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.: POST2311776

SUBJECT OFFICER: Mauricio Bernal **POST ID:** C75-Y68

EMPLOYING AGENCY: San Diego County Sheriff's Department

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

CASE SUMMARY:

In June 2023, the San Diego County Sheriff's Department (SDSD) submitted a serious misconduct complaint to POST against Deputy Mauricio Bernal, hereafter "Respondent", alleging that Respondent committed criminal conduct. 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 September 3, 2021, Respondent, was arrested by the Oceanside Police Department for felony domestic violence against his fiancé, hereafter "Victim". On September 2, 2021, the Victim contacted the Los Angeles County Sheriff's Department (LASD) to report an incident which occurred on September 1, 2021, in Oceanside, California, where the Victim alleged Respondent punched her on the side of the head and strangled her. LASO deputies took a report from the Victim regarding a prior incident which occurred on June 28, 2021, in Los Angeles County, where the Victim claimed that Respondent bit the Victim on the arm and pulled the Victim into his chest causing a laceration to her mouth. On May 11, 2022, Respondent resigned from the SDSD, prior to the conclusion of the administrative investigation. On April 20, 2022, Respondent pled Guilty in San Diego Superior Court to one misdemeanor count of Penal Code Section 273.5 (Corporal Injury to Spouse or Cohabitant). On October 4, 2022, Respondent pled No Contest in Los Angeles Superior Court to one misdemeanor count of Penal Code Section 273.5.

ANALYSIS/FINDINGS:

1. **The alleged misconduct violated Penal Code Section 13510.8 (b)(6) and Title 11, California Code of Regulations Section 1205 (a)(6) – Acts that Violate Law**

Penal Code Section 13510.8 (b)(6) and Commission Regulation 1205 (a)(6) defines serious misconduct as, "Acts that violate the law and are sufficiently egregious or repeated as to be inconsistent with a peace officer's obligation to uphold the law or respect the rights of the public, as determined by the Commission."

Based on the investigation, clear and convincing evidence exists to show that Respondent's actions rise to the level of serious misconduct because he committed repeated acts of domestic battery against the Victim. Respondent's actions lead to misdemeanor convictions for California Penal Code Section 273.5 in two different California counties. As detailed in Regulation 1205(a)(6), the acts that violate the law must be sufficiently egregious or repeated as to be inconsistent with a peace officer's obligation to uphold the law or respect the rights of members of the public. These acts were egregious in nature due to Respondent committing multiple acts of physical violence by biting, punching and strangling the Victim.

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 on 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 Mauricio Bernal's (POST2311776) (POST ID: C75-Y68) peace officer certification was revoked on October 4, 2024.