STATE OF CALIFORNIA

COMMISSION ON

PEACE OFFICER STANDARDS AND TRAINING

PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

(POSAAB) MEETING

THURSDAY, JANUARY 16, 2025

9:01 A.M.

MEETING HELD

AT THE OFFICES OF

COMMISSION ON POST

860 STILLWATER ROAD, SUITE 100

WEST SACRAMENTO, CALIFORNIA

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Stenographically Reported By:
Kathryn S. Swank
California Certified Shorthand Reporter #13061
Registered Professional Reporter

A P P E A R A N C E S

POSAAB MEMBERS PRESENT

JOYCE E. DUDLEY
(Board Chairperson)
Governor Appointee
Attorney

NICOLE CLAVO, Psy.D.
Governor Appointee
Public Member

REGINA HATCHER-CRAWFORD
Governor Appointee
Public Member

ROBERT DOYLE
Governor Appointee
Former Command Rank Peace Officer

JACK GLASER
Governor Appointee
Public Member

CEPHUS JOHNSON
Governor Appointee
Public Member

CHARLES LARA
Governor Appointee
Management Rank Peace Officer

MARGARET PENA
Speaker of Assembly Appointee
Public Member

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

POST COMMISSION STAFF

ROBERT BRINGOLF
Law Enforcement Consultant
Professional Conduct Los Angeles County Bureau

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

BRAD EHRMAN
Law Enforcement Consultant
Professional Conduct Los Angeles County Bureau

CHRISTINE FORD
Bureau Chief
Professional Conduct Southern Bureau

BRYANT HENLEY
Attorney IV
Legal Affairs Bureau

CHANDLER KNAPP
Staff Services Manager
Executive Office

LORALYNNE KONG
Law Enforcement Consultant
Professional Conduct Los Angeles County Bureau

SARAH WALLACE
Bureau Chief
Intake & Disposition Bureau

CARRIE WOOLLEY
Attorney IV
Legal Affairs Bureau

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

PEACE OFFICER STANDARDS ACCOUNTABILITY
ADVISORY BOARD LEGAL COUNSEL

CHRISTOPHER BEATTY
Deputy Attorney General
Department of Justice
Office of the Attorney General

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ALSO PRESENT

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

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

BEATRICE JOHNSON
Public Comment

BRAULIO ROBLEDO
POST ID A83-R39
(Via videoconference)

DANNY SANCHEZ
Public Comment
(Via videoconference)

TOMMY THOMPSON
POST ID B81-T83
(Via videoconference)

LESLIE WILCOX
Counsel for
Gabriel Gaxiola
POST ID B9-S96

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

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

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

West Sacramento, California

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CHAIRPERSON DUDLEY: Thank you all for being on time.

Good morning, everyone. Today is Thursday, January 16th. And the time is 9:00 a.m. Thank you all for attending the Peace Officer Standards Accountability Advisory Board hearing.

Please note that this hearing is being live-streamed, recorded, and transcribed. Further, please note that the microphones are auto on/off. When you begin speaking, they will go live. With this in mind, you will need to watch your cross-talk.

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

Mr. Knapp, please take roll call.

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

Board Member Buchen.

(No response.)

MR. KNAPP: Board Member Clavo.

MEMBER CLAVO: Present.

MR. KNAPP: Board Member Crawford.

MEMBER HATCHER-CRAWFORD: Present.

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

right.

Now we're going to go on to Braulio Robledo. Thank you.

In the matter of Case POST2309558, Braulio Robledo, who, at the time of the events at issue in the case, was employed with the Los Angeles County Sheriff's Department.

Let's hear from -- sorry, everybody. We'll move this along.

Okay.

MR. BRINGOLF: It's just me again, ma'am. Law Enforcement Consultant Robert Bringolf.

CHAIRPERSON DUDLEY: Okay. Nice to see you again.

MR. BRINGOLF: Thank you, ma'am.

CHAIRPERSON DUDLEY: It's been a while.

MR. BRINGOLF: I'm here to provide a familiar face.

CHAIRPERSON DUDLEY: And, Counsel, would you restate --

MR. BRINGOLF: Counsel is Carrie Woolley.

CHAIRPERSON DUDLEY: Okay.

MR. BRINGOLF: Again, I'm one of the consultants assigned to the bureau that takes care of Los Angeles County for professional conduct.

You have all met Carrie Woolley.

I'm here today to present Case 23-9958 [sic],

involving former Los Angeles County Deputy Braulio Robledo.

Of note, and as a point for your consideration, this case was originally assigned to Law Enforcement Consultant Mark Evenson for investigation. About a month ago, Mr. Evenson left POST to enjoy his retirement and time with his growing number of grandchildren. And as such, this case was assigned to me for presentation.

So I'm going to try my best to answer questions related to the record provided by Mr. Evenson, but I may call on Ms. Woolley, as she had been prepping this case with Mr. Evenson prior to his departure from POST.

So that said, it's the Division's determination that clear and convincing evidence exists to demonstrate that Deputy Braulio Robledo committed an act of serious misconduct, as set forth in Penal Code section 13510.8, when he lied to his supervisors and IA investigators about his actions related to a citizen's complaint of theft.

Specifically, the Division has determined that Deputy Robledo committed the following acts of serious misconduct:

Dishonesty relating to the reporting, investigation, or prosecution of a crime; or relating to the reporting of or investigation of misconduct by a

peace officer or a custodial officer, including but not limited to false statements, intentionally filing false reports, tampering with, falsifying, destroying, or concealing evidence, perjury, and tampering with data recorded by a body-worn camera or other recording device for purposes of concealing misconduct.

Just to be really clear, that's the entire statute. We're not saying he did all those things.

So that's Penal Code section 13510.8(b)(1).

I will present a brief outline as follows:

Deputy Robledo was hired by the Los Angeles County Sheriff's Department on March 11th, 2005. He was terminated from the Los Angeles County Sheriff's Department on August 2nd, 2024.

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.

As such, there's a couple prior instances that we considered:

The respondent has a prior sustained finding for dishonesty. On April 11th, 2023, the Los Angeles County

Sheriff's Department found that the respondent violated department policy and procedures.

Number 1, sections 3-01030.10.

I might just say that he violated some procedures. And if you want the specific ones, I will just spare you me reciting numbers.

Obedience to laws, regulations, and orders for misusing department resources to query a subject's name on the MDC, or the Mobile Data Computer, for unauthorized and nonofficial business purposes.

He violated some other sections for performance to standards by admitting to spending approximately 40 minutes "socialiding" -- socializing with three females while on duty in a secluded, dark parking lot, and having a conversation, which was personal in nature, with one of the females; and admitting to using the MDC to conduct a wanted person's check on her ex-husband to verify if there was a restraining order.

And, three, some other sections for dishonesty and false statements and dishonesty or failure to make statements and/or making false statements during department -- departmental internal investigations.

During his administrative interview with the IA Bureau, Respondent contradicted his unit history report by stating he did not run the name of one of his female

companions on his MDC on the night in question.

The preponderance of evidence supported that the respondent did run the female's name on his MDC and lied about it during his IA interview.

He received a 30-day suspension by his agency for that event.

The agency reported that case to POST in April of 2023 as a possible violation of the dishonesty regulation.

And on November 9th, we closed that case with a "no further action" because the conduct didn't meet the clear and convincing standard for serious misconduct for our Division and as defined in section 13510.8.

October 9th of '21, the Los Angeles Sheriff's Department Undersheriff conducted an audit of misconduct investigations and found that the respondent had two separate investigations -- one in 2018 and one in 2019 -- where fellow LASD deputies alleged he was a member of a law enforcement gang called the Banditos. Each incident involved a different deputy making the allegation.

Based on that information, the undersheriff directed the agency to conduct an administrative investigation into the allegations.

That investigation failed to substantiate the

allegations and was closed by the agency on July 19th, 2024, as unresolved.

We have discussed what "unresolved" can mean.

Respondent received no discipline.

The agency reported this case to POST on May 25th, 2023. So the -- it was -- the investigation was completed later, but it was reported to us on May 25th, 2023, as a possible violation of POST regulation 1205(a)(7), which is the participation in a law enforcement gang. That case is POST2309109.

On October 8th, 2024, POST closed that case with a status of "no further action," or NFA, because there was no evidence presented by the agency or in the investigations to prove that the respondent was a member of the law enforcement gang.

So I will move on to the present allegation of serious misconduct.

A citizen called the Los Angeles County Sheriff's Department, East Los Angeles Station, and stated he was stopped by an unknown officer in the early morning of January 2nd, 2020, immediately after leaving the Commerce Casino.

During the stop, the citizen alleged that officer searched his vehicle and stole five poker chips worth $100 each.

When asked directly by his supervisors, a sergeant and a lieutenant, if he had made the traffic stop in front of the Commerce Casino, Respondent adamantly stated he did not.

The Los Angeles County Sheriff's Department submitted this case to POST, in which they alleged Deputy Robledo was involved in serious misconduct when he lied to his supervisors and lied during an Internal Affairs investigation regarding the previously mentioned citizen's complaint; and that Respondent conducted a traffic stop in front of the Commerce Casino and, during a search of the vehicle, stole $500 in poker chips.

So after reviewing this investigation, the Division has determined the Respondent committed serious misconduct as defined in Penal Code section 13510.8(b)(1) and California Regulation 1205(a)(1). That's the dishonesty section that I previously told you about.

The respondent committed serious misconduct when he lied to his supervisors; when he denied any knowledge of a traffic stop that he clearly conducted just a few hours earlier; and he lied during his IA inter-interviews when he claimed his supervisors never asked him about the specific traffic stop near the Commerce Casino.

Deputy Robledo claimed he received information that supervisors were inquiring about a stop that occurred in Montebello, and Deputy Robledo claimed he deleted the MDC messages sent by the watch sergeant without reading him; and he claimed he never responded to the sergeant's MDC messages inquiring who made the stop.

Deputy Robledo claimed he had no knowledge of why the watch sergeant was trying to get ahold of him; and he denied he called into the East LA sheriff's station and spoke to Deputy Strelow about the traffic stop in front of the Commerce Casino.

The evidence overwhelmingly supports that the respondent did stop the complainant at Telegraph Road and Washington Boulevard and lied to his supervisors about the traffic stop.

The evidence also overwhelmingly supports that Respondent lied to the IA investigators during his IA interview.

While investigating a citizen's complaint alleging that the officer stole $500 worth of poker chips, supervisors asked the respondent if he had stopped the complainant around the Commerce Casino. He adamantly denied he was the one who stopped the vehicle.

This conversation took place approximately three hours after the time of the traffic stop.

There is indisputable evidence that the respondent was the one who conducted the traffic stop.

This evidence includes a unit history report showing that the respondent ran the complainant's license plate; a GPS tracking report showing the respondent stopped his vehicle at the exact time and location alleged by the complainant; and video surveillance footage confirming that it was the respondent's patrol car making the traffic stop.

The respondent later admitted to making the traffic stop during his IA interviews. Respondent claimed to supervisors that he never specifically -- that his supervisors never specifically asked him about the stop in front of the Commerce Casino, and assumed they were asking him about a stop that occurred in Montebello.

These statements are refuted by clear and convincing evidence.

Another allegation is the respondent lied to IA investigators when he stated he did not know his supervisors were asking about a traffic stop that occurred in front of the Commerce Casino.

During his IA interviews, Respondent tried to claim that he had no idea that his supervisors were asking about the traffic stop in front of the Commerce Casino.

The evidence supports that this is a false

statement.

Both the watch commander and the watch sergeant made it abundantly clear that they were inquiring about the specific stop that occurred in front of the Commerce Casino. And there was no question that the respondent understood which stop they were referring to.

There is no reason why the watch commander and watch sergeant would lie in their statements. And their statements are more credible than the respondent's in this case.

The respondent received two MDC messages from the watch sergeant inquiring about a traffic stop in front of the Commerce Casino around Washington Boulevard and Telegraph Road.

The first MDC message was sent to three deputies that were working in the City of Commerce, to include the respondent. It stated, "Did any of you stop" -- and then we redacted the complainant's name -- "at Washington/Telegraph earlier at" -- and then an ellipses and end quotes.

Two other deputies replied immediately, but the respondent did not respond.

The second MDC message was sent directly to the respondent and said, "Did you pull over" the complainant "at Washington/Telegraph a few hours ago?"

Again, he didn't respond to the question.

But approximately twelve minutes after receiving the second MDC message, the respondent sent the watch sergeant an MDC message that says "CALLED YOU SARGE."

This provides clear and convincing evidence that Respondent did -- did receive and read the sergeant's MDC messages and was fully aware of what traffic stop his supervisors were inquiring about.

Respondent's refusal to ask the sergeant's -- to answer the sergeant's MDC messages supports the conclusion that Respondent was being deceitful and trying to hide the fact that he was the one who stopped the complainant in front of the Commerce Casino.

The respondent's claim that he had no idea what traffic stop his supervisors were asking him about is further refuted by the fact that approximately 35 minutes prior to meeting with his supervisors, he called the East LA Station and spoke to Deputy Strelow on a recorded line.

Deputy Strelow told Respondent that the watch sergeant was inquiring about a stop in front of the Commerce Casino.

This provides clear and convincing evidence that Respondent knew exactly what traffic stop he was being asked about during his meeting with supervisors.

The Respondent's claim during his second IA interview that he did not remember the conversation with Deputy Strelow is not believable, particularly as the respondent was able to provide details about a conversation he claimed to have had with Deputy Palacios early -- earlier during that same shift about a different stop allegedly in Montebello.

Further, the respondent lied to IA investigators when he stated he received information that supervisors were inquiring about a traffic stop that occurred in Montebello.

During his IA interviews, Respondent tried to claim that he didn't lie to his supervisors because he thought they were asking him about a stop that occurred in Montebello.

It has already been established that based on the supervisor's testimony, the MDC messages, and the Respondent's phone conversation with Deputy Strelow, that he knew his supervisors were inquiring about a stop in front of the Commerce Casino.

When asked by IA investigators why he thought they were talking about a stop in Montebello, he said he received one or two MDC messages inquiring about a Montebello stop.

He also claimed that he called Deputy Manuel

Palacios on his cell phone, and Palacios told him that someone was calling in about a stop in Montebello.

Respondent's statements are refuted by indisputable facts:

One, there's no record of any MDC messages being sent out about a stop that occurred in Montebello;

And, two, when Deputy Palacios was interviewed, he stated he had no recollection of a phone conversation with the respondent.

There is clear and convincing evidence to support the conclusion that Respondent created a narrative about a fictitious Montebello traffic stop to cover up the fact that he lied to his supervisors and to disingenuously claim to IA investigators that his previous denial to his supervisors did not constitute dishonesty because he allegedly believed they were asking him about a stop in Montebello.

However, the clear and convincing evidence shows that Respondent lied to IA investigators when he claimed he received MDC messages about a Montebello stop; and when he later claimed that Deputy Palacios gave him information about a Montebello traffic stop.

Outside of the respondent, no one else had any knowledge of an alleged traffic stop in Montebello.

Respondent lied to IA investigators when he stated

he was not aware the watch sergeant was trying to contact him. Respondent told IA investigators that he was not aware that the watch sergeant was trying to contact him.

This statement is disputed by indisputable facts:

One, the respondent sent that message that I discussed to the watch sergeant on the MDC that said "CALLED YOU SARGE."

This message was sent approximately 12 minutes after the respondent received a direct MDC message from the watch sergeant asking if he had recently stopped the complainant in front of the Commerce Casino.

Two, during his recorded phone conversation with Deputy Strelow, Respondent stated he and the other Commerce units received a text from the watch sergeant.

This provides clear and convincing evidence that Respondent lied when he said he was not aware that the watch sergeant was trying to contact him.

The respondent lied to IA investigators when he stated he deleted the MDC messages from the watch sergeant without reading them.

The evidence clearly proves the respondent did read the MDC messages from the watch sergeant.

As we discussed, approximately 12 minutes after receiving the watch sergeant's second MDC message, he

sent an MDC message to the watch sergeant saying, "CALLED YOU SARGE."

Two, during his recorded conversation with Deputy Strelow, Respondent told Strelow that he and the other Commerce units received a text from the watch sergeant.

This provides clear and convincing evidence that the respondent lied to IA investigators when he stated he deleted the sergeant's MDC messages without reading them.

The respondent lied to IA investigators when he stated he never responded to any of the sergeant's MDC messages.

Just for clarification, I want to -- I just want to put to the point here, I am reciting each instance of an act of dishonesty. So there are certainly some of these that overlap. And I'm -- I'm noticing that I'm sounding like a broken record. So bear with me. We're just making the point to each one of these instances of dishonesty.

Approximately 12 minutes after receiving the watch sergeant's second MDC message, Respondent replied via MDC stating "CALLED YOU SARGE."

This provides clear and convincing evidence that Respondent lied when he stated he never responded to any of the sergeant's MDC messages.

Respondent lied to IA investigators when he stated he never called the East LA Station and spoke to a deputy on a recorded line regarding a traffic stop in front of the Commerce Casino.

As we've discussed, that was a recorded conversation.

So the facts that I've just recited support the Division's finding that Braulio Robledo was involved in serious misconduct, specifically 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's a high probability that the charge is true. The evidence need not establish a fact beyond a reasonable doubt.

The Division recommends that Mr. Robledo's POST certifications be revoked. And the Division's recommendations based on the clear and convincing evidence, that the respondent lied to his supervisors about the traffic stop and subsequently repeatedly lied during his IA interviews.

The facts fully support Respondent knew exactly which traffic stop his supervisors were inquiring about and lied to them about his involvement.

In addition, Respondent lied several times during his IA interviews when he:

Number one, stated that his supervisors never asked him specifically about the traffic stop he conducted in front of the Commerce Casino;

Two, stated he was not aware that the watch sergeant was trying to contact him;

Three, stated he deleted the MDC messages from the watch sergeant without reading them;

Four, stated he never responded to any of the watch sergeant's MDC messages;

Five, stated he received MDC messages about a stop in Montebello;

Six, stated he was told by Deputy Palacios that there was an inquiry being made about a stop that occurred in Montebello;

Seven, stated he did not call and speak to Deputy Strelow;

And, eight, stated that no one gave him information that the watch sergeant was inquiring about a stop that occurred in front of the Commerce Casino.

With that, I'm happy to attempt to answer any questions that the Board may have regarding LEC Evenson's case.

CHAIRPERSON DUDLEY: I just have a couple of, I think, quick questions.

It seemed to me in my initial reading that there

was another prior instance in which he lied. So was there first -- aside from the three you mentioned, was there one even before that?

MR. BRINGOLF: That's unclear, ma'am. I cannot specifically answer that question.

I don't know if Carrie can.

MS. WOOLLEY: I can answer that question.

Yes. So there's an earlier case in which he lied.

And if you look at the timeline for LASD, what happened was, is they did do an investigation about an earlier dishonesty case, and they did not sustain it.

POST did not decide to move forward on that. They issued a finding that it was not clear and convincing evidence, so it is not before this Board.

There were some evidentiary problems with that case. The witnesses took a -- about a year to come forward. There was some delays there.

So that's why it didn't meet the clear and convincing standard.

CHAIRPERSON DUDLEY: Okay. Just because I didn't want to do any independent investigation, what's the approximate distance between Commerce Casino and Montebello?

MS. WOOLLEY: It's about a ten-minute drive.

CHAIRPERSON DUDLEY: Okay.

MS. WOOLLEY: But it looks significantly different.

CHAIRPERSON DUDLEY: I understand.

MS. WOOLLEY: Yes.

CHAIRPERSON DUDLEY: Did he ever indicate that there was another reason why he typed the words, "CALLED YOU SARGE"?

MS. WOOLLEY: No.

CHAIRPERSON DUDLEY: How did the respondent/civilian/victim know about the gang allegation? Do we know?

MS. WOOLLEY: Yes.

CHAIRPERSON DUDLEY: Okay.

MS. WOOLLEY: So to give you a bit of background information on this, because there was an allegation that Deputy Robledo had stolen from this victim, the Los Angeles Sheriff's Department referred this to the district attorney for a criminal investigation.

And when they did that, the District Attorney's Office attempted to contact the victim for further information and cooperation.

During that time period, the victim had seen a "Los Angeles Times" article which named Deputy Robledo as one of the deputies that was involved -- or was a member of the Banditos law enforcement gang.

In addition, that victim has a brother-in-law who

is an Inglewood police officer.

CHAIRPERSON DUDLEY: I saw that in the notes.

MS. WOOLLEY: Yes. And had said that Robledo apparently was some sort of gang member.

CHAIRPERSON DUDLEY: Okay. I was just wondering if he got it from his brother-in-law --

MS. WOOLLEY: Correct.

CHAIRPERSON DUDLEY: -- or whether he got it from some newspaper article. But I now understand.

MS. WOOLLEY: Yes.

CHAIRPERSON DUDLEY: Now, I was a little confused about the MDC messages system in general, and a little confused about what he said.

Did he say -- I read these words, but I don't know if it was out of context -- that he never reads the MDC messages?

MR. BRINGOLF: That's not how I interpreted it.

CHAIRPERSON DUDLEY: I thought there was a sentence that said he never reads them.

No? Okay.

MS. WOOLLEY: In his transcript, he says both. He tends not to, but then he says he did not on that particular date.

And then, at some point, he also said he was having difficulty with his MDC messages on this particular

date. Yes.

CHAIRPERSON DUDLEY: Does he have a duty to read his MDC messages?

MS. WOOLLEY: There's no policy on point on that, that we're aware of.

CHAIRPERSON DUDLEY: Okay. Is there any proof either way that the MDC messages wasn't working that day during that time?

MS. WOOLLEY: What we have on point for that is that he is on a recorded conversation with Deputy Strelow referring to these MDC messages that he received, telling Deputy Strelow that he received those MDC messages, and also that he then successfully sent an MDC message back to the watch sergeant.

CHAIRPERSON DUDLEY: So my question was -- maybe I wasn't clear -- was there any evidence that the MDC system wasn't working?

MS. WOOLLEY: There's no evidence that it was not working that day. That's correct.

CHAIRPERSON DUDLEY: At all?

MS. WOOLLEY: It may have been sporadically not working.

But at the times that those MDC messages that are at issue were sent, they appear to have -- the system appears to have been working.

CHAIRPERSON DUDLEY: Okay. And is there any -- with text messages, you could certainly -- unless they have been deleted, and they are gone forever -- find proof that something went out and find proof sometimes that says "delivered" at the bottom.

Is MDC set up like that?

MR. BRINGOLF: I've used -- MDCs are different programs and different vendors, and so I wouldn't be able to answer this specifically.

The one indication on here and he says that his MDC was in the red.

Just my own experience, as somebody who has used an MDC in a pretty rural area, sometimes those things go in and out of service. There could have been some -- something that caused that.

I mean, again, this is a bit of supposition, but he could have been out of service, and those things could have delivered again once they came into service. That's one way it could be out. Or it could be a network failure, right?

So it is hard to say, and we don't know specifically which --

CHAIRPERSON DUDLEY: What does "MDC" stand for?

MR. BRINGOLF: Mobile data computer.

CHAIRPERSON DUDLEY: Okay. So what's the

difference between an MDC messages and a text message?

MR. BRINGOLF: A text message would be done through a phone -- at least colloquially how we call a text message.

But you could -- you could say in an MDC that you are getting a text, because an MDC is essentially just a laptop computer --

CHAIRPERSON DUDLEY: Okay.

MR. BRINGOLF: -- or an analog.

And it has a program running that you can run CLETS inquiries through. You -- it may have a mapping program on them. And it may have a texting program, where you can send text messages.

So it would not be unreasonable to say that sending a message, a written message, over your MDC was a text, because it is a texting function of that MDC.

CHAIRPERSON DUDLEY: I believe that at some point there was some discussion that there -- there was a transcript, or there was a recording of the phone call that he made into the station.

MR. BRINGOLF: That's correct.

CHAIRPERSON DUDLEY: Did I understand this correctly? When the -- when the receiver of that call, that was a recorded line. And he said later that he did not remember the call.

Is that correct?
MR. BRINGOLF: He said that it didn't happen.
CHAIRPERSON DUDLEY: It didn't happen.
MS. WOOLLEY: He --
CHAIRPERSON DUDLEY: Okay. And then -- no. Let's get our "he's" straight. I'm talking about the other person on the phone. He was interviewed.
MR. BRINGOLF: Different person.
CHAIRPERSON DUDLEY: Right.
MR. BRINGOLF: Different person.
CHAIRPERSON DUDLEY: Right.
MR. BRINGOLF: So there's one conversation to a Deputy Strelow --
CHAIRPERSON DUDLEY: Right.
MR. BRINGOLF: -- on a recorded line.
CHAIRPERSON DUDLEY: Right.
MR. BRINGOLF: Another conversation to a Deputy Palacios.
CHAIRPERSON DUDLEY: Right.
MR. BRINGOLF: Who said --
CHAIRPERSON DUDLEY: Palacios was at the station.
MR. BRINGOLF: -- he didn't remember talking to him.
CHAIRPERSON DUDLEY: Okay. So Palacios was at the station. Strelow was when he was still in his car or

someplace away.

MR. BRINGOLF: That's not how I understand it.

CHAIRPERSON DUDLEY: There -- so just focus on --

MR. BRINGOLF: Sure.

CHAIRPERSON DUDLEY: -- the recorded statement.

So was there a recording? And who was it between?

MS. WOOLLEY: So the recording is with Deputy Strelow, who was working dispatch at the time. He's a deputy sheriff, but he's working dispatch, which happens when they're on limited duty usually.

CHAIRPERSON DUDLEY: Right.

MS. WOOLLEY: And it was with Deputy Robledo. So Deputy Robledo called in to the station. He got Deputy Strelow, who was working dispatch. It's a recorded line because dispatch is always recorded.

And that's the call that's the recorded call.

And during his IA interview, Deputy Robledo said he did not call into the station and speak to anybody. He repeatedly denied that. They then played the recording for him.

And then at that point, he said, "I do not remember that call."

CHAIRPERSON DUDLEY: Okay. So the "he" who did not remember was?

MS. WOOLLEY: Deputy Robledo.

CHAIRPERSON DUDLEY: Okay.

MS. WOOLLEY: Yes.

CHAIRPERSON DUDLEY: Thank you.

MS. WOOLLEY: You are welcome.

CHAIRPERSON DUDLEY: Okay. So other questions? Yes.

MEMBER LARA: Just maybe not a question, but an answer about MDCs and how they work.

If you are looking for indicia of a system working, the systems that we use, that if you -- if he's successfully running a subject on the car computer, it is indicative that the computer system is sending and receiving information because they are all on a related trunk.

Also that he said that he sent and received messages is other indicia of it working.

And then the vehicle tracking system also placing him at the place where the traffic stop was made is other indicia that that system is operating successfully, and particularly so at the operative time.

MEMBER DOYLE: Also, Madam Chair, you were -- I don't know the distinction between a duty and a responsibility. But a lot of agencies use MDC to dispatch lower priority calls.

So I don't know if there's a difference between

duty and responsibility. But you certainly have a responsibility to respond to the MDC.

CHAIRPERSON DUDLEY: Thank you.

Other questions or comments for the...

(No response.)

CHAIRPERSON DUDLEY: No? Okay.

Before we get to the public comment or the comment from Mr. Robledo or his attorney, we're going to take a break. This will be our last break. It is now 3:04. If everyone could be back at 3:15, that would be terrific. Thank you.

(Break taken in proceedings.)

CHAIRPERSON DUDLEY: It's 3:15, and we have had our last break.

Let's see. At this time, does the subject officer and/or counsel wish to make public comments?

If so, you will each be given four 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 during 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 Regulations 1205 occurred?

Is there anyone from the public who either -- oh, there you are. There's someone on the screen.

Please introduce yourself.

MS. GIBBONS: Thank you. My name is Elizabeth Gibbons, and I am the attorney for Deputy Robledo.

And thank you. I thank you for giving me the opportunity to address you about this very important case.

A couple of things that I wanted to address first, with regard to the questions that you had asked.

The city of Montebello, I don't believe, is 10 miles away from the city of Commerce. And that's not to nitpick that. But the significance of it is that Montebello is directly adjacent city. So the city of Montebello borders on the city of Commerce. But the city of Montebello has a separate police department.

So when Deputy Robledo was concerned or believed that he was being asked about a traffic stop in Montebello, he -- his reaction to that was, "Well, I didn't stop anybody in Montebello because that's not my jurisdiction."

So it wasn't -- there wasn't any issue about any misconduct related to the stop in Montebello. That was just information that he had that, frankly, just confused him that night.

The incident that we're talking about happened in the 15th and 16th hour of Deputy Robledo being on a double shift that day. So this was the end of a double shift for him.

When he stopped the gentleman from the casino and conversed with him, talked to him, searched his car, it was a lawful search because that gentleman's registration had expired. So there was no misconduct involved at all in conducting the traffic stop.

He asked for and obtained consent to search the car. And he searched the car pretty "rudimentarily" because the car was clean. The driver of the car had been very cooperative with him. There was nothing that sent up any bells or whistles for Deputy Robledo; that there was any problem with the person that he stopped.

So he looked through the car, but didn't thoroughly search it. He let the driver go with just a warning about the registration. He didn't cite him. He just let him go.

So in Deputy Robledo's mind, there was nothing about that traffic stop that his supervisors would be

asking him about. He didn't anticipate that the person he stopped would have made a complaint or anything like that. He didn't look in any bag. He didn't know the man had any money with him.

And he did not steal any poker chips. There is no evidence that he stole the poker chips.

With regard to the complainant's later assertion that he didn't want to go forward because he feared that -- he feared the Banditos, there never, ever has been any published "LA Times" article that says Deputy Robledo is a member of the Banditos. He is not. That allegation is completely and entirely false.

And the sheriff's department supervisors have recognized that.

What he said was, my brother, who works in Inglewood Police Department, told me not to go forward because the -- because there are Banditos. He never said he was afraid of Deputy Robledo. He, in fact, said he couldn't even identify Deputy Robledo.

The -- under the regulations --

CHAIRPERSON DUDLEY: Let me just tell you. You are at four minutes, but I'm going to give you another minute. Okay? But this is public comment, limited.

Go ahead, please.

MS. GIBBONS: I appreciate that. Can I take Deputy

Robledo's four minutes away from him?

(No response.)

MS. GIBBONS: Sorry. That was just a little attempt at humor, and I'm wasting my time.

The -- so Deputy Robledo never stole any poker chips.

The definition in the regulation of false statements to be a violation or to be significant misconduct under the POST statute requires that the statements be made for the purpose of preventing the detection of misconduct.

And he engaged in no misconduct in relationship to this traffic stop. Either the stop itself or the alleged theft. He didn't do either one of those.

With regard to the allegation that he lied about saying he didn't -- he didn't remember the phone call with Deputy Strelow, or he didn't read the text message -- the MDC messages, the fact of the matter is he wasn't questioned about the MDC messages, about Strelow, about any of that, until four years after the fact.

This incident happened in January of 2020. He wasn't interviewed by IAB until December of 2024. He wasn't shown the MDC messages before the interview. He wasn't shown -- he wasn't played the phone call until

the second interview, which was six weeks later.

So his -- his failure to recall these details is not the same as intentionally, knowingly, lying about them. All that he did was fail a memory test that the sheriff's department gave him four years after the fact. And he couldn't remember the details of who he talked to or who he called.

But he very, very clearly said when he was asked by IAB: "Did you see these messages from the watch sergeant?" He said, "No. I was out of my car."

He never said, "I routinely don't read messages. I just didn't read these messages."

He said, "I was outside of my car. It was the tail end of my double shift. I was hungry. I was eating dinner, and I was writing a report."

So he did not see those messages.

He also said very clearly in his interview, that Deputy Palacios called him and told him, "Hey, the watch sergeant is looking for you."

And he said, "Why?" And -- Robledo said, "Why?" because he didn't read the messages; he wasn't aware of the messages.

It was in response to the phone call from Palacios that he called the station, which he didn't remember doing. He didn't even remember doing that even after

they played him the message, the recorded message, he didn't remember doing that.

But his -- his MDC messages that says, "Sarge, I called you," was in response to the phone call from Palacios. It wasn't in response to him seeing the MDC messages.

CHAIRPERSON DUDLEY: Okay. I understand. Thank you.

Other board members may have questions. Let me just pause. I believe your client also wanted to speak.

And we'll see if the Board has any questions for you, or you can wait until you can see if they have questions after your client speaks.

What would you like us to do?

MS. GIBBONS: I don't think he wanted to add anything.

But Braulio, do you want to add anything to what I have said?

MR. ROBLEDO: (Unintelligible) -- hear me now?

CHAIRPERSON DUDLEY: I'm sorry. Go ahead.

MS. GIBBONS: We can hear you.

MR. ROBLEDO: Yeah. No. First of all, I appreciate you guys here. And, obviously, I appreciate Ms. Gibbons always being there for me.

But yeah. It's just -- I was never given that

information when I went up to the watch sergeant's office, let alone when he took me to the Lieutenant Easter's office.

The other important thing that I want to shed light on is the fact that the same thing that Manny Palacios had mentioned to me saying, this gentleman, I was on the phone with him for 40 -- about 40 minutes. He doesn't know where he got pulled over. I'm trying to figure it out from him.

He's giving me uniforms from blue over blue, tan over tan, which are CHP officer uniforms and different agency uniforms.

He's mentioning the 605 freeway, which is about 15, 20 minutes from East Los Angeles.

And then also the -- Montebello, which is the closest city to where I was working.

And that's the reason I attached myself to Montebello, because, obviously, that's the closest city to LA Commerce. So I said, "No, there's no reason why I would stop anybody in Montebello."

But he was like, "Yeah, I was just trying to figure out where this guy got pulled over."

So I was under the impression at that moment that that's what the complaint was about. So when I went up to my watch sergeant's office, all he said -- "Well, it

was you."

And I said, "It was me. What, Sarge? I didn't pull anybody over in Montebello."

He's like, "No, no, no. Come with me."

And when we stepped into my lieutenant's office, he is like, "Oh, look, there was Robledo."

And I told my lieutenant, "What's up, Lieutenant?" I said, "Am I good, or what's going on?"

He reiterated everything Manny Palacios had said. He's like, "Don't worry about this, bro." He's like, "This guy doesn't even know where he got pulled over. He's talking about blue over blue, tan over tan. He doesn't even know what uniform personnel pulled him over."

And I asked him again, "So am I good, LT, or what?"

And he said, "You are back for p.m. shift, right?"

And I said, "Yes, sir."

And he's like, "Yeah, get out of here. Get some rest." He said, "You only have a couple hours before you get back."

And I said, "Okay." And I left.

And that was the last I had heard in regards to this matter until maybe a couple months later where ICIB showed up at the station.

But my whole thing that night, like Ms. Gibbons

said, I had no issues with that gentleman. It was just a simple expired registration stop for about a month. The car was clean. There was no debris anywhere. It was a fast, quick stop. And I let him off with a warning, which he was very appreciative of. And that was -- that was the last time I had a contact with that gentleman.

And that was it, ma'am.

CHAIRPERSON DUDLEY: Okay. Mr. Robledo, you said that you had this conversation and it ended with, "Go home, bro, and get some sleep."

And then you said something about a couple of months later?

I thought your attorney was saying four years had gone by. So I'm confused. And we can let your attorney -- hang on. We can let your attorney respond to that question or you.

MS. GIBBONS: I will respond to it, Braulio.

So what happened was immediately after the incident, he went home. He came back to work the next day. He worked for four months without any problem.

About three or four months later, ICIB came to the station while he was still working regular duty.

And they asked him, you know, "We have this allegation. Do you want to talk to us?"

And he said, "No, I don't want to talk to you without my attorney."

So we didn't make a statement to the criminal investigators.

When he was asked any questions about any details about the incident was four years later, in December of 2024, when he was interviewed by IAB.

So I didn't mean to confuse you about that. But he didn't make a statement to the criminal investigators.

And the other thing was that he wasn't relieved of duty by the sheriff's department immediately after the conversation with the two supervisors that they later said he lied in.

CHAIRPERSON DUDLEY: Okay.

MS. GIBBONS: The fact that --

CHAIRPERSON DUDLEY: All right. You -- you answered my question.

You had said something about four years. He had said something about four months.

We have the information now.

Let me see. Does any board member have any questions?

MS. WOOLLEY: Chair Dudley, may I make a clarifying comment?

CHAIRPERSON DUDLEY: Yeah.

MS. WOOLLEY: Mr. Robledo was actually terminated from his employment in August of 2024. His interview did not happen in December of 2024.

CHAIRPERSON DUDLEY: Okay.

MS. WOOLLEY: I'm trying to locate the date. And once I locate the date, I will let you know.

CHAIRPERSON DUDLEY: Okay.

MS. GIBBONS: I think it was December 2023. I apologize. It was four years after 2020, or January of 2020 to December of 2023. I apologize.

CHAIRPERSON DUDLEY: Okay. Any other questions from any board members?

Yes. Please.

MEMBER CLAVO: I have one. I am just curious.

What was the -- I guess what was the -- what caused you -- if you pulled him over for expired tags, why did you search the car?

MR. ROBLEDO: I usually search vehicles. It is common in where I work at, we search vehicles obviously, to make sure that everything is okay.

He had expired registration, and there was also a different name on the registration, which was his cousin. So I just wanted to make sure everything was valid for him, and there was no weapons, nothing visible that I could see.

Usually, with someone that's cooperative like that, and it's a clean car, I get a good rapport -- I had been on the streets at that time on patrol about ten years. So I kind of get that feeling of, okay, this guy is like cooperative. This is just a -- we don't like to call routine traffic stop, but it wasn't a simple traffic violation traffic stop.

So there was nothing for me to pursue looking under anything or any of that nature, ma'am.

But I had asked him --

CHAIRPERSON DUDLEY: So let me ask you, just to clarify the question that's been asked of you.

Is it your habit -- when you are stopping someone for registration, is it your habit or your training to search the car? That's, I think, the question that was asked of you.

MR. ROBLEDO: Yeah. Because I had asked him if there was anything illegal in the car. "Is it okay if I search your vehicle?"

He said, "No, that's not a problem. Everything is fine."

CHAIRPERSON DUDLEY: So is it your habit or your training to ask for consent in every situation where you are looking for -- where someone has an expired registration?

MR. ROBLEDO: Yes. For me, it's my habit. I always have to ask for consent unless I see something in plain sight that's illegal, unless, obviously, I believe the person is under the influence of narcotics or some type of substance or I know --

CHAIRPERSON DUDLEY: Okay. I'm just checking now to see if a board member has a follow-up question to that.

MEMBER CLAVO: I do. Thank you, Chair.

Is it policy, or is it supported by law that you pull someone over for expired tags, and you ask for consent to search the vehicle?

MR. ROBLEDO: It always has to be consent as far as searching the vehicle, ma'am. Like I said, obviously, if I see something in plain sight, if I see drugs in plain sight, I'm not going to ask for consent because now my attention is going to start turning into something more to see if there's something else that might be illegal or if he's transporting anything of that nature.

But my --

CHAIRPERSON DUDLEY: I think the question was asked of you: Was it your habit, or is it part of your training --

MR. ROBLEDO: Yes.

CHAIRPERSON DUDLEY: -- that when someone has -- hang on.

-- when someone has an expired registration, do you ask for consent and search their car? So it is not a question of did you ask for consent, or do you, but is it your habit or your training to ask someone for consent if they have an expired registration?

MR. ROBLEDO: Yes. Both. The training I have gone through and my habit after ten years on patrol.

CHAIRPERSON DUDLEY: Okay. Any further questions?

MEMBER CLAVO: Yes. He still didn't answer my initial question.

Is it supported by law, or is it policy of your agency that you search vehicles for an expired registration stop? You stated yourself that nothing seemed out of the ordinary. Nothing was suspicious. You didn't smell anything. You didn't see anything in plain sight.

So is it supported by law, is it supported by your agency's policy, that you search vehicles behind a expired registration?

MR. ROBLEDO: Yeah. It's both, ma'am. If it's an expired vehicle, then it should not be on the road. So it's against the law to be driving a vehicle that has expired registration. So it is by law.

And it is common practice for me to be asking for consent, also.

CHAIRPERSON DUDLEY: Okay. Thank you.

Anything follow-up? Or Lara would like to speak.

MEMBER CLAVO: No. He didn't answer the questions still.

CHAIRPERSON DUDLEY: I know. I know.

Yes.

MS. GIBBONS: If I could try to answer that question.

CHAIRPERSON DUDLEY: One moment. I'm going to stop you, and I'm going to -- I called on a board member.

Go ahead.

MEMBER LARA: Just so it's clear: It is not illegal to ask for consent even from a person I -- consensually, I'm having conversation with, say at a Starbucks or any context where I have -- if I'm chatting with somebody, it is legal to ask a person for consent.

My agency goes beyond the law which requires, you know, the person to say yes or no, understanding the rights. We go a little further saying, you can -- you don't have to say yes. You can withdraw it at any time. They have to be present while I'm conducting the search to reduce the scope or end it even after the search has begun.

But as a matter of law, it is perfectly legal to ask a person during a consensual contact or in a vehicle stop; it is a detention based on reasonable suspicion. The reasonable suspicion being the expired registration.

It can be done, even in the absence of any particularized suspicion. That's the -- that's the nature of the law on -- on that.

CHAIRPERSON DUDLEY: I don't think the question has been, can you ask for consent?

The question has been: In situations like this, where someone has an expired registration, does that compel you to ask you for consent? Anybody can ask consent about anything.

Do you understand the distinction?

MEMBER LARA: Yes. I just -- I thought it would be useful to understand that there's -- there's nothing untoward in asking.

MEMBER CLAVO: And I didn't think that.

CHAIRPERSON DUDLEY: I know. Yeah.

Okay. Yes.

MEMBER HATCHER-CRAWFORD: And I think, to go along with Board Member Nicole, as he said, routinely that he will search -- ask permission to search a car based on expired tags. That's concerning to me.

I mean, I know you were polite, Board Member

Nicole, about it. But it is concerning that this seems to -- that this was a routine of a stop.

Although -- although, to your point, Captain Lara, that maybe routine is still concerning to the community. And a lot of times people are afraid to say no.

It is just my comment.

CHAIRPERSON DUDLEY: Thank you.

Any other -- yes, Mr. Johnson.

MEMBER JOHNSON: Johnson.

The -- there are prior allegations of dishonesty. And for the Division, help me understand the prior allegations of dishonesty compared to where we are at today, in the past, and also the fact that the defendant, or the person that claimed he had stole the $500 worth of chips, gave a statement that -- and they tried to twist the words, maybe, but that he belonged to a gang called the Banditos. And I'm reading that two officers also alleged that he belonged to this gang called the Banditos.

So could we get clarity on both of those?

MR. BRINGOLF: Sure. Help me understand that what clarity looks like so I can provide it. What --

MEMBER JOHNSON: These officers alleged that he belonged to Banditos.

MR. BRINGOLF: Okay.

MEMBER JOHNSON: I think the attorney said that it wasn't that the person that he stopped that alleged that he had stole his chips said he belonged to the Banditos, but he was afraid of the Banditos.

So now there's a question of whether he said that he felt that he belonged to the Banditos because his uncle or his cousin, whoever is with the police force knows that, and stated it to him, and repeated it.

So I just wanted to make sure we got clarity that it sounded like they are saying that he didn't say he belonged to the Banditos. But he's got a history of being alleged to belong to the Banditos.

MR. BRINGOLF: So there were two cases that the undersheriff of LASD found in which the respondent was alleged to be a member of the Banditos. Those cases were filed by two separate deputies.

I don't know the relationship to Deputy Robledo. There was no information in the record or in the reports provided to POST with that allegation that substantiated the claim that Mr. Robledo is a Bandito.

So in that case, there's not -- there's no evidence to support that allegation.

As far as the previous dishonesty case, there is a agency finding of dishonesty and of policy violations related to dishonesty. And an agency -- I believe an

agency finding of -- I think there's an agency finding of dishonesty.

That dishonesty finding was provided to POST, and we did a independent investigation. And we were unable to make -- we were unable to bring that allegation forward with a clear and convincing standard.

So there was likely a preponderance standard of evidence that would allow the agency to make an affirmative finding of dishonesty, but we as the Division were not able to reach clear and convincing evidence as a standard.

So that case was closed at POST with no further action.

So there is a prior dishonesty allegation. There is a prior dishonesty finding at the agency level. And there is a prior -- there are two prior allegations at the agency level that Mr. Robledo was or is part of the Banditos law enforcement subgroup or gang.

So that -- is that helpful in clarifying? We don't have any cases that we are -- can bring forward with those allegations substantiated.

MEMBER JOHNSON: Right.

So if I'm understanding the law right, clear and convincing evidence, so there has been allegations made, but nothing that was sustained.

Is that what I'm hearing?

MR. BRINGOLF: There were allegations that were sustained on dishonesty. Those were sustained at the agency level. So we were not able to reach a clear and convincing standard of evidence to present those and make a finding of dishonesty, by our standard. So our standard being a little bit higher than the preponderance standard.

There is no -- POST takes no issue with the findings. We don't have any comment on the findings. They seem to be appropriate -- other than they seem to be appropriate at the agency level and under the preponderance standard of evidence.

MEMBER JOHNSON: So the last part. When he made the stop, it says that it was either in front or next to the Commerce Casino.

MR. BRINGOLF: Yes, sir.

MEMBER JOHNSON: And I'm sure that him being a patrol officer in that area knew where the casino or knew what city it was located in.

And if I remember reading it correctly and hearing it right, he alleged that he didn't know he was in the city where the Casino was at; and he stated that he was in a different city.

Is that correct?

MR. BRINGOLF: That's not how I interpreted the record, no. No. That's not how I interpreted it.

MEMBER JOHNSON: I thought I heard --

CHAIRPERSON DUDLEY: I think, Mr. Johnson, tell me if you heard it this way.

MEMBER JOHNSON: Yeah.

CHAIRPERSON DUDLEY: He never said that he was in Montebello. He said people were asking about Montebello. He felt he was not in Montebello at any point. Therefore, he didn't think the questions are relevant to him.

MR. BRINGOLF: That's how I understood it as well, Chair.

CHAIRPERSON DUDLEY: Yes.

MEMBER LARA: I have a question --

CHAIRPERSON DUDLEY: I want to make sure, Mr. Johnson, anything else for now?

MEMBER JOHNSON: No.

CHAIRPERSON DUDLEY: Okay. Thank you.

Mr. Lara.

MEMBER LARA: So I have a question and a point of clarity for the -- either the Officer Robledo or his counsel.

I am hearing two things that I want clarity on:

One, I understand that the -- Officer Robledo was

at the end of a double shift. I have worked double shifts. I understand that.

I'm curious as to why Officer Robledo has clarity with regard to items that are complimentary to his situation, but has a lack of clarity with regard to anything that pertains to accountability.

So I just wanted to see why the clarity level is different given the end of the same eight -- the end of the double shift, and the things that are not complimentary to his shift seem to be a little murkier.

MS. GIBBONS: So I will be glad to answer that for you.

CHAIRPERSON DUDLEY: I'm going to give you one minute for that answer. Because you are given four. I have already given you six. You have been asked a question, but you have got one minute.

Thank you.

MS. GIBBONS: Thank you.

The only thing that Deputy Robledo didn't remember from the incident that happened four years ago, when he was interviewed by IAB, was the phone call with Deputy Strelow. He didn't remember that happening at all. He was never shown the MDC messages.

I would also mention that the sheriff's department and in the documents that were provided by the sheriff's

department to the Board, they did not provide you with all the MDC messages from that shift.

So there's no evidence to say there was no MDC discussion about Montebello.

The only thing he didn't remember was that phone call, which was less than 15 seconds long and in which he was told the sergeant wasn't there.

So there wasn't anything memorable about that conversation that would have stuck in his head.

Whereas, the conversation with Palacios, he didn't remember that initially, but as they kept asking him questions in the interview, it came back to him.

But he didn't remember, even after they played it, the 15-second-or-less conversation with Deputy Strelow.

So that's the only reason why; because the conversation with Palacios became significant as they asked more questions.

CHAIRPERSON DUDLEY: Okay. Thank you.

Board Member Lara, do you have any more questions?

MEMBER LARA: No.

CHAIRPERSON DUDLEY: Anybody else have any questions for Mr. Robledo or his attorney?

Mr. Glaser? Board Member Glaser? No?

Okay.

Thank you both.

Is there anyone else who has public comment on this case? On the phone? Here?

(No response.)

CHAIRPERSON DUDLEY: Okay. Thank you.

Thank you very much for appearing. Thank you, Mr. Robledo.

MR. ROBLEDO: Thank you, ma'am.

CHAIRPERSON DUDLEY: Okay.

MS. GIBBONS: Thank you.

CHAIRPERSON DUDLEY: You are welcome.

So now deliberation? You guys want deliberation? Okay. Here we go. Let's go deliberate.

(Time noted: 3:46 p.m.)

---o0o---

(Closed session was held:
3:49 to 4:16 p.m.)

---o0o---

(Time noted: 4:20 p.m.)

CHAIRPERSON DUDLEY: Back on the record.

In the case of POST2309558, Braulio Robledo, who, at the time of the events at issue in this case, was employed with the Los Angeles County Sheriff's Department.

Does anyone want to make a comment at this point or does someone want to make a motion?

MEMBER DOYLE: I will make a motion. I will make a motion that the Board would like more information because we all seem to be -- it's just not me. So -- that we all seem to be confused on things.

Now, I can't speak -- all of us might have something different. But in terms of just it's about interviews when --

CHAIRPERSON LONG: Before we get to the -- what we want, let's just do the motion first.

MEMBER DOYLE: The motion is -- is -- is that I -- the motion for more information before we make a final decision.

CHAIRPERSON DUDLEY: Is there a second?

MEMBER PENA: Second.

CHAIRPERSON DUDLEY: Okay. Roll call, please.

MR. KNAPP: Clavo.

MEMBER CLAVO: Aye.

MR. KNAPP: Clavo, aye.

Crawford.

MEMBER HATCHER-CRAWFORD: Aye.

MR. KNAPP: Crawford, aye.

Doyle.

MEMBER DOYLE: Yes.

MR. KNAPP: Doyle, aye.

Dudley.

CHAIRPERSON DUDLEY: Aye.
MR. KNAPP: Dudley, aye.
Glaser.
MEMBER GLASER: Yeah.
MR. KNAPP: Glaser, 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.
Motion passes unanimously.
CHAIRPERSON LONG: Okay. So that motion -- so go ahead and speak into the record.
MR. BEATTY: Just to interpret the intent of this motion, and what would actually happen in this relationship to that particular hearing, I think what we're talking about is a continuation of this hearing; And that certain items would be investigating or details provided to the Board to make a final conclusion of determination.
Is that fair?

MEMBER DOYLE: That's correct.

CHAIRPERSON DUDLEY: Okay.

MEMBER DOYLE: That's fair.

CHAIRPERSON DUDLEY: Yes. That is fair.

And let me tell you the second part and then you can hear that.

There was confusion on several issues. And I -- and what I had assured the Board when we were discussing this is that each one of them could talk about the issues they are seeking further investigation on so that the motion didn't have to include all of that.

So as we understand the motion now, we are asking for a continuation of this matter. We are asking for further investigation as to the continuance. And we could explain what it is we would like.

But go ahead.

MS. DEL MUGNAIO: So just a matter of authority of the Board. The Board has the jurisdiction to recommend to the Commission that the Division conduct further investigation. So you would actually be making this recommendation to the Commission -- Commission, excuse me, to direct the Division to conduct further investigation.

You can also line out what you would like clarified. But that is your recommendation before the

Commission.

MEMBER DOYLE: Okay.

CHAIRPERSON DUDLEY: Okay. So if that's what we can do, then it is not a continuance.

MS. DEL MUGNAIO: Hmm-hmm.

CHAIRPERSON DUDLEY: Okay. We're never going to see this case again.

MEMBER DOYLE: Okay.

CHAIRPERSON DUDLEY: What we're going to do is ask that the Board request further investigation. Then we're going to articulate for the record what further investigation would be helpful to us.

Is that correct?

MS. DEL MUGNAIO: I believe the Commission can, if they so choose, after granting -- you know, if they agree that there needs to be further investigation to complete the record, the Commission could allow the Board to hear this matter again.

But at this point, the recommendation before the Commission just remains to be seen what the Commission is going to do with that recommendation.

It is, the Division conduct additional information to bring the case back. Whether the Commission says it needs to go back through the Board or go directly to the Commission, they can make that decision.

MEMBER CLAVO: Just a question. And maybe this information is readily accessible and so I would just like to pose a question.

For us -- for me -- I will speak for Nicole -- there was confusion on timelines.

And so the offense occurred on January 2nd, 2020.

We know that the attorney and -- alluded that four years had passed prior to this being brought forth to the -- what's it -- the officer. I'm sorry. The officer.

Do you all know if it was from 2020 to 2024 before he ever was interviewed, talked to, spoke with about this case?

MS. WOOLLEY: I can answer that question.

So because there was an allegation of theft, the Los Angeles County Sheriff's Department made a referral to the District Attorney's Office. And as part of that, they did a criminal investigation. Mr. Robledo was offered or was -- they attempted to interview him as part of the criminal investigation through the Los Angeles County Sheriff's Department. He declined to be interviewed. That would have been in 2020.

What happens when this -- when this sort of an incident occurs, when there's is a criminal allegation made, they will conduct the full criminal investigation,

see if the district attorney is going to file charges, and then it is not until the DA either files charges or declines to file charges that they pick back up the administrative investigation.

That's what happened here.

CHAIRPERSON DUDLEY: Which explains the four years.

MEMBER CLAVO: So four years went by?

MS. WOOLLEY: No. Three years went by.

CHAIRPERSON DUDLEY: Okay. So 2020 was the offense. It was then sent to the DA's Office to make a decision about whether to file charges. And then it wasn't until when that he was interviewed?

MS. WOOLLEY: It was in 2023. He was interviewed on or about December 14, 2023, for the first interview.

CHAIRPERSON DUDLEY: So that's almost four years.

MS. WOOLLEY: Correct.

CHAIRPERSON DUDLEY: We have February of 2020. Then we have December of 2023. So that February would have been -- those two months later would have been February '24, so it would have been almost four months [sic].

MS. WOOLLEY: Correct.

CHAIRPERSON DUDLEY: Okay. Does that answer your question?

MEMBER CLAVO: I believe. Well, one already

questioning clarifying questioning.

So for my own edification, is my understanding that because the DA had the case, the case was placed on pause with the agency. When the DA did not pursue, then it went back to the agency to pursue how it felt.

MS. WOOLLEY: For the administrative portion, yes. The Internal Affairs investigation, it was tolled.

CHAIRPERSON DUDLEY: When did it go back to the agency?

MS. WOOLLEY: In 2023.

CHAIRPERSON DUDLEY: So it took the District Attorney's Office almost four years to decide whether to file these charges?

MS. WOOLLEY: About three years. Yes.

CHAIRPERSON DUDLEY: Right. But three years -- two months short of four years.

MS. WOOLLEY: No. It went back shortly before then. I believe it's Attachment I is the refusal -- the DA's refusal -- in your ISF. That would show you the date that --

CHAIRPERSON LONG: Okay.

MS. WOOLLEY: -- there was a refusal.

CHAIRPERSON DUDLEY: Okay. So sometime later -- we'll average it out to be three years now.

Certainly during COVID, lots of cases laid around

and weren't looked through. But so I'm not blaming any DA's Office or anybody else. There was a lot of pausing involved.

But the concern of the Board, if I could speak for the Board, is when he's first asked about this in 2020, he refuses to be interviewed, and then it's not until 12/14 of 2023, the first time that he's ever confronted with facts, video -- audio tape, and transcripts.

MS. WOOLLEY: That's correct.

But I do want to point out that at no time during his interview does he appear to show any fault in his memory. He does --

CHAIRPERSON DUDLEY: He said he didn't remember the call.

MS. WOOLLEY: No. No. He does not appear to show any fault in his memory as to the conversations between him and the watch sergeant and the watch commander. He does not tell the IA investigators that he did not remember the conversation. He never says that to the IA investigator.

CHAIRPERSON DUDLEY: Did he say -- didn't he say he didn't have a conversation?

MS. WOOLLEY: No. He says they did not ask --

CHAIRPERSON DUDLEY: So let's be sure -- we're using "he's."

When he was in the field, he allegedly had a conversation with the stand-in watch officer. That was allegedly taped, so there's a tape of this conversation.

When he was asked about it later, didn't he say he didn't remember that call?

MS. WOOLLEY: No. We're getting a little bit confused here.

So when he was -- after he had received the MDC messages, he called into the station, spoke with a Deputy Strelow, who was working dispatch --

CHAIRPERSON DUDLEY: Right.

MS. WOOLLEY: -- to ask about why the watch sergeant, whose name is Sergeant Inital, called or was contacting him.

Deputy Strelow told him it was because a complainant called in because he had been stopped outside of Commerce Casino and had had some money stolen from him.

CHAIRPERSON DUDLEY: Was that call recorded?

MS. WOOLLEY: Yes.

CHAIRPERSON DUDLEY: Okay.

MS. WOOLLEY: This is the recorded call.

CHAIRPERSON DUDLEY: Okay. So now -- so now tell me what happened then. Okay. The recorded call -- he was asked about the recorded call close to four years

later.

And?

MS. WOOLLEY: He was asked if he called into the station he -- to ask about the stops. He said he did not call in.

CHAIRPERSON DUDLEY: Okay.

MS. WOOLLEY: And it was not until he was played that recording that he said he did not remember that call.

He was also, however, asked about his conversations with Sergeant Inital and Lieutenant Easter. And instead of saying I do not recall that conversation, he said they did not ask me about that stop in front of Commerce Casino. They asked me about a stop in Montebello.

CHAIRPERSON DUDLEY: Now, are we on the conversation or when he walked into the watch officer's room?

MS. WOOLLEY: This is when he was walked into the watch commander's office.

CHAIRPERSON DUDLEY: And when allegedly there was a screen up and they said -- somehow referred to the screen and said "that call" or something like that. It was -- it -- I never heard anybody say that the sergeant said "the call at Commerce."

MS. WOOLLEY: No. There wasn't a screen.

They call -- this would have been a preliminary conversation about a complaint that had come in. So because there's -- the Public Safety Officer Bill of Rights at issue, the watch sergeant and the watch commander would not have made too many inquiries here. They would have simply asked Deputy Robledo -- and this is all part of the transcripts. This is --

CHAIRPERSON DUDLEY: Right.

MS. WOOLLEY: They asked him, "Did you make this stop in front of Commerce Casino?"

Deputy Robledo said, "No."

And they stopped the conversation.

CHAIRPERSON DUDLEY: When -- this is important to us.

Who -- and who asked him the question, "Did you make the stop in front of Commerce Casino?"

And who made it? What time did they make it? Tell us more about that.

MS. WOOLLEY: So it was either Sergeant Inital or Lieutenant Easter who asked him. I believe it was Sergeant Inital. So this would have been the watch sergeant. And this would have been right as Deputy Robledo was calling -- coming off of shift. So after he had received those MDC messages; after he had called in and spoke with Deputy Strelow on the recorded line;

after he had responded to the MDC messages by saying to Sergeant Inital by saying, "Called you, Sarge."

CHAIRPERSON DUDLEY: I'm sorry. It must be late in the day. I still don't know when that conversation occurred. Was it the end of his shift?

MS. WOOLLEY: Yes. This would have been approximately just before 6:00 a.m.

CHAIRPERSON DUDLEY: Okay. So there's no recording of that conversation.

MS. WOOLLEY: No.

CHAIRPERSON DUDLEY: So who remembers them specifically saying "Commerce"?

MS. WOOLLEY: Lieutenant Easter and Sergeant Inital.

CHAIRPERSON DUDLEY: Okay. So both of them remember him being asked about Commerce.

He says, "I wasn't asked Commerce."

MS. WOOLLEY: Correct.

CHAIRPERSON DUDLEY: I was at -- I was asked -- at that point is he saying, "I was asked about some confusion"? Or "I was asked about Montebello"?

MS. WOOLLEY: He says he was asked about a stop in Montebello.

CHAIRPERSON DUDLEY: Okay. So he was the only one that heard the word "Montebello" in that conversation.

MS. WOOLLEY: Correct.
CHAIRPERSON LONG: Two other people heard "Commerce."
MS. WOOLLEY: Correct.
CHAIRPERSON DUDLEY: Okay. Where are we, hearing board?
MS. GIBBONS: Excuse me, Board Members. I'm probably speaking out of turn. But if I could --
CHAIRPERSON DUDLEY: Excuse me. No.
Okay.
MS. GIBBONS: So I can't correct the false statements that were --
CHAIRPERSON DUDLEY: Right. Right now we're -- right now you are not a part of this conversation.
MS. GIBBONS: Okay.
CHAIRPERSON DUDLEY: So just stand by.
MS. GIBBONS: Thank you.
CHAIRPERSON DUDLEY: You are welcome.
What do you think?
MEMBER DOYLE: I think that provides some clarity to some. I don't speak for everybody. But that does -- some of my board members. I'm sure that does provide some clarity.
CHAIRPERSON DUDLEY: Are there any -- let me ask, then, if there's any other questions anybody wants to

ask the attorney or the investigator about the -- any other confusion that they might be able to help with.

Yes.

MEMBER HATCHER-CRAWFORD: I'm still in support of going back to further look into this case, even after the dialogue back and forth here. I think we visually needed to see some type of timeline.

And although I know we weren't in 2020 case, the criminal side of it was sent to the District Attorney's Office.

I didn't understand why consecutively they couldn't continue the administrative process. Because there -- so that was the concerning part earlier that was mentioned. And I really didn't think about it.

But it was earlier mentioned that at one point it took four months for it to ask a question. And we want clarity on --

CHAIRPERSON DUDLEY: So your position --

MEMBER HATCHER-CRAWFORD: I'm still supporting the first motion.

CHAIRPERSON DUDLEY: You still believe that, at this point, you have some questions. You want us to make a record of the questions. You want to continue the motion the way it had been written, and then give it to the Commission for the Commission to decide what they

want to do next.

You are in the same position you've been in.

MEMBER HATCHER-CRAWFORD: Yes.

CHAIRPERSON DUDLEY: Are you?

MEMBER DOYLE: Yeah. Which I think would probably require me to amend my motion.

CHAIRPERSON DUDLEY: You want to amend your motion?

MEMBER DOYLE: Well, I would have to, because I made an incorrect motion.

CHAIRPERSON DUDLEY: Okay. You know what? Just for the sake of --

MEMBER DOYLE: It was correct, and I should have been -- but the recommendation would be to send it to the POST Commission.

CHAIRPERSON DUDLEY: Okay. So we're going to start that again.

MEMBER DOYLE: Okay.

CHAIRPERSON DUDLEY: And given all the information you have been given from POST staff, is there a motion?

MEMBER PENA: Can I say something?

CHAIRPERSON DUDLEY: Yes.

MEMBER PENA: This discussion has been helpful for me, speaking for myself only. Has been helpful for me. And I would arrive at a different decision and would not have gone forward with the motion that we went forward

with.

CHAIRPERSON DUDLEY: Okay. Let's rule on one motion at a time. But thank you for saying that.

And so -- yes, Dr. Glaser.

MEMBER GLASER: I was wondering if it's better if we delineate the informational elements that we want and put them into the motion, or if we get the motion and then we provide some --

CHAIRPERSON DUDLEY: The motion is just for the passing this on to the Commission, for the Commission to consider requesting further investigation.

MEMBER GLASER: Right. But I know also --

CHAIRPERSON DUDLEY: In which case, that won't be the end of our discussion today.

If that motion passes, as I said in chambers, each of you will have an opportunity to say the further investigation that you would recommend that the Commission recommend.

Okay. Does that make sense?

MEMBER GLASER: It does.

I'm just wondering if it is better --

CHAIRPERSON DUDLEY: No. I think that's --

MEMBER GLASER: -- to formalize it in the motion.

CHAIRPERSON DUDLEY: It definitely is -- okay.

So -- yes.

MEMBER JOHNSON: Just for clarity.

So the motion is put forth and it goes through the Commission. The Commission would then send it back down to the Division. The Division would do an investigation and then bring it back to the Board.

CHAIRPERSON DUDLEY: The Commission could do so many things, including they can just decide that there's enough evidence for them -- for them to decertify.

MEMBER JOHNSON: Okay.

CHAIRPERSON DUDLEY: They can decide to decertify. They could decide to stay. They could do all those things.

The Commission just gets advice from us and then they are the ones who make the decisions.

MEMBER DOYLE: I have one other question.

CHAIRPERSON DUDLEY: Of course. This was all your idea, so go for it.

MEMBER DOYLE: My idea. That's good.

CHAIRPERSON DUDLEY: That was a good one.

MEMBER DOYLE: This is for POST.

You know, it was in the DA; they took a long time.

How does that square with POBAR and complete -- or beginning an investigation before the year?

MS. WOOLLEY: Right.

So under POBAR, an agency is allowed to toll their

administrative investigation while there's the possibility of criminal proceedings. And that's what happened here.

So they -- rather than starting or completing an administrative investigation, they tolled it. And that's why you have this delay.

So once the DA made a final decision, decided they were not going to proceed, that started the time clock, that one-year provision. And they had to finish their investigation within that one-year period.

MEMBER DOYLE: Right.

And -- and the -- and unfortunately there's no unreasonableness built into that.

MS. WOOLLEY: Correct. Yes.

MEMBER DOYLE: Okay.

MEMBER CLAVO: And the DA did not go forward because the witness decided not to testify? Is my understanding.

MS. WOOLLEY: The witness decided not to cooperate at some point. Correct.

CHAIRPERSON DUDLEY: And I believe there was volumes of information that talked about the efforts that the District Attorney's Office had made and that he was -- that's just not interested.

Now, whether that was the sole reason they didn't

go forward or not, only the filing DA would know.

MEMBER DOYLE: Okay.

MS. WOOLLEY: You do have that as an attachment to your ISF; their reasoning.

MEMBER DOYLE: Well, I am probably not the one to make the motion because I agree with Commissioner Pena. Based on the clarification that I have received, I -- I would be able to vote.

CHAIRPERSON DUDLEY: So what?

MEMBER DOYLE: I would be able to vote.

CHAIRPERSON DUDLEY: Okay. So let's just do this in order.

Does anyone have a motion?

MEMBER JOHNSON: I would like a motion to decertify.

CHAIRPERSON DUDLEY: You make a motion to decertify.

Okay. Is there a second?

MEMBER CLAVO: I will second.

CHAIRPERSON DUDLEY: Okay. Now, roll call.

MR. KNAPP: Okay. Clavo.

MEMBER CLAVO: Aye.

MR. KNAPP: Clavo, aye.

Crawford.

MEMBER HATCHER-CRAWFORD: Aye.

MR. KNAPP: Crawford, aye.
Doyle.
MEMBER DOYLE: Yes.
MR. KNAPP: Doyle, aye.
Dudley.
CHAIRPERSON DUDLEY: Aye.
MR. KNAPP: Dudley, aye.
Glaser.
MEMBER GLASER: Nay.
MR. KNAPP: Glaser, nay.
Johnson.
MEMBER JOHNSON: Aye.
MR. KNAPP: Johnson, aye.
Lara.
MEMBER LARA: Aye.
MR. KNAPP: Lara, aye.
Pena.
MEMBER PENA: Aye.
MR. KNAPP: Pena, aye.
That's seven yeses; one no. Motion passes.
MEMBER PENA: A point of clarification.
So we had -- didn't we have an existing motion on the floor with a second?
CHAIRPERSON DUDLEY: Yeah.
MEMBER PENA: We did.

CHAIRPERSON DUDLEY: We never -- there was a first; there was a second; and then there were questions.

MEMBER PENA: Okay.

CHAIRPERSON DUDLEY: But I don't know. Do we think we need to do that again?

MS. DEL MUGNAIO: Yeah. Because you called the vote on the first one.

CHAIRPERSON DUDLEY: What?

MS. DEL MUGNAIO: We called a vote -- so we did call a vote on the first motion.

CHAIRPERSON DUDLEY: Okay.

MS. DEL MUGNAIO: And it passed.

So we would have to have Mr. Doyle or someone rescind the motion in order to take up the second motion.

MEMBER DOYLE: I make a motion to withdraw the first motion that I made.

MEMBER HATCHER-CRAWFORD: I second it.

CHAIRPERSON DUDLEY: Okay. Now let's take a roll call on that withdraw, please.

MR. KNAPP: Clavo.

MEMBER CLAVO: Aye.

MR. KNAPP: Crawford.

MEMBER HATCHER-CRAWFORD: Aye.

MR. KNAPP: Doyle.

MEMBER DOYLE: Yes.
MR. KNAPP: Dudley.
CHAIRPERSON DUDLEY: Aye.
MR. KNAPP: Glaser.
MEMBER GLASER: No.
MR. KNAPP: Johnson.
MEMBER JOHNSON: Aye.
MR. KNAPP: Lara.
MEMBER LARA: Aye.
MR. KNAPP: Pena.
MEMBER PENA: Aye.
MR. KNAPP: That's seven yeses; one no on rescinding Doyle's motion.
CHAIRPERSON DUDLEY: Okay. That motion does pass.
Well, I -- just watching all of you go through this process, it is very clear to me how important it was to you to make sure you had enough information to make a decision. And I admire all of you for taking the time that you needed to do that.
So everybody is working very hard today.
As that was the last item on the agenda, let me quickly remind everybody about the upcoming board meetings.
On April 16th through 17th at POST in West Sacramento;

CERTIFICATE OF REPORTER

I, KATHRYN S. SWANK, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing proceedings were reported, to the best of my ability, in shorthand by me, Kathryn S. Swank, a Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said proceedings nor in any way interested in the outcome of said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of February 2025.

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