

INVESTIGATIVE SUMMARY AND FINDINGS

PEACE OFFICER NAME: Jared Nathaniel Brittain

POST ID NUMBER: C63-Z34

EMPLOYING AGENCY: Orange County Sheriff's Department

POST CASE NUMBER: POST2316745

WRITTEN BY: Paul Nanfito LEC II

DATE: 5/9/2025

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I. Executive Summary:

On June 1, 2022, while employed by the Orange County Sheriff's Department ("the Department"), Deputy Jared Nathanial Brittain ("Respondent") was arrested for driving under the influence of alcohol (DUI). On October 7, 2022, the Respondent pled guilty to the DUI and admitted to having a high blood alcohol content of .20 percent. As a result of this conviction, the California Department of Motor Vehicles ("DMV") imposed a 6-month suspension on the Respondent's driving privileges from October 7, 2022 to April 7, 2023. Respondent did not inform the Department that his driver's license was suspended.

On December 28, 2022, a citizen called the Anaheim Police Department to report finding a handgun in a vehicle she had rented from a local dealership. The individual reported she was cleaning the vehicle, a Dodge Ram truck, prior to returning it to the dealership and located the firearm in a storage compartment in the vehicle's center armrest. The Anaheim Police Department officers ran the firearm's serial number and determined it belonged to the Respondent, who had rented the Dodge truck immediately prior to the reporting party. When questioned about the firearm, the Respondent admitted to its ownership, but indicated to officers that he could not recall when he had last seen the firearm.

During the internal affairs investigation for the DUI arrest, the Respondent was dishonest with Department investigators about the following: 1) the length of the suspension on his driver's license; 2) whether he drove himself to and from work; and 3) whether he or his assigned trainees drove the patrol car during the dates his license was suspended. In addition, during the subsequent internal affairs investigation prompted by the discovery of the unsecured firearm and discovery that Respondent had rented a vehicle during the period he reported his driving privileges were suspended, Respondent continued to be dishonest with investigators about the above areas, even when confronted with evidence that disproved his prior statements.

As a result of the initial internal affairs investigation regarding Respondent's DUI arrest, the Department proposed a discipline of an 80-hour unpaid suspension, which was reduced to a 60-hour unpaid suspension following Respondent's participation in a *Skelly* hearing.

Following the conclusion of the second internal affairs investigation, the Department found that the Respondent was dishonest in the previous internal affairs investigation and that he violated the law by leaving an unsecured firearm in a rental vehicle and by driving on a suspended license on multiple occasions and recommended that the Respondent be terminated. However, following a *Skelly* hearing, the Department and Respondent entered into a Last Chance Agreement, which resulted in the Respondent's demotion to Deputy Sheriff I and reassignment to either a custodial or Court assignment. In addition,

the Last Chance Agreement included a two-year waiver of Respondent's legal rights following any further sustained misconduct allegations involving the following: 1) dishonesty; 2) misconduct where alcohol was a causative factor or where there was a violation of any alcohol related policy; or 3) misconduct where a controlled substance was a causative factor or there is a violation of any drug related policy. Further, the Respondent waived his rights if the Division determined the Respondent was ineligible to be employed as a peace officer pursuant to Government Code section 1029(a), which would require that the Respondent be convicted of either a felony or a disqualifying misdemeanor offense.[1]

II. Background Information

a. Identity of Respondent

At the time of the events at issue, the Respondent was employed as a Deputy Sheriff II with the Orange County Sheriff's Department. This position is a peace officer position as defined under Penal Code section 830.1(a), which is required to be POST certified under Penal Code section 13510.1(a).

b. Respondent's Service Record, Relevant Training, and Prior Complaints and Discipline:

Respondent began employment with the Orange County Sheriff's Department as a Trainee on March 31, 2017. He was promoted to Deputy Sheriff on November 8, 2017. The Respondent has received a significant amount of POST training since becoming a deputy sheriff. Below are some, but not all the Respondent's training. These are some of the more relevant and significant training sessions he has attended:

- Basic Police Academy.
- SWAT Training.
- Field Training Officer (FTO).
- Beyond Bias: Racial & identity Profiling update.
- Mental Health Intervention Training.
- ***Ethical Decision Making in Law Enforcement (4/27/2022)***.

Refer to the attached POST Profile Report for a complete listing of the Respondent's training.

The Respondent also held the following collateral duty assignments:

- FTO
- SWAT

[1] Vehicle Code section 23152 is not a disqualifying misdemeanor offense under Government Code section 1029(a)(9).

- Explorer Advisor
- Honor Guard
- Range Staff (part-time)

c. Prior Employment History:

Peace Officer Certification

Respondent is assigned POST ID C63-Z34. He received the following peace officer certificates from the Peace Officer Standards and Training (POST):

- Basic - 11/12/2018 (#192926)
- Intermediate – 8/12/2021 (#147844)
- Advanced – 11/13/2023 (#132339)

d. The Present Allegations of Serious Misconduct

1. The Department submitted the following allegations of serious misconduct: Penal Code section 13510.8(b)(1) (Dishonesty) and (b)(6) (Acts that Violate the Law) and California Code of Regulations, section 1205(a)(6), Acts that Violate the Law and California Code of Regulations, section 1205(a)(1), Dishonesty.

2. Agency Determinations on Complaint, Discipline, and Any Appeals –

   The Orange County Sheriff's Department submitted two IAs to POST. IA #22-073 and 22-172. There were the following sustained policy violations for both Internal Affairs Investigations:

   IA#22-073:
   - Off-Duty Handguns – Sustained.
   - Purpose & Scope – Sustained.
   - Other Criminal Violations (DUI) – Sustained.
   - Standard of Conduct – Sustained.
   - Cooperation – Sustained.
   - Performance of Duty – Sustained.
   - Obedience to Laws and Regulations – Sustained.
   - Incurring Liability – Sustained.
   - Prohibited Acts or Omissions (4 separate violations) – Sustained.

- Agency Action – Recommended an eighty (80) hour unpaid suspension, which was reduced to a sixty (60) hour unpaid suspension following the *Skelly* hearing.

IA#22-172:

- Firearm Storage in Vehicles – Sustained.
- Obedience to Laws and Regulations – Sustained.
- ***Untruthfulness – Sustained.***
- Incurring Liability – Sustained.
  - Agency Action – The recommended discipline was Dismissal, which was reduced to a detailed "Last Chance" agreement, which included a reduction in rank from Deputy Sheriff II to Deputy Sheriff I and re-assignment to the Jail Division.

3. Date of Receipt by POST- August 24, 2023.

III. Investigative Methodology

This report summarizes the findings related to allegations of serious misconduct. This investigation was conducted in accordance with the regulations and policies of POST. The information obtained was analyzed using the clear and convincing evidence standard. For purposes of this report, clear and convincing evidence means "evidence of a charge is clear and convincing so long as there is a 'high probability' that the charge is true. The evidence need not establish a fact beyond a reasonable doubt." This report is necessarily summary in nature and does not include every fact or issue that might be found in the underlying investigation and attachments. It does, however, contain reference to that evidence that I believe establishes the requisite facts and proves the serious misconduct charged by clear and convincing evidence.

IV. Factual Summary

The Division's investigation involved a review of the two internal affairs investigations conducted by the Orange County Sheriff's Department in internal affairs nos. 22-073 (DUI arrest) and IA 22-172 (unsecured firearm and dishonesty), as well as an independent investigation of these events. A summary of the Division's factual findings is presented below.

IA #22-073 - DUI arrest:

On June 1, 2022, officers from the California Highway Patrol ("CHP") observed the Respondent driving on State Route 55 in Santa Ana at a high rate of speed, which the officers estimated was approximately 104 mph, while weaving dramatically within his lane

and making unsafe lane changes, and pulled him over.[2] Upon contacting the Respondent, CHP officers noticed that Respondent had red, watery eyes, and emitted the odor of alcohol from inside the vehicle and on his person, and initiated a DUI investigation.[3] Respondent notified the CHP officers that he was an off-duty law enforcement officer and had multiple firearms in his vehicle, including one on his person.[4] When the CHP officers began to ask Respondent a series of preliminary field sobriety test (FST) questions, Respondent told them he had not been drinking and was unsure why they were investigating him.[5] Respondent then answered the CHP officers' initial questions, but subsequently stopped answering questions and stood staring at the officers as they continued questioning him.[6] Respondent then shook his head in response to the CHP officers' question as to whether he would continue to participate in the pre-FSTs questions, but consented to participate in the FST, in which he performed poorly.[7] A Preliminary Alcohol Screening (PAS) test registered Respondent's blood alcohol content (BAC) as .192/.191 percent.[8] Subsequent blood test results showed Respondent's BAC to be .203 percent.[9]

The Orange County District Attorney charged Respondent with one (1) misdemeanor violation of Vehicle Code section 23152(a) (driving under the influence of alcohol) and one (1) misdemeanor violation of Vehicle Code section 23152(b) (driving with more than .08% blood alcohol content), as well as enhancements under Vehicle Code section 23582(a) (speeding and reckless driving while driving under the influence of alcohol) and Vehicle Code section 23582(b)(2) (blood alcohol content greater than .20 percent or more by weight).[10]

On October 7, 2022, Respondent pled guilty to both misdemeanor violations of Vehicle Code sections 23152(a) and 23152(b) and admitted the allegation that his BAC was over .20 percent at the time of his arrest.[11] The Court placed Respondent on probation for 3 years and ordered him to pay the assessed fines and fees, serve 120 hours of community service, as well as refrain from violating any laws or driving without a valid driver's license in his possession.[12] Respondent was also ordered to serve 60 days in the county jail; however, this order was stayed until October 6, 2023, pending his completion of his

[2] Attachment A, Driving Under the Influence Arrest – Investigation Report ("CHP Report"), p. 3-4.
[3] CHP report, p. 3.
[4] CHP report, p. 4.
[5] CHP report, p. 4.
[6] CHP report, p. 4.
[7] CHP report, pp. 4-5.
[8] CHP report, p. 6.
[9] Attachment B, Orange County Crime Lab report for case no. FR 22-22786, dated June 16, 2022.
[10] Attachment C, Complaint filed in *People v. Jared Nathaniel Brittain*, case no. 22WM07965 ("Complaint"), pp. 1-2.
[11] Attachment D, Minutes, *People v. Jared Nathaniel Brittain,* case no. 22WM07965 ("Minutes"), p. 4.
[12] Minutes, pp. 4-6.

community service hours and 15 AA meetings.[13] Finally, Respondent was ordered to complete a 6-month alcohol program.[14]

As part of his guilty plea, the Respondent filled out a written plea agreement, which he prepared with the assistance of his legal counsel.[15] Under 13m of the plea agreement, Respondent entered his initials to acknowledge that "[t]he DMV may restrict or suspend my driver's license separate from any action by this Court."[16] Under 13o and 13p, the Respondent also acknowledged that he would have to provide the DMV with proof of completion of an alcohol/drug program before his driving privileges would be reinstated.[17] Respondent and his attorney dated and signed this plea form on October 3, 2022, four days before entering Respondent's guilty plea on October 7, 2022.[18]

On October 14, 2022, the DMV sent the Respondent a notice to his home that his driving privileges would be suspended from October 7, 2022 to April 23, 2023.[19] As indicated in the notice, the Respondent was also provided with information about how to obtain a restricted license before April 23, 2023. The Respondent did not notify his department (via his chain of command) about his suspended driver's license as required by policy.[20] On December 20, 2022, the Respondent went to the DMV in person and obtained a restricted driver's license.[21]

On December 21, 2022, the Respondent was interviewed by Department internal affairs investigators about his DUI arrest. Respondent told the investigators that, prior to his arrest, he had been drinking "Jack and Cokes" for "approximately 3 hours" at a bar that night and, though he felt intoxicated when he left the bar, he did not consider alternatives to driving himself home because his expensive e-bike was unsecured in the back of his truck and he was concerned it would be stolen.[22] Respondent acknowledged to

[13] Minutes, p. 5.
[14] Minutes, p. 5.
[15] Attachment E, Superior Court of California, Orange County Vehicle Code Misdemeanor Guilty Plea Form for *People v. Jared Nathaniel Brittain,* case no. 22WM07965 ("Plea Form"), p. 4, no. 18.
[16] Plea Form, p. 3.
[17] Plea Form, p. 4.
[18] Plea Form, p. 5.
[19] Attachment F, DMV Order of Suspension, dated October 14, 2022.
[20] OCSD Policy 1010.1 reads as follows: "Convictions of certain offenses may restrict or prohibit a Member's ability to properly perform official duties; therefore, all Members shall be required to promptly notify the Department of any past and current criminal convictions." OCSD Policy 1010.3 makes this policy applicable to "certain violations of the Vehicle Code." Members of the OCSD are required under OCSD Policy 1010.4 to "promptly notify their immediate supervisor…in writing of any past or current criminal arrest or conviction regardless of whether or not the matter is currently on appeal and regardless of the penalty or sentence, if any."
[21] Attachment G, DMV Verbal Notice of Action, dated December 20, 2022.
[22] Attachment H, Respondent's December 21, 2022 internal affairs interview with the Orange County Sheriff's Department ("December 21, 2022 interview") at 3:43 to 4:23.

investigators that he made this decision to drive despite knowing the consequences for a DUI.[23]

The investigators next questioned Respondent about why he immediately identified himself to the CHP officers as a Department deputy sheriff, and the Respondent explained that it was because he had firearms in his truck, including fully automatic firearms that were assigned to him as part of his SWAT gear, which were secured in the back of his truck, as well as a handgun in his waistband.[24] Respondent was clear, however, that he did not identify himself as law enforcement to obtain preferential treatment.[25]

Once the investigators questioned the Respondent about his license suspension, they asked him whether his license was "fully suspended at any time,"[26] to which the Respondent replied as follows:

> Respondent: For a period of, I believe 30 days from the sentencing until I could get it to a restricted.[27]

The investigators then verified with the Respondent that his sentencing was on October 7, 2022, and that "essentially the month of October, [he] had a completely suspended driver's license."[28] To which, Respondent responded, "Yes, sir."[29]

Investigators next asked the Respondent how he got to work and how he performed his patrol duties during the time his license was suspended, and the Respondent provided the following response:

> Respondent: I had a friend drive me that I worked with and I had a trainee in the car that I was working with.[30]

The investigators followed up on the Respondent's answer with a clarifying question to ask the Respondent if he "had the trainee driving the whole time while [he was] doing [his] patrol work,"[31] to which the Respondent replied, "Yes, sir."[32]

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[23] December 21, 2022 interview at 4:53 to 4:57.
[24] December 21, 2022 interview at 8:07 to 9:25; 10:00 to 10:06.
[25] December 21, 2022 interview at 8:22 to 8:36.
[26] December 21, 2022 interview at 17:30.
[27] December 21, 2022 interview at 17:37.
[28] December 21, 2022 interview at 17:54.
[29] December 21, 2022 interview at 18:01.
[30] December 21, 2022 interview at 18:02 to 18:08.
[31] December 21, 2022 interview at 18:09 to 18:14.
[32] December 21, 2022 interview at 18:15.

Investigators next questioned the Respondent about his current driver's license restriction; specifically, how long the restriction would be in place, and Respondent explained that it would be in place for 1 year, "the date of the – after the 30-day suspension so, 11/7."[33]

Finally, investigators asked the Respondent whether he had an issue with drinking, to which the Respondent replied as follows:

> Respondent: Not now, because this program made me realize that it is a problem. It's not just normal. And then I, I've been taking steps to work towards that and then I have been drinking, so….[34]

On February 15, 2023, the Department conducted a follow-up interview of the Respondent, during which the investigators questioned the Respondent about whether he notified his department about his conviction. As part of this line of questioning, investigators confirmed that Respondent "had a 30-day suspended license…,"[35] to which the Respondent replied, "Yes, sir."[36] Investigators then confirmed that the Respondent's driver's license was suspended from October 7, 2022 to November 7, 2022, to which Respondent responded, "From what I recall, yes, sir."[37] Respondent also confirmed for the investigators that he received rides to and from work and that he had a trainee driving for him on patrol as he was a field training officer (FTO) during this period.[38]

When the investigators asked the Respondent whom he provided notice of his conviction and the 30-day driver's license suspension to, he responded, "My partner, sir."[39] The investigators then asked the Respondent if he understood "the importance and the liability associated with having a deputy out on patrol without having a driver's license, even though [he was] not driving the car, the potential for [him] driving the car is there and that would create a significant problem…,"[40] to which the Respondent replied, "Absolutely,"[41] and "Yes, sir."[42]

[33] December 21, 2022 interview at 18:34 to 18:39.
[34] December 21, 2022 interview at 24:24 to 24:34.
[35] Attachment I, Respondent's February 15, 2023 internal affairs interview with the Orange County Sheriff's Department ("February 15, 2023 interview") at 2:15.
[36] February 15, 2023 interview at 2:30.
[37] February 15, 2023 interview at 2:34.
[38] February 15, 2023 interview at 3:10 to 3:28.
[39] February 15, 2023 interview at 2:45 to 3:10.
[40] February 15, 2023 interview at 3:30 to 3:47.
[41] February 15, 2023 interview at 3:35.
[42] February 15, 2023 interview at 3:48.

IA #PI 22-172 - Unsecured firearm:

On December 28, 2022, Officer Stachowiak and Officer Piper of the Anaheim Police Department responded to a call from a citizen who reported finding a firearm in a vehicle, a Dodge Ram 1500, she had rented from a local car dealership on December 14, 2022.[43] The reporting party told the officers that she was cleaning and checking the rental vehicle at her home prior to returning the vehicle to the dealership on December 29, 2022.[44] While checking the vehicle, she lifted the front seat, center armrest and discovered the firearm.[45] The reporting party told the officers she had not noticed the firearm until she lifted the armrest, and she immediately called the Anaheim Police Department without touching the firearm.[46] The officers secured the firearm, a Glock 19, which was later determined to have a full magazine with 15 live rounds and 1 round in the chamber.[47]

The Anaheim police officers ran the serial number on the firearm and determined that it belonged to the Respondent and it had not been reported as missing or stolen.[48] When Officer Stachowiak contacted the Respondent on December 28, 2022, about the firearm and asked him if it was in his possession, the Respondent replied, "That's a good question."[49] Respondent then told Officer Stachowiak that he had not seen the firearm in a month or two and did not report it as missing or stolen because he had not noticed it was missing.[50]

Officer Stachowiak then asked the Respondent if he had recently had a rental car, and the Respondent told him he rented a Dodge Ram 1500 from a local dealership from the end of September to December 13, 2022.[51] Respondent further told Officer Stachowiak that he had the firearm in the rental vehicle at some point, but was unable to provide the exact time period.[52] At this point, Officer Stachowiak notified the Respondent where his firearm was located and, as Officer Stachowiak noted in his report, the Respondent "didn't seem phased by the fact his firearm was located in the vehicle."[53] Officer Stachowiak noted in his report that the Respondent did appear to be concerned about whether he had notified the Respondent's supervisors at the Department about the firearm being found, however.[54] When asked to explain why the firearm was left in the rental vehicle,

[43] Attachment J, Anaheim Police Department report no. 2022-201698 ("APD report"), p. 5.
[44] APD report, p. 5.
[45] APD report, p. 5.
[46] APD report, p. 5.
[47] APD report, pp. 5, 8.
[48] APD report, p. 5.
[49] APD report, p. 6.
[50] APD report, p. 6.
[51] APD report, p. 6.
[52] APD report, p. 6.
[53] APD report, p. 6.
[54] APD report, p. 6.

the Respondent explained to Officer Stachowiak that "he owned multiple guns, didn't notice the Glock 19 was missing, and forgot about it being in the rental vehicle."[55]

The Department was notified of this incident by the Anaheim Police Department on December 28, 2022. On December 30, 2022, an internal affairs investigation was requested, which was approved on January 3, 2023.

Because the Anaheim Police report indicated that the Respondent had rented a vehicle during the period he reported his driver's license was suspended, which was inconsistent with the Respondent's statements during his prior internal affairs interviews that he was not driving to and from work from October 7, 2022 to November 7, 2022, investigators accessed and analyzed footage from the Flock Camera System License Plate Reader cameras at Beach Boulevard and Starr Street, which is 1 mile north of the Stanton substation where the Respondent was stationed, to determine whether the Respondent drove on a suspended license to or from work during this 30-day period. The Flock camera footage captured the Dodge Ram rented by the Respondent passing the intersection at Beach Blvd. and Starr St. at times consistent with the Respondent's work shifts during the following dates and times:

TABLE 1 (PI 22-172)		
LICENSE#	**DATE/TIME**	**LOCATION (w/in the City of Stanton)**
66557B3	October 12, 2022, at 3:27:49 PM	#06 SB Beach Blvd (Lanes 1-2) @ Starr St
66557B3	October 14, 2022, at 3:27:45 PM	#06 SB Beach Blvd (Lanes 1-2) @ Starr St
66557B3	October 15, 2022, at 3:16:33 PM	#06 SB Beach Blvd (Lanes 1-2) @ Starr St
66557B3	October 21, 2022, at 3:41:42 PM	#06 SB Beach Blvd (Lanes 1-2) @ Starr St
66557B3	October 26, 2022, at 1:52:20 PM	#06 SB Beach Blvd (Lanes 1-2) @ Starr St
66557B3	October 27, 2022, at 11:34:50 AM	#04 NB Beach Blvd @ Garden Grove Blvd
66557B3	October 31, 2022, at 3:59:42 PM	#18 EB Katella Ave (Lane3&4) @ Court Ave
66557B3	November 2, 2022, at 3:30:15 PM	#06 SB Beach Blvd (Lanes 1-2) @ Starr St
66557B3	November 4, 2022, at 6:08:32 AM	#37 NB Beach Blvd (3-4 Lanes) @ Starr St
66557B3	November 5, 2022, at 2:34:02 AM	#37 NB Beach Blvd (3-4 Lanes) @ Starr St
Note: The Department obtained a spread sheet which listed the results from the Flock camera search, but they did not retain the photographs from that search. Those photographs are no longer available since the Flock camera system only retains them for one year. The spread sheet is attached in Mark43.		

In addition, the Department accessed and analyzed the Stanton substation's exterior surveillance camera footage for this 30-day period, which also showed the Dodge Ram rented by Respondent arriving to the Stanton substation on the following dates and times. These dates were also consistent with Respondent's scheduled work shifts:

[55] APD report, p. 6.

TABLE 2 (PI 22-172)[56]			
DATE	**TIME**	**LOCATION**	**OBSERVATIONS**
10/12/2022	15:30:36	Front Door	Respondent drives Ram 1500 into the parking structure across from the Stanton Substation.
10/14/2022	15:31:58	Front Door	Respondent drives Ram 1500 into the parking structure across from the Stanton Substation.
10/14/2022	15:33:07	Sliding Gate	Respondent enters the backlot via electronic gate of the Stanton substation
10/15/2022	15:19:57	Front Door	Respondent drives Ram 1500 into the parking structure across from the Stanton Substation.
10/15/2022	15:21:14	Sliding Gate	Respondent enters the backlot via electronic gate of the Stanton substation
10/21/2022	15:43:00	Front Door	Respondent drives Ram 1500 into the parking structure across from the Stanton Substation.
10/21/2022	15:44:39	Sliding Gate	Respondent enters the backlot via electronic gate of the Stanton substation
10/26/2022	13:55:00	Front Door	Respondent drives Ram 1500 into the parking structure across from the Stanton Substation.
10/26/2022	13:56:13	Sliding Gate	Respondent enters the backlot via electronic gate of the Stanton substation
11/02/2022	15:33:20	Front Door	Respondent drives Ram 1500 into the parking structure across from the Stanton Substation.
11/02/2022	15:34:57	Sliding Gate	Respondent enters the backlot via electronic gate of the Stanton substation

On August 9, 2023, the Respondent was interviewed by internal affairs investigators about his firearm being found in a rental vehicle, as well as the potentially dishonest statements made during his prior internal affairs interview on February 15, 2023. Specifically, investigators asked the Respondent if he remembered telling the internal affairs investigators on February 15, 2023, that his license was suspended from October 7, 2022 to November 7, 2022, to which the Respondent replied, "Yes, sir."[57] Investigators then asked the Respondent if he told investigators he was given rides to and from work during those dates, which Respondent also confirmed.[58] When asked to provide details about who drove him to work, the Respondent replied as follows:

[56] Attachment K, Still photos of the Orange County Sheriff's Department's Stanton Station external surveillance video, as documented in Table 2.

[57] Attachment L, Respondent's August 9, 2023 internal affairs interview with the Orange County Sheriff's Department ("August 9, 2023 interview") at 5:47 to 5:55.

[58] August 9, 2023 interview at 5:56 to 5:57.

Respondent: It was a mix between friends and coworkers and relatives…My father some days and then Deputy Minero.[59]

Investigators then confirmed what shifts and dates the Respondent worked during this period and asked him where he would be dropped off by his relatives and friends when he received rides to work, to which the Respondent replied, "At the station, sir,"[60] and clarified that he would enter "either at the front door or the side gate."[61] Investigators next asked the Respondent if he knew what Flock cameras were and confronted him with the evidence from the Flock Camera at the intersection of Beach Blvd. and Starr St., which showed his rented Dodge Ram truck at that intersection during dates the Respondent was scheduled to work.[62]

After being confronted with the evidence, the Respondent admitted that he drove himself to work between October 7, 2022 to November 7, 2022.[63] When investigators asked him why he told the investigators that someone else drove him to work he responded as follows:

Respondent: Because there was [sic] days that I did get driven to work and I was confused on the dates that the suspension was actually in effect.[64]

Investigators followed up on the Respondent's response and asked him if he thought he would get in more trouble if he admitted to driving on a suspended license, to which the Respondent replied:

Respondent: No, I was, uh, I assumed that would have been a consequence, but I was also confused on my recollection during the interview on the exact dates that I was suspended and I knew I had a trainee at the times when I was driving during work.[65]

When asked, the Respondent explained his decision to drive some days and not others as dependent on whether another driver was available.[66]

[59] August 9, 2023 interview at 6:02 to 6:10.
[60] August 9, 2023 interview at 6:57.
[61] August 9, 2023 interview at 7:00.
[62] August 9, 2023 interview at 7:08 to 7:43.
[63] August 9, 2023 interview at 8:29.
[64] August 9, 2023 interview at 8:35 to 8:43.
[65] August 9, 2023 interview at 8:58 to 9:17.
[66] August 9, 2023 interview at 9:32 to 9:39.

When asked whether it was important to tell the truth in law enforcement, the Respondent replied as follows:

> Respondent: Yes, sir…Because we are held to a higher standard and we need to be truthful in our reports and in the prosecution of criminals as well as trust each other.[67]

When asked whether he violated his department's policy on untruthfulness during his prior interview, the Respondent replied, "Yes, sir."[68]

Investigators next questioned the Respondent about the firearm that was found in the rental Dodge Ram truck. The Respondent explained that he left the firearm in the vehicle after taking it with his brother to go shooting and camping overnight and mistakenly believing it was securely stored in the gun case used to store the other firearms.[69] Respondent further explained that he was not concerned or nervous about the Anaheim Police officers contacting his supervisors about the incident but, instead, was simply tired when the officer called and spoke with him.[70] Despite being tired, though, the Respondent immediately called his supervisor to report the incident once he finished speaking to the officer from Anaheim Police Department.[71]

On October 5, 2023, internal affairs investigators re-interviewed the Respondent after accessing and analyzing the body worn camera (BWC) footage from October 7, 2022 to November 7, 2022, which showed Respondent driving his patrol car on the following dates during the 30-day period he reported his driver's license was suspended:

TABLE 3 (PI 22-172)

DATE	TIMES	CAMERA NO.	ASSIGNED TRAINEE**
10/12/2022	00:38:53 – 0700	X60A22955	Yes
10/14/2022	23:59:34 – 0700*	X60A22955	Yes
10/18/2022	20:57:18 – 0700	X60A22955	No
10/20/2022	00:03:46 – 0700	X60A22955	Yes
11/02/2022	21:49:02 – 0700	X60A22955	No

* Time for the 10/14/2022 video indicates it begins on 10/13/2022.
**Information about whether the Respondent had a trainee assigned on a specific date was obtained from his time sheets, which reflects whether he claimed pay for working as an FTO. See Attachment S.

[67] August 9, 2023 interview at 9:55 to 10:04.
[68] August 9, 2023 interview at 10:16 to 10:22. OCSD Policy No. 1018.27 reads as follows: "**1018.27 UNTRUTHFULNESS:** No Member shall knowingly make false statements or misrepresentations to other Members or superiors."
[69] August 9, 2023 interview at 10:58 to 11:28.
[70] August 9, 2023 interview at 15:27 to 15:31.
[71] August 9, 2023 interview at 15:45 to 15:55.

Investigators began questioning Respondent by confirming that he previously told investigators in prior internal affairs interviews that, during the period his driver's license was suspended, his trainee drove his patrol car, to which Respondent replied, "Yes, sir."[72] Investigators then asked Respondent if he would like to change his statement, which prompted the Respondent to answer:

> Respondent: Yes, sir. After you guys advised me of the dates in question. Thinking back at it, there may have been the day that I have driven, whether it was to move the vehicle there or is [sic] driving on my own. I don't recall specifically what day that was.[73]

When pressed by investigators, the Respondent admitted that he may have driven during this month, "a couple of times."[74] Investigators then went over the days outlined above with the Respondent, but the Respondent was unable to recall whether he drove on the identified dates.[75] When asked how many days per month he worked on patrol, though, the Respondent informed investigators that he worked 14 days per month, which led investigators to point out to him that meant the 5 dates being asked about were nearly half of the dates he worked during a one month period.[76]

Investigators next asked the Respondent why he was not truthful in his prior interviews, to which the Respondent replied that he was "embarrassed" and "wanted to push past it" and was "resorting to alcohol during that time frame…and tried not to remember any of the specific facts…and [he] just answered the questions to the best of [his] abilities and did not recall of lot of it and that's why [he] gave those statements."[77] When pressed for a further explanation as to why he was not truthful in his prior interviews about driving on a suspended license, Respondent replied:

> Respondent: I felt an obligation, obviously to work and I had a trainee, so I had to get there and the dates that I didn't have a ride available I drove and then I obviously drove during work. And I could not recall specifically when or if I did and then, thinking back on it, ultimately, I was confused on the dates. There was multiple suspension dates that I was given and the reason

[72] Attachment M, Respondent's October 5, 2023 internal affairs interview with the Orange County Sheriff's Department ("October 5, 2023 interview") at 2:00 to 2:15.
[73] October 5, 2023 interview at 2:28 to 2:44.
[74] October 5, 2023 interview at 2:49.
[75] October 5, 2023 interview at 2:55 to 3:19.
[76] October 5, 2023 interview at 3:23 to 3:36.
[77] October 5, 2023 interview at 5:18 to 6:05.

> why I gave the answer that I did was, as we discussed, to answer a direct question, if directed to me at the time during the interview and this mindset that I was in, I did not want to give any more information than was directly asked, did you drive? I would say yes. I realize now that that's a mistake. I should have just given all the information up front.[78]

When asked why he did not want to supply more information in prior interviews, the Respondent explained that he was acting on the advice of counsel and, "after I made that initial statement, I just stuck to continue to say continuously saying what I was saying…"[79] and claimed he wasn't aware he was giving false information until confronted with specific dates in subsequent internal affairs interviews, which prompted him to think back.[80]

Following this explanation, the investigators began to question the Respondent about when he knew his driver's license was suspended. Specifically, investigators asked the Respondent whether his attorney advised him on October 7, 2022, that his license was suspended, and when he "physically" got his license back from the DMV.[81] This line of questioning led to the Respondent providing the following explanation to the investigators:

> Respondent: I assumed that I was suspended for 30 days and that after those 30 days that I was good because I had a temporary license and then I realized that I had to go back and show proof of enrollment into an alcohol program and that I'm currently insured and when I went in to do that, they mailed me a hard copy.[82]

The Respondent continued to explain to the investigators that he was confused about the dates of his suspensions because he received multiple dates of suspension from the DMV, including immediately after his arrest in either June or July of 2022, which he delayed by requesting a hearing before the DMV.[83] Following his court date, though, the Respondent explained to investigators that he thought the suspension on his driver's license was for 30 days "and then I had to go into the actual DMV physically and provide

[78] October 5, 2023 interview at 11:13 to 12:02.
[79] October 5, 2023 interview at 12:14 to 12:18.
[80] October 5, 2023 interview at 12:26 to 12:31.
[81] October 5, 2023 interview at 13:18 to 13:35.
[82] October 5, 2023 interview at 13:51 to 14:11.
[83] October 5, 2023 interview at 14:58 to 15:11. Under Vehicle Code section 13382, if an individual is found to have more than .08% blood alcohol content, the arresting officer must take possession of the individual's driver's license and provide them with a temporary driver's license, which is good for 30 days before an administrative suspension of their driving privileges under Vehicle Code section 13353.2 is imposed by the DMV. Within that 30-day period, the individual has the right to request a hearing before the DMV, to delay the imposition of the suspension. (See Veh. Code § 13353.2, subd. (c).)

them that information of an alcohol program and insurance."[84] However, at no time did the Respondent inform the investigators that his license was suspended from October 7, 2022 through December 20, 2022.

PROFESSIONAL CONDUCT SOUTHERN BUREAU (PCSB) INVESTIGATION:

In addition to the investigation conducted by the Orange County Sheriff's Department, the Division conducted its own investigation into the allegations of serious misconduct against the Respondent, which included two interviews with the Respondent on October 23, 2024, and January 14, 2025, by Law Enforcement Consultant II Paul Nanfito and Law Enforcement Consultant II Darryl Elliott via Teams. During both interviews, the Respondent was represented by counsel and the interview was audio and video recorded. In addition to interviewing the Respondent, the Division's investigation included a review of relevant documents that were not included in the Orange County Sheriff's Department's internal affairs investigations.

During the October 23, 2024 interview, which was conducted at the Respondent's request, the Respondent was offered an opportunity to present any mitigating evidence he might have that related to the allegations of serious misconduct. Respondent's counsel advised that there was a rebuttal letter, which was presented during the Department's *Skelly* hearing.[85] The letter was authored by retired Orange County Sheriff's Department Assistant Sheriff Steve Kea. The Respondent requested that this letter be included in the serious misconduct case.

The Respondent explained to the Division's investigators that, during his first internal affairs interview, he "was unaware of the specific dates that the suspension was in effect, receiving different dates from the DMV and the courts, and I had a trainee driving during that time frame, not knowing specific dates, I made the statement that that's what occurred during that time frame. So, in follow-on interviews, they asked me again if I did make that statement, um, that I had a trainee driving, that I received rides, and I responded, yes, never did I intentionally or maliciously intend to lie to the investigator, I was just responding to the questions."[86]

Just as he did during his fourth internal affairs interview, Respondent offered that he was confused about the dates of his driver's license suspension because he received a letter from the DMV that gave him a different suspension date from the "court issued dates."[87] When questioned by the Division's investigators how much of a difference there was in

[84] October 5, 2023 interview at 15:12 to 15:28.
[85] Attachment N, Respondent's October 23, 2024 interview with the Division (October 23, 2024 interview) at 3:50; 4:28 to 5:10.
[86] October 23, 2024 interview at 6:21 to 7:05.
[87] October 23, 2024 interview at 15:25 to 15:52.

the suspension dates given by the DMV in the letter he was referencing, the Respondent replied, "Uh, I believe it was a month off, but I haven't looked at the paperwork in a while…."[88] The Respondent then offered to send the Division this DMV paperwork for the investigation, which he told investigators he maintained in a file.[89]

A copy of the rebuttal letter was received on October 25, 2024, from the Respondent's counsel and is attached as **Attachment O**. However, Respondent's counsel advised, in an email, that the DMV paperwork could not be located.

Because the Respondent was unable to locate and provide his DMV paperwork, the Division obtained the following DMV records from the Orange County Sheriff's Department on November 20, 2024:

Superior Court document, Declaration Re: Vehicle Code Section 13550. This document, which was signed by the Respondent's counsel on October 7, 2022, indicates that the Respondent was unable to surrender his California driver's license as required under Vehicle Code section 13550 as a result of his DUI conviction because his driver's license was confiscated at the time of his arrest for a DUI and had not been re-issued by the DMV. The document is attached as **Attachment P.**
DMV Order of Suspension. This document reads, in part, *"Your privilege to operate a motor vehicle has been suspended effective October 7, 2022, and shall not be reinstated before April 7, 2023."* This order was addressed to the Respondent and mailed to his home address on October 14, 2022. This document is attached as **Attachment F.**
DMV Verbal Notice of Action(s). This document lists two separate license suspensions, one effective October 7, 2022, and one effective October 28, 2022. The suspension effective October 7, 2022, is followed by a reference to Vehicle Code section 13352(a)(1), which shows that this suspension is as the result of the Respondent's *conviction* for driving under the influence of alcohol. The suspension dated October 28, 2022, is followed by a reference to Vehicle Code section 13353.2, which shows that this suspension is an administrative suspension issued as a result of the Respondent's *arrest* for driving under the influence of alcohol. Respondent's signature and the date of service for this notice is dated December 20, 2022. This document is attached as **Attachment G.**
DMV Driver Records Information. This document shows the DMV changed the Respondent's driver's license status on December 20, 2022, from fully suspended to having restrictions. This document is attached as **Attachment Q.**

[88] October 23, 2024 interview at 15:54 [question from Division] and 16:01 to 16:03 [response].
[89] October 23, 2024 interview at 15:25 [DMV paperwork maintained in a file] and 16:07 to 16:09 [offer to send in DMV paperwork to the Division].

It should be noted that none of the DMV documents indicate that the Respondent's driver's license was suspended for 30 days. Further, the Respondent's court records, which were also obtained and reviewed, do not indicate that the Respondent's driver's license was suspended by the court, as claimed by the Respondent during his October 25, 2024 interview with the Division.[90]

A review of the DMV documents revealed that there were two suspensions on the Respondent's driver's license, however. These two suspensions resulted from Respondent's arrest and conviction for DUI. As stated in Respondent's DMV Verbal Notice of Action(s), the first suspension was imposed on October 7, 2022, pursuant to Vehicle Code section 13352(a)(1). Under this section, the DMV "shall immediately suspend or revoke the privilege of a person to operate a motor vehicle upon the receipt of an abstract of the record of a court showing that the person has been convicted of a violation of…" certain enumerated Vehicle Code sections, which includes Vehicle Code sections 23152(a) and 23152(b). As stated above, the Respondent was convicted of Vehicle Code sections 23152(a) and (b) on October 7, 2022. The October 7, 2022 suspension, therefore, was imposed as a result of Respondent's conviction for the DUI.

The second suspension was imposed on October 28, 2022, pursuant to Vehicle Code section 13353.2. Under this section, the DMV "shall immediately suspend the privilege of a person to operate a motor vehicle for… driving a motor vehicle when the person had 0.08 percent or more, by weight, of alcohol in his or her blood."[91] This suspension is separate from the criminal proceedings.[92] Prior to this suspension being imposed, the Respondent had an opportunity to request a hearing before the DMV, which is commonly referred to as an admin per se hearing.[93] At this hearing, the DMV determines whether the suspension should be imposed based on the facts as set forth in the arrest report.[94] Notably, as shown in the Respondent's DMV Verbal Notice of Action(s), the administrative suspension issued by the DMV on October 28, 2022, ran concurrently (i.e., at the same time as) the suspension imposed on October 7, 2022.[95]

The Respondent's DMV Driver Record Information, which provides the Respondent's complete driving record, mirrors the information shown in the DMV Order of Suspension and Verbal Notice of Action(s) and shows that the Respondent's driving privileges were suspended from October 7, 2022 through December 20, 2022, and that on December 20,

[90] See Minutes, pp. 1-5.
[91] Veh. Code § 13353.2, subd. (a)(1).
[92] Veh. Code § 13353.2, subd. (e).
[93] Veh. Code § 13353.2, subd. (c).
[94] Veh. Code § 13353.2, subd. (d).
[95] See Respondent's DMV Verbal Notice of Action(s).

2022, the Respondent obtained restrictions on his driver's license. Notice of the restrictions on his driver's license was sent to the Respondent on December 27, 2022.

On December 18, 2024, the Division requested and received the additional following documents from the Orange County Sheriff's Department:

Attachment R: Respondent's patrol schedule, which showed his shift assignments between October 7, 2022 through December 20, 2022.
Attachment S: Respondent's time sheets/cards from October 7, 2022 through December 20, 2022, which showed the dates he was paid for working as a FTO.
Attachment T: FTO / Trainee Schedules from October 7, 2022 through December 20, 2022.
Attachment U: Daily Observations Reports (DORs) completed by Respondent for any trainees assigned to him from October 7, 2022 through December 20, 2022.

A review of these documents revealed that the Respondent had two trainees assigned to him between October 7, 2022 and December 20, 2022. These trainees were identified as [redacted] (hereinafter referred to as Trainee # 1) and [redacted] (hereinafter referred to as Trainee # 2). Based on a review of the Daily Observation Reports (DORs), Trainee # 1 was assigned to the Respondent on the following dates in October 2022: 7, 12, 13, 14, 20, 21, 26, and 27. Trainee # 2 was assigned to the Respondent on the following dates in November 2022: 18, 23, 24, 25, and 26 and on the following dates in December 2022: 7, 8, 9, 10, 14, 15, 16.

The Respondent was not assigned any trainees from October 28, 2022 through November 17, 2022.

Finally, the Orange County Sheriff's Department provided Body Worn Camera Footage (BWC) for the Respondent from November 8, 2022, through December 19, 2022, and an investigator from the second internal affairs investigation identified the following dates where the Respondent was seen on this BWC footage driving a patrol vehicle: November 9, 10, 11, 12, 13, 16, 17, 18, and 27 and on December 1, 2, 10, and 15. The Respondent was assigned a trainee on November 18, 2022 and November 27, 2022.

The following table will help illustrate the dates the Respondent drove a patrol vehicle and whether he had a trainee available to drive:

TABLE 4 **Dates with BWC footage of Respondent driving[96]**	
The dates listed below were identified by IA sergeant #2 during the IA investigation	
DATE	**TRAINEE ASSIGNED?**

[96] Attachment U, Still photos of Respondent's body worn camera footage, as documented in Table 4.

October 12, 2022	Trainee # 1
October 14, 2022	Trainee # 1
October 18, 2022	No Trainee Assigned
October 20, 2022	Trainee # 1
November 2, 2022	No Trainee Assigned
The dates listed below were identified during the Division's follow-up investigation	
DATE	**TRAINEE ASSIGNED?**
November 9, 2022	No Trainee Assigned
November 10, 2022	No Trainee Assigned
November 11, 2022	No Trainee Assigned
November 12, 2022	No Trainee Assigned
November 13, 2022	No Trainee Assigned
November 16, 2022	No Trainee Assigned
November 17, 2022	No Trainee Assigned
November 18, 2022	Trainee # 2
November 27, 2022	Trainee # 2
December 1, 2022	No Trainee Assigned
December 2, 2022	No Trainee Assigned
December 10, 2022	Trainee # 2
December 15, 2022	Trainee # 2

A comparison was made between the DORs for Trainee # 1 and Trainee # 2 with the dates the Respondent was seen on BWC driving a patrol car. On 10 out of 13 dates, the Respondent did not have a trainee assigned to him and he was seen on BWC footage driving a patrol vehicle. The Respondent's driver's license was suspended during this time.

Item # 4 of the Daily Observation Report is the line set aside for the FTO to evaluate a trainee's driving skills. A review of the Respondent's patrol schedule has established the Respondent worked twenty-nine (29) days between October 7, 2022 and December 20, 2022. BWC footage has established that he drove a patrol vehicle on eighteen (18) of those days, and of that number he did not have a trainee on ten (10) of those days.

SECOND DIVISION INTERVIEW WITH RESPONDENT:

After the preceding new documentation was received and reviewed, a request for a second interview with the Respondent was sent to him through his attorney. Respondent agreed to a second interview and was interviewed on January 14, 2025, via Teams. Law Enforcement Consultant II Paul Nanfito and Law Enforcement Consultant II, Darryl Elliott conducted the interview. This interview was both audio and video recorded.

On December 31, 2024, the Respondent and his attorney were provided with copies of the DMV Order of Suspension, DMV Verbal Notice of Action(s), and the DMV Driver

Record Information. During the interview, these documents were also shared with the Respondent and his attorney via Teams.

During the January 14, 2025 interview, the Division investigators questioned the Respondent about his DUI arrest and confirmed the Respondent hired an attorney to request an administrative hearing before the DMV to delay the imposition of the administrative suspension until his criminal case could be adjudicated.[97] The Division next confirmed with the Respondent that he personally went into a DMV office on December 20, 2022, and signed the DMV Verbal Notice of Action(s) document, and that this was the date the restrictions on the Respondent's license began.[98] The Division investigators further confirmed with the Respondent that December 20, 2022, was the date that the Respondent obtained the restrictions on his driver's license that allowed him to drive to and from work and in the course of his employment.[99]

The Division's investigators next went over the DMV Order of Suspension with the Respondent, which the Respondent informed the investigators he did not receive until about a week before December 20, 2022, because he does not normally check his mailbox.[100] When the Division's investigators asked the Respondent what the status of his driver's license was prior to December 20, 2022, the Respondent replied as follows:

> Respondent: Um, from this paperwork, it's a suspension, sir.[101]

When asked how long his driver's license was suspended, the Respondent and the Division's investigators engaged in the following back and forth:

> Division: So, how long was your license fully suspended before the restrictions, then?
>
> Respondent: Knowing what I know now, it was from 10/7 to 12/20, sir.

[97] Attachment V, Respondent's January 14, 2025 interview with the Division ("January 14, 2025 interview") at 10:25 to 11:48.
[98] January 14, 2025 interview at 12:51 to 13:10 (confirming personally went into the DMV) and 14:14 to 14:51 (restrictions began on December 20, 2022).
[99] January 14, 2025 interview at 14:36 to 14:51.
[100] January 14, 2025 interview at 17:55 to 19:46. As Respondent explained to the Division's investigators, he lives in a condominium, which shares a communal mailbox that he does not regularly check because most of his monthly bills are done online. A Google street view search of the Respondent's address, which is the same as it was in October 2022, when the DMV Order of Suspension was sent, revealed that his residence is a townhouse type of unit, which has entry to the garage from the back. The mailbox for the Respondent's unit is approximately 3 units down and around a corner. A photo of the Respondent's residence is not provided to maintain his privacy.
[101] January 14, 2025 interview at 14:59.

Division: So, that wasn't explained to you when you obtained this document? Or you didn't deduce that from receiving this document on December 20th?

Respondent: No, sir, like I stated in the interviews, I was confused on the entire process. I had not received a DUI or dealt with a license suspension before and my experience with it in the field was limited, as well.[102]

After receiving this answer, the Division's investigators went over the DMV Order of Suspension with the Respondent and engaged in the following inquiry:

Division: Okay, let me phrase it this way, then, did you get this [the DMV Order of Suspension] in your mailbox prior to you receiving your restrictions on December 20th?

Respondent: Yes, sir.

Division: Roughly, like, was it the day before or was it prior to that?

Respondent: I would say the week of, sir.

Division: The week of. When you read this, what did that tell you?

Respondent: Uh, look at it, I see at the top, October 14th, Order of Suspension, made me believe that was the date the suspension took into effect. I did see the conviction date in the middle, 10/7/22, but I didn't –

Division: What about the first sentence? Did you read the first sentence back in December of 2022?

Respondent: Yes, sir.

Division: And what does that say?

Respondent: Suspended effective October 7th.

Division: Of 2022. And what else does it say.

Respondent: Reinstated before April 7, 2023.

[102] January 14, 2025 interview at 15:04 to 15:42.

Division: It shall *not* be reinstated before April 7, 2023.

Respondent: Yes, sir.

Division: So, when you received *that* document and read it back in December of 2022, did you figure out at that point that your license had been suspended completely from October 7th forward?

Respondent: Yes, sir.

Division: And was this kind of like your catalyst for going and getting your restrictions?

Respondent: Yes, sir, because at the time I believed that there would be another DMV hearing that would determine the license suspension.[103]

Before moving on to the next line of questioning, the Division investigators confirmed that it was the receipt of the DMV Order of Suspension that prompted the Respondent to physically go to the DMV to obtain his restricted license.[104] The Division investigators then asked the Respondent why he thought his driver's license would only be suspended for 30 days, to which the Respondent replied:

Respondent: Just from, what I've heard at work, it was that there was a 30-day suspension after a DUI, not knowing what the actual outcome was. And that's what my attorney at the time told me.[105]

Respondent later returned to expressing confusion as to how long his driver's license was suspended, and engaged in the following exchange with the Division's investigators:

Division: So, once you became aware of the uh, (these all have different names) the Order of Suspension on that document that you say that you obtained in December, uh, what is the actual length of your driver's license suspension?

[103] January 14, 2025 interview at 20:47 to 22:24.
[104] January 14, 2025 interview at 23:28 to 23:57.
[105] January 14, 2025 interview at 24:19 to 24:36.

Respondent: Um, the – from the form I received in December, it says, suspended October 7th, and I understood it to be the 30 days from then, but now know that it was until the 20th.

Division: And what I am getting at is, did you receive that, uh, Order of Suspension in December of 2022, isn't that when you realized that your license had been suspended much longer than that?

Respondent: I was still unsure of how long it was for, sir.[106]

Even when pressed on this issue by the Division investigators, the Respondent continued to express bafflement about the length of his driver's license suspension, despite previously admitting to receiving the DMV Order of Suspension in December 2022, and understanding from its contents that his license was suspended from October 7, 2022, as well as admitting that receipt of this Order of Suspension prompted him to personally go to the DMV to obtain a restricted license. Specifically, the Respondent claimed the following in response to a question by the Division:

Division: Didn't it occur to you, once you received that Order of Suspension, that you had been driving on a suspended license the entire month of November, the entire month of December? That did not occur to you?

Respondent: No, sir. I was still under the impression it was the 30 days. With my limited experience and knowledge on license suspensions.[107]

The Division investigators next asked the Respondent about his internal affairs interview with the Orange County Sheriff's Department on December 21, 2022. Specifically, the Division asked the Respondent about his statements to investigators that he had a trainee drive for him during the 30-day period he claimed his driver's license was suspended.[108] After some significant back and forth between the Division and the Respondent about whether the Respondent could remember whether he drove while his driver's license was suspended and whether the Respondent was asked specific questions in his first internal affairs interview, the Division asked the Respondent whether his previous statements to the Orange County Sheriff's Department's internal affairs investigators that he had a trainee "drive the whole time he was on patrol duties" was accurate and requested some forthrightness on this issue, which prompted the following response from the Respondent:

[106] January 14, 2025 interview at 30:57 to 32:00.
[107] January 14, 2025 interview at 32:42 to 33:06.
[108] January 14, 2025 interview at 35:46.

Respondent: Yes, sir. I mean, that – that is, my previous answer's my very first IA interview and my very first time being in trouble, so the amount of stress that I was in. I believed I was answering the question truthfully at the time. And then the follow-on questions were asking, did I say that previously? And I said, yes, because I believed it was true at the time. It wasn't until the very end that I did realize I was wrong. And that's when I did answer those questions truthfully, when they asked, "Did you drive during your license suspension?" And I said, "yes," because I recalled it.[109]

Upon further questioning, the Respondent admitted that he drove on a suspended license, although he contended that he did not know at the time that his license was suspended.[110]

V. Analysis and Findings

a. Does the alleged conduct violate California Regulation 1205(a)(1) – Dishonesty.

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. For purposes of this subsection, in considering whether a suspension or revocation of certification is proper, the Commission will consider the extent to which the dishonesty related to a material or significant fact in the context of the statement or omission alleged to be dishonest and will also consider whether the dishonesty appears to have been done willfully or intentionally, with the intent to deceive.

The Respondent was dishonest during an investigation of misconduct by a peace officer when he was repeatedly dishonest during the internal affairs investigations conducted by the Orange County Sheriff's Department, which occurred on December 21, 2022, February 15, 2023, August 9, 2023, and October 5, 2023, as well as the Division's interview, which occurred on January 14, 2025. The Respondent's specific dishonest statements are set forth below.

Dishonest Statement # 1 – Respondent was dishonest about the length of his driver's license suspension during multiple interviews.

[109] January 14, 2025 interview at 49:42 to 50:15.
[110] January 14, 2025 interview at 1:02:47 to 1:03:01.

During the internal affairs interview conducted by the Orange County Sheriff's Department on December 21, 2022, the Respondent made the following dishonest statement in response to the internal affairs investigator's question, "was [your driver's license] fully suspended at any time?"[111]

> Respondent: For a period of, I believe, 30 days from the sentencing until I could get it to a restricted.[112]

In addition, on February 9, 2023, during a follow-up internal affairs interview, the Respondent engaged in the following exchange with the internal affairs investigator, who first asked the Respondent to "correct [him] if any of this is wrong…:"[113]

> Investigator: You had a 30-day suspended license.
>
> Respondent: Yes, sir.
>
> Investigator: And that was at the time of the conviction. So, October 7th to November 7th.
>
> Respondent: From what I recall, yes, sir.[114]

Finally, on August 9, 2023, the Respondent engaged in the following exchange with the internal affairs investigator:

> Investigator: They're telling me your license was suspended from October 7th to November 7th 2022?
>
> Respondent: Yes, sir.[115]

As established by the Division investigators during the Respondent's January 14, 2025 interview, the day before making the first above statement, on December 20, 2022, the Respondent physically went to a DMV office to obtain a restricted license because he knew, from reviewing his DMV Order of Suspension some time shortly before that date, that his driver's license had been suspended from October 7, 2022.[116] Although the Respondent repeatedly attempted to claim confusion about the length of his suspension, the facts show that, on December 20, 2022, the Respondent knew his driver's license was still in suspended status. Accordingly, when the Respondent told internal affairs investigators on December 21, 2022, that his license was only suspended for 30 days

[111] December 21, 2022 interview at 17:30.
[112] December 21, 2022 interview at 17:32.
[113] February 9, 2023 interview at 2:08.
[114] February 9, 2023 interview at 2:28 to 2:36.
[115] August 9, 2023 interview at 5:47 to 5:55.
[116] January 14, 2025 interview at 22:11 to 22:17 and 23:28 to 23:57.

from the date of his sentencing on October 7, 2022, he was dishonest. Moreover, by confirming this information during his subsequent internal affairs interviews on February 9, 2023, and August 9, 2023, Respondent engaged in repeated acts of dishonesty as he knew his license was suspended as recently as December 20, 2022.

This dishonest statement was material to the Respondent's misconduct as it concealed the extent of Respondent's other serious misconduct. Namely, it concealed the extent of Respondent's driving on a suspended license, including driving a patrol car on a suspended license as the Respondent represented to his department that his license was only suspended for 30 days, rather than the 74 days his license was truly suspended. The Department believed the Respondent's statement because, as the Respondent told the Division's investigators on January 14, 2025, a 30-day suspended license was the expected consequence for a DUI.[117] As a result, the Department, when it discovered proof that the Respondent drove on a suspended license, only searched the body worn camera, external surveillance, and Flock camera footage for the identified 30-day period, rather than the 74-day period, to determine whether the Respondent drove his patrol car while his driver's license was suspended. This resulted in the Department missing 13 days of body worn camera footage that showed the Respondent driving his patrol vehicle on a suspended license. In addition, the Department failed to retrieve external surveillance and Flock camera footage from November 8, 2022 to December 20, 2022, which likely would have shown Respondent driving to and from work on his suspended license. As a result, this evidence was unavailable as it was past the one (1) year retention period when Division investigators requested that this evidence be made available, thereby further concealing the extent of the Respondent's misconduct.

Dishonest Statements #2 and 3 – Respondent was dishonest about driving to and from work and in his patrol car while his driver's license was suspended.

Following the Respondent's answer about his license being suspended from October 7, 2022 to November 7, 2022, the internal affairs investigator engaged the Respondent in the following questions and answers:

Investigator:	How did you get to work and do all this stuff then?
Respondent:	A friend drive [sic] me that I worked with and I had a trainee in the car that I was working with.
Investigator:	Okay. So you – you just had the trainee driving the whole time while you were doing your patrol work?

[117] January 14, 2025 at 24:19.

Respondent: Yes, sir.[118]

During his August 9, 2023 interview, internal affairs investigators followed-up with the Respondent as to this issue as follows:

Investigator: Who was driving you to work?

Respondent: It was a mix between friends and coworkers and relatives.

Investigator: Do you remember who?

Respondent: My father some days and then Deputy Minero.[119]

Finally, during the Respondent's January 14, 2025 interview with the Division, the Division's investigators questioned the Respondent about this issue in the following exchange:

Investigator: …I am asking right now, did a trainee drive for you the entire time your license was suspended?

Respondent: When I had the trainee in the vehicle, yes.

Investigator: What does that mean, when you had the trainee in the vehicle?

Respondent: I believe the dates they brought up in question were other days that I worked.

Investigator: So, okay, well, let me ask you this question, between October 7, 2022 and December 20, 2022, um, how many trainees were you assigned?

Respondent: I do not recall, sir, but I would say, two or three.

Investigator: Two or three. Was there a period, uh, between October 7, 2022 and December 20, 2022, where you were not assigned any trainees?

Respondent: I believe so, sir.

[118] December 21, 2022 interview at 17:54 to 18:14.
[119] August 9, 2023 interview at 6:00 to 6:16.

Investigator: And when you did have a trainee, did you sometimes drive the patrol car?

Respondent: I do not recall specifically, but mo – I had them drive, whenever I did have a trainee, but there may have been an instance where I did, I do not recall specifically.[120]

As established from the evidence obtained by the Orange County Sheriff's Department's internal affairs investigators, the Flock camera, external surveillance camera, and body worn camera footage of the 30-day period between October 7, 2022 to November 7, 2022, shows that the Respondent's above statements are dishonest. As outlined above in the factual summary, the Respondent was captured on Flock camera footage driving his rental vehicle to work on 10 separate days and driving a patrol vehicle on 5 separate days during this 30-day period.[121] When the Division requested that the Orange County Sheriff's Department check the body worn camera footage for the period of November 8, 2022 to December 20, 2022, Respondent was seen driving his patrol vehicle an additional 13 days. On 9 of the 13 days during which the Respondent is seen driving a patrol vehicle during this period, the Respondent did not have a trainee assigned to him.

When confronted on August 9, 2023, with the video evidence of him driving to work, the Respondent claimed he was confused as to when the suspension was in effect and claimed he did not always have access to a ride into work.[122] However, the Respondent continued to assert that he always had a trainee driving during work.[123] When later confronted during the October 5, 2023 interview with the evidence that he drove while on patrol, though, the Respondent averred that he was not being dishonest, he was simply not asked a direct question but, had he been asked a direct question, he would have provided a direct response.[124] When asked about these discrepancies on January 14, 2025, by the Division's investigators, the Respondent claimed that he had a trainee drive for him when he had a trainee in the vehicle during the 30-day period between October 7, 2022 and November 7, 2022, but stated there may have days he drove as he admitted he did not recall specifically since he was drinking heavily on his days off during this period.[125]

Since the Respondent specifically named Deputy Minero as one of the individuals who gave him rides to and from work while his driver's license was suspended, the Division's investigators interviewed Deputy Minero on March 5, 2025. Although Deputy Minero

[120] January 14, 2025 interview at 36:00 to 37:17.
[121] Respondent only worked 14 days during that 30-day period.
[122] August 9, 2023 interview at 8:34.
[123] August 9, 2023 interview at 9:11 to 9:14.
[124] October 5, 2023 interview at 3:53 to 4:11.
[125] January 14, 2025 interview at 35:55 to 44:36.

recalled sharing rides to training with the Respondent to save on gas and recalled possibly giving him rides to a from work a few times, he could not recall when he might have provided these rides and was unaware of the Respondent's driver's license suspension. Further, when Deputy Minero's attorney asked a clarifying question about whether Deputy Minero gave the Respondent rides to the Stanton substation "during the time you guys worked there together…," Deputy Minero responded, "Not that I can remember." The Division verified from a review of Deputy Minero's timesheets from October 2022 to December 2022, that Deputy Minero and the Respondent did not work the same shifts during this period, and, on the days when they were both scheduled to work, were scheduled to begin or end their shifts hours apart, which makes it unlikely that Deputy Minero provided Respondent with rides to and from work during this period.

The record therefore shows that the Respondent was repeatedly dishonest with investigators about whether he drove to work or drove his patrol vehicle. Once confronted with evidence that refuted his statements, the Respondent provided excuses for his earlier dishonesty that did not mitigate his dishonesty, such as claiming that he was not asked a direct question, claiming to be unaware of when his suspension was in place, or not having access to a ride to work. However, it was Respondent's responsibility to be aware of the legal consequences of his criminal conviction for driving under the influence of alcohol, including the suspension of his driver's license, and for ensuring that he understood when any suspension was in effect so that he did not further violate the law. The Respondent's failure to fully understand the consequences of his actions does not excuse his dishonesty with his department or the Division.

As the Respondent admitted to the Division, the DMV Order of Suspension was properly mailed to him at his home address, although he did not receive it until December 2022, because he routinely did not access his mail.[126] As Respondent also informed the Division's investigators, he had two attorneys representing him on his DUI case; one in the DMV administrative proceedings and one in the criminal proceedings.[127] If the Respondent had questions about the legal consequences of his DUI, including the length of his driver's license suspension, he could have, and should have, contacted his legal counsel. His apparent failure to do so does not mitigate his responsibility or accountability. Further, to the extent the Respondent's driver's license suspension caused him any inconvenience, it was the Respondent's responsibility to overcome those obstacles without committing further violations of the law or violating his probation.

Respondent's other excuse for his inconsistent statements is that he was not asked "direct questions" during his interviews. Respondent made this claim during his October 5, 2023 interview and during his Division interviews. It should also be noted that this

[126] See January 14, 2025 interview at 18:59.
[127] January 14, 2025 interview at 10:54 to 10:56.

claim is made in the rebuttal letter authored by retired Orange County Sheriff's Department Assistant Sheriff Steven Kea, which was offered in support of the Respondent's *Skelly* hearing. In this letter, retired Assistant Sheriff Kea opined that Respondent's statements that he was driven to and from work by friends and family and during his patrol shift were factually accurate and were not proven to be untrue because Respondent's "omission about his own driving does not make his statements regarding other drivers [sic] untrue."[128] Retired Assistant Sheriff Kea argued that Respondent's statements that his "incomplete description of" the period during which Respondent's license was suspended was factual, but not untrue, as the questions and answers to that point were vague.[129] Based on this, Assistant Sheriff Kea concluded that, "While there were several omissions about [Respondent's] driving that were interpreted by investigators as lies, the actual statements made by [Respondent] in the interviews were factual and not directly discredited."[130]

However, Respondent's claim that he was not asked "direct questions" is belied by the record. As shown above, the investigators asked the Respondent's direct questions, to which the Respondent provided direct responses. The most notable of these was Respondent's response to the Department's question during his December 21, 2022 interview about how long his driver's license was "fully suspended" for, to which Respondent replied, "For a period of, I believe, 30 days from the sentencing until I could get it to a restricted."[131] Respondent provided this response <u>one (1) day</u> after physically visiting a DMV office to obtain a restricted license and obtaining the Verbal Notice of Action document, which showed that his driver's license was suspended from October 7, 2022, until he obtained his restricted license on December 20, 2022, a time period of seventy-four (74) days, not thirty (30) days, as he told the internal affairs investigators the very next day. During this same interview, Respondent was also asked by the investigator whether he "had the trainee driving the whole time while [he was] doing [his] patrol work," to which the Respondent replied, "Yes, sir."[132] These are clear, direct questions, to which the Respondent provided clear, direct responses. Subsequent obfuscation by the Respondent does not undermine the directness or the clarity of the questions posed, or the answers provided. It merely shows that the Respondent's responses were dishonest when provided.

It is highly probable that the Respondent's statements were made with the intent to mislead and deceive the Department's internal affairs investigators and the Division's investigators about the facts in their investigations and conceal the extent of the

[128] Assistant Sheriff Kea's Rebuttal Letter, pg. 3.
[129] Assistant Sheriff Kea's Rebuttal Letter, pg. 3.
[130] Assistant Sheriff Kea's Rebuttal Letter, pg. 3.
[131] December 21, 2022 interview at 17:37.
[132] December 21, 2022 interview at 18:09 to 18:15.

Respondent's misconduct and resulted in the loss of evidence of that misconduct. The Respondent was motivated to be dishonest to avoid disclosing that he had been driving frequently while having a suspended driver's license and to avoid further administrative investigations and potential discipline.

b. Does the alleged conduct violate California Regulation 1205(a)(6) – 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 members of the public as determined by the commission.

Respondent violated Penal Code section 13510.8(b)(6) and California Regulation 1205(a)(6), 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 members of the public as determined by the Commission by committing multiple violations of law as outlined below.

Vehicle Code sections 23152(a) and (b) – Driving Under the Influence of Alcohol.

Under Vehicle Code section 23152(a), it is "unlawful for a person who is under the influence of any alcoholic beverage to drive a vehicle." In addition, under Vehicle Code section 23152(b), it is "unlawful for a person who has 0.08 percent or more, by weight, of alcohol in his or her blood to drive a vehicle." Violation of these sections as a first offense is a misdemeanor.[133]

As discussed above in the factual summary, Respondent was convicted of a misdemeanor violation of Vehicle Code section 23152(a), driving under the influence of alcohol, and a misdemeanor violation of Vehicle Code section 23152(b), driving with more than .08 percent or more, by weight, of alcohol in his blood, on October 7, 2022. Further, at the time of his arrest, Respondent had an excessive blood alcohol content of .20 percent, which is over twice the legal limit. Since Respondent pled guilty to these offenses and the excessive blood alcohol content, he admitted the relevant facts of his arrest as documented in the arrest report, and therefore those facts and the conviction are established beyond a reasonable doubt.

The facts, as set forth in the CHP's report, show that the underlying conduct that led to Respondent's arrest for driving under the influence of alcohol was egregious. Specifically, prior to initiating the traffic stop, the CHP officers observed the Respondent was travelling at a high rate of speed (104 miles per hour), weaving dramatically within his lane, and making unsafe lane changes. When they pulled the Respondent over and began to question him, the Respondent initially resisted questioning, indicated that he had not been

[133] Veh. Code § 23536.

drinking, performed poorly on the FSTs, and displayed a high level of intoxication. Further, the Respondent had a handgun on his person and had his SWAT gear, including assault rifles, in his vehicle at the time of his arrest. The Respondent used the concern that his expense e-bike, which was unsecured in the back of his truck, as his excuse for attempting to drive home that night, despite having consumed a significant amount of alcohol and, as he admitted during the internal affairs investigation, knowing the consequences for a DUI.

The combination of the Respondent's excessively high blood alcohol content, high rate of speed, possession of a firearm and possession of his SWAT gear while intoxicated, as well as his lack of cooperation with the investigating officers, shows that his violation of the law was egregious and inconsistent with his duty to uphold the law. As a peace officer, the Respondent knew the dangers associated with driving under the influence of alcohol and disregarded those dangers because they were outweighed by the value of his e-bike, which he left unguarded in the back of his pick-up truck while he was drinking in various bars throughout the night. The Respondent then endangered every other driver on the freeway by driving at an unsafe speed and in an unsafe manner while intoxicated because he was concerned his e-bike might be stolen if he were to leave his vehicle unattended overnight. The Respondent's unsafe and reckless behavior satisfies the definition of an act that violates the law and is egregious under California Regulation 1205(a)(6) and Penal Code section 13510.8(b)(6).

Vehicle Code section 14601.2 – Driving on a Suspended License for Driving Under the Influence of Alcoholic Beverage or Drug.

Pursuant to Vehicle Code section 14601.2(a), "A person shall not drive a motor vehicle at any time when that person's driving privilege is suspended or revoked for a conviction of a violation of [Vehicle Code] Section 23152 or 23153 if the person so driving has knowledge of the suspension or revocation." Under Vehicle Code section 14601.2(c), "Knowledge of the suspension or revocation of the driving privilege shall be conclusively presumed if mailed notice has been given by the department to the person pursuant to [Vehicle Code] Section 13106…The presumption established by this subdivision is a presumption affecting the burden of proof." Notice under Vehicle Code section 13106 is accomplished by mailing the notice of suspension to the affected individual by first-class mail to the person's most recent address. Violation of Vehicle Code section 14601.2 is a misdemeanor.[134]

As discussed above in the factual summary, the Respondent admitted to the Division's investigators on January 14, 2025, that the DMV mailed his Order of Suspension to his

[134] Veh. Code § 14601.2, subd. (d).

address. He therefore had knowledge of his driver's license suspension under Vehicle Code section 14601.2, as he was properly served.

Further, as shown in the Flock and Body Worn Camera (BWC) video footage obtained by the Orange County Sheriff's Department's internal affairs investigators, Respondent repeatedly drove during this period, in violation of Vehicle Code section 14601.2. The footage reviewed and retrieved by the Department and the Division shows the Respondent driving on 18 separate days, both in a patrol vehicle and in a rental vehicle. Based on the video footage obtained by the Division, the Respondent repeatedly violated Vehicle Code section 14601.2(a) by driving on a suspended license. Respondent has therefore committed an act that violates the law and is repeated under California Regulation 1205(a)(6) and Penal Code section 13510.8(b)(6).

Penal Code section 25140 – Handgun Left in Unattended Vehicle.

Finally, Respondent violated Penal Code section 25140(b), when he left his handgun unsecured in a rental vehicle, a Dodge Ram Truck. Under Penal Code section 25452, a "peace officer…shall, when leaving a handgun in an unattended vehicle, secure the handgun in the vehicle pursuant to [Penal Code] Section 25140." Under Penal Code section 25140(a), handguns left in any unattended vehicles must be locked in the vehicle's trunk, locked in a locked contained and placed out of plain view, locked in a locked container that is permanently affixed to the vehicle's interior that is not in plain view, or locked in a toolbox or utility box. Since the Respondent is a peace officer and the vehicle in which he left his handgun did not have a trunk, he had the additional option of locking "the handgun out of plain view within the center utility console of that motor vehicle with a padlock, keylock, combination lock, or other similar locking device." (Pen. Code § 25140, subd. (b).) Violation of this section is an infraction, punishable by a fine of up to $1,000. (Pen. Code § 25140, subd. (c).)

While a violation of Penal Code section 25140 is just an infraction, it is notable that the Respondent did not notice his firearm was missing for over two weeks and, when Anaheim Police Department contacted him about his firearm, the officer noted in his report that the Respondent appeared unconcerned about his firearm being found in a rental vehicle. The Respondent explained his nonchalant reaction to internal affairs investigators as fatigue. However, this does not explain why or how he did not notice that one of his loaded firearms, which was stored in a vehicle improperly, was out of his possession for more than two weeks without the Respondent noticing and filing a report to report the firearm missing or stolen. Moreover, when added to the numerous other violations of law by the Respondent, a pattern of conduct emerges that shows the Respondent is dismissive and careless in following laws that address matters of public safety, such as ensuring that his firearms are properly stored and not left in rental vehicles.

The facts, therefore, show that this violation also satisfies the definition of an act that violates the law and, when considered in conjunction with the Respondent's other acts that violates the law, is part of a pattern of repeated conduct under California Regulation 1205(a)(6) and Penal Code section 13510.8(b)(6).

VI. Supporting Evidence and Documentation

The following documents and evidence were reviewed and are attached to this report:

Attachment A: Driving Under the Influence Arrest – Investigation Report ("CHP Report").

Attachment B: Orange County Crime Lab report for case no. FR 22-22786, dated June 16, 2022.

Attachment C: Complaint filed in *People v. Jared Nathaniel Brittain*, case no. 22WM07965.

Attachment D: Minutes, *People v. Jared Nathaniel Brittain*, case no. 22WM07965.

Attachment E: Superior Court of California, Orange County Vehicle Code Misdemeanor Guilty Plea Form for *People v. Jared Nathaniel Brittain*, case no. 22WM07965.

Attachment F: DMV Order of Suspension for Respondent, dated October 14, 2022.

Attachment G: DMV Verbal Notice of Action for Respondent, dated December 20, 2022.

Attachment H: Respondent's December 21, 2022 internal affairs interview with the Orange County Sheriff's Department audio.

Attachment I: Respondent's February 15, 2023 internal affairs interview with the Orange County Sheriff's Department audio.

Attachment J: Anaheim Police Department report no. 2022-201698.

Attachment K: Still photos of Orange County Sheriff's Department External Surveillance videos, as documented in Table 2.

Attachment L: Respondent's August 9, 2023 internal affairs interview with the Orange County Sheriff's Department audio.

Attachment M: Respondent's October 5, 2023 internal affairs interview with the Orange County Sheriff's Department audio.

Attachment N: Respondent's October 23, 2024 interview with the Division.

Attachment O: *Skelly* rebuttal letter authored by retired Assistant Sheriff Steve Kea.

Attachment P: Declaration re: Vehicle Code section 13550 in *People v. Jared Nathaniel Brittain,* case no. 22WM07965.

Attachment Q: Respondent's DMV Driver Records Information.

Attachment R: Respondent's patrol schedule, from October 7, 2022 to December 20, 2022.

Attachment S: Respondent's Biweekly Timecards from 10-07-2022 to 12-29-2022.

Attachment T: Respondent's FTO/Trainee Schedules from October 7, 2022 to December 20, 2022.

Attachment U: Respondent's Daily Observation Reports from October 7, 2022 to December 20, 2022.

Attachment V: Respondent's January 14, 2025 interview with the Division.

VII. Findings

The evidence meets the clear and convincing standard to support the allegation(s) of serious misconduct as defined in Penal Code 13510.8. Reasonable grounds exist to submit this case to the Peace Officer Standards Accountability Advisory Board and the POST Commission for consideration for revocation of the Respondent's POST Certificates. The Division recommends that Jared Nathaniel Brittain's POST certification be **revoked**.