STATE OF CALIFORNIA

COMMISSION ON

PEACE OFFICER STANDARDS AND TRAINING

PEACE OFFICER STANDARDS ACCOUNTABILITY ADVISORY BOARD

(POSAAB) MEETING

WEDNESDAY, JULY 16, 2025

10:04 A.M.

MEETING HELD

AT THE OFFICES OF

COMMISSION ON POST

860 STILLWATER ROAD, SUITE 100

WEST SACRAMENTO, CALIFORNIA

REPORTER'S TRANSCRIPT OF PROCEEDINGS

Stenographically Reported By:
Connie J. Parchman,
California Certified Shorthand Reporter #6137

A P P E A R A N C E S

POSAAB MEMBERS PRESENT

JOYCE DUDLEY
Governor Appointee
Attorney
(Chairperson)

NICOLE CLAVO, Psy.D.
Governor Appointee
Public Member

REGINA HATCHER-CRAWFORD
Governor Appointee
Public Member

JACK GLASER
Governor Appointee
Public Member

CEPHUS JOHNSON
Governor Appointee
Public Member

CHARLES LARA
Governor Appointee
Management Rank Peace Officer

MARGARET PENA
Speaker of Assembly Appointee
Public Member

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PEACE OFFICER STANDARDS ACCOUNTABILITY
ADVISORY BOARD LEGAL COUNSEL

CHRISTOPHER BEATTY
Deputy Attorney General
Department of Justice
Office of the Attorney General

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A P P E A R A N C E S C O N T I N U E D

POST STAFF

ANNEMARIE DEL MUGNAIO
Assistant Executive Director
Peace Officer Standards
Accountability Division
Executive Office

WILLIAM DARDEN
Chief Counsel
Legal Affairs Bureau

ROBERT GUYTON
Bureau Chief
Professional Conduct Northern Bureau

SARAH WALLACE
Bureau Chief
Intake and Disposition Bureau

CHELSEA WIJAYA
Analyst
Intake and Disposition Bureau

ROBERT BRINGOLF
Law Enforcement Consultant
Professional Conduct Los Angeles County Bureau

BRYANT HENLEY
Attorney IV
Legal Affairs Bureau

WILLIAM IMBODEN
Law Enforcement Consultant
Professional Conduct Los Angeles County Bureau

SIMONE RENTERIA
Attorney IV
Legal Affairs Bureau

CHANDLER KNAPP
Staff Services Manager
Executive Office

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A P P E A R A N C E S C O N T I N U E D

ALSO PRESENT

LUKE BAXTER WALDEN
Peace Officer, POST ID A95-T18

MARLON MARRACHE

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WEDNESDAY, JULY 16, 2025 10:04 A.M.

West Sacramento, California

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CHAIRPERSON DUDLEY: Good morning, everyone.

Great to see all of you.

Today is Wednesday, July 16th, and the time is 10:04.

Thank you all for attending the Peace Officer Standard Accountability Advisory Board hearing.

Please note that this hearing is being live streamed, recorded and transcribed.

Thank you so much to the transcriber.

Further, please note that the microphones are auto on/off. When you begin speaking, they will go live. With this, you will need to watch your crosstalk. That too will go live.

We will now call the roll of Board Members.

MR. KNAPP: Thank you, Madam Chair.

Good morning, Members of the Board.

Member Clavo.

MEMBER CLAVO: Present.

MR. KNAPP: Member Crawford.

MEMBER CRAWFORD: Present.

MR. KNAPP: Member Doyle.

(No response.)

MR. KNAPP: Member Dudley.
CHAIRPERSON DUDLEY: Here.
MR. KNAPP: Member Glaser.
MEMBER GLASER: Here.
MR. KNAPP: Member Johnson.
MEMBER JOHNSON: Here.
MR. KNAPP: Member Lara.
MEMBER LARA: Here.
MR. KNAPP: And Member Pena.
MEMBER PENA: Here.
MR. KNAPP: Thank you.
Madam Chair, seven of nine.
CHAIRPERSON DUDLEY: Thank you. A quorum has been established.
And thank you, Mr. Knapp, for all the work you did to get us all here today. Very much appreciated.
I would now like to introduce Board Counsel. To my left, Christopher Beatty.
And POST Assistant Executive Director, Annemarie Del Mugnaio. I do this every time. I have so much respect for our Assistant Director and I never can get the name just perfect. But, Del Mugnaio?
MS. DEL MUGNAIO: Del Mugnaio.
CHAIRPERSON DUDLEY: What?
MS. DEL MUGNAIO: Del Mugnaio.

CHAIRPERSON DUDLEY: Del Mugnaio.

MS. DEL MUGNAIO: There you go.

CHAIRPERSON DUDLEY: Del Mugnaio.

This time is set aside for members of the public who wish to comment on items not on the agenda, but those within the Board's jurisdiction.

Public comment on matters on the agenda will be heard after each item is presented. Public comment on specific peace officer revocation cases to be heard today will be heard at the time of the hearing of each of the matters.

Please be advised that the Board cannot take action on items not on the agenda and may discuss those matters only to the extent necessary to determine whether any matter should be made an agenda item at a future meeting, to respond briefly to statements or questions posed, to request clarification or to refer the items to staff.

Please remember that this meeting is being transcribed, so I may politely interrupt and ask you to repeat or speak slowly and clearly so your comment can be correctly captured in the transcript.

As the Board Chair, I may ask members of the public to limit their remarks to no more than three minutes, pursuant to existing Board policy.

I may conclude the public comment period if multiple speakers are voicing repetitive or similar statements, and the 15-minute public comment period has expired.

You will be given five minutes to speak and the time limits will be strictly enforced, so please ensure that you complete your thoughts within the allotted time.

Before I open public comment on matters not on the agenda, please note that if you wish to comment on disciplinary matters scheduled to be heard today or tomorrow by the Board, you must wait until the matter is called to offer public comment.

If you have a specific complaint about an officer that is not on today's agenda, you should file a complaint with POST or with the officer's employing agency. Staff will assist you in this regard.

I would like to remind individuals making comments to not discuss pending complaints or pending disciplinary actions that may later come before the Board for recommendation.

If the Board takes action on your complaint, you will have an opportunity to address the Board at that time.

Following these rules is necessary to comply with

the law and to avoid compromising the Board's mission.

Now, is there anyone present in the audience or appearing remotely who would like to address the Board during public comment?

Let's start with people present first. Anyone present?

(No response.)

CHAIRPERSON DUDLEY: Seeing none, let me inquire, is there anybody remotely?

(No response.)

CHAIRPERSON DUDLEY: Okay. Moving on.

Let's go to the approval of the minutes.

Is there anyone present or appearing remotely or by phone who would like to address the Board regarding the approval of the January 16th, 2025, transcripts?

(No response.)

CHAIRPERSON DUDLEY: Seeing none. Are there any questions or comments from the Board regarding the minutes?

Seeing none.

If the Board concurs, the appropriate action would be a motion to approve the meeting transcript from the January 16, 2025, meeting.

Is there a motion?

MEMBER CLAVO: I make a motion to approve the

that an officer did, in fact, engage in misconduct or that revocation or suspension is ordered.

That will be determined after the evidentiary hearing.

At the conclusion of each law enforcement consultant's presentation, the Board will have the opportunity to ask questions. Then public comment from the subject officer and/or their counsel will be taken, followed by members of the public.

Further discussion by the Board will be allowed if necessary.

The Board may then go into closed session, deliberations, after each case or wait until all cases have been presented and adjourn into closed session to deliberate on all cases presented.

After reconvening into regular session, votes will be taken on each case.

At this time I will call upon Law Enforcement Consultant Robert Bringolf, Professional Conduct, Los Angeles Bureau, and Bryant Henley, Attorney IV, Legal Affairs Bureau, to provide a report on POST -- on case POST2305110, Brian Kawamoto, who at the time of the events at issue in this case was employed with the Torrance Police Department.

Thank you, gentlemen.

MR. BRINGOLF: Well, I've been the guy coughing obnoxiously in the back, so now I'm going to be the guy coughing obnoxiously in the front. So I apologize.

Good morning, Chair and Members of the Board. My name is Robbie Bringolf. I'm one of the law enforcement consultants assigned to Professional Conduct Southern Bureau, previously LA County Bureau in the Peace Officer Standards Accountability Division.

With me today is Bryant Henley, an attorney with our legal affairs bureau.

CHAIRPERSON DUDLEY: Mr. Bringolf.

MR. BRINGOLF: Ma'am?

CHAIRPERSON DUDLEY: I'm going to ask you just to slow down a bit.

MR. BRINGOLF: You got it.

CHAIRPERSON DUDLEY: Look over at the reporter. She doesn't look happy.

MR. BRINGOLF: The smoke coming off her fingers? Okay.

CHAIRPERSON DUDLEY: If she doesn't look happy, it's your fault.

MR. BRINGOLF: That's fair. I take full responsibility.

CHAIRPERSON DUDLEY: And slow down. And I'll remind you, too.

MR. BRINGOLF: Thank you.

I'm here today to present case 235110 involving Brian Keith Kawamoto.

It's the Division's determination that clear and convincing evidence exists to demonstrate that Brian Kawamoto committed an act of serious misconduct as set forth in Penal Code Section 13510.8 while sending text messages to coworkers between March 2019 and December 2019.

Specifically, the Division has determined that Brian Kawamoto committed the following acts of serious misconduct demonstrating bias as defined in section 13510.8(b)(5) PC.

This morning I will present a brief outline of the Division's findings of investigation in this matter.

Mr. Kawamoto began his law enforcement career with the San Bernardino County Sheriff's Office as a deputy sheriff on March 12th, 2011. He was hired by the Torrance Police Department on November 17th, 2014. He was terminated from the Torrance Police Department on October 4th, 2022.

On March 26, 2023, Torrance Police Department reported allegations of serious misconduct against Mr. Kawamoto to POST pursuant to California Penal Code Section 13510.9(a)(3).

The allegations stem from the discovery of homophobic, transphobic and racist texts sent between members of the TPD between May 2018 and February 2022.

When analyzing the serious misconduct allegations of Penal Code Section 13510.8(b)(5) and regulation 1205(a)(5), demonstrating bias, the Division evaluates whether the subject officer through words, action or other conduct showed prejudice, intolerance, contempt or hatred towards a protected class of persons.

If the subject officer did show prejudice, intolerance, contempt or hatred towards a protected class of persons, the Division then considers whether the words, action or conduct would lead a reasonable person to conclude that the officer has not or will not fairly and impartially perform the officer's law enforcement duties.

If so, serious misconduct is shown if the officer's words, action or conduct either, one, violates applicable law; two, violates department policy; or three, is inconsistent with the officer's obligation to carry out the officer's duties in a fair and unbiased manner.

During the analysis of each instance of potentially biased behavior, the conduct was analyzed based on the guidelines I just mentioned to determine whether the

allegation of bias was true to a clear and convincing standard.

On March 25th, 2019, Torrance Police Officer Weldin texted Mr. Kawamoto stating, "Just had a shooting."

Mr. Kawamoto replied, "Fuck." And, "I trust y'all have them moon crickets in custody in no time."

During Mr. Kawamoto's Internal Affairs interview, when asked about the use of his term "moon crickets," Mr. Kawamoto stated the following, "So 'moon crickets' is a word that I heard it, like, in training or something once that I thought was funny. But refers to Black people. And I don't know why specifically I said that. But yeah, I shouldn't have said -- have sent that either, sir. It's offensive." End quote.

When the Internal Affairs investigator asked if the March 25th, 2019, message represented the only time when Mr. Kawamoto ever used the term "moon cricket" when referring to Black people, Mr. Kawamoto answered, "Probably not, sir."

As Mr. Kawamoto acknowledged during his Internal Affairs interview, the exchange between Officer Weldin and Mr. Kawamoto is inherently offensive. It's also racist.

Mr. Kawamoto's conduct in sending the message, "I trust y'all have them moon crickets in custody in no

time" shows prejudice and intolerance towards a protected class of persons.

Mr. Kawamoto's message also violated several of the Torrance Police Department's policies including, but not limited to TPD's anti-harassment policies and several of their General Orders.

Even when viewed in the light most favorable to Mr. Kawamoto, the racist epithet used to describe the suspects in the shooting who might be subject to enforcement action from the Torrance Police Department, necessarily erodes the public's confidence in Mr. Kawamoto's ability to fairly perform his law enforcement duties.

A reasonable person would conclude that Mr. Kawamoto's message shows Mr. Kawamoto has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community, specifically, because Mr. Kawamoto makes a statement indicating he assumed the suspects in the shooting would be Black without possessing any other information about the crime.

On May 2nd, 2019, Officer Weldin texted Mr. Kawamoto directly, "If it's any consolation, I like sober beating up savage monkeys Brian and I also like

drunk hood rat shit with my friends Brian."

Mr. Kawamoto replied, "Well, I appreciate that, LOL."

This message is another example of the use of a racist epithet and an indication of the use of force on a protected class of persons.

When Mr. Kawamoto was asked what Officer Weldin meant when he texted, "I like sober beating up savage monkeys," Mr. Kawamoto answers, "Sounds like he's referring to beating up Black people, sir."

While the racist epithet was not used by Mr. Kawamoto, his reply to Officer Weldin, "Well, I appreciate that, LOL" indicates a tacit approval of the use of dehumanizing and racist language and shows intolerance and prejudice towards Black people.

It is also reasonable to believe that Officer Weldin is indicating Mr. Kawamoto is known for using physical force against Black people or that using physical force against Black people is a foregone conclusion between these two officers.

This message exchange also violated several of the Torrance Police Department policies including, but not limited to, their anti-harassment policies and several of the General Orders.

After reading this message exchange, a reasonable

person would conclude that Mr. Kawamoto has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community.

On September 10th, 2019, Mr. Kawamoto texted Officers Weldin, Tomsic and Alonso a photo of coffins, saying, "This is from the coffin display at Rice Mortuary. Look at the one on the bottom."

Weldin responded, "For all them niglets we put down."

Mr. Kawamoto replied, "Ha-ha, yeah, I got a water heater box just as good I can sell you for half the price if you're interested though."

When asked during his Internal Affairs interview what Officer Weldin meant when he texted, "For all the niglets we put down," Mr. Kawamoto answered, "It sounds like Officer Weldin is talking about being for all the Black children that he said we've put down."

The Internal Affairs investigator then asked what Mr. Kawamoto believed the term "niglets" meant.

Mr. Kawamoto answered, "I think it refers to Black children. I think he's mixing the "N" word with the piglet type thing."

I find this another example of a pervasive theme among Mr. Kawamoto and several of his coworkers. I find

that a reasonable person would consider the use of the term "niglets" to be racist and an explicit demonstration of bias.

Further, the officers made jokes about a cardboard box being used for all the niglets they put down.

I find a reasonable person here would infer that the officers were saying the cardboard coffins were for all the Black children the officers have killed or will kill.

The fact that Mr. Kawamoto laughed, agreed, and then offered a water heater box as an alternative shows participation in joking about killing Black children and using cardboard coffins to bury the decedents.

Further, it's inferred that they are making light of a fatal police enforcement contacts involving Black people.

I find this text and the perpetuation of the discourse to be an explicit demonstration of bias, which is inconsistent with Mr. Kawamoto's obligation to carry out his duties in a fair and unbiased manner.

This message, like the others, also violated several of the Torrance Police Department's policies, including, but not limited to, their anti-harassment policies and several General Orders.

A reasonable person, after viewing the disparaging

communications between these officers, would conclude that Mr. Kawamoto has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community.

In a November 19th, 2019, text conversation, Mr. Kawamoto texted Officer Weldin, "Happy birthday, Niggah."

Weldin responded, "Just making sure you don't go to that location due to the fact that they have seven fewer employees now to serve up some spicey chicken sandwiches."

Mr. Kawamoto sent, "Good call. What's the game plan for your birthday?"

Weldin texted, "Make money, beat niggahs."

Mr. Kawamoto replied, "I know nothing puts a bigger smile on yo grill."

I find this is another example of a pervasive thing -- theme among Mr. Kawamoto and several of his coworkers in which they mock Black people.

These messages are inherently offensive and racist. The messages also violated several of the Torrance Police Department's policies, including, but not limited to, their anti-harassment policy and their General Orders.

Mr. Kawamoto's conduct in sending the message shows prejudice and intolerance towards a protected class of persons.

And again, even when we view this in the light most favorable to Mr. Kawamoto, this message erodes the public's confidence in Mr. Kawamoto's ability to fairly perform his law enforcement duties.

A reasonable person would conclude that Mr. Kawamoto's message shows Mr. Kawamoto has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community.

In a December 24th, 2019, text, Mr. Kawamoto sent an image meme to Officers Alonso, Tomsic, and Weldin which referenced hanging a person.

In that image meme there were three Christmas-related images, a star for the top of a Christmas tree, a Christmas ornament and a candy cane, then an old black and white image of a Black person appearing to be a slave. On the top of the image meme were the words, "Which one doesn't belong?"

At the bottom of the meme were the words, "That's right. You don't hang the star."

After Officer Weldin replied, "I done nearly pissed myself," Mr. Kawamoto texted, "Happy Kwanzaa."

When asked by the Internal Affairs investigator if he remembered sending the messages, Mr. Kawamoto replied, "Yes, sir, I do. There's no excuse, I understand it's offensive."

The Internal Affairs investigator subsequently asked Mr. Kawamoto whether this message was disparaging or discriminatory towards Black people.

Mr. Kawamoto replied, "I feel like it was offensive to Black people because it's making references to when Black people had been hung in the perspective."

This image in the messaging associated with the image is inherently offensive and racist. The image and messages also violated several of the Torrance Police Department's policies, including, but not limited to, their anti-harassment policies and several of their General Orders.

Mr. Kawamoto himself acknowledged that he knew the message was offensive to Black people. Mr. Kawamoto's conduct in sending the message shows prejudice and intolerance towards a protected class of persons.

Even when viewed in the light most favorable to Mr. Kawamoto, sending a picture of a Black person and suggesting that the Black person should be hanged followed by the message, "Happy Kwanzaa," is unequivocally racist and erodes the public's

confidence in Mr. Kawamoto's ability to fairly perform his law enforcement duties.

A reasonable person would conclude that Mr. Kawamoto's message shows that Mr. Kawamoto has not or will not fairly and impartially perform his law enforcement duties when interacting with certain protected classes of persons in the Torrance community.

These types of statements and messages discredit the Torrance Police Department in potentially irreparable ways. And they violated several of the Torrance Police Department policies.

Accordingly, the Division finds that Mr. Kawamoto demonstrated bias within the meaning of Penal Code Section 13510.8(b)(5) and regulation 1205(a)(5) when he sent the above list of messages.

The facts that I've just recited support the Division's finding that Brian Kawamoto was involved in serious misconduct, specifically demonstrating bias.

For purposes of the Division's analysis, clear and convincing evidence means evidence of a charge which is clear and convincing so long as there's a high probability that the charge is true.

The evidence need not establish a fact beyond a reasonable doubt.

The Division recommends that Brian Kawamoto's POST

certification be suspended or revoked.

With that I'm happy to answer any questions that the Board may have.

CHAIRPERSON DUDLEY: Does the Board have any questions or comments?

(No response.)

CHAIRPERSON DUDLEY: Seeing none.

At this time, does the subject officer or their counsel wish to make public comment? If so, you will each be given five minutes to speak and the time limits will be strictly enforced, so please ensure that you complete your comments within the allotted time.

While commenting, keep in mind that the Board will only consider the facts as presented by the Division today and will not consider any additional facts or defenses at this time.

The sole question before the Board today is the following: If the facts offered by the Division today are, in fact, proven at a later hearing, do those facts demonstrate clear and convincing evidence, a high probability that serious misconduct, as defined in Penal Code Section 13510.8 and Commission Regulation 1205 occurred?

So is there anyone from the public who would like to address the Board at this time?

(No response.)

CHAIRPERSON DUDLEY: Okay. Just checking. First let me check on the audience.

Nobody here seeking to address the Board.

And is there anybody on the phone?

UNIDENTIFIED SPEAKER: No.

CHAIRPERSON DUDLEY: Okay.

MR. HENLEY: Madam Chair, if I may, just for the record, we, the Division, this is Bryant Henley on behalf of the Peace Officer Standards Accountability Division, we, in the Division, communicated with Officer Kawamoto's counsel, Mr. Sinsley. Mr. Sinsley did request a link, a Zoom link, so that he could appear remotely for this -- for this event. And he was provided, via email, with a notice, the agenda, the dates and times of the hearing. We did anticipate that he would be here and want to present comment.

And so I understand we do not have anyone requesting comment, but I wanted the record to reflect that we expected him to be here and he expressed the intent to be here to present comment.

CHAIRPERSON DUDLEY: Okay. Thank you.

And, again, checking anybody there remotely?

(No response.)

CHAIRPERSON DUDLEY: No.

Okay. At this time, does the Board wish to adjourn into closed session for deliberations on this case?

Or is the Board ready to take a vote on a recommendation on this case?

MEMBER LARA: I personally -- Lara -- I have no need to deliberate.

CHAIRPERSON DUDLEY: I'm sorry?

MEMBER LARA: I do not need to -- I don't want to speak for the rest of -- the other body, but I do not need to go.

CHAIRPERSON DUDLEY: Okay. Does anybody feel the need to go into closed session?

(No response.)

CHAIRPERSON DUDLEY: Seeing none, is there a motion? Yes.

MEMBER LARA: I would like to make a motion for revocation.

CHAIRPERSON DUDLEY: Is there a second?

MEMBER CLAVO: I second.

CHAIRPERSON DUDLEY: Okay. And could we have the roll call?

MR. KNAPP: Yes, Madam Chair. Thank you.

Clavo.

MEMBER CLAVO: Aye.

MR. KNAPP: Clavo, aye.

Crawford.

MEMBER CRAWFORD: Aye.

MR. KNAPP: Crawford, aye.

Dudley.

CHAIRPERSON DUDLEY: Aye.

MR. KNAPP: Dudley, aye.

Glaser.

MEMBER GLASER: Aye.

MR. KNAPP: Glaser, aye.

Johnson.

MEMBER JOHNSON: Aye.

MR. KNAPP: Johnson, aye.

Lara.

MEMBER LARA: Aye.

CHAIRPERSON DUDLEY: Lara, aye.

Pena.

MEMBER PENA: Aye.

MR. KNAPP: Pena, aye.

The motion is unanimous.

CHAIRPERSON DUDLEY: Okay. The motion passes.

And it's time for lunch. So let's take a break and we'll start up again, what do you think?

In half an hour?

Is that agreeable with everybody?

Yeah. Okay. We'll start up again at 12:30.

CERTIFICATE OF REPORTER

I, CONNIE J. PARCHMAN, a Certified Shorthand Reporter of the State of California, do hereby certify:

That I am a disinterested person herein; that the foregoing proceedings were reported, to the best of my ability, in shorthand by me, Connie J. Parchman, Certified Shorthand Reporter of the State of California, and thereafter transcribed into typewriting.

I further certify that I am not of counsel or attorney for any of the parties to said proceedings nor in any way interested in the outcome of said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of July 2025.



Connie J. Parchman, CSR
Certified Shorthand Reporter
License No. 6137