore, reasonable grounds exist to submit this case to the Peace Officer Standards Accountability Advisory Board and the POST Commission for consideration of disciplinary action of Respondent's POST certification.

STATE OF CALIFORNIA
DEPARTMENT OF JUSTICE

GAVIN NEWSOM, *Governor*
ROB BONTA, *Attorney General*

Commission on Peace Officer Standards and Training
860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1603
(916) 227-3909 • www.post.ca.gov

EXECUTIVE REVIEW & PEACE OFFICER STANDARDS ACCOUNTABILITY DIVISION RECOMMENDATION

DATE: 09/23/2025

CASE #: POST2402838

PEACE OFFICER: Elliott Lopez

POST ID#: C15-H32

AGENCY: California Highway Patrol

POST CONSULTANT / BC: LEC - Raymond Bechler / BC - Rob Guyton

ALLEGATION(S):

Commission Regulation 1205(a)(6) - Acts That Violate the Law

On March 24, 2024, Officer Elliott Lopez of the California Highway Patrol (CHP) travelled to Las Vegas, Nevada for a non-work-related event with his wife and several friends. After a night of drinking and socializing, Lopez and [redacted], (hereafter referred to as "Victim") retired to their hotel room. At approximately 4:15am, Lopez physically assaulted Victim by punching her numerous times in the face, head, arms, and torso.

Officers from the Las Vegas Metropolitan Police Department (LVMPD) were called to the scene and ultimately arrested Lopez for misdemeanor domestic violence. Lopez was transported and booked into the Clark County Detention Facility.

As a result of Lopez's attack, the Victim sustained two swollen and blackened eyes, swollen forehead, bruises to her legs, arms, and shoulders, and complained of pain to her jaw and head. She was taken to a local hospital for her injuries and later released.

The Clark County District Attorney's Office prosecuted Lopez for Nevada Revised Statute 33.018 (domestic violence). Lopez pled nolo contendere to the charge on July 9, 2024, and was ordered to complete agreed upon terms of diversion. On December 17, 2024, Lopez met the requirements of diversion, and the charge was subsequently dismissed.

Lopez resigned from the CHP on April 15, 2024, prior to being interviewed by Internal Affairs

The Peace Officer Standards Accountability Division, Certification Executive Review Panel has reviewed the above referenced case involving alleged serious misconduct and has determined the following:

☒ There are reasonable grounds for suspension or revocation of a peace officer's certification.

POST determined clear and convincing evidence exists to show Respondent violated the law when he committed domestic battery upon [redacted]. This act was sufficiently egregious to warrant revocation of peace officer certification pursuant to 13510.8(b)(6)

☐ There is insufficient evidence to support a recommendation of revocation or suspension of certification.

William Darden Chief Legal Counsel	Signature	9/25/25 Date
Annemarie Del Mugnaio Assistant Executive Director	Signature	9/24/2025 Date
Manny Alvarez Executive Director	Signature	09/29/2025 Date

cc: Bureau Chief Rob Guyton

cc: Jason Morlock

cc: Chandler Knapp

cc:

POST PROFILE NAME:

LOPEZ, ELLIOTT

AKA: N/A

DATE: 06/06/2025

CALIFORNIA COMMISSION ON **POST**

Certification Status: Temporary Suspension

PERSONAL IDENTIFICATION

POST I.D.	Agency	Birth Date	Gender	Race/Ethnicity
C15-H32		[redacted]		[redacted]

CERTIFICATES AWARDED

Cert No.	Type	Awarded	Education	T	T+	Comments
135895	B	03/18/2009	0	63.00	0.00	**Invalid**

Total Number of Certificates: 1

EMPLOYMENT

Hired From	To	R*	Rank	Rank Date	Agency	Agency Name	F/P	P/U	Seas
06/18/2007	12/21/2007	6	TRN	06/18/2007	34890	CA HIGHWAY PATROL	F	P	
12/21/2007	04/15/2024	1	PO	12/21/2007	34890	CA HIGHWAY PATROL	F	P	

***Reason for Separation: 1 = Resigned, 6 = Other**

POST CERTIFIED TRAINING

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
12/21/2007	A	1270-00100-06-004	1262		Y	34890	CHP		BASIC COURSE-INTENSIVE
02/19/2008	K	1820-20301-07-020	4	X	Y	34890	LASD		BREATH ALCOHOL TESTING DEVICE
03/31/2008	K	1270-21779-07-001	4	X	Y	34890	CHP		CPR REFRESHER
06/30/2008	K	1270-22811-07-001	2	X	Y	34890	CHP		CIVIL DISOBEDIENCE TAC CONTROL
06/30/2008	K	1270-29501-07-003	4	X	Y	34890	CHP	*	FIREARM(PSP)
06/30/2008	K	1270-23781-07-001	2	X	Y	34890	CHP		OFFICER UPDATE
09/30/2008	K	1270-31082-08-001	6	X	Y	34890	CHP		HAZMAT 1ST RESPONDER OPER UPD
11/06/2008	K	1270-23300-08-018	24	X	Y	34890	CHP		RADAR OPERATOR
11/07/2008	K	1270-27281-08-038	2	X	Y	34890	CHP		EMERGENCY OPERATIONS PLANNING
11/07/2008	K	1270-29502-08-082	4	X	Y	34890	CHP	*	DRIVING(PSP)
11/07/2008	K	1270-29504-08-131	2	X	Y	34890	CHP	*	TACCOM(PSP)
12/31/2008	K	1270-29503-08-031	4	X	Y	34890	CHP	*	ARSTCTL(PSP)
01/30/2009	K	1270-31725-08-008	40	X	Y	34890	CHP		FIELD TRAINING OFFICER
02/28/2009	K	1270-22030-08-001	40		Y	34890	CHP		CHILD PASSENGER SAFETY TECHN
03/02/2009	K	1270-21516-08-262	3	X	Y	34890	CHP		HUMAN TRAFFICKING
03/12/2009	K	1270-21516-08-030	3	X	Y	34890	CHP		HUMAN TRAFFICKING
05/20/2009	K	1270-20010-08-255	2	X	Y	34890	CHP		LEGISLATIVE UPDATE
05/20/2009	K	1270-21779-08-249	4	X	Y	34890	CHP		CPR REFRESHER
10/12/2009	K	1270-29503-09-179	4	X	Y	34890	CHP	*	ARSTCTL(PSP)
10/12/2009	K	1270-27281-09-164	2	X	Y	34890	CHP		EMERGENCY OPERATIONS PLANNING
10/12/2009	K	1270-29504-09-174	2	X	Y	34890	CHP	*	TACCOM(PSP)
01/28/2010	K	1270-21779-09-099	4	X	Y	34890	CHP		CPR REFRESHER
01/28/2010	K	1270-20010-09-079	2	X	Y	34890	CHP		LEGISLATIVE UPDATE
01/28/2010	K	1270-23781-09-085	2	X	Y	34890	CHP		OFFICER UPDATE
04/08/2010	K	1270-22811-09-041	2	X	Y	34890	CHP		CIVIL DISOBEDIENCE TAC CONTROL
04/08/2010	K	1270-21516-09-066	2	X	Y	34890	CHP		HUMAN TRAFFICKING
04/08/2010	K	1270-29501-09-046	4	X	Y	34890	CHP	*	FIREARM(PSP)
08/26/2010	K	1270-31082-10-148	6	X	Y	34890	CHP		HAZMAT 1ST RESPONDER OPER UPD
08/26/2010	K	1270-27401-10-138	2	X	Y	34890	CHP		SPECIAL RELATIONSHIPS
10/29/2010	K	1270-29503-10-099	4	X	Y	34890	CHP	*	ARSTCTL(PSP)
10/29/2010	K	1270-27281-10-113	2	X	Y	34890	CHP		EMERGENCY OPERATIONS PLANNING
10/29/2010	K	1270-29504-10-106	2	X	Y	34890	CHP	*	TACCOM(PSP)
11/04/2010	K	1270-23300-10-031	24	X	Y	34890	CHP		RADAR OPERATOR
02/14/2011	K	1270-21779-10-121	4	X	Y	34890	CHP		CPR REFRESHER
02/14/2011	K	1270-20010-10-131	2	X	Y	34890	CHP		LEGISLATIVE UPDATE

POST CERTIFIED TRAINING *continued*

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
02/14/2011	K	1270-23781-10-143	2	X	Y	34890	CHP		OFFICER UPDATE
05/09/2011	K	1270-22811-10-111	2	X	Y	34890	CHP		CIVIL DISOBEDIENCE TAC CONTROL
05/09/2011	K	1270-29501-10-116	4	X	Y	34890	CHP	*	FIREARM(PSP)
05/09/2011	K	1270-21516-10-113	2	X	Y	34890	CHP		HUMAN TRAFFICKING
05/19/2011	K	1270-31714-10-012	8	X	Y	34890	CHP		FIELD TRAINING OFFCR UPD-MOD 3
08/15/2011	K	1270-27401-11-134	2	X	Y	34890	CHP		SPECIAL RELATIONSHIPS
08/15/2011	K	1270-31082-11-106	6	X	Y	34890	CHP		HAZMAT 1ST RESPONDER OPER UPD
08/18/2011	K	1270-23320-11-006	8	X	Y	34890	CHP		RADAR-LASER OPERATOR (LIDAR)
10/10/2011	K	1270-29503-11-172	4	X	Y	34890	CHP	*	ARSTCTL(PSP)
10/10/2011	K	1270-27281-11-159	2	X	Y	34890	CHP		EMERGENCY OPERATIONS PLANNING
10/10/2011	K	1270-29504-11-169	2	X	Y	34890	CHP	*	TACCOM(PSP)
01/26/2012	K	1270-21779-11-153	4	X	Y	34890	CHP		CPR REFRESHER
01/26/2012	K	1270-23781-11-138	2	X	Y	34890	CHP		OFFICER UPDATE
01/26/2012	K	1270-20010-11-148	2	X	Y	34890	CHP		LEGISLATIVE UPDATE
04/04/2012	K	1270-20272-11-027	16		Y	34890	CHP		ADVANCED ROADSIDE IMPAIRED DRIVER ENFORCEMENT
05/28/2012	K	1270-27401-11-374	2	X	Y	34890	CHP		SPECIAL RELATIONSHIPS
02/06/2013	K	1270-20010-12-035	2	X	Y	34890	CHP		LEGISLATIVE UPDATE
08/14/2013	K	1270-31082-13-051	6	X	Y	34890	CHP		HAZMAT 1ST RESPONDER OPER UPD
08/14/2013	K	1270-27281-13-055	2	X	Y	34890	CHP		EMERGENCY OPERATIONS PLANNING
02/12/2014	K	1270-21779-13-071	4	X	Y	34890	CHP		CPR REFRESHER
02/12/2014	K	1270-20010-13-080	2	X	Y	34890	CHP		LEGISLATIVE UPDATE
02/12/2014	K	1270-23781-13-191	2	X	Y	34890	CHP		OFFICER UPDATE
03/18/2014	K	1270-20801-13-226	8	X	Y	34890	CHP		CRISIS INTERVENTION
05/13/2015	K	1270-29502-14-100	4	X	Y	34890	CHP	*	DRIVING(PSP)
08/05/2015	K	1270-31082-15-022	6	X	Y	34890	CHP		HAZMAT 1ST RESPONDER OPER UPD
10/07/2015	K	1270-29502-15-043	4	X	Y	34890	CHP	*	DRIVING(PSP)
04/28/2016	K	1270-20010-15-039	2	X	Y	34890	CHP		LEGISLATIVE UPDATE
04/28/2016	K	1270-22811-15-025	2	X	Y	34890	CHP		CIVIL DISOBEDIENCE TAC CONTROL
06/16/2016	K	1270-29501-15-462	4	X	Y	34890	CHP	*	FIREARM(PSP)
06/16/2016	K	1270-29501-15-130	4	X	Y	34890	CHP	*	FIREARM(PSP)
07/13/2016	K	9180-25554-16-013	2	X	Y	34890	POST	*	COMMUNICATION: KEEPING YOUR EDGE (WEB)
07/14/2016	K	9180-25583-16-014	2	X	Y	34890	POST		DOMESTIC VIOLENCE RESPONSE (WEB)
08/25/2016	K	1270-31082-16-109	4	X	Y	34890	CHP		HAZMAT 1ST RESPONDER OPER UPD
08/25/2016	K	1270-29503-16-144	4	X	Y	34890	CHP	*	ARSTCTL(PSP)
09/07/2016	K	1270-20911-16-124	20	X	Y	34890	CHP		MENTAL HEALTH INTERVENTION TRAINING
01/25/2017	K	1270-20010-16-030	2	X	Y	34890	CHP		LEGISLATIVE UPDATE
04/05/2017	K	1270-29502-16-375	4	X	Y	34890	CHP	*	DRIVING(PSP)
04/12/2017	K	1270-20272-16-091	16	X	Y	34890	CHP		ADVANCED ROADSIDE IMPAIRED DRIVER ENFORCEMENT
08/23/2017	K	1270-31082-17-040	4	X	Y	34890	CHP		HAZMAT 1ST RESPONDER OPER UPD
11/07/2017	K	9180-25554-17-130	2	X	Y	34890	POST	*	COMMUNICATION: KEEPING YOUR EDGE (WEB)
03/07/2018	K	9180-25586-17-250	8	X	Y	34890	POST		FIRST AID/CPR/AED (WEB)
03/07/2018	K	2950-24203-17-032	2	X	Y	34890	BUTTE CTR		CRITICAL INCIDENT FOR PATROL
05/09/2018	K	1270-29501-17-126	4	X	Y	34890	CHP	*	FIREARM(PSP)
09/19/2018	K	1270-29503-18-100	4	X	Y	34890	CHP	*	ARSTCTL(PSP)
09/19/2018	K	1270-31082-18-103	4	X	Y	34890	CHP		HAZMAT 1ST RESPONDER OPER UPD

POST PROFILE NAME:

LOPEZ, ELLIOTT

CALIFORNIA COMMISSION ON **POST**

Certification Status: Temporary Suspension

AKA: N/A

DATE: 06/06/2025

POST CERTIFIED TRAINING *continued*

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
12/20/2018	K	9180-25583-18-173	2	X	Y	34890	POST		DOMESTIC VIOLENCE RESPONSE (WEB)
04/24/2019	K	1270-29502-18-145	4	X	Y	34890	CHP	*	DRIVING(PSP)
07/17/2019	K	1270-22306-19-033	8	X	Y	34890	CHP	*	ACTIVE SHOOTER RESPONSE
07/24/2019	K	1270-31082-19-144	4	X	Y	34890	CHP		HAZMAT 1ST RESPONDER OPER UPD
09/24/2019	K	9180-25585-19-086	2	X	Y	34890	POST	*	TACTICAL COMMUNICATION (WEB)
12/13/2019	K	1270-20989-19-002	80	X	Y	34890	CHP	*	ARREST & CONTROL, BATON, ELEC WEAPONS INSTR.
12/30/2019	K	9180-25589-19-183	2	X	Y	34890	POST		DV RESPONSE & LETHALITY ASSESSMENT (WEB)
02/21/2020	K	1270-29503-19-034	8		Y	34890	CHP	*	ARSTCTL(PSP)
03/11/2020	K	1270-29503-19-070	8		Y	34890	CHP	*	ARSTCTL(PSP)
12/27/2020	K	9180-25586-20-180	8	X	Y	34890	POST		FIRST AID/CPR/AED (WEB)
04/21/2021	K	1270-29502-20-368	4	X	Y	34890	CHP	*	DRIVING(PSP)
06/10/2021	K	9180-25585-20-345	2	X	Y	34890	POST	*	TACTICAL COMMUNICATION (WEB)
09/15/2021	K	1270-29501-21-242	4	X	Y	34890	CHP	*	FIREARM(PSP)
09/15/2021	K	1270-31082-21-123	4	X	Y	34890	CHP		HAZMAT 1ST RESPONDER OPER UPD
04/08/2022	K	1270-29582-21-363	8	X	Y	34890	CHP	*	ARSTCTL/USE OF FORCE (PSP)
08/20/2022	K	9180-25595-22-051	4	X	Y	34890	POST		BEYOND BIAS:RACIAL & ID PROFILING UPD- SELF PACED
12/09/2022	K	9180-25599-22-162	4	X	Y	34890	POST	*	PSP: STRATEGIC COMMUNICATIONS-SELF PACED
12/20/2022	K	1270-22306-22-134	8	X	Y	34890	CHP		ACTIVE SHOOTER RESPONSE
02/05/2023	K	9180-25597-22-220	1	X	Y	34890	POST		LEGAL UPDATE: POSITIONAL ASPHYXIA-SELF PACED
05/10/2023	K	1270-29502-22-219	4	X	Y	34890	CHP	*	DRIVING(PSP)
12/21/2023	K	9181-25505-23-174	2	X	Y	34890	CAPLP		DOMESTIC VIOLENCE RESPONSE UPDATE
12/27/2023	K	1270-29501-23-604	4	X	Y	34890	CHP	*	FIREARM(PSP)

***Meets Perishable Skills**

FOOTNOTES

NO FOOTNOTE ON FILE.

PLEASE REFER TO THE ENCLOSED EXPLANATION SHEET FOR ADDITIONAL INFORMATION.

COMMISSION ON POST – PROFILE REPORT

The Profile Report contains confidential information.

EXPLANATION SHEET

PERSONAL IDENTIFICATION: Subject's personal information as indicated in POST database (EDI system)	
POST ID:	Unique identification number assigned to subject by POST.
Agency:	Indicates the agency (or one of the agencies) where subject is currently employed. An "*" indicates that the subject is employed in more than one position within the same agency.
Birth Date/Gender:	Self-explanatory.
Race/Ethnicity:	**A** = Asian **B** = African American (Black) **N** = Native American **S** = Spanish/Hispanic **W** = White **O** = Other

CERTIFICATES AWARDED	
Cert:	Certificate serial number.
Type:	**B** = Basic **I** = Intermediate **A** = Advanced **S** = Supervisory **M** = Management **E** = Executive **R** = Reserve **D** = Public Safety Dispatcher **SX**= Specialized X (example: SA = Specialized Advanced)
Awarded:	Date certificate was issued.
Education:	Educational points or degree used for earning a certificate.
T:	Training points used for awarding the certificate.
T+:	Additional training points.
Comments:	Comments regarding training or institute(s) where subject received education.
Total Number of Certificates:	Number of certificates awarded to subject as indicated in POST database.

EMPLOYMENT: Subject's employment history as indicated in POST database	
Hired From:	Date subject was hired or sworn into the agency.
To:	Date subject left agency (if applicable).
R*:	Reason for separation as indicated by number in the Report description.
Rank / Rank Date:	Indicates rank as translated by POST database and date subject made rank.
Agency / Agency Name:	Agency code number and name where subject is currently working or previously worked.
F/P:	Time base: **F** = Full time **P** = Part time
P/U:	Wage status: **P** = Paid **U** = Unpaid
Seas:	Provisional or seasonal employment.

POST TRAINING: Courses attended or completed as indicated in POST database	
Comp Date:	Date course ended.
Cat:	General course category (for POST use only).
CCN:	Course Control Number.
Hrs:	Hours completed in course.
Rmb:	Reimbursement indicator: **R** = Reimbursed *(before FY 83/84 reimbursable agency not necessarily reimbursed)* **J** = Job specific * = Job specific, SALARY NOT PAID **Blank** = None or no data available
Cmp:	Completion indicator: **Blank or Y** = Course completed **N** = Course not completed **?** = Prior to 1979
Agency:	Agency where subject was employed at time of course enrollment.
School:	Training institute offering the course.
Course Name:	Course name as shown in POST database.

NON-CERTIFIED COURSES
This section will only appear if applicable.

FOOTNOTES
This section reserved for additional information.

Investigative Summary

On March 24, 2024, Officer [redacted], ID 18822, was off-duty and travelling with his [redacted] Mrs. [redacted] in Las Vegas, Nevada and staying at the Westgate Resort. At approximately 0450 hours, while in their hotel room (22-132), Officer Lopez physically assaulted [redacted] by punching her face, head, and body multiple times and causing visible injury, a misdemeanor violation of Nevada Revised Statute (NRS) Section:

- NRS 200.485.IA – Domestic Battery (Pursuant to NRS 33.018 – Acts Which Constitute Domestic Violence and NRS 200.481 – Battery).

On March 24, 2024, at approximately 0450 hours, hotel security began receiving multiple calls from guests reporting screaming and yelling [redacted] fled the hotel room and ran to the 25th floor to the room of their friend, retired California Highway Patrol (CHP) Officer [redacted] to receive help). Soon after, hotel security located [redacted] on the 25th floor of the hotel with visible bruises and swelling to her face and arms. She reported to them that Officer Lopez physically assaulted her. Hotel security immediately responded to room 22-132 where Officer Lopez was found, visibly intoxicated. Hotel security detained him, searched his wallet, and located his departmental Identification Card.

Las Vegas Metro Police Department (LVMPD) received a 911 call[1] from Westgate Resort personnel regarding this incident at 0506 hours. LVMPD Officers responded to investigate, and hotel security provided the officers with Officer Lopez' departmental identification. Officer Lopez was arrested by LVMPD Officer Mayer, ID 15229, for misdemeanor Domestic Battery. Officer Lopez was transported to the Clark County Detention Center and booked on this charge.

On March 24, 2024, [redacted] contacted the Superior Court of California, County of Tuolumne, and requested an EPO-001, Emergency Protective Order (EPO) prohibiting Officer Lopez from having any contact with [redacted] On March 24, 2024, Officer Lopez was served with this EPO[2]. The protective order stated Officer Lopez, *". . . MUST NOT own, possess, purchase, receive, or attempt to purchase or receive any firearm or ammunition."*

Investigator's Note: The EPO was set to expire on March 29, 2024. On March 28, 2024, [redacted] filed a Temporary Restraining Order (TRO)[3] with the Superior Court of California, County of Tuolumne, which was set to expire on April 18, 2024. The TRO continued to prohibit Officer Lopez from any contact with [redacted] or possessing any firearms. A California Law Enforcement

[1] Exhibit 31
[2] Exhibit 17
[3] Exhibit 19

Telecommunications System (CLETS) inquiry[4] conducted on May 17, 2024, on Officer Lopez revealed the TRO was extended until May 30, 2024.

On March 24, 2024, at 0700 hours, LVMPD Lieutenant Matt Rowe, ID 13114, called Lieutenant Tafoya informing her Officer Lopez had been arrested for misdemeanor domestic battery on his [redacted]

On March 24, 2024, Lieutenant Tafoya made notification to Central Division, Chief Rodney Ellison, ID 14355, and an internal investigation was initiated. Office of Internal Affairs, Assistant Chief Levi Miller, ID 16022, assigned Office of Internal Affairs, Sergeant Jeff Carlisle, ID 17191, as the primary investigator, and Office of Equal Employment Opportunity, Sergeant Chad Wood, ID 18730, as the secondary investigator.

On March 25, 2024, Officer Lopez was released from custody and travelled to Clovis, CA. Lieutenant Tafoya and Sergeant Richard Percey, ID 18605, drove to Clovis where they served Officer Lopez with a CHP 51, *Confidential Memorandum, Notice of Administrative Time-Off with Pay* which included his Removal of Peace Officer Powers[5].

The specific allegation(s) from this investigation are:

1. Officer Lopez willfully and unlawfully committed domestic battery upon his [redacted] by punching her face, head, and body multiple times and causing visible injury.

Findings

1. Officer Lopez willfully and unlawfully committed domestic battery upon [redacted] by punching her face, head, and body multiple times and causing visible injury. - **Founded**

The determination that the allegation was founded was based upon the following:

- LVMPD Officer Mayer's Domestic Violence Report #LLV240300089696[6] documented that Officer Lopez committed misdemeanor domestic battery, a violation of NRS 200.485 as Officer Lopez, *"did batter, by punching, his [redacted] of eleven years with whom he resides, [redacted] in the face and head multiple times, pursuant to NRS 33.018."*

[4] Exhibit 41
[5] Exhibit 32
[6] Exhibit 13

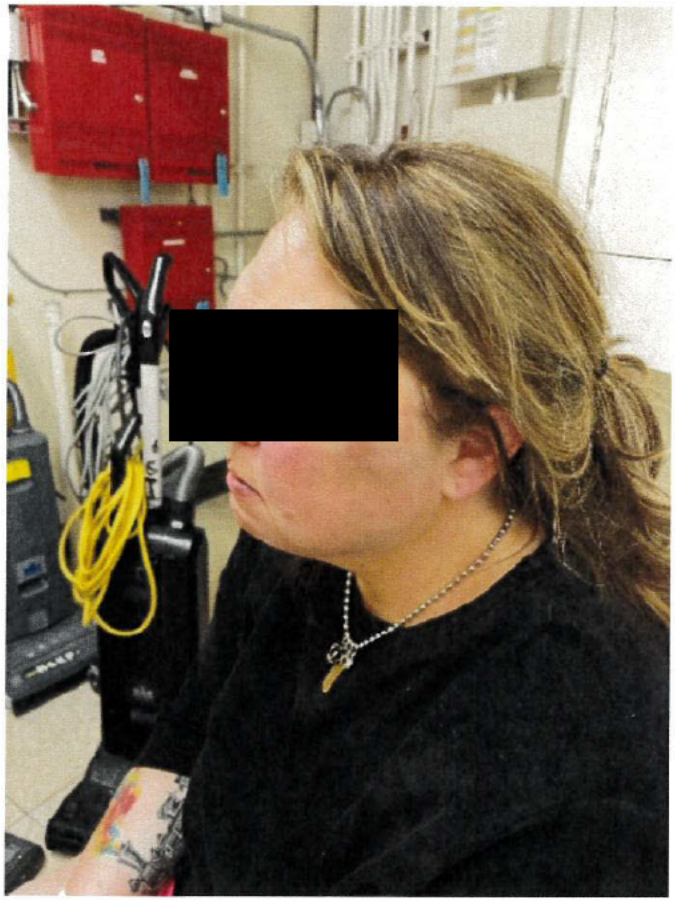
- Officer Mayer documented in his report that [redacted] sustained injuries which consisted of:
  - Several bruises on her face
  - Both eyes were black
  - Knots on her head

- Due to these injuries, [redacted] was transported by ambulance from the Westgate Resort to Sunrise Medical Center. She was treated in the emergency room and released.

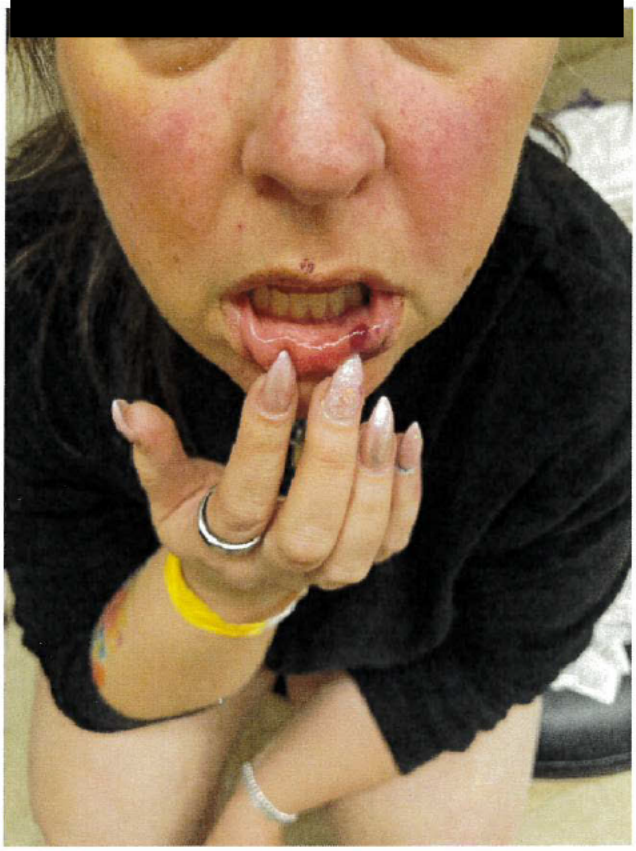
- LVMPD Officer Mayer documented in his report Officer Nguyen's interview with [redacted] who told him Officer Lopez *"finally woke up . . . and began wailing on her by throwing blows to her face.* (She) *was eventually at the corner of the room, in the fetal position, asking* (Officer Lopez) *to stop."*

- Images[7] of [redacted] taken by LVMPD Officer Nguyen on March 24, 2024, at 0546 hours depicting [redacted] injuries:





[7] Exhibit 14





- LVMPD Officer Mayer documented in his report his interview with Westgate Resort security manager [redacted] who told him he responded to room 22-132 and "*made contact with Elliott Lopez who was extremely intoxicated and had no recollection of what happened.*" Mr. Gonzales "*observed* [redacted] *had several bruises on her face, both eyes were black, and knots on her head.*" Mr. Gonzales requested medical aid for [redacted] and detained Officer Lopez for LVMPD. Mr. Gonzales also provided Officer Mayer a voluntary written statement[8].

- LVMPD Officer Mayer documented in his report his interview with Officer Lopez after he was detained by hotel security. Officer Lopez related, he didn't remember any of the incident but had been out wit[redacted] down on Fremont earlier in the evening and they were both drinking. They had an argument on Fremont and, after taking a share ride service back to the Westgate, he passed out. The next thing he knew security was waking him up.

- LVMPD Officer Mayer's body-worn camera video footage[9] documenting his interaction with Officer Lopez at approximately 0540 hours. When asked about what had occurred,

[8] Exhibit 21
[9] Exhibit 33, video 417-14

Officer Lopez replied: "*I have no idea. I know me and [redacted] got into an argument earlier, but I don't know what happened after I got back to the hotel.*" Officer Lopez asked Officer Mayer, "*Quick question … is she hurt*?" Officer Mayer also interviewed Mr. Gonzales, who stated: "*we had 5-6 different calls, heard screaming, a lot of people were complaining about it,* (Officer Lopez*) was by himself in the room … he was sitting down passed out with a trash can over himself, we noticed blood on his finger, but we didn't know where it came from.*"

- LVMPD Officer Mayer's body-worn camera video footage[10] documenting his interaction with Officer Lopez at approximately 0552 hours. Officer Mayer told Officer Lopez he was under arrest for "*misdemeanor domestic battery charge*." Officer Lopez responded: "*I get it. It is what it is. I get it*." Officer Lopez then asked, "*Is she semi-Ok*?" Officer Mayer responded, "*Nothing too bad. You knocked her up pretty bad … like … it's nothing substantial. It don't look good!*" Officer Lopez responded, "*I know … I get it … so am I being charged with a Felony or a Misdemeanor?*"

- LVMPD Officer Nguyen's body-worn camera footage[11] documenting his interaction with Officer Lopez at approximately 0637 hours. Officer Nguyen told him, *"I'm sorry this happened."* Officer Lopez responded with: "*No I get it you guys are doing your job. I literally don't know what happened, so … the only question I have is, is [redacted]emi-OK? … misdemeanor or felony*?"

- LVMPD Officer Nguyen's body-worn camera footage[12] documenting his interaction with Officer Lopez at approximately 0651 hours. Officer Lopez asked: "*Can you tell me if it's going to be a felony or a misdemeanor? How bad are her injuries? Literally I don't remember what happened. If I could ask how bad are her injuries or what happened*?" Officer Nguyen said, "*Bruising*" to which Officer Lopez asked, "*I'm assuming I somehow hit her*?"

- LVMPD Officer Nguyen's body-worn camera footage[13] documenting his interaction with [redacted] at approximately 0612 hours. When asked how many times she was punched [redacted] replied, "*He threw so many blows … it was just one after another I can't count how many there were.*"

- Sergeant Carlisle's interview[14] of [redacted] on March 28, 2024, in Sonora, CA. She related on the morning of March 24, 2024, her and Officer Lopez were in their hotel room after a night of drinking. Officer Lopez was "*passed-out*" on their bed. [redacted] began going through his personal phone and found evidence of Officer Lopez having an affair with a girl named, [redacted]

[10] Exhibit 33, video 417-18
[11] Exhibit 33, video 417-6
[12] Exhibit 33, video 417-12
[13] Exhibit 33, video 417-16
[14] Exhibit 34

[redacted] decided to "*deal with this in the morning*" and go to bed, but Officer Lopez was sleeping in a diagonal position which did not allow her space to lie down. She asked Officer Lopez to move over and began pushing him saying, "*Move over*," multiple times for 2-3 minutes without a response from him. [redacted] then stated, [redacted] "*And that's when he woke up.*" She described how the incident unfolded:

> "*The nam[redacted] triggered, most definitely ... so by me saying the name, I know that's what woke him up, and that was the oh shit moment of she knows her name. That's when he sat up, and then that's the first blow, he was sitting up on the bed and then that's when I fell backwards into the corner of the room ... after I said, well who's [redacted] .. he opened his eyes and he's looking around the room like, what the hell is going on? And then he looked at me and it was just anger. And you could tell it was anger, I could tell. His jaw was clenched. He was just glaring at me, and then that's when the first blow came.*"

[redacted] described how this blow caused her to fall backwards onto the floor, and Officer Lopez immediately got up, stood over her, and continued punching her:

> "*I was screaming, Elliott, stop, stop you're hurting me ... the best way I can explain it is like an MMA fighter getting ready to knock out when they're—when the other person has fallen, and they're just back and forth, back and forth, back and forth.*"

(Investigator's Note: [redacted] swung both her closed fists towards an imaginary target as she said these words).

[redacted] drew a diagram[15] of the hotel room noting the location of furniture and where she was located when Officer Lopez attacked her. She related at the time of the attack she was wearing eyeglasses, which Officer Lopez "*broke*" and they landed on the floor. She further described how one of the "*studs*" in her ears "*was ripped out*." When asked what she was feeling during the incident, [redacted] replied:

> "*Holy shit, I'm going to die. Like, he's not going to stop. And I was thinking, I was trying to remember like everything that I could try to do some kind of self-defense and like get away. So I was trying to cover my hands, and then I was trying to claw at him ... I have bruises on my back, right here on my butt, and then I have them on my legs ... my shoulders are pretty bruised too.*"

[15] Exhibit 22

- Images[16] of Mrs. Lopez taken by Sergeant Carlisle on March 28, 2024, at 1203 hours:

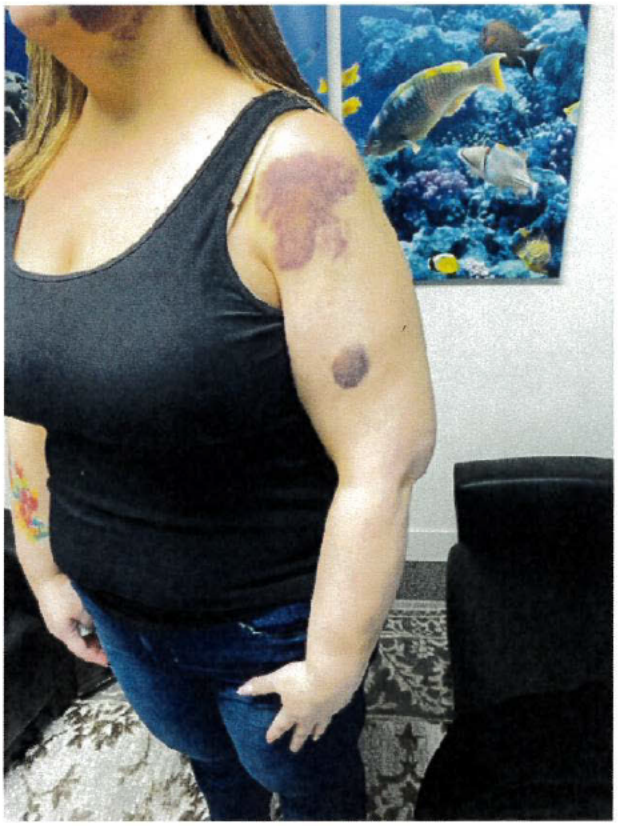




[16] Exhibit 16









1
2

- Sergeant Carlisle interviewed[17] [redacted] on April 4, 2024 [redacted] related in essence the following information:

  On March 23, 2024, a large group of friends were all drinking alcohol and listening to music on "*Fremont Street*" in Las Vegas for several hours and into the morning of March 24, 2024. At approximately 0330 hours, Officer Lopez began crying uncontrollably and acting very drunk. The group headed to the "*Uber*" pick-up location and Officer Lopez could barely walk and had to be supported by [redacted] and another friend, [redacted]. They got to the Westgate Resort and [redacted] and [redacted] followed [redacted] into their room and dropped Officer Lopez onto their bed where he passed-out and [redacted] returned to his room. Approximately 45 minutes after leaving the Lopez' hotel room, [redacted] called him and said, "*Elliott just beat the shit out of me.*" A few minutes later, he met her outside his room and she "*looked like she had been punched.*" [redacted] ensured [redacted] was meeting with hotel security and then he went downstairs to the Lopez' hotel room and saw hotel security detaining Officer Lopez. [redacted] called Lieutenant Tafoya and let her know what had occurred.

Prior progressive discipline and training included the following:

- On December 21, 2023, Officer Lopez completed California Peace Officer Standards and Training (POST) Domestic Violence training[19].

[17] Exhibit 35
[18] Exhibit 15
[19] Exhibit 7

Chronological Summary

1. On March 24, 2024, at 0500 hours, Sonora Area commander Lieutenant Destiny Tafoya, ID 17687, received a call from retired [redacted] related he was in Las Vegas on a trip with Sonora Area Officer Elliott Lopez, ID 18822, and Elliott's [redacted] He further related Officer Lopez had allegedly struck [redacted] and she had visible injuries.

    - Lieutenant Tafoya received a phone call from Las Vegas Metro Police Department Lieutenant Matt Rowe, ID 13114, informing her Officer Lopez was arrested for "*Battery Domestic*" on [redacted]

    - Lieutenant Tafoya received a phone call from Tuolumne County Sheriff (TCSO) David Vasquez informing her that [redacted] had requested an Emergency Protective Order (EPO).

    - Lieutenant Tafoya accessed the Clark County Detention Center website and confirmed Officer Lopez had been booked into the Clark County Jail for misdemeanor domestic battery (Inmate #07138196, Case 24-CR-025145).

    - Lieutenant Tafoya made notification to Central Division Chief Ellison, ID 14355.

2. On March 25, 2024, Lieutenant Tafoya contacted TCSO and confirmed the EPO[20] had been issued and both Officer Lopez and [redacted] were provided copies.

    - Assistant Chief Levi Miller, ID 16022, met with Sergeant Jeff Carlisle, ID 17191, both assigned to the Office of Internal Affairs. Assistant Chief Miller informed Sergeant Carlisle of the alleged misconduct by Officer Lopez and assigned him as lead investigator. Office of Equal Employment Opportunity Sergeant Chad Wood, ID 18730, was assigned as the secondary investigator.

    - Sergeant Carlisle spoke with Lieutenant Tafoya over the phone and discussed the alleged misconduct.

    - Lieutenant Tafoya received a phone call from Officer Lopez, who confirmed he had been released from the Clark County Detention Center and was travelling home to stay with family in Clovis, CA.

[20] Exhibit 17

3. On March 26, 2024, Lieutenant Tafoya and Sergeant Richard Percey, ID 18605, drove to Clovis where they served Officer Lopez with a CHP 51, *Notice of Administrative Time-Off with Pay,* which included his Removal of Peace Officer Powers[21].

   - Sergeant Carlisle called "*Westlake Resort*" located at 3000 Paradise Rd., Las Vegas, NV (702-732-5111) and spoke with Communications Manager [redacted] who declined to provide his last name. He advised the request for video of the incident and the request to interview Westlake Resort employee [redacted] will be forwarded to security manage[redacted] who was unavailable at that time.

   - Sergeant Carlisle researched and printed applicable Nevada criminal statutes[22] investigated in this incident.

   - Sergeant Carlisle received a voicemail from [redacted] Westgate Resort. Sergeant Carlisle called him back and they discussed this incident. Sergeant Carlisle prepared a memorandum summarizing this conversation[23].

4. On March 27, 2024, Sergeant Carlisle developed interview questions fo[redacted] and other involved witnesses.

   - Sergeant Carlisle emailed Sergeant Randy Matyshock, ID 15735, of the Sonora Area requesting documents from Officer Lopez' personnel file.

   - Lieutenant Tafoya and Sergeant Carlisle discussed the case. Lieutenant Tafoya scheduled witness interviews of [redacted] to be conducted on March 28, 2024, at the [redacted] Sonora, CA.

[21] Exhibit 32
[22] Exhibits 8-10
[23] Exhibit 24

5. On March 28, 2024, Sergeant Carlisle and Sergeant Wood conducted three separate witness interviews with [redacted] These interviews were audio recorded. Sergeant Wood sent the audio files of these interviews to Transcription Services. [redacted] drew a diagram[27] of the hotel room locating where she was when the attack occurred. Sergeant Carlisle took 14 digital photos[28] of [redacted] documenting her injuries.

   - [redacted] filed a Temporary Restraining Order (TRO)[29] with the Superior Court of California, County of Tuolumne, which was set to expire on April 18, 2024. The TRO prohibited Officer Lopez from contact with [redacted] or possessing any firearms.

6. On March 29, 2024, Sergeant Carlisle called and left a voicemail for Westlake Resort Security Director [redacted] to request an interview Westlake Resort employee [redacted]

   - Sergeant Wood contacted the Las Vegas Metropolitan Police Department (LVMPD) and requested a copy of their arrest report and associated evidence from their investigation.

7. On April 1, 2024, Sergeant Wood received a copy of the LVMPD arrest report for Officer Lopez[30].

8. On April 2, 2024, Sergeant Carlisle called witness [redacted] and left a voicemail asking for his call back.

   - Sergeant Carlisle called witness [redacted] and obtained her statement over the phone. A memorandum summarizing this interview was written by Sergeant Carlisle[31] (The recorder malfunctioned, and this interview was not recorded).

   - Sergeant Carlisle called witness [redacted] and left a voicemail asking for his call back.

[24] Exhibit 36
[25] Exhibit 37
[26] Exhibit 34
[27] Exhibit 22
[28] Exhibit 16
[29] Exhibits 18-19
[30] Exhibits 13, 21
[31] Exhibit 25

- Sergeant Carlisle called witness [redacted] and left a voicemail asking for her call back.

- Sergeant Carlisle called witness [redacted] and left a voicemail asking for his call back.

- Sergeant Carlisle called witness [redacted] and scheduled a telephone interview on April 3, 2024, at 0800 hours. She also advised her husband [redacted] would be available for a telephone interview on April 3, 2024, at 1245 hours.

- Sergeant Carlisle received a return call from witness [redacted] and obtained his recorded statement over the phone. A memorandum summarizing this interview was written by Sergeant Carlisle[32].

- Sergeant Carlisle spoke with witness [redacted] and obtained her recorded statement over the phone. A memorandum summarizing this interview was written by Sergeant Carlisle[33].

- Sergeant Wood received, from LVMPD, the audio recording from the 911 call regarding this incident and a copy of the Computer Aided Dispatch (CAD) Log for the call[34].

9. On April 3, 2024, Sergeant Carlisle called witness [redacted] and obtained her recorded statement over the phone. A memorandum summarizing this interview was written by Sergeant Carlisle[35].

- Sergeant Wood received an email link from the LVMPD records department to evidence.com which provided the body-worn camera video[36] and photographs[37] regarding this incident.

- Sergeant Carlisle requested investigative assistance from OIA Officer Smeja, ID 18872, in obtaining a personal cell phone for Westgate Resort security manager [redacted]

[32] Exhibit 27
[33] Exhibit 26
[34] Exhibit 31
[35] Exhibit 28
[36] Exhibit 33
[37] Exhibit 14

- Sergeant Carlisle called witness [redacted] and obtained his recorded statement over the phone. A memorandum summarizing this interview was written by Sergeant Carlisle[38].

- Sergeant Carlisle received a voicemail from witness [redacted] advised he was out of the country traveling, but would call back on April 4, 2024, to provide his statement. Sergeant Carlisle called him back and left another voicemail confirming the telephonic appointment and requesting [redacted] for an interview as well.

10. On April 4, 2024, Sergeant Carlisle received a call from witness [redacted] and obtained his recorded statement over the phone which was subsequently transcribed[39].

- Sergeant Carlisle received a call from witness [redacted] and obtained her recorded statement over the phone. A memorandum summarizing this interview was written by Sergeant Carlisle[40].

- Sergeant Carlisle obtained potential phone numbers for witnes [redacted] through confidential investigative resources. Sergeant Carlisle determined none of these phone numbers belonged to [redacted]

- Sergeant Carlisle called Westgate Resort Security manager [redacted] and left a second voicemail requesting an interview with [redacted]

- Sergeant Carlisle reviewed LVMPD body-worn camera footage.

11. On April 5, 2024, Sergeant Carlisle continued to review LVMPD body-worn camera footage.

- Sergeant Carlisle called the Clark County District Attorney's Office. The court clerk confirmed Officer Lopez' criminal case had been accepted by the District Attorney's Office and they were moving forward with a single charge of misdemeanor domestic battery (Case #24-CR-025145). The next scheduled court appearance is a scheduled arraignment on May 16, 2024, at 0830 hours.

[38] Exhibit 29
[39] Exhibit 35
[40] Exhibit 30

- Sergeant Randy Matyshock, ID 15735, provided Sergeant Carlisle copies of relevant documents located in Officer Lopez' personnel file. These documents were uploaded to the case file[41].

- Lieutenant Tafoya contacted Sergeant Carlisle and confirmed the [redacted] had a court hearing on April 18, 2024, to determine the status of the Temporary Protective Order.

12. On April 8, 2024, Sergeant Carlisle prepared summary memorandums of witnesses' interviews so far conducted.

    - Sergeant Carlisle prepared a CHP 51, *Notice of Administrative Interrogation* for Officer Lopez. The notice was sent to Lieutenant Tafoya for review and service.

13. On April 9, 2024, Sergeant Carlisle called [redacted] and conducted a second interview. A copy of this audio interview was subsequently transcribed[42].

- Sergeant Carlisle began formulating interrogation questions for Officer Lopez, printed associated Department polices[43] applicable to this incident, and printed Officer Lopez' Automated Time Sheet (ATS) for March 24, 2024, confirming he was on a Regular Day Off (RDO)[44].

- On April 9, 2024, [redacted] emailed Sergeant Carlisle a copy of a digital photograph[45]. She said it was a photograph she took with her cell phone of [redacted] and [redacted] helping Officer Lopez walk as they left Fremont Street on the morning of March 24, 2024.

14. On April 10, 2024, Sergeant Carlisle continued formulating interrogation questions for Officer Lopez.

15. On April 11, 2024, Sergeant Carlisle called witness [redacted] Westgate Hotel Security Manager for the third time and left a voicemail requesting his call back.

<u>Investigator's Note:</u> [redacted] failed to return any calls despite numerous attempts by investigators to obtain his statement.

[41] Exhibits 6, 7, and 11
[42] Exhibit 38
[43] Exhibits 1-5
[44] Exhibit 12
[45] Exhibit 15

- Lieutenant Tafoya served Officer Lopez with a CHP 51, *Notice of Administrative Interrogation* for April 17, 2024[46].
- Sergeant Carlisle reviewed LVMPD body-worn camera footage and organized video footage on a Word document timeline table[47].

16. On April 12, 2024, Sergeant Carlisle continued reviewing LVMPD body-worn camera footage and organizing video footage on a Word document timeline table.

17. On April 13, 2024, [redacted] emailed Sergeant Carlisle a DV-120, *Response to Request for Domestic Violence Restraining Order* which was submitted to the Tuolumne County Court ahead of their April 18, 2024, court hearing. A copy of this form was placed in the exhibit file[48].

18. On April 15, 2024, Officer Lopez submitted his resignation effective April 15, 2024, via memorandum to Lieutenant Tafoya. A copy of the memorandum was placed in the investigative file[49].

19. On April 18, 2024, the TRO issued by the Superior Court of California, County of Tuolumne, to Officer Lopez, prohibiting contact with [redacted] or possessing any firearms, was extended to May 30, 2024.

20. On May 16, 2024, Sergeant Carlisle accessed the Clark County, Nevada criminal case court calendar and noted an arraignment hearing for Officer Lopez' criminal case was completed on May 16, 2024. The case was continued to May 21, 2024, for "*Negotiations*."

21. On May 17, 2024, Sergeant Carlisle conducted a California Law Enforcement Telecommunications System (CLETS) inquiry[50] on Officer Lopez confirming he had a TRO with firearm restrictions in place from April 18, 2024, to May 30, 2024.

22. On May 21, 2024, Sergeant Carlisle accessed the Clark County, Nevada criminal case court calendar and noted a court hearing for Officer Lopez' criminal case occurred on May 21, 2024. The case was set for pre-trail conference on July 8, 2024, and jury trial was scheduled for July 16, 2024.

[46] Exhibit 39
[47] Exhibit 23
[48] Exhibit 20
[49] Exhibit 40
[50] Exhibit 41

23. On May 21, 2024, Sergeant Carlisle booked the administrative evidence into the OIA evidence locker (E2024-0013-031[51]).

Exhibits

1. General Order (G.O.) 0.1., *Departmental Mission Statement and Organizational Values.*
2. General Order (G.O.) 0.8., *Professional Values* signed by Officer Lopez.
3. CHP 51, Memorandum signed by Officer Lopez documenting his *"Annual Review of HPM 10.2 and G.O. 0.8."*
4. General Order (G.O.) 0.13., *Oath of Allegiance, Code of Honor, and Code of Ethics.*
5. Highway Patrol Manual (HPM) 10.3, Chapter 14, *Incompatible and Inconsistent Activities,* Annex B.
6. CHP 18, *Annual Internal Investigation Policy Review* signed by Officer Lopez.
7. Officer Lopez' Employee Training Records Report documenting his POST Domestic Violence training on December 21, 2023.
8. NRS 200.485, Battery which Constitutes Domestic Violence.
9. NRS 33.018, Acts which Constitute Domestic Violence.
10. NRS 200.481, Battery Definitions.
11. CHP 118, Performance Appraisal—Officer, for Officer Lopez from 12/21/2021 to 12/20/2023.
12. Copy of Officer Lopez' March 24, 2024, ATS entry documenting he was on a Regular Day Off (RDO).
13. LVMPD's criminal domestic violence report # LLV240300089696
14. Copies of 10 digital photos taken by LVMPD Officer Nguyen on March 24, 2024, of injuries sustained by [redacted]

[51] Exhibit 42

15. Copy of digital photo taken by [redacted] of Officer Lopez on Fremont Street on March 24, 2024.

16. Copies of 14 digital photos taken by Sergeant Carlisle on March 28, 2024, of injuries sustained by [redacted]

17. EPO-001, *Emergency Protective Order* (EPO) issued by Superior Court of California, County of Tuolumne, served to Officer Lopez.

18. DV-109, *Notice of Court Hearing* issued by Superior Court of California, County of Tuolumne, served to Officer Lopez on March 28, 2024.

19. DV-110, *Temporary Restraining Order* issued by Superior Court of California, County of Tuolumne, served to Officer Lopez on March 28, 2024.

20. DV-120, *Response to Request for Domestic Violence Restraining Order* provided to Sergeant Carlisle by [redacted] The DV-120 is Officer Lopez' response filed with Superior Court of California, County of Tuolumne, on April 12, 2024.

21. *Voluntary Statement* form completed by Westgate Resort security manager [redacted] to LVMPD on March 24, 2024.

22. Diagram of hotel room drawn by [redacted] on March 28, 2024.

23. LVMPD body-worn camera video table created by Sergeant Carlisle.

24. CHP 51, *Memorandum*, of Westgate security director [redacted] interview dated March 26, 2024.

25. CHP 51, *Memorandum*, of [redacted] interview dated April 2, 2024.

26. CHP 51, *Memorandum*, of [redacted] interview dated April 2, 2024.

27. CHP 51, *Memorandum*, of [redacted] interview dated April 2, 2024.

28. CHP 51, *Memorandum*, of [redacted] interview dated April 3, 2024.

29. CHP 51, *Memorandum*, of [redacted] interview dated April 3, 2024.

30. CHP 51, *Memorandum*, of [redacted] interview dated April 4, 2024.

31. Copy of LVMPD dispatch log and audio recording of 911 call.

32. CHP 51, *Memorandum, Notice of Administrative Time-Off with Pay,* issued to Officer Lopez, which included his Removal of Peace Officer Powers

33. Twenty (20) LVMPD Body-worn camera videos associated with the arrest of Officer Lopez supplied to the Department by the LVMPD.

34. Transcription and digital media audio recording o[redacted] first interview dated March 28, 2024.

35. Transcription and digital media audio recording [redacted] interview dated April 4, 2024.

36. Transcription and digital media audio recording of [redacted] interview dated March 28, 2024.

37. Transcription and digital media audio recording o[redacted] interview dated March 28, 2024.

38. Transcription and digital media audio recording of [redacted] second interview dated April 9, 2024.

39. CHP 51, *Memorandum, Notice of Administrative Interrogation,* issued to Officer Lopez.

40. CHP 51, *Memorandum*, completed and signed by Officer Lopez, documenting his voluntary resignation as an Officer, California Highway Patrol, effective immediately as of April 15, 2024.

41. California Law Enforcement Telecommunications System (CLETS) inquiry on May 17, 2024, revealing Officer Lopez has a TRO with firearm restrictions in place from April 18, 2024, to May 30, 2024.

42. CHP 36, *Property Receipt,* evidence #E2024-0013-031.

I have used all reasonable diligence in preparing this investigation. To the best of my knowledge, the information contained herein is a true and complete representation of my investigative efforts and includes all information.

J. CARLISLE, Sergeant

6/25/24
Date

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT

Event # LLV240300069690

THIS PORTION TO BE COMPLETED BY OFFICER

Specific Crime	Date Occurred	Time Occurred
ASSAULT	3/24/24	05:03 AM
Location of Occurrence	**Sector/Beat**	☑ City ☒ County
ROOM 22-132		

Your Name (Last / First / Middle)	Date of Birth	Social Security #
GONZALES, JASPER, ORPUS	[redacted]	[redacted]

[redacted]	Work Schdl. (Hours)	(Days Off)	Business / School
	9:30PM-6AM	WED/THR	WEST GATE

Residence Address: (Number & Street)	Bldg./Apt.#	City	State	Zip Code	Res. Phone:
					Bus. Phone: 702 732 5911

Bus. (Local) Address: (Number & Street)	Bldg./Apt.#	City	State	Zip Code	Occupation	Depart Date (If visitor)
3000 PARADISE ROAD		LAS VEGAS	NV	89109	SECURITY MANAGER	

Best *place* to contact you during the day	Best *time* to contact you during the day	Can You Identify the Suspect?
DAY TIME	11 AM	☒ Yes ☐ No

DETAILS ON 3/24/2024 AT 05:03 HOUR, I SECURITY MANAGER RESPONDED TO A CALL REGARDING A PHYSICAL DOMESTIC, UPON MY ARRIVAL AT ROOM 22-132, I MADE CONTACT WITH ELLIOTT LOPEZ, WHO HAS NO IDEA WHAT IS GOING ON, HE IS INTOXICATED AND ONLY ABLE TO FIND [redacted] CELL PHONE AND NOT HIS OWN. I CALL LOPEZ CELL PHONE AND [redacted] ANSWER THE PHONE & STATES SHE IS ON THE 25TH FLOOR, I MAKE [redacted] ON 25th FLOOR AND OBSERVE SEVERAL KNOTS ON HER FACE AS WELL AS SEVERAL BRUISES AND SWOLLEN LEFT CHEEK. I HAVE [redacted] SIT IN HOUSEKEEPING QUARTER ON 25TH FLOOR FOR SAFETY CONCERN AND HAE PARAMEDICS POLLED TO SCENE, MYSELF AND SECURITY OFFICERS RETURN TO ROOM 22-132 AND PLACE LOPEZ IN MECHANICAL

I HAVE READ THIS STATEMENT AND I AFFIRM TO THE TRUTH AND ACCURACY OF THE FACTS CONTAINED HEREIN. THIS STATEMENT WAS COMPLETED AT (LOCATION) WEST GATE
ON THE 24TH DAY OF MARCH 2024 AT 6:39 (AM) / PM).

Witness/Officer: _____ (SIGNATURE)

Witness/Officer: I.S. MARK (PRINTED) P# 15229

_____ SIGNATURE OF PERSON GIVING STATEMENT

Dissemination is restricted to CHP, Internal Affairs ONLY. Secondary dissemination is PROHIBITED. Date Obtained: 3/24/2024
Las Vegas Metropolitan Police Department
By: D7528F
INTERNAL AFFAIRS BUREAU

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

VOLUNTARY STATEMENT CONTINUATION

Event #: LLV24030008916916

RESTRAINTS AND TAKE LOPEZ TO THE HOLDING ROOM

Witness: B. MAYER 15229

SIGNATURE OF PERSON GIVING STATEMENT

Dissemination is restricted to CHP, Internal Affairs ONLY.
Secondary dissemination is PROHIBITED.
Released to: Sgt. Chad Woods
On: 04/01/2024
Las Vegas Metropolitan Police Department
By: D7528E
INTERNAL AFFAIRS BUREAU

Las Vegas Metropolitan Police Department
Domestic Violence Report

Event# LLV240300089696

Specific Crimes	Jurisdiction	Crime Category	Sector/Beat
Domestic Battery, (1st)(M)-NRS 200.485.1A	Clark County		M1

Location of Incident: (Number & Street)	City, ST Zip
3000 Paradise Rd	LV, NV 89109

	Date/Time	Day		Date/Time	Connecting Report
Occurred	3/24/2024 4:50:02 AM	Sunday	Report Taken	3/24/2024 5:06:16 AM	Arrest Report Body Camera Video Declaration of Arrest Domestic Violence Information Card Domestic Violence Rpt Photo Attached Temporary Custody Record Victim Information Guide Witness List

				Reporting Officer	Squad	Follow-Up
Was there a witness?		Is there physical evidence present? (i.e., visible injury, weapons, etc.)		15229 - Mayer, Benedetto	CC14B	
				Supervisor Approving		Follow-Up
Has victim requested temporary housing?		Is there a T.P.O. in effect? T#		07949 - Garces, Michael		

Assisting Officers

T19311N - Nguyen, Tommy	Officer

Persons (List Victims First)

Victims

Name (Last, First Middle)	Non English Speaking	Language
[redacted]	No	

Date of Birth	SSN	Race	Ethnicity	Sex	Ht.	Wt.	Hair	Eyes	DV Card
[redacted]		[redacted]	[redacted]						Yes

Address Type	Address	CSZ	Country
Residence	[redacted]		United States

Phone Type	Phone Number
Cellular	[redacted]

Victim / Suspect Relationship	[redacted]	Victim Demeanor	In Pain
Voluntary Statement		Drugs / Alcohol	Alcohol
		Photographs	Digital Photos

Victim Injuries

Injury Location	Injury Type	Injury Description
Head	Black Eye	both eyes are black, bruised face, knot on fore head

Children Present

Name	Age	Location	Witness	Statement

DV Auxiliary LAP Questionaire

Alcohol/Drugs Involved	Alcohol
Relationship of Aggressor to Victim	[redacted]
Notes:	

If any of the questions below are answered "YES", victim is in HIGH RISK/DANGER
Officer is to call an agency listed below and mark the HIGH RISK/DANGER check box.

1	No	Has your partner (or whoever the aggressor is) ever used a weapon against you or threatened you with a weapon
2	No	Has he/she ever threatened to kill you or your children?
3	Yes	Do you think he/she might try to kill you?

If any three of the questions below are answered "YES", victim is in HIGH RISK/DANGER
Officer is to call an agency listed below and mark the HIGH RISK/DANGER check box.

4	Yes	Does he/she have a gun or can he/she get one easily?

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Event# LLV240300089696

5	No	Has he/she ever tried to strangle you?
6	Yes	Is he/she violently or consistently jealous or do they control most or all of your daily activities?
7	No	Have you left him/her or separated after living together or being married?
8	No	Is he/she unemployed?
9	No	Has he/she ever tried to kill himself/herself?
10	No	Do you have a blended family (step children)?
11	No	Does he/she follow or spy on you or leave threatening messages?
12	No	HIGH RISK/DANGER

SafeNest - 646-4981		Call Completed	No
Victim Refused Call	Yes	Busy/No Answer	No

Any Additional Comments

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Las Vegas Metropolitan Police Department
Domestic Violence Report

Event# LLV240300089696

Arrestees

Name (Last, First Middle)	Non English Speaking	Language
Lopez, Elliott	No	

Date of Birth	SSN	Race	Ethnicity	Sex	Ht.	Wt.	Hair	Eyes	DV Card
[redacted]		[redacted]							

Addresses

Address Type	Address	CSZ	Country
Residence	[redacted]		United States

Phone Type	Phone Number
Cellular	[redacted]

Voluntary Statement		Drugs / Alcohol	Yes	Photographs	No-Photos Not Taken	Arrestee Demeanor	Apologetic Calm
Primary Aggressor		Yes		TPO In Effect		No	

Arrestee Injuries

Injury Location	Injury Type	Injury Description

Witnesses

Received	Dispatched	Arrived	Caller
Primary Aggressor	Mitigating Factors	Arrested Both Parties	Medical Release
Background Noise on Arrival		Medical Attention	

Responding Agencies	Unit Number

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BWC Available

Suspect:
Lopez, Elliot
DOB: [redacted]

Victim:
[redacted]
DOB: [redacted]

On 3/24/2024 at approximately 0506 hours I Officer B. Mayer P#15229 operating as marked patrol unit 1M40 and Officer T. Nguyen P#19311 operating as marked patrol unit 1M35TV responded to a call of a domestic disturbance at the Westgate Hotel located at 3000 Paradise Rd., LVN, 89109. The reporting party was Westgate security who had the male and female half separated.

Upon our arrival we made contact with Westgate security manager Jasper Gozales (DOB [redacted]) who told me the following, he responded to a call of a domestic at room 22-132. At room 22-132 they made contact with Elliot Lopez who was extremely intoxicated and had no recollection of what happened. Elliot provided Gonzales with [redacted] cellphone, Gonzales used the phone to call Elliot's phone and [redacted], Elliots [redacted] answered, she was on the 25th floor. Gonzales went up to the 25th floor and observed [redacted] had several bruises on her face, both eyes where black, and knots on her head. Gonzales called medical to the scene to have [redacted] checked out, before going and detaining Elliot.

I then went to the security office and made contact with Elliot Lopez (DOB [redacted], who had been detained by security. Elliot stated the following, he didn't remember any of the incident but had been out with [redacted] down on Freemont earlier in the evening and they where both drinking. They had an argument on Freemont and ended up taking an uber back to the
Westgate where he passed out, the next thing he knew was security was waking him up. Elliot said that he and [redacted] have bee[redacted] for eleven years but have recently gone through [redacted] troubles and separated last month but had been working on repairing their [redacted]

Officer Nguyen contacted [redacted] and she stated the following. Her and he[redacted] Elliot, of 11 years, but have been together for approximately 18 years, were drinking at Fremont Street Experience. [redacted] stated Elliot had a bit too much to drink and that the alcohol hit him fast and hard, to the point where he fell to the ground and blacked out. Elliot's friend had called him and [redacted] an uber back to the Westgate, room #22-132. When [redacted] arrived in the hotel room with Elliot, she stated Elliot was passed out in the middle of the bed, positioning himself diagonally across the bed, making it difficult for [redacted] to lay on the bed. [redacted] then stated she attempted to wake Elliot up and move him so that she could sleep in the bed as well. [redacted] then stated when Elliot finally woke up, he began "wailing" out on her. I asked [redacted] to elaborate on what "wailing" means and she stated Elliot began to throw blows to her face.

[redacted] stated she was eventually at the corner of the room, in the fetal position, asking Elliot to stop [redacted] then stated she did not know why Elliot stopped but he just randomly stopped and that is when [redacted] grabbed a phone off the table and ran out of the room. [redacted] then ran to Elliot's friends' room and told them what happened.

Elliot was arrested and transported to Clark County Detention Center where he was booked for Domestic Battery NRS 200.485.1A due to the fact that he did batter, by punching [redacted] of eleven years with whom he resides, [redacted] in the face and head multiple times, pursuant to NRS 33.018.

I, Officer 15229 - Mayer, Benedetto of the Las Vegas Metropolitan Police Department for _____, declare, subject to (penalty of perjury, that the above information is true and correct to the best of my knowledge or information and belief as identified. The above described information gives me probable cause to believe that on 3/24/2024 4:50:02 AM, _____ (name @ booking) also known as _____ (true name per SCOPE), committed the crimes(s) of:

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Las Vegas Metropolitan Police Department
Domestic Violence Report

Event# **LLV240300089696**

In the location of **3000 Paradise Rd,. LV, NV 89109** within **Clark County**. Declarant prays that your Honorable Magistrate finds that probable cause exists to hold the above-named person to answer such charge(s).

Dated this **24** Day of **March** , **2024**

Declarant (Sign and Print)

Officers Preferred Court Time

M ☐ T ☐ W ☐ T ☐ F ☐ ☐ a.m. ☐ p.m.

Connecting Documents ☐ Vol. St. ☐ ☐ Other

Secondary Event # Evid./Veh. _____

Supervisor Name (Sign and Print)
(Must be signed by Supervisor if Felony)

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ATH MAT 6




BATH MAT 6



LAS VEGAS METROPOLITAN POLICE DEPARTMENT
400 S. Martin Luther King Blvd.
Las Vegas, NV 89106

Arrest / Detective Report

Case Report No.: **LLV240300089696**

Administrative

Location **3000 Paradise Rd LV, NV 89109** Sector /Beat **M1**
Occurred On (Date / Time) **Sunday 03/24/2024 4:50:02 AM** Or Between (Date / Time)
Reporting Officer **15229 - Mayer, Benedetto** Reported On **03/24/2024**
Entered By **15229 - Mayer, Benedetto** Entered On **03/24/2024 6:39:08 AM**
Supervisor **07949 - Garces, Michael** Follow Up Pro Squad **CC 14 Bike** Follow Up
Jurisdiction **Clark County** Report Type Disposition **Arrest**
Route To: Related Cases
Connecting Reports **Arrest Report**
Body Camera Video
Declaration of Arrest
Domestic Violence Information Card
Domestic Violence Rpt
Photo Attached
Temporary Custody Record
Victim Information Guide
Witness List

Assisting Officers:
T19311N - Nguyen, Tommy **Officer**

Offenses

Domestic Battery, (1st)(M)-NRS 200.485.1A
Completed **Yes** Hate/Bias **None (No Bias)** Domestic Violence **Yes**
Entry Premises Entered Type Security Tools
Weapons **Personal Weapons (Hands, Feet, Teeth, etc.)** Location Type **Hotel/Motel/Etc.**
Criminal Activities **None/Unknown**

Victims

Name: [redacted]

Victim Type **Individual** Written Statement **Refused** Can ID Suspect
Victim of **50235 - Domestic Battery, (1st)(M)-NRS 200.485.1A - IBR 13B** Domestic Battery **Yes**
SSN [redacted] DOB [redacted] Age [redacted] Sex [redacted] Race [redacted] Ethnicity [redacted]
Height [redacted] Weight [redacted] Hair Color [redacted] Eye Color [redacted]
Employer/School
Occupation/Grade Work Schedule
DLN [redacted] DL State **California** DL Country **United States**
Resident **Nonresident** Tourist Departure Date
Injury **Apparent Minor Injury** Injury Weapons **Personal Weapons (Hands, Feet, Teeth, etc.)**

Addresses
Residence [redacted]

Phones
Cellular [redacted]

Email

Offender Relationships
A - Lopez, Elliott [redacted]

Domestic Violence Information
Relationship to Suspect [redacted]
Intimate Relationship **Yes**
Voluntary Statement
Injury Severity **Minor**
Photos Taken **Digital Photos**
Primary Aggressor Determined **Yes**
Drug/Alcohol Involvement **Alcohol**
DV Information Provided **Yes**
Medical Attention **First Aid**

Notes:

Arrestees

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Arrestee Name: Lopez, Elliott

Written Stmt. **No** Alerts Non-English **No** Language

Scope ID **0** DOB [redacted] Age [redacted] SSN [redacted]
Race [redacted] Ethnicity Build **Heavy** Handedness [redacted]
Sex [redacted] Height [redacted] Weight [redacted] Hair Color [redacted] Eye Color
Employer/School Occupation/Grade
Hair Length **Medium** Hair Style **Straight** Eyes
Complexion Facial hair Teeth
Appearance Injury/Condition
Speech manner Speech Characteristics
DLN [redacted] DL State **California** DL Country **United States**
Resident **Nonresident** Tourist Departure Place of Birth
Habitual Offender Status MO Factors

Primary Means of Attack/Weapon **Personal Weapons (Hands, Feet, Teeth, etc.)** Weapon Features

Employer/School Occupation/Grade

Scars, Marks and Tattoos

Addresses
Residence [redacted]

Phones
Cellular [redacted]

Domestic Violence Information

TPO in Effect	**No**	Drug/Alcohol Involvement	**Yes**	Voluntary Statement	
Injury Severity	**No Visible**	Medical Attention	**None**	DV Info provided	**Yes**
Photos Taken	**No-Photos Not Taken**	Arrestee Demeanor	**Apologetic Calm**		

Notes:

Witnesses

Other Entities

Name: **Person Reporting/Complainant** Gonzales, Jasper

Written Statement **Yes** Can ID Suspect **Yes**

SSN [redacted] DOB [redacted] Age **42** Race [redacted] Ethnicity [redacted]
Sex [redacted] Height [redacted] Weight [redacted] Hair Color [redacted] Eye Color [redacted]
Employer/School **Westgate** Occupation/Grade **Security manager**
Tourist **Resident** Departure Date
DLN DL State DL Country

Addresses
Business [redacted]
Phones
Business/Work [redacted]

Missing Person / Runaway

Physical Appearance
Skin Complexion
Hair Length
Speech Characteristics
Injury or Condition
Medical Info
Headwear Color
Disappearance Type
Responsible Adult
Last seen by
Last seen wearing
Footprints Available
Photo Attached

Physical Build
Eye Description
Hair Style
Speech Manner
Distinctive Jewelry
Probable Destination
Missing Before
Relationship to MP
Last seen where
X-rays Available
Corrected Vision

Headwear Color
Teeth Description
Facial Hair
Dominate Hand
Blood Type
How long at present address
POB
Last seen Date/Time
Fingerprints Available
Dental Available
Circumcised

Scars, Marks, Tattoos:

Dead Body Report Information

Coroner/Physician Coroner/Physician Name

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Coroner Case #
Case of Death
Public Administrator
Facility Name
Photos Taken

Coroner Seal #
Date/Time Pronounced
Hospital/Mortuary
Attendant Name

Synopsis

Investigation

Scene

Body

Evidence at Scene

Notes:

Properties

Solvability

Modus Operandi

MO General
Occupied? **Yes**
General Premise **Hotel/Motel**

Surrounding Area **Middle of Block**
Specific Premise **Room**

MO Against Property
Entry Point
Entry/Attempt Method
Safe Entry
Victim Location **Out of Town**
Maid

Exit Point
Entry Tool
Suspect Actions
Electronic Locks **Yes**
Inspectress

Entry Location
Vehicle Entry
Additional Factors
Video Surveillance **No**

MO Against People
Victim-Suspect Relationship
Victim Condition **Intoxicated/UICS**
Suspect Pretended to Be
Sexual Acts

Pre-Incident Contact **Sleeping**
Suspect Solicited/Offered
Suspect Actions
Vehicle Involvement

Narrative

BWC Available

Suspect:
Lopez, Elliot
DOB: [redacted]

Victim:
[redacted]

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Westgate where he passed out, the next thing he knew was security was waking him up. Elliot said that he and [redacted] have been [redacted] but have recently gone through [redacted] troubles and separated last month but had been working on repairing their [redacted]

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Elliot was arrested and transported to Clark County Detention Center where he was booked for Domestic Battery NRS 200.485.1A due to the fact that he did batter, by punching, [redacted] eleven years with whom he resides, [redacted], in the face and head multiple times, pursuant to NRS 33.018.

Patrol Follow-Up

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Victim IA Interview Abbreviated Transcript

Pages 3-9:

WOOD: Sounds busy.

[redacted]**:** Yeah. All of the stuff besides kids is my job, so.

CARLISLE: Okay. So as I had said before, we do have some points that we'd like to cover about the incident and what happened. But I'm just going to ask you, where would you like to start?

[redacted]**:** I honestly don't know how far back you want me to go, or what -- just for that weekend or what?

CARLISLE: Well, we were interested in what happened this weekend, but I'd say it's -- there's also an interest in what's happened before if it's kind of pertinent --

[redacted] It is.

CARLISLE: -- pursuant to what happened this weekend.

[redacted] Yeah. So since his shooting two years ago in March, I've been asking him to get help for -- there's three times specifically, and every -- every time would be just a blow off of no, I'm fine, whatever. And then the last time I asked him to go get help was about eight months ago, and I got the name of one of the therapists down in Turlock and said, hey, just take your motorcycle down. It's an hour drive. Just go down get help. And he just, he wouldn't make the appointment. He obviously knows how to, and being a peer support for as long as he has. And so I was like, well, you know what, if he's not going to go get help, then I'm

going to get myself help and I'm going to hopefully lead by example. And if he sees that I'm getting help, maybe he'll go get the help that he needs. So there's been back-to-back incidents for two years, since March, and that was the shooting. He got injured. His mom died, his brother just recently passed away, and through all of that he's just completely shut down to me. And especially over the last two months, and now I know why, because he has been having an affair. So he didn't want to go this weekend, but he felt guilty about going because [redacted] and [redacted] had spent so much money on the hotel rooms through the business and going. So he still went, obviously. And the whole time he was -- he was okay. He wasn't that bad. Just being quiet. He was still very quiet. But Saturday night he was okay, he wasn't drinking until midnight. So we went out and had pizza, and so he was eating dinner. He had a couple of Cokes with dinner. And then we went over to Fremont Street and our friends left, and he just started drinking then, but it was only four drinks between midnight and 2:00. And I was listening to the music and dancing with the friends and everything else. And then as it was about 2:15, I looked over because I heard something, and it was him hysterically crying. And even when his partner passed away when he was barely off probation he never cried like that. I have never seen him ever cry like that, in that guttural like just hysterically sobbing. So he had to be taken out of Fremont Street, carried out, which is completely unusual as well. He never -- if he -- he is always very careful in public when he drinks, and never ever gets to that point where he's even like

stumbling or you can even kind of tell that he's a little bit intoxicated by like his walk if he's out in public. He only, like he'll have drinks like that, like what he was, but at houses, like where he knows that he's in a safe environment and nothing's going to happen. So it was very, very, very strange. And so I went and called the Uber. I came back around the corner because it's a drop-off and pick-up spot. And when I came back around the corner, that's when I noticed that he was on the ground, he had puked, other friends were on the ground, and then people were starting to videotape around him. So he -- I went over, and that's when [redacted] got up and was trying to push people out of the way and things like that. And then [redacted] got her arm bit. And then they were able, with the help of strangers, to pick him up because he was just completely out of it, unconscious. And they had to pick him up, and they were able to., and then take him to the Uber. We got him up to the hotel room, and they flopped him on the bed, and that's when he was diagonal across the bed. So I went and got my pajamas on. And I had a feeling something was going on because he was using WhatsApp, and they only use that up here for overtime details. And I'm like, well, that's really strange because you have, you know, Academy time after we get back and then you're on RDO. So why are you looking at overtime details? And so I looked through his phone and that's when I found all the messages. And that's when I confirmed it that he was having an affair. So I went down with pajamas on, and he was laying across the bed, so there was no room for me. So I'm like, hey, wake up, hey, wake up, and like trying to get

him awake, and I couldn't. And I finally was like shaking him, and he was kind of like in the whole like, ugh, like grogginess, And he finally woke up, and he was in and out of it a little bit more, but not to the point that I could be like, hey move over, and for him to understand what I mean by like move over in the bed. And he's a big guy. And I finally said, you know what, who's [redacted]? And he woke up and he looked at me and he just started swinging. And the first swing was him laying down, sitting up, and then coming across. And I backed up into the corner, lost my balance, fell, and then he just jumped over me like an MMA fighter going for the knockout. And he's just on me just back and forth, back and forth. So I was calling him to, you know, get away as best as I could. And I was on my back, and so I kind of like rabbit punched him in his shoulder because I know his shoulders are bad, and tried to do anything to just get him away. And so I kicked him, and when I kicked him he fell backwards, and that was when I was able to run out of the room. And I grabbed a phone, I thought it was my phone, but it was his phone. And I grabbed the phone and just tried to go up to [redacted] and [redacted] room to get their attention and something. So they weren't answering the door, so I called everybody that I could. And I called [redacted] and he came up, and as soon as his elevator door opened and he comes over and he looks at my face, the other elevator opened up and it was security and they're like, are you [redacted]? I'm like, yeah. They're like, we've been looking for you. And then they whisked me away and had Metro come, did the interviews with him, had the EMTs come. At first I said I didn't want the EMTs, I wasn't

going to get transported, but Metro was like, no, you need to get transported. So then I went to the ER, so.

CARLISLE: Why don't we focus a bit on just the weekend.

[redacted] Uh-huh.

CARLISLE: And then we can kind of touch on some -- touch bases with some other stuff too. Let me ask you this, how long have you been in a relationship with [redacted]?

[redacted]**:** Nineteen years. We've been [redacted] since 2010.

CARLISLE: How did you guys meet?

[redacted]**:** I was his boss at the convention center that we both worked at. I was an event manager, so I did all of the events from the manager point of view, the move in, move out.

CARLISLE: Where was this at?

Pages 36-40:

Okay.

[redacted]: Yeah.

CARLISLE: Okay, so that was normal for him to start --

[redacted]: Yeah.

CARLISLE: -- drinking this?

[redacted]: Yeah.

CARLISLE: Okay. And how many drinks did he have?

[redacted]: I saw him have four.

CARLISLE: Do you think he might have had more that we didn't see? But you're with him.

[redacted]: No, uh-uh.

CARLISLE: I don't know the dynamics of hanging out, if --

[redacted]: No, I was pretty -- I'm not like super close, like right here, but I was within eyeshot to see him go up to the bar, and I know he paid for a couple of rounds and that was it. And yeah, I counted a four for him, so.

CARLISLE: Okay.

[redacted]: Yeah.

CARLISLE: Okay.

WOOD: Is he buying -- I'm sorry.

CARLISLE: No, go ahead.

WOOD: Was he buying drinks cash, or paying with a card, or?

[redacted]**:** Cash, uh-huh. As far as I know.

CARLISLE: And the time, we'll say a little bit after midnight, started drinking.

[redacted]**:** Uh-huh.

CARLISLE: Enjoying a cigar as well with the drinks.

[redacted]**:** Yep, uh-huh.

CARLISLE: And then until he finished maybe drinking those four, about how much time had passed?

[redacted]**:** Until about right about last call, so 1:45, 1:30, 1:45. That's the last time I saw him have a drink in his hand, was that last call.

CARLISLE: You mentioned earlier he's not really a public drinker.

[redacted]**:** Right.

CARLISLE: For him to have the four, were you taking that's out of the ordinary?

[redacted]**:** Absolutely not. Normal, totally normal.

CARLISLE: Okay.

[redacted]**:** Yep.

CARLISLE: So last call happens.

[redacted]**:** Uh-huh.

CARLISLE: Anything -- what was the next kind of (inaudible)?

[redacted]**:** So last call happens, I'm still drinking my drink and I look over, he has one, I'm like cool, whatever, and we're just hanging out, the band's still playing. So it's another, a couple songs go by, and I look over again and then that's when I see that the lights are turned on, it's now past 2:00. He's on the wall and he's hysterically crying.

CARLISLE: Okay. Any idea why he was crying?

[redacted]**:** No, I don't. [redacted] had the conversation with him, so I don't know what was said. I asked [redacted] later on, he doesn't know either. So I don't know what spawned that conversation for him to cry like that.

CARLISLE: Okay. And then earlier you would say it was a guttural --

[redacted]**:** Yeah.

CARLISLE: -- I think is the word you had used.

[redacted]**:** Yeah.

CARLISLE: Not normal for him?

[redacted]**:** Oh God, no. No.

CARLISLE: Okay.

[redacted]**:** I have never seen him cry like that, ever. Ever. I mean, his -- when his partner passed away and was killed, he never cried like that. And, yeah, it was very, very, very out of the ordinary.

CARLISLE: How long did that episode last?

[redacted] About ten, 15 minutes before they were carrying him out.

CARLISLE: And when you had seen him drinking the four drinks, any -- any change in his demeanor, his ability to carry himself?

[redacted]**:** No, totally happy. He was happy that[redacted] and[redacted] were around him. He was joking and laughing with them. He and[redacted] have like a brother-sister relationship. She's a fire captain, so it was all just like, you know, punchy, you know, that kind of stuff, and joking and things like that, so.

CARLISLE: Were you close enough to hear him talking?

[redacted] No.

CARLISLE: Okay.

[redacted]**:** No.

CARLISLE: Okay.

[redacted]**:** Not with the music and the band.

CARLISLE: Right. I guess what I'm getting at is, as far as like his speech becoming a little slurred or anything like that, as far as you know, you couldn't hear it?

[redacted]**:** As far as I know, right before he was crying, he was totally fine. I could hear him just joking and laughing. So nothing weird.

CARLISLE: Okay. And he started getting upset, that lasted for a few minutes.

[redacted]**:** Uh-huh.

CARLISLE: You said about ten or 15?

[redacted]**:** Right.

CARLISLE: Okay. Which is kind of a while.

[redacted]**:** It is.

CARLISLE: Yeah.

[redacted]**:** And it was.

CARLISLE: Okay.

[redacted]**:** Yeah. It was -- it was to the point that I'm like, okay, let's go. And that's when I called the Uber and I went over, and I -- you have to walk and go around a corner, and that's when I walked and then they started carrying him out, so.

CARLISLE: Okay.

[redacted] Yeah.

CARLISLE: At this point you're not involved as far as why he's crying or like that?

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They could have been doubles. We know the bartender really well, and he normally makes them however Elliot would like him to make them. We've known him for years. So I don't think they were anything more than a double.

CARLISLE: Does he drink Malibu rum at home?

[redacted]**:** He used to. That used to be his drink years and years and years ago, and he hasn't had that in a while. So not -- it's not un -- it's not, you know, it's normal because that's what he used to always drink. Normally he would drink like a tequila or something like that, but that would normally be his drink of choice if he just wanted something lighter, not something super heavy like a shot of tequila or something. Yeah.

CARLISLE: So do you get to the hotel room. What happens then?

[redacted]**:** So they throw him, literally they throw him on the bed, and he's sitting diagonally, and I'm like, well, I've got to go pee. So I went and used the

restroom, changed into my pajamas, I'm like, you know what, something's wrong, something's going on. And so that's when I decided to go through his phone.

CARLISLE: And about what time is this, that he gets dropped off, you're changing clothes?

[redacted] 3:15, 3:20, 3:30, somewhere in there.

CARLISLE: Okay.

[redacted]**:** Uh-huh. Yeah. And I spent a little bit of time looking through his phone, so.

CARLISLE: How much time do you think you spent?

[redacted]**:** About 20 minutes.

CARLISLE: Okay.

[redacted]**:** Yeah. I was going back through the messages and reading them all, so.

CARLISLE: And how were you feeling? What was happening at that point?

[redacted]**Z:** I was crying and disappointed. And disappointed that he was doing it again, so. Yeah.

CARLISLE: When you get in his phone, what are you finding?

[redacted]**:** I went back as far as I could in the WhatsApp, and it gave me a conversation from March 1st up until this whole weekend of him and another woman. And then there were things, graphic, nudes on her

side, nothing from him on his side, but sexually explicit messages, so.

I; And so at some point you try waking him up?

[redacted]: Uh-huh. So I'm like, you know what, I'm done. I'm done reading this. I already -- I'm done. Like, so I put the phone on the ledge in between the bathroom and the bedroom portion, and I go and I try to wake him up and I'm pushing him. I'm like, hey, move over so I can get -- just move over. And he wasn't, and he just was out of it, completely out of it. And I'm like, hey, move over, move over, move over. I got loud then just to -- I'm like, well, maybe he just -- he's just so out of it that he can't hear me. So I'm like, hey, move over, move over. And he's just not waking up. And then finally I was like, you know what? Who's [redacted]? And that's when he woke up.

CARLISLE: How long do you think you had been telling him to move over?

[redacted]: Probably two or three minutes.

CARLISLE: Okay.

[redacted] Yeah.

CARLISLE: And you think it's -- at this point are you -- you're yelling loudly?

[redacted]: Uh-huh.

CARLISLE: Okay.

[redacted]: Yeah. And we know at some point that there were, you know, calls down to the 911 or security, like hey, there's some yelling going on.

[redacted]: Right.

CARLISLE: Do you think that that might have initiated someone calling in? Was it that loud? I don't know.

[redacted]**:** That might have woken people up if they were asleep, but I don't think that that's something that they would call over. I think that they heard me screaming, Elliot, stop, you're hurting me.

CARLISLE: Okay.

[redacted]**:** Yeah.

CARLISLE: Okay. For two or three minutes you're trying, and he's just not --

[redacted]**Z:** Yeah.

CARLISLE: Yeah, okay.

[redacted]**:** Yeah.

CARLISLE: In your mind was he -- was he faking it? Was he just like, I just don't know, it's not worth my time to move over? Or was he truly like out?

[redacted]**:** He was truly out.

CARLISLE: Okay.

[redacted]**:** Out, out, yeah.

CARLISLE: But then you say to him --

L[redacted]**:** Who's [redacted]?

CARLISLE: Okay.

[redacted] And that's when he wakes up.

CARLISLE: So that's why I'm kind of -- I mean, what do you -- you were there. If he's truly out of it, by him, you mentioning that name or asking that question, and then he snaps out of it?

[redacted]: He wakes up.

CARLISLE: He wakes up?

[redacted] Yeah. So he was laying, he was laying like this, you know, kind of like diagonally like this, and he's just out. And I'm trying, I'm, you know, pushing him and moving him, and that's when I said, who's [redacted]? And he's all -- and he's does like this, like where am I? Kind of like blinking. And then he finally focuses on me, and then that's when he started swinging.

CARLISLE: Why do you think he was able to wake up right at that point where you said, you know, who's [redacted] i?

[redacted]: Because I mentioned her name.

CARLISLE: Do you think it was maybe just coincidental that you were putting -- wake up, wake up, wake up, and he's slowly coming to?

[redacted]: He probably slowly was.

CARLISLE: Coincidentally occurring as you mentioned this name, or do you think that name triggered something?

[redacted]: The name triggered, most definitely.

CARLISLE: Why do you say most definitely?

[redacted]: Because he didn't know that I knew, and that was the first time that he

knew I -- that I would have known. Like he -- so During the messages he -- she was telling him to wipe his phone and to do everything so I wouldn't find out. and so by me saying the name, I know that's what woke him up, and that was the oh shit moment of she knows her name. holy shit.

CARLISLE: what happened next?

[redacted] That's when he sat up, and then that's the first blow, was he was sitting up on the bed and then that's when I fell backwards into the corner of the room.

CARLISLE: When he's coming to -- you know, because this whole time you basically explained that that Elliot has had this reaction to probably the alcohol, or for whatever reason he's in this, I don't know, what word you would use, but he seems very -- he's not with it.

[redacted] Uh-uh.

CARLISLE: Like he's very, very, very drunk.

[redacted] Right.

CARLISLE: And to the point where he's passed out and not responding to anybody.

[redacted] Uh-huh.

CARLISLE: Making grown men carry him to his room.

[redacted]**:** Right.

CARLISLE: Not moving over for you.

[redacted]: Uh-huh.

CARLISLE: But then suddenly he's now able to wake up immediately and start attacking somebody with full control of his body?

[redacted] As far as I remember. Yeah, yeah. I mean, he was able to hop out of bed after I fell backwards and stand over me and start punching. And that's when I was screaming, Elliot, stop, stop you're hurting me.

CARLISLE: You described his face earlier too when he was kind of waking up. So was his -- were his eyes closed when you were telling him to move over?

[redacted] Uh-huh, they were.

CARLISLE: Okay.

[redacted]: Yeah.

CARLISLE: Snoring or anything like that?

[redacted] Just like groggy, just, urgh, urgh, you know.

CARLISLE: Yeah.

[redacted] Just like not -- not words. Not using any kind of words or anything like that, just completely groggy, and kind of normal for him when he would get like that kind of drunk. And just, you know, that was that was normal, that part, and just like kind of the norm.

CARLISLE: Okay, still normal for a very drunk Elliot?

[redacted]: Uh-huh. Yeah.

CARLISLE: Okay. And even in previous instances where he's drunk like that, were -- was there any -- was he able to kind of snap out of it?

[redacted]: Yeah.

CARLISLE: Okay.

[redacted] Uh-huh.

CARLISLE: So, [redacted]s name is mentioned.

[redacted]: Uh-huh.

CARLISLE: And then you say his face kind of changed, and he --

[redacted]: His face completely changed.

CARLISLE: Okay.

[redacted]: And his eyes changed, and I could tell that he was angry. And I could just, I could absolutely just see it. It was like raging bull.

CARLISLE: So what else made you -- if you -- I wasn't there, and it was almost like you were kind of painting a picture for us, or as if you're a director painting a, you know, a movie here. If you don't mind being a little more descriptive as what you saw and heard. What else made you think like he's a raging bull before he started striking you?

[redacted]: He was just, he was glaring, like when he woke up and he locked eyes with me after he focused on what was going on in the room and I -- after I said, well who's [redacted]? And he's kind of -- he opened his eyes and he's looking around the room like, what the hell is going on? And then he looked at me and it was just anger. And you could tell it was

anger, I could tell. His jaw was clenched. It was just glaring at me, and then that's when the first blow came.

CARLISLE: Before the first blow came and he's glaring at you like that, did you think, oh no, something's about to happen?

[redacted]**:** Uh-huh. I didn't think oh no, something is about to happen; I was like, oh, shit, he's going to like start screaming at me. But I didn't think that he was going to do that.

CARLISLE: Had that -- had you seen that face before?

[redacted]**:** Yeah. Uh-huh.

CARLISLE: How often does he get that way?

[redacted] Probably once every six, seven months, if not longer. He's usually not an angry person like that at all. I've seen it come out a couple times, but not -- not like that.

CARLISLE: Okay.

[redacted]**:** Yeah. I haven't seen that come out like that in a very long time.

CARLISLE: So he's diagonal on the bed, and you're off to the side.

[redacted]**:** Uh-huh.

CARLISLE: Where his head is? Standing or sitting or?

[redacted]**:** So he was laying like this way, so the bed is here, and so he's laying this way, and I'm moving him so he's more on his side of the bed. And then that's when I'm on the bed like trying to move him. And then

he -- that's when he wakes up and punches me, and I fall backwards.

CARLISLE: Would you mind -- actually, I have a piece of paper here. Could you just sort of like draw the room?

[redacted]**:** Uh-huh.

CARLISLE: And be -- where furniture is.

L[redacted]**:** Okay.

CARLISLE: And I'll let you just take a minute and kind of --

[redacted] There you go.

CARLISLE: Okay. And then -- oh, actually, if you don't mind holding on to it.

[redacted]**:** Okay.

CARLISLE: Yeah. And so, and you can use the pen or whatever. But describe, like maybe like pinpoint where were you sitting or standing, and where was Elliot?

[redacted]**:** Okay. So when we came in to the room here, they put him down, so he was laying like that.

CARLISLE: And the pillows would be --

[redacted]**:** And the pillow -- yeah, the pillows are right here and everything, yeah.

CARLISLE: Yeah. Yeah.

[redacted]**:** So he was laying right here, and then there's a tiny little console, like --

CARLISLE: And where's his head?

[redacted]: His head is right here.

CARLISLE: Okay.

[redacted]: Yeah. And so I came out of the bathroom, and I'm like -- and I come over to this side, and this was my side, and I'm like trying to move him, wake him up, so I can like get into bed. And then I'm on the bed here when he pops up and wakes up, and that's when he does the first blow and I fall.

CARLISLE: And you're seated next to him?

[redacted]: No, I'm like -- I'm kind of like over him, like not --

CARLISLE: Still trying?

[redacted]: Yeah, trying -- just trying to get him up.

CARLISLE: Okay.

[redacted]: And then that's when I fall backwards and then I -- I land.

CARLISLE: So your feet were on the ground but your hands were on the bed next to it?

[redacted]: Right.

CARLISLE: Okay.

[redacted]: Right, yep.

CARLISLE: So he wakes up, and how many seconds passes where he's looking at you with this angry -- you said he comes to you and --

[redacted]: Maybe it was like ten seconds.

CARLISLE: Okay.

[redacted]**:** It was really fast.

CARLISLE: Which honestly, I'll say ten seconds is kind of a long time as far as like he wakes up and then he's -- you know, for someone to stare at you for ten seconds --

L[redacted]: Yeah, probably a little bit shorter.

CARLISLE: Okay. Okay.

[redacted]**:** I mean, it was pretty short.

CARLISLE: Okay.

[redacted] Yeah.

CARLISLE: It wasn't like -- like staring, like, you know.

CARLISLE: Right, right.

[redacted]**:** It was really short.

CARLISLE: Okay.

[redacted]**:** Yeah.

CARLISLE: But did not expect anything physical at all?

[redacted]**:** No, no.

CARLISLE: Okay.

[redacted]**:** Uh-uh-huh.

CARLISLE: And so describe to me the -- what happened next.

[redacted]: So after the first blow, and I fall backwards, because I have like one leg on the bed here and I'm trying to like wake him up, and then so I fall backwards. I fall this way by the TV. So this room you could tell was supposed to be like a two queen room, because there was enough room on this side for another bed. So there's a lot of room in there. And so I fall backwards and I'm over in this corner right here. And then that's where I stumble and fall.

CARLISLE: How did he strike you? Did he use a left hand or right hand or a closed fist, or?

[redacted]: Both hands, closed fists.

CARLISLE: So like, just specifically, if you don't mind me kind of -- I know you've already gone through this with Las Vegas Metro, but I'm just trying to get a picture of how the attack went down.

[redacted]: Yeah. So I'm laying on -- so when I fall backwards here, the walls, the other room was here, so --

CARLISLE: I can just take this from you now.

[redacted]: Yeah, yeah. So I'm laying like this, and it's -- I know he's going at me like this. Like it's -- the best way I can explain it is like an MMA fighter getting ready to knock out when they're -- when the other person has fallen, and they're just back and forth, back and forth, back and forth, back and forth.

CARLISLE: Did you see the first blow even come?

L[redacted]Z: No.

CARLISLE: Or did you just feel it?

[redacted]: No, I felt it.

CARLISLE: Okay.

[redacted]: Yeah.

CARLISLE: So are you even sure if it was his left or right hand?

[redacted]: I'm not sure at that point.

CARLISLE: Okay.

[redacted]: But when he -- when I was on the floor, I could tell that it was both.

CARLISLE: Where did the first strike hit you?

[redacted]: Right here.

CARLISLE: Okay.

[redacted]: Yeah. So he sat up and then he came around the corner at me like that.

CARLISLE: Okay. And then that caused you to go into the ground?

[redacted]: Uh-huh.

CARLISLE: And maybe we'll just put this right here, so you can both see it. But you go to the ground.

[redacted]: Uh-huh.

CARLISLE: And then what was this right here?

[redacted]: That's me.

CARLISLE: Okay.

[redacted]**Z:** That's the, like the area that I'm in, yeah.

CARLISLE: Okay, that's the little picture?

[redacted]: That's the, like the area I'm in, yeah.

CARLISLE: Okay.

[redacted]: In the fetal position.

CARLISLE: Okay. And so are you up against the wall, or just in the middle of the floor?

[redacted]: I'm probably about this far away from the wall.

CARLISLE: Okay.

[redacted]: So I'm not completely like up against it.

CARLISLE: And you had your eyeglasses on during it?

[redacted]: I did.

CARLISLE: Okay, do you wear them all the time?

[redacted]: I do.

CARLISLE: Okay.

[redacted]: Well, yeah, I wear either glasses or contacts.

CARLISLE: Okay.

[redacted] But it was nighttime, getting ready for bed, so I had my glasses on.

CARLISLE: Okay.

[redacted]**:** Yeah. And he -- so he broke them. I normally have studs in as well, and one of those was ripped out. So he's over me, punch, punch, punch, punch, and I'm screaming, Elliot, stop hurting me, stop hurting me. And finally he's crouched down enough, he's not on the floor like sitting and punching me, but he's crouched down to where I can like rabbit kick him and kick him that way. And that way he can lose his balance. And he did, and he fell a little bit backwards. And that's when I ran out of the room.

CARLISLE: When he's crouched over you, so he's not like sitting on you or anything like --

[redacted]**:** Uh-uh.

CARLISLE: When you say MMA style, it was just closed fists.

[redacted]**:** Uh-huh. Like standing over and just like this.

CARLISLE: Were both of his legs on either side of you, as if -- if he wanted to sit down, would he be sitting on you? Or was he off to the side?

[redacted]**:** Off to the side.

CARLISLE: Okay.

[redacted] As best I can remember. Yeah, off to the side.

CARLISLE: Now, when you're in your fetal position, are you facing the wall or facing the room?

[redacted] My back is facing the wall, so I'm facing











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[redacted] Uh-huh, yeah.

CARLISLE: -- and everyone's having a good time, so I'm assuming that means everyone in the group is drinking except Elliot?

[redacted] Yeah.

CARLISLE: Initially?

[redacted] At that point.

CARLISLE: Okay.

[redacted] Initially, yes.

CARLISLE: Okay. And so then, again hypothetically 10:00 p.m., about what time do you think you bought him his first drink?

[redacted] I'd say -- because we had been there for quite some time, so like maybe midnight, 1:00-ish, somewhere in that vicinity, because it was closer to the end of the night like thing. So I was getting ready to go -- go up there to buy a drink, and I was like, hey, you want something or whatever? And he's like, no, no. I'm like, are you sure? And he's like, ah, screw it, just get me a tequila and pineapple. Like, all right, done. So that's what I did. So yeah, maybe midnight, 1:00, somewhere around there.

CARLISLE: Okay. So he had that drink and then obviously, you know, I'm interested in his alcohol consumption, as well as anything, any

interactions he had with people or of note. How did that develop with regards to his drinking?

[redacted] Like I said, I only saw him have the one I got him, I got him one more, and then I think he had one other one after that. So I only saw three drinks. I didn't see him with anything prior to and I don't recall him with anything afterwards either. And, you know, I mean, like I -- like I gave it to him and I don't know if he gets a refill and I don't -- I don't see it, but I didn't -- I only saw three.

CARLISLE: Would you, from your observations, fairly confident at least, you know, that he didn't have anything to drink prior to you giving him his first one?

[redacted] Yeah, I'm very confident of that, yeah.

Okay.

[redacted] Yes. When I went up there I watched him make the drinks.

CARLISLE: And what I'm getting at is, is do you think it's plausible, just your own observations of being there, that either the bartender or someone else would have been able to add something extra to the drinks?

[redacted] I mean, I guess anything is possible. Like once you walk away from there, the amount of people that are in there, and if you're not holding your drink directly in front of you, or if it's down by your side yeah, someone could throw something in that. But I mean, I didn't see anything as far as the bartender aspect. No, I didn't see anything from him, but --

CARLISLE: Okay. And the one to three drink -- actually, you said -- you'll say pretty confidently that you saw Elliot have three drinks from that bar?

[redacted] Yeah, that's all I -- yeah. I know -- I know I purchased two for him, and then I think [redacted] or somebody after might have given him one more afterwards.

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.....we had a brief conversation as far as what had transpired during the night.

CARLISLE: Okay.

[redacted] Because she didn't -- you know, she was sick, had gotten sick, and had basically passed out, so.

CARLISLE: Okay.

[redacted] And, you know, in my mind as well, like Elliot, he seemed to be way -- like, he got very emotional. I don't know, I know we're probably going to get into that, but he got way more emotional, and it didn't -- it didn't seem right in comparison to what I had observed him drinking and what everybody else -- like everyone seemed a little bit more intoxicated than most. And it wasn't like out of a norm as far as what our drinks were. That's, I guess -- you know what I mean, I'm saying?

CARLISLE: Okay.

[redacted] Like it didn't seem like we were having more, we were consuming more alcohol, but it seemed like people were more intoxicated than what should have been.

CARLISLE: Okay, okay. So you're saying that you are a

little kind of suspicious about what exactly was put in those drinks?

[redacted] Yeah, definitely a little -- a little bit. And I remember thinking about, you know, like watching him pour them, and yeah, he pours them heavy, but I didn't -- It didn't -- things didn't seem to fit. Like, it

wasn't -- you know, something seemed a little bit off, for sure.

CARLISLE: Okay. But he was pouring from labeled bottles, you know --

[redacted] Yes.

CARLISLE: -- with normal brands on them.

[redacted] From what I saw, yes.

CARLISLE: Okay, okay.

[redacted] Yes, uh-huh.

CARLISLE: So yeah, moving on to, you know, your observations of Elliot. It seemed at some point here, you know, you'd been there for a few hours, he's had maybe three drinks. Is it possible that he had more than that? Or were you kind of nearby him or hanging out with him? Like I know it's a group and there's music, and I'm just, you know, with a big group, I think you guys were like.....

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that's when I believe I buy him his first drink. And then he has another one after that that I purchased. I think I purchased them both actually. And then he -- I think I saw him with one more later on. So from the time they left to the time -- because the place was -- everything was kind of shutting down and being done. And I think we were getting ready to go to get, catch the Ubers or whatever. So I went in and used the restroom or whatever. So that timeframe would be maybe 3:00-ish, is when we're getting ready to leave. So 2:30, 2:00 -- yeah, 2:30, 3:00 is when we're about to -- you know, I go in there and use the bathroom, come out, I see him, him and [redacted] are talking, he's crying, he's very emotional and like completely over the top as far as like intoxication. Like it went from -- it was like a switch. Like it went from fine to like he's had too much, you know? Like it didn't make -- it didn't -- I was like, wow, how'd that happen? Like, because I've never seen him to that extent ever. And I've hung out with him quite a bit. And he could -- he could put alcohol away. And that was not -- that was not indicative of what he had been doing that night. And it didn't -- those two things weren't jiving in my brain.

CARLISLE: Okay. So he's emotional. What does that look like?

[redacted] Like he's a guy that doesn't cry, and he was very -- crying. He was crying a lot, like, like deep. Like to hear him the way he was, it hurt. Like that's how -- that's how hard he was letting emotions out, and I could -- I could feel it. And he just -- he just said he's -- he really hurt

inside, and that's pretty much all he could do. He couldn't really stand up on his own. And then [redacted] and I basically, you know, arm over each of our shoulders and walked him, tried to get him to walk back to where the Ubers were. So it was a slow stagger for him. Like he could barely function. Like his feet weren't -- weren't moving right. He was -- he was pretty much dead weight, you know, at that point, you know. (Inaudible.)

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Okay.

[redacted] And basically it's just a little -- it's just basically a little bit of liquid. I don't recall any chunks or anything like that.

CARLISLE: Okay.

[redacted] A couple guys like came up and were like, ah Vegas, you know, yelling, and they put their cameras filming him, and right front of his face. I'm like, hey, man, get back or whatever. [redacted] was kind of like, kind of out front, kind of like, hey, come on, guys just, you know, be whatever. One of the guys basically like slapped her arm real hard or whatever. And at that point I asked [redacted], I was like, you got him? So I walked over there to kind of handle the altercation with some of those guys. And then they took off. And we -- [redacted] which I didn't realize at the time, was pretty intoxicated. He had fallen, him and Elliot had fallen. Elliot's, you know, 240, 50 pounds or whatever. And I thought he had it and he didn't. So I helped him, everybody get up, and then we went to the Ubers.

CARLISLE: Did you see them fall, or you just turned around and they were on the ground?

[redacted]**:** I didn't -- yeah, I just turned around and I saw them on the ground. I didn't see them fall.

CARLISLE: Okay.

[redacted] Because I asked, I was like, you got him? He's like, yeah, I got him. You know, and that's -- I kind of went on from there.

CARLISLE: When you were helping him up, did anyone say that they were hurt? Did it look like anybody had got hurt?

[redacted] No. No one had said anything. I mean, Elliot couldn't really -- he was very, like couldn't really talk much anyway. But no, uh-uh, he didn't -- nobody really said anything.

CARLISLE: Okay. I think you guys get into the Uber next.

[redacted] Yeah, we get in the Uber. Half of us get in the Uber, so I think it was it was [redacted], myself, Elliot, [redacted] and [redacted]. Actually, [redacted] I don't even know if was in the Uber with us. I don't remember if she was in there or not. But I know [redacted].....

not -- he couldn't -- there's no way he would have been able to walk in there on his own. He needed -- he needed help to get into the room.

CARLISLE: Okay.

[redacted] And like, when we laid him on the bed, there was no help from him. We just basically kind of plopped him on the bed and picked his legs up and slid him on there and left him.

CARLISLE: Was he -- was he talking at all at any point in time as you were making your way up to the hotel room?

[redacted]**:** I want to say he tried to mumble like, I'm sorry or something like that, you know, because he felt like he was like -- but that would have been about it, you know? I know he said maybe in the elevator that he hurt or whatever, cause [redacted] was like, hey, don't worry, we're going to take care of you. You know, we're going to get you the help you need, kind of thing.

CARLISLE: Okay, okay. And then, you know, I'll be a little more specific as to when you put him on the bed, can you describe like, you know.....

surprised that Elliot's calling. And again, I'll kind of ask the question, you know, was there any way that Elliot could have been calling you based on the condition you left him in the room?

[redacted]: No way. That's why I was so surprised.

CARLISLE: Okay, okay.

[redacted] That it was even going to be -- that it was him, but it wasn't him when I answered.

CARLISLE: Right. And so you answer the phone, and what is -- who's on the phone and what happens?

[redacted] I was like, hello? And [redacted] was like, Elliot just beat the shit out of me, I need your help. And I was like, okay, where are you? And she said she was on -- she was outside of [redacted] and [redacted]'s room on the 25th floor in the other tower. I was like, I'll be right there. So I put my clothes back on and went to her and she, as soon as I got off the elevator, cause I didn't realize this at the time, but I could have walked on the 25th floor. There was a walkway that went all the way to the other tower, I didn't know that. So, I went down the.....

time.

CARLISLE: And then when you saw her, what was your -- is that about kind of what you expected to see as far as injuries or?

[redacted] Oh, no. I was very taken back by her injuries, and I was -- I was very surprised. Like I did not -- like that's not what I expected to see.

CARLISLE: What were you expecting to see?

[redacted] I wasn't -- I wasn't -- I don't know if I even had an expectation, but that like -- that was a total surprise to me. Like I didn't -- I didn't -- that's not something I would have ever imagined between those two. I would have never -- Elliot has never, I've never seen him be like angry like that. Like that seemed like -- it just seemed -- it did not seem right. Still doesn't seem right. Like it was, it was very -- I was very taken back by it.

CARLISLE: And what you -- were you taking it back more or -- I guess it seems like there might be two things going on. One, there's your expectation or your knowledge of Elliot's personality and him as a person and his.....

She's got a pretty good lump on her -- above her right eye, and her, like her -- her cheeks were -- and her -- like the cheekbones were like a little swollen up. I didn't see any like black and blue or anything yet. But yeah, she definitely looked like she'd been punched a few times.

CARLISLE: Okay. Was she talking okay, or is any swelling or anything like that affecting her speech?

[redacted]**:** She was talking. She said it hurt. Like her -- she said her jaw hurt a little bit when she was trying to talk. And I specifically asked her, I was like, has he ever touched you before? And she said no. And I was like, has he ever done -- I think I said, has he ever done this before? She said, no, absolutely not. I was like, okay. So then I try -- I think the security guys showed up right around that same time. And I got on the phone trying to call [redacted], and I was knocking on her door at the same time. And then I heard [redacted] say, [redacted] and I turned around and they were -- they kind of took her off and they put her in like a.....

JUSTICE COURT, LAS VEGAS TOWNSHIP
CLARK COUNTY, NEVADA

LAS VEGAS JUSTICE COURT
FILE IN OPEN COURT
MAY 28 2024
BY: MM

THE STATE OF NEVADA,

Plaintiff,

-vs-

ELLIOTT LOPEZ #7138196,

Defendant.

JC CASE NO: 24CR025145

7

DA CASE NO: 202413587C

AMENDED
CRIMINAL COMPLAINT

The Defendant above named having committed the crimes of BATTERY RESULTING IN SUBSTANTIAL BODILY HARM CONSTITUTING DOMESTIC VIOLENCE (Category B Felony - NRS 200.481; 200.485; 33.018 - NOC 61677), in the manner following, to wit: That the said Defendant, on or about the 24th day of March, 2024, at and within the County of Clark, State of Nevada, did willfully and unlawfully use force or violence against or upon the person of his spouse, former spouse, any other person to whom he is related by blood or marriage, a person with whom he has had or is having a dating relationship, a person with whom he has a child in common, the minor child of any of those persons or his minor child, to wit: [redacted] by striking the said [redacted] on the head and/or face, resulting in substantial bodily harm.

All of which is contrary to the form, force and effect of Statutes in such cases made and provided and against the peace and dignity of the State of Nevada. Said Complainant makes this declaration subject to the penalty of perjury.

/s/ Sarah Overly
05/22/24

24CR025145/ed - DVU
LVMPD EV# LLV240300089696
(TK03)

24 - CR - 025145
ACRM
Amended Criminal Complaint
17141185

Justice Court, Las Vegas Township

CLARK COUNTY, NEVADA

THE STATE OF NEVADA,
Plaintiff,

- vs. -

Elliot H Lopez
Defendant.

CASE NO.: ~~Elliot~~ 24CR025145

DEPT. NO.: 7

BATTERY CONSTITUTING DOMESTIC VIOLENCE ADMONISHMENT OF RIGHTS
(For offenses occurring **on or after** JANUARY 1, 2022)

I am the Defendant in this case. I understand I am being charged with battery constituting domestic violence in having willfully and unlawfully committed an act of force or violence upon: (1) my spouse or former spouse; (2) a person I am dating or have dated; (3) a person with whom I have a child in common; (4) a person related to me by blood or marriage [except siblings and cousins with whom I am NOT in a custodial or guardian relationship]; (5) the minor child of any of the above; and/or (6) a person who has been appointed the custodian or legal guardian of my minor child (in violation of Nevada Revised Statutes 33.018/200.485).

I AM AWARE THAT BY PLEADING GUILTY OR NOLO CONTENDERE I AM ADMITTING THE STATE COULD FACTUALLY PROVE THE CHARGE(S) AGAINST ME.

I AM AWARE THAT I HAVE EACH OF THE FOLLOWING RIGHTS AND THAT I WILL BE GIVING UP THESE RIGHTS IF I PLEAD GUILTY OR NOLO CONTENDERE:

1. The right to a speedy trial;
2. The right to require the State to prove the charge(s) against me beyond a reasonable doubt;
3. The right to confront and question all witnesses against me;
4. The right to subpoena witnesses on my behalf and compel their attendance;
5. The right to remain silent and not be compelled to testify if there were a trial; and
6. The right to appeal my conviction except on constitutional or jurisdictional grounds.

I AM ALSO AWARE THAT MY PLEA OF GUILTY OR NOLO CONTENDERE MAY HAVE THE FOLLOWING CONSEQUENCES:

1. The State can use this conviction, and any other conviction from this or any other State which prohibits the same or similar conduct, to enhance the penalty for any subsequent offense;

2. I may be removed, deported, or excluded from entry into the United States or denied naturalization if I am not a citizen of the United States (in addition to other consequences provided by law).

3. If I am convicted of a misdemeanor or felony that constitutes domestic violence pursuant to NRS 200.485, or the same or substantially similar conduct in another jurisdiction, committed against or upon certain persons, owning or possessing or having in my custody or control any firearm will constitute a felony pursuant to NRS 202.360 and I will be ordered to permanently surrender, sell, or transfer any firearm that I own or that is in my possession or under my custody or control in the manner set forth in NRS 202.361.

   A person who violates any provision included in a judgment of conviction or admonishment of rights issued pursuant to 200.485 concerning the surrender, sale, transfer, ownership, possession, custody or control of a firearm is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be fined up to $5,000.00.

24-CR-025145
DVAD
Admonishment of Rights – BDV
17284730

DEFENDANT'S INITIALS: EL

DEFENDANT'S ATTORNEY'S INITIALS (if applicable): MGO

4. If I am convicted of a misdemeanor crime of domestic violence as defined in 18 U.S.C. § 921(a)(33) (which requires "the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim"), possessing, shipping, transporting or receiving a firearm or ammunition will constitute a felony pursuant to federal law.

CONSEQUENCES FOR ALL OFFENSES:

Sentencing is entirely up to the Court and the range of penalties outlined will apply (unless a greater penalty is provided pursuant to NRS 200.481, 200.485(2)-(5)).

In addition to any other penalty, the Court may order me to participate in an alcohol or drug treatment program; and the Court may refer a child under the age of 18 years to an agency which provides protective services if it appears the child may need counseling as a result of the commission of a battery which constitutes domestic violence.

"PRIOR" OFFENSES WITHIN 7 YEARS:

An offense constitutes a prior offense if it occurs within seven years of the instant offense, regardless of the sequence of offenses and convictions. An offense also constitutes a prior offense if the offense was dismissed in connection with successful completion of a diversionary program or specialty court program, or if the offense was conditionally dismissed pursuant to NRS 176A.290.

PENALTIES FOR A FIRST OFFENSE WITHIN 7 YEARS (MISDEMEANOR)

At least 2 days in jail but not more than 6 months; at least 48 hours, but not more than 120 hours, of community service; a fine of not less than $200, but not more than $1,000; mandatory participation in weekly counseling sessions of not less than 1 1/2 hours per week for not less than 6 months, at a certified agency, at my expense.

PENALTIES FOR A SECOND OFFENSE WITHIN 7 YEARS (MISDEMEANOR)

At least 20 days in jail but not more than 6 months; at least 100 hours, but not more than 200 hours, of community service; a fine of not less than $500, but not more than $1,000; mandatory participation in weekly counseling sessions of not less than 1 1/2 hours per week for not less than 12 months, at a certified agency, at my expense.

PENALTIES FOR A THIRD OFFENSE WITHIN 7 YEARS (FELONY)

A category B felony punishable by a sentence of imprisonment for at least 1 year but not more than 6 years; and a fine of at least $1,000 but not more than $5,000. A defendant is NOT eligible for probation for a third offense.

OFFENSES SUBSEQUENT TO FELONY OFFENSE(S) (FELONY):

Any violation of NRS 200.485, at any time after July 1, 2019, subsequent to any felony conviction for battery constituting domestic violence under NRS 33.018, or the laws of any other State prohibiting similar conduct, is a Category B felony, punishable by a sentence of imprisonment for at least 2 years, but not more than 15 years, and a mandatory fine of at least $2,000 but not more than $5,000. A defendant is NOT eligible for probation for offenses under this section. An offense is "subsequent to a felony offense" when a Defendant has a conviction for a felony battery constituting domestic violence regardless of whether the "prior" offense(s) occurred within 7 years and regardless of the sequence of offenses and convictions.

INITIAL #1 or #2 BELOW (Please do NOT initial both)

✓ 1. I am represented by an attorney in this case. My attorney has fully discussed these matters with me and advised me about my legal rights. My attorney is: Mat Pilato for Mike Micel, or

2. I have declined to have an attorney represent me and I have chosen to represent myself.

	[redacted]	7-9-24
DEFENDANT'S SIGNATURE	**DATE OF BIRTH**	**DATE**

I HAVE REVIEWED THIS ADMONISHMENT WITH MY CLIENT AND HE/SHE UNDERSTANDS THE RIGHTS HE/SHE IS WAIVING AND THE CONSEQUENCES OF HIS/HER PLEA OF GUILTY/NOLO CONTENDERE TO THE BATTERY CONSTITUTING DOMESTIC VIOLENCE CHARGE(S).

	15083
DEFENDANT'S ATTORNEY (if applicable)	**BAR NUMBER**

Justice Court, Las Vegas Township
Clark County, Nevada

Department: PC

Court Minutes



24-PC-025145 **State of Nevada vs. LOPEZ, ELLIOTT**

3/25/2024 9:00:00 AM Initial Appearance Justice Court (PC Review) Result: Matter Heard

PARTIES PRESENT:	State Of Nevada	Jobe, Michelle
	Defendant	LOPEZ, ELLIOTT
Judge:	Saxe, Rebecca	
Court Reporter:	Nelson, Bill	
Court Clerk:	Treadwell, Wendy	

PROCEEDINGS

Events: **Probable Cause Found**

72-Hour Hearing Completed

DA Denial Review Date: 4/24/2024

Released from Custody - DA Denial

Plea/Disp: **999: Domestic battery, first offense [50235]**
Disposition: DA Denial

Justice Court, Las Vegas Township
Clark County, Nevada

Department: 07

Court Minutes



24-CR-025145 **State of Nevada vs. LOPEZ, ELLIOTT** Lead Atty: Osvaldo E Fumo

5/16/2024 8:30:00 AM Arraignment (No Bail Posted) Result: Matter Heard

PARTIES PRESENT:	State Of Nevada Attorney	Lombardo, Morgan Stone, Kendall Suzanne
Judge:	Wilson, Amy	
Court Reporter:	Grime, Joanie	
Court Clerk:	Murray, Mikayla	

PROCEEDINGS

Attorneys: **Stone, Kendall Suzanne** LOPEZ, ELLIOTT — Added

Hearings: 5/21/2024 8:30:00 AM: Negotiations — Added

Events:

Arraignment Completed

Advised of Charges on Criminal Complaint, Waives Reading of Criminal Complaint

Counsel Confirms as Attorney of Record

K. Stone, Esq. for O. Fumo, Esq.

Discovery Given to Counsel in Open Court

Early offer received in open court

Continued For Negotiations

Justice Court, Las Vegas Township
Clark County, Nevada

Department: 07

Court Minutes



24-CR-025145 **State of Nevada vs. LOPEZ, ELLIOTT** Lead Atty: Osvaldo E Fumo

5/21/2024 8:30:00 AM Negotiations (No Bail Posted) Result: Matter Heard

PARTIES PRESENT:	State Of Nevada	Rose, Laura
	Attorney	Miceli, Michael J., ESQ
Judge:	Wilson, Amy	
Court Reporter:	Tavaglione, Dana	
Court Clerk:	Powers, Rissa	

PROCEEDINGS

Attorneys:	**Miceli, Michael J., ESQ** LOPEZ, ELLIOTT	Added
Hearings:	7/16/2024 10:30:00 AM: Jury Trial	Added
	7/8/2024 10:30:00 AM: Pretrial Conference	Added
Events:	**Court Continuance**	
	Matter set for Pretrial conference and Jury Trial	

Justice Court, Las Vegas Township
Clark County, Nevada

Department: 07

Court Minutes

L017141903

24-CR-025145 **State of Nevada vs. LOPEZ, ELLIOTT** Lead Atty: Osvaldo E Fumo

5/28/2024 8:30:00 AM Motion (No Bail Posted) Result: Matter Heard

PARTIES PRESENT:	State Of Nevada	Reeves, Taylor Renee
	Attorney	Miceli, Michael J., ESQ

Judge: Pro Tempore, Judge
Court Reporter: Grime, Joanie
Pro Tempore: Stoberski, Holly S.
Court Clerk: Murray, Mikayla

PROCEEDINGS

Hearings:

7/16/2024 10:30:00 AM: Jury Trial	Canceled
7/9/2024 10:30:00 AM: Preliminary Hearing	Added
7/8/2024 10:30:00 AM: Pretrial Conference	Canceled

Events:

Motion

by State to Amend Criminal Complaint - Motion Granted

Amended Criminal Complaint

Filed in Open Court

Future Court Date Vacated

07/08/2024 10:30 AM
07/16/2024 1:30 PM

Plea entered by Counsel

Charges:

Amended: 001: Battery which constitutes domestic violence with substantial bodily harm	Amended Complaint Filed

Plea/Disp:

002: Domestic battery, first offense [50235]
Disposition: Dismissed

Justice Court, Las Vegas Township
Clark County, Nevada

Department: 07

Court Minutes

L017284742

24-CR-025145 **State of Nevada vs. LOPEZ, ELLIOTT** Lead Atty: Osvaldo E Fumo

7/9/2024 10:30:00 AM Preliminary Hearing (No Bail Posted) Result: Matter Heard

PARTIES PRESENT:	State Of Nevada	Overly, Sarah
	Attorney	Pitaro, Nicholas D.
	Defendant	LOPEZ, ELLIOTT

Judge: Wilson, Amy
Court Reporter: Grime, Joanie
Court Clerk: Murray, Mikayla

PROCEEDINGS

Attorneys: **Pitaro, Nicholas D.** LOPEZ, ELLIOTT — Added

Hearings: 8/6/2024 8:30:00 AM: Status Check on Requirements — Added

Events:

Per Negotiations, State Amends Charge(s) to Misdemeanor

Defendant Waives the Right to Trial

Defendant Waives Right to Jury Trial

Admonishment of Rights - BDV

Filed in open Court

Domestic Violence Counseling Referral Form

Provided to Defendant in Open Court

Status Check on Requirements

Defendant to have 4 classes completed and mental health evaluation at least scheduled by the first status check date.

Presence Waived

of defendant if compliant with requirements.

Charges: **Amended: 001: Domestic battery, first offense** — Per Negotiations

Plea/Disp: **001: Domestic battery, first offense [50235]**

Plea: Nolo Contendere

Disposition: Adjudication Deferred

Sentence: Interim Sentence - Final Disposition Pending

Suspended Jail Sentence	7/9/2024 -	Active (7/9/2024)
120 Days		
Stay Out of Trouble	7/9/2024 -	Active (7/9/2024)
Anger Management Counseling	7/9/2024 -	Active (7/9/2024)
13 Classes		
Community Service Mandatory Hours DV1	7/9/2024 -	Closed (7/9/2024)

Credit for time served - 48 hours

Defendant Sentenced to 2 Days Jail	7/9/2024 -	Closed (7/9/2024)
with 2 Days Credit for Time Served		
No Contact With Victim	7/9/2024 -	Active (7/9/2024)
[redacted]		
Mental Health Evaluation	7/9/2024 -	Active (7/9/2024)
To follow recommendations.		
If so, to be dismissed	7/9/2024 -	Active (7/9/2024)

Imposed Fees

Cash Bond Criminal Deferred Disposition Fee	$345.00
Fee Totals:	**$345.00**

Comment: Defendant received credit for time served on Mandatory Community Service Hours and Cash Bond.

Justice Court, Las Vegas Township
Clark County, Nevada

Department: 07

Court Minutes



24-CR-025145 **State of Nevada vs. LOPEZ, ELLIOTT** Lead Atty: Osvaldo E Fumo

8/6/2024 8:30:00 AM Status Check on Requirements (No bail posted) Result: Matter Heard

PARTIES PRESENT:	State Of Nevada	Reeves, Taylor Renee
	Attorney	Miceli, Michael J., ESQ
Judge:	Wilson, Amy	
Court Reporter:	Grime, Joanie	
Court Clerk:	Murray, Mikayla	

PROCEEDINGS

Hearings: 11/5/2024 8:30:00 AM: Status Check on Requirements — Added

Events:

Defendant Stayed Out of Trouble

Court Continuance

Status Check on Requirements

Defendant to provide proof of thereapy by the next statuts check date.

Requirements Status Note

4 classes completed.

[redacted] 3:59
Oh no.

Bechler, Raymond@POST 4:01
OK.
All right, let's go ahead and begin now.
All the administrative stuff is stated…OK.

[redacted] 4:04
Yeah. OK.

Bechler, Raymond@POST 4:08
So Elliot, you were arrested on March the 23rd of 2024 for domestic violence while in Las Vegas.
Can you tell me what happened that day?

[redacted] 4:19
The only thing that I remember if we start about midnight is we were on Fremont Street.
We were hanging out with a bunch of friends. I wasn't having any alcohol whatsoever.
Sorry, I wasn't actively drinking.
I'd had like one or two drinks earlier in the evening.
I haven't really had anything after midnight and then one of our friends left.
Somebody handed me.
A.
Tequila and pineapple.
Drink a very large like drink.
It wasn't like a just a glass.
I was actually very large.

Bechler, Raymond@POST 4:55
OK.

[redacted] 4:56
I requested not to have it, you know? Like. Nope. Take it. Enjoy yourself.
I'm like, OK.
I'll do one just one.
Next thing I know, one turns into two and then I said hey, I just said one, but like I was told to buy this for you. Take it.
And they lowered hand it to me.

And then the third one and 4th one. I kind of remember don't really remember.
Next thing I remember, we're hanging out with some kid that's kind of like trying to make a couple bucks on Fremont Street. And one of those circle things, and we're just talking to him or shooting the **** we're trying to give him money. And that's the last thing.
I remember.
And then after that, I wake up in my room and security's talking to me.
They're OK.
There's been an incident.
Multiple people have called.
You need to come with us.
And I'm like, OK.
So it's very hard, I'm extremely intoxicated.
Actually kind of throw up on myself at one point.
They stand me up and they're like, hey, where you need to put your handcuffs. And I say, hey, I have a really bad shoulders.
Can you poop in, too, but like, absolutely.
So they put me in two sets of handcuffs, end up walking me down stairs where I sit and like, say.

Bechler, Raymond@POST 6:09
And this is, and this is security OK?

[redacted] 6:11
Security. Yeah. The security for the hotel. Yeah. Then walking me downstairs, they sit me in like a little holding area. And then Metro PD pulls up and they starts.
Kind of talking to me and I'm kind of trying to figure out what's going on and then ultimately from listening to them talking the whole way, I figured out that.
[redacted] had been assaulted and they were claiming that I had been assaulted.

Bechler, Raymond@POST 6:39
OK.

[redacted] 6:42
Yeah, that's all the recollection of any of those events in between that I had.

Bechler, Raymond@POST 6:49
OK. And eventually, though, Las Vegas metro police ultimately arrested you and took you to the booking at was it Clark County Correctional Facility?

[redacted] 6:56

Yeah.
Brook.

Bechler, Raymond@POST 7:02
OK.
And you eventually went through a court process, correct?

[redacted] 7:07
Humm…..

Bechler, Raymond@POST 7:08
What was the outcome of that court process?

[redacted] 7:10
The case has been completely dismissed.

Bechler, Raymond@POST 7:13
OK. And were there terms of that dismissal that you had to meet?

[redacted] 7:18
Yes. So the first term or the they actually refused to press charges in the beginning.
They're like, hey, we're going to charge you with misdemeanors, and they're like, weren't there anything?
This isn't. There's nothing here.
And they let me go.
I'm like, OK, cool. And then [redacted] and her attorney actually called.
And they said, hey, no, we need to press charges.
This is what we need to do and they update the felonies.

Bechler, Raymond@POST 7:46
OK.

[redacted] 7:46
So.

Bechler, Raymond@POST 7:46
So hang on.
So, Elliot, you're saying that initially the DA's office was not going…the district attorney's office was not going to press charges. And then, OK, your [redacted] and her attorney contacted the DA's office, and they subsequently filed? OK.

[redacted] 7:54
Correct.
Yes.
On the other, subsequently filed when I showed up to court, they said you can flee basically no contest to a misdemeanor.
And.
You have six month probation.
You need to take 13 weeks of anger management classes and go to mental health evaluation and then so I did that.
Well, so here's the ****** part. Is they basically said.
You can do that or you can try to fight it. But if you get all guilty, you'll go to prison for minimum one year.

BR **Bechler, Raymond@POST** 8:37
OK.

[redacted] 8:37
And you got you got like 10 minutes to decide.
I was like, what the hell am I going to answer? All kinds of stuff.
So I basically planned my content to a misdemeanor.

BR **Bechler, Raymond@POST** 8:49
OK, so that was a plea.
That was not a diversion.
And then you had to do all those requirements within that in order to meet that plea agreement, correct?

[redacted] 9:03
Correct, correct.

BR **Bechler, Raymond@POST** 9:04
OK.
OK.
Well, thanks for that, Elliot.
Well, let me… can I...
You initially started our conversation with from what I remember.
What? Why don't you remember?
What is the cause of you not recalling so much?

[redacted] 9:23
I was extremely intoxicated and I'm a diabetic and when I got to Clark County, the pension center, they checked my blood sugar at about 11:12 in the morning.

Bechler, Raymond@POST 9:36
Mm-hmm.

[redacted] 9:38
And my blood sugar was still over 400.
So yeah, I don't know if that was combination of being so drunk or kind of like a diabetic.

Bechler, Raymond@POST 9:42
OK.

[redacted] 9:52
Going into like a diabetic.
I would say coma, but I can diabetic episode because it was so high.

Bechler, Raymond@POST 9:58
OK.

[redacted] 10:00
Yeah. So that's why I have.

Bechler, Raymond@POST 10:01
OK.

[redacted] 10:02
That's why I have no recollection of those events whatsoever.

Bechler, Raymond@POST 10:06
OK. And Elliot, can I take you back, do you?
Do you is it?
Is it normal for you to drink alcoholic beverages with your diabetic?

[redacted] 10:16
I do, but I don't drink.
And excess like that I go.

Bechler, Raymond@POST 10:19
OK.

[redacted] 10:20
I'll drink like one or two drinks a night. Actually, for the most part, stop drinking.
My normal drink is a Malibu so rum and pineapple is what I normally drink.

Bechler, Raymond@POST 10:30
OK, right, right.

[redacted] 10:33
And.
That's usually what I drink.
It's nowhere near as far as tequila.
A friend of ours actually took and.
They asked for tequila.
Instead of Malibu, it was very, very it was a very strong group.

Bechler, Raymond@POST 10:49
OK.

[redacted] 10:50
So that's why that's why I only wanted one after.
Like, hey, I'll just take one and then I got to the bottom of that one and somebody rips out of my hand.
Another one of my hand and they were like, hey, you were told to buy it for you.
I'm like, no, I just want the one that I kept.
You have to drink it here.
So I drank the second one and then third one came.

Bechler, Raymond@POST 11:05
OK.
OK. Elliot, can you?

[redacted] 11:10
Granted. Granted, I was sorry. I will say this.
Granted, no one had a gun to my head that said you have to drink, so yeah.

Bechler, Raymond@POST 11:15

Correct. Can you tell me, can you walk me through how many drinks you had?
You said you weren't drinking very much up until midnight and then after midnight you, consumed more.

[redacted] 11:27
Yes, yes.

Bechler, Raymond@POST 11:28
How many would you say that you consumed, let's say from midnight until?
Just from what you can remember.

[redacted] 11:38
Oh.
Three, maybe 4.

Bechler, Raymond@POST 11:42
And are you talking just a just a normal 8 oz or six ounce pour of a drink? Or how much would you say?

[redacted] 11:47
Oh.
No, these are big.
They were, like almost like a 711 slurpy cup type things.
They were huge drinks.

Bechler, Raymond@POST 11:56
OK, so four of those.

[redacted] 11:57
So that's why that's yeah, three or four of those. That's why I didn't want them because. They were so big. And I haven't drinking so long.
I knew that I would get pretty drunk if I drink them.

Bechler, Raymond@POST 12:05
OK. When you say a 711 type drink, I'm thinking a 32 ounce cup.
Is that what you're saying? OK.

[redacted] 12:09
Yeah, yeah, yeah.

Like a 32 ounce type cup.
Yeah, it was big.

Bechler, Raymond@POST 12:13
OK. And again, that was with pineapple juice and Malibu rum.

[redacted] 12:18
No, no, no.
I was pineapple juice and tequila.

Bechler, Raymond@POST 12:21
And the tequila. OK, all right.

[redacted] 12:23
Yeah, yeah.

Bechler, Raymond@POST 12:23
Do you remember within a how long of a time frame were those shrinks consume?

[redacted] 12:33
OK, let me tell you. I got to tell you what time I started drinking.

Bechler, Raymond@POST 12:35
OK, OK.

[redacted] 12:36
Till what time I finished anything?

Bechler, Raymond@POST 12:37
OK.
Can I have you ever drink in that much alcohol in the past while being a diabetic while being a diabetic? And did you ever have a go?

[redacted] 12:45
Oh yes.
Yes.
Yeah, I haven't drank that much.
And no, I did not.
I have not had an episode where I was angry or fighting or anything.
I've never done that.

Bechler, Raymond@POST 13:03
OK. Have you ever had?
Have you ever? Have you ever had while drinking that much being diabetic had a blackout event?

[redacted] 13:11
Yes, I have left out before.

Bechler, Raymond@POST 13:14
OK, but being angry or violent is not typical.

[redacted] 13:18
No, no, not even now.
Like, I'll go out and we'll have a drink or two, but I don't get angry.
I don't start trying to fight people.
I don't none of that stuff.

Bechler, Raymond@POST 13:28
OK. And again, you were out with friends that you met there for the cigar conference. From what I understand.

[redacted] 13:35
Yes.

Bechler, Raymond@POST 13:36
OK, so you were you had already been there for several days and it was pretty much uneventful up until this this night on the 23rd.

[redacted] 13:46

Bechler, Raymond@POST 13:47
All right.
And you and Victim have been [redacted] for how long?

[redacted] 13:53
14 years we've been together for 18.

Bechler, Raymond@POST 13:56

OK. All right.
Can I just now dial in on when you were, what do you remember getting into an Uber to get to the hotel?

[redacted] 14:08
No.

Bechler, Raymond@POST 14:09
Do you remember your friends helping you, escorting you to the bed of your hotel room?
Do you remember [redacted] kind of nudging you so that she could get some bed space in the bed?

[redacted] 14:25
No.

Bechler, Raymond@POST 14:27
Do you remember Victim waking you up and mentioning the name of [redacted]?
Do you remember at all? Striking, punching, kicking. Pushing.
Victim that night.
You don't remember any of that?

[redacted] 14:47
None of that.

Bechler, Raymond@POST 14:48
So and again, can you tell me when you actually became aware that something was even the matter?

[redacted] 14:58
He was planning on the door, requesting I open the door.

Bechler, Raymond@POST 15:02
OK. All right.
OK.
Elliot, do you? Do you have any?
Thought process as you think now that it's it happened a while ago. You've had time to think this thing through.
Is there anything that you can think that may have caused you to act in the way that you did?

[redacted] 15:35

So here's the here's the kicker.
I'm a big dude.
And even now, I'm going through this therapy every six.
Dude, you're pretty big. You're pretty solid.
I'm like, Yep. And I'm. I'm a week out of a motorcycle crash, and I'm already standing up on one leg by myself to get in and out of bed with a fracture on my left leg.
I'm a pretty strong, pretty big guy.
100% I do not believe I even did it.
I don't believe that I struck her in any way and I believe that I swung in any way.
I believe that this was a sheer anger on her end because I was anger on her end.

Bechler, Raymond@POST 16:13
I'm sorry. A sheer what?

[redacted] 16:18
And she got upset because I was talking to someone else and I believe she did to herself because again, I'm diabetic and want to get a bruise or whatever, a scar, scratch anything that stays on my body for months and months and months.
I had 0 scratches.
I had 0 injuries on my hands.
I had nothing to my face and nothing to my leg.
It was 0.
And for her to say that she felt that I was trying to take her life because I was getting hurt so hard and going after her so crazy, I don't know.
I don't care who you are. You're going to fight for your life.
You're not just going to cower there. Just take it.
And again, if I am hitting you as hard as she says, I'm hitting you.
I'm going to break your teeth out.
I'm going to break your eye out.
I'm going to break your nose.
I'm going to break you.
I saw the pictures.
There's definitely superficial wounds, but there's no way that I would hit you in as big as I am and as angry as she said I was and trying to go after her like she said I was and not physically leave.
A somehow of a broken bone. You know what I mean?
So in my mind, there's no way I did any of what she's claiming I did.

Bechler, Raymond@POST 17:26
Yeah.

And for what reason you guys were [redacted] for 11 years, been together for 18, I think you said.

[redacted] 17:38
That we were [redacted] for, that we were [redacted] for 14.

Bechler, Raymond@POST 17:38
For.
OK.
So for what reason would she do this and make this claim and do the injuries to herself?

[redacted] 17:43
Thank you.
Because she has always said that if I wasn't with her that she would completely ruin me. And she knows that the highway patrol… that leaving in law enforcement is the.
The best thing in my life I love since I was a kid, my aunt told me to this day that I was in a diaper.
My (inaudible…) cop come and I run to the fence and jump on the on the fence and be like I'm going to do that one day.
I'm going to do that one day.
So (inaudible).. it is my, it is who not who I am, but it's what I do is what I love doing.
And I'm not that ******* cop that cops had sits in those conversations with people.
And I love it in no end.
I do the peer support thing because I think mental health is extremely important, especially on our end of law enforcement.
So I love doing being well-rounded all the way around.
It's there's nothing more that I love.
And he wants nothing more than to take that love of.
What I want away from me, she's trying to completely ruin everything I have and take it away. If she would be happy if I told myself honestly.
Which is sad because we were together for 18 years.
So she wants to make it so that I have absolutely nothing.
Even when I went to court this last.
The beginning of July.
He wanted me to have five years' probation.
For restraining order.
And then she goes, hey, when are you doing the?
Interview or what do you do? The posting or whatever your job back and I'm like, well, I can't do it until this is over.
They're like, OK.

Well, we'll give you a nine month stay.
Of not doing anything once. If you do something, then we'll start us over again.
Or if you decide not to do a lot of portion, then we'll do a restraining order.
It's almost like a like. We'll let you get your job back because that's going to give us money in our pocket in the long run.
And it's just and I, I and I get it.
She's a woman scorned, like they say, but.
It just.
I can't live.
There's. I can't live that way and I don't understand how other people can live that way, if that makes sense.
This was spite and hate and all that in their heart and just trying to completely kill people and ruin people and people. Throughout the years we were together.
Left her. She would ruin me.
So and I had already asked her for a [redacted] a month before.

BR **Bechler, Raymond@POST** 20:20
A month before going… to Vegas, you asked her for a [redacted].

[redacted] 20:20
So the only reason I went, yeah.
Yeah, the Saturday.
The last Saturday of February, after ..i asked for a [redacted].

BR **Bechler, Raymond@POST** 20:31
How did she take that?

[redacted] 20:33
She wasn't happy. She was ******.
She's very upset.

BR **Bechler, Raymond@POST** 20:36
Has she ever had?
Has she ever been violent towards you in the past?

[redacted] 20:38
And.
Yes, yes, we in 2019, we went to Vegas for.
Thoughtful and one of the gals back home.
We'll just shoot the ****, she said.

Was sending me nude pictures and my ex went through my phone spelled with pictures and while I was drunk.
The started kicking me while I was on the floor.
I started barking the toilet and she was upset and she started kicking me and kicking me and kicking me in the stomach and abdomen while I was on the ground.
So I didn't call the cops.
I didn't do anything.
I just left it as is.
I was like, Nope, I get it.
I got the same way. You're mad.
So.

Bechler, Raymond@POST 21:24
OK. Elliot, I don't have any more questions other than I want to.
If you could.
Could you just summarize your explanation of what a defense would be for you? I hear you saying that you don't remember.
But can you just give me an explanation of what your defense would be on this case?

[redacted] 21:48
A defense for why it happened or defense for why?

Bechler, Raymond@POST 21:52
Whether it you're saying you don't even think it that you did it, but you think that she may have done it to herself, but if you just give me if we were in a court of law, you're right before the judge, what would you say? This is my.
Defense.

[redacted] 22:09
If you look.

Bechler, Raymond@POST 22:09
Do you think it was the alcohol blackout?
Do you think it was?
It was imposed by her or. However, what is? I'm just trying to get your mindset.

[redacted] 22:17
If you look at my past and even my current work situation.
Not a violent person.
There's nothing.

I've never drank and started fighting.
I've never done. I've never been violent towards her and revealed that each other.
Over the years, I've never been by my torso.
I've never been violent towards anybody, but yeah, I get into fights at work, but it was because of they were fighting me and I could take control.
So yeah, we're getting to fights, but I'm not a violent person, and that is what upsets me the most about this is the few friends that did stay on my side and did talk to me about it for like, it's not you, man.
There's 100% that you.
I can't see you doing that like you were the guy that when people were arguing, you would come up.
And you would calm them down and even.
Now I have friends that.
Are going through a hard time, so they'll call me.
Because.

BR **Bechler, Raymond@POST** 23:24
Ellie, are you there?

[redacted] 23:26
Yeah.

BR **Bechler, Raymond@POST** 23:27
OK.
No, it's OK.

[redacted] 23:28
Sorry.
I'm. I'm I'm yeah.

BR **Bechler, Raymond@POST** 23:30
You're OK.
Take your time.
Take your time.
Take the time you need.

[redacted] 23:34
I mean, it's not another guy that's not me. I'm not.
The monster she's trying to portray me to be.

Bechler, Raymond@POST 23:45
OK, Elliot.
Well, that's all the questions on the list I have.
Yeah, I'll. I'll leave the final word for you. If you wanted to say something that would be helpful and making determinations moving forward. But I also wanted to get on record.
I don't think initially I said your name.
I just want to make sure the record knows that I'm talking to Elliot Lopez.
From the California Highway Patrol.

[redacted] 24:07
Yes.

Bechler, Raymond@POST 24:07
And so, Elliot, I'll leave the last word for you.
And.

[redacted] 24:14
I just hope that this.
I hope that I can get my job back.
That's all.
That's all it is, is.
I'm I'm a good.
I'm a horrible 'cause. I don't like running crashes or running speeding tickets, but I'm good cop so.

Bechler, Raymond@POST 24:31
OK.
All right.
I'm going to go off.

[redacted] 24:32
So.

Bechler, Raymond@POST 24:34
I'm going to go off tape here.

[redacted] 24:34
Oh my God.

NRS 33.018
Acts which constitute domestic violence

- exceptions.

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1. Domestic violence occurs when a person commits one of the following acts against or upon the person's spouse or former spouse, any other person to whom the person is related by blood or marriage, any other person with whom the person has had or is having a dating relationship, any other person with whom the person has a child in common, the minor child of any of those persons, the person's minor child or any other person who has been appointed the custodian or legal guardian for the person's minor child:

(a) A battery.

(b) An assault.

(c) Coercion pursuant to NRS 207.190.

(d) A sexual assault.

(e) A knowing, purposeful or reckless course of conduct intended to harass the other person. Such conduct may include, but is not limited to:

(1) Stalking.

(2) Arson.

(3) Trespassing.

(4) Larceny.

(5) Destruction of private property.

(6) Carrying a concealed weapon without a permit.

(7) Injuring or killing an animal.

(8) Burglary.

(9) An invasion of the home.

(f) A false imprisonment.

(g) Pandering.

2. The provisions of this section do not apply to:

(a) Siblings, except those siblings who are in a custodial or guardianship relationship with each other; **or**

(b) Cousins, except those cousins who are in a custodial or guardianship relationship with each other.

3. As used in this section, "dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement. The term does not include a casual relationship or an ordinary association between persons in a business or social context.

Location: https://nevada.public.law/statutes/nrs_33.018

Original Source: Section 33.018 — Acts which constitute domestic violence; exceptions., https://www.leg.state.nv.us/NRS/NRS-033.html#NRS033Sec018 (last accessed May 10, 2025).

NRS 200.485 Battery which constitutes domestic violence: Penalties

- referring child for counseling
- restriction against dismissal, probation and suspension
- notice of prohibition against owning or possessing firearm
- order to surrender, sell or transfer firearm
- penalty for violation concerning firearm
- definitions.

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1. Unless a greater penalty is provided pursuant to subsections 2 to 5, inclusive, or NRS 200.481, a person convicted of a battery which constitutes domestic violence pursuant to NRS 33.018:

(a) For the first offense within 7 years, is guilty of a misdemeanor and shall be sentenced to:

(1) Imprisonment in the city or county jail or detention facility for not less than 2 days, but not more than 6 months; **and**

(2) Perform not less than 48 hours, but not more than 120 hours, of community service.

↪ The person shall be further punished by a fine of not less than $200, but not more than $1,000. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge or justice of the peace, except that each period of confinement must be not less than 12 consecutive hours and must occur at a time when the person is not required to be at his or her place of employment or on a weekend.

(b) For the second offense within 7 years, is guilty of a misdemeanor and shall be sentenced to:

(1) Imprisonment in the city or county jail or detention facility for not less than 20 days, but not more than 6 months; **and**

(2) Perform not less than 100 hours, but not more than 200 hours, of community service.

↪ The person shall be further punished by a fine of not less than $500, but not more than $1,000. A term of imprisonment imposed pursuant to this paragraph may be served intermittently at the discretion of the judge or justice of the peace, except that each period of confinement must not be less than 12 consecutive hours and must occur at a time when the person is not required to be at his or her place of employment or on a weekend.

(c) For the third offense within 7 years, is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not less than $1,000, but not more than $5,000.

2. Unless a greater penalty is provided pursuant to subsection 3 or NRS 200.481, a person convicted of a battery which constitutes domestic violence pursuant to NRS 33.018, if the battery is committed by strangulation as described in NRS 200.481, is guilty of a category C felony and shall be punished as provided in NRS 193.130.

3. Unless a greater penalty is provided pursuant to NRS 200.481, a person who has been previously convicted of:

(a) A felony that constitutes domestic violence pursuant to NRS 33.018;

(b) A battery which constitutes domestic violence pursuant to NRS 33.018, if the battery is committed with the use of a deadly weapon as described in NRS 200.481; **or**

(c) A violation of the law of any other jurisdiction that prohibits the same or similar conduct set forth in paragraph (a) or (b),

↪ and who commits a battery which constitutes domestic violence pursuant to NRS 33.018 is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 2 years and a maximum term of not more than 15 years, and shall be further punished by a fine of not less than $2,000, but not more than $5,000.

4. Unless a greater penalty is provided pursuant to NRS 200.481, a person convicted of a battery which constitutes domestic violence pursuant to NRS 33.018, if the battery is committed against a victim who was pregnant at the time of the battery and the person knew or should have known that the victim was pregnant:

(a) For the first offense, is guilty of a gross misdemeanor.

(b) For the second or any subsequent offense, is guilty of a category B felony and shall be punished by imprisonment in the state prison of a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not less than $1,000, but not more than $5,000.

5. Unless a greater penalty is provided pursuant to NRS 200.481, a person convicted of a battery which constitutes domestic violence pursuant to NRS 33.018, if the battery causes substantial bodily harm, is guilty of a category B felony and shall be punished by imprisonment in the state prison of a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not less than $1,000, but not more than $5,000.

6. In addition to any other penalty, if a person is convicted of a battery which constitutes domestic violence pursuant to NRS 33.018, the court shall:

(a) For the first offense within 7 years, require the person to participate in weekly counseling sessions of not less than 1 1/2 hours per week for not less than 6 months, but not more than 12 months, at his or her expense, in a program for the treatment of persons who commit domestic violence that has been certified pursuant to NRS 439.258.

(b) For the second offense within 7 years, require the person to participate in weekly counseling sessions of not less than 1 1/2 hours per week for 12 months, at his or her expense, in a program for the treatment of persons who commit domestic violence that has been certified pursuant to NRS 439.258.

➥ If the person resides in this State but the nearest location at which counseling services are available is in another state, the court may allow the person to participate in counseling in the other state in a program for the treatment of persons who commit domestic violence that has been certified pursuant to NRS 439.258.

7. Except as otherwise provided in this subsection, an offense that occurred within 7 years immediately preceding the date of the principal offense or after the principal offense constitutes a prior offense for the purposes of this section:

(a) When evidenced by a conviction; **or**

(b) If the offense is conditionally dismissed pursuant to NRS 176A.290 or dismissed in connection with successful completion of a diversionary program or specialty court program,

➥ without regard to the sequence of the offenses and convictions. An offense which is listed in paragraph (a), (b) or (c) of subsection 3 that occurred on any date preceding the date of the principal offense or after the principal offense constitutes a prior offense for the purposes of this section when evidenced by a conviction, without regard to the sequence of the offenses and convictions. The facts concerning a prior offense must be alleged in the complaint, indictment or information, must not be read to the jury or proved at trial but must be proved at the time of sentencing and, if the principal offense is alleged to be a felony, must also be shown at the preliminary examination or presented to the grand jury.

8. In addition to any other penalty, the court may require such a person to participate, at his or her expense, in a program of treatment for an alcohol or other substance

use disorder that has been certified by the Division of Public and Behavioral Health of the Department of Health and Human Services.

9. If it appears from information presented to the court that a child under the age of 18 years may need counseling as a result of the commission of a battery which constitutes domestic violence pursuant to NRS 33.018, the court may refer the child to an agency which provides child welfare services. If the court refers a child to an agency which provides child welfare services, the court shall require the person convicted of a battery which constitutes domestic violence pursuant to NRS 33.018 to reimburse the agency for the costs of any services provided, to the extent of the convicted person's ability to pay.

10. If a person is charged with committing a battery which constitutes domestic violence pursuant to NRS 33.018, a prosecuting attorney shall not dismiss such a charge in exchange for a plea of guilty, guilty but mentally ill or nolo contendere to a lesser charge or for any other reason unless the prosecuting attorney knows, or it is obvious, that the charge is not supported by probable cause or cannot be proved at the time of trial. Except as otherwise provided in this subsection, a court shall not grant probation to or suspend the sentence of such a person. A court may grant probation to or suspend the sentence of such a person:

(a) As set forth in NRS 4.373 and 5.055; **or**

(b) To assign the person to a program for the treatment of veterans and members of the military pursuant to NRS 176A.290 if the charge is for a first offense punishable as a misdemeanor.

11. In every judgment of conviction or admonishment of rights issued pursuant to this section, the court shall:

(a) Inform the person convicted that he or she is prohibited from owning, possessing or having under his or her custody or control any firearm pursuant to NRS 202.360; **and**

(b) Order the person convicted to permanently surrender, sell or transfer any firearm that he or she owns or that is in his or her possession or under his or her custody or control in the manner set forth in NRS 202.361.

12. A person who violates any provision included in a judgment of conviction or admonishment of rights issued pursuant to this section concerning the surrender, sale, transfer, ownership, possession, custody or control of a firearm is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than $5,000. The court must include in the judgment of conviction or admonishment of rights a statement that a violation of such a provision in the judgment or admonishment is a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than $5,000.

13. As used in this section:

(a) "Agency which provides child welfare services" has the meaning ascribed to it in NRS 432B.030.

(b) "Battery" has the meaning ascribed to it in paragraph (a) of subsection 1 of NRS 200.481.

(c) "Offense" includes a battery which constitutes domestic violence pursuant to NRS 33.018 or a violation of the law of any other jurisdiction that prohibits the same or similar conduct.

Location: https://nevada.public.law/statutes/nrs_200.485

Original Source: Section 200.485 — Battery which constitutes domestic violence: Penalties; referring child for counseling; restriction against dismissal, probation and suspension; notice of prohibition against owning or possessing firearm; order to surrender, sell or transfer firearm; penalty for violation concerning firearm; definitions., https://www.leg.state.nv.us/NRS/NRS-200.html#NRS200Sec485 (last accessed May 10, 2025).

PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

February 5, 2026
AGENDA
10:00 AM

Meeting Location: CA Commission on POST Headquarters, 860 Stillwater Road - Training Rooms A/B, West Sacramento, CA 95605.

The Peace Officer Standards Accountability Advisory Board (Board) operates under the requirements set forth by the Bagley-Keene Open Meeting Act (Bagley-Keene) under Government Code sections 11120 through 11132. Bagley-Keene generally requires that the Board publicly notice meetings, prepare agendas, allow public participation, and conduct meetings in a location accessible to public members unless specifically authorized by Bagley-Keene to meet in closed session.

Public comment will be limited in time at the discretion of the Board Chair. The public comment period preceding items on the agenda will allow members of the public to comment on items not on the agenda but that are within the Board's jurisdiction. The Board cannot act on or deliberate on items not on the agenda and can discuss the matter only to the extent necessary to determine whether it should be made an agenda item at a future meeting, to respond briefly to statements or questions posed during public comment or to request clarification, or to refer the item to staff. Agenda items may be taken out of order and action (e.g., voting) may be taken on any agenda item. Public comment relating to each item on the agenda will be allowed at the time each matter is heard. Members of the public who wish to participate during public comment may do so in person by attending the meeting, or, as stated hereafter, by telephonic means or by submitting written public comment.

Written public comment is intended to allow members of the public, if unable to attend in person, an opportunity to participate to the same degree as if they attended in person; as such, written comments should be limited to no more than three pages in length and longer written comment will not be accepted or distributed to Board members. To be considered for inclusion in the meeting record, written comments by no later than 10 a.m. on the fourth business day before the scheduled meeting. Accepted written public comments will be published on POST's website under the Public Comment section under the corresponding meeting date. Written public comments can be submitted via email to posadpc@post.ca.gov. Telephonic public comment can be made by dialing (916) 866-9583 and following the prompts provided.

Persons requesting disability-related accommodations or modifications may do so by contacting the Board assistant at (916) 227-3909 (voice), posadpc@post.ca.gov (email), or Speech-to-Speech users may dial 7-1-1 for the California Relay Service to request special accommodations. Please note: This meeting and all public meetings will be recorded.

No weapons are allowed on the premises during public meetings. Upon entering POST's

facility, you are subject to a weapons screening and will be denied entry if you possess any weapon. POST's Executive Director retains the discretion to grant exceptions for duly-authorized individuals, such as on or off-duty law enforcement officers who are not the subject of a POST administrative investigation, suspension, or decertification action.

I. **CALL TO ORDER**

II. **ROLL CALL OF POSAAB MEMBERS**

Dr. Nicole Clavo Psy.D - Governor Appointee - Public Member
Regina Hatcher-Crawford - Governor Appointee - Public Member
Robert Doyle - Governor Appointee - Former Command Rank Peace Officer
Joyce E. Dudley - Chair - Governor Appointee - Attorney
Cephus Johnson - Governor Appointee - Public Member
Captain Charles Lara - Governor Appointee - Management Rank Peace Officer
Margaret Pena - Speaker of Assembly Appointee - Public Member
Vacant (Formerly Buchen) - Senate Rules Appointee - Public Member
Vacant (Formerly Glaser) - Governor Appointee - Public Member

III. **PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

The Board Chair will advise the audience of the following:

This time is set aside for members of the public who wish to comment on items not on the agenda but within the board's jurisdiction. Public comment on matters on the agenda will be heard at the time each item is called. Public comment on specific peace officer revocation cases to be heard today will be heard at the time of the hearing of each such matter. Members of the public who wish to speak during the public comment period may be asked to limit their remarks in time at the discretion of the Board Chair.

IV. **ASSISTANT EXECUTIVE DIRECTOR COMMENTS**

V. **NEW BUSINESS**

a. Election of Vice Chair (Incumbent: Doyle)

The purpose of this item is to select a Vice Chair for 2026.

b. Report on Data for Serious Misconduct Reporting, Investigations, and Disciplinary Action Outcomes

This item is presented for information only. No action is required.

VI. **APPROVAL OF MEETING TRANSCRIPTS**

Approval of meeting transcripts from the previous Peace Officer Standards Accountability Advisory Board Meeting held on October 09, 2025 and November 06, 2025 Meetings.

a. Approval of Meeting Transcript from the October 09, 2025 and November 06, 2025 Meetings

If the Board concurs, the appropriate action would be a **MOTION** to approve the meeting transcripts from the last Board meetings.

VII. **NEW CASES - REVIEW, DISCUSSION AND RECOMMENDATIONS TO COMMISSION**

a. POST2316280 - Khammouane Kevin Thakham (POST ID: A45-Q53) Last Employing Agency: Fresno Police Department (Current)

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.

b. POST2402838 - Elliott Lopez (POST ID: C15-H32) Last Employing Agency: California Highway Patrol

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.

c. POST2403212 - Richard Adams (POST ID: C56-Q43) Last Employing Agency: California Highway Patrol

The Peace Officer 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.

VIII. **CLOSED SESSION**

At this time the meeting will adjourn into closed session for for deliberations on the cases presented today.

IX. **FUTURE BOARD MEETING DATES**

Upcoming Board meetings will be held:

- April 15-16, 2026 - POST, West Sacramento
- July 15-16, 2026 - POST, West Sacramento
- October 14-15, 2026 - POST, West Sacramento

Board meeting dates are tentative and subject to cancellation pending POST receiving requests from subject officers to have their cases heard before the Board.

X. **ADJOURNMENT**

AGENDA ITEM REPORT

Title: POST2402838 - ELLIOTT LOPEZ (POST ID: C15-H32) LAST EMPLOYING AGENCY: CALIFORNIA HIGHWAY PATROL

REPORT PROFILE

MEETING DATE 02/05/2026	**BUREAU SUBMITTING THE REPORT** Professional Conduct Northern Bureau	
RESEARCHED BY Raymond Bechler		**REVIEWED BY** Robert Guyton
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:

Respondent began his employment with the California Highway Patrol (CHP) on June 18, 2004, as a full-time Officer. At the time of the events at issue, Respondent was employed as an Officer with CHP. 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 830.2(a) and is required to be certified pursuant to California Penal Code 13510.1(a).

On March 24, 2024, Respondent was visiting Las Vegas, Nevada for a non-work related event with Victim. Victim and Respondent had been in a relationship for over 10 years. After a night of drinking, Respondent and Victim returned to their hotel room. At approximately 4:15 a.m. Respondent physically assaulted Victim by punching her numerous times in the face, head, arms and torso. Officers from the Las Vegas Metro Police Department arrested Respondent.

As a result of Respondent’s attack, Victim sustained two swollen and blackened eyes, swollen forehead, bruises to her legs, arms, and shoulders, and complained of pain to her jaw and head. She was taken to a local hospital for her injuries

and later released.

The Clark County District Attorney's Office prosecuted Respondent for Nevada Revised Statutes 33.018 and 200.485 and (domestic violence). Respondent pled nolo contendere to the charge of misdemeanor domestic violence on July 9, 2024, and was ordered to complete agreed upon terms of diversion. On December 17, 2024, Respondent met the requirements of diversion, and the charge was subsequently dismissed.

Respondent resigned from the CHP on April 15, 2024, prior to being interviewed by Internal Affairs.

ANALYSIS:

Clear and convincing evidence substantiated that Respondent violated California Penal Code §13510.8(b)(6) and Commission Regulation 1205(a)(6) regarding acts that violate the law; in that Respondent engaged in domestic violence when Respondent physically assaulted the Victim, whom he was in a relationship with, while on a trip in Las Vegas that caused severe injuries to her face, head, arms, and torso. Respondent's actions are sufficiently egregious as to be inconsistent with the Respondent's obligation to uphold the law or respect the rights of members of the public.

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_POST2402838_Lopez_Elliott_ISF_Redacted.pdf
BR02_POST2302838_Lopez_Elliott_ExecReviewDivisionRec_Redacted.pdf
BR03_POST2302838_Lopez_Elliott_ProfileReport_Redacted.pdf
BR04_POST2402838_Lopez_Elliott_CHP_IA_Summary_Redacted.pdf
BR05_POST2302838_Lopez_Elliott_Attachment_A-Hotel_Sec_Rpt_Redacted.pdf
BR06_POST2302838_Lopez_Elliott_Attachment_B-Crime_Report_Redacted.pdf
BR07_POST2302838_Lopez_Elliott_Attachment C photos_Redacted.pdf
BR08_POST2302838_Lopez_Elliott_Attachment_D-Arrest_Report__1__Redacted.pdf
BR09_POST2402838_Lopez_Elliott_Attachment_E_ Abbrev Vic IA Trans_Redacted.pdf
BR10_POST2302838_Lopez_Elliott_Attachment F_Redacted.pdf

BR11_POST2402838_Lopez_Elliott_Attach G_ Abbrev_Witness_1_IA Abbrev Trans_Redacted.pdf
BR12_POST2302838_Lopez_Elliott_Attachment_H-Court_Doc_s_Redacted.pdf
BR13_POST2302838_Lopez_Elliott_Attachment I_LEC-Res Interview Transcribed_Redacted.pdf
BR14_POST2402838_Lopez_Elliot_NRS.pdf

STATE OF CALIFORNIA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

In Re: CERTIFICATION OF ELLIOTT LOPEZ, **Respondent.**	**BOARD RECOMMENDATION RE: PEACE OFFICER CERTIFICATION** Penal Code section 13510.85(a)(4)

Penal Code section 13510.85 provides that when, upon the completion of an investigation conducted pursuant to subdivision (a) of section 13510.85, the Peace Officer Standards Accountability Division (the Division) finds reasonable grounds for revocation or suspension of a peace officer's certification, it shall notify the peace officer of the Division's determination and reasons for that determination. If the peace officer files a timely review, the Peace Officer Standards Accountability Advisory Board (Board) shall schedule the case for hearing.

Respondent was served with the Division's Notice of Determination and accompanying Notice of Intent to Revoke Certification, notifying Respondent that the Division had found reasonable grounds for revocation of Respondent's POST certification, on October 16, 2025. Respondent requested a review of the Division's determination and reasons for revocation of Respondent's POST certification on November 14, 2025, and the Board scheduled the case for a hearing which was held on February 5, 2026. At the time of Respondent's request for review of the Division's determination, Respondent had been issued the following POST certification(s):

- ☒ Basic
- ☐ Intermediate
- ☐ Advanced
- ☐ Supervisory
- ☐ Management
- ☐ Executive

FACTUAL BASIS

Having considered the Division's presentation at the hearing, the Division's Investigative Summary and Findings and the public comments, the Board concludes that:

X A factual basis for revocation has been established by clear and convincing evidence.

__ A factual basis for suspension has been established by clear and convincing evidence.

__ A factual basis for suspension or revocation has not been established by clear and convincing evidence.

RECOMMENDATION

In light of the facts and circumstances revealed by the Division's investigation in this case, the Board hereby recommends that the following action(s) be taken against Respondent's certification:

X Revocation of Certification

__ Suspension of Certification for the following period of time, not to exceed 3 years, per 11 CCR section 1213(b): _____.

__ No further action.

REASONS FOR DECISION

X In accordance with Penal Code section 13510.85(a)(4) and title 11, California Code of Regulations section 1213, the Board hereby incorporates by reference the Division's Investigative Summary and Findings and hereby adopts the Division's Summary and Findings as the Board's stated reasons for its recommendation in the above captioned matter.

___ (Where applicable) In accordance with Penal Code section 13510.85(a)(4), the Board's reasons for its recommendation are as follows:

_____

_____

_____

_____

_____

_____

Dated: 4/5/26

Chairperson or Designee
Peace Officer Standards Accountability
Advisory Board

STATE OF CALIFORNIA

COMMISSION ON

PEACE OFFICER STANDARDS AND TRAINING

PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

(POSAAB) MEETING

THURSDAY, FEBRUARY 5, 2025

10:00 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:
Kathryn S. Swank
California Certified Shorthand Reporter #13061, RPR

A P P E A R A N C E S

POSAAB MEMBERS PRESENT

JOYCE DUDLEY
Governor Appointee
Attorney
(Chairperson)

NICOLE CLAVO, Psy.D.
Governor Appointee
Public Member

REGINA HATCHER-CRAWFORD
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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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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A P P E A R A N C E S C O N T I N U E D

POST STAFF

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

RAYMOND BECHLER
Law Enforcement Consultant
Professional Conduct Northern Bureau

BRYANT HENLEY
Attorney IV
Legal Affairs Bureau

BRIAN HOFFMAN
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Legal Affairs Bureau

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Associate Governmental Program Analyst
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BRIAN SOUTH
Bureau Chief
Professional Conduct Central Bureau

ROBERT TRIPP
Law Enforcement Consultant
Professional Conduct Central Bureau

SARAH WALLACE
Bureau Chief
Intake and Disposition 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

ALSO PRESENT

BEATRICE JOHNSON
Public Speaker

ELLIOTT LOPEZ
POST ID: C15-H32

APPEARING REMOTELY:

OLIVIA KRUEGER
Public speaker

RICHARD ADAMS
POST ID: C56-Q43

JASON EWERT
Counsel for Richard Adams,
POST ID: C56-Q43

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Thursday, February 5, 2026, 10:01 a.m.

West Sacramento, California

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CHAIRPERSON DUDLEY: Good morning, everyone. Today is Thursday, February 5th, and the time is 10:00 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, you will need to watch your cross-talk.

We will now call the roll of board members.

Chandler.

MR. KNAPP: Thank you, Chair Dudley.

Good morning, Members.

Member Clavo.

MEMBER CLAVO: Present.

MR. KNAPP: Member Crawford.

MEMBER HATCHER-CRAWFORD: Present.

MR. KNAPP: Member Doyle.

(No response.)

MR. KNAPP: Chair Dudley.

CHAIRPERSON DUDLEY: Here.

MR. KNAPP: Member Johnson.

MEMBER JOHNSON: Here.
MR. KNAPP: Member Lara.
MEMBER LARA: Present.
MR. KNAPP: And Member Pena.
MEMBER PENA: Present.
MR. KNAPP: Madam Chair, that's six of nine members present.
CHAIRPERSON DUDLEY: Thank you. A quorum has been established.
I would now like to introduce board counsel, to my left, Christopher Beatty; and POST Assistant Executive Director Annemarie Del Mugnaio.
This time is set aside for members of the public who wish to comment on items not on the agenda, 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 cases to be heard today will be heard at the time of the hearing of each such matter.
Is there anyone present in the audience or appearing remotely who would like to address the Board during public comment?
First checking the audience.
(No response.)
CHAIRPERSON DUDLEY: Seeing no one.

Is there anyone remotely?

(No response.)

CHAIRPERSON DUDLEY: There's nobody remotely either. Please be advised that the Board cannot take action on items not in the agenda and may discuss those items only to the extent necessary to determine whether any matter should be made an agenda item for further meetings, to respond briefly to statements or questions posed, to request clarification, or to refer to -- the items to the staff.

Please remember this meeting is being transcribed, so I may politely interrupt and ask you to repeat or speak slowly and clearly so your comment can be correctly captured on the transcript.

As the Board Chair, I may ask members of public to limit their remarks to no more than three minutes pursuant to existing board policy.

I may conclude the public comment period if multiple speakers are voicing repetitive already similar statements and the 15-public -- 15-minute public comment period has expired.

You will be given five minutes to speak and the limits will be strictly enforced, so please ensure that you complete your thoughts within the allotted time.

Before I open public comment or matters not on the

agenda, please note that if you wish to comment on disciplinary matters scheduled to be heard today by the Board, you must wait until that matter is called to offer public comment.

If you have a specific complaint about an officer that is not on today's agenda, you should file a complaint with POST or with the officer's employing agency. Staff will assist you in this regard.

I would like to remind individuals making comments to discuss [sic] pending complaints or pending disciplinary actions that may later come before this board for a recommendation. If the Board takes action on your complaint, you will have an opportunity to address the Board at that time. Following these rules is necessary to comply with the law and to avoid compromising the Board's mission.

When it is your turn, you may state your name and organizations.

So is there any public comment?

Again, looking out into the audience.

(No response.)

CHAIRPERSON DUDLEY: And remotely?

(No response.)

CHAIRPERSON DUDLEY: No. There's no public comment.

One moment, please.

Is there anyone present or appearing remotely or by phone who would like to address the Board regarding the approval of the October/November meeting transcripts? When it is your turn, you may state your name and organization if you wish. Each gets three minutes.

Anybody want to comment on the agenda?

(No response.)

CHAIRPERSON DUDLEY: Okay. Are there any questions or comments from the Board?

(No response.)

CHAIRPERSON DUDLEY: Seeing none.

If the Board concludes [sic], the appropriate action would be a motion to approve the meeting transcripts from the October and November 2025 meetings.

Is there such a motion?

MEMBER LARA: I can make a motion.

CHAIRPERSON DUDLEY: Thank you.

MEMBER CLAVO: I second.

CHAIRPERSON DUDLEY: Thank you.

Is there any opposition? Any abstentions?

(No response.)

CHAIRPERSON DUDLEY: At this time I will ask -- okay. So I think that, then, the motion passes.

And at this time, POST Assistant Executive Director

MR. KNAPP: Clavo, aye.
Crawford.
MEMBER HATCHER-CRAWFORD: Aye.
MR. KNAPP: Crawford, aye.
Dudley.
CHAIRPERSON DUDLEY: Aye.
MR. KNAPP: Dudley, aye.
Johnson.
MEMBER JOHNSON: Aye.
MR. KNAPP: Johnson, aye.
Lara.
MEMBER LARA: Aye.
MR. KNAPP: Lara, aye.
And Pena.
MEMBER PENA: No.
MR. KNAPP: That's five in favor. Motion carries.
CHAIRPERSON DUDLEY: Okay. So the motion passes. And there is an agreement for decertification.
Okay. Now calling the next -- thank you, gentlemen.
And at this time I will call upon Law Enforcement Consultant Raymond Bechler, Professional Conduct Northern; and Brian Hoffman, Attorney IV, Legal Affairs Bureau, to provide a report on POST2402338 [sic], Elliott Lopez, who, at the time of the events at issue

in this case, was employed with the California Highway Patrol.

Thank you.

MR. BECHLER: Good afternoon, Chair, Members of the Board. My name is Ray Bechler, and I'm a law enforcement consultant assigned to the Professional Conduct Northern Bureau in the Peace Officer Standards Accountability Division.

With me today is Brian Hoffman, an attorney with our Legal Affairs Bureau.

I'm here today to present Case Number POST2402838 involving Elliott Lopez, hereafter referred to as the respondent, formerly of the California Highway Patrol.

It is the Division's determination that clear and convincing evidence exists to demonstrate that the respondent committed an act of serious misconduct as set forth in Penal Code section 13510.8 on March the 24th, 2024.

Specifically, the Division has determined that the respondent committed the following act of serious misconduct: Acts that violate the law.

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

The respondent began his career with the California

Highway Patrol on June the 8 -- June the 18th, 2004. He received his Basic Certificate on March the 18th, 2009. He was an active member of the Peer Support Team.

The respondent had three past annual performance evaluations for 2024, 2023, and 2022. The respondent was rated either proficient or excellent in all categories.

The respondent had no prior dis- -- no prior complaints of misconduct resulting in disciplinary action from his agency.

In regard to the present allegation, the California Highway Patrol became aware of the respondent's misconduct following his arrest in Las Vegas, Nevada, on March 24, 2024, for domestic violence against the victim, who he was in a qualifying relationship with.

The respondent resigned from his employment prior to being interviewed by Internal Affairs and discipline being imposed.

The CHP completed their administrative investigation and sustained allegations of misconduct against the respondent.

On October the 15th, 2024, CHP reported this case to POST.

A factual summary of the respondent's misconduct is as follows:

On March 24 -- in March of 2024, the respondent and victim traveled to Las Vegas, Nevada, for an annual trip with friends. The respondent, victim, and friends checked into the Westgate Hotel on Thursday, March the 21st, 2024, and planned to stay for several days to attend a popular cigar conference.

The next three days were spent with friends and seemed to go as planned as they enjoyed the conference and Las Vegas festivities at night.

However, on Saturday, March the 23, 2024, the victim, Respondent, and their friends visited Fremont Street to dance and enjoy music. As the night ended, the respondent and victim returned to their hotel for the evening.

At approximately 4:15 in the morning of March the 24th, 2024, the respondent physically attacked the victim by punching her in the face, head, arms, and upper torso, multiple times, causing significant injuries.

Hotel security received numerous calls from nearby guests regarding screaming and yelling, emanating from the respondent's room. They were directed to the respondent's room where the yelling was coming from and contacted the respondent.

According to security, they made -- entering into

the room and saw the respondent holding a trash can and had vomited. He also had blood on his finger.

Security asked the respondent where the victim was and eventually called her on a cell phone. The victim answered the phone and alerted hotel security that she was on the 25th floor. Security contacted her and called 911 for police and medical assistance.

Security detained the respondent in handcuffs and escorted him down to the security office, awaiting a police response.

Las Vegas Metro PD Officers Mayer and Nguyen arrived at the hotel. Mayer contacted the respondent who was being detained in the security office, while Nguyen checked on the victim, who was on the 25th floor.

According to the Las Vegas Metro PD crime report and inner CHP administrative interview, the victim stated that she and the respondent had been drinking at the Fremont Street Experience. The respondent drank too much, fell to the ground, and blacked out.

Friends had to call an Uber to get the respondent back to the hotel. Their friends had to help walk the respondent to their room and place him on the bed.

While the respondent laid on the bed, sleeping, the victim looked through his cell phone. In doing so, she found several sexually explicit messages and photographs

between the respondent and another person. The victim thought to herself, "Not again."

After sitting with her sadness and disappointment, the victim tried to go to sleep. But it was difficult for her to get into the bed as the respondent was taking up most of the bed space. The victim made numerous attempts to wake the victim -- or wake the respondent in order to have him move over so she could sleep.

Lacking a response -- lacking a response by the respondent and frustrated, the victim asked the respondent about the person he exchanged sexually explicit photographs and messages with. Calling the person out by name, who is -- upon hearing the person's name, the respondent suddenly woke up, looked around the room, and began wailing on her.

The victim described "wailing" as throwing punches to her face. She fell on the bed. She fell off the bed, onto the floor, curled up in a fetal position, and screamed for the respondent to stop, as he continued to repeatedly punch her.

The respondent -- the respondent stopped his attack momentarily, which allowed the victim to grab a cell phone off the table and run out of the room.

Officer Nguyen took numerous photo- -- photographs of the victim's injuries.

Las Vegas Metro PD Officer Mayer contacted the respondent, who said he had been out drinking with the victim on Fremont Street. They had an argument and then took an Uber back to their hotel where he passed out.

The next thing the respondent recalled was security waking him up. The respondent said he didn't remember the incident. He added that he and the victim had been having troubles but were working on their relationship.

Officer Mayer arrested and booked the respondent at the Clark County Detention Facility on a misdemeanor domestic violence charge.

The victim was transported by ambulance to a local hospital where she was treated for her injuries and released.

The victim was interviewed by CHP Internal Affairs on March 28th, 2024, just four days after the assault took -- and took these photos, which were caused by the respondent.

On March the 28th, 2024, the Clark County Nevada District Attorney's Office filed an amended criminal complaint to battery resulting in substantial battery harm, constituting domestic violence, which was a Category B felony.

On July the 9th, 2024, the respondent pled nolo contendere to a misdemeanor domestic battery charge.

The respondent was required to attend 13 classes of anger management counseling, spend two days in jail, pay court fines, and submit to a mental health evaluation.

The facts that I just recited support the Division's finding that the respondent was involved in serious misconduct, specifically acts that violate the law.

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

The Division recommends that the respondent's certification be revoked or suspended. The Division's recommendation is based on the following:

The Division found that clear and convincing evidence substantiated that the respondent's conduct amounted to acts that violate the law as described in Commission Regulation 1205(a)(6); and that on March the 24th, 2024, the respondent physically harmed the victim by hitting and punching her numerous times about the head, face, and shoulders.

The respondent's actions were inconsistent with the respondent's obligation to uphold the laws of the state.

The Division finds -- the Division finds the

respondent's act of violence upon the victim not only violated CHP's internal policies, but also a criminal act by violating Nevada Revised Statute 33.018, which, had it occurred in California, would have violated Penal Code section 273.5, corporal injury upon a spouse or cohabitant, a felony.

In addition to violating the department's policy, clear and convincing evidence exists that the respondent violated California Penal Code section 13510.8(b)(C) and Commission Regulation 1205(a)(6), acts that violate the law.

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

CHAIRPERSON DUDLEY: I was wondering if there was any consideration to the fact that he may have been legally unconscious at the time of his acts.

MR. BECHLER: Go ahead.

MR. HOFFMAN: When you say "legally unconscious," I'm --

CHAIRPERSON DUDLEY: As we know, as attorneys, if you commit an act, but at the time that you commit the act, you are unconscious --

MR. HOFFMAN: So --

CHAIRPERSON DUDLEY: -- then you are not liable for an action.

MR. HOFFMAN: So battery is from -- in Nevada and California, is a general intent mens rea.

In terms of whether or not he was legally unconscious or not, the investigation -- I -- I don't remember if there's was there was a BAC level taken promptly as part of the investigation or not. So we don't know what his level of intoxication actually was.

But I don't think there's a full determination made on whether or not he was legally unconscious by anyone in Las Vegas or by the Division.

CHAIRPERSON DUDLEY: Okay. Yes.

MEMBER LARA: I remember reading in the -- in the -- in the report that the defendant had mounted the victim.

And so for me --

CHAIRPERSON DUDLEY: I'm sorry. He did what?

MEMBER LARA: Well, a mount is a position, say, in, like, in a mixed martial art, where the person is either kneeling over or on top of.

And so if -- if we're talking about intentionality, this does not appear to be wild flailing of an uncontrolled intoxicated person; but a purposeful, intentional mounting of a person to inflict more severe harm.

And so could you elaborate for us if you -- if I'm

correct in my recollection of reading that the -- some of the attack occurred from a mounted position?

MR. BECHLER: Yeah. The -- excuse me. Yes. Yeah. The victim did mention that when he got off the bed, got on top of her, in an MFA -- or MF- -- whatever --

MEMBER LARA: MMA.

MR. BECHLER: MMA style, mounted her, and then began wailing on her. That's -- that's her words.

To address your point, Chair, the issue of his awareness spiked when he was -- when he heard the name being said, is when he came to. And then that -- the whole subsequent violent act occurred after that.

So he was aware enough to understand who -- who she was talking about, the victim was talking about. And then responded, reacted accordingly.

CHAIRPERSON DUDLEY: And he pled guilty.

MR. BECHLER: He -- he pled nolo contendere.

CHAIRPERSON DUDLEY: Right. Okay.

MR. BECKER: Yes. Essentially.

CHAIRPERSON DUDLEY: So the same as pleading guilty for all criminal purposes.

So we don't -- so there was never really a hearing on this. And certainly no attorney raised this issue that he may have been unconscious.

Okay. Anything else on that, Captain?

MEMBER LARA: No.

CHAIRPERSON DUDLEY: Okay. Other thoughts and comments from the Board?

MEMBER CLAVO: I had a -- Mr. Lara, did you have another question?

MEMBER LARA: No.

MEMBER CLAVO: Oh. I had a question, and hopefully I'm not getting cases confused.

But I think I recall him saying that he thought she did this to herself. Was that his case?

(No response.)

MEMBER CLAVO: So I'm a little confused during his statement, during the investigation, him making this reference to, oh, she did this herself. She's just trying to take me down, take my job, this, that, or another. But, yet, he pleaded "no contendere." Hopefully I said that right.

But -- so I was just a little confused. But he did state those things in the report?

MR. BECHLER: Yes. I -- I called and had an interview with him. And he had mentioned that's -- he had mentioned, at that time, that maybe the possibility that she might have done that. Because he was saying that he didn't know what happened. So he -- he had mentioned that and maybe she had done that by -- to

herself. You are correct.

CHAIRPERSON DUDLEY: Yes.

MEMBER HATCHER-CRAWFORD: So one of the things that kind of caught my attention was although he mentioned he wasn't aware of what he did -- and then Chair Dudley talks about there being an unconsciousness -- in reality, in the community's world, those type of circumstances are not exceptional.

If it had been me, and I had been drinking and I did this, I would be charged with assault. And that comes to that responsibility piece and accountability piece. That, as a community, just as you expect more from me, I expect more for anyone who is wearing a uniform, who is sworn to serve and protect me.

So I will say out loud -- and I think putting it back on the victim, whether -- we were not in that room. They were in the room.

Looking at the pictures, I could not possibly see how she could have inflicted those marks on herself, unless she had somebody drive in from wherever, to Las Vegas, and give her a black eye, this on the arm. And I just didn't understand that.

So I think what took me back was the accountability piece. And so...

CHAIRPERSON DUDLEY: Just to be clear, I'm talking

about a state of blackout.

MEMBER HATCHER-CRAWFORD: Right.

CHAIRPERSON DUDLEY: So where -- where someone who commits what would be a crime, if you weren't in this state of blackout, versus someone who was.

The reports that we read talk about him collapsing; him needing to be lifted; him needing to be moved on to the bed; his being nonresponsive when she wanted to get into the bed.

And I just didn't have a clear understanding about that as I was reading the reports. And that's where my question came from.

I mean, there's no doubt in my mind that if he was conscious and these were the kinds of things he was doing, how outside the law they are. I just wanted to address that question. But I certainly understand the accountability issue.

Yes.

MEMBER PENA: I believe it was in this record where, once they got into the hotel room, he was on Chat G -- what is it called? He was communicating with someone online.

MR. BECHLER: I'm not familiar with what you are referring to.

CHAIRPERSON DUDLEY: That he was -- that he was

texting his girlfriend or somehow communicating with her.

MR. BECHLER: So the victim found that on his phone? Yes.

MEMBER PENA: She found it on his phone. But he had been -- he was on his phone right before he went to sleep. I believe I read that in the record.

MR. BECHLER: No. He was -- he was blacked out completely. But -- well, he was a -- he was on the bed, sound asleep. Passed out. I will say that.

CHAIRPERSON DUDLEY: What you read, a communication between --

MEMBER PENA: Was earlier?

CHAIRPERSON DUDLEY: I believe so.

MEMBER PENA: Okay.

CHAIRPERSON DUDLEY: Is that your -- gentlemen? The communication he allegedly had with his alleged girlfriend was before this incident.

MR. BECHLER: Oh, yeah. We're assuming so. Prior. Prior to this incident.

MEMBER PENA: Okay. Thank you.

CHAIRPERSON DUDLEY: Yes. Mr. Johnson.

MEMBER JOHNSON: I'm curious. I have -- I must have missed it.

Why are we here? I mean, he resigned, correct?

CHAIRPERSON DUDLEY: But we're talking about whether he is decertified. Meaning, he can't apply for --

MEMBER JOHNSON: Oh, no. I mean, I understand that.

But -- because he has a right to contest it, right? The fact that he was resigned and the fact that it's been reported to POST. So is he asking for his job back?

I'm just saying, I'm not clear on -- I understand we have procedures to follow. But does he really want his job back?

CHAIRPERSON DUDLEY: I don't know. But I think our decision needs to be based on whether he should get his job back. What he wants, none of us know.

MEMBER JOHNSON: Okay. So then, really, all the other details don't matter because it is pretty obvious he don't want his job back because he hasn't taken a form of defense. And so, really, to me, we just waste -- this is just me speaking. We're wasting more time about it then.

MR. BEATTY: Yeah. I think that we're just making a decision. You all are voting on the record in front of you --

MEMBER JOHNSON: Okay.

MR. BEATTY: -- and whether that is something that it proceeds to an ALJ -- you know, if those facts were to be proved, would warrant, you know, the charge be brought in front of it. So that's what -- we don't know his intention and probably shouldn't -- shouldn't calculate on it, because it is unknowable.

MEMBER JOHNSON: Okay.

MS. DEL MUGNAIO: One point of clarification.

So Board Member Johnson, he affirmatively appealed --

MEMBER JOHNSON: Okay.

MS. DEL MUGNAIO: -- the decertification proceeding, which is why it is here in front of you.

MEMBER JOHNSON: Okay. Yeah.

MS. DEL MUGNAIO: Yeah. Has he defaulted, which means didn't respond to us, you wouldn't be hearing this matter.

MEMBER JOHNSON: Right.

MS. DEL MUGNAIO: It would be an automatic revocation.

MEMBER JOHNSON: Right.

MS. DEL MUGNAIO: So his intent was to appeal this body. To appeal to this body. Yeah.

MEMBER JOHNSON: All right.

MS. DEL MUGNAIO: Thanks.

MR. HOFFMAN: Just -- if I may add a point of clarification on the point of consciousness or lack of consciousness, under California law, a person who is presumed to be conscious is a criminal defendant. And they would have to produce -- the burden is on the defendant to produce that they were in an unconscious state or a state of blackout beyond a reasonable doubt.

That's not necessarily the standard that we apply here in the administrative process, but just to provide a little bit further clarity on that topic.

CHAIRPERSON DUDLEY: Yeah. Thank you.

Because there wasn't a hearing, that never came up. He pled nolo.

MR. HOFFMAN: Correct. We have no evidence either way on that -- in light of the --

CHAIRPERSON DUDLEY: And, yes. The administrative standard of beyond a reasonable doubt versus clear and convincing. Clearly different standards.

Anything else on this? Any other questions?

(No response.)

CHAIRPERSON DUDLEY: At this time, does the subject officer and/or their counsel wish to make a public statement?

And is he here or remote?

MS. DEL MUGNAIO: He's here.

CHAIRPERSON DUDLEY: Okay. Thank you.

You will be given five minutes to speak, and the time limits will be strictly enforced, so please ensure that you complete your comments within the allotted time.

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 defenses 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 those facts demonstrate a high probability that serious misconduct, as defined in Penal Code section 13510.8, and Commission Regulation 1205 occurred?

And, sir, would you introduce yourself, please.

MR. LOPEZ: Thank you. My name is Elliott Lopez, formerly with the California Highway Patrol.

I would like to begin by saying thank you for listening to this and taking it into consideration for not revoking my certificate.

First of all, I would like to say that this is something that is completely and unequivocally out of character for me. I have never been in contact with law

enforcement negatively other than a traffic stop.

I did go out that night. We did have drinks. And I had not been drinking for quite some time. I am diabetic and I've been taking care of it. For the week leading up to it, I had not taken my medication.

And I did, 100 percent, completely black out. The last thing I remember was watching some show with some young child on Fremont Street.

The next thing I remember, somebody is pounding on the door, asking me to get out of the room.

As per witnesses on BR11, Witness 1 in the IA investigation corroborates the fact that this was something completely out of character. On talking to one of the witnesses, he gave me a statement stating that my spouse, once they threw me in the room -- because I was completely unconscious -- followed them out to the elevator and told him that I had asked her for a divorce the month before.

The reason I went to this -- to Vegas for the cigar convention was because friends of mine, of ours, had paid for the entire trip and I didn't want to leave them behind. I didn't want to not -- to spend the money that they had already spent on me going.

She told him that ever since I asked them for the divorce, all I talked about was wanting to beat her up,

which, I can tell you, 100 percent is not true.

After the incident that occurred and everything that happened, law enforcement did not take any photographs of myself, of any wounds that I may have had on my hands, or defensive words from her. Nothing. There was nothing on me, which is something that I remember sitting in jail, just looking at, to try to see if I had anything.

Since the occurrence, I have done everything that is required of me.

I know the question of did I plead no contest came up? Yes. And I will explain myself at the end, because I don't want to -- make sure I have enough time.

CHAIRPERSON DUDLEY: If you need additional time, you can have additional time.

MR. LOPEZ: Okay. The reason I pled no contest was because I was given five minutes. I went to Vegas. I was told, hey, this is a preliminary hearing.

I said perfect. No -- not guilty. We'll go -- we'll figure this out later.

He goes no, no, no, no. That's not how this works. He goes, you can either plead no contest or you take this to court and you lose; you go to one year in prison automatically, no matter what. You have five minutes to decide.

So being an ex-police officer in another state, going to prison for a year; or I plead no contest and I do everything they ask and this goes away in a year. To me, it was an easy decision. I don't feel I did it, and I'm not placing blame on her.

It is just very hard that we were married for 14 years, together for 18. I asked her for a divorce a month before this happens. And then, all of a sudden, I become this violent monster that attacks her?

That's why I find it very difficult to believe that I had something to do with this. It sucks. I was a horrible husband towards the end of the years. But I'm not violent by any means.

I did this job for 17 years. Not once -- you heard him testify. Not once did somebody complain. And I was in a lot of fights. And I would pick people up, dust them off. And my commander would actually tell -- actually, we talked about this after the fact. She goes, it's funny how you get in fights with people and you guys are laughing on the way to the jail, because they think you are the coolest guy ever for not going farther beyond of what you've -- what you should have, because they deserved it. She goes, and you guys are like friends. She goes, I don't know how you do it, but it always happens.

Getting back to this, the reason I believe -- and I'm not, again, shifting blame -- the victim, my ex-wife in this, has changed her stories on three different written accounts of this.

The first was she found text messages. The report she gave to Vegas Metro was she just pushed me and I went crazy.

Another account was she just walked by and I just woke up and started swinging.

And she told several people that she felt her life was in danger. Yet, again, at no point did I have any kind of defensive wounds.

Being a diabetic, those defensive wounds stay for quite a long time. I have scratches on my feet from two years ago. So I still, to this day, have nothing from that night.

This is the last thing I will say.

I am the first person in my family to do anything good, so to speak. My father came over from Mexico, worked his ass off. And if I can be half the man that guy is, I'd lead a pretty good life.

My mother, who passed away three years ago, wasn't the greatest mom but she did her best.

I would never do anything to make anybody ashamed or do any -- I wanted to be a cop since I was a kid. I

was an Explorer with the Highway Patrol at 14 years old. I did it for the four years. After that, I tried to join at 21 and my -- my score wasn't high enough to become an officer because my oral was only 85 and not 95. And then when I finally went through in 2007 -- not 2004, I apologize -- when I went through in 2007, they were letting 70s through. So my 85 got me in pretty quick.

But I did my job great. From my first year, when I, unfortunately, watched my partner get killed; and then being in two shootings subsequently over the following years, I had every reason to drink. I had every reason to be an asshole. I had every reason to be a horrible person, and I did my damnedest not to be. And I was a great cop. I was a horrible highway patrolman. I hated writing tickets. But I was a damn good cop.

So with that, I will tell you and I will say thank you for listening. I will say thank you for taking my answers and any questions you may have and respect for not -- I would like to go back to the Highway Patrol.

CHAIRPERSON DUDLEY: Let me start with some questions.

How long were you in custody?

MR. LOPEZ: I was arrested -- that's another --

that's another -- I was arrested about 4:30 in the morning, I believe the report says. And I was detained in handcuffs until about 10:30 in the morning, before I was actually taken to the jail.

I was never given a BAC. The nurse finally at the hospital -- or sorry, at the jail, checked my -- my diabetes, my blood sugar. And I was well over 400. And that was six hours, seven hours after the fact that I had finished drinking. So it was pretty high up there.

CHAIRPERSON DUDLEY: Okay. That wasn't my question.

How many hours were you in custody?

MR. LOPEZ: Oh. I was let out -- so I -- I'm horrible at math. That's why I became a cop.

CHAIRPERSON DUDLEY: Okay.

MR. LOPEZ: I was let out at about 2:00 on Monday morning. 2:00 or 3:00 on Monday morning. Or, sorry, 2:00 or 3:00 on Monday afternoon.

CHAIRPERSON DUDLEY: So you said that no one took photographs of your hands to show any defensive wounds.

You did -- you have done evidence collection your entire career. Why don't you get photographs of your hands?

MR. LOPEZ: It wasn't -- how do I say this? It wasn't -- I was so in shock of everything that happened.

I mean, I should have. I -- I understand what you are saying.

CHAIRPERSON DUDLEY: No. Only because you said, when you were in custody, you were looking at your hands and saying they didn't take pictures of my hands. So it was a thought you already had.

But when you got out of custody, you didn't get photographs of your hands?

MR. LOPEZ: No.

CHAIRPERSON DUDLEY: Okay.

MR. LOGGINS: I was just trying to get home. I apologize.

CHAIRPERSON DUDLEY: And help me understand. Was this a private lawyer or a public defender?

MR. LOPEZ: Private.

CHAIRPERSON DUDLEY: And this is someone you were paying.

MR. LOGGINS: Yes.

CHAIRPERSON DUDLEY: And they were telling you, you have five minutes to make a decision?

MR. LOPEZ: Yes.

CHAIRPERSON DUDLEY: Okay. But you have been in this world of attorneys and law enforcement for a long time.

Why couldn't you say, "No. I want more than five

minutes or I want another lawyer"? Why did you feel you had to be, for lack of a better term, a victim to what he was telling you about the fact that you only had five minutes?

MR. LOPEZ: It was a -- it was a decision that rationale and emotions kind of played in. It was, hey, this or that. Now, like -- we can take this, but you are going to go to prison. You have no defense.

CHAIRPERSON DUDLEY: And you felt help- -- you felt there was nothing you could do.

MR. LOPEZ: I felt helpless. It was -- it was just -- I was so emotionally charged.

CHAIRPERSON DUDLEY: Okay. Even though this is someone you are paying to do a job. Okay.

And how did your ex-wife get all those injuries?

MR. LOPEZ: I don't know. I can -- I can assume but I can't tell you.

CHAIRPERSON DUDLEY: So what do you think happened?

MR. LOPEZ: What do I think happened?

Unfortunately, with circumstances after the fact, I believe she did them to herself. And the reason I say circumstances after the fact is because she has changed her story. And she had a restaining order against me for about a year and three months. And then she goes, hey, I'm going to take it off but I want you to

continue -- you can't be a cop. Like, maybe go to POST and all that stuff.

And just recently, in the last 30 days, she's upset because I'm not paying for everything. So she has told her lawyer to place a restraining order back on me so I can pay for all the bills at the house. Not for --

CHAIRPERSON DUDLEY: You explained the ways that she changed the story. I didn't hear you ever say that she admitted to you or anyone else that she did it to herself.

MR. LOPEZ: No. She hasn't. That's just --

CHAIRPERSON DUDLEY: Okay.

MR. LOGGINS: -- my thought.

CHAIRPERSON DUDLEY: I don't have any more questions.

Other board members?

MEMBER CLAVO: You asked all mine.

CHAIRPERSON DUDLEY: I'm sorry?

MEMBER HATCHER-CRAWFORD: Go ahead, Nicole. Then I'll go --

MEMBER CLAVO: You asked all mine.

CHAIRPERSON DUDLEY: Ms. Hatcher, you go first.

MEMBER HATCHER-CRAWFORD: I would say that, unfortunately, you -- you get to see on the other side of some of the things that the community goes through.

And to the point of I'm not an attorney, one. But I have seen people going through the court system where they are told what you were told.

And your first life survival is let me take this and please, God, let it go away, not understanding the ramifications or the end results of why we are here now.

One of the things that I'm struggling with -- and so I'm talking to you -- is the -- the blackout statement, you know, of swinging and her -- her story, not yours. Swinging. And then the injuries where they are -- I'm -- I literally at one point tried and I'm like, how do I hit my arm and get this?

And so that was the accountability piece. And so as Chairman Dudley talked about, a little bit about the blackout portion and some of the other things, those raise doubt.

But I would -- I guess my question to you is -- couples do things, and when they are in a battle, things are said and things are done.

I guess my question to you is the accountability piece of it. Do you feel that you played any role other than that what you described, or what maybe later you thought about, that happened in that room in your blackout statement?

That's kind of -- I know it kind of sounds --

MR. LOPEZ: I think I understand what you are trying to say is, do I take any accountability for what happened in that room that night?

MEMBER HATCHER-CRAWFORD: Right.

MR. LOPEZ: Yes. I take accountability for the fact that I was not completely divorced, and I was speaking to another woman, and it was not the first time that I had, unfortunately, cheated on my wife.

We had had this conversation many times over, where I felt that she was more of a roommate than a spouse. And I had asked her about going to counseling. We never went.

And then, finally, I had the courage to ask her for a divorce, which, again, is why -- I don't understand why after all these years of nothing, I asked her for a divorce and then less than 30 days later, here we are.

I will say this: I am accountable for drinking. I was handed those drinks. And I -- I willingly took them. I drink rum and tequila is what I usually -- or sorry. Rum and pineapple juice is what I usually drink. These drinks were tequila and pineapple juice. So an extremely higher BAC alcohol.

And they were -- they weren't a glass. They were cups. I take responsibility for drinking those and allowing myself to get in state of inebriation that I

could not take care of myself. For that, I'm an idiot. It had been years since I drank like that. And I can't remember the last time I drank so much that I blacked out. But I allowed myself to get to that stage.

I cannot say 100 percent without a doubt, hey, she did it. I cannot say. I can only speculate.

What I can say is that I have no recollection of --

MEMBER HATCHER-CRAWFORD: Do you currently drink now?

MR. LOPEZ: No. I stopped. After -- after that incident, I stopped drinking.

Even -- I was just in a motorcycle accident that -- you saw, when I was limping when I walked up -- six months ago. And I broke every -- my legs, both legs, both arms, broken. I didn't even take the pain meds. Whatever they gave me in the hospital, I took. And they sent me home after a month of rehab, and I didn't even take those.

MEMBER HATCHER-CRAWFORD: So you went through, also, anger management classes?

MR. LOPEZ: I did.

MEMBER HATCHER-CRAWFORD: Do you recall that?

MR. LOPEZ: Yes.

MEMBER HATCHER-CRAWFORD: Was it helpful?

MR. LOPEZ: They were. They were -- in the

beginning, I'm like, why am I here? I don't feel like I have anger problems. Again, I have every reason to have them, but I didn't feel like I had them.

But after kind of listening to other people's stories and kind of being part of the classes, I think they were good.

I learned to -- I have always been -- I have been on our peer program since 2011. And I was in multiple line-of-duty deaths, talking to people, and I -- that was one of the thing I would tell them, hey, talking is the best thing. Keeping it bottled up, you are going to be like a firework. You are going to explode. Let it out. And if you have to explode over one drink every now and then, that's fine. But don't -- don't hold it in.

So this helped me realize that much more.

MEMBER HATCHER-CRAWFORD: Okay. Thank you, sir.

MR. LOPEZ: Thank you.

MEMBER CLAVO: I have a question. I have a couple.

CHAIRPERSON DUDLEY: I know.

MEMBER CLAVO: I know.

Did you enjoy your job?

MR. LOPEZ: I loved it.

MEMBER CLAVO: I have heard you made this estimate a couple of times while you were speaking that you had

every reason to feel angry. Why?

MR. LOPEZ: So December of 2009, I watched my partner get run over and killed while I was working in Los Angeles. That was trauma that not -- I would say a very small percentage of officers deal with. Being with someone that you went to the academy and you watched them lose their life right in front of you. And you can't do anything to save them.

And I remember me and my spouse -- she was my girlfriend at the time, arguing about it. And I'm telling her, hey, I should have died. We have no kids. He's got five. Why did God decide to take him and not me?

Many times people would get into fights with me. Again, as a highway patrolman, we work alone, for the most part, until we get together at night. So there was plenty of times where I fought with people by myself.

And in an -- in an unincorporated area like Tuolumne County, back-up will be 45 minutes away. That's why it's nice being in -- when I worked in LA, because back-up was always about five minutes away. So there was always that portion of stuff.

I, in my career, have been in two shootings. Unfortunately, the second shooting I was in, in March of 2022, the party that I was involved in the shooting with

did lose his life. That is something that we know, as law enforcement, is possible, but that is not something that any of us want to do. And I didn't want to do it. But when somebody points a gun at you, you have to protect yourself and the person next to you. So it happened.

And, again, you know what? I can just drink and I will be fine. But I couldn't --

MEMBER CLAVO: Did you seek counseling for any of those incidents?

MR. LOPEZ: All of them.

MEMBER CLAVO: Are you seeking counseling now?

MR. LOPEZ: Yes. So I did seek counseling for all those incidents. And as of the incident that occurred in March of '23 -- '24? '24. I have been going to counseling every two weeks minimum. So either by phone or in person.

MEMBER CLAVO: So it would be my assumption that through your training, you have probably seen domestic violence victims. You may have investigated some.

So how would you say, in your professional opinion, one would receive bruises as extensive as your previous -- your former wife received, and how would one do that to themselves? How would -- how could one do those type of arm bruising, black their eyes, facial,

jaw bruises to themselves?

MR. LOPEZ: So many ways, unfortunately.

And the only reason I know is from conversations that I have had after the fact with people that have had -- like one friend I talked to, she goes, yeah, my mom used to beat herself all the time and tell -- call the cops on my dad. And she hit herself or grab something and hit herself. She would run into the wall and do all these things. I don't know if she did that.

I will tell you this: That I was an instructor for physical methods of arrest and fighting and defense tactics in the academy -- or not in the academy. But at the office. I was the training officer for that.

And I'm a large individual. Something I did think about after the fact is, if I did hit her the way she said I did, she has veneers. I would have easily knocked the veneer out. I would have easily broken a nose. I would have easily broken an eye socket. I'm not a small man. And if I was as angry as she is saying I was, and I was trying to murder her like she said I was, those wounds that you see those photographs would have been much worse.

So, again, I'm not saying that -- in my heart, I don't feel like I did it. The only other thing is, I feel that she did it to herself. I do feel had it had

been me, the injuries would have been much worse, given her account of the actions.

MEMBER CLAVO: Last question: In your hotel room, were there items in the room that could have -- she could have used to do that type of violence to herself?

MR. LOPEZ: It's been a while. I mean, she could have hit herself with a lamp. There was lamps in the room, type thing. There was TVs. There was drawers. There was the bed. There was the floor. There was walls.

MEMBER CLAVO: Normal --

MR. LOPEZ: Normal.

MEMBER CLAVO: -- hotel room, right.

MR. LOPEZ: Yeah. Nothing I could -- there was no bat in the room.

MEMBER CLAVO: Okay.

MR. LOPEZ: Nothing like that.

MEMBER CLAVO: Thank you.

CHAIRPERSON DUDLEY: Yes.

MEMBER LARA: I have a couple of questions for you.

So first thing is I -- the first things I've heard you to say today is "I don't feel I did it. I don't believe I did it."

And so that being the case, just with your background as a law enforcement officer, if you don't

believe or feel or perhaps, at some point, you will say today that "I didn't do it," why would you not have taken this to trial?

Instead of -- I mean, I hear the "I had the six-odd minutes to do so."

But you had two opportunities to explain and defend yourself: The first at trial; and, to my mind, the second is you could have given a compelled statement with your agency under -- under the threat of losing your job. But you chose to take neither of those opportunities to defend yourself.

Can I ask why?

MR. LOPEZ: So the first reason for the -- while we were in trial, was the one year in prison. That was hands down the reason that I took the plea, because he's like, hey, one year in prison, you are now a felon. You can never own guns ever again. And kiss your law enforcement career goodbye. That was hands down for that one.

For the one before that, in April, so the -- the jury trial was July. Or not the jury trial. But when I pled no contest was July.

The interviewer resigning from the Highway Patrol was in April. I was told by our union, one of the head guys in our union, don't even fight it because you are

going to lose your job.

And I'm like, wait. What do you mean? Like, I shouldn't have a chance?

And he's like nope.

We had a case where a husband and wife got into an argument. He was arrested for pushing her. She recanted the whole thing, and they still fired him. He goes, so take away, quit, resign with your head held high, and at least you can go to another agency.

Worst -- worst decision I ever made by not -- by not going through with the interview.

And as I told the investigator, when he called me, I'm like, any questions you have, I will answer. There was no reason for me not to answer that question. And that's why I'm here today so that you folks can ask any questions that you may have regarding any of this situation.

I have nothing to -- to hide. I'm not trying to do anything. I literally just would love to get back into my career.

MEMBER LARA: But there was no threat of a felony or compelled statement through your agency; is that correct?

MR. LOPEZ: Correct.

MEMBER LARA: That's all I have.

CHAIRPERSON DUDLEY: Yes. Mr. Johnson.

MEMBER JOHNSON: So as I was reading your wife's interview, she talked about two to three years prior to the incident that she kept asking you to get help. And she did lean toward the fact that you was involved in a shooting.

You know, so it's pretty obvious that there was trouble in the home to such a degree that she was repeatedly asking you to get help. Why?

MR. LOPEZ: So I'm going to say this with all respect. And I apologize for using vulgar language. I am, to all extent, the nicest asshole you will ever meet.

The communication between me and my wife was horrible. We never talked. I never told her anything because everything I told her was used against me. So she took me shutting down and not saying anything as me being -- needing help. And it wasn't that she was -- she was upset because I didn't tell her, because I didn't talk to her.

The reason I didn't talk to her was, case in point, after my last shooting, I got home at 1:00, 2:00 in the morning and she's blitzed. She had gone out with friends. I called her. "Hey, I have had an incident. I was involved in a shooting. Someone died. I'm okay."

And instead of being like, okay, that's it, I'm done, I'm going to go home and wait for my husband, she proceeded to get blackout drunk. Well, not blackout because she was still awake when I got home. But she was highly, highly intoxicated.

And she told me, as soon as it happened, I went back to the table and I'm like, hey, let's -- I got to take shots. We got to take shots. Elliot was just in a shooting. He killed someone. Let's take shots.

We get to that night -- or I get home that night and she asked me what happened. I tell her the entire story.

The next day, she's upset at me because I told somebody else the story. I'm like, yeah, the officer -- the other officer was injured. She's like, "You didn't tell me that."

I'm like, "Yes, I did." We were -- I told you that he got hurt by -- when I fired my gun. It was in his ear so he got hurt.

And me and her just didn't have communication. So that's why she would say that I needed help because I didn't ask her for it.

MEMBER JOHNSON: So I guess my follow-up question, then, would be if I heard correctly earlier, you talked about the struggles of the shootings. I'm not sure if I

read or heard you state the loss of a parent, someone being really sick.

But in your own mind, you didn't feel that was nothing wrong with you and it all had to -- it is pretty obvious because it keeps sounding like it was more your wife than yourself.

So I'm -- my last, though -- you know, and I would like to hear a response to that. But I wanted to add this too: Why are you here without representation?

So that's two -- a two-part question.

MR. LOPEZ: Okay. Can you ask the first again? And then I will --

MEMBER JOHNSON: Yeah.

MR. LOPEZ: -- tell you the second.

MEMBER JOHNSON: It appeared earlier that you were stating that you knew you needed some help. You have been involved in the shooting. Parent was dying or someone dying. You know, there was trouble happening in your life.

But you just expressed that it really wasn't you. You are okay. But I think earlier, if I heard it correctly, that there was some struggles in your life, and you knew that. And but, yet, you refused to get help.

And -- and because of that it escalated to a point.

And it is really hard for me to believe, unless it was a true blackout, that you beat your wife the way she had those bruises.

I mean, she had two black eyes that was just horrifying. I mean, and it is almost like you -- we know there's abusive folks in the -- in the home. Especially it could be a husband. And sometimes he will beat his wife more than once over a period of years.

So you never, ever touched your wife before violently like that, until that night?

MR. LOPEZ: Well, that is the reason why I do not believe I did it. I never --

MEMBER JOHNSON: But, yet, you still say you didn't believe you needed help.

MR. LOPEZ: I didn't -- I didn't believe that I needed so much help that this would happen. Everybody needs help. Everybody -- I tell every -- every new person that comes on, I tell every -- every new person that's been around for 20 years, "Hey, man. You know what? Go find a good counselor, even if you go once a month."

MEMBER JOHNSON: And so I know you was a part of a peer group, and I think you was mentoring in that peer group. So you know all the right things to say. But, yet, you didn't apply them to yourself.

And so my last question, though, is what happened in Vegas and pleading no -- "nololo," whatever it's called? What is it called?

CHAIRPERSON DUDLEY: No contest.

MEMBER JOHNSON: No contest. Right? Why -- I mean, and that was the biggest mistake in your life that you stated.

Why are you here without representation today?

MR. LOPEZ: I don't want you to think that I have anything to hide. I don't. I'm not hiding anything. I'm not hiding behind a lawyer. I'm not hiding behind anyone. I just want to be a cop again. I was a good cop. And I am a good cop. I did everything in my 17-year career. I was good. I was a horrible "Chippie." I worked at night for probably 12 out of the 16 years, 17 years that I worked. But I was a damn good cop.

So I don't have anything to hide. That's why I don't need a -- to hide behind a lawyer. That's why I did not bring any counsel with me today.

CHAIRPERSON DUDLEY: Anything else, Mr. Johnson?

MEMBER JOHNSON: I'm done.

CHAIRPERSON DUDLEY: Okay. Ms. Hatcher-Crawford?

MEMBER HATCHER-CRAWFORD: I just have one more thing.

CHAIRPERSON DUDLEY: Sure.

MEMBER HATCHER-CRAWFORD: Thank you for coming here because we really appreciate you being here.

You always make the statement -- and I have heard you twice say it, maybe more than twice -- that you are a nice asshole. Excuse my --

MR. LOPEZ: Yes.

MEMBER HATCHER-CRAWFORD: -- words for saying it.

But what does that exactly mean? Again -- and I'm speaking from the community. And I believe in community policing. And if I run across an officer that is that, I may have a problem. So could you kind of expound on that?

MR. LOPEZ: So I -- the reason I say that I'm a nice asshole is because you get what you give. If you are nice to me, I will be nice. I was told a long time ago, in the beginning of my career, to do the job like your family is standing over your shoulder. And if somebody is being nice and somebody is being respectful, that's exactly what you get.

If somebody is trying to be an A-hole back to you, if somebody is just trying to chip on you and somebody is trying to -- sometimes you kill them with kindness, but sometimes you got to treat them the way they are treating you.

And I can't tell you how many times in -- I have an old partner that still complains to this day how he would say "please" and "thank you" and I would tell people to shut their fucking mouth. And after that, they are like, okay, you are not messing around.

And I'm like, nope, we're not messing around. We -- you did something wrong. And if you want to try to find a complaint, you can find a complaint. If you are going to be rude about it, I'm going to be rude back.

That's why I tell people I am either the nicest thing that you will ever meet in people's story or I'm the worst thing you will ever meet in people's story. And I believe both of those. Because they got what they deserved accordingly. So that's why I say I'm the nicest asshole you will ever meet.

CHAIRPERSON DUDLEY: Is there anything else?

MEMBER PENA: I have two.

CHAIRPERSON DUDLEY: Yes, Ms. Pena.

MEMBER PENA: You said that you had had problems in your marriage for a while.

MR. LOPEZ: Correct.

MEMBER PENA: How many years would you say you'd had problems?

MR. LOPEZ: Five or six, if not -- yeah. Five or

six years at least.

MEMBER PENA: You also mentioned -- I think you mentioned that -- well, you mentioned you were having an affair, and it wasn't your first time.

MR. LOPEZ: Correct.

MEMBER PENA: And so you had other -- another affair earlier.

Did your wife know about that one?

MR. LOPEZ: She did.

MEMBER PENA: So I would imagine you probably had arguments from time to time?

MR. LOPEZ: Yes. From time to time. We were -- I wouldn't say that we were that couple that argued every week or every -- every month even. We would get into big arguments, like, once every six or seven months and then not talk to each other for 24 hours. And then the next day, one of us would see who wanted to go to lunch. I'm not one to hold grudges nor was she.

MEMBER PENA: Would your wife -- when you would get into arguments, would your wife ever be physical with you?

MR. LOPEZ: Yes.

MEMBER PENA: And what -- what did that look like?

MR. LOPEZ: There was one occasion, September 2019, I believe. We were in Vegas for the softball

tournament. She found messages on my phone that were sexual in nature. And I had had a couple of drinks so I was kind of in the bathroom. And she began kicking me in the stomach while I was on the ground.

And I didn't tell anybody because -- just a couple of kicks. I was an idiot.

And, unfortunately, it is not one of those things where it's like, oh, my God, my wife beat me up. You know what I mean? So I didn't say anything.

She threw the first -- the first affair that I had that she found out about when we were talking. She goes, "You haven't said no to any of this."

And I'm like, "No. I had the affair."

She had the glass beer bottle in her hand and she threw it at my face, and I was able to swipe it away with my hand. So, again, it didn't cause any arm. It didn't cut me, it didn't hurt me in any way. But she threw a glass beer bottle at me.

I have only told my counselor and an old lawyer, and that was the only person I have ever told about that. Well, now everybody knows. But those are the only two true incidents that I can think of where she physically hit me.

MEMBER PENA: Did she ever shove you or slap you?

MR. LOPEZ: She did. The -- the day that I asked

her for the divorce, she -- we were at our friend's cigar lounge. She had tons of drinks. She was with another friend that kind of amped her up to the point where I could see it.

And I remember telling my buddy, and I'm like, I do not want to go home. This is going to be bad.

Completely quiet all the way home. We get home, and as soon as I park the car, she begins to yell at me to the point where I yell back. And I'm like, you know what? There's no point to fighting like this. I get out the car. I go to open the garage door to go inside. And she bum-rushes me, pushes me up against the fence we have there. In a defensive mode, I kind of just do this. She is so intoxicated that she literally falls on the ground.

I went to help her up and she had her wallet and she threw it at my face. I caught it and I was like, you know what? You can stay on the ground.

I walked away, threw her wallet in the garage, and then that's when we proceeded to argue and yell inside. Several times, she got into my face and told me, "Just hit me, just hit me, just hit me."

And I'm like, what are you talking about? I was not intoxicated at the time.

And that's the night I asked her for a divorce.

And then that night, she goes, "Hey, what can we do to fix this?"

I'm like, "Nothing. It's over. It's been too long. You are not happy. I'm not happy. We're done."

And that was a month leading up to this incident.

MEMBER PENA: And so the next time that there was anything physical was the night in question.

MR. LOPEZ: Correct.

MEMBER PENA: Did she -- that night that you don't recall what happened, was she physical with you that night? Did she strike you at all?

MR. LOPEZ: Not that I recall. Not that I -- like I said, we were out on Fremont Street. And I remember talking to some -- one of the people that was performing. And then that was the last thing I remember until somebody was pounding on the door.

So anything that may have happened in between there, the Uber ride, and whatever, there's -- there's talks of a fight on Fremont Street. But nothing that I recall.

MEMBER PENA: Was she also intoxicated?

MR. LOPEZ: She was.

MEMBER PENA: Okay. Thank you.

CHAIRPERSON DUDLEY: Anything else?

MEMBER CLAVO: Yes.

How tall is your wife?

MR. LOPEZ: 5'10", 5'11".

MEMBER CLAVO: And how tall are you?

MR. LOPEZ: 6 feet.

MEMBER CLAVO: Did you guys have an emotionally verbally abusive relationship?

MR. LOPEZ: No. No. It was just, like I said, towards the --

MEMBER CLAVO: Infrequent arguments.

MR. LOPEZ: Infrequent arguments. And like I said, towards the end there, we were roommates. We weren't even friends. It sucked.

MEMBER CLAVO: If you were investigating this case, what would be your thought process? And if you were investigating yourself, what would you think?

MR. LOPEZ: Old me? And that's -- that's the crappy part is from what I have learned from this. Old me, didn't care. Not that I didn't care. But like, okay, she's got bruising on her face. You are clearly drunk. You -- she said you did it and you don't remember; you are clearly guilty. Let's go to jail.

I will say this: The DA did initially drop the charges. They said there were misdemeanors and they took me and in. And Monday morning, when we went to court, they are like, hey, we're dropping the charges,

and they let me go.

Several days later, after my ex-wife and her lawyer called the DA is when they decided to press charges for felonies. So...

MEMBER CLAVO: The old you would be like, yeah, you did this.

MR. LOPEZ: Oh, yeah. 100 percent.

MEMBER CLAVO: Who is the new you?

MR. LOPEZ: The new me seeing kind of like -- like, hey, man, like, you didn't recall. Like all these things happened. Kind of going on. And I would slow down, if that made sense. I wouldn't rush to make a decision.

So there was no -- and that was the other thing that killed me, was there was all these witnesses and all these people that called in that night that said it was a -- something happened in the room. But there's no -- there's no witness statements from those people in this report at will. Nobody went to go talk to anybody. Nobody said, hey, what did you hear? What was going on? Was it all her? Could you hear him? What happened? Nothing.

It was just, hey, there were multiple people who called in, so we responded. But nobody talked to any witnesses. That's the one thing I would have changed.

I would have gone and talked to those witnesses.

MEMBER CLAVO: Thank you.

CHAIRPERSON DUDLEY: Anything else?

Yes.

MEMBER JOHNSON: So you are -- you are getting help now.

MR. LOPEZ: Correct. I go every two weeks.

MEMBER JOHNSON: We're getting ready to make a very important decision about your life. And it could be good, it could be bad. And I'm saying that to say you speak about that choice you made in Vegas that you shouldn't have made.

Are you are mentally prepared for what can happen?

MR. LOPEZ: Absolutely.

MEMBER JOHNSON: Okay.

CHAIRPERSON DUDLEY: Yes.

MEMBER LARA: All right. So I just wanted to ask a question based on your statement.

You -- you gave us a window into -- into you by saying, "I'm the nicest asshole you will ever meet."

The statement that -- so you kind of -- the equivalent of that is you match energy. Is that -- am I -- am I kind of saying that correctly?

MR. LOPEZ: Yes. For -- for work me, yes.

MEMBER LARA: Okay. So -- and you said the stories

may change and that your ex-wife's story has changed.

But would your ex-wife's confrontation of you, with your infidelity, which -- who is she going to get? Is she going to get the nice guy or she going to get the asshole?

MR. LOPEZ: I don't know. I wasn't -- well, I don't want to say I wasn't there. But I don't -- I don't remember that night. I don't know who she got.

So -- and even if she did get the asshole, never once did I raise a hand. Never once did I -- I screamed. I'm a man. I'm a human. I'm emotional. It gets the best of me. But never once did I charge her. Never once did I attack her. Never once did I do anything that would physically harm her.

CHAIRPERSON DUDLEY: How do you -- how do you know if you don't know?

MR. LOPEZ: No. I'm saying, up to that point, never once in the 18 years we were together had I ever done any of that to her.

CHAIRPERSON DUDLEY: But you don't know what you did that night.

MR. LOPEZ: I do not.

CHAIRPERSON DUDLEY: Okay. Anything else?

MEMBER JOHNSON: Yes. Me.

I'm sorry. Lara.

MEMBER LARA: I'm finished. Thank you.

MEMBER JOHNSON: The -- the marriage has been strained for, what, 14 years.

MR. LOPEZ: We were married 14 -- sorry. Yes. For 14 years.

MEMBER JOHNSON: And, you know, we're not talking about one night, even though that is why we're here. But the history of the relationship and her complaints didn't center on what happens that night. It is centered on what was going on prior to that night and, of course, even earlier. And she advocated consistently about yourself getting help.

But it doesn't appear that you recognize beyond the first night of beating her up, that there was any other issues that ever existed.

MR. LOPEZ: There was issues. I will -- I will say that. My infidelities were 100 percent issues. My attitude at times were issues.

You are getting the "CliffNotes" into our marriage of the horrible times. You are not seeing the great times that were in there in between. You are not seeing the vacations. You are not seeing the years that I told her, "You don't have to work. I got us." And we were happy. And you are seeing all the good times that were 90 percent of it. Nobody sees that. We see the

negative.

So my career, nobody saw, hey, Elliott drove an hour because -- or two hours away because somebody talked about killing themself, and he sat with them all night long. I'm not saying hoorah me. I'm saying you don't hear that stuff. You are hearing the bad stuff. You are hearing about one night.

So yes, was it a bad relationship towards the end there? Yes. Was it always that way? No.

CHAIRPERSON DUDLEY: Are there any other questions? We're going to have to take a break for the reporter, which means that we're going to have to take ten minutes and then come back and ask any other questions you have.

Does anybody else have any questions? Do you -- do you have a quick one?

MEMBER HATCHER-CRAWFORD: It is a quick one.

CHAIRPERSON DUDLEY: Okay.

MEMBER HATCHER-CRAWFORD: So in the statement -- and it's actually to the attorneys. In the statement that was from his former wife, I noted that she had stated that he has never previously acted like this before.

Am I correct, for the record?

MR. BECHLER: Yes. That is correct.

MEMBER HATCHER-CRAWFORD: Okay. Thank you.

CHAIRPERSON DUDLEY: Okay. Is there anything else?

(No response.)

CHAIRPERSON DUDLEY: Do you want to go in private and discuss this further? Or do you -- is there a motion now?

Let me just ask, is there anybody that wants to go in private to discuss this?

MEMBER LARA: I will go.

MEMBER HATCHER-CRAWFORD: I do.

CHAIRPERSON DUDLEY: Okay. Then what we're going to do is we will come back at -- I don't know. Probably around five to 2:00, but it might be a little longer. We'll see. When we come -- let me first ask for public comment before we go back.

Is there anyone in the public who would like to address the Board at this time?

MS. JOHNSON: Yes.

CHAIRPERSON DUDLEY: Okay. Ms. Johnson.

Okay. Sir, you can step away from the mike. Thank you.

MS. JOHNSON: Beatrice Johnson. I'm here as a community person. And I did not want to say anything, but I think I -- I just -- as a community person -- and this is a police officer, Highway Patrol, but the job is to protect and serve.

There were some very disturbing things that I heard is that "I give back what I get." And in public service, that's really not the best attitude, because people say all kind of things to the police, and you are supposed to just continue to do your job. And if you are going back and forth and you giving back what you are getting, that, to me, is not good.

And the fact that, as a woman, if he's -- I can't believe that he and his wife did not argue. If you are consistently cheating, that doesn't make sense. Because -- I haven't experienced that, but women do not just go along to get along with that. There's a lot of emotions that go on. I work with a lot of women. I don't believe that.

I don't believe that -- that -- I just don't believe him, and I just wouldn't want him to be out in the community.

And the other thing is that people called in. Why would people call in if there was no raucous? I don't feel that the wife could make enough raucous by herself, beating herself up, for people to call in.

Also, if I'm correct, it was, like 4:00 and he was arrested at 4:10. And he was arrested not shortly after. I don't see how the wife could do all that before the police come and he be arrested.

And the other thing is that he said that he was not -- not trying to be like a hoorah him, or rah-rah him. But, yes, everything he said was about him.

And if he has been married to this woman a long time, even if he did not do it, he showed no compassion. Because where -- is she mentally ill? Why would she do that? As -- you know, even if she was in that state, there was no compassion for her because if somebody does that to themselves, there should be some compassion about, you know, well, if she did this. And, you know, I feel bad if she did it or whatever. There was no compassion for her. This testimony was all about, yes, rah-rahing him.

And that's what I want to say. I don't think that he should continue to be an officer.

CHAIRPERSON DUDLEY: Thank you, Mrs. Johnson.

Is there any other public comment in the audience?

(No response.)

CHAIRPERSON DUDLEY: How about remote?

(No response.)

CHAIRPERSON DUDLEY: Okay. We'll now take a break and be back somewhere around 2:00. Yeah. 2:00.

(Time noted: 1:45 p.m.)

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(Closed session was held:
1:57 p.m. to 2:17 p.m.)

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(Time noted: 2:25 p.m.)

---o0o---

CHAIRPERSON DUDLEY: Let's start up.

Apparently there's someone online who would like to make a public comment and looking forward to hearing the public comment.

MS. KRUEGER: Okay. Am I online?

CHAIRPERSON DUDLEY: You are on and we hear you. This is Joyce Dudley. Please go ahead.

MS. KRUEGER: Thank you, Ms. Dudley.

My name is Olivia Krueger (phonetic), and thank you for taking the time to hear me. I apologize for my voice and potential cough. I'm getting over the flu.

I appreciate the opportunity to speak. I would like to do so on behalf of Mr. Lopez. I have known him since 2007. We have been friends and continue to be friends.

I would like to corroborate that this incident is completely out of character for him. Never once have I witnessed him to be violent to his wife. I have known them both since before they were married and after they were married.

I had the opportunity to speak with his wife the day after the incident occurred. She was immediately wanting to send me pictures of her injuries. I asked her if this had ever happened before and her response was "never."

She reached out to his captain, the local DA, other officers, close friends, prior to his release from jail.

I asked why, and she said she was worried no one would believe her. I found that to be suspicious. This had made me consider this story possibly to be by design, to eliminate him from continuing to be a peace officer, for efforts to defame him, and take away his livelihood, his dreams, as to what appears to be revenge by a woman scorned. I have never witnessed her be affectionate or loving towards him. I have never asked why, because personal dynamics among married people are their own.

As a woman, a wife, a mother, and a friend, I vehemently stand against domestic violence; something I do not support.

There are many things that do not add up in this scenario in my opinion, humbly.

For example, finding explicit photos and explicit messages of a sexual nature and then getting into bed, that doesn't make sense to me.

I would like to humbly ask you to give him the opportunity to fight for his reinstatement of his POST certificate -- excuse me -- and present his entire side of the story.

I hope you can find that he's a meaningful person who wants to do good and correct his mistakes. I can say that when he is stressed, sometimes he talks too much. He is truthful to a fault. His statement about being a nice asshole is a result of that. Pardon my language.

I believe that his police record reflects that, and he has responded professionally and appropriately. I have always found him to be a genuinely good person. He tries to see the good in other people. He is not violent. He is a gentle giant.

I wish I could add to how or why this happened, but the truth is, I don't know. And I appreciate your time and consideration, ladies and gentleman.

CHAIRPERSON DUDLEY: Okay. Thank you.

And just because you may not be familiar with the process, this is part one of the process. Then it goes to the Commission. He can go before an administrative judge. So it doesn't end here today. I just wanted to make sure you understood that.

And thank you for your call.

Any other --

MS. KRUEGER: Okay. Thank you, ma'am. I appreciate that.

CHAIRPERSON DUDLEY: Yes. Any other public comments?

(No response.)

CHAIRPERSON DUDLEY: Okay. So any more discussion? Or is there a motion?

MEMBER JOHNSON: I would like to make a motion.

CHAIRPERSON DUDLEY: What is the motion?

MEMBER JOHNSON: Decertification.

CHAIRPERSON DUDLEY: Is there a second?

MEMBER LARA: I will second the motion.

CHAIRPERSON DUDLEY: Okay. Any questions, comments, abstentions?

(No response.)

CHAIRPERSON DUDLEY: Okay. Would you take the roll call, please.

MR. KNAPP: Thank you, Chair.

Clavo.

MEMBER CLAVO: Aye.

MR. KNAPP: Clavo, aye.

Crawford.

MEMBER HATCHER-CRAWFORD: No.

MR. KNAPP: Crawford, nay.

Dudley.

CHAIRPERSON DUDLEY: Yes.

MR. KNAPP: Dudley, aye.

Johnson.

MEMBER JOHNSON: Aye.

MR. KNAPP: Johnson, aye.

Lara.

MEMBER LARA: Aye.

MR. KNAPP: Lara, aye.

And Pena.

MEMBER PENA: Aye.

MR. KNAPP: Pena, aye.

That's five in favor. Motion carries.

CHAIRPERSON DUDLEY: Okay. Thank you.

At this time, I will now call upon Law Enforcement Consultant Raymond -- let's see -- hang on. Let me make sure I'm not lost here. It's the same person?

MS. DEL MUGNAIO: Yeah.

CHAIRPERSON DUDLEY: Raymond Bechler, Professional Conduct Northern, and Bryant Henley, Attorney IV, Legal Records [sic] Bureau, to provide a report on POST2403212, Richard Adams -- why does it say Elliott Lopez? -- who, at the time of the events at issue in the case, was employed by the California Highway Patrol.

Okay.

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, 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 12th day of February 2026.

Kathryn S. Swank, CSR
Certified Shorthand Reporter
License No. 13061

AGENDA ITEM REPORT

Title: POST2403212 - RICHARD ADAMS (POST ID: C56-Q43) LAST EMPLOYING AGENCY: CALIFORNIA HIGHWAY PATROL

REPORT PROFILE

MEETING DATE 03/05/2026	**BUREAU SUBMITTING THE REPORT** Professional Conduct Northern Bureau	
RESEARCHED BY Raymond Bechler	**REVIEWED BY** Robert Guyton	
REPORT DATE	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 02/18/2026
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

The matter is before the Commission for review and action regarding the subject peace officer's certification status. The Commission shall return any determination requiring action to be taken against an individual's certification to the division, which shall initiate proceedings for a formal hearing before an administrative law judge in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), which shall be subject to judicial review as set forth in that Act.

BACKGROUND:

Respondent began his employment with the California Highway Patrol on June 26, 2017, as a full-time peace officer. At the time of the events at issue, Respondent was employed as an officer with the California Highway Patrol. Respondent was terminated from the California Highway Patrol on November 5, 2024.

This position is a peace officer position defined under California Penal Code §830.2(a) and is required to be certified pursuant to California Penal Code §13510.1(a).

The case before the Commission alleges the Respondent committed serious misconduct when he physically assaulted the Victim by forcibly throwing her to the ground and dragging her while she laid on her back trying to protect herself. At time the incident occurred, the Respondent and Victim were living together as boyfriend/girlfriend. This event was captured on their home video system.

Furthermore, the Respondent gave dishonest statements to criminal investigators and also in his administrative interview by saying the incident captured on video was consensual role playing and not an act of domestic violence.

The San Bernadino County District Attorney's Office filed a misdemeanor domestic violence charge against the Respondent. The charge was ultimately dismissed.

The Respondent was terminated for his misconduct on November 5, 2024.

Video Evidence Links:

- BR08 POST2403212 Adams Richard Attachment G Video clip

ANALYSIS:

Clear and convincing evidence substantiated that Respondent violated California Penal Code section 13510.8(b)(6) and Commission Regulation 1205(a)(6) acts that violate the law along with section 13510,8(b)(1) and Commission Regulation 1205(a)(1) dishonesty when the Respondent physically assaulted the Victim and then lied to investigators to cover up his actions. As a result, the Respondent's actions are sufficiently egregious as to be inconsistent with the Respondent's obligation to uphold the law or respect the rights of members of the public.

RECOMMENDATION:

The Commission shall review recommendations made by the Peace Officer Standards Accountability Advisory Board (POSAAB) regarding, what action if any, should be taken, suspension or revocation, on the certification of the subject peace officer. The Commission's decision to adopt a recommendation by POSAAB to seek revocation shall require a two-thirds vote of Commissioners present and shall be based on whether the record, in its entirety, supports POSAAB's conclusion that serious misconduct has been established by clear and convincing evidence. In any case in which the Commission reaches a different determination than POSAAB's recommendation, it shall set forth its analysis and reasons for reaching a different determination in writing.

ATTACHMENT(S):

BR01_POST2403212_Adams Richard_ISF.pdf
BR02_POST2403212_Adams Richard-Attach A- Executive Review Division Recommendation Form - Adams Richard (POST2403212).pdf

BR03_POST2403212_Adams Richard_Attachment B-RichardAdams_ProfileReport_Redacted.pdf
BR04_Adams Richard_Attachment E-CHP Case Summary (21)_Redacted.pdf
BR05_POST2403212_Adams Richard_Attachment C-San Diego SO Report_CN 24107775.1_Redacted.pdf
BR06_POST2403212_Adams Richard_Attachmemnt D-San Bernadino SO Crime Rept_Redacted.pdf
BRR07_POST2403212_Adams Richard_Attachment F-Victim Letter_Redacted.pdf
BR09_POST2403212_Adams Richard_Attach H-SPB Resolution and Order-Proposed Decision_Redacted.pdf
BR10_POST2403212_Adams Richard_Attachment I-CHP IA Transcript_Redacted (6)_Redacted.pdf
BR11_POST2403212_Adams Richard_Attachment J_Interview transcript_Axon_Redacted_Sanitized.pdf
POST2403212_Adams_Richard_February_2026_POSAAB_Agenda_Record.pdf
POST2403212_Adams_Richard_Board_Recommendation_Signed.pdf
POST2403212_Adams_Richard_Transcript_Board_02.05.26.pdf



INVESTIGATIVE SUMMARY AND FINDINGS

PEACE OFFICER NAME: Richard Adams

POST ID NUMBER: C56-Q43

EMPLOYING AGENCY: California Highway Patrol

POST CASE NUMBER: POST2403212

WRITTEN BY: LEC Raymond Bechler, PCNB

DATE: 1/6/2026

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I. Executive Summary and Findings

On February 25, 2024, California Highway Patrol (CHP) Officer Richard Adams (referred to as the Respondent) and his live-in girlfriend, (referred to as the Victim) were staying at the Hampton Inn Hotel in Poway, Ca. At approximately 4:00pm, the Victim called 911 after she and the Respondent got into an argument and his behavior was scary. The Victim waited in the parking lot for the police to respond.

San Diego County Sheriff Deputies arrived and contacted the Victim who explained the Respondent was an off-duty CHP Officer and was inside the hotel. The Victim told the deputies she and the Respondent were verbally arguing, and he did not get physical with her. The Victim added she wanted to drive back to their residence in Yucca Valley by herself and the Respondent wasn't letting her leave without him.

While talking to the deputies, the Victim informed them about several incidents of physical violence by the Respondent over the past two years.

One of the allegations of prior physical violence reported by the Victim was captured on their front door home camera system. This video was shown to the deputies by the Victim and depicted the Respondent dragging the Victim outside the front door of their residence, forcibly pushing her to the ground, causing the Victim to land on her head and upper torso. The video further showed the Respondent using two hands to get control of the Victim's right leg as he dragged her out of the front door while the Victim frantically yelled, "Richard, stop. stop." The Victim said this incident occurred on July 13, 2023.

The Victim further reported to the San Diego Sheriff Deputies three other domestic violence incidents which occurred in June 2022, May 2023, and February 2024 where she endured violence from the Respondent.

After speaking to the Victim, the San Diego Sheriff Deputies elected not to contact the Respondent for a statement, as all of the reported incidents of violence occurred in San Bernardino County. The deputies ensured the Victim safely drove away from the hotel parking lot without further incident with the Respondent.

Each of the prior incidents reported by the Victim were investigated both criminally and administratively. Ultimately, the San Bernardino County District Attorney's Office (SBCDAO) filed and pursued prosecution of the Respondent for one misdemeanor domestic violence charge involving the incident captured on video that occurred on July 13, 2023. The SBCDAO did not file on any of the other reported domestic violence incidents reported by the victim.

The criminal case against the Respondent was ultimately dismissed on February 4, 2025, by SBCDAO.

In the administrative investigation and subsequent findings against the Respondent, the CHP (Agency) sustained one allegation of committing domestic battery upon the Victim which involved the incident captured on video. All other reported domestic violence incidents were not sustained by the Agency. The Agency further sustained a finding against the Respondent for being dishonest when asked about the domestic violence incident captured on video.

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.

II. Investigative Methodology

This report summarizes the findings related to allegations of serious misconduct. This investigation was conducted in accordance with the regulations and policies of the Commission on Peace Officer Standards and Training (POST). The investigation included a review of the Agency's administrative investigation which included interviews of witnesses and the Respondent.

The Division analyzed the information obtained in this investigation using the clear and convincing evidence standard. For purposes of this report, clear and convincing evidence means "evidence 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."

This report is necessarily summary in nature and does not include every fact or issue that might be found in the underlying investigation and attachments. It does, however, contain reference to that evidence that establishes the requisite facts and proves the serious misconduct charged by clear and convincing evidence.

III. Respondent's Background

A. Respondent's Peace Officer Certificates and Employment

The table below sets forth Respondent's employment history:

Dates	Rank	Agency
06/26/2017 to 11/06/2024	Police Officer	California Highway Patrol

Respondent is assigned POST ID C56-Q43. He received the following peace officer certificate from POST:

Certificate Type	Certificate Number	Date Issued
Basic	195169	06/08/2019

B. Respondent's Service Record

When evaluating whether suspension or revocation is appropriate, Penal Code section 13510.8(c)(5) and Commission Regulation section 1213(a)(5) provide that the Commission must consider Respondent's prior conduct, discipline and service record. The relevance and weight the Commission may choose to assign to a peace officer's prior conduct and service record will depend on the facts in each case.

California Penal Code section 13510.8(c)(5) provides that the Commission "shall consider the peace officer's prior conduct and service record, and any instances of misconduct, including any incidents occurring beyond the time limitation for investigation in evaluating whether to revoke certification for the incident under investigation."

The Agency submitted the following Performance Appraisals for the Respondent:

- Rating period from 01/05/23 to 01/04/2024 - "Proficient" in all Critical Tasks
- Rating period from 01/05/22 to 01/04/2023 - "Proficient" in all Critical Tasks

Note – CHP rates employees as "Excellent", "Proficient", or "Deficient."

Prior to joining the CHP, the Respondent was an active-duty Marine and upon joining CHP, continued in his military career by serving as a Reservist Marine.

The Respondent has no prior adverse actions reported to POST.

IV. Factual Background

The essence of this case stems from the Respondent's act of domestic violence reported by the Victim to San Diego County Sheriff's Department Deputies Danielle Powroznik and Nathan McKemy. Each of the alleged acts of violence occurred in a residence that Respondent and Victim shared in Yucca Valley, San Bernardino County. The Victim and also her two children from a prior relationship resided in the home along with Respondent. Therefore, the San Diego County Sheriff's Office (SDSO) was the

documenting agency and the San Bernardino County Sheriff's Office (SBSO) was the criminal investigating agency.

The Victim reported to SDSO deputies four incidents. The July 13, 2023 incident, which is described below, is the focus of the Division's Investigative Summary.

On **July 13, 2023**, after the Victim sent a text message to an ex-boyfriend, the Respondent picked her up and threw her on the ground, dragged her across the house by her ankles, and then threw her out of the front door of their residence. The Victim shared with the SDSO deputies doorbell camera footage she had saved of this event. The Victim described the video as evidence of the Respondent assaulting her in an incident of domestic violence. The footage shows the Respondent standing behind the Victim with his arms underneath hers on her torso. Respondent then forcibly propelled the Victim out of the front door, causing her to land violently on her head and upper torso of the front porch with her legs still inside the house. The Respondent then grabbed the Victim's right leg and dragged her completely out of the house. During the video, the Respondent can be heard yelling, "Are you fucking kidding me, dude?" The Victim can be heard yelling, "Richard stop! stop!" The Victim allowed the video to be captured on SDSO BWC footage but refused to submit it separately to the deputies for inclusion with their investigation.

Criminal Investigation

SBSO Detective Jose Perez was assigned to investigate. On February 28, 2024, Perez drove to the Victim's work and explained he was following up on what she had reported to the SDSO. The Victim did not feel comfortable speaking at work and said she would call Det. Perez the following day. Perez went back and forth with the Victim several times before connecting on March 21, 2024. Perez called the Victim and summarized the events of domestic violence she had reported to the SDSO deputies. The Victim said she and the Respondent were in an argument at the hotel and she wanted to drive alone back to their home in Yucca Valley.

The Victim told Det. Perez that SBSO deputies responded to their house on two occasions within the past two years. Perez asked the Victim to describe what happened during these two incidents, but the Victim said the events happened too long ago to describe proper details. Perez asked about the video the Victim provided. The Victim declined to elaborate saying, "The video that you're referring to, that's not what happened in that video." [SBSO Report 2324-00523 page 4].

The Victim told Det. Perez she felt uncomfortable talking about the past incidents and was not able to recall them. She further wanted Perez to close the cases so she could put past events behind her, wishing no longer to be part of the investigation.

On March 18, 2024, Detectives Perez, Ables and an unnamed Sergeant contacted the Respondent at his residence in Yucca Valley. The Respondent admitted law enforcement was called twice to his residence by the Victim. Both occurrences, the Respondent said, were only arguments and did not get physical. The Respondent denied the Victim's account of physically harming her. He stated he and the Victim were working through alcohol difficulties and receiving help through A.A. and rehab. [SBSO Report 2324-00523 Page 6]

Det. Perez informed the Respondent about a video he received by the SDSO depicting physical abuse. Perez asked the Respondent if he recalled events on the video, to which he said, "I don't." The Respondent, however, said their relationship was very passionate sexually. [SBSO Report 2324-00523 Page 6]

Det. Perez showed the video to the Respondent who said he couldn't recall if they were arguing or any other details. He acknowledged the subjects in the video looked like himself and the Victim and said, "it appears as if they were fighting." The Respondent described how he and the Victim "role play in a rough manner which could be misinterpreted." [SBSO Report 2324-00523 Page 6]

Administrative Investigation

On June 20, 2024, the Respondent was interviewed by CHP Internal Affairs Investigators Scott Mason and Joel Holly (Investigators). Investigators asked the Respondent if he was aware of an incident captured on July 13, 2023, by a video camera system on the front door of his house involving him and the Victim. Respondent replied, "Yes." [CHP IA – ADAMS Interview, Page 166] (*Note- this comment is in direct contradiction to what he told Det. Perez)*

Investigators had the Respondent read portions of Det. Perez's report which summarized the interview and interaction he had with the Respondent. [CHP IA – ADAMS Interview, Pages 167-169]

After reading the report, Investigators asked the Respondent if the statement was true and accurate and whether he wanted to clarify anything. The Respondent replied, *"The statement, yes."* [CHP IA – ADAMS Interview, Page 169]

The Respondent added*, "I was kind of bum-rushed on this one [referring to the way in which the three SBSO Detectives initially approached him at his home]. And he [Perez] shows me the video, and then I'm watching it, and it looks like us. It looks like a fight, but I can't remember, or I don't remember, at that time, any of the events leading up to it…[the Victim] never showed me the video. She just said she had a video. And I didn't know really what she was talking about with the video thing, so after he [Perez] showed me that, I started thinking more and more about it. I was like, oh okay. So… we're into*

some, I guess, weird or alternative lifestyle type stuff where we roleplay. And part of the role playing we were doing at that point, during that time frame, was like a landlord/tenant type thing. So, …we didn't have the kids for a month…So we started playing around with the idea, like, hey we'll do a roleplay, kind of landlord/tenant type situation, and this is my house and you're my tenant and how you are going to pay the rent? So, this is awkward to talk about with, like, totally people that I don't know…so, we'd both been drinking, and then we were -- hey, let's play the – play our little game or whatever,…and so, she would repay me with sex. And that just our, that was captured on that Arlo [front door video camera]." [CHP IA – ADAMS Interview, Pages 171-173]

IA Investigators showed the Respondent the body worn camera footage from San Diego Deputy McKemy's BWC which recorded a video from the Victim's phone. The Respondent was asked to describe what was on the video. Respondent stated, *"Like I said to Deputy Perez, it looks like people fighting…Somebody getting thrown out of a door."* [CHP IA – ADAMS Interview, Page 182]. When pressed to confirm whether he was in the video, the Respondent acknowledged that both he and the Victim were in the video and that the video was taken from the front porch of Respondent's home. [CHP IA – ADAMS Interview, Page 182].

Investigators reminded the Respondent of the statement he gave to Det. Perez about role playing. Investigators asked the Respondent if he liked using the term role playing to describe the incident and he said, *"Yeah…That was the landlord/tenant thing where she didn't pay her rent, so I'm throwing you out of the house. Like, that - we'd both been -- we both agreed to that, so that's why this is so just…"* [CHP IA – ADAMS Interview, Page 183]

Investigators asked the Respondent: how did the role playing scene end? The Respondent said, *"It ended with me shutting the door, and then opening the door, letting her back in, and then she proceeded to pay the rent in a sexual way, I guess you could say."* [CHP IA – ADAMS Interview, Page 185]

Investigators asked the Respondent if he ever went beyond the other one's comfort level when role playing and how would he know whether he had ever gone beyond the other's comfort level. The Respondent replied that neither Respondent nor the Victim had gone beyond the other one's comfort level, but said they use a pre-determined safe word when it does. The Respondent said the Victim "probably" used a safe word in the past. [CHP IA – ADAMS Interview, Page 186]

Investigators showed the "role playing" video tape again to the Respondent. While watching the video, Investigators paused it when Det. Perez asked the Respondent if he knew whether the Victim had a video and he said, "I don't." Investigators asked if the statement made to Det. Perez was accurate, because Respondent mentioned earlier that he knew the Victim had a video taken from the house. The Respondent said*, "Well,*

like I said, they [SBSO Detectives] contacted me the day of. He's talking about a video. I am trying to wrap my head around what video he's talking about, and then I realize, okay, that's probably the video, and then he shows me the video… So I was kind of caught off guard…if you think about it, I got …the small guy [Perez] asking me questions. I have this older lady sitting here, and then I have a Sergeant on this side of me, like, staring down. I mean, I'm nervous." [CHP IA – ADAMS Interview, Pages 213-214]

Investigators also asked the Respondent why, when Det Perez asked about what was happening in the video, Respondent spontaneously stated, "I don't know if we were arguing that night." The Respondent told Investigators, "[b]ecause again, …I'm looking at it, like, I don't know…looks like two objects wrestling…The one I saw this morning is a lot clearer. But it was not very clear as to what the image was at the time." [CHP IA – ADAMS Interview, Pages 216]

Investigators talked about Respondent's statement to Det. Perez that the video "was just us hanging out is what it looks like." The Investigators then asked Respondent "what's shown in this video, is that a normal hanging out?" The Respondent said, "So, again, it was us just hanging out. … I'm trying to understand how I'm going to explain to three strangers [referring to the three SBSO deputies] that we're into some weird stuff, weird sexual things…I don't feel comfortable telling them all the ins and outs." [CHP IA – ADAMS Interview, Pages 223-224]

Investigators again reviewed the video with the Respondent, specifically the Victim describing what occurred prior to what was captured on the front door camera on July 13, 2023. In Deputy Powroznik's BWC video, the Victim explains what happened that was captured on their front door video system as, "I texted an ex-boyfriend, and so [Respondent] picked me up and threw me on the ground and dragged me across the house by my ankles. Picked me up and threw me on the ground again and did it in front of (inaudible)." [CHP IA – ADAMS Interview, Page 252]. Investigators asked the Respondent if the Victim texted an ex-boyfriend, and whether Respondent picked her up and threw her on the ground or dragged her across the house and he replied, "No." [CHP IA – ADAMS Interview, Page 253]

Investigators asked the Respondent if the Victim's reaction (crying) while showing the SDSO deputies the video of what occurred at their front door was consistent with what Respondent would expect from the Victim, when showing a video of a consensual encounter. The Respondent said, "I think, in this video, she is intoxicated. I think she knows that this is going to be detrimental to our lives and to my life, in particular. And she knew that when she gives that narrative of what it looks like, that that's the end for me…" [CHP IA – ADAMS Interview, Pages 254-255]

V. Analysis and Findings

The Present Allegations of Serious Misconduct

The CHP initiated an administrative investigation on April 15, 2024. Following a thorough investigation, the CHP sustained charges and then issued a Notice of Adverse Action against the Respondent for inexcusable neglect of duty, dishonesty, engaging in activities incompatible or inconsistent with official duties, and for failure of good behavior which is of such a nature that it caused discredit to the CHP.

The Respondent was terminated on November 6, 2024.

The Respondent filed an appeal from his dismissal with the State Personnel Board (SPB). The SPB held a hearing on April 1-2, 2025, with Administrative Law Judge (ALJ) Douglas Purdy presiding. ALJ Purdy issued a Proposed Decision, concluding that Respondent engaged in an inexcusable neglect of duty, dishonesty, activities incompatible or inconsistent with Respondent's official duties, and other failure of good behavior. ALJ Purdy concluded that dismissal was a "just and proper penalty for [Respondent's] conduct." Some of ALJ Purdy's reasons for reaching this conclusion are discussed in greater detail below.

On June 9, 2025, the SPB carefully considered the Proposed Decision to uphold termination rendered by ALJ Purdy. The Board adopted the Proposed Decision, which supported the Respondent's termination. The Respondent then submitted a petition for a rehearing, which was denied by the SPB at its September 15, 2025 Board Meeting.

The CHP reported the Respondent's conduct to POST on April 19, 2024.

A. Does the Respondent's alleged conduct violate POST Regulation 1205(a)(6) – Acts That Violate the Law – Specifically, CA Penal Code Section 243(e)(1)?

CCR 1205(a)(6) defines one serious misconduct category as follows: "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, as determined by the Commission."

CA Penal Code section 242 defines a battery as "any willful and unlawful use of force or violence upon the person of another." CA Penal Code section 243(e)(1) describes the criminal penalties that apply when an individual commits a battery against a current or

former spouse, cohabitant, fiancé, a parent of the defendant's child, or someone with whom the defendant has or had a dating relationship.

The Division concludes that there is clear and convincing evidence to prove the Respondent violated California Penal Code sections 242 and 243(e)(1) by dragging the Victim around by her legs and hands, and forcibly pushing the Victim to the ground of the front door patio area of Respondent's residence, as reported by the Victim and corroborated by video evidence. The Respondent's claim that the incident captured on video was a consensual role playing landlord/tenant scenario is not credible.

This Division reached its conclusion by considering the following evidence:

- The Victim's emotional demeanor while reporting the domestic violence incident from July 13, 2023, as she allowed the SDSO deputies to watch the video.

- The Victim, although reluctant to cooperate and provide details, never disclosed to deputies or detectives that the captured DV incident was role playing as a landlord/tenant scenario.

- In the Victim's letter she drafted and sent to "WHOM IT MAY CONCERN" on April 23, 2024, the Victim requested that the authorities drop the case so she can move forward in life. The Victim did not include anything in her letter about the video incident being role playing. [Victim Letter, dated April 23, 2024]

- The Victim kept a copy of the video for a reason. It is very likely that the reason she kept a copy of the video was to later show the video as proof that physical violence had been occurring in their relationship and at the hands of the Respondent.

- The video itself shows the Respondent's visible anger reflected in his facial expression and by physically pushing, grabbing and dragging the Victim while she was on the ground pleading for the Respondent to stop. The video also presents audible evidence of anger in Respondent's voice, as he curses during the incident.

- The video corroborates what the Victim reported to the San Diego County Deputies.

- There is no corroborating evidence to support the Respondent's claim of role playing.

As noted earlier in section V, above, the Respondent appealed his termination and had an SPB hearing on April 1-2, 2025. Administrative Law Judge Douglas Purdy presided. In his Proposed Decision, which was later adopted in full by the SPB, Judge Prudy cited Evidence Code 780 in determining credibility. That law provides that the trier of fact may consider any matter that has any tendency in reason to prove or disprove the truthfulness of testimony, including witness demeanor, character of testimony, extent of witnesses ability to perceive, recollect or communicate any matter about which she or he testifies.

Judge Purdy's decision provided in part as follows, "[t]he video footage from the doorbell camera was not consistent with consensual role-playing. [Respondent] lifted [the Victim] and tossed her onto the front porch, where she landed on her back. That action clearly could have resulted in serious injury to [the Victim], which makes it unlikely that she willingly consented to it. [Respondent's] demeanor in the footage appeared angry and aggressive. [The Victim] appeared to be frightened and screamed at [Respondent] several times to stop. [Respondent's] testimony therefore was not consistent with the video footage." [Board Resolution and Order/Proposed Decision, case 24-1576, pages 14 and 15].

When interviewed by the Division, the Respondent continued to maintain that the doorbell video footage was nothing more than consensual role playing. In assessing the Respondent's credibility, the Division finds it implausible to believe the footage is consensual role playing after watching the video numerous times. The Division's reasoning is based on the tone of voice and visible demeanor of the Respondent who sounds and appears angry, and that of the Victim who sounds frightened and seems to be protecting herself as she repeatedly tells the Respondent to stop.

Therefore, the Division finds the Respondent is not credible regarding his explanation as to what occurred on the doorbell video.

The Division also finds that the clear and convincing evidence substantiated that Respondent's conduct amounted to acts that violate the law as described in Commission Regulation 1205(a)(6), in that on July 13, 2023, the Respondent physically harmed the Victim by forcibly throwing her to the ground outside their residence and further dragging her on the ground by her ankles. This conduct was inconsistent with the Respondent's obligation to uphold the law or respect the rights of members of the public. The Division finds the Respondent's act of violence upon the Victim not only violated CHP's internal policies, but also CA Penal Code sections 242 and 243(e)(1), which confirms the Respondent's unlawful conduct. In addition to violating the CHP's policies with regards to off-duty conduct, clear and convincing evidence exists that Respondent violated California Penal Code section 13510.8(b)(6) and Commission Regulation 1205(a)(6) – Acts That Violate the Law.

B. Does the alleged conduct violate POST Regulation 1205(a)(1) – Dishonesty?

CCR 1205(a)(1) Dishonesty is defined in part as, "relating to the reporting, investigation, or prosecution of a crime, or the relating to the reporting of, or investigation of misconduct by a peace officer…"

SBSO Detective Jose Perez was assigned to conduct a criminal investigation concerning the Victim's allegations of domestic violence. Det. Perez informed the Respondent about a video he received from the SDSO depicting physical abuse. Perez asked the Respondent if he recalled the events on the video, to which Respondent said, "I don't." The Respondent, however, also volunteered that their relationship was very passionate sexually. [SBSO Report 2324-00523 Page 6]

Det. Perez showed the video to the Respondent who said he couldn't recall if they were arguing or any other details. He acknowledged the subjects in the video looked like he and the Victim and said, "it appears as if they were fighting." The Respondent described how he and the Victim "role play in a rough manner which could be misinterpreted." [SBSO Report 2324-00523 Page 6]

On June 20, 2024, the Respondent was interviewed by CHP Internal Affairs Investigators Scott Mason and Joel Holly (Investigators). Investigators asked the Respondent if he was aware of an incident captured on July 13, 2023, by a video camera system on the front door of his house involving him and the Victim. Respondent replied, "Yes." [CHP IA – ADAMS Interview, Page 166] This comment is in direct contradiction to what he told Det. Perez.

Investigators had the Respondent read portions of Det. Perez's report which summarized the interview and interaction Det. Perez had with the Respondent. [CHP IA – ADAMS Interview, Pages 167-169]

After reading the report, Investigators asked the Respondent if the statement, as summarized by Det. Perez, was true and accurate and if he wanted to clarify. The Respondent replied, *"Yes."* When asked by Investigators if there was anything Respondent wanted to clarify or change from the statement, Respondent added*, "I was kind of bum-rushed on this one [referring to the way in which the three SBSO Detectives initially approached him at his home]. And he [Perez] shows me the video, and then I'm watching it, and it looks like us. It looks like a fight, but I can't remember, or I don't remember, at that time, any of the events leading up to it.… [the Victim] never showed me the video. She just said she had a video…I started thinking more and more about it. I was like, oh okay. So… we're into some, I guess, weird or alternative lifestyle type stuff where we role play. And part of the role playing we were doing at that point, during that*

time frame, was like a landlord/tenant type thing. So, …we didn't have the kids for a month…So we started playing around with the idea, like, hey we'll do a role play, kind of landlord/tenant type situation, and this is my house and you're my tenant and how you are going to pay the rent? So, this is awkward to talk about with, like, totally people that I don't know…so, we'd both been drinking, and then we were -- hey, let's play the – play our little game or whatever,…and so, she would repay me with sex. And that just our, that was captured on that Arlo [front door video camera]." [CHP IA – ADAMS Interview, Pages 169-173]

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Investigators reminded the Respondent of the statement he gave to Det. Perez about role playing. Investigators asked the Respondent if he liked using the term role playing to describe the incident and he said, *"Yeah…that was the landlord/tenant thing where she didn't pay her rent, so I'm throwing you out of the house. Like, we'd both been, we both agreed to that, so that's why this is so just…"* [CHP IA – ADAMS Interview, Page 183]

Investigators asked the Respondent how the role playing scene ended. The Respondent said, *"It ended with me shutting the door, and then opening the door, letting her back in, and then she proceeded to pay the rent in a sexual way, I guess you could say."* [CHP IA – ADAMS Interview, Page 185]

Investigators asked the Respondent if he ever went beyond the other one's comfort level when role playing and how would he know if he ever went beyond the other's comfort level. The Respondent replied that they have not gone beyond the comfort level of each other, but said they use a pre-determined safe word when it does. The Respondent said the Victim "probably" used a safe word in the past. [CHP IA – ADAMS Interview, Pages 185-186]

Investigators showed the "role playing" video tape again to the Respondent. While watching the video, Investigators paused it when Det. Perez asked the Respondent if he knew whether the Victim had a video and he said, "I don't." Investigators asked if the statement made to Det. Perez was accurate, because Respondent mentioned earlier that he knew the Victim had a video taken from the house.. The Respondent said*, "Well, like I said, they [SBSO Detectives] contacted me the day of. He's talking about a video. I am trying to wrap my head around what video he's talking about, and then I realize,*

okay, that's probably the video, and then he shows me the video…… So I was kind of caught off guard…if you think about it, I got the small guy [Perez] asking me questions. I have this older lady sitting here, and then I have a Sergeant on this side of me, like, staring down. I mean, I'm nervous." [CHP IA – ADAMS Interview, Pages 213-214]

Investigators also asked the Respondent why, when Det Perez asked about what was happening in the video, Respondent spontaneously stated, "I don't know if we were arguing that night." The Respondent told Investigators, "[b]ecause again, that was the first time I saw it, I'm looking at it, like, I don't know…looks like two objects wrestling…The one I saw this morning is a lot clearer. But it was not very clear as to what the image was at the time." [CHP IA – ADAMS Interview, Pages 215-216]

Investigators talked about Respondent's statement to Det. Perez that the video "was just us hanging out is what it looks like." The Investigators then asked Respondent, "what's shown in this video, is that a normal hanging out?" The Respondent said, "So, again, it was us just hanging out. … I'm trying to understand how I'm going to explain to three strangers [referring to the three SBSO deputies] that we're into some weird stuff, weird sexual things…I don't feel comfortable telling them all the ins and outs." [CHP IA – ADAMS Interview, Pages 223-224]

Investigators again reviewed the video with the Respondent, specifically the Victim describing to SDSO Deputies what occurred prior to what was captured on the front door camera on July 13, 2023. In Deputy Powroznik's BWC video, the Victim explains what happened that was captured on their front door video system as, "I texted an ex-boyfriend, and so he picked me up and threw me on the ground and dragged me across the house by my ankles. Picked me up and threw me on the ground again and did it in front of (inaudible)." [CHP IA – ADAMS Interview, Page 252]. Investigators asked the Respondent if the Victim texted an ex-boyfriend, and whether Respondent picked her up and threw her on the ground or dragged her across the house and he replied, "No." [CHP IA – ADAMS Interview, Page 253]

Investigators asked the Respondent if the Victim's reaction (crying) when the Victim showed the video of what occurred at their front door to the SDSO deputies was consistent with how the Victim would present a consensual encounter. The Respondent said, "I think, in this video, she's intoxicated. I think that she knows that this is going to be detrimental to our lives and to my life, in particular. And she knew that when she gives that narrative of what it looks like, that that's the end for me…" [CHP IA – ADAMS Interview, Pages 254-255]

Appealing his termination, the Respondent had a State Personnel Board hearing on April 1-2, 2025. Administrative Law Judge Douglas Purdy presided. In his ruling, Judge Prudy cited Evidence Code 780 in determining credibility, which provides that the trier of fact may consider any matter that has any tendency in reason to prove or disprove the

truthfulness of testimony, including witness demeanor, character of testimony, extent of witnesses ability to perceive, recollect or communicate any matter about which she or he testifies.

Judge Purdy described his conclusion in part as follows, "[t]he video footage from the doorbell camera was not consistent with consensual role-playing. [Respondent] lifted [the Victim] and tossed her onto the front porch, where she landed on her back. That action clearly could have resulted in serious injury to [the Victim], which makes it unlikely that she willingly consented to it. [Respondent's] demeanor in the footage appeared angry and aggressive. [The Victim] appeared to be frightened and screamed at [Respondent] several times to stop. [Respondent's] testimony therefore was not consistent with the video footage." [Board Resolution and Order/Proposed Decision, case 24-1576, pages 14 and 15].

Judge Purdy further believed the Respondent was not credible. In his summary regarding the Government Code section 19572(f) charge of dishonesty, Judge Purdy ruled, "[Respondent] falsely told [SBSO] Deputy Perez that he did not know what the doorbell video footage depicted. He falsely told [CHP] Sergeant Mason that the July 13, 2023, incident was consensual role-playing and that his disputes with [the Victim] had never escalated into physical conflicts." [Board Resolution and Order/Proposed Decision, case 24-1576, page 20].

When the Division subsequently interviewed the Respondent, he continued to maintain that the doorbell video footage was nothing more than consensual role playing. In assessing the Respondent's credibility, the Division finds that Respondent is not credible. It is implausible that the footage depicts consensual role-playing, and this is clear after carefully examining the video. The Division's conclusion is based, in part, on the tone of voice of the Respondent who sounds and appears angry, and the actions of the Victim, who seems to be protecting herself and sounds frightened as she repeatedly tells the Respondent to stop. Therefore, the Division finds the Respondent's representations that the July 13, 2023 video depicts a consensual role playing encounter between Respondent and the Victim are not credible.

The Division finds that the clear and convincing evidence substantiated that Respondent's conduct amounted to dishonesty as described in Commission Regulation 1205(a)(1), in that the Respondent made dishonest statements, first to the SBSO investigators who were investigating a crime, and then later to CHP administrative investigators who were investigating the same events as part of an investigation into misconduct. The Division finds the Respondent's statements to the SBSO and CHP concerning the July 13, 2023 video established clear and convincing evidence he violated California Penal Code section 13510.8(b)(1) and Commission Regulation 1205(a)(1) – Dishonesty.

VI. Supporting Evidence

Evidence	Attachment
Executive Review and Division Recommendation	A
Respondent's EDI Profile	B
San Diego County Sheriff's Report # 24107775	C
San Bernardino County Sheriff's Report # 232400513	D
CHP IA Case Summary P24-053	E
Victim Letter	F
Doorbell Video Footage	G
SPB- Board Resolution and Order/Proposed Decision Case # 24-1576	H
Respondent IA Interview – Transcript	I
Respondent Interview with POST LEC - Transcript	J

VII. Conclusion

As stated above, the clear and convincing evidence substantiated violations of California Penal Code Section 13510.8(b)(6) and (b)(1) and POST Regulation 1205(a)(6) and (a)(1). Reasonable grounds exist to submit this case to the Peace Officer Standards Accountability Advisory Board and the POST Commission for consideration of revocation or suspension of Respondent's peace officer certificates pursuant to California Penal Code Section 13510.8.

Commission on Peace Officer Standards and Training
860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1603
(916) 227-3909 • www.post.ca.gov

EXECUTIVE REVIEW & PEACE OFFICER STANDARDS ACCOUNTABILITY DIVISION RECOMMENDATION

DATE: 12/04/20258

CASE #: POST2403212

PEACE OFFICER: Richard Adams

POST ID#: C56-Q43

AGENCY: California Highway Patrol (CHP)

POST CONSULTANT / BC: Raymond Bechler / Robert Guyton

ALLEGATION(S):

California Code of Regulations Title 11 § 1205(a)(1) - Dishonesty

California Code of Regulations Title 11 § 1205(a)(6) - Acts That Violate the Law

On February 25, 2024, deputies responded to a 911 call from a woman (hereafter referred to as "Victim") staying at a Poway hotel with her boyfriend, Richard Adams (hereafter referred to as “Respondent”), an off-duty CHP officer. Victim told deputies the two had argued and that his behavior frightened her, though no physical altercation had occurred that day. Victim also stated she wanted to leave and drive home but that the Respondent was not allowing her to do so. While speaking with deputies, the victim disclosed several past incidents of physical violence by the Respondent over the preceding two years.

On July 13, 2023, an incident had been recorded on the couple’s home security system showing the Respondent physically assaulting the victim while she repeatedly said, “Stop.” When CHP Internal Affairs investigators later questioned the Respondent about the recording, he claimed the event was consensual role-playing. He acknowledged that the physical actions in the video increased the risk of harm to the victim but maintained it was part of their roleplay.

The victim reported three additional domestic violence incidents over the past two years, one of which was witnessed by her minor child. In that incident, the child called 911 and reported that her stepfather was “throwing [her] mom around.” All reported incidents were investigated criminally and administratively.

Following its internal investigation, CHP sustained one allegation of domestic battery against the Respondent based on the video-documented incident and also determined he was dishonest when questioned about it. The agency did not sustain the other domestic violence allegations reported by the victim.

The Peace Officer Standards Accountability Division, Certification Executive Review Panel has reviewed the above referenced case involving alleged serious misconduct and has determined the following:

☒ There are reasonable grounds for suspension or revocation of a peace officer's certification.

POST determined clear and convincing evidence exists to show Respondent committed serious misconduct as defined in Penal Code §13510.8(b)(6) and Title 11, California Code of Regulations 1205(a)(6) – Acts That Violate the Law, and Penal Code §13510.8(b)(1) and Title 11, California Code of Regulations 1205(a)(1) - Dishonesty when he committed domestic violence upon his girlfriend and was dishonest when questioned about it during the agency investigation.

William Darden Chief Legal Counsel	Signature	12/4/25 Date
Annemarie Del Mugnaio Assistant Executive Director	Annemarie Del Mugnaio Signature	12/04/2025 Date
Manny Alvarez Executive Director	Manny Alvarez Signature	12/05/2025 Date

cc: Robert Guyton

cc: Jason Morlock

cc: Chandler Knapp

POST PROFILE NAME:

ADAMS, RICHARD

CALIFORNIA COMMISSION ON **POST**

Certification Status: Temporary Suspension

Effective: 11/21/2024

AKA: N/A

DATE: 01/12/2026

PERSONAL IDENTIFICATION

POST I.D.	Agency	Birth Date	Gender	Race/Ethnicity
C56-Q43	CA HIGHWAY PATROL	[redacted]	[redacted]	[redacted]

CERTIFICATES AWARDED

Cert No.	Type	Awarded	Education	T	T+	Comments
195169	B	06/08/2019		44.30	0.00	Invalid

Total Number of Certificates: 1

EMPLOYMENT

Hired From	To	R*	Rank	Rank Date	Agency	Agency Name	F/P	P/U	Seas
06/26/2017	01/05/2018	6	TRN	06/26/2017	34890	CA HIGHWAY PATROL	F	P	
01/05/2018			PO	01/05/2018	34890	CA HIGHWAY PATROL	F	P	

***Reason for Separation: 6 = Other**

POST CERTIFIED TRAINING

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
11/06/2015	K	9070-32415-15-002	40		Y	60050	GTA		DOMESTIC VIOLENCE INVESTIGATION
07/01/2016	H	7290-10342-15-004	32		Y	60050	D-PREP		CRITICAL INCID RESP/SUP/MGR
11/10/2017	A	1270-00100-16-005	886	X	Y	34890	CHP		BASIC COURSE-INTENSIVE
12/27/2017	K	2950-24203-17-022	2	X	Y	34890	BUTTE CTR		CRITICAL INCIDENT FOR PATROL
04/17/2018	K	1270-29501-17-169	4	X	Y	34890	CHP	*	FIREARM(PSP)
06/05/2018	K	1270-29000-17-260	2	X	Y	34890	CHP		BIAS BASED POLICING: REMAINING FAIR & IMPARTIAL
07/10/2018	K	1270-31082-18-001	4	X	Y	34890	CHP		HAZMAT 1ST RESPONDER OPER UPD
08/28/2018	K	1270-29503-18-005	4	X	Y	34890	CHP	*	ARSTCTL(PSP)
11/27/2018	K	9180-25585-18-150	2	X	Y	34890	POST	*	TACTICAL COMMUNICATION (WEB)
12/05/2018	K	9180-25583-18-158	2	X	Y	34890	POST		DOMESTIC VIOLENCE RESPONSE (WEB)
12/13/2018	K	1270-20272-18-058	16	X	Y	34890	CHP		ADVANCED ROADSIDE IMPAIRED DRIVER ENFORCEMENT
04/25/2019	K	1270-20801-18-003	16		Y	34890	CHP	*	CRISIS INTERVENTION
06/13/2019	K	1270-29502-18-412	4	X	Y	34890	CHP	*	DRIVING(PSP)
08/15/2019	K	1270-31082-19-318	4	X	Y	34890	CHP		HAZMAT 1ST RESPONDER OPER UPD
10/16/2019	K	1270-23300-19-011	24	X	Y	34890	CHP		RADAR OPERATOR
03/10/2020	K	9180-25586-19-254	8	X	Y	34890	POST		FIRST AID/CPR/AED (WEB)
03/22/2020	K	9180-25589-19-266	2	X	Y	34890	POST		DV RESPONSE & LETHALITY ASSESSMENT (WEB)
03/22/2020	K	9180-25585-19-266	2	X	Y	34890	POST	*	TACTICAL COMMUNICATION (WEB)
08/13/2020	K	1270-29503-20-033	8	X	Y	34890	CHP	*	ARSTCTL(PSP)
12/10/2020	K	1270-22306-20-016	8	X	Y	34890	CHP	*	ACTIVE SHOOTER RESPONSE
03/03/2022	K	1270-29501-21-635	4	X	Y	34890	CHP	*	FIREARM(PSP)
03/10/2022	K	1270-29502-21-085	4	X	Y	34890	CHP	*	DRIVING(PSP)
03/29/2022	K	1270-22306-21-078	8	X	Y	34890	CHP		ACTIVE SHOOTER RESPONSE
04/13/2022	K	1270-29582-21-333	8	X	Y	34890	CHP	*	ARSTCTL/USE OF FORCE (PSP)
08/12/2022	K	1270-22306-22-006	8	X	Y	34890	CHP		ACTIVE SHOOTER RESPONSE
09/02/2022	K	1270-31082-22-118	4	X	Y	34890	CHP		HAZMAT 1ST RESPONDER OPER UPD
10/04/2022	K	9180-25597-22-096	1	X	Y	34890	POST		LEGAL UPDATE: POSITIONAL ASPHYXIA-SELF PACED
12/06/2022	K	9180-25595-22-159	4	X	Y	34890	POST		BEYOND BIAS:RACIAL & ID PROFILING UPD- SELF PACED

POST CERTIFIED TRAINING *continued*

Comp Date	Cat	CCN	Hrs	Rmb	Cmp	Agency	School	*	Course Name
12/07/2022	K	9180-25599-22-160	4	X	Y	34890	POST	*	PSP: STRATEGIC COMMUNICATIONS-SELF PACED
06/07/2023	K	9180-25587-22-342	2	X	Y	34890	POST		VEHICLE PURSUIT POLICY (WEB)
06/23/2023	K	1270-29502-22-167	4	X	Y	34890	CHP	*	DRIVING(PSP)
11/01/2023	K	1270-29501-23-543	4	X	Y	34890	CHP	*	FIREARM(PSP)
05/02/2024	K	9181-25599-23-307	4	X	Y	34890	CAPLP	*	PSP: STRATEGIC COMMUNICATIONS-SELF PACED
05/02/2024	K	9181-25505-23-307	2	X	Y	34890	CAPLP		DOMESTIC VIOLENCE RESPONSE UPDATE

***Meets Perishable Skills**

FOOTNOTES

NO FOOTNOTE ON FILE.

PLEASE REFER TO THE ENCLOSED EXPLANATION SHEET FOR ADDITIONAL INFORMATION.

COMMISSION ON POST – PROFILE REPORT

The Profile Report contains confidential information.

EXPLANATION SHEET

PERSONAL IDENTIFICATION: Subject's personal information as indicated in POST database (EDI system)	
POST ID:	Unique identification number assigned to subject by POST.
Agency:	Indicates the agency (or one of the agencies) where subject is currently employed. An "*" indicates that the subject is employed in more than one position within the same agency.
Birth Date/Gender:	Self-explanatory.
Race/Ethnicity:	**A** = Asian **B** = African American (Black) **N** = Native American **S** = Spanish/Hispanic **W** = White **O** = Other

CERTIFICATES AWARDED	
Cert:	Certificate serial number.
Type:	**B** = Basic **I** = Intermediate **A** = Advanced **S** = Supervisory **M** = Management **E** = Executive **R** = Reserve **D** = Public Safety Dispatcher **SX**= Specialized X (example: SA = Specialized Advanced)
Awarded:	Date certificate was issued.
Education:	Educational points or degree used for earning a certificate.
T:	Training points used for awarding the certificate.
T+:	Additional training points.
Comments:	Comments regarding training or institute(s) where subject received education.
Total Number of Certificates:	Number of certificates awarded to subject as indicated in POST database.

EMPLOYMENT: Subject's employment history as indicated in POST database	
Hired From:	Date subject was hired or sworn into the agency.
To:	Date subject left agency (if applicable).
R*:	Reason for separation as indicated by number in the Report description.
Rank / Rank Date:	Indicates rank as translated by POST database and date subject made rank.
Agency / Agency Name:	Agency code number and name where subject is currently working or previously worked.
F/P:	Time base: **F** = Full time **P** = Part time
P/U:	Wage status: **P** = Paid **U** = Unpaid
Seas:	Provisional or seasonal employment.

POST TRAINING: Courses attended or completed as indicated in POST database	
Comp Date:	Date course ended.
Cat:	General course category (for POST use only).
CCN:	Course Control Number.
Hrs:	Hours completed in course.
Rmb:	Reimbursement indicator: **R** = Reimbursed *(before FY 83/84 reimbursable agency not necessarily reimbursed)* **J** = Job specific * = Job specific, SALARY NOT PAID **Blank** = None or no data available
Cmp:	Completion indicator: **Blank or Y** = Course completed **N** = Course not completed **?** = Prior to 1979
Agency:	Agency where subject was employed at time of course enrollment.
School:	Training institute offering the course.
Course Name:	Course name as shown in POST database.

NON-CERTIFIED COURSES

This section will only appear if applicable.

FIELD TRAINING

This section tracks field training progress and will only appear if applicable.

FOOTNOTES

This section reserved for additional information.

Investigative Summary

On February 24, 2024, Officer Richard Adams, ID 21928, was off-duty and staying with his fiancée, and cohabitant, Victim at the Hampton Inn in Poway, California. They got into an argument with each other, during which Victim alleged Officer Adams' behavior *"got scary."* Victim requested Officer Adams secure his off-duty pistol in the front desk safe. The argument continued into February 25, 2024, when Victim advised Officer Adams, she wished to drive home without him. Despite that advisement, Officer Adams loaded their luggage onto a bellman's cart and walked with Victim to the parking lot. As they walked through the lobby, Officer Adams stopped at the front desk to retrieve his firearm while Victim continued to her car. Officer Adams then caught back up to Victim as she stood at her car, loaded his luggage into the trunk, insisted that she take him with her, and would not allow her to freely leave the premises. At approximately 1608 hours, Victim called 9-1-1 to report the domestic dispute between herself and Officer Adams. As Victim was on the phone with the 9-1-1 operator, Officer Adams walked away and sat in the hotel lobby. San Diego County Sheriff's Department (SDSD) deputies responded to the Hampton Inn and contacted Victim Officer Adams remained in the lobby for the duration of the SDSD investigation. A clerk at the Hampton Inn advised Officer Adams the police were on scene, but Officer Adams did not go outside to speak with the deputies, and no contact was made with him on that day. Following the contact with SDSD deputies, Victim drove by herself back home to Location. Officer Adams returned home later that evening via Lyft.

During the SDSD's investigation into the incident, Victim reported a long history of violence and aggression from Officer Adams during the prior two (2) years of their relationship. Victim made a request for law enforcement action for past incidents of domestic violence involving Officer Adams and advised the deputies she had *"videos of him assaulting people."* **(Exhibit 06.c – 22:23)**. Victim detailed several incidents in which Officer Adams was violent with her including the following:

- In the month of June 2022, Officer Adams dragged Victim out of bed, threw her into a TV, dragged her by her ankles, and used his forearm to cut off her airway which caused blood vessels to rupture in her eye. Victim shared two (2) photographs of a sub-conjunctival hemorrhage in her left eye which were captured on Body Worn Camera (BWC) footage **(Exhibit 06.f)**. Victim called 9-1-1, but claimed she was dishonest with the San Bernardino County Sheriff's Department (SBSD) deputies when they arrived on scene, because she did not want Officer Adams to get in trouble and "*lose everything*."

Investigator's Note: Victim *refused to submit the photographs of her eye to the SDSD deputies for inclusion with their investigation.*

- On May 14, 2023, Victim's then 14-year-old daughter (Juvenile #1), called 9-1-1 after witnessing an altercation between Officer Adams and Victim Juvenile #1 reported

Officer Adams threw Victim out of a chair. During the 9-1-1 call, Juvenile #1 abruptly changed her demeanor and requested deputies not respond. Victim stated Officer Adams threw her to the ground and her head struck a brick fireplace. SBSD deputies responded to the residence, but both Victim and Juvenile #1 were dishonest with deputies upon their arrival and no report was taken. Victim wanted to keep Officer Adams out of trouble, and Juvenile #1 did not want to cause a problem on Mother's Day. **(Exhibit 09)**

- On July 13, 2023, after Victim sent a text message to an ex-boyfriend, Officer Adams picked her up and threw her on the ground, dragged her across the house by her ankles, and then threw her out of the front door of their residence. Victim shared ARLO doorbell camera footage she had saved of this event. Victim described the video as evidence of Officer Adams assaulting her in an incident of domestic violence. The footage shows Officer Adams standing behind Victim with his arms underneath hers on her torso. Officer Adams then forcibly propelled Victim out of the front door, and Victim landed violently on her left shoulder on the front porch with her legs still inside the house. Officer Adams then grabbed Victim's right leg and dragged her completely out of the house. During the video, Officer Adams can be heard yelling, *"Are you Fucking kidding me, dude?"* Victim can be heard yelling, *"Richard Stop! Stop!"* Victim allowed the video to be captured on SDSD BWC footage but refused to submit it separately to the deputies for inclusion with their investigation. **(Exhibit 06.b – 41:53)**

Investigator's Note: Although Victim *has a propensity to recant allegations of domestic violence, she has not unequivocally denied or recanted her statement regarding this specific incident that was captured on July 13, 2023. During a follow-up investigatory interview,* Victim *declined to comment further on the events depicted in the video.*

- On February 10, 2024, Officer Adams followed Victim around their house yelling at her and making accusations against her. Officer Adams then grabbed her by her wrist causing her to drop a glass which shattered upon impact with the ground. Officer Adams yelled at her, accused her of making a mess in *"his"* house, grabbed her by the neck, threw her on the ground, punched her in the face twice with a closed fist, kicked her in the stomach, and told her she was *"trash"* and to *"stop acting like a victim."* Victim claimed she was unable to call 9-1-1 on this occasion due to Officer Adams having taken possession of her cell phone, and nobody else being home. **(Exhibit 06.c – 35:16)**

- On an unknown date approximately two (2) years prior to February 2024, Officer Adams pushed Juvenile #1 to the ground and took her cell phone from her. **(Exhibit 06.c – 44:29)**

Investigator's Note: Officer Adams made supervisory notification after each of the abovementioned incidents which resulted in a law enforcement response.

On February 26, 2024, Officer Adams called Morongo Basin Area Sergeant Randy O'Brien, ID 17977, to advise of his involvement in the incident on February 25, 2024, and the response and potential investigation from the SDSD. Sergeant O'Brien notified Morongo Basin Area Commander, Lieutenant Cameron Broyles, ID 14617, who in turn notified Inland Division Assistant Chief Kari Clark, ID 14720.

Based on allegations of domestic violence provided by Victim, and the video and photographic evidence shared on scene with the SDSD deputies, an incident report was generated and forwarded to the SBSD for further investigation.

SBSD Detective Jose Perez, ID G6923, conducted a follow-up investigation based on the information provided by the SDSD, and submitted a report to the San Bernardino County District Attorney's Office (SBCDAO) for review and filing of charges of California Penal Code (CPC) 243(e)(1), *Domestic Battery,* against Officer Adams.

On April 5, 2024, the SBCDAO filed charges against Officer Adams for the abovementioned charge, for the incident of domestic battery memorialized on video on July 13, 2023.

On April 15, 2024, Officer Adams contacted Sergeant O'Brien and advised Victim had received a letter from the SBCDAO informing her she was identified as a victim of domestic violence. Morongo Basin Area Sergeant Aaron Lowe, ID 17420, confirmed the SBCDAO filed one count of 243(e)(1) CPC against Officer Adams. Notification of the case update was made to Assistant Chief Clark, and Inland Division Chief Daniel Minor, ID 13318, who made the decision to initiate an internal investigation.

Investigator's Note: As of the completion of this Administrative Investigation, the status of Officer Adams' criminal case is still pending.

Due to her uncooperative nature during a follow-up interview with Detective Perez, her history of recanting allegations, and her compromised position of cohabitating with Officer Adams, investigators decided to postpone contact with Victim until later in this administrative investigation.

The specific allegation(s) from this investigation are:

1. Officer Adams willfully and unlawfully committed domestic battery upon his fiancée, Victim by forcibly throwing her out of the front door of their residence.

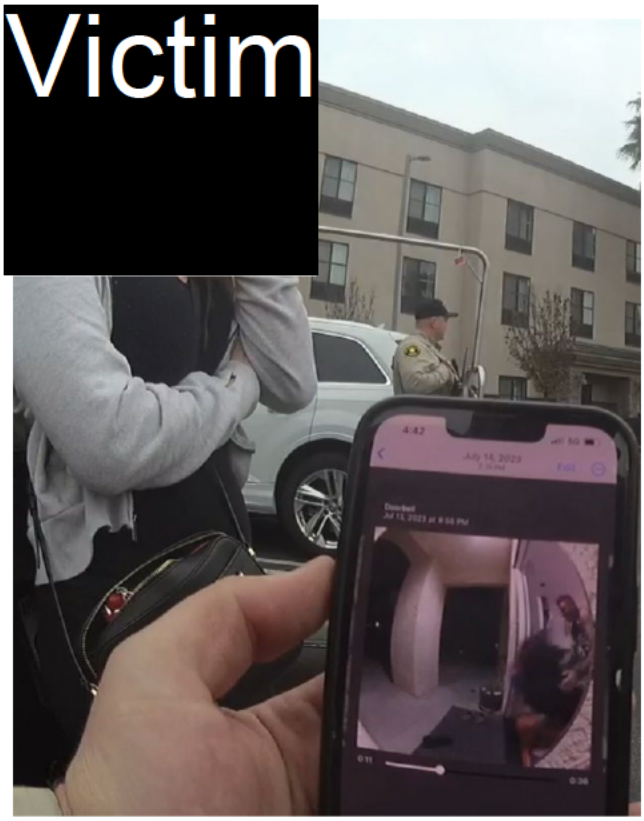
Findings

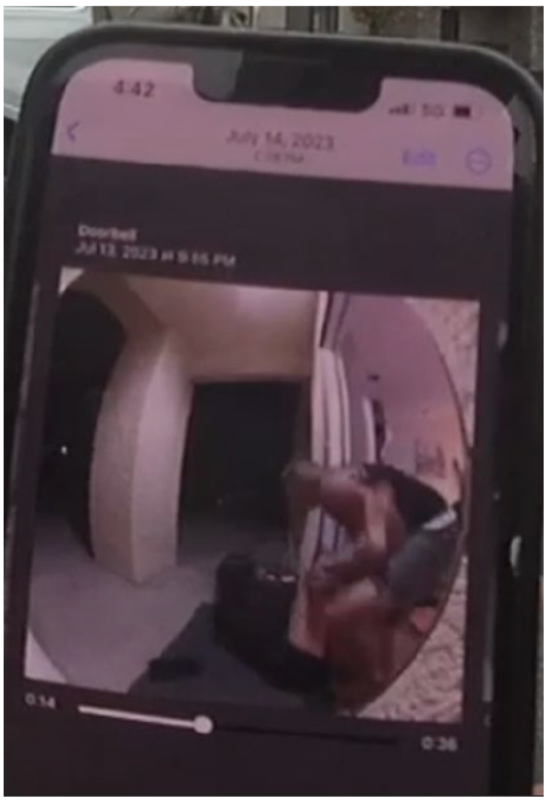
1. Officer Adams willfully and unlawfully committed domestic battery upon his fiancée, Victim, by forcibly throwing her out of the front door of their residence. -- **Founded**

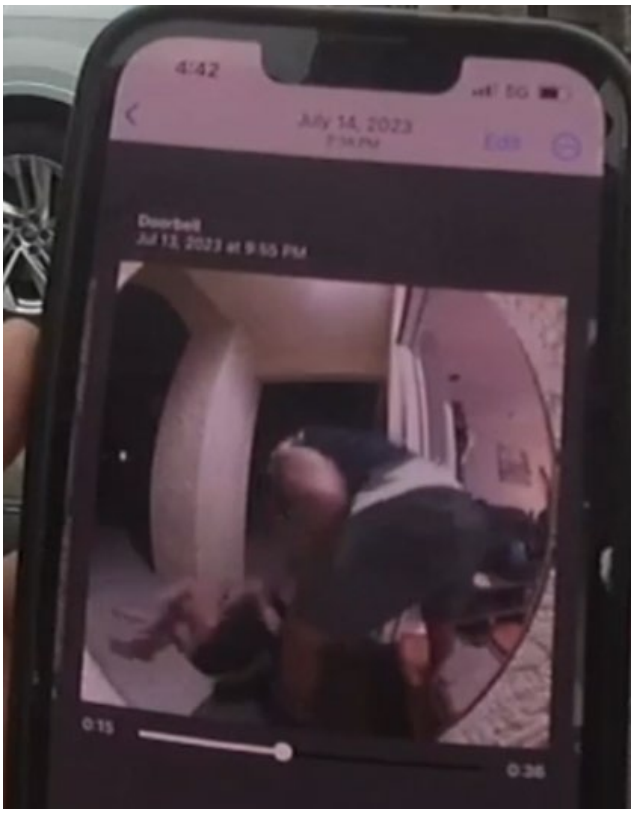
The determination that the allegation was founded was based upon the following:

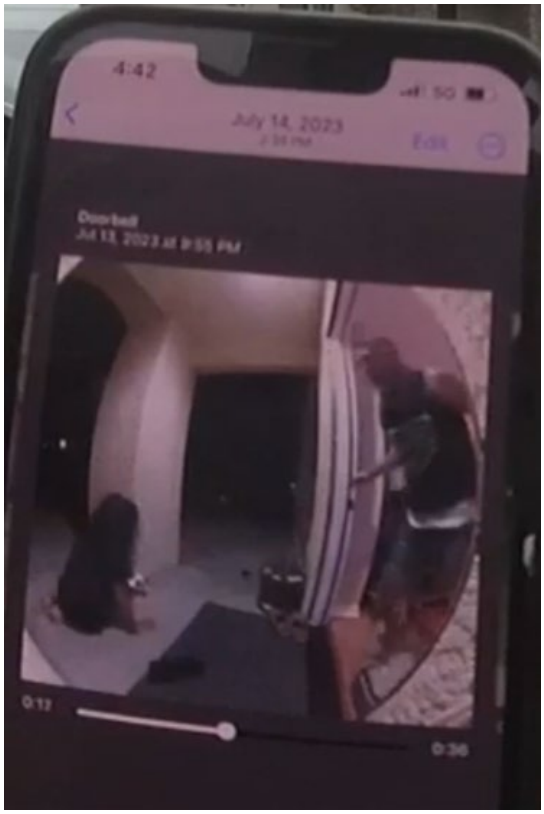
- Video footage of Officer Adams forcibly removing Victim from their house was captured via Officer Adams' ARLO doorbell camera.
  - The following are four (4) screen captures of the doorbell video footage depicting Officer Adams forcibly throwing Victim out of the front door of their residence. **(Exhibit 06.b)**

Victim









- The video depicts Officer Adams overpowering a struggling Victim in the doorway of their home. Officer Adams is clearly the dominant aggressor in the incident. There are no threats, acts of violence, or displays of aggression on the part of Victim.

  The video begins as Officer Adams is standing behind and holding Victim, who was trying to move away from the doorway, back towards the inside of the house. Both parties disappeared out of frame, into the house, and then reappeared as Officer Adams forcibly lifted and propelled Victim, who was in a seated position, out of the front door. Victim violently landed on her left side, with her head nearly striking the ground on the front porch, while her legs and lower torso remained inside the threshold of the doorway. Officer Adams then repositioned himself and used both hands to gain control of Victim's right leg as she continued to actively resist Officer Adams by attempting to free her leg and roll back inside the house. Officer Adams overpowered Victim and dragged her legs out of the front door. Officer Adams actions caused Victim to roll over and end up in a seated position on the porch. Officer Adams stepped back into the doorway facing Victim as the video clip came to an end. During the video clip, both parties can be heard audibly struggling and arguing. Officer Adams can be heard yelling, *"Are you fucking kidding me, dude?"* Victim can be heard yelling, *"Richard Stop! Stop!"* **(Exhibit 06.b – 41:53)**

- During her contact with SDSD deputies on February 25, 2024, Victim expressed a desire to pursue police action for incidents of domestic violence that had occurred in the past. Victim alluded to the video asking, *"What if I were to submit videos of these things happening? Would something be done then?"* When asked what videos she had, Victim stated, *"Videos of him assaulting people."* **(Exhibit 06.c – 22:23)**

- Victim tearfully shared the video with SDSD deputies during her contact with them on February 25, 2024. SDSD Deputy McKemy, ID 3119, played back the video from Victim's cell phone and recorded it using his BWC. **(Exhibit 06.b – 41:53)**

- Victim emotionally described the events surrounding the video to SDSD deputies stating, *"I texted an ex-boyfriend and so he picked me up and threw me on the ground then dragged me across the house by my ankles. Picked me up and threw me on the ground again, then did it front of the RING camera on the front door."* **(Exhibit 06.c – 37:13)**

- On February 28, 2024, Detective Perez contacted Victim and explained that he was investigating the incident and events she previously reported to the SDSD. Victim declined to provide a statement at that time. Despite numerous attempts to reschedule a convenient time to connect, and an offer to speak with another detective if Victim found it preferrable, Victim did not provide a statement to the SBSD for approximately three (3) weeks, which was after Detective Perez had spoken to Officer Adams.

- On March 18, 2024, Detective Perez, contacted Officer Adams at his residence in Location. Officer Adams' statement to Detective Perez lacked commitment and a specific refutation of the violence that had been reported. Additionally, his statement contradicted itself, as well as other statements Officer Adams would later make during his administrative interrogation. Officer Adams failed to provide a complete and unwavering account of what happened, and instead only provided limited answers to Detective Perez's questions. **(Exhibit 08.d)**

  - Officer Adams related his arguments with Victim never got physical, and Victim never complained to him following an argument of any physical contact.

  - Detective Perez described the video as a shoving match that occurred at the front door, between Officer Adams and Victim. Officer Adams related his relationship with Victim was *"passionate"* and denied knowledge of Victim's possession of a video like the one described.

Investigator's Note: This statement contradicts Officer Adams statement during his administrative interrogation that Victim *told him she had a video, and that she shared it with SDSD deputies on February 25, 2024. Additionally, Officer Adams stated he expected to be contacted regarding that incident, and the report* Victim *made that day.*

- When watching the video of the event, which Officer Adams recognized as a physical confrontation, Officer Adams' unprompted response was, *"Yeah, I don't. I don't know if we were arguing that night."*

Investigator's Note: This spontaneous statement demonstrating Officer Adams' association of a physical confrontation with an argument between Victim *and himself, deviates from his earlier assertion that his arguments with* Victim *never got physical.*

- Officer Adams stated, *"It was just us, hanging out, is what it looks like. And I don't know if she's saying that something happened."*

Investigator's Note: This statement is contextually contrary to Officer Adams' statements that he expected to be contacted by law enforcement regarding the situation, and Detective Perez's introduction of the conversation and video.

- Officer Adams stated, *"Sometimes we play rough, and then sometimes, it looks like you know, obviously it looks like I'm, we're fighting."*

- Officer Adams stated, *"That is the stuff we do sometimes, that is on the video. I don't know why we got outside. I don't know why that happened. Normally that's in the bedroom, but, that's kinda, that's that."*

Investigator's Note: This statement contradicts Officer Adams statements during his administrative interrogation that he and Victim *have engaged in the same type of sexual role-playing behavior throughout their house and in their backyard.* ***(Exhibit 12.d, page 189, lines 12-15; and page 212, lines 7-15)***

- On March 21, 2024, after Victim had delayed providing a statement for three (3) weeks, Victim was contacted by Detective Perez and provided a statement via telephone. During that interview, Victim was reluctant to provide a statement regarding the information she reported to the SDSD deputies. Detective Perez asked about Victim's history of alleged violence with Officer Adams and described the video Victim shared with the SDSD deputies. Victim related the video as described sounded familiar, but she did not feel comfortable

trying to speculate on the context or details of the video or other reported incidents due to the length of time that had passed since they had occurred. Victim said she did not think she still had the video as she encountered several issues with her phone. Detective Perez described a simplified version of what he saw on the video. Victim disputed Detective Perez's semantic description of the event (e.g., whether Officer Adams dragged her in the house or out of the house and whether he dragged her by her ankle or her leg), but she did not directly dispute the context of the actions captured. Victim described suffering from a lack of sleep on the weekend of February 25, 2024, but at no time did she describe the actions captured on video as consensual, pre-determined, or any form of role-playing. Prior to ending the phone interview, Victim expressed her discomfort and desire to end her participation in the investigation but did not relate that her prior report of violence was false. **(Exhibit 08.b)**

- During his administrative interrogation, Officer Adams was shown the video of the incident from July 13, 2023. Officer Adams admitted he was struggling with Victim, overpowered her, and forcibly propelled her out the front door as depicted in the video. Officer Adams claimed the incident was a consensual *"role-playing"* scenario, and a means toward sexual gratification. He and Victim have discussed the use of a *"safe word"* to communicate their desire to change the course of a scenario. The reason he did not stop in response to Victim's cries of, *"Richard, Stop! Stop!"* at the time was because, *"Stop was never a safe word."* **(Exhibit 12.d, page 196, line 16 through page 197, line 11)**. He admitted he did not act with due regard for Victim's safety and well-being, and his actions increased the risk of harm to her **(Exhibit 12.d, page 198, lines 17-25)**.

- Despite the potential ramifications of the pending criminal and administrative cases against him, the potential stifling of military advancement, and the potential discipline he faces with the Department, Officer Adams' has lacked urgency in presenting his account of the events surrounding Victim's contact with SDSD deputies and report of domestic violence, on February 25, 2024, and the investigation into the video from July 13, 2023.

    - On the date of his interrogation, Officer Adams claimed his relationship with Victim was good. She apologized to him after the incident in Poway, and they had reconciled from that dispute. He claimed they had been on vacation together recently and had woken up together in the same bed that morning after being sexually intimate the night before.

    - Officer Adams did not make any attempt to view or learn the contents of the video Victim played for the SDSD deputies on February 25, 2024, at any point after learning of its existence.

- Victim threatened Officer Adams prior to their trip to Poway on February 25, 2024, when she claimed she had a *"video from the house,"* that she would use against him later. **(Exhibit 12.d, page 176, Line 25 through page 177, line 24)**.

- On February 25, 2024, following the dispute in Poway, Officer Adams spoke to Victim on the phone about her contact with the SDSD deputies. During that conversation, Victim advised him *"she showed them everything and showed them a video."* **(Exhibit 12.d, page 96, lines 5-6)**.

- The SBSD began to do follow-up investigatory work on the information Victim reported to SDSD deputies in Poway.

    - Detective Perez attempted to contact Victim on February 28, 2024, three (3) days after the incident in Poway. At that point, Officer Adams assumed he would be contacted by law enforcement regarding the incident. **(Exhibit 12.d, page 175, line 2 through page 176, line 7)**.

    - Detective Perez contacted Officer Adams via telephone on March 18, 2024, approximately 22 days after the incident in Poway. Detective Perez requested to meet Officer Adams in person, later the same day. At the time of the contact, Officer Adams was aware that Detective Perez had not yet obtained a statement from Victim .

    - Officer Adams conveyed that he was caught off-guard when Detective Perez mentioned investigating domestic battery and showed him the video. **(Exhibit 12.d, pages 170-172)**.

- Officer Adams did not inquire with Victim what she reported to the SDSD deputies. **(Exhibit 12.d, page 102, line 4-8, and page 245, lines 6-24)**.

- After learning the contents of the July 13, 2023, video, Officer Adams did not encourage Victim to contact Detective Perez and provide a statement about the video and what she reported to the SDSD deputies. **(Exhibit 12.d, page 245, line 25, through page 249, line 15)**.
- Officer Adams claimed he wanted to give his side of the story to law enforcement, and thought his statement had value, but he neglected to try to provide a statement when he had the opportunity. **(Exhibit 12.d, page 90, line 2, through page 91 line 2; page 94, line 8, through page 95, line 8; and page 203, line 21, through page 207, line 1)**.

- Officer Adams claimed a clerk at the Hampton Inn asked him if the police were on scene for him. Officer Adams told the clerk he did not know why the police were present.

- Officer Adams did not call 9-1-1 himself to provide a statement regarding the events that occurred on February 25, 2024, or to report his concern about Victim's potential intoxication level and her driving away from the scene.

- Officer Adams claimed he went outside after two (2) or three (3) hours, hoping to find Victim, or someone he could talk to.

- SDSD Deputy Danielle Powroznik, SH0765, documented the contact between SDSD deputies and Victim on February 25, 2024, in SDSD Crime/Incident Report #2410775, **(Exhibit 07.c)**. In addition to the domestic dispute that occurred on February 25, 2024, Victim described three (3) additional separate incidents of domestic violence and one (1) incident of violence against Juvenile #1. Throughout an approximately 50-minute contact in which Victim spoke with five (5) different SDSD deputies, Victim maintained a consistent account of details associated with multiple additional incidents of domestic violence she described occurring on or about the following dates:

  <u>June 2022</u>

  - Victim alleged Officer Adams dragged her out of bed, threw her into a TV, dragged her by her ankles, and used his forearm to cut off her airway which caused blood vessels to rupture in her eye. Victim called 9-1-1, but claims she was dishonest with the deputies when they arrived on scene to keep Officer Adams out of trouble. Victim shared two (2) photographs of a sub-conjunctival hemorrhage in her left eye which were captured on SDSD BWC footage **(Exhibit 06.f)**. Victim refused to submit the photographs to the deputies for inclusion with their investigation. **(Exhibit 06.c – 24:59, 42:16)**

  - On or about May 23, 2024, during an administrative interview, Sergeant O'Brien corroborated the occurrence of a police response to Officer Adams' residence in June 2022. Sergeant O'Brien related Officer Adams called him following this incident and the contact from the SBSD. Officer Adams related nothing physical happened between he and Victim, but Victim was highly intoxicated and alleged Officer Adams dragged her out of bed by her ankles. At the request of SBSD deputies, Officer Adams stayed somewhere else for the night. **(Exhibit 10.a)**

  - On or about June 20, 2024, during his administrative interrogation, Officer Adams stated Victim lied to SDSD deputies regarding this incident. Officer Adams related he and

Victim had been drinking alcohol that day and were arguing with each other. There were accusations of infidelity between he and Victim, and he went through Victim's cell phone. During the argument, both he and Victim were angry and raised their voices toward each other, but Officer Adams denied any physical contact occurred between them. The SBSD responded to their house but did not take a report of the incident. Officer Adams voluntarily left the house that night and stayed with a friend. Officer Adams related he did not recall ever seeing Victim with a sub-conjunctival hemorrhage in her eye. **(Exhibit 12.d)**

Investigator's Note: Due to a data breach in 2023, the SBSD unable to access any reports, dispatch logs, or audio files of any events between April 23, 2019, and April 7, 2023.

May 14, 2023

- Victim alleged Officer Adams threw her to the ground and her head struck a brick fireplace. Juvenile #1 witnessed the confrontation and called 9-1-1. SBSD deputies responded to the residence, but both Victim and Juvenile #1, were dishonest with deputies upon their arrival to keep Officer Adams out of trouble and no report was taken. **(Exhibit 06.e – 17:01, Exhibit 06.c – 25:18, 34:04, 38:28)**

- The 9-1-1 audio obtained from the SBSD memorialized the distress in Juvenile #1's voice as she reported the incident. Juvenile #1 stated, *"Can somebody come because my stepdad's throwing my mom around."* At that point in the call a distinct and noticeable change in Juvenile #1's demeanor occurred. She became distracted and took long pauses before answering questions. Juvenile #1 advised Victim was not injured but stated *"he threw her off a chair."* Juvenile #1 then related she no longer wanted the police to respond and stated, *"I don't want to start a problem on Mother's Day."* **(Exhibit 09.b)**

Investigator's Note: The audio recording does not pick up any other voices, or conversation, however Juvenile #1's shift in cadence and sudden change in demeanor is indicative that Juvenile #1 was distracted by Victim or Officer Adams while she was on the phone, which coincides with Officer Adams statement that both he and Victim walked into the backyard where Juvenile #1 was already on the phone.

- On or about May 23, 2024, during his administrative interview, Sergeant O'Brien related Officer Adams called him following this incident and the contact from the SBSD and advised he and Victim got into a *"heated argument."* Officer Adams related alcohol was involved in the argument, but there was no physical altercation and no report taken the following regarding the incident. **(Exhibit 10.a)**

- On or about June 20, 2024, during his administrative interrogation, Officer Adams stated Victim lied to SDSD deputies regarding this incident. Officer Adams related that he and Victim were in an argument and raising their voices towards each other. Victim was angry at him about an interaction on one (1) of his social media posts and threw a beer stein at him, which struck and broke a mirror in their bedroom. Officer Adams claimed Juvenile #1 was outside in the backyard and could not have seen him or Victim from her vantage point. Officer Adams insisted Juvenile #1 merely heard the argument between Victim and himself, heard the glass shattering, and called 9-1-1 because she was scared. He and Victim walked outside during their argument and discovered Juvenile #1 was already on the phone with the 9-1-1 operator. Victim spoke with Juvenile #1, but Officer Adams did not hear what was said. Officer Adams went back inside the house, and Victim came in approximately 30 seconds later. He and Victim waited silently until SBSD deputies arrived at the house. Officer Adams spoke with the deputies in the front yard, and he did not see or hear Victim speak with them. Officer Adams did not show the deputies the broken glass, and said he was unaware if they saw it at all. Officer Adams stated there was no contact between himself and Victim. **(Exhibit 12.d)**

  - Officer Adams claimed he told responding deputies the truth when they arrived on May 14, 2023. This is contradictory to his statement that he did not show deputies the broken mirror and told them that the argument was verbal only. **(Exhibit 12.d, page 131, line 17, through page 132 line 7; and page 142, line 20, through page 143, line 22)**.

Investigator's Note: Officer Adams' assertion Juvenile #1 was unable to see anything from her vantage point presupposes that Juvenile #1 was in the same location where Officer Adams saw her upon walking into the backyard. By Officer Adams own account, he was only relatively aware of Juvenile #1's actions until learning of the pending response from the SBSD. Regardless of Officer Adams' claim, the sound of his argument with Victim *was severe enough, that when it was heard in conjunction with glass breaking inside the house, led Juvenile #1 to believe peril was afoot.*

February 10, 2024

- Victim alleged Officer Adams followed her around their house yelling at her and making accusations against her. Officer Adams then grabbed her wrist causing her to drop a glass, which shattered upon impact with the ground. Officer Adams yelled at her, accused her of making a mess in *"his"* house, grabbed her by the neck, threw her on the ground, punched her twice in the face with a closed fist, kicked her in the stomach, and told her she was *"trash"* and to *"stop acting like a victim."* Victim claimed she was unable to call 9-1-1 on this occasion due to Officer Adams having taken possession of her cell phone. **(Exhibit 06.c – 26:45, 35:17, Exhibit #06.e – 18:53)**

- On or about June 20, 2024, during his administrative interrogation, Officer Adams initially stated he did not have an argument with Victim on or about February 10, 2024. After viewing the recording of Victim's statement to SDSD deputies accusing him of domestic battery, Officer Adams corroborated several of Victim's accusations related to their argument that day but denied physically assaulting Victim. Officer Adams admitted Victim came home late from work, which caused an argument between them. He followed Victim around the house yelling at her, including yelling at her about making a mess, but he described it as trying to communicate with her as she was *"walking and talking."* Officer Adams stated Victim then *"comes in, confronts me, and then smashes a glass of wine in my office."* **(Exhibit 12.d, page 156, lines 2-14)**. Officer Adams denied having possession of Victim's phone at any time during the argument, and further related at times she has two (2) phones depending on what job she is working at the time. **(Exhibit 12.d)**

Investigator's Note: Upon hearing her statement to SDSD deputies, Officer Adams immediately recalled the incident, and although he maintained that he did not physically cause her to break the glass she was holding, his description of the events portrays both the minor nature of the argument, and his culpability in the perpetuation of the conflict as he followed Victim *around the house yelling at her as she was walking away.*

February 25, 2024

- Victim alleged she and Officer Adams got into an argument on the night of February 24, 2024. Officer Adams behavior scared her, and she requested he secure his firearm in the hotel lobby safe. On February 25, 2024, Victim advised Officer Adams of her desire to leave the hotel without him. Officer Adams attempted to prevent Victim from leaving the hotel by attempting to take her luggage back to her hotel room, loading his luggage in her car, and standing in and around her car preventing her from leaving. Victim called 9-1-1 and requested law enforcement respond to the scene.

- On or about June 20, 2024, during his administrative interrogation, Officer Adams admitted being upset and arguing with Victim over the fact that there were two (2) beds in the hotel room instead of one (1), and because Victim was eating and spilling popcorn while he was hungry and didn't have anything to eat. Officer Adams related Victim advised him she intended to drive home without him, and they began arguing. Officer Adams loaded their luggage on a bellman's cart, and they continued arguing as they walked to the car. Victim kicked his bags off the cart in the hotel room, and in the hotel lobby. Officer Adams expressed concern that Victim was too intoxicated to safely drive back home, however he denied doing anything physical to

prevent Victim from leaving the hotel. When Victim called 9-1-1, he walked away and sat in the lobby of the hotel for a few hours before arranging for his own ride home.

Investigator's Note: Surveillance video from the Hampton Inn is overwritten every 30 days. By the time of the investigator's inquiry, the footage from February 25, 2024, had already been overwritten.

Investigator's Note: Victim was in close contact with five (5) different SDSD deputies while in the parking lot of the Hampton Inn. During the course of their approximately 50-minute investigation none of the deputies present questioned Victim about her sobriety or her ability to safely operate her vehicle. At the conclusion of their interview, Victim got in her car and drove away in the presence of the deputies.

Investigator's Note: Officer Adams corroborated a significant amount of Victim's statements for each event, stopping before admitting any physical contact or criminal behavior on his part.

- SBSD Detective Perez's Domestic Violence Report #232400513 documented Officer Adams committed misdemeanor domestic battery, a violation of CPC 243(e)(1). The report synopsizes, "*The video captured by SDSD Body worn Cameras depicted domestic battery*." **(Exhibit 08.a)**

- Throughout her initial contact with the SDSD deputies on February 25, 2024, and during her subsequent follow-up interview with Detective Perez on March 21, 2024, Victim exhibited several common characteristics of a victim of domestic violence.

  - During his administrative interrogation, Officer Adams admitted during her contact with SDSD deputies, Victim exhibited several characteristics listed in the Commission on Peace Officer Standards and Training (POST) domestic violence training curriculum including low self-esteem, fear of further violence, damaged self-image and self-respect, feelings of shame and guilt, self-blame for violence, and fear of retaliation. **(Exhibit 11.c; and Exhibit 12.d, pages 264-284)**

  - Victim has an admitted history of recanting her statements and hiding the truth in the presence of law enforcement in an effort to protect Officer Adams and prevent him from suffering the consequences of his actions.

  - During his administrative interrogation, Officer Adams' representative, Mr. Jason Ewert, provided investigators with a letter, reportedly authored and signed by Victim and submitted to the SBCDAO. In the letter Victim claimed she was angry at Officer Adams and made comments that were "*untrue at the most and exaggerated at the*

least." The letter references Officer Adams peace officer employment, military advancement, and the harmony of the family stating, *"This charge is doing more harm than good for our family now, and the future family we are planning together."* **(Exhibit 12.e)**

Investigator's Note: The tone of the letter corresponds with Victim's *reluctance to cooperate with Detective Perez and is consistent with her history of recanting her allegations of domestic violence once the situation she is in is stabilized. The ambiguous declaration that her prior statements were untrue and exaggerated lacks the specificity expected to be sincerely considered given the gravity of the accusation.*

Prior progressive discipline and training included the following:

- On May 2, 2024, Officer Adams completed California Peace Officer Standards and Training (POST) Domestic Violence training. **(Exhibit 05.b)**

Chronological Summary

1. On February 26, 2024, at approximately 0734 hours, Officer Adams contacted Sergeant O'Brien by phone to report an off-duty incident that occurred on February 25, 2024, in Poway, California involving himself and Victim which resulted in a law enforcement response. Sergeant O'Brien notified Lieutenant Broyles of the incident.

2. On February 26, 2024, Lieutenant Broyles contacted the SDSD Poway Station, and spoke with SDSD Sergeant Aaron Ritt, ID 4875. Sergeant Ritt confirmed deputies from SDSD were dispatched to the Hampton Inn in Poway for a report of an altercation. The responding deputies determined no criminal act occurred at that location. Lieutenant Broyles notified Assistant Chief Clark of the incident and the preliminary follow-up conducted.

3. On February 27, 2024, Sergeant Ritt contacted Lieutenant Broyles and related a review of the incident report indicated Victim showed the responding deputies a video from her cell phone and alleged the video showed Officer Adams throwing her on the ground in front of her residence in the town of Location. Sergeant Ritt indicated SDSD was going to forward the video of the altercation to the SBSD for investigation. Lieutenant Broyles notified Assistant Chief Clark of this development.

4. On February 27, 2024, Sergeant O'Brien contacted SBSD Sergeant Omar Lastra to inquire about any criminal investigation into Officer Adams. Sergeant Lastra indicated they were waiting for SDSD's report before assigning a detective to the case and they would notify CHP when that occurred. Lieutenant Broyles was notified.

5. On February 28, 2024, Sergeant Lastra called Sergeant O'Brien to advise they had received SDSD's report and a video of a possible domestic violence incident involving Officer Adams and the case has been assigned to a detective. Sergeant Lastra sent Sergeant O'Brien an email with SDSD's report and video.

6. On February 28, 2024, Sergeant O'Brien, and Lieutenant Broyles reviewed the footage provided by Sergeant Lastra. Lieutenant Broyles notified Assistant Chief Clark of the status of the investigation being conducted by the SBSD.

7. On March 18, 2024, Lieutenant Broyles and Sergeant O'Brien were informed by Sergeant Lastra, SBSD detectives would be contacting Officer Adams for an interview related to the criminal investigation. The interview was scheduled for March 18, 2024, at 1500 hours. Lieutenant Broyles updated Assistant Chief Clark of the status of the investigation.

8. On March 18, 2024, Sergeant Lastra advised Lieutenant Broyles the SBSD had contacted and interviewed Officer Adams at his residence. Sergeant Lastra informed Officer Adams he was being investigated for a domestic violence criminal case where he was a suspect.

9. On March 19, 2024, Officer Adams contacted Sergeant O'Brien and advised he was under criminal investigation by the SBSD for domestic violence. Sergeant O'Brien advised Officer Adams of the Employee Assistance Program and Officer Adams related he was fine and fit for duty. Sergeant O'Brien then notified Lieutenant Broyles, who then notified Assistant Chief Clark.

10. On March 26, 2024, SBSO Sergeant Lastra contacted Lieutenant Broyles and advised the completed criminal report for 243(e)(1) CPC, was sent to the SBCDAO for review. Lieutenant Broyles notified Assistance Chief Clark of the case update.

11. On April 15, 2024, Officer Adams contacted Sergeant O'Brien and advised Victim had received a letter from the SBCDAO stating she was being identified as a victim of Domestic Violence.

12. On April 15, 2024, Sergeant Lowe contacted Sergeant Lastra to verify the status of the criminal case. Sergeant Lastra advised the SBCDAO filed one (1) count of 243(e)(1) CPC against Officer Adams. Sergeant Lastra confirmed Officer Adams has a mandatory court date of May 22, 2024.

    Lieutenant Broyles notified Assistant Chief Clark of the case update, and notification was made to Chief Minor, who made the decision to initiate an internal investigation.

13. On April 16, 2024, Morongo Basin Area Sergeant Lowe, served Officer Adams with a Removal of Peace Officer Powers memorandum, and took possession of Officer Adams' service weapon, ID card and badge.

14. On April 17, 2024, Office of Internal Affairs (OIA) Lieutenant Matt Massod, ID 17920, met with OIA Sergeant Scott Mason, ID 18831, to discuss the circumstances of the investigation. Sergeant Mason was assigned as the primary investigator and OIA Sergeant Jeff Carlisle, ID 17191, was assigned as the secondary investigator.

15. On April 18, 2024, Lieutenant Massod obtained the following documents from Lieutenant Broyles and shared them with Sergeant Mason:
    a. CN 24107775.1 - San Diego County Sheriff's Department (SDSD) Crime/Incident Report. **(Exhibit 07.c)**
    b. CN 25107775.2 - SDSD Follow-Up Report. **(Exhibit 07.d)**
    c. 232400513 – SBSD Criminal Report. **(Exhibit 08.a)**

d. Removal of Peace Officer Powers memorandum. **(Exhibit 14)**

16. On April 19, 2024, Sergeant Mason contacted the Hampton Inn on Stowe Dr. in Poway, CA to inquire about surveillance video of the February 25, 2024. Assistant General Manager, Ivan, confirmed that surveillance video at the property is overwritten every 30 days, and the video from February 25, 2024, had already been overwritten.

17. On April 19, 2024, Sergeant Mason contacted SDSD Detective Vernon Willis, ID SH9925, and requested all evidence and digital recordings associated with SDSO report #24107775. Detective Willis advised he would transfer the evidence to a DVD and mail it to Sergeant Mason.

18. On April 19, 2024, Sergeant Mason left a voicemail message on the Detective mailbox at SBSD, Yucca Valley Station, requesting a call back for follow up information on SBSD case 232400513.

19. On April 25, 2024, Sergeant Mason sent an email to Lieutenant Broyles requesting personnel file documents from Officer Adams' personnel file.

20. On April 26, 2024, Sergeant Mason received the requested Body Worn Camera (BWC) footage from Detective Willis. The footage came on five (5) DVDs, **(Exhibit 06)**.

21. On April 26, 2024, Sergeant Mason left a voicemail for Sergeant Lastra, requesting contact for follow up information. Sergeant Lastra contacted Sergeant Mason and agreed to provide copies of SBSD digital evidence.

22. On April 30, 2024, Officer Adams informed Sergeant Lowe he had an upcoming court date on Tuesday May 7, 2024, at Victorville Superior Court regarding the pending domestic violence criminal case.

23. From April 30, 2024, through May 12, 2024, Sergeant Mason was on vacation.

24. On May 7, 2024, Sergeant Mason received a copy of the following items:
    a. Audio recording of SBSD Detective Jose Perez's, ID G6923 contact with Officer Adams. **(Exhibit 08.c)**
    b. Copy of SBSD Call History Log for Police Event #YV231340011. **(Exhibit 09.a)**

25. On May 8, 2024, Sergeant Mason received a copy of the audio recording of Detective Perez's contact with Victim. **(Exhibit 08.b)**

26. On May 13, 2024, Sergeant Mason received the following documents from Lieutenant Broyles:

a. Three (3) CHP 118¸ *Performance Appraisal – Officer*, for Officer Adams, covering the years 2021 – 2024. **(Exhibit 03)**
b. CHP 18¸ *Annual Internal Investigation Policy Review*, signed by Officer Adams. **(Exhibit 04.b)**
c. Signed copies of General Order (G.O.) 0.8¸ *Professional Values*. **(Exhibits 04.a, 04.c)**
d. Officer Adams Domestic Violence training certificate dated May 2, 2024. **(Exhibit 05.b)**

27. On May 13, 2024, Sergeant Mason began reviewing all evidence associated with the investigation and preparing interview questions for Victim.

28. On May 14, 2024, Sergeant Mason received access to SBSD BWC footage from their contact with Officer Adams. The footage was downloaded and added to the investigative file. **(Exhibit 08.d)**

29. On May 15, 2024, Sergeant Mason with concurrence from Lieutenant Massod decided not to attempt an interview with Victim at that time, due to her uncooperative nature and compromised position cohabitating with Officer Adams.

30. On May 15, 2024, Sergeant Mason began preparing questions for the interrogation of Officer Adams.

31. On May 15, 2024, Sergeant Mason accessed the San Bernardino County Court Access Portal (SBCCAP) to check the status of the criminal case. The case was set for a pre-trial hearing on June 11, 2024. **(Exhibit 13.a)**

32. On May 16, 2024, Sergeant Mason began isolating clips from the SDSO BWC footage for possible presentation in an interrogation.

33. On May 16, 2024, OIA Sergeant Joel Holly, ID 20741, replaced Sergeant Carlisle as the secondary investigator on the case, due to Sergeant Carlisle's promotion to Lieutenant.

34. On May 20, 2024, Sergeant Mason gathered applicable policy and law exhibits and prepared them for the interrogation. **(Exhibit 01, Exhibit 02)**

35. On May 22, 2024, Sergeant Mason received an Employee Training Record System printout of Officer Adams' domestic violence training history from Sergeant O'Brien, **(Exhibit 05.a)**. Additionally, Sergeant Mason scheduled an interview with Sergeant O'Brien for May 23, 2024.

36. On May 22, 2024, Sergeant Mason contacted Border Communications Center and Barstow Communication Center, and confirmed there was no record of any incoming 9-1-1 calls from Victim's or Juvenile #1's mobile phone numbers.

37. On May 22, 2024, Sergeant Mason requested and received audio of the 9-1-1 call, as well as the dispatch log for from SDSO Detective Willis, regarding their contact on February 25, 2024. **(Exhibit 07.a, 07.b)**

38. On May 23, 2024, Sergeant Mason and Sergeant Holly conducted a telephonic interview with Sergeant O'Brien. The interview was audio recorded and summarized on a memorandum. Sergeant O'Brien subsequently provided documentation of Officer Adams' special day off requests. **(Exhibit 10)**

39. On May 23, 2024, Sergeant Mason contacted Morongo Basin Area Sergeant Jason Melvin, ID 16455, via telephone. Sergeant Melvin related he has not had much contact with Officer Adams and did not have any information to provide to the investigation.

40. On May 24, 2024, Sergeant Mason requested audio of Juvenile #1's 9-1-1 call to SBSD on May 14, 2023.

41. On May 24, 2024, Sergeant Mason unsuccessfully attempted to contact the San Bernardino County Court, Victorville District, and requested assistance from Lieutenant Broyles to make contact. Sergeant Mason and Sergeant Holly met with Lieutenant Massod to discuss the status of the investigation.

42. On May 29, 2024, Sergeant Mason left a voicemail message for San Bernardino County District Attorney (SBCDA) Justine Jung requesting a return call to discuss Officer Adams' case.

43. On May 30, 2024, Sergeant Mason spoke with Lieutenant Broyles and gave him an update on the status of the investigation.

44. On June 3, 2024, Sergeant Mason received a voicemail message from SBCDA Jung advising she was not able to talk about the case due to the case still being open.

45. On June 4, 2024, Sergeant Mason contacted Lieutenant Broyles to coordinate a location to conduct Officer Adams' interrogation.

46. On June 6, 2024, Sergeant Mason received 9-1-1 audio from the SBSD, from the incident on May 14, 2023. **(Exhibit 09.b)**

47. On June 10, 2024, Sergeant Mason prepared a *Notice of Administrative Interrogation* memorandum for Officer Adams. The notice was sent to Lieutenant Broyles for review and service.

48. On June 10, 2024, Sergeant O'Brien advised Sergeant Mason, the abandoned Joshua Tree Elementary School was available and confirmed for Officer Adams' interrogation.

49. On June 11, 2024, Sergeant Lowe served Officer Adams with the Notice of Administrative Interrogation, for June 20, 2024. **(Exhibit 12.a)**

50. On June 11, 2024, Sergeant Mason accessed the SBCCAP and noted Officer Adams' criminal case had been set for jury trial on July 22, 2024. **(Exhibit 13.b)**

51. On June 14, 2024, Sergeant Mason gathered applicable domestic violence investigation training material from POST to be used in the interrogation. **(Exhibit 11)**

52. On June 15, 2024, Sergeant Mason accessed the SBCCAP and printed Officer Adams' criminal case information. **(Exhibit 13.c)**

53. On June 20, 2024, at 0814 hours, Sergeant Mason and Sergeant Holly, began the administrative interrogation of Officer Adams. The interrogation ended at 1506 hours. Officer Adams' chosen representative, Mr. Jason Ewert, an attorney, from Mastagni-Holstedt was present for the duration of the interrogation. All parties signed the CHP 8, *Administrative Interrogation Record,* except for Mr. Ewert, who refused. **(Exhibit 12.b)**

    The audio of the interrogation was recorded by the investigators, and Mr. Ewert. The audio was transferred to a disc and booked into evidence at the OIA. **(Exhibit 12.c)**

    During the interrogation, Mr. Ewert provided a one (1) page document which appeared to be a letter written by Victim to the San Bernardino County Court to be included in the investigation file. **(Exhibit 12.e)**

54. On June 21, 2024, OIA Officer Jeffrey Wilkie, ID 16907, uploaded the audio recording from Officer Adams' administrative interrogation to Northern California Court Reporters (NCCR) for transcription.

55. On June 25, 2024, Sergeant Mason provided Lieutenant Broyles with an update on the case status.

56. On July 2, 2024, Officer Wilkie received the transcripts of the audio recordings from Officer Adams' administrative interrogation and forwarded them to Sergeant Mason.

57. On July 2, 2024, through July 3, 2024, the transcripts of the audio recordings from Officer Adams' administrative interrogation were verified by Sergeant Mason. **(Exhibit 12.d)**

58. On July 5, 2024, Lieutenant Broyles contacted Sergeant Mason to advise Officer Adams was placed on the Brady List in San Bernardino County.

59. On July 10, 2024, Sergeant Mason retrieved the criminal case information from the SBCCAP. **(Exhibit 13.c)**

60. On July 17, 2024, Sergeant Mason booked the administrative evidence into the OIA evidence locker (E2024-0022-031). **(Exhibit 15)**

61. On July 18, 2024, Sergeant Mason accessed the SBCCAP and printed Officer Adams' updated criminal case information. **(Exhibit 13.d)**

62. From July 22, 2024, to July 28, 2024, Sergeant Mason was on vacation.

63. On July 31, 2024, Sergeant Mason accessed the SBCCAP and printed Officer Adams' updated criminal case information. The case was set for trial on August 9, 2024. **(Exhibit 13.e)**

64. On July 31, 2024, at approximately 1100 hours, Sergeant Mason left a voicemail message for Victim requesting she return the call.

65. On August 2, 2024, at approximately 1335 hours, Sergeant Mason again attempted to contact Victim via telephone. Victim answered the call, and advised she was not prepared to provide a statement on the advice of her attorney.

Exhibits

1. California Highway Patrol Policy
    a. General Order (G.O.) 0.1., *Departmental Mission Statement and Organizational Values*
    b. G.O. 0.8, *Professional Values*
    c. G.O. 0.13, *Oath of Allegiance, Code of Honor, and Code of Ethics*
    d. Highway Patrol Manual 10.3, *Personnel Transactions Manual,* Chapter 14, *Inconsistent and Incompatible Activities*

2. California Legal Codes
    a. California Penal Code (CPC) 242 - *Battery*
    b. CPC 243 – *Domestic Battery*
    c. CPC 273.5 – *Domestic Battery Causing Injury*
    d. CPC 136.1 – *Dissuade a Victim from Making a Report*
    e. CPC 236 – *False Imprisonment*

3. Officer Adams' CHP 118, *Performance Appraisal – Officer*
    a. 01/05/2021 – 01/04/2022
    b. 01/05/2022 – 01/04/2023
    c. 01/05/2023 – 01/04/2024

4. Officer Adams' Personnel File Documents
    a. G.O. 0.8 – Signed by Officer Adams
    b. CHP 18, *Annual Internal Investigation Policy Review*
    c. CHP PRIDE – Signed by Officer Adams

5. Officer Adams' Training Records
    a. Employee Training Record System Domestic Violence Training History
    b. Domestic Violence Training Certificate 05/02/2024

6. San Diego County Sheriff's Department Body Worn Camera (BWC) Footage
    a. Deputy Johnson #0888
    b. Deputy McKemy #3119
    c. Deputy Powroznik #0765
    d. Deputy Marooki #0246
    e. Deputy Velarde #6578
    f. Screen captures of [redacted] reported petechiae

7. San Diego County Sheriff's Department Report, February 25, 2024
    a. 9-1-1 Audio of call from [redacted]
    b. Dispatch Log

c. Initial Crime/Incident Report 24107775.1
d. Follow up Crime/Incident Report 24107775.2

8. San Bernardino County Sheriff's Department 243(3)(1) PC Case
   a. Criminal Report 232400513
   b. Recorded Telephonic Interview with Victim
   c. Recorded In-Person Interview with Officer Adams
   d. Detective Ables BWC Footage of Interview with Officer Adams

9. Documentation of May 14, 2023, Incident
   a. San Bernardino County Sheriff's Department Call History Log
   b. Audio Recording of Juvenile #1's 9-1-1 Call to the SBSD

10. Interview with Sergeant Randy O'Brien, ID 17977
    a. Audio Recording of Interview with Sergeant O'Brien
    b. CHP 51, *Memorandum*, Summary of Interview with Sergeant O'Brien
    c. Officer Adams' Special Days Off Request Emails
    d. Sergeant O'Brien's Text Thread with Officer Adams

11. Commission On Peace Officer Standards and Training (POST) Material
    a. Domestic Violence Definition
    b. Dominant Aggressor Definition
    c. Batterer and Victim Characteristics
    d. Domestic Violence Response Update Course Outline
    e. Sub-conjunctival Hemorrhage Activity Slide
    f. Petechiae Activity Slide

12. Officer Adams Interrogation
    a. Notice of Administrative Interrogation, signed by Officer Adams
    b. CHP 8, *Administrative Interrogation Record,* signed June 20, 2024
    c. Audio of Interrogation of Officer Adams
    d. Certified Transcription of Interrogation
    e. One (1) Page Letter, submitted by Mr. Ewert during the interrogation

13. San Bernardino County Superior Court Case Documents
    a. Portal Minute Order (5/7/2024)
    b. Portal Minute Order (6/11/2024)
    c. San Bernardino County case information MVI240001514
    d. Portal Minute Order (7/18/2024)
    e. Portal Minute Order (7/19/2024)

14. Removal of Peace Officer Powers Memorandum

15. CHP 36, *Property Receipt,* evidence #E2024-0022-031.

"I have used all reasonable diligence in preparing this investigation. To the best of my knowledge the information contained herein is a true and complete representation of my investigative efforts and includes all information."

S. MASON, Sergeant

8/9/24
Date

San Diego County Sheriff's Department
Crime/Incident Report

Case No. **24107775**

CAD Event No.: **E9082614** | Case Disposition: **Active**

Primary Victim: [redacted] Victim | Report No. **24107775.1**

GENERAL CASE INFORMATION

Primary Charge: **13730 - PC - DOMESTIC VIOLENCE INCIDENT (CALL)**			
Special Studies:			Related Cases:
Location, City, State, ZIP: **14068 Stowe Dr, Hampton Inn, Poway, CA 92064**			Occurred On: **02/25/2024 16:09:00 (Sunday)**
Jurisdiction: **City of Poway - POWAY**	Beat: **416**	Call Source: **ADMIN**	(and Between):
Means:		Motives:	

VICTIM/S

Victim #1

Person Code: ☐ Secured Premise ☐ Discovered Crime ☐ Reporting Party ☐ Law Enforcement Officer

Name:	Victim Type:	Interpreter Language:
[redacted] Victim	I - Individual	

ALIAS / AKA / NICKNAME / MONIKER:

Name Type:	First:	Middle:	Last:	Suffix:

Victim Of: **13730 - PC - DOMESTIC VIOLENCE INCIDENT (CALL)**								County Residence: **R - Resident**
Home Address, City, State, ZIP: [redacted]					Res. Country: **US**		Place of Birth:	Undocumented:
Race: [redacted]	Sex: [redacted]	Date of Birth / Age: [redacted]	Height: [redacted]	Weight: [redacted]	Hair Color: [redacted]	Eye Color: [redacted]	Facial Hair: [redacted]	Complexion: [redacted]
Employment Status: **E - Employed**	Occupation/Grade: [redacted]		Employer/School:				Employer Address, City, State, ZIP:	

CONTACT INFORMATION:

Type:	Number/Address:
MP - Mobile Phone	[redacted]

IDENTIFICATION:

Type:	Number:	State:	Country:
DLN - Drivers License Number	[redacted]	[redacted]	**US**

Attire:	Injury:	Extent of Treatment:	Violent Crime Circumstances:
black tank top, black leggings, grey hoodie			

LAW ENFORCEMENT OFFICER KILLED OR ASSAULTED INFORMATION	Type:	Type Activity:	Type Assignment:

Victim #2

Person Code: ☐ Secured Premise ☐ Discovered Crime ☐ Reporting Party ☐ Law Enforcement Officer

Name:	Victim Type:	Interpreter Language:
Adams, Richard Daniel	**I - Individual**	

ALIAS / AKA / NICKNAME / MONIKER:

Name Type:	First:	Middle:	Last:	Suffix:

Victim Of: **13730 - PC - DOMESTIC VIOLENCE INCIDENT (CALL)**								County Residence: **R - Resident**
Home Address, City, State, ZIP: [redacted]					Res. Country: **US**		Place of Birth:	Undocumented:
Race: **W**	Sex: **M**	Date of Birth / Age: [redacted]	Height: [redacted]	Weight: [redacted]	Hair Color: [redacted]	Eye Color: [redacted]	Facial Hair:	Complexion:
Employment Status: **E - Employed**	Occupation/Grade: **Law Enforcement Officer**		Employer/School: **California Highway Patrol**				Employer Address, City, State, ZIP:	

Reporting Officer	Division / Organization	Reviewed By
SH0765 - POWROZNIK, DANIELLE	**Poway Station POWAY PATROL**	**SH4875 - RITT, AARON**
Report Date **2/25/2024 5:37:31 PM**	Detective Assigned **SH9925 - WILLIS JR, VERNON**	Reviewed Date **02/26/2024 14:23:49**

CONTACT INFORMATION:			
Type: **MP - Mobile Phone**		Number/Address: [redacted]	
IDENTIFICATION:			
Type: **DLN - Drivers License Number**	Number: [redacted]	State: **CA**	Country: **US**
Attire:	Injury:	Extent of Treatment:	Violent Crime Circumstances:
LAW ENFORCEMENT OFFICER KILLED OR ASSAULTED INFORMATION	Type:	Type Activity:	Type Assignment:

IBR/UCR OFFENSE/S

Offense Description:	Level:	Against:	Completed?	Counts	Using:
13730 - PC - DOMESTIC VIOLENCE INCIDENT (CALL)	**O**		**Yes**		

Location Type:	Hate/Bias:	Domestic Violence:
14 - Hotel/Motel/Etc.	**88 - None (no bias) (mutually exclusive)**	**Yes**

Criminal Activity:	Type Security:	Gang Related:	Entry:	Point of Entry:
		No		

Weapons/Force:	Tools:		Targets:

ARRESTEE/S

SUSPECT/S (Not Yet Arrested)

WITNESSES

OTHER ENTITIES

PROPERTY

Property Item #1.000 - cd containing photo/video

Derivative No.: **0**	Property Category: **1311 - Recording - Interview or Case related - Video/Photo CD, DVD, Tape, Film, Digital storage, Negative**	
Status: **ES - Evidence (Seized)**	Count: **1**	Value:
Manufacturer:	Model:	
Serial No.:	Model Year:	OAN:
Color:	Caliber:	
Body Style:	Recovered/ Seized Date: **02/26/2024**	
Owner:	Disposition:	
Evidence Tag:	Alert(s):	
Drug Type:	Drug Quantity:	
Search Warrant:		
Notes:		

Reporting Officer	Division / Organization	Reviewed By
SH0765 - POWROZNIK, DANIELLE	**Poway Station POWAY PATROL**	**SH4875 - RITT, AARON**
Report Date **2/25/2024 5:37:31 PM**	Detective Assigned **SH9925 - WILLIS JR, VERNON**	Reviewed Date **02/26/2024 14:23:49**

Property Item #2.000 - BWC

Derivative No.:	0	Property Category:	1306 - Body Camera Video		
Status:	I - Information Only	Count:	5	Value:	
Manufacturer:		Model:			
Serial No.:		Model Year:		OAN:	
Color:		Caliber:			
Body Style:		Recovered/ Seized Date:			
Owner:		Disposition:			
Evidence Tag:		Alert(s):			
Drug Type:		Drug Quantity:			
Search Warrant:					

Notes: **Deputy Powroznik #0765 x 1**
Deputy McKemy #3119 x 1
Deputy Johnson #0888 x 1
Deputy Marooki #0246 x 1
Deputy Velarde #6578 x 1

REPORT NARRATIVE

SYNOPSIS:

On 02/25/2025, Victim (Victim) and Richard Daniel Adams ( ) were involved in an argument in the parking lot of the Hampton Inn located at 14068 Stowe Drive in the city of Poway in the County of San Diego. Per reporting party Victim she and Adams were involved in a verbal argument while Victim attempted to leave the Hampton Inn in her vehicle and Adams refused to let her leave. Adams fled back to their hotel room prior to deputies' arrival on scene and was not contacted during the course of this investigation. Victim reported that no physical altercation had ensued at the time of the argument, however alleged several prior domestic violence incidents at their residence in Joshua Tree, San Bernadino County. Several of the incidents over the course of two years were reported to local law enforcement, however no cases were generated, and Victim admitted to hiding the truth over concerns of Adams losing his career with the California Highway Patrol (CHP).

Deputies were equipped with Body Worn Cameras (BWC) for this incident.

ORIGIN:

On 02/26/2024, at about 1608 hours, I received a radio call of a disturbance in the parking lot of the Hampton Inn located at 14068 Stowe Drive in the city of Poway in the County of San Diego. (CAD#E9082614)

BACKGROUND:

Victim (Victim) and Richard Daniel Adams ( ) have been dating for 4.5 years and currently live together at California. Victim has a 15-year-old daughter from a previous relationship and the daughter's father resides in San Diego. Victim is a traveling nurse and periodically works nursing shifts at various San Diego County hospitals when her

daughter is visiting her father. Adams is an off-duty California Highway Patrol officer out of Morongo Basin who accompanied Victim to San Diego while she worked a shift at Location Hospital in Location .

INVESTIGATION:

At approximately 1617 hours, Deputy McKemy #3119, Deputy Johnson #0888, Deputy Marooki #0246, Deputy Velarde #6578 and I arrived at the Hampton Inn located at 14068 Stowe Drive, in Poway. I contacted a female, later identified as Victim . Victim provided me the following statement.

STATEMENT:

STATEMENT OF Victim (REPORTING PARTY/VICTIM)

Victim advised me that she had got into a verbal argument with her boyfriend Richard Daniel Adams ( ). Victim had attempted to leave the hotel parking lot in her vehicle and leave Adams at the hotel. Adams had then attempted to load his belongings into the back of her vehicle and was standing behind her vehicle refusing to let her leave without him. Victim then called 911 and Adams went back into the hotel to presumably retrieve his concealed carry weapon located in their hotel room. Victim acknowledged that at no time during their altercation did Adams physically assault her, nor did he threaten her with any weapons.

Victim then advised deputies that Adams had physically assaulted her on several previous occasions over a period of approximately 2 years. These incidents occurred in Location where they reside.

The most recent occasion was approximately two weeks ago on 02/10/24. Adams was upset that Victim had come home late that evening from work and had chased her around the house while arguing with her. Adams accused Victim of "things"(she would not specify what was said), continuing to argue with her until he grabbed her by the wrist. Victim was holding a glass in her hand and when he grabbed her, she dropped the glass and it shattered. Adams then accused her of making a mess, grabbed her by the neck, threw her on the ground and then hit her twice in the face with a closed fist, once on the left side and once on the right side. Adams then told Victim to "stop acting like a victim". Victim did not notify Local Law Enforcement regarding this incident.

Victim then advised me of an incident on 07/13/2023 at approximately 2100 hours when Adams discovered she had texted an ex-boyfriend. Adams picked Victim up, threw her to the ground, dragged her around the house by the ankles and then attempted to throw her out the front door. Adams then grabbed Victim by the ankles in front of their front door and dragged her outside of the house. Adams did not strike Victim on this occasion; however, the incident was captured by their Ring door bell and she did have a recording of it on her phone. Victim did not specify if local authorities were contacted regarding this incident.

Victim stated that on one occasion in June, either in 2022 or 2023, Adams pinned her against the wall with his forearm on her windpipe. Victim said that was unable to breathe and as a result blood vessels popped in both of her eyes. Victim did not specify if she had contacted Local Law Enforcement regarding this incident.

Victim stated that on a previous Mother's Day, Adams picked her up out of a chair and threw her into a brick fireplace. Victim 15-year-old daughter witnessed this incident and then called their local police. When the police arrived at their residence, Victim admitted to me that she had lied to the responding agency, claiming nothing had occurred. Victim stated that she was trying to cover for Adams so he would not get into trouble.

Victim admitted to lying to the police on a separate occasion as well when they responded to their residence, although she did not specify which incident this was. Victim again stated that she was concerned that Adam's career as a California Highway Patrol Officer out of Morongo Basin would be placed in jeopardy should she tell the truth about his actions towards her. Victim also expressed doubt that any law enforcement officer would believe her as she assumed they would automatically side with Adams as a fellow law enforcement officer. When I inquired if she had ever truthfully reported any of these previous incidents and if so had she been met with any kind of skepticism, Victim admitted that no, she had never truthfully reported these incidents as they had occurred.

Victim stated that she and Adams are currently in the process of having a child together. Victim advised me that Adams has been physically assaultive towards her for the past 2 years and that the abuse had started approximately around the same time that they began attempting to conceive.

INVESTIGATION (CONTINUED):

I did not observe any injuries on Victim from the alleged incident on 02/10/24. I asked Victim if she still had any bruising or marks as a result of this prior incident and she stated she did not. I asked Victim if she required any medical attention and she stated she did not. I asked Victim if I could take picture of her neck where Adams had allegedly grabbed her, and Victim refused to allow me to take photos for documentation.

Victim showed Deputy McKemy and I the Ring doorbell video on her phone from the 07/13/2023 incident. On the video I observed Victim and a male subject engaged in an argument at the entrance of a residence. The male subject can be seen throwing Victim through the open doorway of the residence and Victim falls to the ground. The male subject was telling Victim to "get out" and then grabbed Victim's legs and seemingly pushed them away from the entrance of the residence. Victim could be heard saying "Richard stop!" and the male subject appears angry and attempts to close the door of residence.

Victim then showed me a photograph on her phone of an eyeball with a visible burst blood vessel. Victim did not show me the entire photograph, just a close-up image of the eye. I was unable to ascertain if the eye was Victim's based on the cropping of the photo shown. I asked Victim if she would share the video

and photo with me and Victim flatly refused. I explained that Body Worn Cameras were currently capturing our conversation as it was happening and that providing me with the video and photo would assist in allowing these previous incidents to be properly documented. Victim continued to be uncooperative and refused to provide the requested imagery.

When Victim was asked how she would like her situation with Adams to be resolved, Victim responded vaguely that she didn't want this happening to any other woman. Despite this claim, Victim continued to be uncooperative with deputies and refused to provide any video or photo documentation to support her various allegations.

As no crime had occurred in the County of San Diego and due to the circumstances of the investigation, the locality where the allegations took place, the time elapsed since these allegations took place and the distinct lack of evidence of said allegations, this incident was documented as a 13730 PC- domestic violence incident. Victim wanted something done regarding these incidents but had not documented the incidents in a proper manner and was uncooperative with deputies' investigation. Many of the crimes described were misdemeanors which were stale. The incident regarding Adams compressing Victim's windpipe as well as the most recent incident where Adams struck Victim in the face lacked any documentation depicting evidence of the abuse or independent witnesses to corroborate that these incidents had occurred.

At the time of this investigation, Adams was not present. Victim had claimed that Adams was currently armed and presumably located in their hotel room. Based on the information given to deputies, a potentially volatile consensual encounter with Adams who may or may not have been armed was deemed ill-advised and no attempt to contact Adams was made. Victim provided Adams' cell phone number; however, Adams was not contacted.

Victim was provided with a Domestic Violence Victims Resource Guide, containing the Case Number and Deputy's names and arjis's. Victim was advised on the process of procuring a restraining order against Adams, should she choose to get one. Victim was also provided with the address of the Superior Court in San Bernadino County.

Victim was able to leave the parking lot in her vehicle without further incident.

Deputies were equipped with Body Worn Cameras (BWC) for this incident.

Deputy McKemy took a still photo of Victim from BWC as well as a screen recording of the Ring doorbell recoding from BWC. Both were added into evidence at the Poway Patrol Station.

EVIDENCE:

CD containing photo and recording.

INJURIES:

None

PROPERTY DAMAGE:

None

FOLLOW-UP:

As deemed necessary by Area Detectives.

RELATED REPORTS:

None

15-10603-401 Revised 6192 (CR1)

SHERIFF'S DEPARTMENT
COUNTY OF SAN BERNARDINO, CA
UNIFORM CRIME REPORT

03600

1. CODESECTION PC 243(e)(1)
OF
0M
☐OTHER

2. CRIME DEFINITION
DOMESTIC BATTERY

3. CASE NUMBER CRIME CODE
232400513

4. ASSIGNED MONTH-DAY-YEAR-TIME
FEBRUARY 25, 2024

5. ARRIVED MONTH-DAY-YEAR-TIME
FEBRUARY 25, 2024

6. BEAT 17. REPORTING DISTRICT
YV1 **YV017**

8. OCCURRED DAY OF WEEK-MONTH.OAY-YEAR-TIME
THURSDAY JULY 13, 2023 **2155 HOURS**

9. REPORTED MONTH-DAY-YEAR-TIME
FEBRUARY 25, 2024 1609 HRS

110. LOCATION OF OCCURRENCE CITY
[redacted] Location

CODES FOR BOXES 12 & 22 ARE: V= VICTIM W=WITNESS RP= REPORTING PARTY DC= DISCOVERED CRIME IP= INVOLVED PARTY O=OTHER

VICTIM/WITNESS

11. NAME: LAST. FIRST MIDDLE (FIRM IF A BUSINESS)	12. CODE	13. RESIDENCE ADDRESS-STREET-CITY-ZIP	14. RESIDENCE PHONE
CONFIDENTIAL	**V**		
15. OCCUPATION 116. RACE/SEX 17. AGE	18.DOB	19. BUSINESS ADDRESS-STREET-CITY-ZIP	20. BUSINESS PHONE
21. NAME:LAST. FIRST. MIDDLE (FIRMIF A BUSINESS)	22. CODE	23. RESIDENCE ADDRESS-STREET-CITY-ZIP	24. RESIDENCE PHONE
25. OCCUPATION 26. RACE/SEX 27. AGE	28.DOB	29. BUSINESS ADDRESS-STREET-CITY-ZIP	30. BUSINESS PHONE

SUSPECTS

31. SUSPECT #1 NAME: LAST, FIRST, MIDDLE 32. RACE/SEX	33.AGE	34.HT. 35. WT. 136.HAIR 137. EYES :la. DOB 139. ARRESTED 140. INTERVIEWED
ADAMS, RICHARD DANIEL [redacted]	[redacted]	[redacted] 0 YES 0 NO 0 YES O NO
41. RESIDENCE ADDRESS-STREET-CITY-ZIP		42. CLOTHING ANO OTHER IDENTIFYING MARKS/CHARACTERISTICS
[redacted] Location		
43. SUSPECT #2 NAME: LAST, FIRST, MIDDLE 44. RACE/SEX	45.AGE	46.HT. 47. WT. 148.HAIR 49. EYES 50. DOB I 51. ARRESTED 152. INTERVIEWED
		0 YES O NO O YES O NO
53. RESIDENCE ADDRESS-STREET-CITY-ZIP		54. CLOTHING AND OTHER IDENTIFYING MARKS/CHARACTERISTICS

INV

55. ADDITIONAL NAMES IN CONTINUATION? 0YES ONO
56.ADDITIONAL INFORMATION FROM: ☐ VICTIM O WITNESS0 OFFICER O OTHER

57. PHYSICAL EVIDENCE RECOVERED? ☐YES **0NO**
58. PHOTOGRAPHS TAKEN? 0 YES **Ii:I** NO
59. LA TENT PRINTS LIFTED? ☐YES **0NO**

60. VEHICLE 161.COLOR 162.YEAR 163.MAKE	64. MODEL 165.BOOY 166.LICENSE NUMBER 167.STATE 168.DAMAGE/ODDITY/ACCESSORIES
☐ VICTIM 0 SUSPECT	

CRIME STATS

69. ROBBERY WEAPON: 0 FIREARM 0 CUTTING INSTRUMENT 0 OTHER DANGEROUS 0 STRONG ARM
LOCATION: 0 HIGHWAY 0 CONVENIENCE STORE 0 OTHER BUSINESS 0 SERVICE STATION 0 RESIDENCE ☐BANK 0 MISC.

70. ASSAULTS WEAPON: 0 FIREARM 0 KNIFE! CUTTING INSTRUMENT 0 OTHER DANGEROUS WEAPON **0** HANDS/FEET 0 SIMPLE/NO INJURY

71. BURGLARY 0 NIGHT 0 UNKNOWN 0 DAY | O FORCIBLE ENTRY 0 NO FORCIBLE ENTRY | D ATTEMPTED FORCIBLE ENTRY | ☐ RESIDENTIAL 0 VEHICLE 0 NON-RESIDENTIAL (BUILDING)

72. LARCENY 0 PICKPOCKET 0 PURSE-SNATCH 0 SHOPLIFT 0 FROM MOTOR VEHICLE 0 MOTOR VEHICLE PARTS 0 BICYCLES 0 FROM BUILDING • NOT SHOPLIFT OR MACHINES 0 FROM COIN-OPERATED MACHINES 0 ALL OTHERS

73. PROPERTY

TYPES & VALUES		STOLEN			STOLEN		STOLEN
	CURRENCY, NOTES	s	TV, STEREO, ETC.	$	CONSUMABLE GOODS	$	
	JEWELRY	s	FIREARMS	s	LIVESTOCK	$	
	CLOTHING. FURS	S	HOUSEHOLD GOODS	S	OTHER MISC.	$	
	OFFICE EQUIPMENT	S			TOTAL	0	

0 IDENTIFIABLE PROPERTY TAKEN 0 ENTERED INTO NCIC

74. DOMESTIC VIOLENCE: INJURIES? E:INONE 0 MINOR ☐ MAJOR WEAPONS? ☐YES E:INO

75. PEACE OFFICER ASSAULTED OR ARSON? ☐YES (IF YES. COMPLETE BOXES 1.2,3.4 AND 34 OR 35 ON CR-4 FORM)

SYNOPSIS

76. SYNOPSIS

ON 02/25/2024, SAN DIEGO SHERIFF'S DEPARTMENT CONTACTED V1 AT A HOTEL FOR THE REPORT OF A DOMESTIC ARGUMENT. V1 DISCLOSED PREVIOUS DOMESTIC ABUSE ALLEGATIONS FOR THE PAST COUPLE YEARS. V1 TEMPORARILY SDSD DEPUTIES A RING VIDEO CAMERA RECORDING DEPICTING POSSIBLE DOMESTIC BATTERY. SOSO DEPUTIES AND DETECTIVES FORWARDED THE CASE TO SBSD MORONGO BASIN STATION AFTER THEY DETERMINED IT WAS IN THE YUCCA VALLEY JURISDICTION. I INTERVIEWEDBOTH PARTIES, REVIEWED THE REPORTS, AND EVIDENCE. THE VIDEO CAPTURED BY SDSD BODY WORN CAMERAS DEPICTED DOMESTIC BATTERY, THOUGH BOTH PARTIES DENIED ABUSE ALLEGATIONS.

77. REPORTING OFFICER
J. PEREZ

78. EMPLOYEE#
G6923

79. DATE I 80. REVIEWED BY
3/20/2024 O v.. riv\-

DATE
]/U,/t1

81. ROUTING INFORMATION
O SUBMIT TO DIA
0 IMMEDIATE FOLLOW UP
0 OTHER:

82. IS REPORTING OFFICER PC 115 QUALIFIED? 0 YES ONO

SAN BER, ARDINO
COUNTY

SHANNON D. DICUS, SHERIFF-CORONER

DR# 232400513

REQUEST TO WITHHOLD VICTIM IDENTIFICATION FROM PUBLIC DISCLOSURE FOR SEX CRIMES/DOMESTIC VIOLENCE/STALKING

Penal Code section 293(a) and Government Code section 7923.615 apply to Penal Code sections 220, 236.1, 261, 261.5,262, 264, 264.1, 265, 266, 266a, 266b, 266c, 266e, 266f, 266j, 267, 269, 273a, 273d, 273.5, 285, 286, 287, 288, 288a, 288.2, 288.3, 288.4, 288.5, 288.7, 289, 422.6, 422.7, 422.75, 647.6 and 646.9.

Victim Advisal

Pursuant to California Penal Code section 293(a) and California Government Code section 7923.615, you are informed that your name will be a matter of public record unless you request that it not become a matter of public record.

I have been informed of my rights to confidentiality. Signature _____
Victim/ Parent/ Guardian

Victim's Statement

(Check One)

@ I hereby elect to exercise my right to privacy, pursuant to California Government Code section 7923.615.

D I do not elect to exercise my right to privacy, and understand that my name may become a matter of public record and may become available for publication.

Victim Name [redacted] Victim # 1 Date of Birth
(Print Full Name) (1,2,etc.)

Home Address: [redacted] Location

Phone Number: (Home) [redacted] (Cell/Pager/Message)

School Name/City: N/A

Work Address: N/A

Work Phone: **N/A**

Race [redacted] Sex [redacted] Height [redacted] **Weight** [redacted] Hair [redacted] Eyes [redacted]

Witnessed by (Sheriff's Employee):

Signature _____ Emp# **G6923** Date **03120/2024**

Notice to employee: If victim(s) exercise their right to remain confidential, do not write their names on CR-1. Identify them on CR-1 as Victim 1, 2, 3, etc. Do not use their name in body of report. Identify them in narrative as Victim 1, 2, 3, etc.

Place this confidential acknowledgement on top of CR-1.

Revision date: 12/04/2023

SHERIFF'S DEPARTMENT

San Bernardino County
California

CA 03600

CONFIDENTIAL

CASE NUMBER: 232400513

REPORTING AREA: **YV017**

CODE SECTION	CRIME	CLASSIFICATION
PC 243(e)(1)	**DOMESTIC BATTERY**	**Misdemeanor**

VICTIM OR INVOLVED PARTY'S NAME·LAST NAME, FIRST NAME, MIDDLE NAME OR FIRMNAME IF BUSINESS

ADDRESS | PHONE NUMBER

COli!EIDEfill!L I!:!!E9BM6I10tlCONCERNING Ili!□Obll!s!2 e!BimS:

Localion of Occurrence | City

58000 BLOCK ON NAVAJO TRAIL, YUCCA VALLEY, CA, 92284

Codes Are: I V-Victim I W-Witness | S-Suspect | RP-Reporting Party | DC-Discovered Crime | IP-Involved Party | O-Olher

I'.:!ll!m!r b!!§I ElmlM!s!dl!!	□	B□ens.e &IS!CllIS:	Bmil!!!!!!a e!Jone:
Victim	V	[redacted] Address	[redacted]
Ql;&i.!!!aljo!![Q!!!;r.il!li!!!li	Bl!!.!!Se!; □	Business Address:	Bu!!!!Hli eb2a11;
	[redacted] [redacted]		
t:liil!D.!1"ball El!iilMill!!!!!	□	R1111<111a,e &I!Ir!!u:	Besidm,11e1!2n11:
□Idll!!1i!!!!!l2m!lI!Ul!!r	Biil□1x: □	B: B1!!ines1Ad!lcns:	B!,!!lness ebon1;
Name;IJ!st, El!!il Middle	□	Besideace Addrey·	B!!§!!le!!!:e ebone:
Occul!!!llon/Oescrietton:	Race/Sex: &mi	B: Buslness§ Addr!!li§i	Busl[!!!!!i e112ne;
Name·ball,BilliMldd!§	□	B!!□!!!!S.!! Ads!r111·	Bnl!!tn!a e!!2n1:
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QW!all!!!!lQ!!ISi!!l.lli!!!!'	□I§ex: □	]OB· B!,!sin&S§ 6!1!1Clllil'	B1!!iln1111ebsm!!·

REPORTING OFFICER	EMPLOYEE#	DATE	REVIEWED BY	TYPEDBY	ROUTEOBY	DATE
J. PEREZ	G6923	3/20/2024	OV. j 0\.4	J. PEREZ		

FURTHER ACTION:	COPIES TO:	OsDIPD	Oother	REMARKS:
Oves ☐NO	D Detectives	Oen		
15-15184-401 Revised 7/21 (CR2)	0 District Allomey	☐Patrol		

SHERIFF'S DEPARTMENT COUNTY OF SAN BERNARDINO CALIFORNIA	Page 1	CASE NO. 232400513 REPORT AREA YV017

CODESECTION PC 243(e)(l)	CRIME	CLASSIFICATION

VICTIM'S NAME-LAST NAME	FIRST NAME	MIDDLE NAME	(FIRM NAME IF BUSINESS)

ADDRESS	RESIDENCE	PHONE

ASSIGNMENT/ARRIVAL:

On Wednesday, February 28, 2024, I was assigned as the Detective for the Town of Location. I conducted a follow-up due to a courtesy report from the San Diego Sheriff's Department (SDSD), City of Poway. Their report number for the courtesy report was #2407775.1.

COURTESY REPORT:

On Sunday, February 25, 2024, at about 1609 hours, deputies from SDSD Poway station contacted a male and female for the report of a disturbance in the parking lot of a hotel. Deputies contacted a female, (herein referred to as VI), who disclosed her boyfriend was argumentative with her and wanted to leave. The boyfriend was identified to them as Richard Daniel Adams D.O.B. – During their investigation, they learned of possible domestic battery allegations, and a video was shown to them by VI.

VI did not want to provide them with the video or any further information at the time. Deputies took a report and forwarded the case to SDSD detectives. Upon review of the report, they learned the crime occurred outside of their jurisdiction in the Town of Location. The report was forwarded to San Bernardino County Sheriff's Department Morongo Basin Station for investigation.

SDSD sent the complete report, and body-worn camera (BWC) recordings of the initial investigation. During their investigation, they learned Adams was a California Highway Patrol Officer at the Morongo Station. The Poway Station supervisors made their notification of the investigation to the CHP Morongo Station administration as part of their investigation. The report was subsequently forwarded to SBCSD Morongo Station for investigation.

REPORTING OFFICER	DATE	REVIEWED BY	TYPED BY	ROUTED BY	DATE
J. PEREZ / G6923	03/20/2024	C.\b.Jn,.A	J.PEREZ		

FURTHER ACTION:	COPIESTO:		
X YES NO	Detective	CH	Other
	X Dist. Atty.	Patrol	SD/PO
			Other

REMARKS

CODESECTION	CRIME	CLASSIFICATION
PC243(e)(l)	DOMESTIC BATTERY	MISDEMEANOR

VICTIM'S NAME·LAST NAME	FIRSTNAME	MIDDLE NAME	(FIRM NAME IFBUSINESS)

ADDRESS	RESIDENCE	PHONE

SAN DIEGO SHERIFF'S DEPARTMENT BWC RECORDING OF VIDEO FROM Vl:

During SDSD's investigation with Vl about previous domestic abuse allegations, she showed deputies a Ring camera recording. The video appeared to have the date July 13, 2023, 09:55 P.M. VI showed the video to deputies, but when asked if the video could be properly provided as evidence she refused to comply. The following is a brief description of the body camera recording of the temporarily provided video.

In the video is a white male adult with short blonde/light brown hair, tattoos on his arms, and a clean-shaven face. He wore a black tank top and grey shorts. The second person appears to be a white female adult with blaclc/brown hair, and black shirt/shorts. The male enters the right side of the camera with the door open. He pulls and throws the female by her armpits before she falls on her left side outside of the doorway. He grabbed her lower legs which were still inside of the doorway and pushed her entirely out of the doorway. She rolled onto her right side and back onto her knees. The male reentered the doorway and put his arms on either side of the side doorframe.

VICTIM CONTACT: VICTIM #1

On Wednesday, February 28, 2024, at about 1415 hours, I contacted VI at the School Name School in Location. I identified myself as a Sheriffs Detective from the San Bernardino County Sheriff's Department as I spoke with her. I informed her I was investigating the report provided by SDSD and wished to speak with her about the information provided during their contact. She explained she was willing to speak with me but wished to do so at a later time. I provided her with my business card which contained my contact information.

REPORTING OFFICER	DATE	REVIEWED BY	TYPED BY	ROUTEDBY	DATE
J.PEREZ / 66923	03/20/2024	N\A	J. PEREZ		

FURTHER ACTION: X YES NO

COPIES TO: Detective, X Dist. Atty., Other, CH, Pa1rol, SO/PD, Other

REMARKS

CODESECTION PC 243(e)(1) | CRIME DOMESTIC BATTERY | CLASSIFICATION MISDEMEANOR

VICTIM'S NAME • LAST NAME | FIRST NAME | MIDDLE NAME | IFIRM NAME IF BUSINESS)

ADDRESS | RESIDENCE | PHONE

VICTIM CONTACT: {CONTINUED)

VI stated she would be able to speak with me tomorrow (February 29, 2024) at 0900 hours. On Thursday, February 29, 2024, at about 1254 hours, VI sent a text message to my work phone. She apologized for not calling earlier the same morning but asked to reschedule for Friday (March Ist). Due to my schedule, I was not available until the following Monday but offered her to meet with another detective on March 1st. VI requested to meet on Monday, March 4th, 2024.

I did not receive any contact with VI until Tuesday, March 5th, 2024, at about 1817 hours. I again asked if she could meet with me on March 7 or 11, 2024. She stated she was unavailable on both days. She stated she was available on Wednesday (March 13, 2024) at any time. On March 13, 2024, she canceled the meeting and stated her only next available day was a week later (March 20, 2024). On Tuesday, March 19, 2024, I asked VI if she could meet in person or make a phone call. She requested a phone call at about 1200 hours.

On Thursday, March 21st, 2024, at about 1228 hours, I spoke with VI by telephone. The following is a summary of her recorded statements to me.

I asked VI to summarize what events occurred in San Diego on the day she made a report with them. She recalled she was functioning off very little sleep, but she did remember the incident. There was an argument in her hotel room with her boyfriend Richard. (I identified the boyfriend, the suspect to be Richard Adams (DOB: -). VI and Adams were in San Diego to allow VI 's two biological children, to visit with their biological father. Vl had been in a dating relationship with Adams for the last five (5) years and lived together for the past three (3) years.

CASE NO. 232400513

REPORT AREA VV017

CODE SECTION PC 243(e)(1) | CRIME DOMESTIC BATTERY | CLASSIFICATION MISDEMEANOR

VICTIM'S NAME • IAST NAME | FIRST NAME | MIDDLE NAME | (FIRM NAME IF BUSINESS)

ADDRESS | RESIDENCE | PHONE

VICTIM CONTACT: (CONTINUED)

Adams was being argumentative with VI. but it did not matter what the argument was about. VI wanted to leave and ultimately left Adams at the hotel after the report was made with SDSD. She left him because she did not want to drive home with 'him•, Adams, arguing in front of her kids. VI confirmed law enforcement was called to their residence on [redacted] Location, on two occasions about one to two years ago.

I asked her if she remembered what happened on the two occasions law enforcement was called. She denied explaining as she felt the events happened too long ago for her to describe details or properly recall the events. I described to her the video recording SDSD obtained which was provided by VI as she described previous unreported abuse. VI declined to comment on the video and said she would need to see it to comment on it. However, after I described the actions seen in the video she said. "The video that you're referring to, that's not what happened in that video.••

Ultimately, VI explained she was uncomfortable talking about past incidents as she felt she was not able to recall them properly. She asked what further involvement was required from her as she wanted to 'close• the case and put past events behind her. She further explained she felt safe in the home and wanted to provide no further information. VI no longer wanted to be part of the investigation, so I ended my contact with her.

REPORTING OffICER J. PERE2 / 66923 | DAT£ 03/20/2024 | REVIEWED BY (}v.tr-V'> | TYPED BY J. PEREZ | ROUT£DBY | DAT£

FURTHER ACTION: X YES NO

COPIES TO: X Dist. Atty. | Detective | Other | CII | Patrol | SD/PD | Other

REMARKS

CASE NO. 232400513

REPORT AREA YV017

CODE SECTION PC 243(e)(1) | CRIME DOMESTIC BATTERY | CLASSIFICATION MISDEMEANOR

VICTIM'S NAME• LAST NAME | FIRST NAME | MIDDLE NAME | (FIRM NAME IF BUSINESS)

ADDRESS | RESIDENCE | PHONE

SUSPECT CONTACT: ADAMS, RICHARD DANIEL

On Monday, March 18, 2024, at about 0832 hours, I contacted Richard Adams by telephone. I informed him I wished to speak with him regarding a courtesy report from SDSD. I explained they were called to investigate a possible domestic dispute where additional information was provided which required additional investigation. He agreed to meet me at his residence at about 1530 hours. The following is a summary of his recorded statements to me.

I identified myself previously over the phone as a detective with the Morongo Basin station during my contacts with him. Adams stood inside his garage as I approached and greeted him from just outside his garage on the driveway. I immediately informed Adams he was not under arrest and was free to stop talking or end the interview at any time. I wanted to speak with him about a previous report to SDSD where domestic disputes and related events were reported. Adams agreed to the interview as he replied sure.

Adams and his girlfriend, VI, have been in a dating relationship for the past five (5) years. VI has two children from a previous relationship who also live with them. Adams recalled the reported dispute between him and VI in San Diego. They went to San Diego to allow VI 'skids to visit with their father. The day VI called SDSD was the result of a verbal dispute between VI and Adams. Adams was upset with her for booking two beds instead of one and making a mess spilling popcorn.

CODESECTION	CRIME	CLASSIFICATION
PC 243(e)(I)	DOMESTIC BATTERY	MISDEMEANOR

VICTIM'S NAME·LAST NAME	FIRST NAME	MIDDLENAME	!FIRM NAME IFBUSINESS)

ADDRESS	RESIDENCE	PHONE

SUSPECT CONTACT: (CONTINUED)

Adams stated VI became upset with him and wanted to leave. VI was drinking according to him, so he did not want her to drive in this state. He tried to stop her until she called 911. Adams left her alone and waited in the lobby but was not contacted by officers.

Adams recalled law enforcement was called to his residence twice near the beginning of their relationship. He described Vt called after or during an argument with him but both situations were deemed safe by responding officers. He denied any physical incidents between them but was not able to speak for VI and what she believed happened. He stated they were working through alcohol difficulties and receiving help through 'AA' and rehab.

I informed Adams there was a video shown to SOSO that depicted possible physical abuse and ifhe recalled any similar events. He denied recalling any similarly described events, however; their relationship was very passionate sexually. I then showed Adams the recording of the video recording previously shown to SDSD.

He did not recall if they were arguing or any details about the video. He confirmed they did have a Ring camera in the same position as the video angle. He also stated the video might have matched their porch. I asked him if he knew who was in the video. He replied, "I mean it looks, it looks like us." I continued to ask if his front door looked as it did in the video and if his camera was in the same area. He said, "We do, yeah yeah."

Adams described the video as appearing as if they (Adams and VI) were maybe hanging out and something happened. Adams stated in the video it appears as if they were fighting. He also described they sometimes 'roleplay' in a rough manner which could be misinterpreted. Adams could not explain how or why the 'roleplaying' would have ended outside as normally that is a bedroom thing for them. He had no further information or leads, so I ended my interview with him.

CASE NO. 232400513
REPORT AREA YV017

CODE SECTION	CRIME	CLASSIFICATION
PC243(el(1)	DOMESTIC BATTERY	MISDEMEANOR

VICTIM'S NAME-IAST NAME	FIRSTNAME	MIDDLE NAME	(FIRM NAME If BUSINESS)

ADDRESS	RESIDENCE	PHONE

SUSPECT IDENTIFICATION:

During the investigation, V1 ultimately did not want to further cooperate with law enforcement. Based on the information provided by SDSD's courtesy report, Adams's statements on the video, and Morongo Basin California Highway Patrol station; Adams was identified as the possible suspect.

Richard Daniel Adams
DOB: [redacted]
CDL [redacted]
Address and Phone [redacted]

MARSY'S CARD/DOMESTIC VIOLENCE INFORMATION:

No Marsy's card or domestic violence information was provided during this investigation as V1 refused to meet in person or continue with the investigation.

EVIDENCE:

I uploaded my audio recordings of my contacts and interviews with both parties. They were uploaded to the Motorola Command Vault Digital Evidence Management System. I also submitted SDSD deputy's BWC recordings under barcode #2409000399 and submitted them at the Morongo Basin Evidence room. The interview with Adams was also captured by Det. S. Ables BWC and was tagged with the report number in AXON at a later date.

REPORTING OFFICER		DATE	REVIEWED BY	TYPEDBY	ROUTED BY	DATE
J. PEREZ / G6923		03/20/2024	0	J. PEREZ		
FURTHER ACTION:	COPIES TO:	Other	SD/PO	REMARKS		
X YES NO	Detective	en	Other			
	X Dist. Atty.	Patrol				

SHERIFF'S DEPARTMENT

COUNTY OF SAN BERNARDINO

CALIFORNIA

Pages

CASE NO.
232400513

REPORT AREA
YV017

COOESECTION	CRIME	CLASSIFICATION
PC 243(e)(1)	**DOMESTIC BATTERY**	**MISDEMEANOR**

VICTIM'S NAME - LAST NAME	FIRSTNAME	MIDDLE NAME	(FIRM NAME IF BUSINESS▸

ADDRESS	RESIDENCE	PHONE

DISPOSITION:

Case cleared by exceptional means, forward to the District Attorney's Office for review/filing.

REPORTING OFFICER	DATE	REVIEWED BY	TYPED BY	ROUTEDBY	DATE
J. PEREZ / 66923	**03/20/2024**	"U.1 rN	**J. PEREZ**		

FURTHER ACTION:	COPIES TO:		
X YES NO		Other	SD/PO
	Detective	CII	Other
	X DI$!. Atty.	Patrol	

REMARKS

SHERIFF'S DEPARTMENT
COUNTY OF SAN BERNARDINO, CALIFORNIA
CA03600

EVIDENCE/PROPERTY REPORT

CASE NUMBER	
232400513	
REPORTING AREA	
YV017	

CODE SECTION	RECOVERING DIVISION/ STATION	SUSPECT NAME	☐ REPORTED STOLEN ☐ RECOVERED PROPERTY
PC 243(e)(1)			
D EVIDENCE	D FOUND PROPERTY	0 SAFEKEEPING	☐ RECOVERED BY SEARCH WARRANT
OWNER OF PROPERTY		ADDRESS	
CASE AGENT AND EMPLOYEE NUMBER		PROPERTY RECOVERED BY AND EMPLOYEE NUMBER	

ITEM NUMBER	SERIAL NUMBER	DESCRIPTION	VALUE I Rb.R r.nnF I 6.RFI
1		CD'S CONTAINING SAN DIEGO SHERIFF'S DEPARTMENT BODY **WORN CAMERA** FOOTAGE RECORDING.	SAN BERNARDINO COUNTY SHERIFF 2409000399

REPORTING DEPUTY AND EMPLOYEE NUMBER		DATE	REVIEWED BY	PROPERTY OFFICER AND EMPLOYEE NUMBER	DATE
J. PEREZ	G6923	3/20/2024	61A < 'n'A-		

SHERIFF'S DEPARTMENT· COUNTY OF SANBERNARDINO, CALIFORNIA

COMPLAINT DISPOSmON REPORT· PROPERTY RELEASE

1. CASENUMBER: 1232400513

2. CODE SECTION	3. CRIME DEFINITION	4. CLASSIFICATION
PC 243(e)(1)	1DOMESTIC BATTERY	Misdemeanor

VIC

5. VICTIM OR OTHER 11PNAME: LAST, FIRST, MIDDLE	6. STREET ADDRESS, CITY. ZIP	7. PHONE NUMBER
CONFIDENTIAL	a RESIDENCE a BUSINESS	

SUSPECTS

8. SUSPECT #1NAME: LAST. FIRST. MIDDIE	9.RACE/SEX	10. AGE	11. HEIGHT 112. WEIGHT 113.HAIR	14. eves 115.008
ADAMS, RICHARD DANIEL	[redacted]		[redacted]	[redacted]

16.RESIDENCE ADDRESS: STREET, CITY. ZIP	17. CLOTHING & OTHER IDENTIFYING MARKS/CHARACTERISTICS
Location [redacted]	

18.SUSPECT #2NAME:LAST,FIRST,MIDDLE	19.RACE/SEX	20.AGE	121.HEIGHT 122.WEIGHT 123. HAIR	24. EYES 125.DOB

26.RESIDENCE ADDRESS: STREET. CITY, ZIP	27. CLOTHING & OTHER IDENTIFYING MARKS/CHARACTERJSTICS	28. ADDITIONAL NAMES IN CONTINUATION? ☐YES☐NO
☐		

CRIME STATS

29.ROBBERY — WEAPON: FIREARM ☐STRONG ARM a CUTTING 1NsrRuMENT 0 OTHER DANGEROUS — LOCATION: ☐RESIDENCE ☐SERVICE STATION ☐OTHER BUSINESS ☐HIGHWAY ☐CONVENIENCE STORE ☐BANK ☐MISC.

30. ASSAULTS — WEAPON: ☐FIREARM 0 KNIFE/CUTTING INSTRUMENT 0 OTHER DANGEROUS WEAPON 121HANDS/FEET ☐ SIMPLE/NO INJURY

31.BURGLARY — ☐NIGHT ☐DAY ☐UNI<NOWN — ☐ FORCIBLE ENTRY ☐ NOFORC1BI.E ENTRY ☐ATTEMPTED FORCIBLE ENTRY — a RESIDENCE a VEHICLE ☐NONRESIDENTIAL (BUILDING)

32.LARCENY — ☐ PICKPOCKET ☐SHOPLIFT 0 MOTOR VEHICLE PARTS 0 FROM BUILDING • NOT SHOPLIFT ORMACXINES ☐ PURSE SNATCH ☐FROM MOTOR VEHICLE 0 BICYCLES ☐ FROM COIN-OPERATED MACHINES ☐ALL OTHERS

33. PROPERTY TYPES AND VALUE		RECOVERED		RECOVERED		RECOVERED
	CURRENCY, NOTES	$	TV, STEREO, ETC.	$	CONSUMABLE GOOOS	$
	JEWELRY	$	FIREARMS	$	LIVESTOCK	$
	CLOTHING, FURS	$	HOUSEHOLD GOOOS	$	OTHER MISC.	$
	OFFICE EQUIPMENT	$	NCIC ENTRY COMPLETED	a	TOTAL PROPERTY RECOVERED	0

ARSON

34.ARSON TYPES AND VALUE		VALUE		VALUE		VALUE
	SINGLE RESIDENCE	$	INDUSTRIAL	$	OTHER STRUCTURES	$
	OTHER RESIDENCE	$	OTHER COMMERCIAL	$	MOTOR VEHICLE	$
	STORAGE UNIT	$	PUBLIC BUILDINGS	$	OTHER MOBILE	$
	INHABITED BUILDING ☐		UNINHABITED/ABANDONEDBUILDING ☐		TOTAL VALUE LOST	0

0FCRASLT

35. PEACE OFFICER: ☐ASSAULTED ☐KILLED BY FELONIOUS ACT ☐KILLEDBY ACCIDENT/NEGLIGENCE INJURJES? ☐YES ☐NO

WEAPONS: ☐FIREARM 0 KNIFE/CUTTING INSTRUMENT ☐OTHER DANGEROUS WEAPON ☐HANDS/FEET

ASSIGNMENT: ☐1-MAN VEHICLE ☐ 2-MAN VEHICLE 0 DETECTIVE/SPECIALIZED ☐OTHER ☐ALONE ☐ASSISTED

TYPEOF ACTIVITY: 0 DISTURBANCE ☐BURGLARY ☐R08BERY ☐OTHER ARRESTS 0 CIVIL DISORDERS 0 HANDLING PRJSONERS ☐SUSPICIOUS PERSONS/CIRCUMSTANCES ☐AMBUSH 0 MENTALLY DISTURBED 0 TRAFFIC STOP ☐ALL OTHERS

COMPLAINT

36. COMPLAINT INFORMATION — 37.DATE — 38, DEPUTY DISTRJCT ATTORNEY — 39.CHARGES FILED

☐ CASEREVIEWED AND COMPLAINT FILEO

☐ COMPLAINT REJECTED - SEEREJECTION SLIP

40. VICTIMS,WITNESSESRE.CONTACTED — 41.DATE

☐VICTIM (S)

WITNESS (ES)

☐ NEIGHBORHOOD/AREA CHECKED

☐CASEREVIEWED ANOFOUND TO BECOMPLETE, LETTER SENT

0 NO NEWLEADS, INFORMATION. ORSU8JECTS IDENTIFIED

☐VICTIM ADVISED THAT PROSECUTION IS NO LONGER DESIRED

42. COMMENTS/ SYNOPSIS

CASE SENT TO **DA FOR REVIEW**

PROP REL

PROPERTY RELEASE COMMENTS

CERTIFICATION:☐THEUNDERSIGNED, DO HEREBY CERTIFY THATI AM THE LEGAL **OWNER ANO** ENTITLED TO TAKEPOSSESSION OF SAIDPROPERTY. — SIGNATURE — DATE

DRIVER'SLICENSE NUMBER — MISCELLANEOUS

DISPO

43.DISPOSITION: ☐ NO ADDITIONAL LEADS a CASEUNFOUNDED a CASE CLEARED BY EXCEPTIONALMEANS☐ CASE CIEARED BY ARREST ☐ PROPERTY RELEASED

44.REPORTING OFFICER	45. EMPLOYEE NUMBER	46. DATE	47. REVIEWED BY	DATE
J. PEREZ	G6923	3/20/2024	0I.AoI r,'\Ar	1 Ii. 6I z,i.'1

15-13887-401 Rov!sed9194 (CR4)

[redacted]
Victim
Address

April 23, 2024

TO WHOM IT MAY CONCERN

RE: *People v. Richard Adams*, MVI24001514

I am supposedly listed as a "victim" in this criminal action against Richard Adams, with whom I have been with for many years and with whom I am raising children. We wouldn't actually know if I am listed as a victim, because no long-form complaint is yet on file in the Court.

From the limited information I know of this case, it stems from an allegation of domestic violence I made in February of this year. I had been drinking alcohol and Richard did not want me to drive. I wanted to leave so I called the police, and when they arrived, I was drunk, upset, and angry at Richard. I made comments that were untrue at the most and exaggerated at the least. I was unaware of any criminal proceedings until we received a letter in the mail about victim's rights (a letter I opened with Richard after returning from a weekend family vacation) earlier this month. This charge is doing more harm than good for our family now, and the future family we are planning together.

For criminal prosecution purposes, protective order purposes, or whatever the court has in mind, there has not been any abuse perpetrated against me by Richard Adams, contrary to whatever false information has sparked this prejudicial filing. I am not a domestic violence victim.

This ill-advised criminal filing negatively impacts the stability of our family, and it devastates Richard's peace officer employment and military advancement.

I do not want a protective order, I do not want this case to go further than a rapid dismissal, and I do want everyone to honor our need to protect our family unit, its growth, and our children. You are welcome to contact me.

Sincerely,

[redacted]
Signature

[redacted]
Victim's Name

CALIFORNIA STATE PERSONNEL BOARD
801 Capitol Mall Sacramento, CA 95814 | www.spb.ca.gov
Governor Gavin C. Newsom

PROOF OF SERVICE BY FIRST-CLASS MAIL

Highway Patrol
601 North 7th Street
Sacramento, CA 95811

RECEIVED
JUN 24 2025
By OLA

Re: Richard Adams
SPB Case No.: 24-1576
Appeal from Dismissal

I, Natalie Bradburn, declare:

I am over the age of 18 years and not a party to this action. I declare that I am employed by the California State Personnel Board, 801 Capitol Mall, Sacramento, California 95814.

- **BOARD RESOLUTION AND ORDER/PROPOSED DECISION**

On June 18, 2025, I served the above documents on the addressee by placing the same for collection and mailing following our ordinary business practices. I am readily familiar with the State Personnel Board's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business, in the United States Postal Service in a sealed envelope with postage fully prepaid.

Appellant: Richard Adams 1912 I Street Sacramento, CA 95811	**Respondent:** Highway Patrol 601 North 7th Street Sacramento, CA 95811
Appellant's Representative: Mastagni Holstedt, A.P.C. Attn: Melissa Thom 1912 I Street Sacramento, CA 95811	**Respondent's Representative:** Justice - Legal (San Diego) Attn: Ofelia Olmedo Office of the Attorney General 600 West Broadway, Suite 1800 San Diego, CA 92101-3375

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on June 18, 2025, at Sacramento, California.

Natalie Bradburn
Appeals Resolution Team

RICHARD ADAMS v. DEPARTMENT OF CALIFORNIA HIGHWAY PATROL Appeal from Dismissal	Case No. 24-1576 **BOARD RESOLUTION AND ORDER**

The State Personnel Board (the Board) on June 9, 2025, carefully considered the Proposed Decision filed by the Administrative Law Judge (ALJ) in the appeal by Appellant Richard Adams, Case No. 24-1576, from Dismissal by Respondent, Department of California Highway Patrol.

IT IS RESOLVED AND ORDERED THAT the findings of fact, determination of issues, and Proposed Decision of the ALJ are adopted by the Board as its Decision in the case on the date set forth below. A true copy of the Proposed Decision shall be attached to this Board Resolution and Order for delivery to the parties in accordance with the law, and the adoption of the Board Resolution and Order shall be reflected in the record of the meeting and the Board's minutes.

The foregoing Board Resolution and Order was made and adopted by the Board in Case No. 24-1576 during its meeting on June 9, 2025, as reflected in the record of the meeting and Board minutes.

/s/ SUZANNE M. AMBROSE
SUZANNE M. AMBROSE
Executive Officer

RICHARD ADAMS v. DEPARTMENT OF CALIFORNIA HIGHWAY PATROL Appeal from Dismissal	Case No. 24-1576 Proposed Decision

STATEMENT OF THE CASE

This matter came on regularly for hearing before State Personnel Board (SPB or Board) Administrative Law Judge Douglas A. Purdy on April 1-2, 2025, via Webex videoconference. The matter was submitted after closing arguments on April 2, 2025.

Appellant, Richard Adams (Appellant), was present and represented by Jason M. Ewert, Attorney, Mastagni Holstedt, APC.

Respondent, Department of California Highway Patrol (Respondent or CHP), was present and represented by Katharine Tremblay, Supervising Deputy Attorney General, and Ofelia Olmedo, Deputy Attorney General, Department of Justice. Ernest Minner, Attorney IV, CHP, was present as Respondent's party representative.

Respondent dismissed Appellant, an Officer, California Highway Patrol (Officer), effective on November 5, 2024. In the Notice of Adverse Action (NOAA), Respondent alleged that Appellant: pushed his fiancée's daughter in 2022; strangled his fiancée in June 2022; assaulted his fiancée in May 2023 at their residence; was involved in a physical confrontation with his fiancée at their residence in July 2023 in which Appellant forcibly dragged her from inside the house to the front door, lifted her, threw her out the front door, and dragged her legs out the door, while yelling at her; was involved in a domestic dispute with his fiancée in a Poway hotel in February 2024, during which the

San Diego County Sheriff's Department responded and his fiancée related past instances of abuse; made false statements to the San Bernardino County Sheriff's Department about the July 2023 incident; and made false statements during a CHP investigatory interview about the May 2023 and July 2023 incidents.

Appellant denied the allegations and contended that the July 2023 incident arose from consensual sexual role-playing with his fiancée. In addition, Appellant asserted as an affirmative defense that Respondent's decision to dismiss Appellant was retaliation for Appellant taking leave as a military reservist, in violation of the Uniformed Services Employment and Reemployment Rights Act (38 U.S.C.A. §§ 4301 et seq.) ("USERRA").

ISSUES

The issues to be resolved are:

1. Did Appellant establish as an affirmative defense that Respondent dismissed him in retaliation for taking leave as a military reservist in violation of the USERRA?
2. Did Respondent prove by a preponderance of the evidence that Appellant committed conduct constituting cause for discipline under one or more of the following subdivisions of Government Code section 19572: (d) inexcusable neglect of duty, (f) dishonesty, (r) violation of the prohibitions set forth in Government Code section 19990, or (t) other failure of good behavior?
3. If Appellant's conduct constitutes cause for discipline under Government Code section 19572, what is the appropriate penalty?

FINDINGS OF FACT

A preponderance of the evidence proves the following facts:

1. After graduating from the CHP Academy, Appellant began his employment as an Officer in January 2018.

2. Appellant has no prior adverse actions.

CHP Policies and Training

3. Various CHP policies required Officers to conduct themselves honestly in both their personal and professional lives, to protect life and property, and to keep their personal lives unsullied.

4. CHP's "Incompatible Activities" policy prohibited employees from engaging in any "activity ... which is clearly inconsistent, incompatible, in conflict with, or inimical to" their duties.

5. At all relevant times, Appellant understood the policies described above. He also knew that he had a duty to be honest during CHP investigations and during his interactions with other law enforcement agencies.

6. As part of his Academy training and regular ongoing training, Appellant received training on how to determine whether someone was under the influence of alcohol. He also received training on identifying and investigating domestic violence incidents. Although Appellant's duties primarily focused on enforcing traffic laws, he also was responsible for enforcing laws against domestic violence.

Appellant's Home

7. At all relevant times, Appellant lived in a house in Location California. Appellant resided with his fiancée, Victim Appellant and Victim had a tumultuous relationship and often had heated arguments.

8. Victim had two children, Child 1 and 2 from a previous relationship.[1] Child 1 and 2 primarily lived with Victim and Appellant, but the children occasionally stayed with their biological father in the San Diego area.[2]

9. Appellant had a permit to carry a concealed weapon; he kept a personal firearm in his house in a lockbox or safe. When Appellant traveled, particularly to large cities, he brought his personal firearm.

Appellant's Military Service

10. Before joining the CHP, Appellant was an active-duty officer in the United States Marine Corps (Marine). When Appellant joined the CHP, he continued to serve as a reservist Marine.

11. In June 2021, Appellant took approximately eight months of military leave from CHP to serve as a reservist Marine on a long-term assignment.

12. In October 2022, Appellant took approximately six weeks of military leave from CHP to serve as a reservist Marine.

13. In 2023, Appellant took approximately six weeks of military leave from CHP to serve as a reservist Marine.

14. In approximately August or September 2024, Appellant took approximately six weeks of military leave from CHP to serve as a reservist Marine.

15. Over the course of his employment at CHP, Appellant heard some coworkers describe his military leave as "military vacation." Appellant believed that his

[1] This Proposed Decision will refer to the children by their first names to avoid confusion with Victim Victim

[2] The record did not establish the biological father's first name.

coworkers treated him in a derogatory manner because of his use of military leave. He reported his concern to Lieutenant Eric Lee (Lieutenant Lee).

Victim's 911 Call In June 2022

16. In June 2022, Appellant and Victim became involved in an argument at home after Victim showed Appellant text messages on her cellular telephone. Appellant had been drinking alcohol and accused Victim of infidelity. Victim called 911 and told the dispatcher that Appellant was angry and that she needed help.

17. San Bernardino County Sheriff's Department (SBSD) deputies responded to Appellant's and Victim house. The SBSD deputies did not arrest Appellant, and no charges were filed against Appellant at that time.

Child 1's 911 Call

18. On Mother's Day, May 14, 2023, Victim and Appellant got into an argument inside their house and yelled at each other while Child 1 and 2 were outside.

19. Child 1, who was approximately 14 years old at the time, called 911. She told the 911 dispatcher that her "stepdad" (i.e., Appellant) was throwing her mother around and had thrown her off a stool. A few seconds later, however, Child 1 stated that she had "freaked out and called the cops" but did not think they needed the police anymore. Child 1 stated that her mother was not injured and that her stepdad and mother had calmed down. She asked that the dispatcher not send anyone to respond.

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20. Nonetheless, SBSD deputies responded to the call and arrived at the house. The SBSD deputies did not arrest Appellant, and no charges were filed against Appellant at that time.

July 13, 2023, Incident at Appellant's Home

21. On July 13, 2023, Appellant and Victim got into an argument inside the house, and Appellant became angry. Appellant dragged Victim to the front door, picked her up, and threw her onto the front porch.

22. Victim landed on her back with her legs still partially inside the house. Appellant grabbed her legs, dragged her the rest of the way out of the house, and forcibly pushed her away, causing her to roll. Appellant then closed the door.

23. During the incident, Victim screamed several times at Appellant to stop.

Poway Hotel Incident

24. Appellant and Victim made plans to pick up Child 1 and 2 from their biological father in the San Diego area on February 25, 2024. Victim made hotel reservations for the night of February 24, 2024, at the Hampton Inn hotel in Poway, California.

25. On February 24, Appellant and Victim drove in Victim's car from their house to the Poway Hampton Inn. Appellant brought his firearm with him on the trip.

26. When Appellant and Victim arrived at the hotel, Appellant discovered that the room contained two full-size beds instead of one larger queen-size or king-size bed. Because Victim had made the hotel reservations, Appellant interpreted that fact to mean that Victim did not plan to be intimate with Appellant that night. Appellant became upset and angry.

27. Appellant and Victim both consumed alcohol and got into a verbal argument that night.

28. Victim arranged for a late checkout time on Sunday, February 25, 2024. Appellant and Victim continued their argument on Sunday morning. They packed up to begin taking their belongings to their car.

29. Victim told Appellant that she did not want Appellant to come home with her and that she would drive by herself to pick up the children. Appellant blocked the hotel room door for some period.

30. Appellant and Victim eventually left the room and Appellant began to load the car. Appellant did not think Victim was serious about him not going with her, and began placing his items in the car. He told Victim that he would drive.

31. Victim called 911. Appellant walked away from the car and entered the hotel lobby, where he waited for a few hours.

32. San Diego County Sheriff's Department (SDSD) deputies, including Deputy Danielle Powroznik (Deputy Powroznik) and Deputy Nathan McKemy (Deputy McKemy), responded to the call. They spoke to Victim in the hotel parking lot.

33. As part of their regular training at SDSD, Both Deputy Powroznik and Deputy McKemy received training on how to determine whether someone was under the influence of alcohol. As of February 25, 2024, Deputy Powroznik was a relatively new patrol deputy, but Deputy McKemy had been a deputy for approximately eight years.

34. Victim was not intoxicated at the time she spoke with the SDSD deputies. She did not slur her words, smell of alcohol, have bloodshot eyes, or otherwise

display signs of intoxication.

35. In pertinent part, Victim told the SDSD deputies the following:

- On a particular occasion,[3] Appellant had tried to strangle her. Victim called 911. Appellant apologized. When law enforcement officers arrived, she covered for Appellant by refusing to speak with the officers.
- On an occasion in June 2022, Appellant threw Victim against a television and choked her with his forearm. The choking caused blood vessels in her eyes to burst. Victim called 911, but refused to talk to the law enforcement officers when they arrived.
- Child 1 called 911 on Mother's Day 2023 after seeing Appellant throw Victim against the fireplace.
- On July 13, 2023, Victim texted an ex-boyfriend and Appellant became angry. Appellant picked her up, threw her on the ground, and dragged her.
- On February 10, 2024, Appellant punched her in the face and kicked her. She no longer had bruises from the incident.
- That morning, February 25, 2024, Appellant blocked the hotel room door when she wanted to leave after she told him that she did not want him to accompany her.

36. Victim showed the deputies on her cellular telephone video footage of the July 13, 2023, incident taken from a doorbell camera. Deputy McKemy watched the

[3] The record did not establish the date.

video while wearing his body-worn camera (BWC), which recorded the cellular telephone footage.

37. Victim did not have any injuries that were visible to the deputies.

38. Due partially to Victim's statement that Appellant brought his firearm with him, the SDSD deputies did not contact Appellant. Instead, after Victim drove away, the deputies left the area.

39. Although the SDSD deputies determined that they did not have sufficient grounds for arrest at that time, Deputy Powroznik prepared a report to document the suspected domestic violence.[4] The SDSD forwarded the report, as well as the BWC footage of the cellular telephone footage, to the SBSD because the reported July 13, 2023, incident took place in San Bernardino County.

40. On February 25, 2024, after Victim left, Appellant used a rideshare service to go back home.

Appellant's and Victim's Statements to Detective Perez

41. SBSD Detective Jose Perez (Detective Perez) was assigned to investigate the July 13, 2023, incident.

42. On March 18, 2024, Detective Perez telephoned Appellant to arrange a time to speak with him, and they agreed to meet that afternoon at Appellant's house. Detective Perez, accompanied by a sergeant and a female deputy, arrived at Appellant's house that afternoon and spoke to Appellant in front of his garage.

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[4] Penal Code section 13730 requires law enforcement agencies to prepare written records of calls for assistance alleging domestic violence, even if the call does not result in arrest or prosecution.

43. Detective Perez asked Appellant if any of the arguments had become physical, or if either Victim or he had ever alleged that arguments became physical, and Appellant replied no.

44. Detective Perez showed Appellant the video footage of the July 13, 2023, incident. Appellant said he did not know whether Victim and he were arguing then and was not sure what occurred. When Detective Perez asked if the video footage depicted Appellant and Victim Appellant replied that "it looks like us." Appellant stated that the footage depicted them, that they were "hanging out." He further stated that Victim and he "play rough," and he did not recall them "fighting like that."

45. Detective Perez asked Appellant if Victim and he were into "role-playing," and Appellant replied yes. Appellant further stated, "that's stuff that we do sometimes," but that, "normally it's in the bedroom." Appellant said that he did not know why they went outside. Appellant did not tell Detective Perez that the incident depicted in the video footage was an instance of role-playing.

46. Detective Perez attempted to contact Victim by telephone several times before he was able to reach her on March 21, 2024. Victim told Detective Perez that she felt safe. Detective Perez asked Victim about the video footage of the July 13, 2023, incident, but Victim denied knowing which video footage he was describing. When Detective Perez described the events in the video footage, Victim stated, "that's not what happened." Victim also denied that Appellant ever harmed anyone in the house.

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47. It is a common experience among law enforcement officers for domestic violence victims to report domestic violence but later recant their statements due to fear, loyalty to their partner, or feelings of shame or guilt.

Criminal Charges

48. On March 26, 2024, Detective Perez completed his investigation report.

49. As a result of Detective Perez's investigation report, the San Bernardino County District Attorney charged Appellant with domestic abuse in violation of Penal Code section 243, subdivision (e)(1).

50. On April 23, 2024, Victim prepared a letter regarding the criminal charges against Appellant. In her letter, Victim stated that during an incident in February 2024, she had been drinking, Appellant did not want her to drive, and that she was drunk when the law enforcement officers arrived. She also denied that Appellant had abused her.

CHP Investigation

51. CHP Sergeant Scott Mason (Sergeant Mason) was assigned to conduct an administrative investigation into allegations against Appellant. Sergeant Mason conducted an investigative interview with Appellant on June 20, 2024.

52. At the start of the interview, Sergeant Mason advised Appellant that he was required to tell the truth.

53. During the interview, Appellant said that Victim's and his arguments never escalated into physical conflicts.

54. Appellant told Sergeant Mason that he did not push or shove Victim in June 2022, and he did not choke her or cause blood vessels in her eyes to burst.

55. As to the May 14, 2023, incident, Appellant told Sergeant Mason that he (Appellant) and Victim were drunk and arguing inside the house. Appellant further stated that Victim threw a glass, he did not hit Victim, Child 1 called 911, and law enforcement officers responded to the house.

56. With respect to February 10, 2024, Appellant stated that he and Victim got into an argument, and that Victim threw a glass of wine on the ground. Appellant stated that he followed Victim around the house and yelled at her, but did not grab her wrist or neck, shove her, push her, throw her, kick her, or strike her. He denied any physical altercation.

57. Appellant told Sergeant Mason that at some point before February 25, 2024, Victim told Appellant that she had video footage of an incident between them and would "use it."

58. Appellant stated during the interview that Victim was intoxicated on February 25, 2024, and he did not want her to drive.

59. Sergeant Mason showed Appellant the video footage of the July 13, 2023, incident. Appellant stated that the footage showed Appellant and Victim participating in a sexual role-playing scenario.

60. Appellant told Sergeant Mason that when Detective Perez first showed him the video footage, he could not identify if it was Victim and him. Appellant also stated that at the time he was questioned by Detective Perez, he was "not prepared to discuss [his] sexual interactions with [his] fiancée to a 20-year old

dude and my mom[5] and some other dude."

Drafting and Issuing of NOAA

61. Sergeant Mason did not determine what penalty was to be taken against Appellant. However, Sergeant Mason drafted the NOAA based on his investigation.

62. Over the course of the investigation, Sergeant Mason heard one of Appellant's coworkers describe Appellant as a "hard worker" and a "military guy," which Sergeant Mason took to mean a description of Appellant's general bearing. No one communicated to Sergeant Mason anything disparaging about Appellant's military service.

63. Sergeant Mason did not consider Appellant's military service when conducting the investigation or drafting the NOAA.

End of Relationship

64. In approximately mid-December 2024, Victim ended the relationship with Appellant. She, Child 1 and 2 moved to Florida.

Dismissal of Criminal Charges

65. On February 4, 2025, the District Attorney dismissed the criminal charges against Appellant arising from the July 13, 2023, incident.

CREDIBILITY DETERMINATION

Video evidence demonstrated that during the July 13, 2023, incident, Appellant: forcibly dragged Victim to the front door; picked her up; threw her onto the front porch,

[5] Appellant testified that he estimated the female deputy's age to be approximately his mother's age.

causing her to land on her back; grabbed her legs; dragged her the rest of the way out of the house; forcibly pushed her away, causing her to roll; and then closed the door. Appellant testified that the incident was not a violent altercation as depicted, but an instance of consensual sexual role-playing between Victim and him. To determine that the incident was consensual would require crediting Appellant's testimony. Resolving the conflict between Appellant's testimony and other evidence presented at hearing requires a credibility determination in accordance with Evidence Code section 780. When determining credibility, the trier of fact may consider "any matter that has any tendency in reason to prove or disprove the truthfulness of [the witness's] testimony," including witness demeanor; character of testimony; extent of the witness's ability to perceive, recollect or communicate any matter about which she or he testifies; the existence or nonexistence of bias, interest, or other motive; prior consistent or inconsistent statements; the existence or nonexistence of any fact testified to by the witness; and the witness's attitude toward the action or testimony. (Evid. Code, § 780, subds. (a)-(d), (f)-(j).) When a witness testifies falsely as to some matters, some or all of her other testimony may be disregarded, whether contradicted or not. (*Halagan v. Ohanesian* (1967) 257 Cal.App.2d 14, 21.)

The video footage from the doorbell camera was not consistent with consensual role-playing. Appellant lifted Victim and tossed her onto the front porch, where she landed on her back. That action clearly could have resulted in serious injury to Victim which makes it unlikely that she willingly consented to it. Appellant's demeanor in the footage appeared angry and aggressive. Victim appeared to be frightened and screamed at

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Appellant several times to stop. Appellant's testimony therefore was not consistent with the video footage.

Victim was not present at the hearing and did not testify. However, Appellant's statements about the consensual nature of the incident were inconsistent with Victim's statements to the SDSD. Although Victim later wrote that she was not abused by Appellant, and told Deputy Perez that Appellant had never harmed her, it is unfortunately common for domestic violence victims to later recant their statements, even if true. Also, Victim's statement that she was drunk during the Poway incident was contradicted by Deputy Powroznik's and Deputy McKemy's testimony.

Appellant testified in a calm manner, and his testimony generally was consistent with his statements to Sergeant Mason. At times, however, Appellant appeared to be evasive and attempted to downplay his conduct. He also tried to volunteer information beyond the question asked at times. No other witness testified that Appellant and Victim engaged in consensual role-playing, and there was no evidence that Victim made any statement to that effect.

Appellant, who was trained to identify signs of alcoholic intoxication, testified that Victim was intoxicated when she spoke to the SDSD deputies. However, Appellant's testimony conflicted with the testimonies of both Deputy Powroznik and Deputy McKemy, who also were both trained to identify signs of intoxication. Deputy Powroznik and Deputy McKemy both testified that they stood within a few feet of Victim and did not smell alcohol or observe any other signs of intoxication. Both deputies testified in a direct, clear, consistent, and unexaggerated manner, and neither had any apparent interest in the outcome of the hearing.

Furthermore, Victim did not appear to be intoxicated in the BWC footages of Deputy Powroznik or Deputy McKemy. For example, Victim did not slur her words when speaking with the deputies or appear to have bloodshot eyes. Appellant's testimony about Victim's intoxication appeared to be an attempt to justify trying to prevent Victim from driving, an attempt to discredit her statements to the SDSD, or both.

Appellant gave inconsistent statements about Deputy Perez showing him the doorbell video footage. Appellant told Deputy Perez that it looked like he and Victim were fighting. At hearing, Appellant testified that he did not really have a chance to view the video until the CHP administrative investigation interview. Yet, he also testified that he did not tell Deputy Perez about the role-playing because he was embarrassed to do so, especially in front of the older female deputy, and that he "panicked." That testimony suggested that Appellant knew what incident the footage depicted when Deputy Perez showed it to him and tailored his later statements to minimize his actions.

For the reasons discussed above, Appellant's testimony is not credited.

PRINCIPLES OF LAW AND ANALYSIS

In a disciplinary appeal, the appointing power bears the burden to prove by a preponderance of the evidence that the employee committed the charged conduct and that the conduct constitutes a cause of discipline under the applicable subdivisions of Government Code section 19572. (*California Correctional Peace Officers Assn. v. State Personnel Bd.* (1995) 10 Cal.4th 1133, 1153; Evid. Code, § 115; see also *Lyle Q. Guidry* (1995) SPB Dec. No. 95-09.) However, the party asserting an affirmative defense has the burden of proving the elements of that affirmative defense. (*Ladd v. Warner Bros. Entertainment, Inc.* (2010) 184 Cal.App.4th 1298, 1310.) A preponderance of the

evidence is "evidence that has more convincing force than that opposed to it." (*Glage v. Hawes Firearms Co.* (1990) 226 Cal.App.3d 314, 324.)

In determining whether there is a preponderance of evidence, the trier of fact may consider direct and circumstantial evidence, and consider reasonable inferences drawn from that evidence. (*Leslie G. v. Perry & Associates* (1996) 43 Cal.App.4th 472, 483.) An inference is a "deduction of fact that may logically and reasonably be drawn from another fact or group of facts found or otherwise established" at hearing. (Evid. Code, § 600, subd. (b).) An inference must logically flow from other facts established in the proceeding. (See, e.g., *Contreras v. Dowling* (2016) 5 Cal.4th 394, 417.) A trier of fact cannot draw an inference based merely on suspicion, guesswork, or conjecture. (*People v. Davis* (2013) 57 Cal.4th 353, 360.)

Appellant's Affirmative Defense

The USERRA prohibits employers from discriminating against employees because of their service in the United States military. (38 U.S.C.A. § 4311.) Appellant identified retaliation in violation of the USERRA as an affirmative defense in his Prehearing and Settlement Conference Statement, and his counsel referred to that affirmative defense in response to a relevance objection. In closing argument, however, Appellant's counsel did not further elaborate on the defense or identify any specific statute. It appears that Appellant intended to claim that CHP retaliated against him in violation of 38 U.S.C.A. section 4311. To the extent that Appellant intended to assert that any statute other than 38 U.S.C.A. section 4311 applied, that argument is waived. (See, e.g., *Cahill v. San Diego Gas & Electric* (2011) 194 Cal.App.4th 939, 956.) It is not a tribunal's role to develop the parties' arguments for them. (*Ibid.*)

Several unidentified coworkers referred to Appellant's military leave as "military vacation," which he found to be derogatory. Assuming for the sake of analysis that those comments were meant to be derogatory, the evidence established neither who made the comments nor whether they played any role in the decision to dismiss Appellant. Lieutenant Lee was aware of Appellant's use of military leave, but no evidence suggested that he had any role in the decision to dismiss Appellant.

Sergeant Mason heard a coworker or coworkers describe Appellant as a "military guy" to refer to his general demeanor, and was aware that Appellant had some type of military background. However, the evidence did not establish that Sergeant Mason knew that Appellant took military leave to serve as a reservist Marine. Moreover, although Sergeant Mason drafted the NOAA, he did not participate in the decision to dismiss Appellant. No evidence suggested that Appellant's military service had any bearing on Sergeant Mason's investigation.

Appellant did not prove that Respondent's decision to dismiss him was motivated by retaliation for his service as a reservist Marine, or otherwise prove that Appellant's dismissal violated the USERRA. Therefore, Appellant's affirmative defense is rejected.

Inexcusable Neglect of Duty

Finding inexcusable neglect of duty requires finding that an employee intentionally or with gross negligence failed to exercise due diligence in the performance of a known official duty. (*U.W.* (1993) SPB Dec. No. 93-10.) To be subject to discipline for inexcusable neglect of duty, an employee must have actual or constructive notice of expected standards of conduct, unless the conduct is so clearly wrong that notice is not necessary. (*E.D.* (1993) SPB Dec. No. 93-32.) Because peace officers must be above

reproach, a nexus between a peace officer's off-duty misconduct and his or her employment exists where the officer's misconduct could bring embarrassment to his or her employer. (*Anderson v. State Personnel Bd.* (1987) 194 Cal.App.3d 761, 769.)

As a peace officer responsible for enforcing laws against domestic violence, Appellant also had an obvious duty not to act in a violent manner toward his fiancée or other family members. A CHP Officer's violence toward his fiancée easily could embarrass CHP and undermine trust in its Officers.

Respondent did not prove that Appellant pushed Child 1 in 2022; strangled Victim in June 2022; or physically attacked Victim on May 14, 2023. Respondent introduced only hearsay evidence as to those allegations, to which Appellant objected. Absent an applicable exception to hearsay, the Board cannot base a finding solely on hearsay evidence. (Gov. Code, §§ 19578, 11513, subd. (d).)

However, Respondent did prove that Appellant violently dragged Victim to the front door; picked her up; threw her onto the front porch, causing her to land on her back; grabbed her legs; dragged her the rest of the way out of the house; forcibly pushed her away, causing her to roll; and then closed the door. Therefore, Appellant violated his duty not to act in a violent manner toward Victim

Appellant had a known duty to be honest during his interactions with other law enforcement agencies. He violated that duty when he told Detective Perez he did not know what the video footage of the July 13, 2023, porch incident depicted.

Also, Appellant had a duty to be honest during his CHP investigatory interview. As discussed above, Respondent did not prove that Appellant physically attacked Victim on May 14, 2023, and therefore did not prove that Appellant was dishonest when he denied

any physical conflict as to that date. However, Appellant was dishonest when he told Sergeant Mason that the July 13, 2023, incident was consensual role-playing and when he stated that his disputes with Victim had never escalated into physical conflicts.

Appellant's conduct constitutes cause for discipline under Government Code section 19572, subdivision (d), and the charge of inexcusable neglect of duty is sustained.

Dishonesty

Sustaining a charge of dishonesty generally requires finding that an employee intentionally misrepresented a known fact. (*M.S.* (1994) SPB Dec. No. 94-19.) Dishonesty also may include a willful omission of pertinent facts in circumstances where an employee has a known duty to disclose such facts. (*Eliette Sandoval* (1995) SPB Dec. No. 95-15.)

As discussed above in more detail with respect to inexcusable neglect of duty, Appellant made false statements to Deputy Perez and Sergeant Mason. Appellant falsely told Deputy Perez that he did not know what the doorbell video footage depicted. He falsely told Sergeant Mason that the July 13, 2023, incident was consensual role-playing and that his disputes with Victim had never escalated into physical conflicts.

Accordingly, Appellant's conduct constitutes cause for discipline under Government Code section 19572, subdivision (f), and the charge of dishonesty is sustained.

Violation of the Prohibitions Set Forth in Government Code Section 19990

Violation of the prohibitions set forth in accordance with Government Code section 19990 (Section 19990) consists of a violation of the incompatible activities statute. Section 19990 prohibits state employees from conduct such as using one's official

influence for his or her own private gain or the gain of another; using state time or resources for the employee's private gain or another's private gain; receiving outside payment for doing one's official duties; or using, or having access to, confidential information available by virtue of state employment for private gain or advantage or providing confidential information to persons to whom issuance of this information has not been authorized. In addition, an employee may violate Section 19990 by violating an appointing power's incompatible activities policy, so long as the policy has been clearly communicated to employees. (*Ruth M. Houseman* (1993) SPB Dec. No. 93-33.)

Recently, the Board found that a CHP Officer's physical and sexual assault of his wife was inimical to a peace officer's duties to uphold the law. (*D.G.* (2024) SPB Dec. No. 24-02.) Therefore, the Board concluded that the CHP Officer's conduct constituted a violation of Government Code section 19572, subdivision (r), violation of the prohibitions set forth in Government Code section 19990. Similarly, here, although Appellant's primary responsibility was enforcement of traffic laws, he was a peace officer whose duties included enforcement of laws against domestic violence. His violence towards his fiancée was inimical to his duties as a peace officer.

Appellant's conduct constitutes cause for discipline under Government Code section 19572, subdivision (r), and the charge of violation of the prohibitions set forth in Government Code section 19990 is sustained.

Other Failure of Good Behavior

Other failure of good behavior is misconduct that can easily impair or disrupt the public service, or discredit the appointing authority or appellant's employment, so long as there is a rational relationship between the misconduct and the appellant's employment.

(D.M. (1995) SPB Dec. No. 95-10.) An appointing power need not prove the conduct is known to the public to prove the conduct discredits the appointing authority or the appellant's employment. (*Orlandi v. State Personnel Bd.* (1968) 263 Cal.App.2d 32, 36–37.)

Appellant violently dragged Victim to the front door; picked her up; threw her onto the front porch, causing her to land on her back; grabbed her legs; dragged her the rest of the way out of the house; forcibly pushed her away, causing her to roll; and then closed the door. If known to the public, Appellant's conduct easily could discredit his employment and the CHP. Although not the primary focus of their duties, CHP Officers are responsible for enforcing laws against domestic violence. If known to the public, Appellant's conduct could undermine the public's ability to trust CHP peace officers with respect to reporting domestic violence. Also, Appellant's dishonesty toward Deputy Perez and Sergeant Mason could undermine the public's trust in CHP as well as other law enforcement agencies' trust in CHP.

Therefore, Appellant's conduct constitutes cause for discipline under Government Code section 19572, subdivision (t), and the charge of other failure of good behavior is sustained.

Penalty

The SPB has a constitutional responsibility to review disciplinary actions and render a decision that is "just and proper." (Cal. Const., art., VII, § 3 subd. (a); Gov. Code, § 19582, subd. (a).) In determining the appropriate penalty, the SPB considers the extent to which the employee's conduct resulted in, or if repeated is likely to result in, harm to the public service; the circumstances surrounding the offense; and the likelihood of

recurrence of the employee's conduct. (*Skelly v. State Personnel Bd.* (1975) 15 Cal.3d 194.) The harm or potential harm to the public service is the overriding consideration. (*Ibid.*)

Appellant's conduct caused serious harm and potential harm to the public service. Appellant picked Victim up and threw her onto the porch so that she landed on her back, which risked Victim sustaining physical injury. Appellant's dishonest statements to Detective Perez impaired the SBSD's investigation and his dishonest statements to Sergeant Mason impaired the CHP's investigation.

Peace officers hold special positions of trust and are held to the highest standards of behavior. (*Paulino v. Civil Service Com.* (1985) 175 Cal.App.3d 962, 972.) Also, peace officers must frequently testify in court, and must be credible and honest to perform their duties effectively. (*J.A.* (1995) SPB Dec. No. 95-17.) Because of the special position of trust peace officers hold, dishonesty by peace officers warrants harsh punishment. (*Anderson v. State Personnel Bd., supra,* 194 Cal.App.3d at p. 761.)

Although Appellant was a long-term employee with no prior adverse actions, he denied acting violently toward Victim and falsely claimed that she consented to the violence. Appellant's lack of remorse or appreciation for the seriousness of his actions weighs in favor of a harsh penalty. (*Robert R. Watson* (1994) SPB Dec. No. 94-10.) Also, dishonesty is a continuing character trait, not an isolated or transient act. (*Gee v. State Personnel Bd.* (1970) 5 Cal.App.3d 713, 719.) Therefore, there is a high likelihood of recurrence.

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The seriousness of the harm and potential harm resulting from Appellant's conduct, and the high likelihood of recurrence, support dismissal as a just and proper penalty in this case.

CONCLUSIONS OF LAW

1. Appellant did not prove as an affirmative defense that his dismissal constituted retaliation by Respondent in violation of the USERRA.
2. Respondent proved that Appellant's conduct constituted cause for discipline under Government Code section 19572, subdivisions (d) inexcusable neglect of duty, (f) dishonesty, (r) violation of the prohibitions set forth in Government Code section 19990, and (t) other failure of good behavior.
3. Dismissal is a just and proper penalty for Appellant's conduct.

ORDER

The dismissal taken against Richard Adams is **SUSTAINED**.

DATED: April 15, 2025

Douglas A. Purdy
Administrative Law Judge
State Personnel Board

NOTE: The following transcript pages follow the ISF references and correspond accordingly.

ADAMS: But yes, for generality.

MASON: Did you have that Arlo camera on your front door on or about July 13th, 2023?

ADAMS: Yes, sir.

MASON: Was there an event captured on that camera on July 13th, 21 -- 2023, at approximately 2155 hours involving you and Victim

ADAMS: Yes.

MASON: How are those videos stored and accessed?

ADAMS: So, from what I understand, they're stored in the cloud for the extent of whatever your subscription is. So, if it's, like, ten days or 30 days, that's how long they store them.

MASON: Okay.

ADAMS: That's all I know about --

MASON: And how do you access them?

ADAMS: Via cell phone.

HOLLY: An application or --

ADAMS: Yeah, an app.

HOLLY: -- a website?

ADAMS: An app.

HOLLY: Okay.

MASON: Are you aware of how long your subscription is?

ADAMS: It's either ten or 30 days, I want to say.

MASON: Okay. Did a San Bernardino County Sheriff's detective come and speak with you about that particular video?

ADAMS: Yes.

MASON: Okay. I'm going to present you with an excerpt from San Bernardino County Sheriff, Detective Perez's report, which contains a summary of his contact with you on March 18th, 2024. And it's two pages. Please read the highlighted portion for the record.

ADAMS: Okay. Adams and his girlfriend, V1, had been in a dating relationship for the past five years. V1 has two children from a previous relationship who also live with them. Adams recalled a reported dispute between him and V1 in San Diego. They went to San Diego to allow V1's kids to visit with their father. The day V1 called SDSD was the result of a verbal dispute between V1 and Adams. Adams was upset with her for booking two beds instead of one and making a mess spilling popcorn. Adams stated V1 became upset with him and wanted to leave. V1 was drinking, according to him, so he did

not want her driving in this state. He tried to stop her until she called 911. Adams left her alone and waited in the lobby but was not contacted by officers. Adams recalled law enforcement was called to his residence twice in the beginning of their relationship. He described V1 called after or during an argument with him, but both situations were deemed safe by responding officers. He denied any physical incidents between them, but was not able to speak for V1 and what she believed happened. He stated they were working through alcohol difficulties and receiving help through AA and rehab. I informed Adams there was a video shown to SDSD that depicted possible physical abuse and if he recalled any similar events. He denied recalling any similar described events. However, the relationship was very passionate sexually. I then showed Adams the recording, the video recording previously shown to SDSD. He did not recall if they were arguing or any details about the video. He confirmed they did have a Ring camera in the same position

as the video angle. He also stated the video might have matched their porch. I asked him if he knew who was in the video. He replied, I mean, it looks like -- it looks like us. I continued to ask if his front door looked as it did in the video and his camera was in the same area. He said, we do, yeah, yeah. Adams describes the video as appearing as if A, Adams and one were maybe hanging out and something happened. Adams stated in the video, it appears as if they were fighting. He also described they sometimes roleplay in a rough manner which could be misinterpreted. Adams could not explain how or why their roleplaying would have ended up outside, as normally -- in the bedroom thing for them. He had no further information or leads, so I ended my interview with him.

MASON: Is that statement, as summarized by Detective Perez, is that statement true and accurate?

ADAMS: The statement, yes.

MASON: Okay. Is there anything that you would want to clarify or change from that statement?

ADAMS: Yes.

MASON: What's that?

ADAMS: So, the way this -- the way that he contacted me, he contacted me via phone the day of that he wanted to come see me. Okay. He called and said, hey, I want to come talk to you. He didn't tell me what it was about. So, I'm like, okay, I can open my garage door, and you can come in, and we'll talk or whatever. Then I get a phone call two minutes later. Hey, I'm coming with two other people just so you're aware. Don't be shocked. So, I'm like, okay, that's fine. I open the garage door. I go outside. And then he shows up along -- like, he shows up, and then another -- a woman shows up, and then the sergeant shows up, apparently. He looks like he's 20-something years old. She looks like she could be my mom, and then I have a sergeant who's kind of off to the side and peering, kind of listening in on the conversation. He showed me, for the first time, this video on his -- we had -- we made small talk. We just talked about, trying -- you know, talking. He was asking

about my relationship with Victim and, you know, that we were together, and when the last time was we had a argument, I think it was. And then he just kind of whipped out a phone, and was like, hey, look at this video. What do you think is going on here? And I'm looking at it. It's grainy. It's like, on a cell phone, and it's on a body-cam of a Ring doorbell camera, so it's hard to see exactly what's going on or who it is or whatever, so -- and he had prefaced it with, like, oh, this -- you know, we're investigating a domestic battery. So, I'm trying to figure out, like, what he's talking about in my head, like, what -- which -- what do you -- domestic battery. When did this happen? And I even think I said I thought it was -- I thought this was, like -- I didn't know what to think of it at the time. I was kind of bum-rushed on this one. And he shows me the video, and then I'm watching it, and it looks like us. It looks like a fight, but I can't remember or I don't remember, at the time, any of the events leading up to it. There's no context

to it. There's no audio to it. I don't know what is going on there. So, then I thought about it some more. It was kind of, like, over time, thinking about what that could have been. Victim never showed me the video. She just said she had a video. And I didn't know really what she was talking about with the video thing, so after he showed me that, I started thinking more and more about it. I was, like, oh, okay. So, we are in -- and this is what I was trying to explain to the 20 year-old deputy, like, hey, we're into some, I guess, weird or alternative lifestyle type stuff where we roleplay. And part of the roleplaying we were doing at that point, during that time frame, was like a landlord/tenant type thing. So, we didn't -- we didn't have the kids for a month. Name Redac had come home from a deployment, and so he wanted the kids for that month. So, we started playing around with the idea, like, hey, we'll do a roleplay, kind of landlord/tenant type situation, and this is my house, and you're my tenant, and how are you going to pay the

rent? So, this is awkward to talk about with, like, totally people that I don't know. Very awkward, but --

HOLLY: Take your time, but --

ADAMS: -- we're here because of this, so that -- so, we'd both been drinking, and then we were -- hey, let's play the -- play our little game or whatever, and then how are you going to repay me? And so, she would repay me with sex. So, we would have sex. And that was just our -- that was captured on that Arlo, and then I see it on his camera, and I couldn't remember what he was talking about. I had no idea. And then watching it and thinking about it, watching it this morning with you, and then thinking about it, like, that's what was going on.

HOLLY: If I may. When he called you, why did you think he was wishing to speak with you?

ADAMS: Because of what happened in Poway. I hadn't been contacted by anybody.

HOLLY: Okay.

ADAMS: They had contacted her, and she told me about it.

HOLLY: Did you -- why did you think San Bernardino

SO would be contacting you on behalf of Poway?

ADAMS: Because the camera footage that she showed him would have been in San Bernardino County.

HOLLY: Okay. But at that point, you had no indication of what the video footage was?

ADAMS: I didn't know what the video was. She just said she had a video.

MASON: When San Bernardino detective -- and his name's Perez, just in case I reference Perez. When he contacted you on the phone, did he tell you he was going to show you a video?

ADAMS: No.

MASON: So, you didn't know that there was -- until he played the video, you thought he was following up on an incident that had occurred in San Diego County?

ADAMS: Yes, about a video that [redacted] said she had.

MASON: Okay. But he didn't mention the video to you?

ADAMS: No.

MASON: You put that together while you were on the

phone with him?

ADAMS: I figured the Poway thing when she got -- when she told me that she told him everything and all this -- just everything and then the video, I figured, okay, well, there's probably -- she's talking about a video that she took or had from the house because she told me she had some video from the house. Didn't tell me what it was. And I assumed that they were going to come eventually and talk to me. Immediately after Poway, she was apologetic and didn't want anything to happen. And she told me that SO detectives were contacting her and trying to talk to her or whatever. And I was like, well, tell them whatever you got to tell them. Whatever you need to tell them, Victim, you can tell them. And so, she kept me in, I guess, the loop of how they were investigating her statements from Poway again. They showed up at her place of work or Perez did. He showed up at her Workplace looking for Victim She was across the street picking up our kids. And he bum-rushed her, and she told him that she

didn't want to talk because she has the kids right there. There's nothing, like -- she doesn't want anything more to go. And then she told me about that. So, she did tell me, like, they're looking into this. So, I had an idea that there was going to be some sort of contact for me.

HOLLY: Just to clarify, when you say bum-rushed, what is that referring to?

ADAMS: Just he walked up behind her, and was like, hey, I want to talk to you. And she's got, like, our five year-old and the 15 year-old there, and everybody's getting picked up in the pickup lanes and stuff. And it was just inappropriate. She wanted to file a complaint against it, and I told her not to. Or I didn't tell her not to. I just said, I don't think that's a good idea, basically. Like, I don't think we need to cause any more issues than we already have.

HOLLY: And just to clarify, you mentioned that she told you the video was from the house. When did you learn that the video she was referring to was from the house?

ADAMS: Would have been sometime from when it was

taken to Poway at some point. Because she told me she had it, and she was going to use it -- you know, she just had it, so --

HOLLY: What was the context in which she told you that she had the video from the house?

ADAMS: It was in a argument.

HOLLY: Okay.

ADAMS: Basically, I have this video, and I'm not afraid to use it. Regardless of the context, I'll make the context up, basically.

HOLLY: And to clarify, she told you that prior to being -- her being contacted in Poway?

ADAMS: She told me about the video prior to Poway, yes.

HOLLY: Okay. So, you knew that she had a video from the house --

ADAMS: [redacted], correct.

HOLLY: -- at the time of Poway? Okay.

ADAMS: Correct.

HOLLY: Did you -- sorry (inaudible). Did you ever ask what the video included or did she ever tell you what it included?

ADAMS: No.

HOLLY: Did you think back to anything that you may

have suspected it included?

ADAMS: She made comments like this pretty commonly and usually when she's drinking, she'll start making some stuff up, and then I'm -- it's more of an issue and more of a problem if I try to, I guess, ask her about it, you know, and --

HOLLY: Sure.

ADAMS: -- like, she'll construe that as me chasing her around. And I'm not -- I learned early on that we have communication issues, and that's what we're working on and trying to -- trying to rectify.

HOLLY: Were you curious as to what the video depicted?

ADAMS: I was, yes.

HOLLY: Were you worried it captured any specific incident?

ADAMS: No, because there was nothing to capture.

HOLLY: Okay. Okay.

MASON: When Detective Perez or Deputy Perez contacted [redacted] and she told you about that, your response to her was, go ahead and tell them whatever you have to --

ADAMS: Uh-huh.

MASON: -- tell them?

ADAMS: Yes, sir.

MASON: Is a deputy -- San Bernardino County Deputy contacting [redacted] about a possible domestic violence incident, does that -- is that significant to you?

ADAMS: Yes.

MASON: Did you, at that point, think it's in our best interest that [redacted] gives him a statement?

ADAMS: Yes, of course. I don't know what interaction -- because I didn't want to -- I wanted to be separate from whatever it is that she's got -- she's got reporting or she's got her issue with SBS -- San Bernardino County Sheriff's Office. I'm not going to impede on that. So, do whatever you have to do, or report whatever it is you want to report. Whatever happened -- like, again, I was not out there. This was the first time seeing these videos. Like, so, I wasn't out there listening to what she was saying. I had no -- I have no idea. We've reviewed the report his morning for the first time. So, I'm not -- I didn't want to

go down that lane of trying to shape what she wanted to say or shape anything from what she was reporting, so I stayed away from all that. It wasn't until -- and (inaudible) I guess we'll just keep going.

MASON: No.

ADAMS: It wasn't until we got -- we came back from a family vacation in Las Vegas after -- her family flew out and stayed the week. My family went to Vegas. I drove everybody up there. Her daughter, friend's daughter, her friend's daughter, and then [redacted] and myself all went to Vegas. We had a nice weekend. And then Sunday, we drive home, and we have a Marsy's Card in our mailbox and saying I got charged, and that she's a victim of domestic violence. That's how we found out. And she opened that in front of me. Like, it was shocking for both of us. And --

MASON: Okay. All right. Let's go ahead and play -- yeah, let's go ahead and play the video. This is from San Diego County Sheriff's Office. This is body-worn camera from Deputy McKemy, M-C-K-E-M-Y. This is body-worn camera footage of the video that

we've been talking about. The time stamp on this one is 4154.

[Recording begins.]

UNKNOWN: Okay.

UNKNOWN: (Inaudible).

MASON: This is -- that's not the one.

[Recording ends.]

HOLLY: Let me back up.

MASON: We're going to 23 --

[Recording begins.]

Victim It was two weeks (inaudible) --

[Recording ends.]

MASON: Oh, there --

[Recording begins.]

Victim (Inaudible).

ADAMS: (Inaudible).

Victim Richard stop. Stop.

ADAMS: (Inaudible).

[Recording ends.]

MASON: Okay. Is this the video that Detective Perez showed you?

ADAMS: That looks to be the video. There was no audio and no anything else, but that looks like the same video.

MASON: Okay. Have you watched this video since

he -- Detective Perez showed it to you?

ADAMS: Just this morning.

MASON: Okay. Describe for me what you see in the video.

ADAMS: Like I said to Deputy Perez, it looks like people fighting.

MASON: Okay.

HOLLY: Please describe what you see.

ADAMS: Somebody getting thrown out of a door.

MASON: Okay. So, confirm this -- that is you in the video?

ADAMS: Yes.

MASON: And that is Victim?

ADAMS: Yes.

MASON: And that is from your front porch?

ADAMS: Yes.

MASON: Okay. Is seeing yourself on that video significant to you?

ADAMS: Yes.

MASON: Okay. You said it looks like people fighting. Does this show you forcibly removing Victim from the house?

ADAMS: Yes.

MASON: In your statement to Deputy Perez, you mentioned that you and Victim have a

passionate relationship, and you've talked about it here as well. You said it was passionate in and out of the bedroom. Deputy Perez used the term, roleplaying.

ADAMS: Correct.

MASON: You agreed with him.

ADAMS: Correct.

MASON: Do you -- do you like that term, roleplaying?

ADAMS: Yeah.

MASON: Is --

ADAMS: That was the landlord/tenant thing where she didn't pay her rent, so I'm throwing you out of the house. Like, that -- we'd both been -- we both agreed to that, so that's why this is so just --

MASON: Okay. So, I'll use the term, roleplaying --

ADAMS: Okay.

MASON: -- as we discuss it.

ADAMS: Sure.

MASON: If there's something that doesn't fit with that, or if it's some -- something else you want to, you know -- feel free to correct me.

ADAMS: Okay.

MASON: Okay?

ADAMS: Sure.

MASON: So, how often do you incorporate roleplaying into your intimacy?

ADAMS: So, normally, when the kids aren't -- when the kids are with the father, we'll do roleplaying. She's into the hairpulling, the spanking. Again, this is uncomfortable, but the restraint system, you want to call them, whatever that is, the toys, everything. And we were experimenting that month because we had the whole month without the kids. And that was the culmination of us roleplaying the landlord/tenant sex roleplay thing. I mean, she didn't pay the rent, and then we did this, and then we went inside and had sex.

MASON: So, do you guys only do the roleplaying when the kids aware away?

ADAMS: Yes.

MASON: Okay. Is roleplaying always connected to intercourse?

ADAMS: No.

MASON: Okay. Is that the only way that you engage in intercourse with a roleplaying scene?

ADAMS: No.

MASON: Okay. And you're saying that is what's happening in this video?

ADAMS: Correct, yes.

MASON: This particular scene, how did this scene end?

ADAMS: It ended with me shutting the door, and then opening the door, letting her back in, and then she proceeded to pay the rent in a sexual way, I guess you could say.

MASON: You mentioned hair-pulling, spanking, restraint, toys. Do you guys engage in any sort of choking?

ADAMS: She enjoys some choking, yes.

MASON: Okay.

ADAMS: Consensual, of course, and within the frame of sex, so --

MASON: Okay. Spanking?

ADAMS: Yep.

MASON: Any other hitting or slapping?

ADAMS: No.

MASON: Okay. Handcuffing?

ADAMS: Yes.

MASON: Okay. And then you mentioned restraints, so binding, tying?

ADAMS: Correct.

MASON: Okay. Are you always the dominant partner in scenes?

ADAMS: I would say 75 percent of the time.

MASON: Is this event that's captured, is this typical of your normal roleplaying sexual encounters with Victim

ADAMS: The outside thing, we were trying something new, this experiment. But normally, it's restricted to the bedroom.

MASON: Do either of you ever go beyond the other one's comfort level when you're roleplaying?

ADAMS: No.

MASON: How would you know if you did?

ADAMS: Safe words. We change those up every once in a while. And I think -- was it -- pineapple was one. I mean, it's just --

MASON: Okay. Has she ever asked you to stop?

ADAMS: No.

MASON: Has she ever used a safe word?

ADAMS: I think so; in the past, probably.

MASON: From your perspective, how would you know if you're crossing the line?

ADAMS: From my perspective, probably use of the safe word if we're roleplaying. If we're --

might remember something that (inaudible).

ADAMS: I don't know.

[Recording ends.]

MASON: I'm going to pause it. So, you told Deputy Perez here that you didn't know if she had a video, but Victim had already told you that she showed a video, right?

ADAMS: Uh-huh.

MASON: So, was your statement here to Deputy Perez inaccurate?

ADAMS: Well, like I said, they contacted me the day of. He's talking about a video. I am trying to wrap my head around what video he's talking about, and then I realize, okay, that's probably the video, and then he shows me the video.

MASON: Okay.

ADAMS: So, I was kind of caught off guard. I mean, I had -- if you think about it, I got the small -- like, the small guy asking me questions. I have this older lady sitting here, and then I have a sergeant on this side of me, like, staring down. I mean, I'm nervous. I don't -- I'm just trying to figure out what they're asking me and what

questions they're asking me and what video they're talking about.

HOLLY: During this conversation, you had indication that the video they were referring to was the one that you mentioned earlier from the house?

ADAMS: Uh-huh.

HOLLY: Is that -- is that safe to say?

ADAMS: I believe so. Yes.

HOLLY: Because you mentioned earlier that you had knowledge that Victim had a video taken from the house prior to the Poway incident; correct?

ADAMS: Uh-huh.

HOLLY: When the deputy is speaking with you and refers to the video, when he mentions that, is that the video you assume he's talking about, the one that Victim mentioned?

ADAMS: Yes.

HOLLY: Okay. So, in that moment, you recognize the video he most likely was talking about was the one that Victim told about?

ADAMS: Which I had no idea what was on it, so yes.

HOLLY: Correct. Just only that it existed?

ADAMS: Yes.

HOLLY: Okay.

ADAMS: Yeah.

HOLLY: Okay.

MASON: Okay. All right, go ahead and play.

[Recording begins.]

ADAMS: Yeah I don't -- I don't know if we were arguing that night. I don't know when that -- that's from.

PEREZ: It says, July, 2023.

ADAMS: Okay.

PEREZ: I think July 13th.

ADAMS: Okay. Okay.

[Recording ends.]

MASON: All right. So, here we see that Deputy Perez shows you the video, and that's the video, the one that we watched, right? Again, you said, without sound.

ADAMS: Yeah, without sound on a small screen. It was way shorter than I think the one we saw here today, and that was the first time I saw it, so just trying to process what that was all about, what the video was all about.

MASON: Okay. Without him prompting you, you spontaneously stated, I don't know if we were arguing that night. Why would you

state that?

ADAMS: Because, again, that was the first time I saw it, and I'm looking at it, like, I don't know -- I can't even really identify if it's me and her. I just see two people -- looks like two objects wrestling. You know? I don't know. This one was a lot clearer. The one I saw this morning is a lot clearer. But it was not very clear as to what the image was at the time.

MASON: Okay.

HOLLY: Is there anything specific that would lead you that -- to the video you watched on the phone to think that that was an argument, as you described it?

ADAMS: Just looks like two people wrestling. So, I get -- again, I was not prepared to discuss my sexual interactions with my fiancée to a 20 year-old and my mom and some other dude. Like, I just didn't know what to -- how to really explain that. You know?

HOLLY: So, I think from our perspective, we're just trying to understand why -- not knowing how to explain something sexually is different than responding with, I don't know if we

were arguing. So, we're trying to get your -- the context and your maybe mindset why your first response would be, I don't know if we were arguing, if that makes sense why we're asking these questions.

ADAMS: You know, I don't know why I said that. I don't know why that came out like that. I think it was just me seeing a video, looks like wrestling or arguing, not thinking of us doing the roleplaying earlier in that year. I mean, this was ten months ago, I think, or -- if it was July to now.

MASON: This was March 18th.

ADAMS: So, better portion of a year. So, I'm just trying to wrack my brain, like, what is this video that we're looking at? And that was the spontaneous statement that I made about, looks like people are arguing, or --

MASON: Okay.

ADAMS: -- I think I even say fighting at one point. I mean, I just didn't know what I was looking at until later on, I started to process.

MASON: So, earlier, when this started, you told Detective Perez, Deputy Perez, and you've

told us today that your arguments have never gotten physical.

ADAMS: Right, correct.

MASON: So, when you saw this video, would you define that as physical?

ADAMS: The video --

MASON: What you saw in the video.

ADAMS: I saw that as a physical -- some -- two people, again, being physical with each other. Correct. And again, out of context of what was going on or audio or anything like that.

MASON: Okay. So, you recognize the physical encounter confrontation on this video?

ADAMS: Yes.

MASON: And your first thought was it looks like we're arguing.

ADAMS: I didn't know who was -- I couldn't really make out who was who, but it looks like -- if you're looking at a small screen, a three by five screen, it looks like people are wrestling or something. And it also was the quality of his phone was -- it was very ratchety. You just saw, like, the body come out and the body come out. And then, like,

what we saw, somebody retreat, and then that was it.

MASON: And I apologize. I don't want to put words in your mouth. You said, I don't know if we were arguing that night, just to be clear. I wasn't trying to --

ADAMS: Okay.

MASON: Did it occur to you, at this point or at any point, that you were in a physical altercation with [redacted]

ADAMS: By physical -- you mean just like -- I'm sorry. Say that question one more time.

MASON: You recognize the video as showing a physical encounter.

ADAMS: Correct.

MASON: You stated to Detective Perez, I don't know if we were arguing. Did it occur to you, at any point during this contact or since then, that that was a physical encounter with [redacted]?

ADAMS: It was a physical encounter with [redacted].

MASON: Okay. When did you -- when did that occur to you?

ADAMS: When I -- well, we saw it this morning. I saw it this morning, and then --

EWERT: I mean, I don't really understand the -- it's pretty vague. Physical encounter. He's already said that his memory of it is that it was consensual at this point in time. So, I mean, you can have consensual physical encounters. And I mean, when he realized it was a physical encounter, I don't --

MASON: Well, that's not what he said. He has not -- by this point, he said he did not realize that this was a consensual encounter. At this point, he was not even aware of what was on the video.

EWERT: He told them he was roleplaying. We're going to get into arguments doing this.

MASON: Sure.

EWERT: So, I mean, I'm not trying to do that with you.

MASON: (Inaudible).

EWERT: But we're -- we now have the context of this is what was said here, and now he's been questioned for four and a half hours on this thing. And so, I think we're conflating some of the statements that were made earlier this morning with what was made

here, but I just don't understand the question, I guess. When did you understand that it was a physical encounter? Because, I mean, he's already said it was a physical encounter, but it was consensual.

MASON: Okay. I'm willing to drop the question, and we can continue.

HOLLY: I think it's been -- I think it's been addressed.

EWERT: Okay.

MASON: Yeah.

HOLLY: Next --

MASON: Yeah.

HOLLY: -- portion?

[Recording begins.]

ADAMS: I'm not sure.

PEREZ: Is that -- do you know who's in that video?

ADAMS: I mean, it looks -- it looks like us. I --

PEREZ: Is that what your front door kind of looks like? You have a Ring camera outside?

ADAMS: (Inaudible) yeah.

[Recording ends.]

MASON: Okay. So, again, you've mentioned the video quality as you're watching it on his phone. Did you think that this video was of

somebody else?

ADAMS: I didn't know who it was of. Did I think -- can you repeat the question?

MASON: Yeah, so -- and it's in the context that Deputy Perez has come to -- he's asked to speak with you. You're aware of a video, right? You said when he called you, you -- the video came to your mind. He's now speaking to you in-person. He tells you there was an incident in Poway, and there was a video. He then shows you a video. Did you, at this point -- I know the graininess and quality of his video. Did you still, at this point, think that this was somebody else?

ADAMS: Once I saw that video, I mean, it was pretty clear it was myself and [redacted] Victim

MASON: Okay.

ADAMS: It was our front door. I mean, I'm not debating that.

MASON: Okay. Let's go ahead to the next piece.

[Recording begins.]

PEREZ: Do you recall anything like that? Like, if -- I don't know if you guys -- maybe that was just a drunken night. Just seemed like

a -- I mean, obviously, like, we've seen the video.

ADAMS: Yeah, yeah, no.

PEREZ: (Inaudible) --

ADAMS: I know, I know.

PEREZ: (Inaudible) anything else? I mean, I know it really sort of can get personal.

ADAMS: Yeah.

PEREZ: Right? Things get heated, you know? Nothing that (inaudible) couldn't take you back. You guys are obviously still together.

ADAMS: Yeah.

PEREZ: Right?

ADAMS: I mean, that was a long time ago. I think it was just -- we were -- it was just us hanging out is what it looks like. And I don't know what -- I don't know if she's saying that something happened or --

[Recording ends.]

MASON: Okay. So, I want to ask you about this statement, it was just us hanging out is what it looks like. Is that -- what's shown in this video, is that a normal hanging out?

ADAMS: So, again, it was just us hanging out. And

I'm trying to -- at this point right now, I'm trying to understand how I'm going to explain to three strangers that we're into some weird stuff, weird sexual things. And that's where this goes from the next spot, it's just like, I don't feel comfortable telling them all the ins and outs. At this point, it was, like, a five-minute interview in my garage. I'm outside. I've got the kids in the house that I don't want them hearing about their parents' sexual whatever. I don't -- you know what I mean? So, does that -- does that --

MASON: Yeah.

ADAMS: Okay.

MASON: The next thing you said, I don't know if she's saying that something happened. And again, in the context of the way that this interview is happening with Detective Perez and the video he's showing you, are you surprised that she showed this video and reported it as a crime?

ADAMS: Yes.

MASON: Okay. Why is that?

ADAMS: Because we were roleplaying, and I thought

that we were on the same -- like, we were both -- it's a consensual event between two consenting adults, sexual nature, and so when I see it being reported as a crime, it hurts, and it's, like, disbelief. I'm not -- that was the video that she was talking about. Like, as I'm processing it after, I'm like, that -- that's what -- that's what the video was.

MASON: Okay. Did you have clarifying --

EWERT: No.

MASON: Okay. Let's go ahead and play.

[Recording begins.]

ADAMS: I don't know.

PEREZ: In the video, is that something that is common for you guys or has happened a couple times?

ADAMS: No, no. That's the first time I've seen that, so I don't know.

[Recording ends.]

MASON: Okay. Go ahead and pause. And just to -- just we're cleaning this up piece by piece. So, you said that this was not common, but earlier, you said it was just us hanging out. So, can you explain the contradiction

in statements there?

ADAMS: Well, not common in the sense that we would be outside the house roleplaying. That's not common, you know? And that, I guess -- is that what you asked, or --

MASON: If that's how you understand it as not common, yes. I want to know why did you -- why would you say that's not common?

ADAMS: That our roleplaying went outside the house.

MASON: Okay.

ADAMS: Okay.

MASON: And let's go ahead.

[Recording begins.]

UNKNOWN: And I know you told Detective Perez that about the video, but it's something that could have happened (inaudible). And what does it look like to you in the video?

ADAMS: I mean, it looks like we're either -- sometimes, we play rough, and then sometimes it looks -- you know, obviously it looks like I'm -- we're fighting, but --

UNKNOWN: Okay.

ADAMS: -- I don't -- I don't remember that incident or us fighting like that. I mean --

UNKNOWN: Okay.

[Recording ends.]

MASON: Okay. Go ahead and pause. So, again, just for context, you now recognize that this is consensual, this is roleplaying, there's video. You're aware that there was a video shared. And here, in your statement to the deputies, you are still saying that you're not sure and you don't recall this incident.

ADAMS: Right.

MASON: Okay. So, you --

ADAMS: So, I understand what it looks like. You know what I mean?

MASON: Yes.

ADAMS: I understand that. But I'm trying to figure out how I'm going to tell them that we're into some sexually-charged things. And it's the three of them, I'm outside, it's very uncomfortable. I was called the morning of this interview, and then I went out there that day to talk to them. And I've seen the video, you know? It's like kind of getting caught with your pants down as far as how are you going to explain that your pants are down, you know? I mean, in a sexual way, right? Like, you don't -- you're just

trying to explain to three strangers that you're into the stuff I explained today. So, I didn't feel comfortable continuing on with that conversation. And I think that's what I tell them. I think I say that.

MASON: Yeah, I think you do, and I believe -- I believe we're going to get to that next. I just want to clarify that you do actually understand or you do remember this incident at this point, right?

ADAMS: At this point, I do, yes.

MASON: Okay, so --

EWERT: And we're talking about this point in the video that we're watching?

MASON: Yes.

HOLLY: Correct.

EWERT: So, his statements to them, from this point forward, he knows what he's talking about, and he's trying to explain it.

MASON: As I understand it, and --

EWERT: Is that what is --

HOLLY: Yeah.

EWERT: -- that -- okay, so that's what we're talking about?

HOLLY: Yes.

MASON: Yes.

HOLLY: Yes.

MASON: Yes. His statements --

HOLLY: (Inaudible).

MASON: -- Officer Adam's standing here --

EWERT: Okay.

MASON: -- right here --

EWERT: In the video --

MASON: -- in this video --

EWERT: -- that is marked as tab --

MASON: Yes.

EWERT: -- 23 or four --

HOLLY: No. No tabs (inaudible) --

EWERT: Okay.

HOLLY: -- time.

MASON: In this video, as he's -- as he's talking to --

EWERT: Okay.

MASON: -- Deputy Perez --

ADAMS: I'm realizing, right now, that there -- that video was about some sexual thing that I don't feel with talking to --

MASON: Okay.

ADAMS: -- three deputies about.

MASON: Okay. Let's go ahead and continue.

[Recording begins.]

PEREZ: Do you guys normally play kind of rough like that?

ADAMS: Yeah. I mean, like I said, bedroom stuff kind of.

PEREZ: You mean, like, that's when you guys are intimate (inaudible) --

ADAMS: Right.

PEREZ: -- or --

ADAMS: Yeah.

PEREZ: Okay.

ADAMS: It's kind of personal stuff, but --

PEREZ: Right.

ADAMS: We're kind of into that stuff a little bit, so --

PEREZ: What are you guys into, like, roleplaying?

ADAMS: Right, yeah.

PEREZ: Okay.

ADAMS: Yeah. Which I don't feel too comfortable (inaudible) --

PEREZ: No, no (inaudible) --

ADAMS: -- (inaudible).

PEREZ: I'm not asking you to, but obviously, that kind of guides information to the video with no audio.

ADAMS: Right.

PEREZ: Right?

ADAMS: Yeah.

PEREZ: You know what I mean? So, it's -- I mean, all we have the video and subjectively, it could put, you know -- we don't know, right? We're only left to our own thoughts.

ADAMS: Right.

PEREZ: This is what we were trying to get your side of that.

ADAMS: Okay. Yeah, I mean, that's --

PEREZ: (Inaudible).

ADAMS: -- that's stuff that we do sometimes that is on video, obviously. I mean -- I don't know why we got outside. I don't know why that happened. Normally, it's in the bedroom, but that's kind of -- that's that. So --

PEREZ: Okay. Alrighty. Anything else about, I guess, pertaining to the things that we were talking about or you think might be helpful to, I guess, clear (inaudible). Has any --

[Recording ends.]

MASON: Okay. So, I -- just to clarify, you do, at this point, know why it went out to the porch; correct? At this point in the video,

at that point in the interview with Detective Perez.

ADAMS: So, it's -- like, again, very grainy video. At this point, I'm trying to remember the time and the dates and I'm putting the pieces together at this point.

MASON: Okay.

ADAMS: Because I got to think of, okay, July. Okay, we were out -- like, we didn't have the kids. It was when [redacted] got back from deployment. Okay. So, I'm trying to process all this within the 30 seconds of this video. It's --

MASON: Okay.

ADAMS: That's what was going on.

MASON: All right. So, we'll get an audio clip, and I'm going to give --

HOLLY: Let me -- I had some -- just I had some things I need clarified. I know we mentioned a couple times this was a consensual roleplay thing. After the evening was over, did you guys discuss how the roleplaying incident went as far as -- did [redacted] tell you she enjoyed it?

ADAMS: I believe so. I mean, that was what, eight

months ago or ten months ago? But yeah, I mean, we didn't have any issues with it.

HOLLY: So, if she did not enjoy it, would she --

ADAMS: She would tell me.

HOLLY: -- tell you? Okay.

ADAMS: Yeah.

HOLLY: And if she told you she didn't enjoy it, you would remember it?

ADAMS: Yeah.

HOLLY: Okay.

ADAMS: Correct.

HOLLY: So, before a few weeks or whenever she told you that she had a video from the house, was -- did [Victim] normally keep videos of roleplay incidents on her phone?

ADAMS: We don't have any.

HOLLY: Okay.

ADAMS: This was the only one.

HOLLY: Okay.

ADAMS: It's the only time it's gone outside the house, so --

HOLLY: Were you -- when she told you she had a video from the house, were you surprised that she recorded the video?

ADAMS: Yes, because she has access to the cameras,

so she can record, delete, do whatever she wants to do with them.

HOLLY: Okay.

ADAMS: So, it was surprised to me that she would bring up that she has a video.

HOLLY: Did she tell you why she recorded the video?

ADAMS: It was one of those -- we had an argument, verbal argument or whatever. It was, you know, getting at each other. And she's like, yeah, well I have a video. So --

HOLLY: So, did she --

ADAMS: And I just kind of -- I didn't want to --

HOLLY: -- (inaudible).

ADAMS: -- press it. No, go ahead.

HOLLY: Okay. So, she didn't tell you -- if I'm understanding correctly, she kept it as ammo --

ADAMS: Yes.

HOLLY: -- in a sense? Is that what you're saying?

ADAMS: Correct.

HOLLY: Okay. So, you believed she told you that was the motive for saving the video?

ADAMS: Correct.

HOLLY: Okay. Did you ask her why she would keep a video for ammo for a counter -- or excuse

me, for a encounter or a roleplay incident?

ADAMS: I think she knew the way it looked, and she know that it would paint me in a bad light.

HOLLY: Did she explain to you or tell you why she would want to hold on to something that would make you look bad?

ADAMS: No.

HOLLY: Okay.

ADAMS: Just part of an argument, so --

EWERT: Can I ask a clarifying question?

HOLLY: Sure.

EWERT: Do you have any opinions, after seeing the video of her statement for the first time to San Diego SO, as to her motivations in making those statements?

ADAMS: Yeah, pretty hurt. Very hurt.

EWERT: I'm talking about her motivations, though. Did you form any opinions --

ADAMS: Right.

EWERT: -- on that?

ADAMS: So, the -- yes, the -- so, just to backtrack here, gentlemen. I met her on Tinder, okay? So, she was supposed to be, like, a quick one and done. It didn't go that way. I thought she was more attached to me than I

was to her. So, supposedly, she saw it -- thought it was a relationship. And then I was still dating, in the dating pool type scenario. Three months go by. Then I realize, okay, I don't want to be with anybody else but Victim. Like, I'm lockstep with her. So, then years go by. I leave for the Pentagon, she -- I give her access to my computer because she needed to print something or take photos or get photos or whatever. So, she goes on there. She sees pictures of ex-girlfriends, and she starts asking all these questions and starts digging into the past from two and a half years ago from when we first met. So, that sparks this kind of vindictive mentality with her where, I mean, she tells me she's going to fuck -- sorry, not -- but she's going to F five firefighters in my bed. And like, just real vindictive stuff to get at my core. And then this was happening while I was at the Pentagon, and then I come home, and then we start having all these issues here. And seeing the videos today and seeing what I'm hearing and reading, it

seems like, to me, that this is more like a vindictive -- like you said, ammo to get back at me from my infidelity, quote/unquote, when we first met. So, as far as motivation goes, if that was your question; was it based on motivation of why would she hold on to that video? That's the way, right now, I'm processing everything. That's pretty much how I'm seeing this.

HOLLY: And you just formed that opinion today after seeing this?

ADAMS: After seeing the videos, it's -- I always kind of had that opinion, but now it's solidified.

HOLLY: You mentioned earlier that things have been -- I don't know the words you used, but good, right?

ADAMS: Uh-huh.

HOLLY: The Las Vegas trip.

ADAMS: Yeah, yeah.

HOLLY: So, are you surprised to see some of these --

ADAMS: Yes.

HOLLY: -- responses?

ADAMS: Yes, very. This is -- Poway forward has

been fine, and we've been on vacations, family vacations. We're trying to plan a trip -- I can't plan trips in July. I mean, we -- you know, I just got my master's degree in administration of justice. I got promoted to lieutenant colonel in the reserves. Like, I got stuff that -- this is devastating to me to see, you know? And never having a CPO, never having EPO, like, there was no -- it was just such a janky and disconnected investigation. And I mean, I'm getting phone calls from Victim and text messages from Victim right now. It's just I cant -- I'm sorry. Just venting, so --

MASON: So, earlier, when I asked you, when we were talking about the roleplaying stuff before lunch, and I asked you if you ever record it, you said you don't. Is that correct?

ADAMS: Correct.

HOLLY: You said you don't record --

ADAMS: Or I don't know --

HOLLY: -- roleplay. You've recorded --

ADAMS: Yes.

HOLLY: -- other things --

ADAMS: Yes.

HOLLY: -- we didn't ask about, but --

ADAMS: Okay.

MASON: And that's kind of where I want to go is you -- we didn't ask about it, but because there was this discussion about a video from the house, and you know you don't record roleplaying, is there something else that you thought, in the house, that would be recorded?

ADAMS: Other than just consensual sex, like, normal sex, maybe. I mean, that's the only thing I can think of. She would have video recordings of that.

HOLLY: To clarify, you keep saying, from the house. When you tell me or us, from the house, are you referring to video taken from within the confines of the house or actually taken from the surveillance video of the house?

ADAMS: Confines. (Inaudible) inside the house.

HOLLY: Okay. So, when she told you, you had -- she had video from the house, you interpreted that as video taken inside your home?

ADAMS: Yes.

HOLLY: Okay.

MASON: In any of your arguments or disputes with

Victim, do either of you ever start recording each other?

ADAMS: She has in the past, yes.

MASON: Has she recorded any of these incidents that we've discussed today?

ADAMS: Not that I know of. I don't know. I can't think of a single one that she would have recorded.

MASON: What would it look like if she was to -- you know, you obviously can remember her recording you. What would be a context that she would record you?

ADAMS: As far as just in general or for, like, sexual or for us in an argument, or --

MASON: You guys in an argument.

ADAMS: Oh, I don't know. If I'm angry or we're just arguing, sometimes she might record something. I don't know. She's always got her phone on her, so --

MASON: But you've seen her pull out her phone, and --

ADAMS: Uh-huh.

MASON: -- during an argument and point it at you as though she's recording you?

ADAMS: Yeah.

MASON: Okay. Have you ever seen any of those videos?

ADAMS: No. I don't really care to, no.

MASON: Okay. Have you ever recorded her during an argument?

ADAMS: Over the course of five years, I think so, yes.

MASON: Okay. Have you recorded her during or have any recordings of the incidents that we're talking about here today?

ADAMS: Not that I can remember, no.

MASON: Okay. So, at this point, you can see the body-worn camera of the detective. She starts walking away over towards the front door, so it's hard to pick up audio. So, we just have the audio isolated. It's going to pick up kind of as she's walking away, if you want to go ahead and play that. Just to catch the very end, there's just, like, another --

[Recording begins.]

PEREZ: Okay.

MASON: -- few seconds on this.

PEREZ: Okay. Anything else about, I guess, pertaining to the thing we're talking about

that you think might be helpful to, I guess, clear things that might (inaudible) had to say about it --

ADAMS: Yeah, she mentioned --

PEREZ: -- (inaudible) both you guys have, right?

ADAMS: -- she mentioned that you went to her work (inaudible) at school or work and everything. I know she wasn't too happy about that. Yeah, I wouldn't say I have anything else. Yeah.

PEREZ: Okay. Okay. Well, we appreciate it. If you need to get a hold of me for any reason you can go ahead and contact the station, and I'll reach out to you. If there's anything else that comes to mind or want to add or anything.

ADAMS: Okay.

PEREZ: (Inaudible) I just want to -- I just need to get your side of the story. (Inaudible) Victim. I know she kind of -- seems like she's a little bit busy, working (inaudible) --

ADAMS: Yeah.

PEREZ: -- (inaudible).

ADAMS: Yeah, I mean, like I said, she's in -- at

work right now.

PEREZ: Right.

ADAMS: (Inaudible).

PEREZ: Yeah, yeah. Okay.

ADAMS: (Inaudible).

PEREZ: All right. Well, I appreciate you (inaudible).

ADAMS: Yeah, appreciate it.

PEREZ: (Inaudible). Okay.

[Recording ends.]

MASON: Okay. So, Deputy Perez brings up that's he's tried to get a hold of Victim. And you said, yeah, she mentioned that you went to her school or work or something.

ADAMS: Called, I think.

MASON: Okay.

ADAMS: Called. Something like that.

MASON: Okay. So, Victim had told you that Deputy Perez was trying to get a hold of her?

ADAMS: There was -- yeah, because we knew from the initial in Poway, and then the deputy was trying to get a hold of her.

MASON: Okay.

ADAMS: She said, like, some -- somebody -- actually, it was the time where he showed up

at the -- at her work [Location].

MASON: Right, because we just -- you said, yeah, she wasn't happy about that?

ADAMS: Uh-huh.

MASON: What was -- how did that conversation go between you and [Victim] when she told you that?

ADAMS: She just said that a deputy showed up at my work all in uniform asking to talk to me. And then he -- then -- okay, so she's over picking up the kids across the street from school. He's apparently just either talked to her. I don't know how that all started, but from what I can remember, went to the -- went to the initial spot where she was working, asked to see [Victim]. They say she's picking up the kids, and then he goes across and confronts her and she's got [redacted] in her hands and she does not -- from what she told me, she didn't want to talk to him, and so okay. And she was actually really upset and wanted to, like, do a formal complaint against the detective for going to our school -- to our kids' school.

MASON: Okay. And you had mentioned that earlier.

What else -- did you discuss anything else?

ADAMS: I think she told me that either she gave him her number or he gave her a card or something like that, and they discussed trying to link up another time or by phone.

MASON: When Victim now knows the detective is trying to talk to her, the deputy, and now you know that the deputy is trying to speak with her, did you guys have a conversation again about Poway and her contact with San Diego deputies then?

ADAMS: Just to the extent of my -- our assumption was that -- that's what that was about. I never asked her what she said or what -- like I said, I knew there was a video involved, and that she told him everything, and that was where I kind of disengaged because I didn't want to be accused of anything else going on with her being a witness, and so we left it to logistics, basically. Like, where -- you know, is he going to meet you? Is he going to call you, or how is that going to work? And then I -- yeah, that's basically it.

MASON: Okay. So, now, Deputy Perez has come and

spoken to you, he's shown you the video, you've -- you're putting the pieces together, you said, during this contact. And then he ends by asking if there's anyone else to talk to. Why weren't you adamant at that point, if you recognized what this was, that he get in touch with Victim

ADAMS: Because Victim didn't want to talk to him. Victim was still upset about the interaction, her first interaction with him, and she is -- she tells -- like, she does not want the kids involved with this at all, and that really upset her. Like, really upset her and upset me. And she was putting him off, putting him off. And I was surprised he hadn't talked to her first, and then come to me, and how -- I don't know. It was just a very -- like, again, very odd investigation, from my perspective at least, the way that they call, they show up. They don't call, they show up at her work. They show up at her -- at the school. Like, to me, it was just very kind of clunky.

MASON: Okay.

ADAMS: But I never -- I mean, I -- yeah, they

could -- I knew they were trying to get a hold of her. And I knew that she knew they were trying to get a hold of her, so --

MASON: So, following this interview with Deputy Perez, did you talk to Victim about your interview with him?

ADAMS: I believe we had a conversation about it.

MASON: Okay. Can you describe that conversation?

ADAMS: I just couldn't believe that that was what was going -- like, she was trying to -- that she had given them that video of a day we were roleplaying, trying to say that -- so, I was starting to put the pieces together that she was kind of out to get me. So, just that was basically it. I asked her, I think, if she had talked to any detectives or anything like that, and I think she hadn't talked to him yet because she didn't talk to them until a few days later.

MASON: Right. And it's clear that they haven't talked to her, right --

ADAMS: Right.

MASON: -- as your -- as your interview ends?

ADAMS: Uh-huh.

MASON: But you've now put the pieces together of

what it is. You know that [redacted] hasn't spoken to them. Based on your training and experience, and you've stated earlier you know when the cops are called, they're going to come, you know when there's a domestic incident, they're going to want to talk to both parties.

ADAMS: Right, exactly.

MASON: You understand that if -- when [redacted] called, and we talked about that incident, you understood that the cops are called, they're coming. Now, you know the cops are trying to get a statement from her, the cops are trying to get a statement from me, and they've just shown me a video, which looks like we're fighting.

ADAMS: Right.

MASON: And at that point, your reaction and your conversation with [redacted] was --

ADAMS: She didn't want to talk to anybody about anything. I think that's pretty consistent with her statements for all of this. And I'm not going to -- I'm not going to tell her what to say. I'm not going to -- I mean, that wouldn't be good either, right,

if -- I know, as a cop, you don't want to be tampering with witnesses, you don't want to -- look, you had -- you put this ball in motion. Now, it's going to be you who has to -- you have to meet with them, or -- but even if I say something like that, that's -- could be construed as I'm trying to force the issue on her. So, she's a grown woman. You now have this to -- now, I have this to deal with, and we have this to deal with. We're still together. Do whatever you think is right. And what she thought was right, from what I gather, is that she just didn't want to make a statement.

MASON: Okay. Following this interview with Detective Perez or Deputy Perez, did this cause another argument between you and Victim ?

ADAMS: We were so past that. This whole thing had gotten so out of control, and we were both -- I mean, she paid -- obviously, you guys know the criminal thing is going on. She paid for half my criminal defense because she feels half responsible for

what's going on right now. I mean, there's things that -- it's just very difficult to explain Victim. She's a very unique woman. I love her, and -- but this is making me have to figure out a lot of stuff. After seeing those videos, I'm going to have to figure out either -- just got to figure a lot of stuff out and figure out if either it's worth it, not worth it or, you know -- yeah.

MASON: All right. It is 1:56. Did you have anything to follow up on now, Sergeant Holly?

HOLLY: No, I --

MASON: Okay. Did you have any clarifying questions?

EWERT: I do, but I'm saving them for the end.

MASON: Okay.

EWERT: Are we at the end?

MASON: No, we're not at the end, but --

EWERT: Okay.

MASON: -- if you -- if you want, I mean --

HOLLY: (Inaudible) regarding this specific (inaudible) --

EWERT: (Inaudible) kind of in general.

MASON: Okay.

HOLLY: Okay.

EWERT: So --

MASON: Yeah, I meant to give you an opportunity as we kind of closed each incident, but we're going to move on from this Ring camera incident at this point.

EWERT: Okay.

MASON: But I don't want to take a break, unless you want to clear up anything --

EWERT: No.

MASON: -- about this specifically. All right. Let's go ahead and take a break. It's 1:56 and we're going to go off the record.

(Off the record.)

MASON: All right. And we're back on record. The time is 20 --

EWERT: Hold on.

MASON: -- 7.

EWERT: Sorry, mine's being somewhat funky. All right. Sorry, go ahead.

MASON: All right. Now, we're all back on record. Time is 2:07. Officer Adams, during the break, did Sergeant Holly or myself discuss the investigation with you?

ADAMS: No, sir.

MASON: Okay. I am going to apologize. I got a little ahead of myself. I was a bit optimistic. We do have a little bit more to talk about this particular July incident.

ADAMS: Okay.

MASON: So, we're going to go into this next video here. This is body-worn camera footage from the San Diego County deputies. This is Victim statement given to Deputy Powroznik. And the time stamp on this video is 37:14. I don't think we have audio. All right.

HOLLY: Should be good.

[Recording begins.]

POWROZNIK: (Inaudible).

Victim July 13th.

MCKEMY: July 13th. What happened during that incident on July 13th?

Victim I texted an ex-boyfriend, and so he picked me up and threw me on the ground and dragged me across the house by my ankles. Picked me up and threw me on the ground again and did it in front of (inaudible).

MCKEMY: Okay. Were the police called for that?

Victim No.

MCKEMY: No? Okay. Around what time was that?

Victim (Inaudible).

MCKEMY: (Inaudible). Okay.

[Recording ends.]

MASON: Okay. Prior to the event that was captured on camera at the doorway, did Victim text an ex-boyfriend?

ADAMS: Prior to the date, that ever that day, or --

MASON: Prior to -- in the incidents leading up to what happened at the doorway that was captured --

ADAMS: Okay, yeah.

MASON: -- did Victim text an ex-boyfriend?

ADAMS: No.

MASON: Prior to the events that were captured at the doorway, did you pick up Victim and throw her on the ground?

ADAMS: No.

MASON: Prior to the events captured at the doorway, did you drag Victim across the house by her ankles?

ADAMS: No.

MASON: Did anyone else witness this incident?

ADAMS: No.

MASON: Okay. Let's just go back to the video one more time, the Ring video. There we go. All right. So, we're just going to play it one more time. This time, I want you to focus. What I'm going to ask you about is Victim as she's standing there; not in the -- not in the phone video, but as she's standing there. Go ahead and play.

[Recording begins.]

ADAMS: Are you kidding me, dude?

Victim (Inaudible).

ADAMS: (Inaudible).

Victim (Inaudible).

ADAMS: (Inaudible).

Victim Richard, stop. Stop.

ADAMS: (Inaudible).

[Recording ends.]

MASON: What is Victim's reaction as they're playing this video?

ADAMS: Crying.

MASON: Okay. Is Victim's reaction in this video consistent with what you would expect from Victim's of her showing a video of a consensual encounter?

ADAMS: I think, in this video, she's intoxicated.

I think that she knows that this is going to be detrimental to our lives and to my life, in particular. And she knew that when she gives that narrative of what it looks like, that that's the end for me, or that's the -- that's what she feels as though is the end. It's her last -- whatever they call, the arrows in the -- when you shoot an arrow, you know, it's the last one in the quill.

MASON: Okay. Following your contact with Detective Perez, did you go back and independently look for this video?

ADAMS: No.

MASON: Okay. At any point?

ADAMS: No, because I don't -- like I said, I didn't have any access. I would have access to her phone. I didn't want to go through her phone. And my phone, Arlo would have already gone. She intentionally saved this video. I didn't, so I didn't have it.

MASON: Okay. You didn't go back and confirm that it wasn't saved in Arlo?

ADAMS: I wouldn't -- I already knew because if they're saying this thing happened in July,

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Following is the record of an Administrative Interview conducted by Professional Conduct Northern Bureau Law Enforcement Consultant Raymond Bechler on October 15, 2025, with Richard Adams, who is the subject of this investigation. The interview was recorded and is being maintained by the Professional Conduct Northern Bureau. The recording will serve as the true and accurate record of the statements made by Richard Adams. This transcript was AI generated by Axon software and reviewed for accuracy by Division Analyst II Tiana Yen.

[02:56]
Raymond Bechler: *<silence>*

[05:39]
Jason Ewert: *Hey, Mr.* Bechler*, how you doing?*

[05:42]
Raymond Bechler: *Good. How are you, sir?*

[05:43]
Jason Ewert: *You* h*ear me okay? I'm doing well, thanks for asking.*

[05:46]
Raymond Bechler: *Good. I don't see, uh, I don't see Richard on.*

[05:50]
Jason Ewert: *Okay. It says he's getting a message that says he's too early.*

[05:54]
Raymond Bechler: *Oh.*

[05:55]
Jason Ewert: *Should I just tell him to try to log back on?*

[05:57]
Raymond Bechler: *Yeah. Try try him to go one more time. Yeah.*

[06:41]
Jason Ewert: *He says he is trying right now.*

[06:44]
Raymond Bechler: *Okay, good. Thanks. There he goes. Richard, are you there?*

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[07:12]
Richard Adams: *Can you hear me?*

[07:13]
Raymond Bechler: *Yeah, I can hear you. Richard. How are you?*

[07:15]
Richard Adams: *Good, sir. How are you?*

[07:21]
Jason Ewert: *You're cutting, cutting in a little bit. You're cutting out a little bit. There. There you go.*

[07:25]
Richard Adams: *Can you hear me now?*

[07:26]
Jason Ewert: *Yep*.

[07:28]
Raymond Bechler: *Much better.*

[07:29]
Richard Adams: *Alright.*

[07:30]
Raymond Bechler: *Alright. Well good. Well, thank you for, uh, joining me today, this afternoon. Um, I, I do wanna, uh, Jason, I and Richard, I think, um, I wanna make clear about what the process is. I don't know if I said it exactly right. We did, I did present this case to our executive staff. They wanted me to go back and interview you to make sure, um, we're clear on certain things. Um, and then I'll go back to our executive staff with the attorneys, and then I will represent that. Then I, once they decide whether to move the case forward, um, or if they decide to close it out, I'll let you know either way. But, um, once you receive your, if, if they do de decide to move this case forward, um, we will send out a letter of determination that starts that 30 day window to whether you can either surrender or you can appeal to the board. And so I, I'm not sure, Jason, when we talked specifically, I might have not been as clear or was that, or was that your interpretation?*

[08:31]

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Jason Ewert: *Well, so that was the question that we kind of had as if like, you guys have already decided to move forward with the case, why are we doing another interview? Um, but he wants to be as transparent as participative as possible. Um*

[08:45]
Raymond Bechler: R*ight.*

[08:45]
Jason Ewert: *So it makes more sense that this is essentially still part of the post investigation and it's gonna go back for a secondary review with your executive team to decide whether or not*

[08:55]
Raymond Bechler: *Correct.*

[08:55]
Jason Ewert: *They're gonna recommend it. So at this point, my understanding is you are not recommending* d*ecertification, you are still in the investigations phase.*

[09:03]
Raymond Bechler: *That is true, yes. And I think I might've misrepresented that. I might've just made it sound like it was all done, but no, we want to take or, uh, what, uh, the outcome of this interview to the post executive staff and then they'll make that determination, find, find, and then they'll either send out a clo, we will send out a closure if they wanna close it or if they want to continue. Um, then you'll get a letter of determination.*

[09:24]
Jason Ewert: *Okay.*

[09:25]
Raymond Bechler: *Is that* clear?

[09:25]
Jason Ewert: *Do you have any questions about any of that, Richard?*

[09:28]
Richard Adams: *No, that makes, that makes more sense. I appreciate it.*

[09:31]

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Raymond Bechler: *Okay. All right. Well, before we get started, also, I want to just tell you a little bit about what we're, just the interview process of what I, what I'm doing here today, Richard, is, uh, I'm just gonna, I'm gonna go over just a couple things about what, uh, what was said to San Diego, sheriff, what was said to the San Bernardino County Sheriff with you had, uh, your conversation and then, uh, uh, about your IA with the CHP guys. And so I have about 20 to 30 questions for you. It's only gonna be about 45 minutes long. Um, I'm not gonna be at all as long as your CHP interview was. So, uh, just to kind of set the stage a little bit of what to expect and, um, and just know that it's not gonna be an all day process unless, of course, you know, some questions veer off. But that's about essentially where we're, what we're looking at. Does that make sense?*

[10:14]
Richard Adams: *Okay. Yes, sir.*

[10:15]
Raymond Bechler: *Okay. Okay. And, and, uh, the thing about these interviews, um, before I actually start too, is that it gets convoluted, Jason. Um, if there's questions that seem a little bit, um, of course you're gonna jump in and, and, and kind of seek some clarity, but these are hard for us as, uh, law enforcement consultants because we're going over the heels of what has already been said and told with the, on the criminal side, Richard, then what you said on the administrative side, and now we're coming back over the third of that to, uh, talk about interviews and trying to put all this together for this licensing investigation is what we're doing here today. Okay. So some of the questions may seem like, okay, this seems a little bit clunky and out of order or whatnot, but just bear with me. Um, uh, there's just some certain questions that I wanna get to, but I also want a little summary up at the front.*

[11:02]
Raymond Bechler: *So at the beginning of our, uh, interview, it's gonna seem like, wow, he's doing all the talking. I'm not doing anything. It's just 'cause I wanna summarize some of the stuff that's already been said. And of course, if there's anything you have a question about, jump in there and say Okay, time out. Okay.*

[11:16]
Richard Adams: *Yes, sir.*

[11:16]
Raymond Bechler: *So don't be afraid to stop. This is like, yeah, the interview's being tape recorded, but it's more of an informal thing. I'm just, I'm just trying to get to the bottom of, of what the story is and, um, and get the information that I need. Okay?*

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[11:28]
Richard Adams: *Oh, yes, sir.*

[11:30]
Raymond Bechler: *All right. Richard, any questions before we start?*

[11:33]
Richard Adams: *No, not at this moment, no.*

[11:35]
Raymond Bechler: *Jason, anything?*

[11:37]
Jason Ewert: *No, sir.*

[11:38]
Raymond Bechler: *Okay. All right. Okay. Alright, Richard, this submit,*

[11:45]
Jason Ewert: U*h, If you're, if you are audio recording it, will you share a, a ver recording of that with me at the end of this?*

[11:51]
Raymond Bechler: *Uh, yes. If I can get to it technologically, uh, if not shortly thereafter, Jason. Okay.*

[11:58]
Jason Ewert: *Okay. Yeah, no problem on the timing. I just needed to figure out if I need to record it myself as well.*

[12:03]
Raymond Bechler: *Okay. Okay, great. Alright, Richard, this, uh, administrative interview is being conducted by the com* P*rofessional* C*onduct Northern Bureau on 10 or on October the 15th of this year. Uh, with me today is Richard Adams, who's the subject of this investigation. This interview is being recorded and a true and correct copy of this recording is being maintained by the Professional Conduct Northern Bureau. The recording reflects all relevant statements and conversations occurring during the interview. This interview is also trans, will be transcribed by our teams software. This transcript was prepared by law enforcement consultant Ray Bec*hl*er. That's me,* P*rofessional Conduct Northern Bureau. This interview is being conducted by cell phone and through teams and present is myself,* L*aw Enforcement Con* C*onsultant*

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Raymond Bechler, P*rofessional Conduct Northern Bureau. I am the primary and sole investigator of this case. Also with me is Richard Adams, uh, the California Highway Patrol, who is the subject officer. And also with me is, uh, his representative attorney Jason Ewert from the law firm of Cole and Huber. Is that right, Jason? Yes, sir. Uh, he's a representative for, uh, Richard Adams. Uh, each person present is required to identify themselves on tape by giving his or her first name and or title, our first and last name and title. Go ahead. Richard.*

[13:29]
Jason Ewert: *Uh, Jason, Jason Ewert, uh, representative of Mr. Adams, uh, partner at Cole Huber.*

[13:37]
Richard Adams: *And Richard Daniel Adams. Um, interviewee.*

[13:42]
Raymond Bechler: *Okay. Okay. The date is, uh, October the 15th at, um, 2025. The time is approximately* 1:*11 in the afternoon. This is an administrative inquiry concerning former officer Richard Adams of the California Highway Patrol. Richard, you're being questioned as part of an official* POST Pe*ace Officer* S*tandards and Training Accountability Division investigation. You are hereby directed to answer all questions honestly and completely. Your refusal to answer or any type of evasion, deception, dishonesty, or lack of cooperation on your part could constitute serious misconduct and result in further actions concerning your certification up to and including revocation of your post certification. Neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in any criminal proceedings. No other promise will be made as an inducement for the answer to any of your, uh, questions or any of the questions.*

[14:42]
Raymond Bechler: *This recorded interview is authorized by Commission Regulation Title 11, section 1206, paren a paren four of the California Code of Regulations. You may record any portion of this interview or have access to the Peace Officer* S*tandards and* T*rainings recording. If any further proceedings are contemplated or prior to any subsequent interviews, Richard P*OST *is not your employment agency. Therefore, this interview is not subject to the Peace Officer's Bill of Rights Act, including, but not limited to sections 33 0 3 through 33 12 of the California Government Code. Uh, Mr. E*wert*, although you're representative are you as a representative, are present to assist Richard to, uh, Richard Adams Post is interested in hearing the officer's account of the matter under investigation, but you may participate during the interview when appropriate, you'll be given an opportunity to make any clarifying statements and ask*

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clarifying questions. If you need to take a break or use the restroom to attend any personal response or necessities, you may do so at any time. To maintain the integrity of this investigation, you must not discuss the questions asked and the facts discussed in this interview with anyone other than your legal counsel or is otherwise required by law. Do you both understand and agree to the pro to proceed in accordance with these instructions?

[16:04]
Jason Ewert: *Yes.*

[16:05]
Richard Adams: *Yes, sir.*

[16:12]
Raymond Bechler: *Alright. Richard, what was your relationship with* [Victim]*?*

[16:19]
Richard Adams: *Uh, she's, uh, fiance.*

[16:23]
Raymond Bechler: *Okay. She was, or she is*?

[16:25]
Richard Adams: *Uh, is*.

[16:26]
Raymond Bechler: *Okay. She is okay. On February the 25th of 2024, deputies from the San Diego County Sheriff's Department contacted* [Victim] *at the Hampton Inn in Poway, California. Um, regarding a domestic violence incident call,* [Victim] *disclosed to them that you physically assaulted her on several past occasions that occurred at your residence in [Location]. That's in San Bernardino County. I'd like to go over, uh, each of these incidents. As she reported, uh, her contact with the San Diego Sheriff's Department, deputies were, uh, captured on their body-worn cameras. Are you, are you aware of that?*

[17:04]
Richard Adams: *I'm aware of that, yes.*

[17:06]
Raymond Bechler: *Okay. So, uh, the four incidents that she, um, described or outlined, uh, to the deputies was on February the 10th of 2024. Uh, she's reporting that you were*

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upset that she came home from work late, and that you had chased her around the house, accusing her of things. You grabbed her by the wrist and she was holding a glass, which dropped and shattered on the floor. You accused her of making a mess, grabbed her by the neck, threw her to the ground, and hit her twice in the face with a closed fist. You further told her to stop acting like a victim. She also reported on July the 13th, uh, 2023, at approximately 9:00 PM you discovered that she had been texting an ex-boyfriend. An argument ensued and you picked her up, threw her to the ground, dragged her around the house by her ankles and threw her out of the front door. This incident was captured on your front door camera system. Further, she reported on in June, either 2022 or 2023, likely it was June of 2022. She reported you pinned her against the wall with your forearm against her windpipe, and she was unable to breathe as a re and as a result, blood vessels popped in both her eyes.

[18:20]
Raymond Bechler: *She also reported on Mother's Day of 2023, you picked* [Victim] *up out of a chair and threw her into a brick fireplace.* [Victim]*'s 15-year-old daughter witnessed what you, um, you being physical with her, and she had called nine one with her mom and she called 9 1 1 upon a police arrival* (Unintelligible) *was dishonest with deputies claiming nothing happened, but* [Victim] *said she covered up for you so that you wouldn't get into trouble. So that's what was reported by the San Diego to, from her to the San Diego Sheriff's Department on February 25th. Do you have any comments right now just regarding that particular, we're gonna get into the details of each of those incidents?*

[19:03]
Richard Adams: *No, I mean, I've, I've seen the reports and I've seen the videos, so it's okay. I'm, I'm familiar with what you're talking about.*

[19:11]
Raymond Bechler: *Okay. I just wanna make sure this is getting recorded. Um, yeah, I'm gonna kind of pause for the investigation right now. Jason, uh, or Richard, do either of you know for sure how this is, um, being recorded from the teams?*

[19:38]
Jason Ewert: *Uh, it says recording on the top left of my screen and it has a*

[19:43]
Raymond Bechler: O*kay*

[19:43]
Jason Ewert: I*ndication of 19 minutes and 15 seconds. Um.*

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[19:46]
Raymond Bechler: *Okay.*

[19:47]
Jason Ewert: *I use Zoom through our firm and when it, sometimes when it says it's recording, it really means AI is like transcribing it. So I don't know enough about teams to confirm that that's an audio recording or not.*

[20:02]
Raymond Bechler: *Okay. We're just gonna assume, 'cause mine says recording and transcription automatically started. Okay.*

[20:09]
Jason Ewert: *Yeah, that's what mine says when I hover over it as well.*

[20:13]
Richard Adams: *I have 13 minutes here. That's probably when I entered.*

[20:18]
Raymond Bechler: *Okay. We're just gonna go with it. Sorry guys. Technology is not my big thing. No problem. Okay, so we're gonna move on to, um, Richard, um, with the San Diego or with San Bernardino County Sheriff's Office. Okay. So due to the above incidents occurring in the county of, of San Bernardino, San Diego Sheriff's contacted and referred this ca their case over to the San Bernardino County Sheriff's Department. On March the 18th you were con of 2023. Oh, that's not right. That's of 2024. You were contacted and interviewed by the San Bernardino detectives regarding the domestic violence reported by* [Victim]*. They contacted you at your residence. Do you recall this?*

[21:04]
Richard Adams: *Uh, yes sir.*

[21:05]
Raymond Bechler: *Okay. Their interview was captured on their body-worn cameras as well. The detectives focused their on the home video footage provided by the San Diego or provided to the San Diego County Sheriff's Department by* [Victim] *and asked you what happened. And Richard, when the San Bernardino County detectives came to your house to talk to you about a domestic violence incident involving* [Victim]*, you told the detectives that you were not aware initially, you told 'em that you were not aware of the video. When the detectives asked you, was this a true statement?*

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[21:38]
Richard Adams: *I was aware.*

[21:39]
Raymond Bechler: *Were* y*ou aware that the video*?

[21:40]
Richard Adams: *I was aware of a video she had told me about a video. Uh, I wasn't aware what was on the video.*

[21:47]
Raymond Bechler: *Okay. You also mentioned to the detectives that you'd never been physical with* [Victim] *while arguing. Right. You did mention that, that you had never been physical with her while you were arguing, or that roleplaying never took place outside of your residence. Is that true?*

[22:04]
Richard Adams: *I believe I said the backyard. It does, it did go to the backyard. I just had never seen it.*

[22:10]
Raymond Bechler: *Okay.*

[22:10]
Richard Adams: *I'd never been in the front yard.*

[22:12]
Raymond Bechler: *Okay. So, um, so what about in the front yard or a front porch area? Did it ever typically roll out that way?*

[22:23]
Richard Adams: *So that particular night after I, after I viewed, this is an appropriate time for me to go down that expl. Okay. So that particular night, um, her ex-husband at the time had the kids. He had been gone to Korea for six months, deployed. He was a Marine, he came back, he was in San Diego. He had the kids for that month. Um, yeah, this was now a year or or nine months when I was interviewed by the detectives. It was the event from nine months prior, so I hadn't really thought much of it. Um, but basically what we were into was a role playing, like a sexual role playing where* [Victim] *was late on the rent. And it was the first, I think it, I think it was like two weeks in, by, by the time that that video was recorded, it was like 13th I wanna say. And so she was two weeks late in rent and, you know, rent was due. And the way that she would pay rent*



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sometimes was through sexual favors and role playing. So, um, that night, that's what was happening. Uh, it's embarrassing to talk about.

[23:45]
Raymond Bechler: *Hey, Richard. Yeah, that's good because we'll get into that a little bit more when we get to the C-H-P-I-A interview. So, um, I appreciate that. But, um, I guess what I'm mostly concerned about is that, um, when, when they asked you about the video, they showed it to you and then initially, um, you said, I'm not sure you kept saying that you weren't sure it looked like it was a grainy photo or whatnot. But, um, I'm kind of wondering why it is that you would say that you weren't sure. Um, as opposed to quickly saying, yeah, I know about that video, it happened on our ring camera, all those kinds of things. You acted like you weren't sure about what happened on that video. You weren't even sure what you were looking at.*

[24:27]
Jason Ewert: *Mr.* Bechler*, I may be wrong, but I think he was trying to lay the context for that answer. So can he just finish out what, where he was going? I just don't wanna knock him off track on that.*

[24:37]
Raymond Bechler: *Well, sure, yeah, we're gonna get back into a little bit more. I just didn't want him, if you wanna do that, Richard, that's totally fine. But, uh, get you back to that later.*

[24:44]
Richard Adams: *That's fine. I can, whatever works for you. But, um, yeah, so they basically, they called me up, said they wanted to talk to me, so I didn't do anything wrong, so I didn't get a lawyer or anything like that. So I went out there and talked to him, talked to him, um*.

[25:00]
Raymond Bechler: S*ure.*

[25:00]
Richard Adams: *In the front of my garage with the kids in the house. U*m.

[25:04]
Raymond Bechler: S*ure.*

[25:04]

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Richard Adams: *And they, you know, there was an older detective there that I've worked with that reminded me of my mom. There was a other older gentleman that I've never seen before that was a sergeant there. And then there was a, a very like young detective, uh, asking me about a video that involved sexual role playing with my fiance. So it, it kind of threw me off. I I was trying to not go down the road of this being a sexual thing in front of them. And looking back now, I prob you probably one I'm, I probably should have been like, Hey, this was sexual playing. Um, and that, and that's what was going on, you know?*

[25:49]
Raymond Bechler: *Yeah.*

[25:49]
Richard Adams: *We did mention it. We did mention the sexual role playing in that conversation. I remember talking to detective about it. We just didn't go into the details. When he showed me the video, the video was on a small little screen, um, didn't have audio, I couldn't hear anything on it*.

[26:03]
Raymond Bechler: *mm-hmm <affirmative>.*

[26:04]
Richard Adams: *And it was in the middle of the, you're in the desert with the sun beaten down, you can barely make out anything. So it was very, that was very difficult before the AI thing. And I know we're probably gonna go down this road, but before the ai ai investigation actually sat down with, uh, Mr. E*wert *and we watched it on a big screen, and then I could actually see what was going on.*

[26:24]
Raymond Bechler: *Okay. All right. So, um, but it seems like I, if you're being asked a question about this, I, I get that you're feeling uncomfortable about talking about your, you know, whatever sexual role playing, uh, is going on in you, but, or with you. But it seems like you would be a little bit more, they're asking you about a criminal case. Like you would be more emphasizing the fact that, wait a minute, I know, okay, this is, uh, this is all roleplaying stuff and just kind of be a little bit more emphatic. It seemed like you were unsure, you didn't want to talk to them. You, it appeared that you didn't wanna come forward. Now I hear you saying you were uncomfortable, but I guess I'm more curious, why would you not when these criminal investigators, whether they look like your mom or, uh, you know, a 20-year-old kid or whoever, um, and could just say exactly what it is.*

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[27:16]
Richard Adams: *Right, yeah. And the, the whole investigation was, was very clunky. I was never talked to in San Diego. I was in the hotel waiting to be contacted. I, I disen, I disengaged with her because she was on nine one. She was calling the police, which she did to resolve verbal arguments all the time, or, or off very often. And she's done this in the past relationships she's had too. Um, so I disengaged expecting them to come talk to me and then seeing, you know, what was said, what, what is it that she's, what's the allegations that are being made now? Uh, they never did. And then it took, I think it was like four months later and I had not been, uh, arrested or arraigned or charged or anything like that. Um, a lot of that is my own ignorance being a highway patrol officer. Like, you know, sir, we don't do a lot of domestic violence investigations. I, I don't, I didn't know what I was doing. I, I was more, they didn't say you're, you know, uh, you're a, a suspect in a crime. They just asked for an explanation of, of this video and then it, it lasted maybe five minutes and then they were gone.*

[28:31]
Raymond Bechler: *Yeah.*

[28:31]
Raymond Bechler: *Okay. Okay. So let's, let's just move on then. Um, okay, so you were next, you were interviewed by, um, California Highway Patrol Internal Affairs Investigators on June the 20th of 2024. Uh, you were interviewed, um, and they asked you if law enforcement ever been called to your residence and you replied Yes. And you gave a couple different incidents. Uh, can you tell me about, uh, the June, 2022 incident? Um, following it was a regarding, well, I'll just let you talk. Uh, it was, you were talked about an incident where law enforcement arrived in June of 2022.*

[29:13]
Richard Adams: *Uh, yes. So that was three, three years ago now. But, um, yeah, from what I can recall, it was a argument we had. And she called 9 1 1, the deputies responded, um, found that no crimes coming.*

[29:34]
Raymond Bechler: *And Richard, Richard, I'm sorry. This is, this is the incident. Uh, you were just got back from the Pentagon?*

[29:38]
Richard Adams: *Yes.*

[29:39]

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Raymond Bechler: *Right. Okay. Alright. Just wanna make it so it's a little bit more refreshed in your mind.*

[29:43]
Richard Adams: *Yeah, lemme just, lemme just look at my notes real quick and see. I'm sorry, you said it was 2022?*

[30:02]
Raymond Bechler: *Yep. I just have a little summary if it's gonna refresh your memory.*

[30:28]
Richard Adams: *Oh, yeah. I can't seem to find that.*

[30:31]
Raymond Bechler: *Okay. Basically, uh, San Bernardino County deputies arri, uh, responded to your house following a nine one one call by* [Victim]. *Um, she mentions that you had, you had just returned from the Pentagon. You had said you went through her phone, you were arguing over infidelity. Um, this was the first time police officers or deputy sheriffs were called to your house.*

[30:53]
Richard Adams: *Okay.*

[30:53]
Raymond Bechler: *You told them it didn't get physical, there were no threats or Right. Anyway, go ahead. Does that remember or refresh your memory?*

[30:59]
Richard Adams: *Yes, sir. So just to lay the context, I don't want to go down rabbit holes, but about six months prior, so about six months prior to me leaving for the Pentagon, for the Covid cell, uh, she moved in with her two children, moved into my home. Um, we had been together for about two years, I believe, two, three years at that point already. So she moved in, I got ordered to the Pentagon for the Covid crisis team. So I left and went to the Pentagon. During that time, uh, she went onto my computer and found photos of old girlfriends. So this enraged her and she was very, very upset about it. And, um, that kind of laid the foundation for, you know, not taking care of my property, uh, not, not working as a team basically. And then when I got back, it kind of came to a head with an argument, um, about that.*

[31:59]

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Raymond Bechler: *Okay. Okay. So, um, San Bernardino County Sheriff's deputies responded out there.*

[32:11]
Richard Adams: *Yes.*

[32:11]
Raymond Bechler: *And, um, you had told your sup, go ahead.*

[32:16]
Richard Adams: *Yeah, they, they took, they took me outside. I mean, I went outside, um, and she called, I went outside and she stayed inside the house. Deputies made contact with her, got her statements, and then they got my statements. There was nothing physical that happened. There was no physical injuries on either of us. Um, like I said, she calls 9 1 1 to diffuse the situation. I, it's from her past or whatever she's learned. Um, you know, she has a history of domestic violence in her years ago. Um, and she knows she's been a, I believe, a domestic violence or sexual assault counselor in the past. And this is her way of, I guess, diffusing this argument we were having. I did contact my supervisor, um, when this happened. I, I contacted my supervisor,* Sergeant Randy O'Brien *, on every, uh, incident that happened. And I was advised that, uh, just you have the employment people that can help you, like employment counseling. There's an acronym for it. I forget what it's now, but basically just call them for help.*

[33:28]
Raymond Bechler: *Okay.*

[33:29]
Richard Adams: *But no. Yeah.*

[33:30]
Raymond Bechler: *Um, okay. So, um, according to* [Victim]*, when she told the San Diego Deputy Sheriffs out at the Hampton Inn on, I was on their body-worn camera footage, um, she had mentioned that you had strangled her and you grabbed her by the throat, dragged her outta bed, used your forearm to cut off her airway and threw her head into a* TV*. Does that sound familiar?*

[33:54]
Richard Adams: *That sounds familiar for, yes.*

[33:57]
Raymond Bechler: *Okay. Um, did you ever strangle her?*

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[34:03]
Richard Adams: *No.*

[34:04]
Raymond Bechler: *Hit her, no. Drag her,*

[34:07]
Richard Adams: *No sir.*

[34:08]
Raymond Bechler: *Or push her head through a* TV*?*

[34:10]
Richard Adams: *No, sir.*

[34:10]
Raymond Bechler: *So, um, San uh, San Bernardino deputies arrived out there if there was no injuries on her?*

[34:17]
Richard Adams: *No sir.*

[34:19]
Raymond Bechler: *Okay. Um,*

[34:22]
Richard Adams: *I believe if there were, they would've charged me with a crime. That's normally how I've seen them do. In the past.*

[34:29]
Raymond Bechler: *Uh, while deputies were responding, um, while they were coming, you knew they were en route, correct?*

[34:35]
Richard Adams: *Yes, sir.*

[34:36]
Raymond Bechler: *Okay. Did you convince* [Victim] *not to tell them the truth about what happened?*

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[34:43]
Richard Adams: *I went outside. I, again, I disengaged from her because I knew that was a problem. If I'm going to try and talk to somebody who's an alleged victim or a witness, I just, like I did at the hotel, I got out of the way.*

[34:58]
Raymond Bechler: *Okay. So, so while the deputies were on the way, you didn't have a discussion with her about, uh, how you were gonna handle it when they did, did get there?*

[35:06]
Richard Adams: *No, sir.*

[35:07]
Raymond Bechler: *Okay.*

[35:08]
Richard Adams: *I believe she stayed on the phone the entire time with the dispatcher, I believe.*

[35:11]
Raymond Bechler: *Okay. Okay. Uh, can you tell me about the incident that was, uh, disclosed that you talked about on, that happened on Mother's Day of 2023?*

[35:20]
Richard Adams: *Yeah.*

[35:21]
Raymond Bechler: A*gain, you're talking to your, so you're talking to your IA investigators and disclosing this to them?*

[35:22]
Richard Adams: *Yes. This was, I believe, when she threw, uh,* beer stein.

[35:22]
Raymond Bechler: *This is when, um, her 14-year-old daughter thought that you were having a struggle inside the house and called 9 1 1.*

[35:43]
Richard Adams: *Right? Yeah. So that was part of, um, I was in the bathroom area and she saw a post on my Instagram from somebody who liked my* hock I *was at a hockey*

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game by myself, um, because we were having some, you know, time apart. And, uh, a random woman liked my Instagram posts and she found that offensive she had been drinking, um, ended up throwing a glass in my direction. It hit the mirror. And then that, uh, the daughter heard it outside. And then when we got outside, she was on the phone and I immediately, again, disengaged and I went back in the house and [Victim] *stayed out there for, I think, 30 seconds or so. I, I, I don't remember exactly how long, but, and then I came inside, or I, I was inside.*

[36:37]
Raymond Bechler: *Okay. Okay. Uh, after knowing that the deputies were called to the house, 'cause you were aware that, um, she had made this phone call, correct? The nine one one*.

[36:53]
Richard Adams: *The daughter was on the phone with what we assumed was 9 1 1.*

[36:56]
Raymond Bechler: *Okay. Um, were you and* [Victim] *visible to the daughter from the backyard? Could she see what was going on?*

[37:04]
Richard Adams: *No.*

[37:05]
Raymond Bechler: *So you think that she just heard the commotion?*

[37:08]
Richard Adams: *She heard the commotion inside. Then we have, so she can't see inside. We have* blinds*. I was, I think graveyards, so I had the blackout* blinds *on too, so you can see anything inside. And I had in, I put in a pool for them with a hot tub and everything in ground, pool in the backyard. And that's where the daughter was. Um*.

[END OF VIDEO 1]

[START OF VIDEO 2]

[00:02]
Richard Adams: Blinds*, I think graveyards. So I had the blackout* blind*s on too, so you couldn't see anything inside. And I had, I put in a pool for them with a hot tub and everything in ground, pool in the backyard, and that's where the daughter was. Um, so she couldn't see into the house. She could hear what was going on because my*



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bedroom abuts the pool. So if she's on that corner of the pool and we're in that corner of the house, it's just a window, basically like a sliding door that you can hear through.

[00:36]
Raymond Bechler: *Okay.*

[00:36]
Richard Adams: *So that's my assumption is she heard that. And then when we walked out, um, there's a bar area that's about like five feet high. I built it and it wraps around and there's a grill. And so we went this way and she was over there. So she never saw us past that grill area, outside kitchen, I guess.*

[00:59]
Raymond Bechler: *Okay. And Richard, what is your relationship like with her? The 14-year-old,*

[01:04]
Richard Adams: *The daughter? Um, so she is very religious. She went to a Catholic, like, she had a very Catholic, uh, Christian upbringing. She had a very, she's a very opinionated young lady, and her opinion about divorce and me coming in and stealing her mom and her brother, she has a lot of animosity towards me. And I've tried everything to try and, you know, I, I picked her up. I drove her to school, picked her up. I, I raised her. Mm-hmm. But nothing I could do whatever fixed the fact that I took her mom away from the dad,*

[01:43]
Raymond Bechler: *So. Okay. Um,*

[01:45]
Richard Adams: *So not good. And*

[01:46]
Raymond Bechler: *Again. Okay. Uh, so, uh, again, the San San Bernardino County Sheriff's deputies arrived at the house. And what did, uh, what did you tell them?*

[02:01]
Richard Adams: *I told them that we got in an argument and the daughter called the police. They didn't really ask me much, from what I can recall. They didn't, they didn't really ask me too much. Okay. They kind of went, they went in back, talked to* [Victim] *in the back. I was in front again. They talked to* [Child 1]*, and then they were like, Hey, it's*

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just an incident. Uh, we're not, there's no crime here. No crime was committed. Okay. So I was like, okay. And, and,

[02:28]
Raymond Bechler: *And I'm assuming they went and talked to, uh,* [Victim] *separately from you?*

[02:32]
Richard Adams: *Yes, sir.*

[02:33]
Raymond Bechler: *Okay. And then, um, what was the outcome? How, how did they determine what and what was the outcome?*

[02:40]
Richard Adams: *The outcome was, it was, uh, I believe an incident only. They might've, uh, there was no report number or, uh, any, any, uh, charge from it. And they, they just left. Okay. And then I contacted my supervisor immediately and let him know what happened.*

[03:03]
Raymond Bechler: *Okay. And you did that on the first occasion as well, when the deputies arrived?*

[03:07]
Richard Adams: *Yes. Yes, sir.*

[03:11]
Raymond Bechler: *And do you know if he, uh, his name was, uh, Sergeant O'Brien, is that correct?*

[03:15]
Richard Adams: *That's correct. Yes, sir.*

[03:16]
Raymond Bechler: *And do you know if he did any investigation beyond just you telling him? I know that's kind of speculative on your part, but do you know if he did anything?*

[03:25]
Richard Adams: *He did not. No.*



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[03:32]
Raymond Bechler: *All right. Let's move on to the February 10th, 2024. Can you tell me about that incident? That's when she is alleging that you chased her around the house after she came home from work late.*

[03:43]
Richard Adams: *Okay. Um, yeah, she, so she would pick up shifts. Um, a lot of, a lot of friction in our relationship. Uh, she would pick up shifts on weekends when I was off, or days I was off. And she would pick up shifts in San Diego or somewhere. And then I think one of these weekends she came home late. Um, you know, we had some trust issues. Uh, mostly I had trust issues. Um, and so she, she came home late, uh, started drinking wine and then, uh, I confronted her and asked her like, Hey, where have you been? You know, what's going on? Um, she didn't like that. And when she gets confronted about something, she kind of either runs away and is like walking and talking away from you. So I'm, I'm trying to hear what she's saying. Um, so I think she did mention something about me chasing her around yelling. It was more me just trying to catch up with what the conversation was and communicating and resolving the issue. Um, so I believe at one point she came into the, to my office with a glass of wine and just smashed it on the ground <laugh>. And I was like taken aback by it. I was like, okay, um, you know why? So I start yelling, you know, 'cause she's now just destroying things in the house and the kids aren't there. So that, that was a good thing. But still, uh, that's not how I was raised. So I just, um, you know, I confront her about it. She doesn't like that. So she calls the cops to come deescalate the yelling and the situation. And that's what she did.*

[05:33]
Raymond Bechler: *Okay. Um,*

[05:35]
Richard Adams: *Or I'm sorry. I know she, again, I'm get, I think she did not, not that time. That was not, yeah. Yeah. Did she, does that, that's what she*...

[05:41]
Raymond Bechler: That wasn't reported yet .

[05:41]
Richard Adams: *Yeah.*

[05:43]

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Raymond Bechler: *Uh, Richard did, again, I'm gonna ask, did you, um, she's alleging that you, um, physically assaulted her. And so I'm gonna ask you, did you, did you hit her in the face two times?*

[05:55]
Richard Adams: *No, sir. Did not.*

[05:56]
Raymond Bechler: *Did you throw her to the ground?*

[05:58]
Richard Adams: *No.*

[05:59]
Raymond Bechler: *Kick her stomach?*

[06:00]
Richard Adams: *No. We were trying to have a baby at the time, so I don't know why I would ever jeopardize that.*

[06:11]
Raymond Bechler: *Okay. Okay. Moving on. Uh, and this really is the crux of the case. Um, mostly obviously it is all centered around this video footage that was in the front of, uh, your residence. Um, and so I'm gonna bring you back to July the 13th of 2024. Uh, can you tell me about this incident as much detail as you can?*

[06:33]
Richard Adams: *I believe it was 2023, July....*

[06:38]
Raymond Bechler: *Oh, you, that is, that is correct.*

[06:40]
Richard Adams: *Okay.*

[06:41]
Raymond Bechler: *It is 2023.*

[06:42]
Raymond Bechler: *Thank you.*

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[06:42]
Richard Adams: *'cause I know it was like two years ago now. So, um, so right back to like what I was saying before about, we had the kids for about six months straight, um, while the, the father, the biological father was in Korea. Um, he came back that spring, and this was gonna be, that July was his month to have the kids. So we couldn't really do much sexual role playing or sexual things because we had the kids for the six months leading up to this. So we started doing the rentee renter landlord roleplaying thing where she could pay her rent to me. 'cause I paid the mortgage and I paid all the bills and like that in like a sexual way. So after reviewing what Mr.* Ewert *showed me and what the CHP investigator showed me on the big screen,* I'm *like that, that's the sexual role playing that was going on, is that I'm throwing her out saying, Hey, you know, f you, I, I gotta get my, I gotta, you know, get you outta the house then. And so that's what you see me throwing her outta the house. Um, what you don't see in that video in the, in the conte - the context prior to what's going on inside the house. And then what happens after the video is she comes back inside the house. Nobody, there's no 9-1-1 call. There's, I mean, there's no, there's no crime committed. So she comes back in the house and pays her rent, ends up having sex with* me*. So that was the extent of that. Now, she did tell me later that she recorded the video off the Arlo as some sort of way to entrap or get me back for the pictures that I had on my computer. 'cause she wouldn't let that go. Um, later on, I did tell her about some infidelity that happened early on. So like, in this, I think it was later that year that I told her, Hey, I did. I was with these other people six months into our relationship because I didn't take it seriously. We met on her and I met on Tinder, which is the dating app. It wasn't supposed to be serious. So I just kind of, you know, and then it developed into love and a relationship. Um, but I told her about some things that happened in that early stages of our relationship. And then that's when this video, she started talking about a video and that she was gonna get me back, basically.*

[09:26]
Raymond Bechler: *How did you come up with the script, Richard? How do you guys, when you do your role - sexual role playing - how do you create these role playing scenarios?*

[09:36]
Richard Adams: *Uh, well she has a lot of different, um, outfits. So we have like a school girl outfit we have. So we'll decide, okay, tonight we're gonna do, we'll do school girl, and I'll do, I'll be the principal and you,* you'll *be the school girl. So I'll wear a shirt and tie in the best - she likes best, and, uh, we'll do something like that. Or then, or we'll come up with okay, you know, french maid outfit type thing. So she has these different outfits for different nights that we try to spicy - you know, spice it up a little bit. You*

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know, we've been, you know, when you're in a long term relationship, we're just trying to keep it exciting and, and she, she's into that. And so I, I would accommodate her.

[10:21]
Raymond Bechler: *Okay.*

[10:21]
Richard Adams: *But as far as..*

[10:22]
Richard Adams: *I'm gonna re-ask - go ahead.*

[10:25]
Richard Adams: *Uh, I, as far as script goes, you mean like a line by line script or just like the outline of that's just how we...*

[10:32]
Raymond Bechler: *Yeah. Okay.*

[10:33]
Richard Adams: *Okay.*

[10:35]
Raymond Bechler: *All right. Some of these questions may be a little bit redundant, but just bear with me. Um, so Richard, when were you first made aware that this video even existed? Uh, talk about the one on her Arlo system.*

[10:47]
Richard Adams: *Um, I believe it was relatively soon after she recorded it, she would bring it up.*

[10:57]
Raymond Bechler: *So that was prior to even, uh, this, even before the San Diego Deputy Sheriffs had contacted her in Poway, you knew about this video?*

[11:06]
Richard Adams: *Correct.*

[11:07]
Raymond Bechler: *Okay.*

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[11:08]
Richard Adams: *I knew about a video.*

[11:10]
Raymond Bechler: *But you did you know it's content*?

[11:12]
Richard Adams: *No.*

[11:12]
Raymond Bechler: *At all, anything that it was about? She just said she's got a video.*

[11:17]
Richard Adams: *Yeah, just like, I think she said something about how she had videos of me assaulting people. She would say things and I honestly, I wouldn't really take her seriously a lot of the time. So it didn't really register to me that she, 'cause I wasn't abusing her, it didn't register to me that it would be some sort of abuse video.*

[11:36]
Raymond Bechler: *And she never said that she's got this, uh, video of this role playing thing, and I'm gonna use it as she never made any of those kind of references.*

[11:43]
Richard Adams: *No.*

[11:43]
Raymond Bechler: *So you really had no idea other than something about you having, uh, assaulting people?*

[11:49]
Richard Adams: *No.*

[11:50]
Raymond Bechler: *What does she mean, assaulting people?*

[11:52]
Richard Adams: *Well, I think that's what she said to the deputies in San Diego. If I read the report right, it was that I assaulted mult... like that. She has videos of me assaulting people, which is in fact* incorrect. *Don't, so I don't*..

[12:05]

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Raymond Bechler: *I get, I get what was on that I was ref-referring to. You knew about this video. You said prior to San Diego contacting* [Victim]*, you said you knew about the video. Um, did you know about what any of the content of that video prior to San Diego getting involved?*

[12:22]
Richard Adams: *No.*

[12:23]
Raymond Bechler: *Okay. Okay. So you had mentioned that you and* [Victim] *were in role playing, um, scenario, and then that was part of your sexual relationship. If this was normal activity, why would* [Victim] *keep a copy of this? Just this one video that was just normal routine roleplaying stuff. Why would she maintain a copy of it?*

[12:45]
Richard Adams: *I don't think there was ever a video of it. Like there was no video of us roleplaying except what she found on that one, on the* Arlo*. And then she used it, like I said, with the pictures. And then when I admitted to her about infidelity early on the relationship, I was telling her that because she really wanted to have a child. I wanted a child, but I didn't want the child to learn in 10 years that I did something wrong early on in the relationship. So that's why I came clean to her and told her. And that's when the vindictiveness came out and it was like, okay, well I have pictures and videos of stuff that basically could be incriminating. It's the way it was in insinuated to me.*

[13:28]
Raymond Bechler: *Okay. All right. When she's, uh, reporting this to the San Diego Sheriff's deputies, it was Deputy McKenney who had his body-worn camera footage and he, it was his, it was a, a copy. It wa he was videotaping what* [Victim] *had showed him on her phone. Right. So this is that vi Um, but while she's, he's viewing that she's in the background, I'm sure you've probably seen this*

[13:54]
Richard Adams: *mm-hmm <affirmative>.*

[13:54]
Raymond Bechler: *Um, she's very emotional.*

[13:57]
Richard Adams: *Yes.*

[13:57]

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Raymond Bechler: *Can you explain to me why it's, her emotions are, if it's just a role playing scenario and this is part of what you do, why is she really emotional? Um, why she's giving this over to the deputies?*

[14:12]
Jason Ewert : *I would just, uh,*

[14:12]
Raymond Bechler: That's *speculative on your part.*

[14:15]
Richard Adams: *<laugh>. Yeah. Um, I've thought about this a lot. 'cause it, when I saw that video, I was upset when I first saw it. And, uh, that whole day in Poway, she had been drinking and I was trying to keep her from driving and picking up the kids to the point where mm-hmm <affirmative>. The husband had the kids, drove into the parking lot, saw her and drove away because he saw that she was intoxicated. I don't think the deputies were focused on that during the situation because of everything she was saying. And it had been* 15 *minutes, you know, that she had, she hadn't been drinking in front of them for 15 minutes at least. And, um, I just wanted to go home. I was just trying to get my stuff and we picked up her kids to go home to my house where she ended up going without a restraining order or anything like that. Um*

[15:06]
Raymond Bechler: *mm-hmm <affirmative>.*

[15:08]
Richard Adams: *But I think she realized what she was doing during that time.*

[15:13]
Raymond Bechler: *Mm-hmm.*

[15:14]
Richard Adams: *And the, the ramifications and implications that were gonna come of it. And I think that's where that emotion came from.*

[15:22]
Raymond Bechler: *Okay.*

[15:22]
Richard Adams: *So...*

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[15:25]
Raymond Bechler: *Okay. And Richard, on the video itself, I'm going to bring you back to your just re uh, on the video, it seems like, seems like you were from an objective or subjective, um, position, looking at, it seems like you were really angry and she was pleading desperately. Have you taken role playing, um, or have you been through acting lessons or how did it, why did it appear to be so real?*

[15:58]
Richard Adams: *Well, again, the context, what had started inside the house, you know, and she likes rough roleplaying. She likes rough sexual things. I mean, going back to the photos, like she would show me photos of some, a bruise that she would get from walking into a table, you know, or I'm sorry, from, from walking into a table or from our, our role playing when I'd, you know, grab her arms and we'd be having sex. Um*

[16:24]
Raymond Bechler: *mm-hmm.*

[16:25]
Richard Adams: *She's anemic. So she bruised really easily. And then she would, she had those pictures and stuff on, on her phone. Um, but I think that night it was just a very passionate and dedicated role-playing scenario. You know, if she was two months late on the rent and I wanted my money, and then, like I said, what you don't see is what's going on inside the house with this, um, role playing inside and then outside what happens. I don't shut the door on her. The door's never shut. It says that in the report, but that's not true. 'cause the door, she comes back into the house and we end up having sex. So I know it's uncomfortable to talk about and it's nothing that I thought I'd ever lose my career over. Um, but here we are. So...*

[17:16]
Raymond Bechler: *So, so Richard, um, prior to this role playing, uh, uh,* [Victim] *expressed that the, um, prior to the video being captured outside, what happened inside was that you were arguing because, um, you were upset. You saw a text come in from an ex-boyfriend. And so that's what, uh, the catalyst had started an argument which led to this whole thing on the outside with this video footage. Is there any truth to that?*

[17:44]
Richard Adams: *I don't remember. I don't recall her saying that. I don't remember, I don't recall her, her making a statement about the video to the detectives or to the deputies.*

[17:54]

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Jason Ewert : *But is there any truth to it? Just answer his question, Richard.*

[17:59]
Richard Adams: *No, I, I, can you repeat the question*?

[18:04]
Raymond Bechler: *Was, what preceded that video being taken from the front door of your house? What preceded that was an argument because you had seen or known-learned about a text that she was receiving or texting to an ex-boyfriend?*

[18:21]
Richard Adams: *No.*

[18:23]
Raymond Bechler: *So not true?*

[18:25]
Richard Adams: *No. There was an incident that we were arguing about, about a text, but that was one of the other incidents. That's why I'm a little bit confused.*

[18:34]
Raymond Bechler: *Okay. So, um, was there any argument or anything that preceded this role playing?*

[18:39]
Richard Adams: *No. No.*

[18:40]
Raymond Bechler: *So prior to that, everything was copacetic, your relationship was, everything was fine that evening?*

[18:45]
Richard Adams: *Yeah,* we *were role playing. We were doing, we were preparing for role play 'cause we didn't have the kids and we hadn't been able to do anything like that in a long time. So it was pretty passionate.*

[19:01]
Raymond Bechler: *Okay. So, um, Richard, you mentioned in your I interview that your role playing has limitations. And you said if she ever, if she ever asked me to do any kind of striking or anything physical like that, um, that that's, that's where it stops. You wouldn't, you wouldn't allow, you wouldn't go in that, in that, in that direction.*

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[19:21]
Richard Adams: *Correct.*

[19:21]
Raymond Bechler: *However, in this video, it appears like you forcibly threw her to the ground.*

[19:31]
Richard Adams: *From what I saw, I was throwing her out of the house, and that was what we were doing. I was doing the ev- the eviction type process.*

[19:41]
Raymond Bechler: *And Richard, you have seen the video?*

[19:43]
Richard Adams: *I have. yes, sir.*

[19:44]
Raymond Bechler: *Okay. Would you agree that it looks like you're forcing her to the ground pretty hard?*

[19:51]
Richard Adams: *It does not look good. I, I, I understand that.*

[19:57]
Raymond Bechler: *Okay. Then you grabbed her legs and spun her around. So these things can kind, I mean, if you're saying that you have your limitations in the role playing of we're not gonna injure or you're not gonna harm her, yet the appearance of what this looks like is you're harming her.*

[20:17]
Richard Adams: *I didn't* -

[20:17]
Raymond Bechler: A*gree*?

[20:19]
Richard Adams: *As far as striking or injuring her. I was, that was never the intent during the role playing. And that was what we were doing is I was just getting her outta the house. She's a strong, she's very strong, about as tall as I am, and almost as heavy.*

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So she's, you know, me being able to move her, it, it, it looks bad, but it's what our process was for the role playing was to get her out. I mean, she would, she would certain, you know, she'd do things to me too. And it was just very, it was very, um, passionate, I guess is the best way to explain it.

[21:06]
Raymond Bechler: *Okay. Richard, obviously this led to a, um, a prosecution by the San Bernardino County District Attorney's Office. Um, and are you aware what the outcome of that case was?*

[21:27]
Richard Adams: *Uh, yes. Yep. Yes, Sir.*

[21:30]
Raymond Bechler: *To the best of your knowledge, what happened? What was the, what was the outcome?*

[21:35]
Richard Adams: *Uh, from what I understand, it was dismissed.*

[21:38]
Raymond Bechler: *Do you know why it was dismissed?*

[21:40]
Richard Adams: *I think, like we discussed, when you called me, I, the lawyer went in back with the DA and then came out and said, Hey, get outta here.*

[21:51]
Raymond Bechler: *Okay. This is kind of an odd question, but what would've been your defense, or what was your, uh, plan of, uh, your defense going into that case?*

[22:05]
Richard Adams: *We, uh, I, I hadn't even gotten to that point with my lawyer. So..,*

[22:11]
Raymond Bechler: *And you guys were already, uh, picking jury, correct?*

[22:13]
Richard Adams: *Yes.*

[22:14]

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Raymond Bechler: *When the case was dismissed. Okay.*

[22:15]
Richard Adams: *Yes.*

[22:16]
Raymond Bechler: *All right. And you don't know what your defense would've been?*

[22:18]
Richard Adams: *I had a very, and Mr. E*wert*r, you can testify or you can back me up on this. My lawyer for my criminal case was very, um, he was very, he, he couldn't communicate very well. So he was an older gentleman. Uh, we don't have any lawyers in the high desert. So I went with him and he kind of kept to himself as much as I asked like, Hey, what is our game plan? He was basically like, I, you know, I'll tell you when we need to go to have, actually have a trial. 'cause his, his mindset is that we weren't gonna have a trial.*

[22:52]
Raymond Bechler: *Okay. All right. Thank you. Um, now I'm just gonna ask to just bounce back questions back and forth. It's, there is no, that was the final chronology talking about the San Diego Sheriff talking about San Bernardino and then your sit, uh, your highway patrol interview. Uh, we might be a little bit redundant on these last couple questions that I have, Richard, but bear with me. All right. Uh, you mentioned in your IA interview that you did not want to explain to three strangers. Um, you're talk, you're referring to the San Bernardino County detectives that the sexual stuff in, uh, that you and* [Victim] *are into. But did you realize that these detectives were investigating a crime, specifically you as a potential suspect, and that you have a responsibility to provide a complete and full statement to cooperate with the investigation, regardless of the one being a 21 or 20-year-old kid, one that looks like your mom or a stranger? but they have a duty to investigate this crime. Do you believe that you have a duty to cooperate with this investigation truthfully, and with complete statements?*

[23:55]
Richard Adams: *Uh, yes sir.*

[23:56]
Raymond Bechler: *Okay. Uh, on the home video, the* manner *in which you threw* [Victim]*, the way you grabbed her and dragged her is consistent with some of her prior allegations. Are you aware of that?*

[24:11]

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Richard Adams: *Yes.*

[24:14]
Raymond Bechler: *Any response to that? I'm referring specifically that it's consistent. Her accusations are consistent with what happened on the video camera*.

[24:29]
Richard Adams: *As far as the* ... s*tatements.*

[24:31]
Raymond Bechler: It's *what she's alleging, what she's* alleging.

[24:33]
Richard Adams: *Well, she alleged*

[24:34]
Raymond Bechler: *The dragging*...

[24:36]
Richard Adams: *She alleged that I, you know, closed fist, punched her and kicked her and did all these things that aren't true. So, I mean, she basically went down the gamut of violence that could be, you know, accusing me of cutting off windpipes and stuff. I she did that. She said everything, you know, so I think it falls under all any of those categories.*

[24:59]
Raymond Bechler: *Okay. Did, uh, was I clear on my, on my question? I just wanna make sure that all I'm saying is all I'm asking you for is that, and it's really not even, I'm just throwing it out there, that it, the video camera role playing scenario is consistent with some of the accusations that she's making in prior domestic violence incidents*.

[25:18]
Richard Adams: *Some of the accusations. Yes.*

[25:23]
Raymond Bechler: *Um, if roleplaying was a part of your sexual relationship, why would she not tell the detectives that role playing was just a part of it?*

[25:37]
Richard Adams: *I think based on what I saw from her statement in the report, um, she does state that Richard has never been violent with anybody in the home. And that*

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what's going on in that video is not what he was describing to her. So she went up right up to the line of admitting it being a role playing scenario. But I think, and this is speculation, but I, I think what her concern was is any kind of false police report situation where she could be in trouble for that. So I that's, that's my, that's what I, my conjecture - that fact.

[26:17]
Raymond Bechler: *Okay. So at a certain point, um, Richard, she decided, well, I don't know at a certain point, but, uh, at one point she sent a letter to, I believe it was to the San Bernardino County District Attorney's office. Are you familiar with that letter that she sent?*

[26:31]
Richard Adams: *Yes, sir. That was in the report.*

[26:33]
Raymond Bechler: *And obviously she's trying to say that I don't wanna move further with this. Uh, uh, I want it to be done. I gotta, I wanna get back to my life. But I, I guess that's where my question is, is that why would she not just be, um, kind of like how, uh, to be emphatic to the detectives out with San Bernardino County and say, Hey, this was role playing, we were just playing, and this is part of our scenario, and be emphatic about that. Why is she not on this end being emphatic when she writes? And I go, I, I'm, I'm just asking for a speculative answer from your part, but why is it that she doesn't - I'm speaking out loud- on this letter to the DA's office mentioned, uh, and by the way, uh, this whole scenario, because that's what we're all here for, is this July 13th video*. That's *why the DA's office decided they were gonna move forward with this*, *largely because of that video, which is also why they dismissed the case* be*cause they couldn't authenticate that in court. So, um, my question to you is why would she not then articulate that and as an emphatic point that it was just role playing? She never mentions it.*

[27:38]
Richard Adams: *I mean, that would be a good question for her. And to ask her. I, I can't really speculate as to why she put what she put in that letter. I know she did write that she made untrue statements, um, in that, in that, uh, police report. That's correct. And for her to, it's a very private thing for her. Uh, I think she has some sexual, uh, abuse situations from her past that she is into the role playing. She's into the rough sex because of, and it's something that for her, she didn't want to open up that can of having to explain, like me explaining to now you are the, you know, it's recording and it's now been three or four or five people that I've had to explain this sexual role playing to. And as a 41-year-old male and a 38-year-old female, it's kind of embarrassing. So I think*



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that she thought by say, sending that letter in, that it would be handled with her desires, uh, consider, which it wasn't. Um, but that's my speculation.

[28:49]
Raymond Bechler: *Okay. All right. Bear with me. I have three or four more more questions real quick, Richard. Um, so* [Victim] *provided statements to the police. She showed a video, uh, the ring video or Arlo video. Um, she also had a picture of, um, a bloody eye that she said was as a result of one of those incidents. Um, and she claims obviously, that you had assaulted her on several occasions. Is it your position that she is not telling the truth about any of the reported physical violence?*

[29:18]
Richard Adams: *Yes.*

[29:20]
Raymond Bechler: *Um, and can you tell me why you think that she would create these, um, these incidents up?*

[29:30]
Richard Adams: *I think*...

[29:30]
Raymond Bechler: *I think he's testified to it a couple of times, but I mean, go ahead, Richard.*

[29:34]
Richard Adams: *I, I, again, speculation as to why she would make things up. I think she has domestic violence history in her past that I did, I was not aware of until it got disclosed to me by the criminal* DA*. So she has gone down these paths before with ex-boyfriends, ex lovers. And I think that when she got the response in San Diego, it was a much bigger response for law enforcement than anything she's ever seen before, because they came in hot and heavy with five or six deputies, and I think she felt as though she had to give them something and ordered to leave. Okay. And that's what she decided to do.*

[30:27]
Raymond Bechler: *Okay, great. Thanks. Um, and Richard, what is your, uh, what is your relationship? What's the status of your relationship now with* [Victim]*?*

[30:36]
Richard Adams: *Uh, we're still together.*

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[30:38]
Raymond Bechler: *Okay.*

[30:42]
Raymond Bechler: *And, um, that's pretty much all I have, Richard. I just wanna, um, give you the opportunity to, um, say anything here as we close that would be helpful, that we should be considering, um, for the, for this investigation.*

[31:01]
Jason Ewert : *Can we have a brief break that I can talk to Richard and then we'll come back?*

[31:05]
Raymond Bechler: *Absolutely. Yep.*

[31:08]
Jason Ewert : *Um, I'm just gonna mute and step out and I'll give you a call on your phone, Richard, if that works. Okay?*

[31:13]
Richard Adams: *Yep. Sounds good.*

[32:55]
Jason Ewert : *All right, Mr. Beckler, I think I only have a couple of follow up questions, if that's okay?*

[32:59]
Raymond Bechler: *Of course. Yes, sir.*

[33:01]
Jason Ewert : *All right. Uh, Mr. Adams, you previously testified that you didn't really have a plan, uh, when you guys went into the criminal trial. Um, and I believe you indicated that you really hadn't kind of worked with your attorney on what the formal trial, uh, roadmap was gonna be. Is that correct?*

[33:19]
Richard Adams: *That's correct, yeah.*

[33:20]
Jason Ewert : *If you had been called to testify in that case, what would you have said?*

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[33:26]
Richard Adams: *Exactly what I've been saying, that it was roleplay, sexual role playing scenario that happened, and that was what the video was.*

[33:37]
Jason Ewert : *Okay.*

[33:38]
Richard Adams: *So I think a lot of, and do you have another question or*?..

[33:42]
Jason Ewert : *No, no, go ahead.*

[33:43]
Richard Adams: *Oh, I was just gonna say like the def-the defense that he, I believe he was executing, he was continuing the case, like prolonging the case and that was what he was continually doing. So we couldn't finally, I was at the point where I wanted it, I wanna finish this. And so his mindset was it was still gonna be not, it was, it was not gonna be a, uh, a trial. So, but yes, that would've been my defense if called to the stand to testify, that would've been sexual role playing* - c*onsensual act.*

[34:23]
Jason Ewert : *Okay. I don't have any further questions.*

[34:26]
Raymond Bechler: *Uh, Richard, if I could ask -thank you for that. Um, one last question I just remembered, um, when I, I try to, I did talk to* [VICTIM]*, um, maybe three weeks ago now. Um, try to get some clarity on some stuff. Uh, she did say that she now lives on the East Coast. Is that true?*

[34:45]
Richard Adams: *Yes.*

[34:47]
Raymond Bechler: *Okay. But you're still together. Yes. You're still enga- you're still engaged as fiance?*

[34:53]
Richard Adams: *Yes.*

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[35:00]
Raymond Bechler: *Okay. Anything else? Um, Mr. Er*wert,

[35:03]
Jason Ewert : *So, uh, Richard, what is the nature of your relationship with her? Have you been engaged this whole time or, or what has happened?*

[35:11]
Richard Adams: *So she, um, before, well it was, it was Christmas of last year. Um, she, I called her from the airport, I'm sorry, Thanksgiving. I called her from the airport and she said she was leaving for the East coast with her ex-husband, uh, and the kids. So I raised* [Child 2] *from* – [Child 2] is *her son that I met when he was four months old and he's now six. And I raised him. So she took that away from me. Uh, basically took my entire family, um, because the ex-husband retired from the Marine Corps and got a job on, in, in the East Coast. So they left Christmas Day. Um, it was copacetic. There wasn't anything, you know, this whole thing has been, there was never a restraining order, you know, she, the day she made all these allegations, she went back to my house and slept in my bed. And, you know, we were together from that point on and we didn't know that there was a criminal charge until she got a Mar*sy's card in the mail. *And that's how we found out. So that put a lot of strain, obviously on our relationship, um, to the point where she felt as though she had to leave with her ex-husband and go to go to East Coast. So, um, but we maintained a long distance, uh, relationship and, you know, basically promised each other that after everything was said and done, that we would still be together. So* that's...

[36:51]
Jason Ewert : S*o you have been physically separated and and now you're back together?*

[36:56]
Richard Adams: *Yes.*

[36:58]
Jason Ewert : *Okay.*

[37:01]
Raymond Bechler: *And you said that's been since Christmas Day-ish*?

[37:04]
Jason Ewert : C*orrect. Yeah, she left, well, I'm sorry, a few days prior to Christmas day 'cause she wanted to be where she was gonna be for the kids on Christmas day.*

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[37:16]
Raymond Bechler: *Okay.*

[37:21]
Jason Ewert : *Okay.*

[37:21]
Raymond Bechler: *Okay. Anything else Richard? I wanted to leave you with the last, uh, if you had anything else you wanted to say that would be helpful to the investigation.*

[37:30]
Richard Adams: *I don't know helpful to the investigation or not, but I just, I gotta say, 'cause this might be the last time I have a chance to say anything to anybody that just cares, is that this destroyed my career. I'm homeless, jobless, and it's something that has negatively affected my family and my children and my fiance. And, um, I think that that's what impacts, that's what I guess* my *impact statement is, is that, you know, having six years honorable service to the state of California and, uh, having no disciplinary issues, having no nexus to the department, I tried my best to keep this away from the department and not, and tell, inform my supervisors of everything that was going on. It's just, it, um, no disciplinary issues like I said, and accommodations. It's just, this is not where I thought I'd be. And I don't think that's where* [Victim] *thought we'd be. It's kind of a bell that can't be* un-*rung is what I think she found and I found. And, um, I would definitely do things differently if I could. Thank you.*

[38:46]
Raymond Bechler: *Okay. Right, Richard, Mr.* Ewert*, thank you very much for your time. And, um, yeah, we're gonna go off, if you wanna hang tight for just a second, I'm gonna go take this off so I better not mess with it, but, okay. Um, Mr. Er, uh, do you mind if I give you a call right afterwards?*

[39:08]
Jason Ewert : *Sure.*

[39:09]
Raymond Bechler: *Okay. Alright, Mr. Adams, take care and I'll be in contact, okay?*

[39:16]
Richard Adams: *Okay. Thank you.*

[39:17]

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Raymond Bechler: *Okay, Bye.*

[39:18]
Jason Ewert : *Thanks.*

PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

February 5, 2026
AGENDA
10:00 AM

Meeting Location: CA Commission on POST Headquarters, 860 Stillwater Road - Training Rooms A/B, West Sacramento, CA 95605.

The Peace Officer Standards Accountability Advisory Board (Board) operates under the requirements set forth by the Bagley-Keene Open Meeting Act (Bagley-Keene) under Government Code sections 11120 through 11132. Bagley-Keene generally requires that the Board publicly notice meetings, prepare agendas, allow public participation, and conduct meetings in a location accessible to public members unless specifically authorized by Bagley-Keene to meet in closed session.

Public comment will be limited in time at the discretion of the Board Chair. The public comment period preceding items on the agenda will allow members of the public to comment on items not on the agenda but that are within the Board's jurisdiction. The Board cannot act on or deliberate on items not on the agenda and can discuss the matter only to the extent necessary to determine whether it should be made an agenda item at a future meeting, to respond briefly to statements or questions posed during public comment or to request clarification, or to refer the item to staff. Agenda items may be taken out of order and action (e.g., voting) may be taken on any agenda item. Public comment relating to each item on the agenda will be allowed at the time each matter is heard. Members of the public who wish to participate during public comment may do so in person by attending the meeting, or, as stated hereafter, by telephonic means or by submitting written public comment.

Written public comment is intended to allow members of the public, if unable to attend in person, an opportunity to participate to the same degree as if they attended in person; as such, written comments should be limited to no more than three pages in length and longer written comment will not be accepted or distributed to Board members. To be considered for inclusion in the meeting record, written comments by no later than 10 a.m. on the fourth business day before the scheduled meeting. Accepted written public comments will be published on POST's website under the Public Comment section under the corresponding meeting date. Written public comments can be submitted via email to posadpc@post.ca.gov. Telephonic public comment can be made by dialing (916) 866-9583 and following the prompts provided.

Persons requesting disability-related accommodations or modifications may do so by contacting the Board assistant at (916) 227-3909 (voice), posadpc@post.ca.gov (email), or Speech-to-Speech users may dial 7-1-1 for the California Relay Service to request special accommodations. Please note: This meeting and all public meetings will be recorded.

No weapons are allowed on the premises during public meetings. Upon entering POST's

facility, you are subject to a weapons screening and will be denied entry if you possess any weapon. POST's Executive Director retains the discretion to grant exceptions for duly-authorized individuals, such as on or off-duty law enforcement officers who are not the subject of a POST administrative investigation, suspension, or decertification action.

I. **CALL TO ORDER**

II. **ROLL CALL OF POSAAB MEMBERS**

Dr. Nicole Clavo Psy.D - Governor Appointee - Public Member
Regina Hatcher-Crawford - Governor Appointee - Public Member
Robert Doyle - Governor Appointee - Former Command Rank Peace Officer
Joyce E. Dudley - Chair - Governor Appointee - Attorney
Cephus Johnson - Governor Appointee - Public Member
Captain Charles Lara - Governor Appointee - Management Rank Peace Officer
Margaret Pena - Speaker of Assembly Appointee - Public Member
Vacant (Formerly Buchen) - Senate Rules Appointee - Public Member
Vacant (Formerly Glaser) - Governor Appointee - Public Member

III. **PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

The Board Chair will advise the audience of the following:

This time is set aside for members of the public who wish to comment on items not on the agenda but within the board's jurisdiction. Public comment on matters on the agenda will be heard at the time each item is called. Public comment on specific peace officer revocation cases to be heard today will be heard at the time of the hearing of each such matter. Members of the public who wish to speak during the public comment period may be asked to limit their remarks in time at the discretion of the Board Chair.

IV. **ASSISTANT EXECUTIVE DIRECTOR COMMENTS**

V. **NEW BUSINESS**

a. Election of Vice Chair (Incumbent: Doyle)

The purpose of this item is to select a Vice Chair for 2026.

b. Report on Data for Serious Misconduct Reporting, Investigations, and Disciplinary Action Outcomes

This item is presented for information only. No action is required.

VI. **APPROVAL OF MEETING TRANSCRIPTS**

Approval of meeting transcripts from the previous Peace Officer Standards Accountability Advisory Board Meeting held on October 09, 2025 and November 06, 2025 Meetings.

a. Approval of Meeting Transcript from the October 09, 2025 and November 06, 2025 Meetings

If the Board concurs, the appropriate action would be a **MOTION** to approve the meeting transcripts from the last Board meetings.

VII. **NEW CASES - REVIEW, DISCUSSION AND RECOMMENDATIONS TO COMMISSION**

a. POST2316280 - Khammouane Kevin Thakham (POST ID: A45-Q53) Last Employing Agency: Fresno Police Department (Current)

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.

b. POST2402838 - Elliott Lopez (POST ID: C15-H32) Last Employing Agency: California Highway Patrol

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.

c. POST2403212 - Richard Adams (POST ID: C56-Q43) Last Employing Agency: California Highway Patrol

The Peace Officer 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.

VIII. **CLOSED SESSION**

At this time the meeting will adjourn into closed session for for deliberations on the cases presented today.

IX. **FUTURE BOARD MEETING DATES**

Upcoming Board meetings will be held:

- April 15-16, 2026 - POST, West Sacramento
- July 15-16, 2026 - POST, West Sacramento
- October 14-15, 2026 - POST, West Sacramento

Board meeting dates are tentative and subject to cancellation pending POST receiving requests from subject officers to have their cases heard before the Board.

X. **ADJOURNMENT**

AGENDA ITEM REPORT

Title: POST2403212 - RICHARD ADAMS (POST ID: C56-Q43) LAST EMPLOYING AGENCY: CALIFORNIA HIGHWAY PATROL

REPORT PROFILE

MEETING DATE 02/05/2026	**BUREAU SUBMITTING THE REPORT** Professional Conduct Northern Bureau	
RESEARCHED BY Raymond Bechler		**REVIEWED BY** Robert Guyton
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:

Respondent began his employment with the California Highway Patrol on June 26, 2017, as a full-time peace officer. At the time of the events at issue, Respondent was employed as an officer with the California Highway Patrol. Respondent was terminated from the California Highway Patrol on November 5, 2024.

This position is a peace officer position defined under California Penal Code §830.1(a) and is required to be certified pursuant to California Penal Code §13510.1(a).

The case before the Board alleges the Respondent committed serious misconduct when he physically assaulted the Victim by forcibly throwing her to the ground and dragging her while she laid on her back trying to protect herself. At time the incident occurred, the Respondent and Victim were living together as boyfriend/girlfriend. This event was captured on their home video system.

Furthermore, the Respondent gave dishonest statements to criminal investigators and also in his administrative interview by saying the incident captured on video was consensual role playing and not an act of domestic violence.

The San Bernadino County District Attorney's Office filed a misdemeanor domestic violence charge against the Respondent. The charge was ultimately dismissed.

The Respondent was terminated for his misconduct on November 5, 2024.

Video Evidence Links:

- BR08 POST2403212 Adams Richard Attachment G Video clip

ANALYSIS:

Clear and convincing evidence substantiated that Respondent violated California Penal Code section 13510.8(b)(6) and Commission Regulation 1205(a)(6) acts that violate the law along with section 13510,8(b)(1) and Commission Regulation 1205(a)(1) dishonesty when the Respondent physically assaulted the Victim and then lied to investigators to cover up his actions. As a result, the Respondent's actions are sufficiently egregious as to be inconsistent with the Respondent's obligation to uphold the law or respect the rights of members of the public.

RECOMMENDATION:

The Peace Officer 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_POST2403212_Adams Richard_ISF.pdf
BR02_POST2403212_Adams Richard-Attach A- Executive Review Division Recommendation Form - Adams Richard (POST2403212).pdf
BR03_POST2403212_Adams Richard_Attachment B-RichardAdams_ProfileReport_Redacted.pdf
BR04_Adams Richard_Attachment E-CHP Case Summary (21)_Redacted.pdf
BR05_POST2403212_Adams Richard_Attachment C-San Diego SO Report_CN 24107775.1_Redacted.pdf
BR06_POST2403212_Adams Richard_Attachmemnt D-San Bernadino SO Crime Rept_Redacted.pdf
BRR07_POST2403212_Adams Richard_Attachment F-Victim Letter_Redacted.pdf
BR09_POST2403212_Adams Richard_Attach H-SPB Resolution and Order-Proposed Decision_Redacted.pdf
BR10_POST2403212_Adams Richard_Attachment I-CHP IA Transcript_Redacted (6)_Redacted.pdf
BR11_POST2403212_Adams Richard_Attachment J_Interview

transcript_Axon_Redacted_Sanitized.pdf

STATE OF CALIFORNIA
COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING
PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

In Re: CERTIFICATION OF RICHARD ADAMS, **Respondent.**	**BOARD RECOMMENDATION RE: PEACE OFFICER CERTIFICATION** Penal Code section 13510.85(a)(4)

Penal Code section 13510.85 provides that when, upon the completion of an investigation conducted pursuant to subdivision (a) of section 13510.85, the Peace Officer Standards Accountability Division (the Division) finds reasonable grounds for revocation or suspension of a peace officer's certification, it shall notify the peace officer of the Division's determination and reasons for that determination. If the peace officer files a timely review, the Peace Officer Standards Accountability Advisory Board (Board) shall schedule the case for hearing.

Respondent was served with the Division's Notice of Determination Report and accompanying Notice of Intent to Revoke Certification, notifying Respondent that the Division had found reasonable grounds for revocation of Respondent's POST certification, on December 10, 2025. Respondent requested a review of the Division's determination and reasons for revocation of Respondent's POST certification on January 7, 2026, and the Board scheduled the case for a hearing which was held on February 5, 2026. At the time of Respondent's request for review of the Division's determination, Respondent had been issued the following POST certification(s):

- ☒ Basic
- ☐ Intermediate
- ☐ Advanced
- ☐ Supervisory
- ☐ Management
- ☐ Executive

FACTUAL BASIS

Having considered the Division's presentation at the hearing, the Division's Investigative Summary and Findings and the public comments, the Board concludes that:

X A factual basis for revocation has been established by clear and convincing evidence.

__ A factual basis for suspension has been established by clear and convincing evidence.

__ A factual basis for suspension or revocation has not been established by clear and convincing evidence.

RECOMMENDATION

In light of the facts and circumstances revealed by the Division's investigation in this case, the Board hereby recommends that the following action(s) be taken against Respondent's certification:

X Revocation of Certification

__ Suspension of Certification for the following period of time, not to exceed 3 years, per 11 CCR section 1213(b): _____.

__ No further action.

REASONS FOR DECISION

X In accordance with Penal Code section 13510.85(a)(4) and title 11, California Code of Regulations Section 1213, the Board hereby incorporates by reference the Division's Investigative Summary and Findings and hereby adopts the Division's Summary and Findings as the Board's stated reasons for its recommendation in the above captioned matter.

___ (Where applicable) In accordance with Penal Code section 13510.85(a)(4), the Board's reasons for its recommendation are as follows:

_____

_____

_____

_____

_____

_____

_____

Dated: 2/5/26

Chairperson or Designee
Peace Officer Standards Accountability
Advisory Board

STATE OF CALIFORNIA

COMMISSION ON

PEACE OFFICER STANDARDS AND TRAINING

PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

(POSAAB) MEETING

THURSDAY, FEBRUARY 5, 2025

10:00 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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California Certified Shorthand Reporter #13061, RPR

A P P E A R A N C E S

POSAAB MEMBERS PRESENT

JOYCE DUDLEY
Governor Appointee
Attorney
(Chairperson)

NICOLE CLAVO, Psy.D.
Governor Appointee
Public Member

REGINA HATCHER-CRAWFORD
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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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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A P P E A R A N C E S C O N T I N U E D

POST STAFF

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

RAYMOND BECHLER
Law Enforcement Consultant
Professional Conduct Northern Bureau

BRYANT HENLEY
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ROBERT TRIPP
Law Enforcement Consultant
Professional Conduct Central Bureau

SARAH WALLACE
Bureau Chief
Intake and Disposition 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

ALSO PRESENT

BEATRICE JOHNSON
Public Speaker

ELLIOTT LOPEZ
POST ID: C15-H32

APPEARING REMOTELY:

OLIVIA KRUEGER
Public speaker

RICHARD ADAMS
POST ID: C56-Q43

JASON EWERT
Counsel for Richard Adams,
POST ID: C56-Q43

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Thursday, February 5, 2026, 10:01 a.m.

West Sacramento, California

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CHAIRPERSON DUDLEY: Good morning, everyone. Today is Thursday, February 5th, and the time is 10:00 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, you will need to watch your cross-talk.

We will now call the roll of board members.

Chandler.

MR. KNAPP: Thank you, Chair Dudley.

Good morning, Members.

Member Clavo.

MEMBER CLAVO: Present.

MR. KNAPP: Member Crawford.

MEMBER HATCHER-CRAWFORD: Present.

MR. KNAPP: Member Doyle.

(No response.)

MR. KNAPP: Chair Dudley.

CHAIRPERSON DUDLEY: Here.

MR. KNAPP: Member Johnson.

MEMBER JOHNSON: Here.
MR. KNAPP: Member Lara.
MEMBER LARA: Present.
MR. KNAPP: And Member Pena.
MEMBER PENA: Present.
MR. KNAPP: Madam Chair, that's six of nine members present.
CHAIRPERSON DUDLEY: Thank you. A quorum has been established.
I would now like to introduce board counsel, to my left, Christopher Beatty; and POST Assistant Executive Director Annemarie Del Mugnaio.
This time is set aside for members of the public who wish to comment on items not on the agenda, 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 cases to be heard today will be heard at the time of the hearing of each such matter.
Is there anyone present in the audience or appearing remotely who would like to address the Board during public comment?
First checking the audience.
(No response.)
CHAIRPERSON DUDLEY: Seeing no one.

Is there anyone remotely?

(No response.)

CHAIRPERSON DUDLEY: There's nobody remotely either. Please be advised that the Board cannot take action on items not in the agenda and may discuss those items only to the extent necessary to determine whether any matter should be made an agenda item for further meetings, to respond briefly to statements or questions posed, to request clarification, or to refer to -- the items to the staff.

Please remember this meeting is being transcribed, so I may politely interrupt and ask you to repeat or speak slowly and clearly so your comment can be correctly captured on the transcript.

As the Board Chair, I may ask members of public to limit their remarks to no more than three minutes pursuant to existing board policy.

I may conclude the public comment period if multiple speakers are voicing repetitive already similar statements and the 15-public -- 15-minute public comment period has expired.

You will be given five minutes to speak and the limits will be strictly enforced, so please ensure that you complete your thoughts within the allotted time.

Before I open public comment or matters not on the

agenda, please note that if you wish to comment on disciplinary matters scheduled to be heard today by the Board, you must wait until that matter is called to offer public comment.

If you have a specific complaint about an officer that is not on today's agenda, you should file a complaint with POST or with the officer's employing agency. Staff will assist you in this regard.

I would like to remind individuals making comments to discuss [sic] pending complaints or pending disciplinary actions that may later come before this board for a recommendation. If the Board takes action on your complaint, you will have an opportunity to address the Board at that time. Following these rules is necessary to comply with the law and to avoid compromising the Board's mission.

When it is your turn, you may state your name and organizations.

So is there any public comment?

Again, looking out into the audience.

(No response.)

CHAIRPERSON DUDLEY: And remotely?

(No response.)

CHAIRPERSON DUDLEY: No. There's no public comment.

One moment, please.

Is there anyone present or appearing remotely or by phone who would like to address the Board regarding the approval of the October/November meeting transcripts? When it is your turn, you may state your name and organization if you wish. Each gets three minutes.

Anybody want to comment on the agenda?

(No response.)

CHAIRPERSON DUDLEY: Okay. Are there any questions or comments from the Board?

(No response.)

CHAIRPERSON DUDLEY: Seeing none.

If the Board concludes [sic], the appropriate action would be a motion to approve the meeting transcripts from the October and November 2025 meetings.

Is there such a motion?

MEMBER LARA: I can make a motion.

CHAIRPERSON DUDLEY: Thank you.

MEMBER CLAVO: I second.

CHAIRPERSON DUDLEY: Thank you.

Is there any opposition? Any abstentions?

(No response.)

CHAIRPERSON DUDLEY: At this time I will ask -- okay. So I think that, then, the motion passes.

And at this time, POST Assistant Executive Director

Dudley.

CHAIRPERSON DUDLEY: Yes.

MR. KNAPP: Dudley, aye.

Johnson.

MEMBER JOHNSON: Aye.

MR. KNAPP: Johnson, aye.

Lara.

MEMBER LARA: Aye.

MR. KNAPP: Lara, aye.

And Pena.

MEMBER PENA: Aye.

MR. KNAPP: Pena, aye.

That's five in favor. Motion carries.

CHAIRPERSON DUDLEY: Okay. Thank you.

At this time, I will now call upon Law Enforcement Consultant Raymond -- let's see -- hang on. Let me make sure I'm not lost here. It's the same person?

MS. DEL MUGNAIO: Yeah.

CHAIRPERSON DUDLEY: Raymond Bechler, Professional Conduct Northern, and Bryant Henley, Attorney IV, Legal Records [sic] Bureau, to provide a report on POST2403212, Richard Adams -- why does it say Elliott Lopez? -- who, at the time of the events at issue in the case, was employed by the California Highway Patrol.

Okay.

MR. BECHLER: Good afternoon, Chair, Members of the Board.

My name is Ray Bechler, and I'm a law enforcement consultant signed to the Professional Conduct Northern Bureau in the Peace Officer Standards Accountability Division.

With me today is Bryant Henley, an attorney with our Legal Affairs Bureau.

I'm here today to present Case Number POST2403212 involving Richard Adams, hereafter referred to as the respondent, formerly of the California Highway Patrol.

It is the Division's determination that clear and convincing evidence exists to demonstrate that the respondent committed acts of serious misconduct as set forth in Penal Code section 13510.8, on July the 13th of 2023.

Specifically, the Division has determined that the respondent committed the following acts of serious misconduct: Acts that violate the law and dishonesty.

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

The respondent began his career with the California Highway Patrol on June the 26th of 2017. He holds a Basic POST certificate, which he received on June 8th,

2019.

The respondent had no prior complaints of misconduct resulting in disciplinary action from his agency.

In regard to the present allegation, the respondent reported his interaction with law enforcement to his agency on March the 19th of 2024.

On April the 19th, 2024, CHP reported this case to POST.

The California Highway Patrol completed their investigation and sustained allegations against the respondent, and the respondent was terminated on November the 5th of 2024.

A factual summary of the respondent's misconduct is as follows:

On February 25th, 2024, the respondent and his live-in girlfriend, referred to as the victim, were staying at the Hampton Inn Hotel in Poway, California.

At approximately 4:00 p.m., the victim called 911 after she and the respondent got into an argument and his behavior was scary.

The victim waited in the parking lot for police to respond.

San Diego County sheriff's deputies arrived and contacted the victim, who explained the respondent was

an off-duty CHP officer and was inside the hotel.

The victim told the deputies she and the respondent were verbally arguing, and she -- and he did not get physical with her. The victim added she wanted to drive back to their residence in Yucca Valley by herself, and the respondent wasn't letting her leave without him.

While talking to the deputies, the victim informed them about several incidents of physical violence by the respondent over the past two years.

One of the allegations of prior physical violence reported by the victim was captured on their front door home camera system. This video is shown to the deputies by the victim and depicted the respondent dragging the victim outside of the front door of their residence, forcibly pushing her to the ground, causing the victim to land on her head and upper torso.

The video further showed the respondent using two hands to get control of the victim's right leg as he dragged her out the front door while the victim frantically yelled "Richard, stop, stop."

The victim said this incident occurred on July the 13th of 2023.

At this point, I would like to show the video.

(Video played.)

MR. BECHLER: The victim further reported -- the

victim further reported to the San Diego sheriff deputies three other domestic violence incidents which occurred in June of 2022, May of 2023, and February of 2024, where she endured violence from the -- from the respondent.

After speaking to the victim, the San Diego sheriff deputies elected not to contact the respondent for a statement, as all the reported incidents of violence occurred in San Bernardino County.

The deputies ensured the victim safely drove away from the hotel parking lot without further incident by the respondent.

San Diego County deputies reported these incidents and forwarded their report to the San Bernardino County Sheriff's Office for follow-up.

Each of the prior incidents reported by the victim were investigated both criminally and administratively. Ultimately, the San Bernardino County District Attorney's Office filed and pursued prosecution of the respondent for one misdemeanor domestic violence charge, involving the incident captured on video that occurred on July the 13th of 2023.

The District Attorney's Office did not file in any of the other reported domestic violence incidents reported by the victim.

The criminal case against the respondent was ultimately dismissed on February 4th, 2025, by the District Attorney's Office.

In the administrative investigation and subsequent findings against the respondent, the CHP sustained one allegation of committing domestic battery upon the victim which involved the incident captured on video. All other -- all other domestic violence incidents were not sustained by the agency.

The agency further sustained a finding against the respondent for being dishonest when he asked -- when he was asked about the domestic violence incident captured on the video.

The respondent filed an appeal from dismissal to the -- to the State Personnel Board. The respondent's case was heard before a State Personnel Board Administrative Law Judge Douglas Purdy on April 1st and 2nd of 2025.

After hearing testimony and weighing all evidence, Judge Purdy rendered his decision. Judge Purdy specifically assessed the credibility of the respondent's testimony regarding the video evidence from their home recorded on July the 13th of 2023.

Judge Purdy documented, "The video footage from the doorbell camera was not consistent with consensual

role-playing. The respondent lifted the victim, tossed her onto the front porch, where she landed on her back. That action could clearly have resulted in serious injury to the victim, which makes it unlikely she willingly consented to it."

Judge Purdy further wrote, "The respondent was dishonest when he told Sergeant Mason" -- who was the IA investigative sergeant -- "that the July 13th, 2023, incident was consensual role-playing and when he stated that his disputes with the victim had never escalated into physical conflicts."

In his concluding remarks, Judge Purdy wrote, "Peace officers hold special positions of trust and are held to the highest standards of behavior. Also, peace officers must frequently testify in court and must be credible and honest to perform their duties effectively. Because of the special position of trust peace officers hold, dishonesty by a peace officer -- peace officers warrants harsh punishment."

Judge Purdy sustained Respondent's dismissal by the agency.

Following POST investigation and review, POST found, by clear and convincing evidence, that reasonable grounds existed for consideration of revocation pursuant to Penal Code section 13510.8.

The facts I have just -- I have just recited support the Division's finding that the respondent was involved in serious misconduct, specifically acts that violate the law and dishonesty.

For purposes of the Division's analysis, "clear and convincing evidence" means evidence 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 the respondent's POST certificate -- certification be revoked. The Division's recommendation is based on the following:

The Division finds that the clear and convincing evidence substantiated that the respondent's conduct amounted to acts that violate the law as described in Commission Regulation 1205(a)(6). On July the 13th, 2023, the respondent physically harmed the victim by forcibly throwing her to the ground outside their residence and further dragging her on the ground by her ankles.

This conduct was inconsistent with Respondent's obligation to uphold the law or respect the rights of members of the public.

The Division finds the respondent's act of violence

upon the victim not only violated CHP's internal policies, but also California Penal Code sections 242 and 243(e)(1), which confirms the respondent's unlawful conduct.

In addition to violating the CHP's policies with regard to off-duty conduct, clear and convincing evidence exists that Respondent violated California Penal Code section 13510.8(b)(6), and Commission Regulation 1205(a)(6), acts that violate the law.

The Division further finds that the clear and convincing evidence substantiated by the respondent's conduct amounted to dishonesty, as described in Commission Regulation 1205(a)(1), in that the respondent claimed that the domestic violence encounter recorded on the front door video camera was merely role-playing incident, in which the respondent played the role of a landlord and the victim was a tenant who was late on paying her rent.

Respondent made these dishonest statements, first through the San Bernardino County sheriff's investigators, who were investigating a crime; and then later to CHP administrative investigators, who were investigating the same events as part of an investigation into misconduct.

Misconduct was inconsistent with Respondent's

obligation to uphold the law or respect the rights of members of the public.

The Division finds the respondent's statements to the San Bernardino Sheriff's Office and the CHP concerning the July 13th, 2023, video -- video established clear and convincing evidence he violated California Penal Code section 13510.8(b)(1) and Commission Regulation 1205(a)(1), dishonesty.

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

CHAIRPERSON DUDLEY: Okay. Questions?

(No response.)

CHAIRPERSON DUDLEY: Apparently the Board doesn't have any questions.

And do we have somebody -- okay. Remote. Right?

MS. DEL MUGNAIO: Yes.

CHAIRPERSON DUDLEY: Okay. So at this time, does the subject officer and/or their counsel wish to make public comment? If so, you will have five minutes to speak, and the time limits will be strictly enforced. So please ensure that you complete your comments within the allotted time.

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 those facts demonstrate high probability that serious misconduct, as defined in Penal Code section 13510.8 and Commission Regulation 1205, occurred?

And I won't hold you to those five minutes. I want to make sure you can say everything you need to say.

So please.

MR. EWERT: Good afternoon, Madam Chair.

My name is Jason Ewert, and I am the representative for Mr. Adams. I will be making a statement, and then Mr. Adams would also like to provide a short statement, and then we are both happy to entertain any questions that the Board may have.

So our position as to the facts of this case do not demonstrate clear and convincing evidence that serious misconduct occurred. Specifically, everything relates back to this video of a video that was captured by the San Diego County Sheriff's Department during an incident where Mr. Adams's significant other called the police in order to handle a verbal argument that they had had at a hotel.

This person, Mr. Adams's significant other -- I

know there's been significant efforts to redact her name from the materials, so I'm just going to refer to her as the "significant other" -- has an established practice of calling the police any time that she has any issues with her significant other.

This was demonstrated through the number of times that she called the police department or law enforcement and did not result in even reports being taken or any charges being filed against Mr. Adams.

Now, on the date in question, in San Diego, I think it is important to note that the Division has acknowledged that there was no act of physical violence that occurred at that point in time, as determined by the San Diego Sheriff's Department.

In fact, they looked at the situation and said that they weren't even going to take a statement from Mr. Adams due to the fact that they didn't have any evidence that there was actually a physical altercation that occurred.

The significant other acknowledged that she had been drinking during this incident in a letter that she later submitted to the District Attorney's Office, which is also admitted as evidence in these proceedings.

So the --

CHAIRPERSON DUDLEY: Excuse me, Counsel. Counsel,

excuse me.

I am already confused about what incident you are talking about. So are you talking about the hotel in Poway? Or are you talking about the time the video was made? So could you clarify what you are responding to?

MR. EWERT: So my initial response is to the call for service that occurred in San Diego at the hotel.

CHAIRPERSON DUDLEY: Okay.

MR. EWERT: And that is where the video was -- was delivered to the San Diego Sheriff's Department via their body-worn camera system.

CHAIRPERSON DUDLEY: Right. But then you made a subsequent comment. And I'm lost.

So -- so I understand you are talking about when they came to Poway, they came to the hotel. Everyone agrees, nothing physical happened. And she was just saying she wanted to be able to go home safely. And that was the end of that incident.

Was there more that you wanted to say about that?

MR. EWERT: It is demonstrative of her practice for calling law enforcement every time they got involved in an argument, and there is no evidence that those arguments became physical.

CHAIRPERSON DUDLEY: Okay. Go ahead.

MR. EWERT: So the two issues at issue for this

board are whether or not Respondent, Mr. Adams, engaged in acts that violate the law or are sufficiently egregious or repeated as to be inconsistent with his obligation to uphold the law or respect the rights of members of the public, as determined by the Commission.

Mr. Adams's position, during this entire proceeding, has been that this was a consensual role-play scenario that was captured by his significant other at the time on video so that it could be used as ammunition against him at the time she deemed it to be proper. This was her established practice to call law enforcement in order to end arguments.

There is no evidence tending to support that there was actually physical violence that occurred between Mr. Adams and his significant other, including in the incident that happened on July 13th of 2023 that was captured on that body-worn camera.

The second issue is related to dishonesty relating to the reporting, investigation, or prosecution of a crime. And essentially, it relates back to whether or not Mr. Adams did, in fact, commit the act of domestic violence that he is alleged to have committed on July 13th of 2023.

He has remained consistent in his statements that he did not engage in an act of domestic violence both

with his statements to the San Bernardino County Sheriff's Department, as well as the California Highway Patrol.

Now, he has currently been dismissed from his employment with the California Highway Patrol. However, I do think it is important for the Commission to note that that dismissal is on appeal through civil writ proceedings in the San Bernardino County Superior Court.

Now, the clear and convincing standard requires a finding of a high probability that the facts which are asserted as being true do more than show that the facts are probably true.

In this case, POST's Division of Investigation is relying exclusively on the San Diego County Sheriff's Department report, which is attached to the report as Attachment C;

The San Bernardino County Sheriff's Department report, which is attached as Attachment D;

The victim letter, which is attached as Attachment F;

The doorbell video footage that has been shown during this proceeding, which is attached as Attachment G;

The State Personnel Board Resolution and Order that is attached as Attachment H.

And the transcripts of Mr. Adams's statements to both the California Highway Patrol as well as the POST Division of Investigation regarding this matter.

Now, it is very important to note that Adams was not interviewed by the San Diego Sheriff's Department and was not given an opportunity to provide his side of the story with respect to that video.

Again, as this has already been discussed, this is because the San Bernardino County deputies confirm that the alleged acts of violence all occurred in San Bernardino County and the matter was referred to the San Bernardino County Sheriff's Department.

Now, the San Bernardino County Sheriff's Department reached out to Mr. Adams and asked for him to give a statement. Because he didn't feel like he had done anything wrong, he went in and gave a statement. Actually, the statement occurred in his driveway at his home, when multiple deputies from the sheriff's department came to his house to obtain a statement. He didn't have a chance to meet with counsel. He didn't have a chance to see what the evidence was that they allegedly had against him. He felt he did nothing wrong. So he decided to show up and give that statement.

Now, the Division of Investigation has alleged that

there is no corroborating evidence to support the respondent's claim of role-playing.

This is in the Investigative Summary and Findings at page 11.

However, if you look at the actual San Bernardino County Sheriff's Department report, that's attached as Attachment D, you will see that the significant other of Mr. Adams stated to the San Bernardino County Sheriff's Department, the video that you are referring to, that's not what happened in that video.

Now, again, there are allegations that Mr. Adams has been inconsistent in the statements that he provided to the sheriff's department, as well as the California Highway Patrol.

However, if you look at the sheriff's department report, it specifically indicates that "Mr. Adams described they sometimes role-play in a rough manner which could be misinterpreted. Adams could not explain how or why the role-playing would have ended outside, as normally that is a thing for the bedroom."

Now, the victim letter, that was attached as Attachment F, specifically includes the statement from respondent's significant other that she had been drinking alcohol and Richard did not want her to drive. He wanted to leave -- or she wanted to leave. So she

called the police, and when they arrived, she was drunk, upset, and angry at Richard. She made the comments that were untrue at most and exaggerated at least.

I think it is also important to note that she has not testified at any point during the administrative proceedings against him or the criminal proceeding.

And I haven't ever talked to her. But my understanding is that she does have professional licenses of her own, and she is concerned with the fact that she provided false information to a law enforcement agency during the course of her interactions with the San Diego Sheriff's Department.

Now, the State Personnel Board -- I'm sorry.

The doorbell video footage, which is attached as Attachment G, was admitted over hearsay objections at the State Personnel Board hearing.

Our position is that this is incompetent hearsay. That is an out-of-court statement being offered to prove the truth of the matter asserted. In other words, that this was an act of domestic violence and not a consensual role-play scenario without authentication from Ms. -- the respondent's significant other.

The State Personnel Board Resolution and Order specifically acknowledges the absent and applicable hearsay exception. The Board cannot base findings

solely on hearsay evidence. And that's the State Personnel Board.

As I previously indicated, this decision is on appeal, and the decision in that case is also based on a preponderance of the evidence standard, not the clear and convincing standard that is subject to POST.

Now, if you look at the respondent's IA interview transcript, which is included as Attachment I, this was also considered by the State Personnel Board.

And if you look at pages 170 to 173, Respondent attempted to explain to the California Highway Patrol how he was caught offguard by the fact that this deputy was someone that was close to the respondent's mother's age, and another sergeant were in his driveway asking him about his very personal sexual preferences in a way that he was not prepared to adequately respond to.

Again, he didn't lawyer up for this. He didn't talk to any counsel. He didn't know what video they were talking about out of the gate.

And when they presented the video to him, it was difficult to see. It didn't have sound. And he was also embarrassed by the fact that he was going to have to explain some of his more exotic sexual preferences to these law enforcement officers.

Again, Mr. Adams was consistent in his statements

to POST during his investigation and interview with them. And he has done everything in his power to try to get his side of the story across the table in these proceedings.

Now, the Division alleges that it finds it implausible to believe the video footage is consensual role-playing after watching the video numerous times. However, again, there is no direct evidence outside of that video tending to go against what Mr. Adams is saying is actually depicted in that video.

The allegations that Mr. Adams was dishonest to California Highway Patrol and the sheriff's department and POST rely on the fact that it had to be a nonconsensual act of domestic violence, which Mr. Adams adamantly contests that this video actually depicts.

It is important to note that when the Division subsequently interviewed the respondent, he continued to maintain that the doorbell video footage was nothing more than consensual role-playing. And in assessing his credibility, the Division find -- found the respondent not to be credible.

That conclusion was based, in part, on the tone of the voice of the respondent, who sounds and appears angry, and the actions of the victim, who seems to be protecting herself and sounds frightened as she

repeatedly tells the respondent to "stop."

Therefore, the Division found the respondent's representations in that video depict an act of domestic violence and not a consensual role-play scenario.

This is all based off of non-direct evidence, and there is no testimony outside of Mr. Adams's testimony tending to indicate that what he is saying is not true.

I understand my limitations during this -- this hearing. And so I will not discuss the additional evidence that we intend to introduce if it becomes necessary. However, it is our hope and sincere intent to avoid any further proceedings on this matter.

Mr. Adams has already been through a significant amount of work related to this incident. And we are continuing to work on that in the writ proceedings. And so it is our hope that we can provide you with the facts and evidence necessary to make a decision not to proceed with decertification of his peace officer certificate at this time.

Thank you.

CHAIRPERSON DUDLEY: Thank you.

Mr. Adams, you wanted to speak.

MR. ADAMS: Good afternoon, ladies and gentleman. Can you hear me okay?

CHAIRPERSON DUDLEY: Yes, we can.

MR. ADAMS: Okay. I just want to say thank you for giving some time to this manner. I appreciate that.

Like Jason has said, I have had the same statement and same -- testified to the same events multiple times now. My story has not changed.

My -- (Zoom malfunction) --

CHAIRPERSON DUDLEY: I'm afraid you have frozen, Mr. Adams.

MR. ADAMS: I have fought this on every level.

Can you hear me now?

MR. EWERT: Richard, I don't -- it seems like it might be on their end.

MR. ADAMS: Uh-oh.

CHAIRPERSON DUDLEY: We have heard everything you've said so far.

The last thing that I recall you saying is that your story has been consistent throughout.

Did you want to add to that?

MR. ADAMS: Yes, ma'am. Can you hear me okay?

CHAIRPERSON DUDLEY: Yes, we can.

MR. ADAMS: Okay. Yes. So my statement has been consistent throughout. My testimony has been consistent throughout. I have fought this on every level possible, which obviously brings us here today.

And, you know, I continue to fight as much as I can

to show the proof of what actually was going on that day.

And that event that has caused me just -- it's destroyed my life. I have had to liquidate retirement funds to afford for lawyers to fight this.

And, you know, I loved being a CHP officer. And this has really destroyed that future. And that's why it means so much to me to be able to -- to speak my mind and speak my side of the story.

Because I understand the video -- you know, it is what it is. It looks out of context. It does not look good.

And -- but when I add context to it, like I have done throughout all the investigations and interviews, I hope that adds to that.

You know, I can't control who calls for help, who calls 911. I can't control that.

And as Jason had said, that was what she would do. And she would call 911 when we would get in a verbal argument. And that's -- that's what was going on there.

So...

CHAIRPERSON DUDLEY: Are you through?

MR. ADAMS: Other than that, that's all I have.

CHAIRPERSON DUDLEY: Okay. What is the context you want us to consider?

MR. ADAMS: Well, the role-playing. The role-playing is the context.

So we -- just not to go down rabbit holes. But her ex-husband was deployed with the Marine Corps for six months prior to this incident. He came back -- I think it was in June -- and then he had the kids. I was taking care of the kids. She was living with me with the kids. And we had had like six months of a very -- I guess a dry spell, if you would call it that.

So he had the kids starting in July. And that's the -- the month of July is when this event happened that she -- she reported. And that is when we started the role-playing: Renter/rentee or lessee scenario.

So about halfway through the month is when she wasn't paying the rent. So we went through that role-playing, which is not comfortable for me to explain to the world right now. I have had to explain it now multiple times. But so we go through that process.

And then she held on to it for a time that she felt as though she wanted to get me back for whatever it was that she felt as though was necessary.

CHAIRPERSON DUDLEY: So is this role-playing something you did more than once?

MR. ADAMS: Yes, ma'am.

CHAIRPERSON DUDLEY: How many times?

MR. ADAMS: Over the course of a five-year relationship, I would say probably two or three times.

CHAIRPERSON DUDLEY: And it was always renter and rentee?

MR. ADAMS: That was one of multiple different scenarios.

CHAIRPERSON DUDLEY: Okay. What were the others?

MR. ADAMS: It was a passionate relationship.

CHAIRPERSON DUDLEY: What were the others?

MR. ADAMS: It would be -- I mean, it is not very comfortable. But, you know, like cleaning the house, French maid outfits, things like that. It was -- we were trying some new things to -- to spice up the relationship.

CHAIRPERSON DUDLEY: So were there French maid outfits that she would actually put on?

MR. ADAMS: Yes.

CHAIRPERSON DUDLEY: And was there rentee outfits she would put on?

MR. ADAMS: It would just be normal, like, clothes.

CHAIRPERSON DUDLEY: Okay. All right. I don't have any questions for now.

I will turn it to the Board and see if they have any questions for either Mr. Adams or his attorney.

Yes, Ms. Clavo.

MEMBER CLAVO: Can you explain to me the incident in which the daughter of the victim called?

MR. ADAMS: Yes, ma'am.

So that incident, I was taking a shower -- so I have a -- the house is like a -- think of it as a rectangle, and then the backyard is another rectangle of concrete with a pool and a pool I put in for the kids to be able to play and have fun at home during COVID. You couldn't go anywhere, so I wanted to give the children an environment to enjoy.

So we were in one part of the house. She had found something on a social media site that somebody had liked of mine. So she came into the -- to the bathroom that basically attaches to that concrete pad where the pool is. The children were outside by the pool.

I think she was 13 and then the boy was 4.

She came in to where I was taking a shower. She's yelling, smashed a glass. And that was all going on inside the house.

We go outside the house. And by that point, her daughter, who had seen her call 911 in the past relationships, was already on the phone with 911.

And we go outside, and we go over by where there's like a grill area. We're over there. We hear her on the phone with somebody and then realize it's -- she

called 911.

So at that point, I just left and distanced myself from the environment.

And being a law enforcement officer, I know some basic domestic violence investigations or disturbances, domestic disturbances investigations, where they are going to separate us. So I just distanced myself, went outside, and awaited the deputies to come and talk to me.

MEMBER CLAVO: Thank you.

CHAIRPERSON DUDLEY: Yes. Captain Lara.

MEMBER LARA: Question. The -- do -- have the role-plays that you have done in the past involved physical violence?

MR. ADAMS: Yes in -- neutrally. So we would agree upon -- I'm trying to think of the word. Yes. We would -- we would -- you know, spanking and the -- the choking and things like that.

MEMBER LARA: What would prompt termination of the role play if things went too far one side or the other?

MR. ADAMS: Disengagement. I think we would leave the scenario. And then normally a text would come after that. Like "hey." Or a phone call once we're separated.

MEMBER LARA: Was there a verbal cue either one of

you would give to prompt "role play over"?

MR. ADAMS: I couldn't hear that. I'm sorry.

MEMBER LARA: Was there something to the effect of a safe word? A "role play over" signal that would be given if things went too far? Say if somebody got shoved to the ground and thought, "Hey, this is probably not for me."

MR. ADAMS: Right. Not every time. I can probably count on a hand that we would kind of jokingly discuss a fruit or pineapple or something. Something random to shut it down. But we were both consenting adults, so we didn't think that that was an issue.

MEMBER LARA: That's all I have. Thank you.

CHAIRPERSON DUDLEY: So you didn't think "Stop, Richard," said multiple times, meant that you, as Richard, should stop?

MR. ADAMS: That was part of the role-playing.

CHAIRPERSON DUDLEY: So part of the role play is she would tell you to stop?

MR. ADAMS: So, again, the video is out of context. It really just shows a small snippet of time. After that, she comes back in the house and we end up sleeping together. But there's only like a five-second time where I'm pushing her out of the house, and then she gets up. And what is not on there is her coming back in

the house.

CHAIRPERSON DUDLEY: So what did you think "Stop, Richard" meant?

MR. ADAMS: I think that was just part of the role-playing in her mind.

CHAIRPERSON DUDLEY: So she didn't want you to stop?

MR. ADAMS: No.

CHAIRPERSON DUDLEY: Okay. Other questions?

Yes. Mr. Johnson.

MEMBER JOHNSON: Okay. Yes. You said, I think, you had taken it all the way through the procedures or "litigational" processes.

So the CHP Internal Affairs sustained dishonesty, correct?

MR. ADAMS: Yes.

MEMBER JOHNSON: The administrative law judge also found dishonesty, correct?

MR. ADAMS: Yes, sir. Yes, sir.

MEMBER JOHNSON: Then the State Personnel Board also adopted the administrative judge's decision on dishonesty, correct?

MR. ADAMS: Yes, sir.

MEMBER JOHNSON: And POST itself also has reached the same conclusion.

Do you have another job -- at least an opportunity for a policing job somewhere else in the state of California?

MR. ADAMS: No, sir.

MEMBER JOHNSON: So you are here purposely to not be reemployed by the policing agency? Or are you here --

MR. ADAMS: No, I'm --

MEMBER JOHNSON: Yeah. I would like to know, are you trying to get back into --

MR. ADAMS: Yes.

MEMBER JOHNSON: -- the policing field?

MR. ADAMS: Yes, sir. I -- that was my life for seven years. I -- the best part of being a CHP officer or an officer in general was helping the community. And the best part of my job was changing a tire for somebody on the side of the road. That's why I joined. That's why I wanted to be the good guy.

I grew up with two older sisters. I have always had to kind of help out where I can with them or look out for them. And that's what -- me growing up, that's what I wanted to do. I joined the Marine Corps and worked for them now 20 years, with no disciplinary issues there. And that, again, was to be a good guy and to be the good guy.

That's -- this allegation and this accusation -- this is something new for me.

MEMBER JOHNSON: I'm -- I mean, you were dishonest, at least we believe -- all the agencies that heard you speak has all agreed that you have been dishonest.

MR. ADAMS: That's what the --

MEMBER JOHNSON: And you are here telling us today that they are all wrong.

MR. ADAMS: Correct.

MEMBER JOHNSON: That's all the questions that I have.

CHAIRPERSON DUDLEY: Thank you.

Anything else? Anything else from any board member?

(No response.)

CHAIRPERSON DUDLEY: Okay. Counsel.

MR. HENLEY: Thank you, Madam Chair. I know this -- there's been a lot of questions already and I will do my best to be brief. But I think there's some level setting we want to do here regarding the position here at the board, the presentation before the Board, as well as the stages that come after.

And Chair Dudley already alluded to this some, so I will try not to spend too much time on it. But I think, again, to level-set where we are and where we go from

here, I would like to redirect from Mr. Ewert's comments back to what happens here.

And under Regulation 1209, what this board is looking at is whether the Commission's or the Division's presentation and the sufficiency of the Division's findings that have been presented to this board, whether those are enough to advance the case on to the Commission and potentially to an administrative Procedure Act hearing before an administrative law judge.

So again, the question is, is the sufficiency of the findings the Division has presented to you, are those sufficient to move the case forward?

So I want to start there, because that's an important threshold question. That's what you will be voting on today, as you all well know.

I want to speak to Mr. Ewert's comments about the hearsay nature of the video evidence.

So as he did allude to a little bit, I want to emphasize, there will be an opportunity before an administrative law judge to litigate this issue. But suffice it to say, for now, the standards of admissibility of evidence in an Administrative Procedure Act case are very different from a criminal law courtroom or even a civil courtroom.

And what that means is under Government Code section 11513, that rules of evidence are relaxed. And so even hearsay evidence, if it is the sort of evidence that is reasonably relied on by professional people, that type of evidence is admissible, especially in the scenario where, as here, we have not just the video evidence, which has been suggested is that all we have is a video. But I want to remind this board, we have many representations by Mr. Adams acknowledging that the video is real.

Now, Mr. Adams says what happens in the video is role-playing. But he told the CHP, he told the San Bernardino sheriffs who investigated the case, and he told Mr. Bechler in a separate interview -- at least three different interviews, he has acknowledged the video is real. It depicts Mr. Adams and the victim. So there is no question about whether this video is real or not.

Suggestions that it is hearsay are simply be out of order and beyond the nature of what we should be considering.

Moreover, those statements by Mr. Adams are what are known as an admission, and there's an exception to the hearsay rule called an admission.

So Mr. Adams's own statements added admitting that

the video occurred and it depicts him, these are admissions. They allow so-called hearsay evidence to be admitted even in a criminal courtroom. So that's important to emphasize.

This video is a very key piece of evidence, but it is, by no means, the only evidence we have here today.

We would submit to this board that there is a mountain of evidence that shows there is high probability that Mr. Adams did abuse his ex-wife, spouse -- excuse me, fiancee, not spouse -- did abuse his ex-fiancee and that he did lie about what the video depicts.

You are encouraged to view the video. You have it. It is publicly available now as part of agenda. It was presented to you before you had this case. I would urge you to view the video a few times if you have any question about what happened in the video, about the nature of the violence towards the victim, about how she was -- how she landed on the ground and whether this was a consensual encounter of role-playing or something else.

I also want to focus briefly on the fact that, unfortunately, in any domestic violence case and, sadly, both in this case and the one we heard prior, there is a common tactic among those who are accused, and that

tactic is to attack the victim. And sadly, we're seeing that again here.

We have heard from -- from Mr. Adams's lawyer that there is this, quote, established past practice of calling the police by the victim. Silently, there's no acknowledgment until the questions were asked by this board, but, obviously, also the victim's daughter, at the age of 13 or 14, herself called 911. There's no mention of that. It is focused on the victim and the victim calling the police.

There are suggestions that the victim is lying and that's the reason that she didn't cooperate with these investigations.

There's suggestions that somehow she would be exposed to liability for lying to police by reporting these encounters.

But I would ask you, as board members, to ask yourselves, if you are worried about being prosecuted, will you -- would you want to write a letter that says, "I was dishonest and these things never occurred"? Because in this case, which is part of the ISF you have, is a letter from the victim saying that these events didn't occur. If you were concerned about criminal prosecution, is it -- is it reasonable to believe you would write a letter like that?

There's something else going on here. And it is the kind of thing that happens many times when you have a victim of domestic violence. And I leave it to you to think about what those things may be.

The last point I want to make -- and then I will stop -- is they are, again, attacking the victim, suggesting that when the incident occurred in Poway, that she had been drinking; and that the reason this incident occurred was Mr. Adams was going to stop her from driving.

But I would ask you to take a look at the ISF and the exhibits to the ISF, because two peace officer from San Diego, who were physically, as you saw in the video, within less than a feet -- a foot or two from her face, both testified before the State Personnel Board, on witness sworn testimony, that no, in fact, they never detected any indicia of alcohol on the victim.

Again, we need to move away from the victim and attacking the victim here, and we need to look at Mr. Adams of his conduct.

I would urge you to look at the video. I would urge you to consider whether that video does depict, as the Division concludes, depicts domestic violence towards the victim. And I would urge you to consider whether it is plausible or whether it is dishonest of

Mr. Adams to suggest that was a role-playing encounter of a landlord-tenant sexual encounter.

With that, we believe there is a high probability that Mr. Adams engaged in spousal abuse and that he was dishonest about it.

We would urge you to take this case to the Commission so that it can proceed to an administrative law judge, and we can have our hearing, and Mr. Ewert can make any arguments he wishes about hearsay evidence.

And with that, I am happy to answer any questions.

CHAIRPERSON DUDLEY: I just want to add that these law enforcement officers, after being with her, and having conversation with her, smelling her breath, listening to her, watching her, let her get into a car and drive away.

And that would be, in my mind, rather compelling evidence that she wasn't under the influence of alcohol.

And Mr. Adams saying that she was is his perception or his statement.

Yes, Ms. Crawford.

MEMBER HATCHER-CRAWFORD: A clarification. He or the attorney can answer.

In the report I read, Mr. Adams and his fiancee are still together, correct?

MR. BECHLER: When I had last spoken to the

respondent, Mr. Adams, he had told me that he lives now on the East Coast, but they are still a long-term relationship. And so I don't know as of today what their relationship is like.

MR. ADAMS: Correct.

MEMBER HATCHER-CRAWFORD: Okay.

MR. ADAMS: Yes.

MEMBER HATCHER-CRAWFORD: And she wrote a rebuttal letter, but due to her -- her licensing, she did not want to participate in this proceeding. Am I correct?

MR. EWERT: State of mind. Speculation.

MR. BECHLER: Yeah. I don't know the intent behind why she wrote the letter. She just wrote the letter, and we're in possession of that.

MEMBER HATCHER-CRAWFORD: So I'm -- now I'm asking the attorney. Why if -- if she wrote this rebuttal letter that was submitted as evidence, why didn't she want to participate in this type of hearing? I mean, she is his fiancee. So...

MR. EWERT: The -- you would have to ask her. Ultimately, she's lawyered up several times throughout this process and has elected not to participate.

MEMBER HATCHER-CRAWFORD: Thank you.

MR. HENLEY: Madam Chair, if I could address that question to Board Member Crawford.

We can only speculate as to why she hasn't participated, of course. But as -- as we know, in many domestic violence cases, it is common for a victim, who has reported domestic violence, not to participate in the prosecution process.

That is exactly what happened in the criminal proceedings. There were a number of instances where the criminal case was continued because the witnesses, meaning the victim and other witnesses, were not available. The Court had to continue the case numerous times.

Eventually, as is reflected in Mr. Bechler's interview of Mr. Adams, Mr. Adams told his lawyer, I don't want to waive -- they call it waiving time. You have a right to a speedy trial. You can waive that right. You can waive time.

And Mr. Adams advised his lawyer, as he told Mr. Bechler, "I don't want to waive time anymore. Let's get this case moving." So they brought the case forward. The case went to a criminal trial, and, again, the victim did not participate.

That's a common thing that happens in domestic violence situations.

And the last comment I will make about this is I think it is interesting not only what the letter says,

but what it doesn't say. As Mr. Bechler noted, there is not one mention, one indicia within the entire letter, of any sexual role-playing that occurred.

So I just ask you to consider that.

MEMBER HATCHER-CRAWFORD: Thank you.

CHAIRPERSON DUDLEY: Thank you, Counsel.

MEMBER JOHNSON: I guess I have one more question.

So this before us is about dishonesty. Of course, you know, what happened behind the role-playing and whether you were honest about is being role-playing consensual.

But, you know, I'm just having trouble getting past the fact that the Internal Affairs saw it as dishonesty. You know, the administrative law judge saw it as dishonesty. Of course, the Division itself has saw dishonesty. And the State Board has saw it all as dishonesty.

And now you are telling us something different, that you are not being dishonest. She's being dishonest?

MR. ADAMS: Sir, I'm just stating that I have been consistent in my explanation of what is on that video.

CHAIRPERSON DUDLEY: Any other questions from the Board?

(No response.)

CHAIRPERSON DUDLEY: Okay. At this time -- let's see. Is there anyone from the public who would like to address the Board? Anybody in the audience?

(No response.)

CHAIRPERSON DUDLEY: Anybody remotely?

(No response.)

CHAIRPERSON DUDLEY: Okay. Thank you, gentlemen.

MR. ADAMS: Thank you.

MR. EWERT: Thank you.

At this time, does anyone want to go into closed session? Looking at all of you. Just raise your hand if you want to go into closed session.

(No response.)

CHAIRPERSON DUDLEY: Okay. Seeing nothing, no hands are raised.

Is there discussion or is there a motion? How would you like to proceed?

MEMBER JOHNSON: Johnson. Decertification.

CHAIRPERSON DUDLEY: Okay. Is there a second?

MEMBER HATCHER-CRAWFORD: I second it.

CHAIRPERSON DUDLEY: Okay. And is there any more discussion? Questions? Abstentions?

(No response.)

CHAIRPERSON DUDLEY: Okay. Please take the roll.

MR. KNAPP: Thank you, Chair.

Clavo.
MEMBER CLAVO: Aye.
MR. KNAPP: Clavo, aye.
Crawford.
MEMBER HATCHER-CRAWFORD: Aye.
MR. KNAPP: Crawford, aye.
Dudley.
CHAIRPERSON DUDLEY: Aye.
MR. KNAPP: Dudley, aye.
Johnson.
MEMBER JOHNSON: Aye.
MR. KNAPP: Johnson, aye.
Lara.
MEMBER LARA: Aye.
MR. KNAPP: Lara, aye.
And Pena.
MEMBER PENA: Aye.
MR. KNAPP: Pena, aye.
That's six in favor.
CHAIRPERSON DUDLEY: Okay. And motion passes.
At this time, that was the last item on the agenda.
Do any of the members of the Board have any additional comments before we adjourn?
(No response.)
CHAIRPERSON DUDLEY: I am looking at one exhausted

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, 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 12th day of February 2026.

Kathryn S. Swank, CSR
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