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

NOTICE OF DETERMINATION

CASE NO.: POST2506317/POST2311176

OFFICER: Kendrick Pilegaard

POST ID: C01-F11

EMPLOYING AGENCY: Novato Police Department

ALLEGED MISCONDUCT: PC 13510.8 (b)(6)/11 CCR 1205 (a)(6) – Acts that Violate the Law

POST INVESTIGATOR: LEC Brad Hofflander

NOD DATE OF ISSUANCE: November 20, 2025

EXECUTIVE SUMMARY:

On January 21, 2021, at approximately 3:45 p.m., Novato Police Department Officer Kendrick Pilegaard (hereinafter referred to as "Respondent") was involved in a traffic collision on Dry Creek Road in unincorporated Sonoma County. The California Highway Patrol (CHP) responded to the scene and determined the Respondent was intoxicated at the time of the collision and arrested him for California Vehicle Code section 23152 (a) (Driving Under the Influence ("DUI") of Alcohol). A blood test performed on the date of the incident established that Respondent's Blood Alcohol Content (BAC) was 0.234%.

On November 22, 2021, the Respondent was granted diversion through the Sonoma County Superior Court requiring 20 hours of volunteer work, signing of the Watson advisement (advising the criminal defendant that driving under the influence of alcohol is extremely dangerous to human life and if they continue to drive while under the influence of alcohol, and, as a result of that driving, someone is killed, they can be charged with murder), a nine-month Drunk Driving program, an attitudinal driving course, use of an Interlock Ignition Device for 6 months (excluding work vehicles), and completion of 30 self-help classes such as Alcoholics Anonymous/ Narcotics Anonymous by February 15, 2022. It was stated that should the Respondent complete the terms of the diversion agreement, all charges from the January 21, 2021, arrest would be vacated.

However, on April 27, 2022, the court terminated diversion after it was determined by the court that Respondent was not complying with the diversion terms. On August 16, 2023, Respondent pled "no contest" to the misdemeanor violation of California Vehicle Code section 23152(b) (Driving with a Blood Alcohol Content (BAC) greater than 0.08%) with an enhancement for having a BAC greater than 0.20%. Respondent was convicted and sentenced to serve 10 days in county jail and serve 36 months of probation.

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On March 3, 2022, the Novato Police Department (NPD) sustained findings of misconduct against Respondent based on the January 21, 2021, DUI arrest, and recommended a penalty of dismissal. However, on June 17, 2022, the Respondent and NPD entered into a stipulated agreement stating the following:

> "(1) Your termination will be held in abeyance for a period of two years from the date of this Notice provided that you commit no further alcohol-related misconduct (finally sustained) either on or off duty;
> (2) You will serve a forty-hour suspension without pay at a time or times to be determined by the Department.
> (3) You agree to all of the sustained policy violations in the investigation report which will not be contested by you;
> (4) You will successfully complete all terms and conditions of your court ordered diversionary program, such as counseling sessions, AA meetings, and the like;
> (5) If after two years you have no further sustained acts of misconduct related to alcohol, this case will be finalized/over and your termination will be discharged/rendered nugatory; however, if you do have further sustained acts of misconduct involving alcohol either on or off duty within this two-year period, you shall be automatically and finally terminated without any further appeal or proceedings which you hereby waive; and
> (6) You agree to be subject to PAS testing at work any time at the Department's complete discretion during the two-year period."

Respondent entered into this agreement despite the fact that he was already in violation of term (4), above, based on the Sonoma County court's termination of Respondent's diversion on April 27, 2022.

On May 2l, 2023, at approximately 2:54 a.m., CHP conducted a traffic stop on Respondent after observing him driving in an unsafe manner on US 101 and Interstate 580, in Marin County. Upon contacting Respondent, officers observed objective symptoms of intoxication and conducted a DUI investigation. Based upon the objective symptoms of intoxication and Respondent's failure to perform the Field Sobriety Tests (FSTs) in a satisfactory manner, Respondent was arrested for violating California Vehicle Code Sections 23152 (a) and (b). Respondent provided two breath samples, three minutes apart, at 3:17 a.m. and 3:20 a.m., with the results returning a reading of 0.27% and 0.26% BAC. According to the CHP vehicle report, there was a half empty bottle of vodka and a firearm in Respondent's car at the time of the stop. Respondent was driving from Santa Rosa to Arizona when he was stopped by CHP.

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As will be discussed below, the alleged misconduct as described above violated Penal Code Section 13510.8 (b)(6) and Title 11, California Code of Regulations Section 1205 (a)(6) – Acts that Violate the Law.

ANALYSIS/FINDINGS:

1. **The alleged misconduct violated Penal Code Section 13510.8 (b)(6) and Title 11, California Code of Regulations Section 1205 (a)(6) – Acts that Violate the Law**
   Penal Code Section 13510.8(b)(6) and Commission Regulation 1205 (a)(6) define as serious misconduct: "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."

DUI #1

Based on statements made by Respondent to investigators, on January 21, 2021, at approximately 10:30 a.m., Respondent was at his residence in Santa Rosa, California when he was told by his long-time girlfriend that she was leaving him. Shortly thereafter, Respondent began consuming alcoholic beverages, specifically a "stiff" Diet Coke and vodka, in an approximately 20-ounce Yeti tumbler. At some point in the afternoon, Respondent decided to drive alone in his red GMC pickup truck to Lake Sonoma, an approximately 30-to-40-minute drive from his residence. Upon arrival, Respondent spent approximately one hour at Lake Sonoma where he consumed a second Diet Coke and vodka in the 20-ounce Yeti tumbler. Once he left Lake Sonoma, Respondent began driving home eastbound on Dry Creek Road. Dry Creek Road is a two-lane road with one lane of travel in either direction. A citizen was driving ahead of Respondent and noticed him approaching at a high rate of speed. The citizen tried to move his vehicle to the south shoulder to allow Respondent to pass by. Respondent, due to his intoxication, failed to slow his vehicle and collided into the rear of the citizen's vehicle, causing it to leave the roadway and overturn onto its roof.

Upon arrival, the CHP officer conducting the investigation noted in his report that Respondent's speech was slow, he was uneasy on his feet, and "stumbled slightly when I asked him to stand by my patrol vehicle." Respondent denied having consumed any alcoholic beverages and refused to perform any FSTs. The CHP officer determined Respondent was under the influence of alcohol and he was subsequently arrested. Respondent submitted to a blood sample at 6:20 p.m., approximately two and a half hours after the collision, which indicated Respondent's BAC was

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.234%. Respondent later acknowledged in his administrative interview that "in hindsight" he was too impaired to drive on January 21st, 2021.

As stated above, Respondent was granted diversion on November 22, 2021. On March 16, 2022, the court was notified Respondent failed to comply with the diversion terms and diversion was revoked on April 27, 2022. Respondent and Sonoma County Superior Court did not notify NPD of this violation, thus allowing him to continue working as an officer with NPD. On August 16, 2023, Respondent pled no contest to a misdemeanor violation of California Vehicle Code Section 23152 (a) with the enhancement of having a BAC of .20% or higher. Respondent was sentenced to 10 days in jail and 36 months' probation. However, probation was summarily revoked on October 24, 2023, after Respondent failed to appear to serve his 10-day jail sentence. Respondent was re-sentenced, and probation was reinstated on September 9, 2024.

DUI #2

On May 21, 2023, at approximately 2:54 a.m., CHP officers observed a red GMC pickup truck driving erratically on southbound US 101 in San Rafael, California. Specifically, the pickup truck was weaving in and out of the traffic lanes, following other vehicles too closely, and traveling at a speed of approximately 82 miles per hour. After the pickup truck merged onto eastbound Interstate 580, the officers activated the emergency lights of the patrol vehicle to affect a traffic stop and had the vehicle pull into a parking lot at the San Quentin exit.

CHP Officer Briggs contacted the driver of the vehicle and advised him of the reason for the traffic stop. The driver (determined to be Respondent) presented Officer Briggs with an NPD identification card and advised Officer Briggs that he was an off-duty NPD officer. Respondent also presented Officer Briggs with an expired California Driver's License. Officer Briggs observed Respondent displaying objective symptoms of intoxication consisting of red and watery eyes, slow and slurred speech, and the odor of alcoholic beverages emitting from within the vehicle. Officer Briggs had Respondent exit the vehicle to perform a series of FSTs. While doing so, the Officer observed Respondent to have an "unsteady gait as he walked with leaning, short steps." During the pre-FST interview questions, Respondent admitted to consuming wine and vodka-coke cocktails earlier in the evening. As he spoke, the Officer smelled a strong odor of an alcoholic beverage emitting from his breath and/or person. Respondent went on to tell the Officer that he had left his residence in Santa Rosa, California and was traveling to Arizona to visit family. Officer Briggs had Respondent perform a series of FSTs which he failed to perform as explained and demonstrated.

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Officer Briggs arrested Respondent for DUI and advised him of the implied consent law within California Vehicle Code section 23612, to which Respondent chose to take a breath test. Respondent provided two breath samples at 3:17 a.m. and 3:20 a.m. with results of 0.27% BAC and 0.26% BAC, respectively. During a subsequent inventory of the items in Respondent's vehicle, a half-empty bottle of vodka and a firearm were found in the vehicle. On June 6, 2024, Respondent pled Guilty to the misdemeanor violation of California Vehicle Code sections 23152 b), DUI with a BAC greater than 0.08% and the enhancement of having a BAC of .15% or higher. Respondent was sentenced to 50 days in county jail, completion of a DUI program, and 3 years of probation.

Respondent was not only repeatedly arrested for driving under the influence while extremely intoxicated, but these acts are also egregious in nature because Respondent proved himself to be a danger to the public in both incidents. During the first DUI, Respondent collided with a car being driven by a civilian. At the time of impact, the civilian driver was attempting to avoid an accident due to Respondent speeding towards him. The civilian tried to pull off the roadway and allow Respondent to pass him, but that defensive maneuver was to no avail. The vehicle collision caused the civilian's car to leave the roadway, rollover, and land on its roof.

At the time of the second DUI, Respondent was in the midst of a trip in excess of 650 miles from Santa Rosa to Arizona. Not only was Respondent speeding, driving erratically, and tailgating other cars on the freeway at 82 miles per hour while highly inebriated, Respondent also had a half-empty bottle of vodka and a firearm with him in his vehicle. At the time of this second DUI incident, Respondent had already failed the terms of diversion from the first DUI arrest and that criminal proceeding was still pending.

Additionally, Respondent had signed the Watson advisement in the first DUI. Therefore, he was fully aware at the time of the second incident that driving under the influence of alcohol is extremely dangerous to human life and if he continued to drive while under the influence of alcohol, and, as a result of that driving, someone is killed, he could be charged with murder. Despite this, Respondent chose to embark on a journey in excess of 650 miles with a BAC of .27%.

FINDINGS

The Peace Officer Standards Accountability Division determined that reasonable grounds exist to seek suspension or revocation of the Respondent's POST certification in this case.