Mendocino County Sheriff's Office
Internal Affairs Investigation
IA #24-20

DIVISION ASSIGNED:	DATE ASSIGNED:	DATE COMPLETED:
Internal Affairs	05/15/2025	7/10/25
INVESTIGATOR: RIBOLI, ERIC #2412	SUPERVISOR (S) REVIEW:	

VIOLATION(S) INVESTIGATED:	RECOMMENDED FINDING:
Mendocino County Sheriff's Office Policy: **340.4 GENERAL STANDARDS** Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and California constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority. Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty. Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct. (*Issued Date 08/24/2023*) Name of Policy: Standards of Conduct.	☐ UNFOUNDED ☐ EXONERATED ☐ NOT SUSTAINED ☒ SUSTAINED

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Mendocino County Sheriff's Policy: 340.5.1 LAWS, RULES AND ORDERS c. Violation of federal, state, local or administrative laws, rules or regulations. Issue Date 08/24/2023 Name of Policy Laws, Rules and Orders.	☐ UNFOUNDED ☐ EXONERATED ☐ NOT SUSTAINED ☒ SUSTAINED
Mendocino County Sheriff's Office Policy: 340.5.9 CONDUCT h. Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department. m. Any other on or offduty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members. (*Issued Date: 08/24/2023*) Name of Policy: Standards of Conduct.	☐ UNFOUNDED ☐ EXONERATED ☐ NOT SUSTAINED ☒ SUSTAINED
California Penal Code: 243.4(e)(1) PC (e) (1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, or any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of misdemeanor sexual battery, punishable by a fine not exceeding two thousand dollars ($2,000), or by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. However, if the defendant was an employer and the victim was an employee of the defendant, the misdemeanor sexual battery shall be punishable by a fine not exceeding three thousand dollars ($3,000), by imprisonment in a county jail not exceeding six months, or by both that fine and imprisonment. Notwithstanding any other	☐ UNFOUNDED ☐ EXONERATED ☐ NOT SUSTAINED ☒ SUSTAINED

provision of law, any amount of a fine above two thousand dollars ($2,000) which is collected from a defendant for a violation of this subdivision shall be transmitted to the State Treasury and, upon appropriation by the Legislature, distributed to the Civil Rights Department for the purpose of enforcement of the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code), including, but not limited to, laws that proscribe sexual harassment in places of employment. However, in no event shall an amount over two thousand dollars ($2,000) be transmitted to the State Treasury until all fines, including any restitution fines that may have been imposed upon the defendant, have been paid in full. (*Amended / Enacted Year 1872*) Description of Law: Assault and Battery.	
	SIGNED and DATED: 7/10/25

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INCIDENT TYPE: OFF DUTY CONDUCT	DATE OF INCIDENT:	DATE REPORTED:	FILE NUMBER:
	11/13/2024	11/13/2024	24-20

EMPLOYEE: ESCARENO-DAVILA, EDUARDO #2913	DIVISION OR ASSIGNMENT:	WORK LOCATION:
	Patrol	North Sector

COMPLAINANT: [redacted]	ADDRESS: [redacted]	
CITY: [redacted]	STATE: [redacted]	ZIP CODE: [redacted]
HOME TELEPHONE: [redacted]	WORK OR CONTACT TELEPHONE:	

SUMMARY OF INCIDENT: On 11/13/2024 at approximately 0440 hours, Complainant [redacted] was sleeping in her bed, at her residence. [redacted] woke up to something touching her vaginal area. [redacted] turned on the bedroom light and found her roommate, Eduardo Escareno-Davila, trying to hide under her bed. At the time of this incident Escareno-Davila was employed with the Mendocino County Sheriff's Office as a Deputy Sheriff assigned to patrol operations in the North Sector. [redacted] reported the touching was unwanted and she wished to file criminal charges against Escareno-Davila.

The Mendocino County Sheriff's Office Investigations Bureau conducted a criminal investigation, which resulted in the following charges being filed by the District Attorney's Office:

243.4(E)(1) PC. Misdemeanor Sexual Battery.

FINDINGS REGARDING COMPLAINT:

05/15/2025, Lieutenant Caudillo provided me with a memorandum commanding me to investigate allegations against Escareno-Davila. The Memorandum directed me to submit my findings to Lieutenant Caudillo at the completion of my investigation. I subsequently placed the memorandum into the case file under section 2 (Source of Complaint).

I reviewed all MCSO reports and supplemental reports regarding Case Report 2024-23393 and learned the following: On 11/13/2024, Complainant [redacted] was living at her residence located at [redacted] with a female roommate, [redacted], and a male roommate, identified as Eduardo Escareno-Davila. At the time of this incident Escareno-Davila was employed with the Mendocino County Sheriff's Office as a Deputy Sheriff assigned to North Sector Patrol.

Deputy Nelson was the initial responding Deputy. I reviewed Deputy Nelson's supplemental report and learned the following: Deputy Nelson was directed to respond to the [redacted] address by Sergeant Vazquez, due to the fact [redacted] contacted the Sheriff's Office and created a call for service. Deputy Nelson responded to the location and contacted [redacted] and Escareno-Davila. Deputy Nelson learned that a crime had possibly been committed by Escareno-Davila against [redacted] and [redacted] desired prosecution. Deputy Nelson requested the Investigation Bureau be called out.

[redacted] was transported to the Detective Bureau where Detective Jack Woida spoke to her and initiated an investigation. I reviewed Detective Woida's report and learned he interviewed [redacted] and she told him the following:

At 0440 hours, [redacted] called the Mendocino County Sheriff's Office to report that Escareno-Davila had snuck into her room and fondled her vaginal area while she was sleeping. [redacted] said she felt something touching her vaginal area and when she turned on the light in her room she observed Escareno-Davila lying on the floor and attempting to hide under her bed. [redacted] confronted Escareno-Davila. [redacted] observed that Escareno-Davila appeared to be intoxicated, however she did not know how much alcohol he had consumed. Escareno-Davila told [redacted] he was looking for a white cat, which [redacted] thought was odd because Escareno-Davila was not a cat person, and the white cat had been re-homed and no longer lived at the residence. Escareno-Davila was previously told that [redacted]' bedroom was off limits to him and he was not allowed to enter [redacted]' room without her permission. [redacted] said she usually leaves her bedroom door cracked open for the cats to come in and out. Escareno-Davila began crying and continually told [redacted] he was sorry.

[redacted] told Detective Woida that she had never been romantic with Escareno-Davila in the past. Escareno-Davila had "hit on" [redacted] before, via text message, however, it never went any further than that. [redacted] advised her other roommate, [redacted], was at the residence during the incident, however [redacted] was asleep in her room and was not involved. [redacted] requested an EPO, which was granted and subsequently served on Escareno-Davila.

I read Detective Woida's supplemental report and learned the following: Later that day, Detective Woida, Lieutenant Porter, Captain Cromer and Lieutenant Lorenzo contacted Escareno-Davila at the residence. Escareno-Davila appeared to have slept, and he stated he was tired but no longer felt the effects of alcohol. Escareno-Davila agreed to talk to Detective Woida. Detective Woida provided Escareno-Davila with a Beheler Admonishment.

Escareno-Davila told Detective Woida that he had consumed beer the night of the incident and was "a little too intoxicated." He "went into [redacted]'s room and tried to touch her." Escareno-Davila said he and [redacted] had never been in a romantic relationship and there was nothing to suggest [redacted] was romantically interested in him.

Escareno-Davila said at some point last night he exited his bedroom and walked to [redacted]' bedroom door because it was cracked open. He entered the room and then thought "what are you doing" because he realized he should not be in

[redacted]' room, so he exited the room. He stood at [redacted]' door for a short time and then decided to go back into [redacted]' room, however when he entered the bedroom the second time he crawled on the floor to the west side of [redacted]' bed.

After arriving at [redacted]' bed, Escareno-Davila reached up with his right hand and put his hand under [redacted]' blanket. He felt [redacted]' bare foot and he moved his hand up her leg until he reached her calf area. At this point [redacted] began to wake up, so he stopped. Escareno-Davila said going into [redacted]' bedroom and touching her was not a good idea, however he did not explain why he did it.

Escareno-Davila said he touched [redacted]' bare foot and ran his hand up her leg, but he could not recall what other parts of her body he touched. When asked directly, Escareno-Davila said he did not touch [redacted]' vaginal area. Escareno-Davila said he did not know why [redacted] would say he touched her vagina. When asked what his intentions were, Escareno-Davila said he "had a little too much to drink" and saw [redacted]' door open and decided to go into her room. He did not really feel like [redacted] wanted him to come into her room and touch her and he did not think [redacted] would allow the touching to lead to something else.

Escareno-Davila told Detective Woida that after [redacted] woke up, he curled up on the floor because he knew he should not have been in her room. When [redacted] confronted him, he did not know what to say. [redacted] told Escareno-Davila she was going to call the Sheriff's Office. Escareno-Davila said he believed [redacted] was going to report that he had touched her. When asked what a reasonable person's belief would be as to why he went into [redacted]' room, Escareno-Davila said, "to take advantage of her." Detective Woida clarified that Escareno-Davila was referring to something sexual in nature. When asked if that was what he was thinking of doing, Escareno-Davila said "potentially, but I don't remember." Escareno-Davila said he made up the lie about looking for a white cat because he was scared.

Detective Woida went to [redacted]' room and examined her bed. It was Detective Woida's opinion that it was unlikely that Escareno-Davila could have reached [redacted]' body while he was lying on the floor, despite Escareno-Davila continually saying he remained on the floor during the entirety of the incident.

Escareno-Davila demonstrated how the incident happened for Detective Woida. As Escareno-Davila stood outside [redacted]' door, he stated that due to his level of intoxication, he felt he was being signaled to go into [redacted]' room, so he entered. After entering the room, he realized it was a bad idea, so he exited the room and again stood at the door. He waited for a short time and then laid down on the floor and crawled into the room on his stomach. He laid next to [redacted]' bed and reached up with his right hand. Escareno-Davila slid his hand upward and indicated when he touched the other unknown part of [redacted]' skin that caused her to wake up. Detective Woida noted that Escareno-Davila's hand was near the middle of the bed, approximately where [redacted]' hips would have been if she was lying down in the bed.

After completing the interview, Detective Woida collected evidence, to include the following: clothing from [redacted], Buccal swabs from Escareno-Davila and Escareno-Davila's cellphones. As of the authoring of this report, nothing of investigative value has been reported as a result of the evidence taken.

I researched the Mendocino Superior Court Case Information Portal and learned that as of 04/29/2025, the criminal case was set for a Settlement Conference on 08/05/2025 at 0900 hours and a Jury Trial on 08/25/2025 at 1330 hours.

I requested the MCSO Dispatch audio recordings for phone calls and radio traffic regarding this case. I later received a DVD containing 16 files, which consisted of phone calls and radio traffic. I reviewed the audio recordings and found them to be consistent with the written reports and statements. [redacted] reported the incident to Dispatch and Sergeant Vasquez was notified. Sergeant Vasquez then responded to the North Sector to meet with Deputy Nelson and the two of them responded to the residence. Some of the audio recordings are of Detective Woida's phone calls and radio traffic as

he initiated and conducted the investigation. I placed the DVD containing the audio recordings into the case file under section 5 (Evidence) and marked as ER#01.

I downloaded the Axon audio/video evidence taken by the personnel involved during the original investigation from Evidence.com. to a thumb drive. I later marked the thumb drive as ER#02 and I placed it into the case file under section 5 (Evidence).

After reviewing MCSO report 2024-23393 and supplemental reports, I found all allegations to be SUSTAINED. Escareno-Davila consumed alcohol to the point he was "a little too intoxicated." Escareno-Davila then entered [redacted] room fully knowing he should not enter her room without permission. This was demonstrated by the fact that when he first entered [redacted]' room he knew he should not be there, so he retreated to the hallway. Escareno-Davila waited a short time and then entered the room again, this time crawling on the ground, presumably to avoid detection.

After low crawling to [redacted]' bed, Escareno-Davila reached his hand under [redacted]' blankets and touched her bare skin. Escareno-Davila said he did not touch [redacted]' vaginal area, however he is not sure what part of her body he did touch. [redacted] stated that Escareno-Davila did touch her vaginal area to the point that it woke her up. When [redacted] confronted Escareno-Davila, he began crying and saying he was sorry. In my experience, this type of behavior is typical of someone that has done something they knew was wrong.

Escareno-Davila completed a POST basic police academy, an MCSO field training program and worked as a Deputy Sheriff for no less than a year. Escareno-Davila was familiar, or reasonably should have been familiar, with Penal Code section 243.4(e)(1). Escareno-Davila crawled into [redacted] room while she was sleeping and touched her vaginal area while she was sleeping and unable to give consent, which violated this section. Escareno-Davila knew, or reasonably should have known, his conduct was outside of MCSO policy and would bring disgrace to himself and this office.

SIGNATURE: E 2417	DATE:
Employee Name / ID # RIBOLI, E. 2417	7/10/25

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Evidence Obtained / Reviewed (Also Attached)				
☒ Report	☐ Incident	☒ Dispatch Audio	☐ Car Camera	☒ Body Camera
☐ Video	☐ Email	☒ Documents	☐ Photographs	☐ Other Audio

☐ Other (Describe Below):

ER#01: DVD with Dispatch audio phone calls, radio traffic.

ER#02: thumb drive with Axon audio/video from original investigation.

ER#03: MCSO Crime Reports.