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

STATEMENT OF FINDINGS

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

CASE NO.: POST2306401

SUBJECT OFFICER: Guy Hartson **POST ID: C00-R37**

EMPLOYING AGENCY: Oxnard Police Department

ALLEGED MISCONDUCT: 13510.8(b)(1)/11 CCR 1205(a)(1) – Dishonesty, & 13510.8 (b)(2)/11 CCR 1205(a)(4) – Sexual Assault

CASE SUMMARY:

In April 2023, the Oxnard Police Department (OPD) submitted a serious misconduct complaint to POST against Officer Guy Hartson, hereafter "Respondent", alleging that Respondent engaged in sexual acts with a member of the public while on duty and was dishonest about his misconduct in a subsequent investigation. Following POST's investigation and review, POST found, by clear and convincing evidence, that reasonable grounds existed for consideration of revocation pursuant to Penal Code Section 13510.8. The findings in the POST Investigative Summary and Findings report are as follows:

On June 1, 2020, Respondent, and another officer responded to a residence in the City of Oxnard, California regarding a "check the wellbeing" call for service. The subject of this call was an adult female, hereafter "Victim", who resided at the residence. Her mother had called the Oxnard Police Department dispatch center and reported that her daughter was in mental distress and needed assistance. Respondent and a partner officer responded to the residence and contacted the Victim. The Officers determined that she did not meet the criteria for being taken into custody per Welfare and Institutions Code Section 5150. Before leaving the residence, the Respondent provided the Victim with his cell phone number on a piece of paper.

The Victim began sending text messages to the phone number provided by the Respondent. The Respondent returned to the station prior to 1:00 am to drop off his partner for his end of watch. Respondent then returned to the Victim's residence on two separate occasions during the remainder of his shift. He did not check out with Dispatch, nor did he activate his Body Worn Camera (BWC). He had not received additional calls for service at this location. It was determined that the Respondent and the Victim had engaged in sexual contact during his visits while Respondent was on duty. It was further determined that the Respondent made multiple dishonest statements during the criminal investigation into his misconduct. The agency sustained multiple policy violations including, dishonesty and having sexual relations while on duty.

ANALYSIS/FINDINGS:

1. **The alleged misconduct violated Penal Code Section 13510.8 (b)(2) and Title 11, California Code of Regulations Section 1205 (a)(4) – Sexual Assault**

Penal Code Section 13510.8 (b)(4) and Title 11, Commission Regulation 1205 (a)(4) defines sexual assault as "*the commission or attempted initiation of a sexual act with a member of the public (any person not employed by the officer's employing agency and includes any participant in a cadet, explorer, or other youth program affiliated with the agency) by means of force, threat, coercion, extortion, offer of leniency or other official favor, or under the color of authority. For purposes of this definition, the propositioning for or commission of any sexual act while on duty is considered a sexual assault*."

The Respondent returned to the Victim's residence, twice during a single patrol shift and engaged in sexual contact with the Victim. The Victim was contacted for a wellbeing check and was highly intoxicated, and the Respondent was aware of this fact. The initial contact between the Victim and the Respondent was for a welfare check of a possible suicidal subject.

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

Penal Code Section 13510.8 (b)(1) and Commission Regulation 1205 (a)(1) defines as serious misconduct: "Dishonesty relating to the reporting, investigation, or prosecution of a crime, or relating to the reporting of, or investigation of misconduct by, a peace officer or custodial officer, including, but not limited to, false statements, intentionally filing false reports, tampering with, falsifying, destroying, or concealing evidence, perjury, and tampering with data recorded by a body-worn camera or other recording device for purposes of concealing misconduct."

Clear and convincing evidence establishes that the Respondent's statements during his criminal investigation interview regarding the events that occurred with the Victim on June 2, 2020, contained multiple false statements regarding his sexual interaction with the Victim.

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OUTCOME/IMPOSITION OF DISCIPLINARY ACTION AGAINST PEACE OFFICER CERTIFICATION:

The Peace Officer Standards Accountability Division determined that reasonable grounds existed to seek revocation of the Respondent's certifications in this case. A notice of intent to revoke was served August 7, 2024. Respondent did not file a request for review within the 30-day response period, pursuant to Penal Code section 13510.85 (a)(2), thus resulting in default revocation of Respondent's certification with no further proceedings. On October 4, 2024, the default order was issued and served on Respondent. Respondent Guy Hartson's (POST2306401) (POST ID: C00-R37) peace officer certification was revoked on October 4, 2024.