Interview of Isaac Herrera

1/21/2025

0:08
OK, the date is January 21st, 2025.

0:14
The time is 1727 hours or five actually 5:28 PM.

0:20
Now my name is Scott Baland.

0:22
I'm a law enforcement consultant with the Commission on Peace Officer Standards and Training Post.

0:28
The purpose of our meeting today is to talk to you about the facts and circumstances involving an investigation into alleged serious misconduct in violation of Penal Code section 13510.8, subsection A, subsection one and six, which are dishonesty and acts that violate the law against former Oroville police officer Robert Sasek, POST case number 2318309, and I'm interviewing Isaac Herrera.

0:59
The interview is being recorded and statements you make here may be used by to post in connection with its duties.

1:06
The recording helps us to ensure that all of your statements are completely and accurately transcribed and is authorized by Commission Regulation Title 11, Section 1206 of the California Code of Regulations.

1:20
You will have access to a copy of the recording if further proceedings are contemplated or if any further interview occurs.

1:27
You also have the right to record this interview.

1:31
If you need to take a break or use the restroom, please let me know and you may do so upon request.

1:37
However, before making such a request, we just ask that you answer any pending questions.

1:43

POST is acting independently from any agency as an and is representing only the interests of the people, the State of California.

1:52
However, since you still hold a POST certification, this this part applies to you POST Penal Code section 13510.8, Subsection A, subsection 8 includes the definition of serious misconduct, failure to cooperate with an investigation into potential police misconduct, including an investigation conducted pursuant to this chapter.

2:13
For purposes of this paragraph, the lawful exercise of rights granted under the United States Constitution, the California Constitution, or any other law shall not be considered failure to cooperate.

2:26
Let's see, with that in mind, is there any reason why you would not be able to give an accurate and truthful answers to our question, my questions today?

2:34
None at all.

2:39
Please keep in mind that dishonesty in connection with an investigation of police misconduct is itself serious misconduct, a set forth in Penal Code section 13510.8, subsection A, subsection one.

2:51
With that in mind, do you agree to answer our questions truthfully today?

2:57
I do.

3:00
OK. To maintain the integrity of the investigation, we ask that you not discuss the questions asked and the facts discussed in this interview with anyone other than your legal counsel or as otherwise required by law.

3:11
Do you agree to comply with this request?

3:15
I do.

3:17
OK. And do you have any questions before we begin to proceed with the interview or do not?

3:25
OK, I don't have a lot of questions.

3:29
It's just as I mentioned to you before, after reviewing our previous interview which took place on January 8th, I had a couple of holes that I wanted to fill or questions asked you to in an attempt to fill some holes.

3:43
So with that, I will go ahead and get started.

3:49
So in the previous interview that I had with you on January 8th, you mentioned that you made a joke slash comment that Officer Sasek should drop complainant off on Neal Rd.

4:00
Instead of taking her all the way to Chico.

4:03
You stated that due to his and Sergeant Khan's positioning next to your patrol vehicle, there was absolutely no way they didn't hear the joke or comment you made about Neal Rd.

4:13
Is that correct?

4:16
That is correct.

4:19
You further stated that when you made this joke or comment that both Officer Sasek and Sergeant Khan made some sort of non verbal response similar to shrugging of their shoulders.

4:29
Is that correct?

4:34
I believe Sergeant Khan made a non verbal response and shrugged his shoulders after.

4:41
OK, no, go ahead if there's more.

4:45
Sig was, I guess just you can say he appeared to display just frustration, but due to their proximity to my patrol vehicle, they both heard what I said.

4:59
OK, so just so I'm clear.

5:04
Sergeant Khan might have shrugged his shoulders, but Sasek did not.

5:11
Correct.

5:12
OK, let's see.

5:16
And then to again, I, I am I, I mentioned this to you in the last one, but I just want to confirm it.

5:23
Officer Sasek, in his interview with the other investigators, he stated that he did not hear you make the joke or comment about Neal Rd.

5:32
On September 1st, 2022, the date of the incident.

5:36
And I want to confirm with you that it's your contention that this statement made by Officer Sasek is false.

5:45
Yes.

5:53
Let's see. And your statement that he is lying is based on was is it his non verbal response, his proximity to you at the time the statement was made or anything else?

6:05
It was the comment that I made and I can tell you like verbatim what I said.

6:10
I, I, I actually said, I said "Drop that Bitch off at Neal Rd."

6:16
And that kind of comment generated a response from both of them, whether it was a smirk or, you know, a little laugh.

6:29
But that was the extent of the comment and joke.

6:35
And I said they were both elbow on my driver window with my window rolled down in the proximity.

6:46
And that comment definitely warranted, warranted a response from both of them non verbally.

6:55
And I guess the previous interview that Officer Sasek was already kind of frustrated over the steps that kind of led up to that he had made.

7:04
That was my reasoning for saying that prior to me making that joke.

7:12
It was like he's like, did not want, he didn't want to go away to Chico.

7:17
And I then I said in my previous interview that right after the Neal Road in 99 like a within a mile and a half is the welcome to Chico sign.

7:26
So that was the reason for my joke.

7:29
But to answer your question, they both heard me and from that incident of me saying that and then to afterwards of us having meet ups and talking about the lawsuit and I and then when you had sent me the e-mail, I had to remember that we had went on a run me and Officer Sasek the day after I believe he was placed on administrative leave.

7:59
I don't know if I have the date.

8:02
I believe it was August or excuse me, October 8th, 2022.

8:11
So I, I think you might have more information when he first got on placed on administrative leave.

8:16
OK, just to go back when you said they were leaning in and when you said "Drop that Bitch off on Neal Road" and you said it warranted like a response of like a smirk, specifically for Officer Sasek.

8:32
Was that his response or was it a smirk or a chuckle?

8:36
Was it a, it was a smirk, basically acknowledging that he heard you and thought it was funny?

8:47
Yeah.

8:48
To my, to my comprehend, to my understanding.

8:52
Yeah.

8:52
OK, let's see, you know, and, and I know you made some other comments here and I, I think they'll get brought back up in some, some questions that I have here.

9:03
So, so I'm, I'm just going to read through them just because I have them formulated.

9:10
So I apologize if I'm, if I repeat or make you repeat an answer.

9:17
Did you at any point either on the date of this incident, which is September 1st, 2022, or anytime afterwards, have conversations and or meetings with Officer Sasek where he stated that he in fact did hear the Neal Road joke or comment that you made?

9:34
And then if so, when did these occur?

9:37
And then what specifically did he say, if you could recall?

9:43
To answer your question, yes.

9:48
And I can repeat if you need it.

9:57
I think we're frozen.

9:58
Are you there?

10:13
Can you hear me, Isaac?

10:19
I'm going to pause recording.

10:26
OK we're back on recording.

We had some technical difficulties so I'm sorry do you need me to do you want me to repeat that question just to make sure I just I just want to make sure make sure where I left off with you.

10:39
What was your last comment that I, that you heard You know, to be honest, I, I'm trying to even recall what that was.

10:48
So the question I'll just reread it.

10:49
Did at any point either on the date of the incident, September 1st, 2022 or anytime afterwards have conversations and or meetings with Officer Sasek where he stated that he in fact did hear the Neal Rd.

11:01
Joke or comment?

11:02
I'll just kind of break them up individually.

11:06
So answer your question.

11:08
Yes.

11:11
And there's a few incidents that I can recall that he acknowledged me here, acknowledge me saying that comment on September 1st.

11:21
And the date that I can definitely say it was October 8th of 2022 when me and Officer Sasek went for a run on Oroville Dam.

11:32
And I believe that's the day he got after he got placed on administrative leave.

11:37
And that's when he actually explained to me that he knew that I said that comment because it just looks, it looks it sounds bad.

11:47
It looks bad.

11:49
And he said that he believed that she possibly overheard me when they're at my patrol car driver window.

11:57
And he said when he was driving northbound on 99 to Chico, he believed that she associated Neal Road and then seeing the street sign Neal Rd.

12:07
because it is a stop light on 99.

12:10
And that's when he said that she started, quote unquote, wigging out and demanding that she'll be let out of his vehicle.

12:20
And then and then is when the news articles came out in March of 23, and at first I was an unnamed police officer that made the comment or the the unnamed police officer that huddled up with Sergeant Khan and Officer Sasek and the plan of act what to do with complainant.

12:43
At least that's what the news article said.

12:46
So then we all kind of met up there outside my mom's house right here on Myers St.

12:50
in Oroville.

12:52
And you know, the unnamed officer was me.

12:56
So we kind of trust.

13:00
So that's another incident where it's like, it was me, Sasek and Khan, and it was only us 3 at the driver side or driver window.

13:09
And we're like, you know, "how did that get out?"

13:13
You know, we're all wondering like, how did that get out?

13:16
Especially me.

13:17
Like, hold on.

13:17
Like I know what I said, but I said it amongst us in our little circle.

13:23
Yeah.

13:23
And it wasn't a direct order or nothing, but it was a joke.

13:26
And we're like, how did this get out?

13:29
So that's another incident.

13:32
And then I'm pretty sure there are other times.

13:36
I think when he had his second IA and he basically was like, yeah, you're more like you're going to be the fall guy.

13:43
And that's when he told me after his second IA interview.

13:48
Like I told him what you told me.

13:52
[redacted] PC 832.7 .

13:56
So those are, I think, the three incidents that I can recall for sure, where there was acknowledgement of him knowing what I said on September 1st, if that all made sense.

14:08
Yeah.

14:08
So, well, I guess I have one.

14:11
Rather, do you guys know how somebody found out about you making that comment?

14:17
Do you know how that came out or how they discovered it?

14:21
I mean, I know guard was interviewed by complainant ' attorney.

14:28
I don't know if complainant overheard it, but that to my, you know, like I said in my first time, I believe she was in the back of Officer Sasek's patrol vehicle already when I pulled up.

14:44
But I think I found out she was possible next to guard

14:49
Guard outside of Officer Sasek's patrol vehicle.

14:54
I don't know for sure, but yeah, to this day, I don't know how that information got out.

14:59
Yeah, somebody, somebody looked at or told somebody, somebody who had knowledge of it, but I don't know.

15:05
I don't know either.

15:10
So.

15:12
So I'm.

15:12
I'm just going to confirm that you expressly heard Officer Sasek tell you that he did in fact hear you make the joke or comment about Neal Rd.

15:23
on September 1st, 2022.

15:29
Yes, and I can.

15:31
October 8th, we went for that run.

15:32
We had a discussion about that night.

15:35
We revisited that night and that's how I understood of what he said transpired while he was driving and why he pulled off on Neal Rd.

15:46
OK.

15:46
But he made some sort of statement that he did hear you say that the date of the incident, not that specific date, September 1st, afterwards that he acknowledged that he heard.

16:00
He heard that on September 1st.

16:02
Yeah.

16:04
Yeah.

16:04
Like on the 8th or whenever you guys met.

16:07
Yeah.

16:07
When he told you that he had heard you say it that day when the incident happened.

16:11
Right, right.

16:13
OK in these, and you kind of already answered it, but I'll ask it just to make sure.

16:20
In these subsequent meetings that you had with Officer Sasek, did he state that he purposely took Guard [redacted] to Neal Rd. based on the joke or comment?

16:29
No.

16:32
OK.

16:33
Yeah, you you previously just said that you think he thinks that she might have heard the discussion about Neal Road and that triggered it in her mind when she saw it, correct.

16:43
That's what he explained to me of like why that happened, OK, or possibly happened.

16:51
Now, you said in these meetings there was somewhere it was just you and Officer Sasek and then there was at least one other one where Sergeant Khan was there is Was there more with Sergeant Khan or was it just one?

17:04
There was a couple.

17:06
PC 832.7 [redacted]

17:12
So they would come check and then we would get, you know, new information like, oh, I got added to the lawsuit.

17:18
And, you know, there was a lot going on.

17:21
There was a lot of, you know, you know, bashing on the social media with, you know, people were, you know, saying negative things about Officer Sasek, Officer Sergeant Khan and myself on, you know, Facebook and these other social media platforms.

17:39
And so like, you know, like at first, like I said, I was the incident, you know, got played uninitially.

17:46
We found she got hit and then she ended up in ICU.

17:51
So there was a conversation about that.

17:53
Then the news articles came out and there was a conversation about that and then there's a lawsuit conversation.

17:59
And then I got added to the lawsuit.

18:02
So there was like multiple.

18:03
That's why I sent you that link because that kind of gave a timeline and like key time, key points in that timeline.

18:13
There was a conversation held at those certain points because only naturally, hey, that Lady that you were supposed to take got hit.

18:20
Now she's in ICU, something's going to happen.

18:22
Like, oh, shit yeah.

18:25
Oh, the news article.

18:26
Oh, shit.

18:28
Oh, I'm the unnamed officer.

18:29
That's me.

18:29
Oh, shit.

18:30
Oh, now there's a lawsuit.

18:31
Oh shit.

18:32
So, you know, naturally these conversations kind of happened as that progressed to a $3,000,000 payout.

18:41
So when I know when you were first interviewed by the EIS folks, you made, you made them aware of the Neal Rd. comment and then they did a second interview with Officer Sasek and I, and I know I had explained to you that he said he didn't hear it 100%, just coincidence, blah, blah, blah.

19:02
But I'm curious if in these meetings, like when he was put on the, the day you met after he was put on admin leave, like on and around October 8th of 22 or after your, your initial EIS interview.

19:17
I know you had, you had told him that you made that, you know, that you informed them of the comment that you made and the joke.

19:25
Did Officer Sasek at any point say anything to you about what his plan was in response to that?

19:33
Was he going to deny it or, you know, try to cover it up?

19:36
Did he say anything like that?

19:47
Isaac, can you hear me?

19:48
I think I might have lost you again.

19:54
OK, I'm going to pause recording again.

19:56
It's 550.

20:01
OK, we're back recording at 5:51.

20:04
So where I left off was I know you gave your statement to EIS about the Neal Rd.

20:14
comment or joke, and then they had a second interview with Officer Sasek.

20:19
My question is, at any point either prior to his second interview or during your subsequent meetings like on October 8th, 2022 or whenever, did he ever make any kind of statement of what his response or plan was going to be?

20:36
If asked about it, did he ever say, well, I'm just going to deny it or anything like that?

20:42
No, no, definitely none of that.

20:44
No plan of the action or anything like that.

20:48
OK.

20:51
And I know you said the one meeting you know you had you guys had went for a run, do you have any kind of proof or documentation of these meetings regarding the date they occurred?

21:03
Yeah, I do have a picture of it because we ran on the dam and we don't, you know, necessarily always run to get, we don't run together at all.

21:12
And I have a picture and we're both sitting down and he's laying on his back and I believe he had just called his wife and he was, "he made me run."

21:21
"He made me run."

21:22
And and so I do have a picture of that.

21:27
And now, you know, I, I take pictures and you know, I'm a football guy, been on a lot of teams.

21:33
So I do have a picture of that.

21:34
And like I said, it was time stamp and when you had sent me that e-mail last week requesting the second interview, that kind of had popped in my head and I kind of fished through my phone and I still have that.

21:47
OK.

21:49
I might, if you can have you e-mail it to me.

21:52
Yeah, I can.

21:52
Just do you want me to e-mail it to you right now or?

21:55
Yeah, or after we're done?

21:57
It's fine.

21:57
I don't need to see it right now.

21:58
Just after we're done here.

22:00
I don't.

22:00
I don't want it to mess up our connection.

22:02
If so, we'll, we just after we get off, we'll send it to me and then any I know you guys had meetings, but was there any text conversations between you or and Officer Sasek that dealt with this, this subject that we're discussing today?

22:21
[redacted] PC 832.7

22:43
OK.

22:46
Any anything else that would confirm the the date of these meetings that you had other than you kind of already outlined it like in that it was all the key points of the case itself, the news article, the civil suit.

22:58
Is it just those that would prompt the meetings?

That's correct.

23:04
But other than that, I don't have any other documentation that would back that other than just naturally, you know, I guess we're looking at a lawsuit type behavior and our names are blasted in the news and we're getting bashed online.

23:22
Just natural conversations that you would have with your Co workers, your buddies, people that you know you go 10/8 with.

23:33
OK.

23:34
And you said the at least one of the meetings took place outside your mom's house.

23:39
Was there any other locations you guys met other than like the dam on the run?

23:45
[redacted] PC 832.7

23:50
So I wasn't at my main residence that I had lived previous lived on and I was at my mom's.

23:55
And like I said, it's a small department, it's a small town.

23:58
[redacted] PC 832.7

24:12
And the chief, you know, had a different point of view.

24:15
[redacted] PC 832.7

24:22
And then how many of the meetings would you say Sergeant Khan was present at?

24:30
I would say a few, 3 to 5.

24:35
And then is that about how many, how many meetings would you say in total you had?

24:41
I guess maybe I'll separate it in like how many meetings was Officer Sasek did just you and him have?

24:47
And then how many meetings with the three of you, if you can recall,

I would also say 3 to 5 as well.

24:57
Three to five, with just Officer Sasek, you and him by yourselves?

25:04
I think with me and Sasek, maybe me and him two, but me, Khan, and Sasek maybe for sure three to five.

25:12
OK.

25:13
And then during these meetings, obviously the you've mentioned before the Neal Rd.

25:20
comment slash joke was brought up.

25:23
So obviously, sorry, at that point Sergeant Khan knows about it, but did he ever say that he had heard it in the day it happened?

25:37
I can't recall on that, but I, I want to say yes, but I can't think of this particular incident besides the nonverbal shrug of the shoulders on that when I actually said it outside of the EDR.

25:52
OK.

25:53
And then I guess there was no, I'll confirm that.

26:01
But like during these conversations, did Sergeant Khan ever say that he gave the approval to take her to Neal Rd.

26:08
as opposed to all the way to Chico?

26:11
No.

26:13
OK.

26:14
All right.

26:15
Well, that's all I have.

26:17
I don't.

26:17
Is there anything else that you can think of that might be related that I'm not asking?

26:22
I, I don't want to have to put you through another interview if I don't have to.

26:25
I, I don't think I will have to.

26:26
But anything you, you know, where my line of questioning is going.

26:31
So yeah, I mean, it's, it's just, it's just a big mess.

26:36

And you know, I think you've got all the main questions, you know, that you need in regards to this case and.

26:51
I just wish I can, I guess, have more definitive proof, but the only thing I have like, you know, these things happen and naturally we talked about it, you know, because it's, yeah, it's pretty heavy.

27:04
And, you know, we're, we're all in the news.

27:08
So we definitely had conversations and but as far as that, I guess you kind of hit all the key points that I guess you do need.

27:17
So.

27:19
OK, well, I, I appreciate it.

27:22
I, I hate to take up your evening.

27:24
I I apologize for having to do a second interview, but this one was a lot shorter, which is good.

27:31
Yeah.

27:32
And I'll definitely try to e-mail you the picture and then I'll try to pull up the actual time stamp too, I guess.

27:38
OK, yeah, I think, yeah, you should be able to.

27:41
I think if you like drag down on, if it's like an iPhone, I think if you drag down on it, it'll give you the properties of it, I think.

27:49
But I'm pretty sure, like I said, I think that was the day after he got put on administrative leave.

27:53
I could be wrong, but to my knowledge, I think that was the actual day.

27:56
You can definitely, I guess find that out on your end.

28:00
Yeah.

28:00
And it doesn't, I don't even, it doesn't have to be even the day after.

28:03
I I just wanted to kind of get an idea what, you know, that there were meetings, there were, you know, some kind of discussions and, or admissions by him that he did in fact hear it, you know, and he told you as such.

28:16
Yeah.

28:17
And we're not going to meet up and talk about the weather.

28:19
We're going to talk about them or names in the damn news and lawsuit.

28:22
So, yeah.

28:25
OK, Well, I'm going to stop recording.

28:27
It's 5:59 PM on my clock so.