Commission on Peace Officer Standards and Training
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On May 1, 2023, Jason Colbert was interviewed in a conference room located at the California Department of Consumer Affairs, Bureau of Automotive Repair, 3331 North Sillect Avenue, Bakersfield, California by Kevin Sherburne and Darryl Elliott, Law Enforcement Consultants at the California Commission on Peace Officer Standards and Training ("POST"). Communications by the parties during the interview were electronically recorded. The recording will serve as the true and accurate record of the statements made by Colbert. After being advised of the identity of the interviewers and the purpose of the interview, that being to obtain information related to allegations of serious misconduct, Colbert provided the following information:

Colbert is a lieutenant with the Kern County Sheriff's Office ("KCSO"). The organizational structure of KCSO is that lieutenants supervise sections. Colbert's section is Human Resources ("HR"), which covers backgrounds and Internal Affairs ("IA"). Sergeant Charles Shinn works backgrounds. Sergeant Tanner works IA. Danny Perez was the sergeant in IA during Hubbard's IA investigation. Perez reported to Colbert directly and before that to John Carpenter. In April 2021, Perez was the lead IA investigator on the S1 case. Sergeant Justin Weidenkopf was the lead criminal investigator assigned to Professional Standards Unit ("PSU"). Weidenkopf worked with Ray Siebert and James Money or Bess Rutter as investigators. PSU was built differently. PSU has a section lieutenant and also a commander who reported directly to the undersheriff, not a chief deputy. PSU only handles investigations of cops or staff at KCSO.

Shown a document that contained a table of David Hubbard's and V1 assignments, Colbert stated that HR created the document at his request. Colbert made notes in the document.

Hubbard was the right fit for PSU, although he spent a short time in IA. Colbert did not know the reason for the transfer from IA to PSU and believed there was a need in PSU. Hubbard wanted to stay in the detective section but command wanted him to branch out a little bit. IA is considered a stepping stone to bigger things. Two months might be a little amount of time to spend in IA. Lieutenants and above get moved around on a whim. If there's a need and someone available who could fill a need, they get moved. Colbert did not know if the move to PSU was a result of Hubbard's insertion into the PSU investigation of S1

Hubbard and Weidenkopf worked together as detectives. Hubbard and Weidenkopf always got along. Colbert never heard of them having issues with each other. Colbert did not hear Hubbard speak ill of Weidenkopf. Hubbard had a nice way of saying things like "this guy might need help or this guy is not good," but Colbert did not hear Hubbard say that about Weidenkopf.

Hubbard loved Perez. Perez was Hubbard's Number One guy. Perez deserved praise, he's a good investigator.

Colbert never saw Hubbard around Erik Levig. Colbert had an issue with a decision Levig made. Colbert was telling Hubbard about it. Hubbard's response was "just so you know, Levig is my friend." Hubbard gave advice to Colbert how to approach Levig. After Hubbard left KCSO,

Levig was upset because Hubbard did not reach out and say goodbye. Hubbard left Levig high and dry when he left KCSO and they no longer have a relationship. Levig is moral, but not judgmental. It might be that Levig is disappointed in Hubbard. Colbert did not know if Hubbard and Levig hung out after work, but they had a great working relationship. Levig started about a year before Colbert. Hubbard started about six months after Colbert. Levig did not show favoritism.

Colbert avoided Damian Nord like the plague because he did not think Nord liked him. Colbert did not know who Nord's friends were.

Colbert did not know who Hubbard complained to other than Nord about the PSU investigation of S1 At one point, IA's lieutenant reported directly to the chief deputy and there was no commander of IA. Hubbard might have complained to James Morrison because Nord and Morrison were friends. The undersheriff might have known about the complaints, too.

Hubbard stuck up for people. Hubbard had the attitude of "let's do what is good for the department or people" but he made decisions where he could have gone after people and chose not to. Instead, Hubbard had the approach of "let's talk to" this person and find out what's going on. If Hubbard thought the investigation based on V1 allegations was not going the right way, he would have spoken up. Colbert did not recall any other instances where Hubbard stood up and inserted himself in other investigations.

Colbert did not know why the District Attorney's Office declined to prosecute S1 In the past, the office said to handle matters administratively unless the conduct was super egregious. S1 case did not rise to the level of beyond a reasonable doubt but was at the preponderance of the evidence level.

KCSO did not have a conflict-of-interest policy. Colbert did not know about any conflict-of-interest policy at the county level. Shown a copy of the Kern County conflict of interest ordinance, he stated the document looked like a county ordinance, not a civil service rule. During annual performance reviews, employees signed certain policies.

Colbert did not know V1 highest level of education.

If Hubbard had something going on, he would wear a uniform, such as bomb squad gear. In PS, suit and tie were the norm. The office atmosphere was somewhat casual.

Hubbard was not a very "by the rank" kind of guy. He was very much open with communication. Horseplay was photoshopping pictures, not physically touching each other.

Colbert did not know who might still be in touch with or protect Hubbard. Levig might have done that at one point, but not now. Levig generally sees things in black and white.

When the Kern County District Attorney's Office was doing Hubbard's pre-employment background investigation, a background investigator asked "why are we hiring Hubbard?" Colbert called Hubbard about the waiver form for the DA and Hubbard said he wanted the DA's Office to

see his IA file. Jared Kadel first came and asked their opinion. Colbert said that Hubbard would not be doing that again. Kadel asked if Hubbard was subject to SB2 and Colbert said no, because she was not a member of the public. Veronica Alvarez also came by KCSO. She served as the background investigator. Alvarez said she did not know why her office was doing this for Hubbard and did not explain more about what she meant.

Hubbard is extremely close to the District Attorney. They worked together on homicides and she tries to recruit people as investigators.

Colbert did not know if Nord would protect Hubbard.

Colbert did not know who would still be in touch with Hubbard.

Colbert thought Hubbard shared his passcode to his work phone with his wife because she suspected him of infidelity. Colbert was shocked when he heard about Hubbard's affair because he's a big family man and very religious. After Hubbard's transfer to court services section, there were a lot of rumors about Hubbard. The culture at KCSO is that you get sent to this position and then the email comes out and the internal site. In Hubbard's case, Hubbard moved and the internal site stated the transfer occurred on a past date, which was unusual. Women at KCSO were shocked by his infidelity.