Commission on Peace Officer Standards and Training
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On June 25, 2025, California Commission on Peace Officer Standards and Training ("POST") Law Enforcement Consultant Kevin Sherburne interviewed Michael Kim in a conference room located at Rains, Lucia, Stern, St. Phalle & Silver, PC, 220 Montgomery Street, San Francisco, California. Also present during the interview was Carrie Woolley, counsel for POST. Marie Masters, Rains, Lucia, Stern, St. Phalle & Silver, represented Kim during the interview. Communications by the parties during the interview were electronically recorded. The recording will serve as the true and accurate record of the statements made by Kim. After being advised of the identity of the interviewer and the purpose of the interview, that being to obtain information related to allegations of serious misconduct, Kim provided the following information:

Prior to the start of the interview, Masters stated her position for the record that the interview was effectively a compelled interview under threat of decertification for a potential failure to cooperate.

Kim is a newly-hired deputy for the San Francisco Sheriff's Office and is currently assigned to patrol at Laguna Honda Hospital on day shift. His start date for his latest iteration with the Sheriff's Office is December 21, 2024. He had a break in service based on his resignation in February 2016. He is not aware whether there was a pending internal affairs investigation against him at the time of his resignation.

In approximately 2014, the FBI came to his work (he was then working for the chief of the custody division) and interviewed him about Andy Li. After he spoke with his union representative and attorney, they set up an appointment and talked to the FBI. He was ultimately charged with a crime – one count of contempt of court and he was placed on probation and fined $30,000 and performed 300 hours of community service. The sentence was based on a guilty plea. His previous iteration working for the Sheriff's Office was 1999 through 2016.

Toward the latter part of the time he worked for the Sheriff's Office through 2016, Kim worked in the emergency service unit, dealing with mutual aid. He was in charge of things like the Occupy movement. He oversaw about 120 deputies as a sergeant. He was a direct report to a captain and then the deputy chief. They all sat in the same office. He sometimes had direct contact with the Sheriff. At the time, the Sheriff was Vicki Hennessy and the last couple of years he worked as executive assistant to Chief Deputy Matt Freeman in the custody division.

After he left the Sheriff's Office in 2016, Kiim worked for Executive Shield, a security company, for about a year. He started working as a security guard for the War Memorial, which was back with the City and County of San Francisco. He worked for the War Memorial until his rehire by the Sheriff's Office. Kim did not know if Li ever worked for Executive Shield. Li told Kim that he had gotten a guard card and wanted to come clean. After prison, Li was trying to live a clean life. He had two children and believed he could not keep going in and out of prison. Kim tried to connect Li through the CEO of Executive Shield for employment in approximately 2013-14.

The FBI interviewed Kim in August 2014 and December 2014. Kim wrote a memorandum to Freeman in which he repeated the story that he told the FBI in August 2014. That story was that he left his vest at Mimi's place, he was going to a bar and his wife was supposed to retrieve the vest and forgot to. When the FBI raided Li's house, Kim's vest was in the car. Kim did not keep a copy of the memorandum. He does not know where a copy of the memorandum might be. Kim did not keep in touch with Freeman after Freeman retired. That was over 10 years ago. Since Freeman retired, no one has really been able to get in touch with him.

In August 2014, Kim told the FBI that he went with Li to casinos. Kim did not know that Li was doing debt collection. They all spoke Chinese and Kim does not speak Chinese. He would just go into the casinos. Kim did not see any weapons on Li. It was all cordial. When they left, Li would give Kim $100 or so. Kim never asked why Li gave him money. Li never said, "let's go collect debt." It was more like, "I need to go somewhere, let's go."

Kim always tried to help Li. Kim knew Li had a bad time in high school and his mother died when he was young. His father was always working. Kim tried to keep Li on the "straight and narrow" and always trying to "make him a better person." "But he always makes bad decisions."

After Kim joined the Sheriff's Office, he was focused on his career and he had kids, so he did not see Li that much. The last time Kim had contact with Li was after he got arrested. Kim was talking to Li's wife and she handed Kim the phone and it was Li. It's likely on a recording with the feds. Mimi (Li's wife) asked Kim to put up his house for bail. Kim declined.

Kim never gave Li sensitive law enforcement information. He asked to run plates but that's a misdemeanor. Kim did not provide anything that jeopardized investigations. He did ask if people were in jail and that's public information. Prior to computerization of the information, anyone could call in and ask if someone was in jail. That's the only information Kim gave Li. Kim did not even give information to other agencies if they did not have a need to know.

When Kim finished his probation, he decided to reapply to the Sheriff's Office. The probation officer told him he did not get in trouble again, so he went and talked to other deputies with whom he had kept in touch. He applied, went through the process, and was hired. His friends asked if he wanted to come back and they told him they'd love to have him back. People in the chain of command said that. So, he applied. He went through two rounds to get rehired. He does not know why he was not hired during the first round. The list expired and he reapplied. He researched the POST requalification course and got requalified. He went to the requal in San Jose.

The people in the chain of command who told him to reapply were Kevin McConnell, who was a captain and Lieutenant Quinn, who was on the SWAT team with Kim. Ron Chu, a deputy, and Jane Choi, too. They all asked when he was going to come back. McConnell was in charge of field services division.

Kim also talked to the Sheriff by phone, who wrote him a letter of recommendation. Kim was going through the process with Dr. Dunnigan and he asked the Sheriff to write a letter of recommendation because Dr. Dunnigan did not pass him. The letter was specifically for Dr. Dunnigan, not a general letter of recommendation. Kim did not write the letter for the Sheriff's signature. Kim appealed Dr. Dunnigan's decision and passed the second evaluation. Dr. Dunnigan said he failed Kim the first time only because there was a pending investigation against him. Kim told Dr. Dunnigan that he was going to be exonerated. It took longer than several weeks but ultimately Kim called Dr. Dunnigan and told him the investigation cleared him.

Dr. Dunnigan said the time lapsed was so long that he had to conduct another full evaluation, so Kim paid for another evaluation.

Kim selected Dr. Dunnigan from a list of POST-approved psychologists. He did not have a doctor-patient relationship with Dr. Dunnigan and never even met him in person. The evaluation was done over the computer.

During the investigation at the War Memorial, Kim was working from home for nearly a year. A woman accused him of sexual harassment. He kept his supervisor up to date on the investigation. She was in touch with Paul [Miyamoto, the Sheriff].

Kim did not tell the Sheriff that the letter of recommendation did not have a signature or that it was not on letterhead of the department. Dr. Dunnigan was suspicious of the letter. Dr. Dunnigan told Kim that he was going to call the Sheriff to authenticate the letter. The phone number on the letter is Miyamoto's cell phone number. [Masters stated that she would forward the email thread in which Miyamoto sent Kim the letter of recommendation to Sherburne.]

Kim did not know if the Sheriff's Office was doing anything after Dr. Dunnigan did not pass him the first time and sent him a rejection letter dated November 30, 2023.

Whatever the Sheriff says in hiring is the direction the office goes. Other than Miyamoto, Kim talked to Luke Quinn and Ron. Ron did not have a say in hiring.

The letter contains a misspelling of Kim's daughter's name.

After the second evaluation by Dr. Dunnigan, Dr. Dunnigan told Kim on the spot that he passed. Kim was not sure if he called Miyamoto after that. He called his supervisor.

Kim did not think he and Miyamoto had a sit down about POST's serious misconduct investigation. The Undersheriff called Kim based on a notice the office got from POST. Kim had a conversation with Sergeant Perez, who was the personnel manager. The talk was what could happen if his license were taken away. Could he retire? What happened if he surrendered his license? They talked about the publicity of it and Kim told Miyamoto and the sergeant that everything's already been in the open. The conversation took place in the last couple of months. After checking his calendar, Kim stated the conversation

occurred on May 13, 2025. Kim did not give Miyamoto a copy of the investigative report and believed that POST had given him a copy.

After the conclusion of POST's interview, Sherburne provided Masters a chance to ask questions she had of Kim. The following summarizes the interview.

After the first interview with the FBI, Kim felt bad that he had lied to the FBI. His attorneys said he should go back and try to correct his mistakes. So, they went back to the FBI to correct the record.

There was never a plea deal. The feds don't make plea deals. He went in and admitted what he did and cooperated with the feds and they gave him a misdemeanor contempt of court charge.

When he worked at the War Memorial, the investigation against him was based on claims by a woman who was the cousin of his boss, who did not like Kim. The whole thing was a fix. The boss fabricated everything against Kim and tried to get others to make statements about him.

When Kim went with Li to the casinos, he was about 19 or 20 years old. He was more naïve then than he is now.

After Masters concluded her questions, Sherburne asked follow up questions and Carrie Woolley asked questions. The following summarizes the interview.

Kim thought the definition of exonerated in the War Memorial investigation was the same definition that the Sheriff's Office used in internal affairs investigations.

Kim did not know what a proffer was. He went with his lawyer and told his lawyer to sign the agreement with the prosecutor. He never asked the court to seal documents but the AUSA sealed it because he cooperated with the feds. Kim did not know half the stuff that Li was doing until his attorney gave him the paperwork.

In the sentencing memorandum, it said that his lawyer said that Kim had no intention of returning to law enforcement. Kim is not sure what was agreed upon. . . just that he was going to resign from the Sheriff's Office. Kim was one of the rising stars of the department. Kim did not want bad publicity for the Sheriff. When the feds talked to him, they said it was all about this Asian senator, Asian gangsters, and an Asian cop. That made it big news, so "we're going to come after you." Kim made a mistake and will take the consequences that come with that.

Kim is not sure if the judge asked him about returning to law enforcement during his sentencing hearing.

While working at the War Memorial, the retirement system is San Francisco's retirement system just as the Sheriff's Office but the job was not a public safety job, so that's a difference.

Kim knew he made a mistake. He did not lie to regain his job with the Sheriff's Office and told the background investigators everything. People know he tells the truth. There was one mistake.

Lieutenant Tiffany Martin does not even know Kim.

Kim feels horrible and would never have talked to Li if he knew what he was doing. He only sees him on birthdays. Li doesn't even know about the car crash. He said Kim got a pass from CHP, but CHP does not give passes to anyone, even cops. Kim does not associate with Kim. He wants to keep his license and work in the department. The Sheriff knows his character.

Li's lawyers kept hounding him for a declaration. They typed it up and sent it to him. They called him while he was driving home.

The vest was a 15 year old, outdated vest. It was not a plate, just a regular, under the uniform vest. It was like a level 3A vest. He assumes that Li would have been able to buy a vest like that on the open market but he likely did not want to spend $1,000 for a vest or some amount of money for the vest.