

TUOLUMNE COUNTY SHERIFF'S OFFICE

PERSONNEL/POLICY COMPLAINT FORM

Citizen's Complaint

PARTY FILING COMPLAINT

INCIDENT DATE: 07/17/19 INCIDENT TIME: 1950 LOCATION: [REDACTED]

NAME: [REDACTED]

ADDRESS: [REDACTED]

TELEPHONE #: Home: [REDACTED] Work: _____ BEST TIME TO CONTACT: _____

PERSON INVOLVED IF OTHER THAN ABOVE:

Name: [REDACTED] Address: [REDACTED]

Telephone #: Home: [REDACTED] Best Time to Contact: _____

SPECIFIC COMPLAINT (Summarize)

[REDACTED] COMPLAINED DEPUTY DANIEL WAS "HITTING
ON" OR "MOVING IN" ON [REDACTED] WIFE, [REDACTED]
VIA TEXT.

INFORMATION ADVISORY

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZENS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS. INFORMAL COMPLAINT, [REDACTED] DID NOT WISH TO PARTAKE IN THE FORMAL COMPLAINT PROCESS
I have read and understand the above statement. AND STATED HIS WIFE WAS PROBABLY TRYING TO JUST MAKE HIM MAD.

Complainant Signature Date: _____

Copy of completed complaint form given/sent to complainant by:

Name: _____ Date: _____

DESCRIPTION OF INCIDENT

SEE ATTACHED MEMO.

☐ Continued on other page

☒ Attachments

WITNESSES

Name: _____ Telephone: _____

Address: _____

Name: _____ Telephone: _____

Address: _____

Name: _____ Telephone: _____

Address: _____

SHERIFF'S OFFICE EMPLOYEE(S)

Name: _____ Job Title: _____ ID# _____

Name: _____ Job Title: _____ ID# _____

Name: _____ Job Title: _____ ID# _____

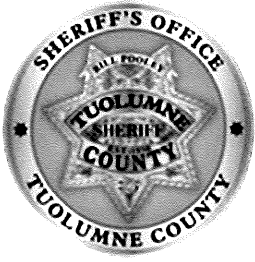
On or about 07/21/19 I received notification from TCSO Dispatch that [REDACTED] [REDACTED] wished to speak with a supervisor regarding a call at his house a few days prior and the conduct of one Deputy who was present at the scene. I attempted contact with [REDACTED] the day I received the information but was unable to reach him. The following day I spoke with [REDACTED] via phone. [REDACTED] was out of town at his current job as a paramedic. I asked [REDACTED] to explain what he had called to complain about, [REDACTED] relayed the following in summary:

[REDACTED] stated Deputy Danel (he did not know Danel's name but stated it was the Deputy who arrested [REDACTED] [REDACTED] was moving in on his wife and he wanted it to stop because they were going to work things out and stay married. [REDACTED] explained his wife, [REDACTED] and the Deputy had been exchanging text messages and videos back and forth. [REDACTED] believed the messages were inappropriate and stated he had proof. I asked [REDACTED] to send me the proof, so I could investigate the matter or forward it to the appropriate people within the Department to investigate it. [REDACTED] sent me a call log from [REDACTED] phone showing she had been texting with multiple people but did not show what was sent. Some of the texts showed a picture had been sent and the size of the data. The texts that contained data had been sent to multiple numbers in group texts. I asked [REDACTED] if I could review the call log and call him back, [REDACTED] stated he was okay with that.

I spoke with Deputy Danel and asked if he had been texting with [REDACTED] and if so what about. Deputy Danel admitted to texting with [REDACTED] stating it was all work related and [REDACTED] was beginning to open up about being abused. I asked Deputy Danel if he still had any of the texts and he stated he did not, he deletes his text messages.

Due to the call volume I was unable to complete my review that night. I contacted [REDACTED] the following night or soon after. I told [REDACTED] it appeared to me that the videos or pictures sent came from his wife and went to Deputy Danel's number and were group texted to one or two other numbers. [REDACTED] stated he thought Danel might be using a spoofing app to use different numbers. I informed [REDACTED] I had looked up the prefixes and the numbers were from an area code in Oregon (I believe). [REDACTED] reviewed the numbers and stated the numbers were actually [REDACTED] and [REDACTED], either another [REDACTED] or [REDACTED]. With this new information [REDACTED] stated he did not believe the texts were inappropriate and he stated he did not want to make a complaint. [REDACTED] stated his wife [REDACTED] is making statements to make him mad and he played into it. I agreed with [REDACTED] that it appeared based on the texts being group sent to [REDACTED] family they were likely not sexual or inappropriate and [REDACTED] might be making statements that they were to make him mad to help end the relationship.

I explained to [REDACTED] I had spoken with Deputy Danel and informed him to write his report and cease any further contact with [REDACTED] without notifying me first. I further explained once all reports were completed they would be sent to the D.A. for determination if prosecution was warranted. [REDACTED] stated he was okay with that, he did not want Deputy Danel punished in any way and he again stated he did not wish to make a complaint. Based on the information available and [REDACTED] understanding of the current situation, I determined further investigation was not warranted.



TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: Deputy David Danel

From: Lt. Jarrod Pippin

Date: 10/17/2019

Subject: Notice of Investigation/ Confidentiality Order

Let this serve as a notice that you are the subject of an Internal Affairs Investigation regarding your conduct as an employee of the Tuolumne County Sheriff's Office. You are under investigation and are subject to disciplinary action up to and including termination. Due to the possibility of disciplinary action you are hereby notified of your right to representation. Effective immediately, you are assigned to paid administrative leave pending the conclusion of this investigation and all subsequent proceedings. Paid administrative leave is subject to the guidance of ***TCSO Policy 1020.8 Administrative Leave.***

The investigation has been assigned to **(Lt. Jarrod Pippin)**, should you have any issues or questions you may contact the investigator at **(209-694-2970)**. The date, time and location of your interview will be determined at a later time and may be adjusted by your representation based on their availability.

It has been brought to the attention of the Tuolumne County Sheriff's Office that your actions may be in violation of County Policy and/ or the Tuolumne County Sheriff's Office Policy and Procedures.

TCSO Policy 320 Domestic Violence

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this office to take enforcement action when appropriate, to provide assistance to victims and to guide deputies in the investigation of domestic violence.

TCSO Policy 340 Standards of Conduct

This policy establishes standards of conduct that are consistent with the values and mission of the Tuolumne County Sheriff's Office and are expected of all office members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this office or a member's supervisors.

TCSO Policy 340.3.6: Efficiency

(a) Neglect of duty.

(b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.

TCSO Policy 340.3.8: Conduct

(f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this office or the County.

(m) Any other on or off duty conduct which any member knows or reasonably should know is unbecoming a member of this office, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this office or its members.

TCSO Policy 340.7: Performance

(b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any office record, public record, book, paper or document.

(c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any office -related business.

(i) Any act on, or off duty that brings discredit to this office.

County of Tuolumne Personnel Rules and Regulations:

TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action

(16) Violation of a department rule.

Tuolumne County DSA Memorandum of Understanding:

DSA MOU Article 16, Section C. Cause(s) of Action

(3) Willful disobedience of any job-related law, ordinance, county rule, or department regulation or any supervisor's lawful order

(4) Incompetence

(5) Inefficiency

(6) Inexcusable neglect of duties

(15) Violation of department rule

(16) Other failure of good behavior either during or outside of duty hours which is of such a nature that it causes discredit to the county

A formal complaint was made regarding your alleged involvement and conduct in a criminal investigation and neglect of your duties as a Deputy Sheriff.

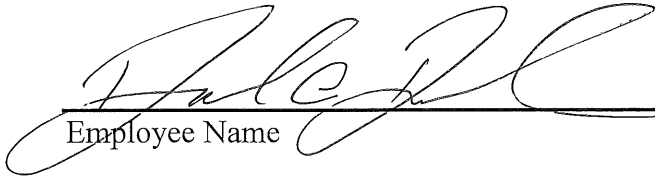
A complaint alleges on 7/17/19, at 1950 hours, the Tuolumne County Sheriff's Office received a report of a domestic disturbance involving a [REDACTED] and [REDACTED]. During the subsequent response a criminal investigation was conducted by you, resulting in [REDACTED] being arrested for numerous penal code violations, including felony domestic violence, and transported to the Tuolumne County Jail for booking. The complaint alleges as a deputy sheriff you developed a personal relationship with [REDACTED] and orchestrated her release without charges for the crimes she committed and transported her back to her residence disregarding the victims' rights and call for help. The complaint further alleges as a deputy sheriff you continued to communicate with [REDACTED] in an inappropriate and personal nature following the incident.

It is alleged that numerous violations of governing policies and statutes were committed by you during the criminal investigation, which went against enforcement of the law to protect the victim and to facilitate the victims' and offenders' access to appropriate civil remedies and community resources. The alleged unsatisfactory work performance occurred while you were acting as a deputy sheriff, responsible for ensuring investigations are done in a manner consistent with department policies, and California law while keeping the best interests of the department.

This is a confidential investigation. You are ordered not to discuss any aspect of this investigation with any other county employee, volunteer, contractor, or witness to the incident, with the exception of your designated employee representative, or the designated investigator.

You will not access any Sheriff's Office records, reports or databases for materials that relates in any way to this investigation. All previous orders or directives are still in effect. As a result of your administrative leave status, you are not allowed to access, or attempt to access any public safety buildings, offices in the official capacity of a peace officer until this investigation is concluded. However, you still maintain the same rights to information and records as any law-abiding citizen. Failure to abide by this confidentiality order may result in disciplinary action up to and including termination.

I have received a copy of this notice.

 10 17 2019
Employee Name Date



TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: All Sheriff's Personnel

From: Lt. David L. Vasquez

Date: 10/17/2019

Subject: Order of Restricted Access

Effective immediately **Deputy David Danel** shall not access any Tuolumne County Sheriff's Office facilities in an *official* capacity, unless otherwise escorted by a designee of the Sheriff's Command Staff. Restricted access shall apply to all electronic databases, protected information, documents, radio transmissions and email.

Deputy David Danel shall have unrestricted access to all services the Sheriff's Office provides to the public. For personnel not familiar with Deputy David Danel, a photo has been placed on the (s:) drive under employee photos.

If you have any questions regarding these orders please contact me directly and I will assist you.

Respectfully,

Lt. David L. Vasquez



TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill Pooley
Sheriff-Coroner

To: Sheriff Bill Pooley
From: Lt. Jarrod Pippin
Date: January 6th, 2019
Subject: IA# 19-004

Sir,

I have completed the investigation into alleged misconduct of David Danel, generated from a formal complaint and additionally an internally generated complaint. This investigation also covers the supervision of David Danel by Sergeant [REDACTED] [REDACTED] both during and after the investigation that led to the complaint of misconduct. The formal complaint of alleged misconduct involving David Danel was filed with the Sheriff's Office on or about July 21st, 2019, by [REDACTED] [REDACTED]. David Danel resigned from his position as a Deputy Sheriff prior to the completion of this investigation.

SYNOPSIS:

On July 17th, 2019, [REDACTED] [REDACTED] contacted dispatch and reported his wife [REDACTED] [REDACTED] "blew up", was throwing property off their porch and breaking things in their home. David Danel responded to [REDACTED] in [REDACTED] and subsequently arrested [REDACTED] [REDACTED] for felony domestic violence. Deputy Danel transported [REDACTED] [REDACTED] to the jail for booking, and later brought her back to her residence without completing the booking process. When [REDACTED] [REDACTED] asked [REDACTED] [REDACTED] how she got out of jail, she told him "I sucked his dick, how the fuck do you think I got out". [REDACTED] later found phone records showing numerous text messages and phone calls between [REDACTED] and David Danel, at all hours of the day and night.

On or about July 21st, 2019, [REDACTED] contacted dispatch and requested to file a complaint alleging an inappropriate relationship between David Danel and his wife [REDACTED]. Dispatch contacted Sergeant [REDACTED] who spoke with [REDACTED] and investigated the allegations of misconduct. Over the course of numerous weeks following the complaint, dispatchers who were aware of the complaint recognized a pattern of behavior from David Danel which caused alarm. The behavior included David Danel being at or near the [REDACTED] residence while on duty (shown by patrol car MDC/GPS), as well as David Danel turning off his patrol car MDC/GPS while near [REDACTED]. Dispatcher [REDACTED] [REDACTED] reported this information to Sergeant [REDACTED] who in turn notified Lt David Vasquez. Lt. David Vasquez contacted me and asked that I conduct a review of the complaint filed by [REDACTED] [REDACTED] and subsequent investigation into the complaint. Lt Vasquez also requested an administrative investigation into the complaint from dispatch.

SUMMARY OF CONDUCT:

I conducted a review of the domestic violence case involving [REDACTED] and [REDACTED] [REDACTED] and a review of the complaint filed by [REDACTED] [REDACTED] including any outcome of investigation into the complaint. This administrative review resulted in additional investigation into the allegations of misconduct of David Danel and the conduct of staff during the domestic violence investigation.

Based on my review of the domestic violence investigation conducted by David Danel, and my review of the formal complaint filed by [REDACTED] [REDACTED] alleging misconduct from David Danel, it is alleged David Danel violated sections of the following TCSO, Tuolumne County Policy and DSA MOU governing sections:

Tuolumne County Sheriff's Office Policies:

TCSO Policy 320 Domestic Violence

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this office to take enforcement action when appropriate, to provide assistance to victims and to guide deputies in the investigation of domestic violence.

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County of Tuolumne Personnel Rules and Regulations:

TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action

(16) Violation of a department rule.

Tuolumne County DSA Memorandum of Understanding:

DSA MOU Article 16, Section C. Cause(s) of Action

(3) Willful disobedience of any job-related law, ordinance, county rule, or department regulation or any supervisor's lawful order

(4) Incompetence

(5) Inefficiency

(6) Inexcusable neglect of duties

(15) Violation of department rule

(16) Other failure of good behavior either during or outside of duty hours which is of such a nature that it causes discredit to the county

Based on my review of the domestic violence investigation, specifically regarding the supervision during the investigation, it is alleged Sergeant [REDACTED] [REDACTED] violated sections of the following TCSO, County of Tuolumne and DSA MOU governing sections:

Tuolumne County Sheriff's Office Policies:

TCSO Policy 201 Command and Authority

The ranking officer shall exercise the authority of his or her position under all conditions which require that he or she use such authority in the best interests of the department.

TCSO Policy 320 Domestic Violence

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of this office to take enforcement action when appropriate, to provide assistance to victims and to guide deputies in the investigation of domestic violence.

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TCSO Policy 444 Watch Commanders

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

County of Tuolumne Personnel Rules and Regulations:

TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action

(16) Violation of a department rule.

Tuolumne County DSA Memorandum of Understanding:

DSA MOU Article 16, Section C. Cause(s) of Action

(4) Incompetence

(5) Inefficiency

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EVIDENCE:

Summary of TCSO Case #19-2442, reports authored by David Danel

David Danel's original case report was written over a period spanning between July 17th and July 20th, 2019 and outlines the investigation he conducted into the domestic violence incident involving [REDACTED] and [REDACTED]. On July 20th, 2019 the report was viewed and approved by Sergeant [REDACTED]. A copy of the report is attached to this administrative report. Upon my review of the report I noticed several actions that were, based solely on the report, in violation of department policy. There were also several investigative tasks not mentioned in the report, required by department policy. The following is a summary of the report.

The report indicates [REDACTED] was arrested at the scene for a felony violation of domestic violence and transported to the Tuolumne County Jail for booking. Prior to booking, David Danel was able to obtain a statement from [REDACTED] and she stated [REDACTED] broke her foot. David Danel asked a jail nurse to look at [REDACTED] foot, however there were no photographs taken of the injury as required by policy (320.4 (e)). The report indicated [REDACTED] would not allow David Danel to take any photographs of her foot.

The report states David Danel was advised by the jail nurse [REDACTED] would need to be medically cleared to complete booking. David Danel escorted [REDACTED] from the jail to the sally port for the purpose of transporting [REDACTED] to the emergency room to have her medically cleared. At this time [REDACTED] told David Danel she was refusing medical treatment. David Danel then made the decision to take [REDACTED] home in leu of completing the booking process. In his report, Danel based this decision on [REDACTED] refusing to be seen at the hospital and not being able to establish how [REDACTED] received the injury to her foot.

There is nothing in the report to suggest probable cause established at the scene was no longer present. There is nothing in the report to indicate David Danel cleared his decision to forgo booking [REDACTED] [REDACTED] for Domestic Violence by a supervisor. Under the circumstances presented in the report this would be required by policy (320.9.1 (a)). There is also nothing written in the report, or attached as a document, to suggest proper documentation was completed to release [REDACTED] [REDACTED] from custody as a detention only required by policy (804.6 (a)).

David Danel later completed a supplemental report with information regarding his investigation. This report was written on July 20th and approved on July 20th by Sergeant [REDACTED]. In the supplemental report David Danel outlined a follow up conversation and meeting between him and [REDACTED] [REDACTED]. During the meeting David Danel observed bruising on [REDACTED] back and thigh. David Danel wrote he suspected [REDACTED] was the victim of abuse, however he fails to photograph the injuries.

In the same supplemental report, David Danel outlined statements he received from [REDACTED] indicating she was the victim of spousal rape. There is nothing in the report to indicate any follow up investigation was being done by David Danel, or any requests were made by David Danel for the investigations division to conduct follow up. In the supplemental report, David Danel documented [REDACTED] [REDACTED]'s wishes to not pursue any charges against [REDACTED] [REDACTED]. At the end of the supplemental report, which indicates [REDACTED] is a victim of numerous felony crimes, David Danel states "this report is for information only at this time".

Summary of MDC/GPS records from David Danel

During my investigation I met with Lt. David Vasquez and requested to view portions of David Danel's in car GPS audit. Lt. Vasquez showed me numerous GPS tracks where David Danel was frequenting the area of the [REDACTED] residence while on duty. Some of these instances were during shifts when David Danel was assigned to work the Groveland beat. There were also numerous GPS tracks that showed David Danel turn off his MDC/GPS when he arrived in the Tuolumne City area, and then activate his MDC/GPS when he was leaving the area of Tuolumne City. None of the GPS tracks that I viewed were associated with calls for service in the area or associated with activity logged in RIMS. The GPS tracks I viewed were after the complaint was filed by [REDACTED] [REDACTED]

Interview with [REDACTED] [REDACTED] (9/24/19)

On September 24th, 2019 at approx. 1254 hours I called and spoke with [REDACTED] [REDACTED] regarding the complaint he filed with our office. I asked [REDACTED] if he was ever contacted by a supervisor with a resolution to the complaint. He stated, "I did not receive a call back, I don't know the outcome of whether the Deputy is dating my wife or not, but I know my marriage isn't very good".

I asked [REDACTED] to summarize what he reported in the complaint. He stated, "my wife attacked me, and I called you guys for help, you guys arrested her for domestic violence and ended up dropping the charges, brought her home, and then for the next couple of days my wife and the deputy were texting back and forth all times of the day and night". [REDACTED] further stated "I asked you guys for help I didn't need someone to stand in as a husband. I thought it was inappropriate for him to be texting my wife after midnight because he works nightshift".

I asked [REDACTED] if he knew the content of the messages sent back and forth or if he saw them, and he did not. [REDACTED] had a call log that showed dates and times of text messages and phone calls between his wife [REDACTED] and the deputy, which he emailed to the supervisor he spoke with. He did not recall the supervisors name. [REDACTED] no longer has access to the call logs because [REDACTED] has since blocked his access. [REDACTED] did not retain the call log or the email he sent the supervisor.

Summary of Sergeant [REDACTED] investigation into complaint from [REDACTED] [REDACTED]

On September 25th, 2019 I met with Sergeant [REDACTED] I told Sergeant [REDACTED] I was notified of a personnel complaint involving David Danel, regarding a case he investigated with [REDACTED] [REDACTED] I asked Sergeant [REDACTED] what the outcome of the complaint was. In summary, Sergeant [REDACTED] told me [REDACTED] [REDACTED] made allegations David Danel was sending inappropriate text messages to his wife [REDACTED] Sergeant [REDACTED] was able to determine the messages [REDACTED] was referring to were sent in group texts, which included [REDACTED] daughters. There was no evidence to suggest any of the texts were inappropriate or specifically between David Danel and [REDACTED] [REDACTED]

Sergeant [REDACTED] questioned David Danel, who told him he had in fact texted back and forth with [REDACTED] [REDACTED] but it was strictly related to follow up and he had since deleted the text messages. Sergeant [REDACTED] contacted [REDACTED] [REDACTED] and advised him of his findings, at which time [REDACTED] requested no further action be taken. I requested Sergeant [REDACTED] write a summary of the complaint from [REDACTED] [REDACTED] and his investigative findings. The following day, September 26th, I was provided with a summary from Sergeant [REDACTED] I have attached a copy of the complaint summary to this report.

Interview with [REDACTED] [REDACTED] (10/3/19)

On October 3rd, 2019 at 1300 hours I met with [REDACTED] [REDACTED] at her home in Tuolumne. Present with me was Lt. David Vasquez. I told [REDACTED] the reason I was there was an administrative investigation involving alleged misconduct from one of our deputy sheriffs. The misconduct was related to the domestic violence incident involving her and [REDACTED]. [REDACTED] told me she was aware of the complaint her husband [REDACTED] had filed.

About the complaint, [REDACTED] told me [REDACTED] asked her how she got out of jail the morning following her arrest. [REDACTED] told [REDACTED] "I sucked his dick, how the fuck you think I got out", referring to the deputy who took her to jail. I advised [REDACTED] additionally, [REDACTED] complained there was inappropriate communication via texting and phone calls between her and the deputy.

[REDACTED] told me she communicated with David Danel, via text and phone calls. [REDACTED] had never been through an incident like this and she was trying to get information about what happened, such as why [REDACTED] originally called and what would happen next. [REDACTED] stated the conversation was strictly professional and David Danel gave her some information through text messages which she has since erased. I asked [REDACTED] if her phone records would show the messages sent or received from her phone and she acknowledged they would.

I told [REDACTED] our criminal report indicated she received an injury to her foot. I asked her if anyone took photographs of the injury to her foot the night of the incident. [REDACTED] did not remember any photographs being taken of her foot, and said she was intoxicated so her memory of everything that night isn't the greatest. The only photographs [REDACTED] remembered being taken were of her tattoos while in the jail. [REDACTED] has not seen a doctor at any time since the incident for the injury to her foot. [REDACTED] said there was no reason to see a doctor because her foot was broken and there is nothing that could be done for the injury.

I asked [REDACTED] how she got David Danel's phone number. She told me she asked him for it the night of the incident and he provided it to her on his business card. I asked [REDACTED] if she called David Danel the day following the incident, on the 18th, as indicated in the report. [REDACTED] acknowledged she had, and she called him on his cell phone. Her intent was to apologize for her behavior the night before and to determine what happened. She remembered she blew a ".2 something" and [REDACTED] was also "trashed". When she asked [REDACTED] he couldn't tell her what happened.

When [REDACTED] got home from jail, [REDACTED] called 9-11 again and deputies responded to the house. [REDACTED] stated nothing happened and didn't know why [REDACTED] called. [REDACTED] confirmed [REDACTED] was still at the house passed out on the couch when she arrived home from the jail. He remained at the house until the next morning when he left to take his child to Utah.

A supplemental report authored by David Danel indicates [REDACTED] received text messages from her kids containing screen shots of messages sent from [REDACTED] [REDACTED]. The texts claimed [REDACTED] instigated the domestic violence incident. [REDACTED] brought up screen shots of a text conversation between her daughter and [REDACTED] and showed them to me. The screen shots of the texts showed a picture of the belongings that were thrown down the embankment from the house, and a comment from [REDACTED] along the lines of "look what your mother did, she went crazy". There was no mention in the texts I was shown of [REDACTED] trying to attack [REDACTED] or the cops, as indicated in the supplemental report. [REDACTED] said she never sent the messages to David Danel, however she told him about them. She initially learned of the texts during a phone conversation with her daughter the day after her arrest.

████ confirmed she met with David Danel on the evening of the 19th. █████ said she initiated the contact because she wanted to talk with David Danel and asked him to come over to her house. █████ knew █████ was on his way home and she was worried about being around him, fearful █████ would make more allegations against her. She felt he was trying to make her dependent upon him by taking away her career. █████ said she met with Danel in the driveway of her home and he gave her some advice on what she could do if things went bad. I asked █████ if they had a conversation about bruising on her body, and specifically how the conversation about the bruises came up. █████ stated she had some bruises on her arms that were now visible that were not before. I asked █████ if Danel inquired how she got the bruises and she said, "I bruise easily".

I asked █████ if she exchanged any other phone calls or text messages with David Danel, other than the ones we had just spoken about. She replied "um, just in that month". I asked her what the calls or messages were about, and she said it wasn't anything specific. She described them as conversations "in general" and said she text David Danel when she found out she was going to be a grandmother. I told her it was extremely strange she would think of David Danel when wanting to share the news of becoming a grandmother. █████ told me she learned he was a grandfather during earlier conversations, so to her it did not seem strange to share something they had in common.

████ said she herself, as a professional, will reach out to patients, after the fact, to follow up with them. I told her that it would be completely out of character for one of our deputies to reach out to a victim in the circumstances presented when so many resources are available and none of them were offered. █████ stated, "well he was supposedly the victim (referring to █████ █████ I wasn't".

I read [REDACTED] the summary from David Danel's supplemental report, indicating she was the victim of spousal rape on numerous occasions. I asked her, after hearing this, did it sound like she was reported to be a victim or a suspect? [REDACTED] told me "I think I was more trying to defend, that I wouldn't have done that to [REDACTED] and it was more his last-ditch effort to keep me, and I didn't ever intend that by saying something like that it would go into the report". I told [REDACTED] that one of the charges listed in the criminal report was spousal rape and she asked, "can that be used against [REDACTED] I told her it absolutely could. [REDACTED] stated, "I don't think that would be the right thing, I mean he has two kids and what not".

I asked [REDACTED] if there were any other times that she had contact with David Danel. She told me she called him about a squatter in the house next-door that has been empty for a while. She called David Danel directly and did not go through dispatch. She did not remember when this was. [REDACTED] also contacted David Danel to ask him for some information and advice about a stocker from her past.

I asked [REDACTED] if she was willing to provide phone records to show when she has had contact with David Danel. [REDACTED] asked, "why would you need that from me?" I told her I do not have access to her phone records. [REDACTED] asked, "can I think about it?", and then stated, "I mean, I don't know, I mean". [REDACTED] then gasped and said, "if he didn't do anything wrong I don't see that if I gave you anything, I mean, that just, I'm trying to think, I'm tired". [REDACTED] then stated, "I don't, I just don't want to be part of it, that's, it's not my um."

[REDACTED] became visibly nervous each time she was asked to produce phone records or elaborate more about her relationship with David Danel. Each time her body language would change, and her responses became inquisitive. I explained I wanted to know if there is some validity to why our deputy was reaching out to her. I told her this could easily be done by looking at her phone records and confirming her statement. I told her if this was not the case and there were inappropriate things happening, she was not in any trouble, and I wanted her to see the bigger picture. [REDACTED] said, "there really isn't a relationship that's the thing".

Lieutenant Vasquez advised [REDACTED] how serious the allegations in the report are, and if the allegations are true they need to be processed by the law. He stated it was highly interesting that she was arrested for felony domestic violence and not booked into jail, and in fact she was brought back home while intoxicated where the victim was located. He stated we could already prove David Danel did several things wrong, we were not trying to say it had anything to do with her, but we were trying to understand why. [REDACTED] responded by asking "do you think it was because of a professional courtesy?" She further stated, "because I know if I picked up one of you guys I would go out of my way, I would do everything I could". Lt Vasquez asked [REDACTED] if there was a conversation about professional courtesy that took place between her and David Danel. [REDACTED] responded by saying "Yes".

[REDACTED] said Deputy Danel did not believe the story [REDACTED] told him at the scene. [REDACTED] felt David Danel took her away from the house so both she and [REDACTED] could sober up. [REDACTED] stated, "I believe he was trying to remove me from the situation, so it did not get any more out of control". Lt. Vasquez told [REDACTED] it sounded like this was not something she was assuming, rather it sounded like a discussion they had. [REDACTED] stated, "he did tell me it was a professional courtesy." [REDACTED] said she was seeing her career going down the tubes over something her "piece of shit" husband had done and she voiced this concern to David Danel.

When pressed for dates and times of her contacts with David Danel, [REDACTED] became nervous and could not remember any specifics. She continually stressed that her relationship with David Danel was strictly professional, and at no time did anything inappropriate happen. I asked [REDACTED] no less than 6 times if she was willing to provide her phone records or her phone, to show the extent of her contacts with David Danel and she refused. I ended my conversation with [REDACTED] and advised her she could call me if she changed her mind and wanted to provide her phone records.

Interview with [REDACTED] [REDACTED] (10/4/19)

On October 4th, 2019 I contacted [REDACTED] via telephone to conduct a follow up interview. It was obvious while speaking with [REDACTED] he was intoxicated. He repeatedly told me he did not want to get anyone in trouble. I told [REDACTED] there was further information that came to light, including him being labeled as the suspect of spousal rape in the report. [REDACTED] stated, "yes if you have sex with your wife and she doesn't want to it's rape". [REDACTED] kept repeating himself, saying he was part of the public safety family, and did not want to get anyone into trouble. I advised [REDACTED] I would re-contact him the following Monday when he was sober.

Interview with [REDACTED] [REDACTED] (10/7/19)

On October 7th at 1000 hours I met with [REDACTED] at Starbucks in the junction shopping center. Present with me was Tuolumne County Sheriff's Lieutenant [REDACTED] I began by clarifying I was conducting an administrative investigation into the complaint he filed with the Sheriff's Office, not a criminal investigation. I asked [REDACTED] [REDACTED] to go over the nature of the complaint he filed. He confirmed the complaint was regarding text messages and phone calls that his wife was receiving from David Danel. [REDACTED] did not remember the exact date and times of the calls because he no longer has access to [REDACTED] phone records. He sent the call log that he had to the Sergeant who handled the complaint (he did not remember the Sergeant's name) from his personal email address, [REDACTED] (I later had IT supervisor [REDACTED] conduct a search for the email on the server and he was unable to find any record of this email being sent) I asked [REDACTED] to check his email account and confirm that he no longer has the call log in his email sent/outbox. He checked and did not have it. [REDACTED] told me he typically erases his emails because he gets so many and it clogs up his email account.

█████ said the night █████ was arrested she was eventually brought back home. At one point, after she came home, she told █████ she was released because she gave the deputy a blow job, however █████ knew she was just trying to get under his skin. She later told █████ she was released because she is a nurse. █████ admitted to being heavily intoxicated the night of the incident and his recollection was somewhat bad because it was a few months ago. He stated when he woke up the next morning he drove his daughter to █████ the halfway point to █████ where his ex-wife lives.

I read portions of the complaint summary written by Sergeant █████ and █████ confirmed it was accurate to what he remembers. He did not remember the follow up phone call from Sergeant █████ but stated it was possible he just forgot about it. I asked █████ if he knew David Danel had been to his house after the initial incident to contact █████ He stated he was aware but did not know any specifics about the contact. I asked █████ if he has ever had any issues with squatters at the residence next-door to his house. He stated he has not. I asked him if he was aware █████ had, or has had a stocker. He stated █████ told him about a stocker, an ex-boyfriend from Arizona, however it was in the past and it has never been a problem since they have been married.

I asked █████ if he was aware he was listed as a suspect of spousal rape in our investigation and he was not. I read him specific portions of the report authored by David Danel, where █████ details being sexually assaulted by █████ I further explained to █████ he is also listed as a suspect in the domestic violence related incident when █████ was arrested. I explained to him in these types of investigations we do not have discretion when they should or should not be investigated or sent to the DA's office for review. I also explained to him in instances where there may be misconduct, those cases typically do not move forward because they become tainted. I told him I suspected there was misconduct, and it was imperative that he be candid with me in what he knows about the relationship between █████ and David Danel. He told me he does not have any specific details, just what he alleged in the complaint.

I told [REDACTED] the phone records could prove or disprove any allegations of misconduct, and [REDACTED] was unwilling to share her phone records or provide her phone for a forensic download. I advised him it would be in his best interest to speak with [REDACTED] about cooperating with the administrative investigation and provide these records. He stated he understood, and he was trying to simply get through his divorce with [REDACTED] and not make any waves, so she doesn't come after him. [REDACTED] referenced [REDACTED] accusation in the report of sexual assault, and stated "that is sick, if she can come up with that what else is she capable of".

I asked [REDACTED] if he was provided any paperwork during the night of the incident by the deputies at the scene, including a domestic violence letter or maricopa law pamphlet. He confirmed he was not provided any paperwork. [REDACTED] did not have any further information to provide.

Interview with [REDACTED] (10/7/19)

On October 7th, 2019 I met and spoke with Undersheriff Neil Evans. Undersheriff Evans advised me he was contacted by a subject who alleged David Danel was having an inappropriate relationship with [REDACTED], which [REDACTED] husband [REDACTED] discovered through text messages sent to [REDACTED] from David Danel. David Danel investigated a case involving allegations of spousal rape and domestic violence, with [REDACTED] as the victim. David Danel arrested [REDACTED] husband, [REDACTED], for felony domestic violence, spousal rape and criminal threats. The arrest happened on September 13th, 2017, TCSO [REDACTED].

At approx. 1600 hours I met with [REDACTED] at [REDACTED] in Sonora. I advised [REDACTED] I received information of possible misconduct by one of our deputies involved in his domestic violence case. I told him I received information there may have been text messages, personal in nature, shared between the Deputy that arrested him and his ex-wife. [REDACTED] told me the following in summary:

David Danel was the arresting officer in his case and a few things have come to light since his arrest about David Danel that left him feeling uneasy. Approx. 6-7 months ago he was going through his [REDACTED] phone and came across a text chain between David Danel and his ex-wife. His son's phone used to belong to his ex-wife. [REDACTED] did not know why the texts were still on the phone, possibly because his ex-wife gave it to their son without wiping it.

[REDACTED] said the texts were "personal" in nature. He described the texts to be inquisitive, with David Danel asking questions like "how have you been" and "is everything ok". As he was reading the texts he assumed they were from a friend of his ex-wife, however when he scrolled to the beginning of the text thread it started with a text along the lines of "hello this is Deputy Danel" who was asking how his ex-wife has been. He remembered there being texts stating things like "I am here for you if you need me" and other messages he felt were strange.

[REDACTED] wasn't sure if it was normal for deputies to reach out to persons involved with cases with questions like he saw. He described the messages as being appropriate if a friend had sent them to her, but not for a deputy. [REDACTED] did not save the messages or take photos of them and he no longer has access to his ex-wife's phone records. He did not know if the messages were still on his sons' phone now, but his son still has the phone.

I asked [REDACTED] if he examined his sons' phone again and the messages were still present I would like to see them. [REDACTED] did not know if his ex-wife would be cooperative if I spoke with her, stating she often lies. He also stated his ex-wife has made comments to him that she did not want the case to move forward and he feels like there is outside influence on part of the deputy and the attorneys.

I later made several attempts to contact [REDACTED] via telephone and was unable to reach her. I left a message for [REDACTED] to contact me and she did not return my call. I later confirmed with [REDACTED] the messages he saw on his son's phone had since been deleted.

Interview with [REDACTED] (10/11/19)

On October 11th, 2019 I received an email from [REDACTED] [REDACTED] containing pictures of a text conversation between him and [REDACTED]. The conversation was started by [REDACTED] who reached out to [REDACTED] after finding [REDACTED] [REDACTED]'s phone number on David Danel's phone bill. [REDACTED] told [REDACTED] she found call logs of David Danel texting [REDACTED] every day for several weeks in the middle of the night. [REDACTED] also text [REDACTED] [REDACTED] and confronted her.

After receiving this email, I attempted to contact [REDACTED] by telephone. She did not answer my calls, so I sent her a text message stating I wished to speak with her about the texts she sent [REDACTED] [REDACTED] [REDACTED] responded and stated the following:

I'm out of town. I don't know anything specifically about their case or situation at all other than what this man told me yesterday. All I know is I noticed several calls in July and August between David and [REDACTED] at all hrs 3am, etc.. Therefore, I questioned it between them all because it was excessive. She said several things to me. She said to me they weren't talking about sex (which I never asked) she said they were talking about kids and grandchildren, and that she was mainly talking to my husband to make her husband jealous. That's all I know.

I responded to [REDACTED] and asked her if she was willing to provide me with phone records that showed the correspondence between David Danel and [REDACTED] [REDACTED]. [REDACTED] never responded to my request and ceased any further communication with me.

Supplemental Criminal investigation:

During my administrative investigation, I made a request with Lieutenant David Vasquez for follow up investigation into the domestic violence incident between [REDACTED] and [REDACTED] [REDACTED] as well into the allegations of spousal rape made by [REDACTED] [REDACTED]. The request resulted in investigative follow up being assigned to Detective's [REDACTED] and [REDACTED].

On October 17th, 2019 I was advised by Detective [REDACTED] a search warrant was obtained to seize electronic devices from David Danel and [REDACTED] [REDACTED]. A determination was made to place David Danel on administrative leave pending the outcome of both the administrative and criminal investigation. At approx. 1800 hours I contacted David Danel at the patrol office and requested he meet with me at the Sheriff's Administration building.

I drove to the Sheriff's Administration building and I met with David Danel, Sergeant [REDACTED] (Deputy Sheriff's Association Representative) and Lt. David Vasquez. I read David Danel the notice of investigation and confidentiality order, which included being placed on administrative leave effective immediately. David Danel signed the order, a copy of which is attached to this report. Lt. David Vasquez notified David Danel of the search warrant for electronic devices and asked him to turn over any cell phones or devices in his possession.

David Danel immediately handed Lieutenant Vasquez a cell phone from his pocket and stated it was his personal phone. Danel advised he was recently issued a department cell phone which was in his patrol car. He stated he did not own or possess any other phones. I walked with Lt. Vasquez and David Danel to his patrol car and he retrieved the department issued phone and handed it to Lt. Vasquez. David Danel was then provided a ride to his residence by Sergeant [REDACTED] who retained David Danel's firearm, badge and department identification.

Immediately after being dropped off by Sergeant [REDACTED] David Danel attempted to contact [REDACTED] [REDACTED] using a cell phone he failed to turn over to Lt. Vasquez. Detectives [REDACTED] and [REDACTED] were at [REDACTED] [REDACTED]'s residence executing a search warrant for electronic devices and already had [REDACTED] phone in their possession when the call came in. [REDACTED] [REDACTED] later confirmed she purchased the phone for David Danel to conceal their communication with each other.

After executing the search warrant, Detectives [REDACTED] and [REDACTED] brought [REDACTED] [REDACTED] back to the investigation office for an interview. I was present during this interview, monitoring from a separate room. [REDACTED] [REDACTED] admitted during the interview to having a sexual relationship with David Danel, which was ongoing and occurring both on and off duty.

Interview with [REDACTED] (Detective [REDACTED] 10/17/19)

On the evening of October 17th, 2019 Detective [REDACTED] interviewed [REDACTED] [REDACTED] as part of his investigation into criminal allegations of domestic violence and spousal rape. I was present during this interview, monitoring from a separate room. Detective [REDACTED] later provided me with a transcript of the interview that took place at the investigation's office as well as a transcript of an interview with [REDACTED] [REDACTED] that took place at her residence. Both transcripts are attached to this report. The following is a summary of what [REDACTED] told Detective [REDACTED] during her interviews.

[REDACTED] and David Danel began speaking on a personal level the night after the domestic violence incident. [REDACTED] text David Danel the day following her arrest and Danel agreed to come up and talk with her. Danel arrived at the residence in the afternoon (daylight hours) while on duty. The two of them remained at the front of the garage where they spoke for a short time about the incident from the prior evening and had a cup of coffee.

The following day, [REDACTED] text David Danel and asked him if he wanted to come over for a cup of coffee and he showed up again while on duty. [REDACTED] had some questions about what to put down on her application to the board of nursing regarding her arrest and Danel told her no charges would be filed against her. [REDACTED] stated nothing sexual happened during the first two meetings.

Over the course of the next several weeks [REDACTED] invited David Danel over for coffee numerous times, and eventually she started to flirt with him. The conversations turned from speaking about the domestic violence incident and advice, to what each other was going through in their personal lives. The first time there was any sexual contact was after [REDACTED] invited Danel over for coffee and he showed up on duty in uniform. [REDACTED] stated she instigated the contact by kissing Danel, which caught him off-guard. [REDACTED] did not know the date this occurred.

[REDACTED] text Danel the night she kissed him, and they spoke about how awkward it was. She told Danel via text he needed to come over and try it again, to get it right. Danel came over a few more times off duty and they kissed during these contacts. Eventually the kissing led to sexual intercourse, the first time when Danel was off duty. There were also multiple occasions when Danel came over and they had sexual intercourse while he was on duty. [REDACTED] remembered numerous times when Danel would show up in uniform, in a patrol vehicle, and they would have sex. She was not sure if it was when he was getting off duty but did remember one time when it was around 1 A.M. and Danel was on a break. [REDACTED] stated starting in August, Danel would come over approx. once per week and they would have sex, most these occasions when he was in uniform or on duty.

There was at least one occasion when [REDACTED] met with David Danel away from her home and they had sexual intercourse. While Danel was attending range school, [REDACTED] was traveling home from work in Concord and she drove to the Lions Gate hotel at Maclellan Air Base and stayed the night with him. She arrived late in the evening and left first thing in the morning. Initially they were not sure if they could stay together while he was at training because he was not sure if he would be sharing a room with another deputy.

After [REDACTED] was interviewed on the 3rd of October, she had a conversation with David Danel about what to say during any administrative interviews. She was going to state their relationship was strictly professional and after speaking occasionally, they became friends. They also discussed getting new phone numbers, and [REDACTED] purchased David Danel a cell phone used to communicate with her. She remembered purchasing the phone around David Danel's birthday, in response to Danel's wife [REDACTED] contacting [REDACTED] and confronting her about her relationship with David. The last time [REDACTED] had contact with David Danel was the day prior to this interview, when they met and had sex.

Interview with Sergeant [REDACTED] [REDACTED] (10/22/19)

On October 22nd, 2019 at 1500 hours, I spoke with Sergeant [REDACTED] of the Tuolumne County Sheriff's Office in the presence of his legal representation, Jason Jasmine. Also present during this interview was Lieutenant David Vasquez, Professional Standards Division Commander for the Tuolumne County Sheriff's Office. I recorded our conversation. I explained to Sergeant [REDACTED] the nature of my investigation and read the admonishments verbatim to him. Sergeant [REDACTED] signed and initialed the appropriate portions. The following is a summary of the interview with Sergeant [REDACTED]

In [REDACTED] Sergeant [REDACTED] successfully completed the basic post academy at the Ray Simon Criminal Justice Training Center. While in the academy a learning domain on domestic violence was covered which Sergeant [REDACTED] successfully completed/passed. Sergeant [REDACTED] was hired by the Tuolumne County Sheriff's Office and successfully completed the field training program, part of which contains a block of instruction and training on domestic violence. During his career, which spans roughly 19 years, he has handled no less than 50 domestic violence investigations which he classifies as a "common call". Sergeant [REDACTED] is currently assigned to patrol as a Sergeant and as one of the field training unit supervisors.

As the watch commander, Sergeant [REDACTED] described his duties as supervising his patrol shift, ensuring they are not violating department policy or county rules, and they are enforcing the law. Sergeant [REDACTED] was the watch commander during the initial investigation that took place on July 17th at [REDACTED] and [REDACTED]'s residence. Sergeant [REDACTED] was the person on scene who initially located [REDACTED] [REDACTED] hiding under a shed. He ordered her out from underneath the shed and another deputy, identified as Deputy [REDACTED] took her into custody. Sergeant [REDACTED] did not recall any injuries to [REDACTED] [REDACTED] who was walking and talking fine. [REDACTED] was slurring her words and it was obvious she had been drinking. Sergeant [REDACTED] did not interview [REDACTED] at any time.

While at the scene, Sergeant [REDACTED] overheard portions of a conversation between [REDACTED] [REDACTED] and David Danel. Sergeant [REDACTED] was standing a good distance away when the conversation took place. During this conversation [REDACTED] advised he would be leaving the house early in the morning to take his kids out of state to exchange custody with his ex-wife. After the custody exchange was done [REDACTED] was going to the bay area where he works as a medic and would be gone for several weeks.

While at the scene [REDACTED] [REDACTED] was arrested for domestic violence and delaying or obstructing. She was later transported to the jail for booking. Sergeant [REDACTED] was not present for booking. While at the jail, a determination was made by David Danel to release [REDACTED] [REDACTED] from custody. David Danel did not contact Sergeant [REDACTED] and request permission to release [REDACTED] [REDACTED] from custody. Sergeant [REDACTED] first learned of the decision when he heard David Danel (over the radio) advising dispatch he was providing [REDACTED] [REDACTED] a ride back to her residence. Upon hearing this Sergeant [REDACTED] immediately contacted David Danel and began to clarify what was happening.

David Danel told Sergeant [REDACTED] he received a statement from [REDACTED] [REDACTED] at the jail. Based on [REDACTED] statement, he felt he no longer had probable cause to arrest [REDACTED] [REDACTED] and he felt domestic violence had not occurred. David Danel came to this decision having both [REDACTED] and [REDACTED] [REDACTED]s statements, each alleging an argument had taken place and any injuries were not intentional or caused by domestic violence. Rather, any injuries present were incidental. Sergeant [REDACTED] was never presented with any evidence that suggested [REDACTED] [REDACTED] was a victim of domestic violence. He was told [REDACTED] [REDACTED] was walking with a limp and complained of pain in her foot, but she was otherwise fine and did not want medical attention. David Danel explained the injury to [REDACTED] foot as "incidental".

Sergeant [REDACTED] was not sure the exact conversation that took place regarding medical treatment for [REDACTED] [REDACTED]s injury, however David Danel said [REDACTED] [REDACTED] was refusing to be seen for any injuries because she works as a flight nurse and charge nurse at the hospital. [REDACTED] was afraid she would face embarrassment and possibly lose her job. Sergeant [REDACTED] did not press the issue because he was under the impression [REDACTED] [REDACTED] was released from custody per 849 of the penal code due to lack of probable cause, and she was denying treatment after her release from custody therefore we could not force medical treatment.

David Danel never suggested or mentioned during his conversation with Sergeant [REDACTED] that he was basing his decision to release [REDACTED] [REDACTED] from custody as a form of a professional courtesy. Consideration of [REDACTED] [REDACTED] being at the residence played no role in determining whether to take [REDACTED] [REDACTED] home. Sergeant [REDACTED] said it was in his thought process and based on what he heard at the scene he assumed [REDACTED] [REDACTED] would no longer be at the residence.

Sergeant [REDACTED] has been at scenes of possible domestic violence where both parties are intoxicated, and one party becomes inadvertently injured. Because of his past experiences in these situations he did not find David Danel's decision to take [REDACTED] home odd. Sergeant [REDACTED] felt it was odd that David Danel did not consult with him prior to making the decision and leaving the jail. Sergeant [REDACTED] stated he would not have done this to one of his supervisors and acknowledged the practice of releasing someone from custody in domestic violence cases is not something we typically do.

I reminded Sergeant [REDACTED] about the conversation we had in my office several weeks prior regarding the complaint made by [REDACTED] [REDACTED]. Sergeant [REDACTED] acknowledged this conversation taking place and acknowledged the specifics of the complaint made, which alleged David Danel had an inappropriate relationship with [REDACTED] [REDACTED]'s wife including sending text messages to her at all hours of the night. Sergeant [REDACTED] stated the summary he provided was several months after the complaint and was accurate based on his recollection of his actions taken.

Sergeant [REDACTED] confirmed he provided [REDACTED] [REDACTED] with his email address and [REDACTED] later emailed him a call log that allegedly contained dates and times of communication between [REDACTED] [REDACTED] and David Danel. Sergeant [REDACTED] did not believe he still has the email. I asked Sergeant [REDACTED] if at any point in time prior to taking the complaint from [REDACTED] [REDACTED] if he ever questioned David Danel's integrity, or if he was ever given any reason not to trust him. He stated he had not.

In the complaint summary provided to me from Sergeant [REDACTED] it states Sergeant [REDACTED] gave instruction to David Danel to cease contact with [REDACTED] [REDACTED] unless having authorization from a supervisor. Sergeant [REDACTED] confirmed this was accurate, and to the best of his recollection he told David Danel he was to have no further contact with [REDACTED] [REDACTED] and he was to document what he found in his follow up investigation. He further advised David Danel to decide as to whether the criminal complaint would be forwarded to the district attorney, or if additional follow up was needed it was to go to investigations. He advised David Danel he was to have no further involvement in any investigation with [REDACTED] or [REDACTED] [REDACTED]

Prior to the conversation with David Danel, Sergeant [REDACTED] was aware he was conducting follow up in the investigation however he was not entirely aware of what the follow up consisted of. After being told about the complaint and investigation, David Danel acknowledged Sergeant [REDACTED] orders and advised Sergeant [REDACTED] he would never speak or text with [REDACTED] [REDACTED] again. Sergeant [REDACTED] expected David Danel would obey and follow his orders. To his knowledge his orders were in fact followed. After speaking with [REDACTED] [REDACTED] and reviewing the information provided, Sergeant [REDACTED] concluded no policy violations had taken place and the complaint was unfounded.

Sergeant [REDACTED] described the process of reviewing and approving reports as making sure they are factually accurate, ensuring the elements of the crime are documented, ensuring there are no intentional or unintentional policy or law violations and that we are providing the proper service to the public. He further stated it is to ensure that deputies have an accurate account of what happened, so they can later follow up or testify in court.

I provided a copy of the report authored by David Danel, C19-2442, to Sergeant [REDACTED] for reference. I asked Sergeant [REDACTED] if he thoroughly read the report. Sergeant [REDACTED] stated, "to the best of my recollection, yes". Sergeant [REDACTED] did not compare what he was reading against policy or the penal code when he approved the report. This is not something he typically does while reviewing and approving reports.

While at the scene, David Danel told Sergeant [REDACTED] he was going to do all the required paperwork and Sergeant [REDACTED] left the scene. When he later reviewed the report, it indicated [REDACTED] [REDACTED] refused to cooperate with any related paperwork. Sergeant [REDACTED] was not sure if David Danel offered the paperwork or left it at the residence because he was not on scene at the time. He did not ask David Danel any clarifying questions to determine if in fact any paperwork was completed or left at the scene.

I provided Sergeant [REDACTED] with a copy of TCSO policy 320, domestic violence, for reference. Referencing the policy, I pointed out to Sergeant [REDACTED] several things missing from the report and/or actions not taken by David Danel required by policy. These actions included photographing injuries to [REDACTED] [REDACTED] handing out required domestic violence paperwork and obtaining medical release paperwork.

I went over the guidelines for the standard of a solo beat deputy outlined by the field training program concerning knowledge of department policies, knowledge of routine forms, and knowledge of codes and criminal procedure. After he reviewed the report I asked Sergeant [REDACTED] if he felt this report was acceptable or unacceptable, based on the standards of a solo beat deputy outlined by the FTO program in these categories. Sergeant felt it was unacceptable due to missing forms and information required by policy.

Sergeant [REDACTED] said sometimes people refuse to participate in the process of having photographs taken, however we need to do our due diligence to try and get them. Sergeant [REDACTED] said the report showed a familiarity with forms and they were addressed in the report, however they were not provided. Sergeant [REDACTED] acknowledged people can refuse to participate in certain paperwork, but we are still mandated to provide certain forms such as the domestic violence information letter. He also acknowledged there was not an 849 PC form attached to the report.

Sergeant [REDACTED] reviewed and approved the report after he had conversations with David Danel about his decision to arrest and then release [REDACTED] [REDACTED] from custody, as well as his own observations from the scene. When reviewing the report, he took into consideration these conversations and his observations which he said made things clear to him when reading the report, or otherwise contributing to him overlooking inconsistencies.

Sergeant [REDACTED] was aware David Danel met with [REDACTED] [REDACTED] on one occasion after the initial report was taken. The purpose of the meeting was to conduct follow up which was later documented in a supplemental report. Sergeant [REDACTED] did not review or approve this report. Sergeant [REDACTED] was not made aware of any other times David Danel met with [REDACTED] [REDACTED]

Sergeant [REDACTED] said he periodically checks the mapping system in RIMS, so he knows where his resources are located. He does not do this when he is driving his car and cannot do it from the computers at the office. He has given expectations to his staff to be out conducting patrol checks when they are slow, so they are out and visible in public. When deputies call off at locations he assumes they are where they say they are.

Sergeant [REDACTED] was unaware David Danel was turning off his GPS/MDC in his patrol car to conceal his location while on duty. Sergeant [REDACTED] understanding of policy is when a deputy loses access to his MDC he is supposed to notify dispatch. Sergeant [REDACTED] was never advised David Danel lost his MDC connection or was purposely turning it off. In the instances his GPS was off, David Danel still appeared in service on MDC's however Sergeant [REDACTED] was unaware there is an octothorpe (#) symbol located next a deputy who is actively logged into an MDC. His understanding of the octothorpe symbol was it meant the deputy originally logged on via their MDC or they have an MDC equipped patrol vehicle.

Sergeant [REDACTED] will routinely use the Groveland Deputy to handle priority calls for service that are centrally located. The Groveland Deputy will typically remain in Groveland when calls for service do not require the Groveland Deputy to come down the hill to help. Sergeant [REDACTED] was never aware of David Danel responding to the [REDACTED] residence, or meeting with [REDACTED] [REDACTED] while he was assigned to work as the Groveland Deputy.

At no time after being served his notice of investigation did Sergeant [REDACTED] speak with David Danel about the administrative investigation or the criminal investigation. Sergeant [REDACTED] was unaware David Danel contacted [REDACTED] [REDACTED] the night he instructed him to cease all contact with her and asked her why she made the statements to [REDACTED] [REDACTED] that resulted in a complaint being filed against him. Not once did David Danel ever ask permission to speak with [REDACTED] [REDACTED] or advise Sergeant [REDACTED] he had any contact with her. Sergeant [REDACTED] was unaware David Danel had any further contact with [REDACTED] [REDACTED] to include any sexual relationship whether on duty or off duty.

Through my line of questioning, Sergeant [REDACTED] learned of David Danel contacting [REDACTED] [REDACTED] against his orders and establishing an inappropriate relationship. Sergeant [REDACTED] became visibly upset and emotional. It was very apparent this was the first time Sergeant [REDACTED] realized the allegations made in the complaint from [REDACTED] [REDACTED] were in fact true.

Interview with Sergeant [REDACTED] (10/29/19:

On October 29th, 2019 I met with Sergeant [REDACTED] in my office at the Tuolumne County Sheriff's Operations building. I had Sergeant [REDACTED] sign a confidentiality order and then asked him numerous questions regarding how the complaint of misconduct from David Danel came to him, along with his observations of David Danel. The following is a summary of our conversation.

Sergeant [REDACTED] was in dispatch several weeks ago approving reports and monitoring calls for service. While in the dispatch center he had a conversation with dispatcher [REDACTED] regarding a complaint that came in involving David Danel, and the behavior of David Danel following the complaint. Dispatcher [REDACTED] told Sergeant [REDACTED] about the domestic violence incident Danel investigated and the circumstances surrounding [REDACTED] being taken home from the jail. Both Sergeant [REDACTED] and Dispatcher [REDACTED] discussed how unordinary it was to take someone home from the jail.

Dispatcher [REDACTED] advised Sergeant [REDACTED] about a pattern of behavior the next few weeks to a month after the complaint that caused her alarm. When monitoring patrol car GPS mapping, Dispatcher [REDACTED] noticed David Danel was parked at the [REDACTED] residence while on duty. On one occasion, she zoomed in on the map and it appeared David Danel was parked inside of the garage. This was alarming to dispatcher [REDACTED] because she was aware of the complaint from [REDACTED] [REDACTED] accusing David Danel of having an inappropriate relationship with his wife.

Dispatcher [REDACTED] also noticed a pattern of behavior where David Danel was shutting down his MDC/GPS while in [REDACTED] near the community service unit. At times while doing this, he would be dispatched to calls for service and it was obvious by his radio transmission he was out of his vehicle on his portable radio. When responding, Danel would turn his MDC/GPS back on and it indicated he was near the [REDACTED] residence.

This information was very concerning to Sergeant [REDACTED]. Sergeant [REDACTED] went to the patrol office and looked in David Danel's supervisor file to see if there were any notations of counseling regarding the complaint and there were none. Dispatcher [REDACTED] told Sergeant [REDACTED] she believed Sergeant [REDACTED] dealt with the complaint because as soon as she notified him he called David Danel to meet with him, assuming it was to discuss the complaint.

Sergeant [REDACTED] reviewed the report authored by David Danel (9/16/19 per audit). After reviewing the report, he found numerous actions, or lack thereof, alarming. Sergeant [REDACTED] found it strange [REDACTED] [REDACTED] was arrested for domestic violence and then released from custody per 849 (b) PC. [REDACTED] was never taken to the hospital for medical clearance, she was changed to a victim in the report and [REDACTED] was listed as a suspect for spousal rape. Sergeant [REDACTED] also found it strange David Danel found bruising on [REDACTED] upper thigh during a normal conversation, but suggested it was possible because it was summer (she may have been wearing more revealing clothing). Based solely on the report, Sergeant [REDACTED] began to suspect something inappropriate was occurring.

Sergeant [REDACTED] investigated the GPS history from David Danel's vehicle. He found where Danel was logging off at the end of his shift at the [REDACTED] residence on [REDACTED] [REDACTED] and logging back on the following shift from the same location. This indicated to him Danel was staying at the residence. He also saw Danel driving near the residence when he was assigned to the Groveland beat. These facts, coupled with the information relayed to him by Dispatcher [REDACTED] was enough information that Sergeant [REDACTED] felt there was an inappropriate relationship between Danel and [REDACTED] [REDACTED] Sergeant [REDACTED] contacted Lt. Vasquez and advised him of the information he discovered.

Dispatcher [REDACTED] [REDACTED]

On October 29th, 2019 I met with Dispatcher [REDACTED] [REDACTED] at the Tuolumne County Sheriff's Office administration building. I advised Dispatcher [REDACTED] the reason for our meeting was to discuss the internally generated complaint regarding alleged misconduct involving David Danel. I had Dispatcher [REDACTED] sign a confidentiality order and then asked her numerous questions regarding the complaint along with her observations of David Danel. The following is a summary of our conversation.

Dispatcher [REDACTED] was working in dispatch when the domestic violence incident on [REDACTED] [REDACTED] between [REDACTED] and [REDACTED] took place. David Danel arrested [REDACTED] for domestic violence and transported her to the jail for booking. David Danel then left the jail and resumed his duties on patrol. Soon after, Dispatcher [REDACTED] received a phone call from a booking clerk who requested David Danel come back to the jail and take [REDACTED] for medical clearance at the hospital. David Danel was on a call at the time, so after the call was finished Dispatcher [REDACTED] sent him to the jail.

Once David Danel arrived at the jail he advised dispatch he would be transporting [REDACTED] to her residence on [REDACTED]. This caught Dispatcher [REDACTED] by surprise, so she asked David Danel to confirm where he was transporting her. He confirmed he was taking her to the residence on [REDACTED]. Dispatcher [REDACTED] was confused as to why, stating the decision was abnormal. She later received a phone call from the jail asking if [REDACTED] was being brought back to complete the booking process which further confused Dispatcher [REDACTED] as to what happened.

After the incident, [REDACTED] called the Sheriff's Office to file a complaint alleging David Danel was having an inappropriate relationship with his wife [REDACTED]. [REDACTED] discovered inappropriate text messages between David Danel and [REDACTED]. Dispatcher [REDACTED] was working during this shift and was the one who took the call from [REDACTED]. She did not remember the date of the call, but it was soon after the initial incident. After taking the complaint from [REDACTED] Dispatcher [REDACTED] contacted Sergeant [REDACTED] and gave the information to him. The complaint, coupled with the decision to take [REDACTED] home from the jail rather than medical clearance, raised a red flag for Dispatcher [REDACTED]. Dispatcher [REDACTED] began to pay attention to the patterns of behavior from David Danel including his radio traffic and GPS mapping during future shifts.

Dispatcher [REDACTED] stated David Danel was very good at self-dispatching to calls. After she took the complaint she noticed he wasn't taking calls off the screen like he normally does. Dispatcher [REDACTED] would dispatch him to calls over the radio and she noticed when he responded back over the radio he was out of his car. Dispatcher [REDACTED] knows there are differences when responding to dispatch over a portable radio vs. a vehicle radio and, furthermore, there are different indicators on the radio that can signify when someone is responding while indoors such as an echo sound.

Occasionally Dispatcher [REDACTED] checks the GPS mapping system if she hears a patrol unit (10-8) respond via radio and it sounds like they are out of their vehicle on a portable. She will do this, for example, to see if they are at the patrol office so she can instead call them on the phone with information she wishes to relay. She will also check the GPS mapping to see how close to a call for service a unit is when deciding who to dispatch.

After the complaint from [REDACTED] [REDACTED] when checking David Danel's GPS mapping under these circumstances, she noticed a pattern where at times Danel was parked at or near the [REDACTED] residence on [REDACTED] and was turning off his MDC near the [REDACTED]. In circumstances when David Danel turned off his MDC and Dispatcher [REDACTED] raised him on the radio for a call, she could tell he was on his portable radio and sometimes indoors. Once David Danel was dispatched to a call he would turn his MDC back on when he was near Summerville Elementary school or the CSU.

Dispatcher [REDACTED] stated this pattern of behavior was frequent enough to where it became a joke in dispatch. Sometime around the month of August Sergeant [REDACTED] was in the dispatch center while Dispatcher [REDACTED] was working. Dispatcher [REDACTED] asked Sergeant [REDACTED] about the circumstances surrounding the domestic violence incident with [REDACTED] and [REDACTED] specifically why [REDACTED] was taken home from the jail when she was arrested for domestic violence. Dispatcher [REDACTED] wanted some clarification and understanding as to why this may have happened.

During her conversation with Sergeant [REDACTED] Dispatcher [REDACTED] began to tell him about the patterns of behavior she was noticing after she learned of the alleged misconduct. She told him about the GPS mapping patterns and associated radio transmissions when Danel was shutting off his GPS. She felt comfortable asking Sergeant [REDACTED] about the incident and what she later found because Sergeant [REDACTED] is very candid with dispatch when they have questions.

Dispatcher [REDACTED] did not contact Sergeant [REDACTED] with the same questions and information because she was under the assumption there would have been an internal affairs investigation on-going after she advised him of the complaint. She told me she has a good working relationship with Sergeant [REDACTED] and did not want to interject herself into an investigation or lead Sergeant [REDACTED] to think she was questioning him and whether he dealt with the complaint appropriately.

I asked Dispatcher [REDACTED] if she was aware of any negative reputations surrounding David Danel. Dispatcher [REDACTED] told me she was aware of several incidents involving David Danel, one of which was an incident where he was with Sergeant [REDACTED] while on duty and involved in an automobile accident. She was also aware of an incident where David Danel's [REDACTED] posted a rant on Facebook claiming he was having an affair.

FINAL SUMMARY:

On July 17th, 2019, former Deputy Sheriff David Danel was charged with the duties of working as a patrol deputy. Sergeant [REDACTED] [REDACTED] was charged with the duties of the watch commander and was directly supervising David Danel. Both were assigned to the graveyard watch, between the hours of 1800 and 0600.

At approx. 1950 hours David Danel was dispatched to a domestic disturbance at the residence of [REDACTED] and [REDACTED] and he arrived on scene at 2005 hours. Sergeant [REDACTED] also responded to the scene and arrived approx. 9 minutes after David Danel. During an investigation at the scene, David Danel developed probable cause to arrest [REDACTED] for felony domestic violence as well as delaying and obstructing. This decision was supported by evidence obtained by David Danel including visible injuries to [REDACTED] [REDACTED] [REDACTED] actions at the scene and statements from [REDACTED] [REDACTED]

[REDACTED] [REDACTED] was contacted at the residence and had a visible injury to his arm as the result of a physical confrontation with [REDACTED] [REDACTED] [REDACTED] [REDACTED] was not initially located at the scene when deputies first began to look for her. After making announcements and searching outside of the residence, [REDACTED] was located by Sergeant [REDACTED] hiding under a shed. After several announcements ordering her out from the underneath the shed, [REDACTED] crawled out. [REDACTED] showed obvious signs of intoxication and was taken into custody.

Prior to leaving the scene, David Danel failed to provide [REDACTED] [REDACTED] with required victim paperwork and information, including the domestic violence information handout. Sergeant [REDACTED] left the scene prior to the completion of the investigation and assumed proper procedures and protocol would be followed. Sergeant [REDACTED] was not given any further information or reason to believe probable cause no longer existed to arrest [REDACTED] [REDACTED] for domestic violence and delaying and obstructing, and the arrest was in fact taking place.

David Danel transported [REDACTED] [REDACTED] to the jail for booking and turned her over to jail staff. A short time after leaving the jail, jail booking contacted dispatch and requested David Danel transport [REDACTED] [REDACTED] to the hospital for medical clearance. David Danel returned to the jail and had a subsequent conversation with [REDACTED] [REDACTED]. During this conversation, [REDACTED] advised David Danel if she went to the hospital she would be humiliated and embarrassed because she works with the hospital staff. David Danel chose at this time to forego medical clearance for booking and release [REDACTED] [REDACTED] from custody. By [REDACTED] own admission in a later interview, she and David Danel had a conversation regarding this being a "professional courtesy".

Probable cause to support the decision to arrest [REDACTED] [REDACTED] for felony domestic violence as well as obstructing or delaying still existed at the time the decision was made to release [REDACTED] [REDACTED] from custody. The decision to release [REDACTED] [REDACTED] was made by David Danel without supervisor approval, required by policy. In addition, there was no paperwork completed documenting her time in custody was a detention only (849 (b) (1)PC), and no accusatory pleading would be filed.

Sergeant [REDACTED] overheard the radio transmission when David Danel advised dispatch he was taking [REDACTED] [REDACTED] home. This immediately drew the attention of Sergeant [REDACTED] and he contacted David Danel. Danel told Sergeant [REDACTED] he no longer had probable cause to arrest [REDACTED] [REDACTED] and he was no longer certain domestic violence had occurred which is why he chose to release her from custody pursuant to 849(b) PC. Danel told Sergeant [REDACTED] [REDACTED] had an injury to her foot, and he believed neither the injury to [REDACTED] or [REDACTED] [REDACTED] were caused intentionally, rather it was unknown how the injuries occurred.

Sergeant [REDACTED] was not presented with any information that supported insufficient grounds for making a criminal complaint against [REDACTED] [REDACTED] which is a requirement to release her from custody for the charges of domestic violence or delaying and obstructing pursuant to 849(b)(1) PC. Sergeant [REDACTED] allowed David Danel to transport [REDACTED] [REDACTED] back to her residence and forgo booking her for the crimes she was alleged to have committed, which were supported by probable cause. Furthermore, Sergeant [REDACTED] assumed [REDACTED] [REDACTED] was no longer at the residence but made no attempts to ensure this to be true.

[REDACTED] [REDACTED] was still at the residence at the time [REDACTED] [REDACTED] was dropped off by David Danel. A few hours later, during the same shift, a 9-11 call was made from [REDACTED] cell phone at the residence which resulted in a response by our office [REDACTED]. Sergeant [REDACTED] failed to inquire about the circumstances that led up to this call from the residence and ensure the safety of all parties involved or recognize that [REDACTED] [REDACTED] was still at the residence.

Allowing David Danel to release [REDACTED] [REDACTED] from custody and take her back to the residence while intoxicated exposed both [REDACTED] and [REDACTED] [REDACTED] to continued acts of domestic violence and our office to great liability. There were no attempts made by Sergeant [REDACTED] to ensure [REDACTED] [REDACTED] or the persons at the residence would be safe given the circumstances present at the time the decision was made which included [REDACTED] [REDACTED]'s level of intoxication. Sergeant [REDACTED] neglected his duties as the ranking officer by not immediately ordering David Danel to transport [REDACTED] [REDACTED] to the hospital for medical clearance for booking, and to then book her for the charges she was arrested for at the scene.

There are numerous factual misrepresentations in the report authored by David Danel surrounding his decision to release [REDACTED] [REDACTED] from custody. There is no mention of David Danel leaving the jail and later being summoned back to transport [REDACTED] for medical clearance at the request of the jail nurse. In the report, David Danel indicates he learned about the injury to [REDACTED] foot while interviewing her when he was completing the booking process. His report indicates he immediately notified the jail nurse who examined the injury and requested [REDACTED] be seen for medical clearance.

Per TCSO dispatch records, David Danel cleared the jail at 2144 hours and gave a case disposition of an arrest being made. This was after he completed the booking process. He was summoned back to the jail to transport [REDACTED] to AHS for medical clearance at the request of the jail nurse and arrived at 2249 hours. All the information David Danel obtained from [REDACTED] [REDACTED] relative to the domestic violence incident (statements) came prior to him coming back to transport her for medical clearance.

It is evident David Danel omitted information from his report to avoid the appearance of releasing [REDACTED] [REDACTED] from custody as a professional courtesy, and rather give the appearance of him making his decision based on information he developed during his interview with [REDACTED] [REDACTED] prior to, and during booking. David Danel already had all relevant information when he made the decision to book [REDACTED] [REDACTED] and close out the call with an arrest made. It is evident his decision to release [REDACTED] [REDACTED] from custody was not based on lack of probable cause, rather the potential embarrassment she would face by being seen at the hospital, and by her admission as a professional courtesy.

Several procedures and required forms were ignored or never mentioned in the report, such as documentation of injuries (photographs) and written documentation supporting [REDACTED] [REDACTED] release from custody. David Danel also cited 847(c) PC, which does not exist, as the governing section which allowed [REDACTED] to be released from custody. Sergeant [REDACTED] failed to recognize inconsistencies and misrepresentations of facts when he reviewed and approved David Danel's report, the same facts Sergeant [REDACTED] found "alarming" when he reviewed the report later. When asked to review the report again during his interview, Sergeant [REDACTED] agreed the report did not meet the field training requirements required of a solo beat deputy.

Sergeants are tasked with reviewing and approving reports prepared by deputies to ensure they are factually accurate, contain the required documentation to support charges, and to ensure department policies and procedures have been followed. Sergeant [REDACTED] demonstrated unsatisfactory work performance when he failed to recognize the inconsistencies and misrepresentation of facts in the report authored by David Danel.

On July 19th [REDACTED] [REDACTED] contacted David Danel and asked him to come over for coffee, to which David Danel agreed. This contact was documented in a supplemental report, however David Danel omitted the location of the meeting and he classified the meeting as "follow up". David Danel documented observing bruising on [REDACTED] [REDACTED] and documented statements she made alleging she was the victim of spousal rape. [REDACTED] indicated [REDACTED] was the person who raped her.

There is nothing in the supplemental report, or evidence, indicating photographs were ever taken of the injuries. There were no requests or anything to indicate investigative follow up was being done in relation to the rape allegations. David Danel added additional charges of 262(A)(3)PC to the report and changed the status to "information only". At no time did David Danel conduct, or request, further investigation into the allegations of spousal rape and domestic violence.

On or around July 21st, 2019, [REDACTED] [REDACTED] contacted the Sheriff's Office to report an inappropriate relationship between David Danel and his wife [REDACTED]. The complaint alleged David Danel and [REDACTED] [REDACTED] were texting and calling each other at all hours of the day and night. The complaint was forwarded to Sergeant [REDACTED] who questioned David Danel about his contact with [REDACTED] [REDACTED]. Danel admitted to communicating with [REDACTED] [REDACTED] via text, however he claimed it was work related and had since erased the messages from his phone.

Sergeant [REDACTED] ordered David Danel to cease all contact with [REDACTED] [REDACTED] and to forward any investigative reports to the Tuolumne County District Attorney for review. Any communications between [REDACTED] [REDACTED] and David Danel should have been documented in a report and they were not. David Danel disobeyed the orders from Sergeant [REDACTED] never forwarding the case for review and continuing to have contact with [REDACTED] [REDACTED]. In his interview, Sergeant [REDACTED] stated he intended to do more follow up into the complaint from [REDACTED] [REDACTED] however he determined the complaint was unfounded when [REDACTED] [REDACTED] stated he did not want any further investigation. Sergeant [REDACTED] failed to take into consideration the nature of the complaint and monitor David Danel's behavior post complaint to ensure nothing inappropriate was occurring. In fact, line level employees noticed behavior from David Danel post complaint that ultimately caused an internally generated complaint.

From the time David Danel conducted his investigation, and over the days and weeks leading up to David Danel's resignation, David Danel and [REDACTED] [REDACTED] developed an inappropriate sexual relationship. This included multiple incidents of on duty sexual conduct, including sexual intercourse. David Danel went to extreme measures to conceal the relationship including obtaining a cell phone from [REDACTED] [REDACTED] to conceal their communications and repeatedly manipulating his patrol car GPS to hide his location while on duty.

David Danel omitted information from his investigative reports and disobeyed direct orders from his supervisor. When asked specific questions during this investigation, David Danel was not truthful in his response. David Danel made efforts to hinder the investigation, which was confirmed in an interview with [REDACTED] [REDACTED] when she said David Danel coached her on what to say should she be questioned in an administrative investigation.

David Danel's investigation into alleged domestic violence that occurred between [REDACTED] and [REDACTED] [REDACTED] accompanied by his decision to release [REDACTED] [REDACTED] from custody was not consistent with department policies and procedures, nor was it consistent with the professionalism and sound judgment required as a Deputy Sheriff with the Tuolumne County Sheriff's Office. His decision to engage in an inappropriate relationship with [REDACTED] [REDACTED] and actions while doing so, was in direct violation of numerous governing policies of the Sheriff's Office, the DSA MOU and the County of Tuolumne rules and regulations.

Sergeant [REDACTED] supervision of David Danel during the investigation into alleged domestic violence between [REDACTED] and [REDACTED] [REDACTED] accompanied by his decision to allow the release of [REDACTED] [REDACTED] from custody and approve related reports, was not consistent with department policies and procedures, nor was it consistent with the professionalism and sound judgment required of a watch commander with the Tuolumne County Sheriff's Office. His failure to supervise and/or recognize inappropriate behavior from David Danel while investigating the complaint from [REDACTED] [REDACTED] and actions while doing so, was in direct violation of numerous governing policies of the Sheriff's Office, the DSA MOU and the County of Tuolumne rules and regulations.

CONCLUSION:

As a result of this investigation, I believe a finding of SUSTAINED is warranted for the following alleged TCSO policy, DSA MOU and Tuolumne County policy violations pertaining the actions of former Deputy Sheriff **David Danel**:

Tuolumne County Sheriff's Office Policies:

Policy 320.4 Domestic Violence, Investigations

(e) All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the general investigations in the event that the injuries later become visible.

(j) Deputies should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:

- 4. The potential financial or child custody consequences of arrest*
- 5. The physical or emotional state of either party*
- 6. The use of drugs or alcohol by either party*
- 7. Denial that the abuse occurred where evidence suggests otherwise.*
- 11. The racial, cultural, social, professional position or sexual orientation of the victim or suspect*

Policy 320.5 Domestic violence, victim assistance

Victims may be traumatized or confused. Deputies should:

- (b) Provide the victim with the Office's domestic violence information handout, even if the incident may not rise to the level of a crime*
- (c) Alert the victim to any available victim advocates, shelters and community resources*

Policy 320.9.1 Domestic violence, standards for arrests

Deputies investigating a domestic violence report should consider the following:

- (a) An arrest should be made when there is probable cause to believe that a felony or misdemeanor domestic violence offense has been committed (penal code 13701). Any decision not to arrest an adult when there is probable cause to do so requires supervisor approval.*

Policy 320.9.4 Domestic violence, reports and records

- (b) Reporting deputies should provide the victim with the case number of the report. The case number may be placed in the space provided on the domestic violence victim information handout provided to the victim. If the case number is not immediately available, an explanation should be given regarding how the victim can obtain the information at a later time.*

Policy 340.3.1 Standards of Conduct, Ethics

- (a) Using or disclosing one's status as a member of the Tuolumne County Sheriff's Office in any way that could reasonably be perceived as an attempt to gain influence or authority for non-office business or activity*
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose*
- (g) Any other failure to abide by the standards of ethical conduct*

Policy 340.3.3 Standards of conduct, relationships

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.*

- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact*
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact*

Policy 340.3.6 Standards of conduct, efficiency

- (a) Neglect of duty*
- (b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable or bona fide excuse*
- (c) Concealing, or attempting to conceal, removing or destroying defective or incompetent work*

Policy 340.3.7 Standards of conduct, performance

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation*
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any office record, public record, book, paper or document.*
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any office-related business.*

(d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this office or its members.

Policy 340.3.8 Standards of conduct, conduct

(h) Criminal, dishonest, or disgraceful conduct, whether on or off-duty, that adversely affects the member's relationship with this office

(m) Any other on or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this office, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this office or its members

Policy 804.6 Records Section, arrest without filing of accusatory pleading

The patrol division commander should ensure a process is in place for when an individual is arrested and released, and no accusatory pleading is filed so that the following occurs (penal code section 849.5 & 851.6)

(a) The individual is issued a certificate describing the action as a detention.

County of Tuolumne Personnel Rules and Regulations:

TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action

(16) Violation of a department rule.

Tuolumne County DSA Memorandum of Understanding:

DSA MOU Article 16, Section C. Cause(s) of Action

(3) Willful disobedience of any job-related law, ordinance, county rule, or department regulation or any supervisor's lawful order

(4) Incompetence

(5) Inefficiency

(6) Inexcusable neglect of duties

(15) Violation of department rule

(16) Other failure of good behavior either during or outside of duty hours which is of such a nature that it causes discredit to the county

County of Tuolumne Personnel Rules and Regulations:

TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action

(6) Inefficiency

(16) Violation of a department rule.

As a result of this investigation, I believe a finding of SUSTAINED is warranted for the following alleged TCSO policy, DSA MOU and Tuolumne County policy violations pertaining the actions of Sergeant [REDACTED] [REDACTED]

Tuolumne County Sheriff's Office Policies:

TCSO Policy 201 Command and Authority

The ranking officer shall exercise the authority of his or her position under all conditions which require that he or she use such authority in the best interests of the department.

Policy 340.3.6 Standards of conduct, efficiency

(e) Neglect of duty

(f) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable or bona fide excuse

TCSO Policy 444 Watch Commanders

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

County of Tuolumne Personnel Rules and Regulations:

TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action

(16) Violation of a department rule.

Tuolumne County DSA Memorandum of Understanding:

DSA MOU Article 16, Section C. Cause(s) of Action

(4) Incompetence

(5) Inefficiency

(15) Violation of department rule

ATTACHMENTS

- CD of all recorded interviews
- Copies of associated incident reports and memos
- Original confidentiality and admonishment forms



TUOLUMNE COUNTY SHERIFF

Page 1

28 N LOWER SUNSET DR SONORA, CA 95370 209-533-5815

Case
19002442

INFORMATION REPORT

OFFENSES	Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #
	148(A)(1) PC	Obstruct/Resist Public/Peace Officer/Emergency	Misd	07/17/2019	2024	1907170151
	273.5(A) PC	Inf Corp Inj on Spouse/Cohab	Felony	Date Reported	Time Reported	
	262(A)(1) PC	Rape Spouse By Force/Etc	Felony	07/17/2019	1950	
	30605(a) PC	Poss illegally any assault weapon	Felony	Related Cases		
	32310 PC	Mfg/import/sale/poss of large capacity magazine	Felony	Date Printed	Time Printed	Printed By
				01/13/2020	14:25:45	1482
			Latitude	Longitude		
	Location	Beat	Area	Disposition	Dispo Date	
		3		Information Only	07/17/2019	
	Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)
	use, townhouses, duplexes, etc					
VICTIM	Victim	Drivers License	Cell Phone	Email		
	Residence Address	Notified of Victim Rights	Residence Phone	DOB	Age	Sex
		No				
	Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
	Assistance Rendered/Victim Disposition	Transporting Agency	Means of Attack (Assaults)			
	Refused Aid		Simple, Not Aggravated Assault			
	Description of Injuries	Other Information				
	None					
MENTIONED	Mentioned	Drivers License	Cell Phone	Email		
	Residence Address	Residence Phone	DOB	Age	Sex	Race
	Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
SUSPECT	Suspect	Action Taken	Charges			
	Danel, David					
	Residence Address	Residence Phone	DOB	Age	Sex	Race
					M	
	Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
	Identifying Features	Cell Phone	Drivers License	Arrest Number		
	Aliases	Val Damaged				
VEHICLES	Status	Vehicle Make and Model	License/State	VIN		
DEPUTIES	Prepared By	Date	Assisted By	Approved By	Date	
	1696 - Danel, David	07/17/2019			07/20/2019	
	Routed To	Date	Routed To	Date	Notes	
	DA By PDF					

**TUOLUMNE COUNTY SHERIFF**

Page 3

28 N LOWER SUNSET DR SONORA, CA 95370 209-533-5815**INFORMATION REPORT - PROPERTY**

19002442

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
1	Evidence	1 Black Norinco Sks Rifle - SEMI-AUTO, MAGAZINE FED (DETACHABLE), SKS RIFLE W/ BAYONET CHAMBERED IN 7.62X39 CAL (21001961)			
2	Evidence	1 Anderson AM-15 Rifle - ANDERSON MANUFACTURING AM-15 MULTI-CALIBER RIFLE. CHAMBERED IN 5.56 NATO (16321826)			
3	Evidence	1 Anderson AM-15 Rifle - ANDERSON MANUFACTURING AM-15 MULTI-CALIBER RIFLE. CHAMBERD IN 7.62X39 (18045135)			
4	Evidence	1 Magpul Polymer, Ar 30 Rd Magazine - 30 ROUND MAGAZINE FOR AR-15, MAGPUL POLYMER			
5	Evidence	1 Samsung Galaxy S7 Smart Phone - SAMSUNG GALAXY S7 PHONE, W/ PINK CASE.			
6	Evidence	1 Samsung Galaxy Smart Watch - SAMSUNG SMART WATCH, GOLD, W/ PINK BAND			
7	Evidence	1 Samsung Galaxy S3 Phone - GALAXY S 3 PHONE			
8	Evidence	1 Black Samsung Unk Phone - SAMSUNG SMART PHONE, UNKNOWN MODEL, BLACK IN COLOR			
9	Evidence	1 Motorola XT912 Phone - MOTORLA PHONE (CE0168)			
10	Evidence	1 Apple Iphone Smart Phone - APPLE IPHONE W/ GREEN AND BLACK CASE			
11	Evidence	1 Black Apple Iphone Smart Phone - APPLE IPHONE IN BLACK OTTERBOX CASE			
12	Evidence	1 Photo Disc - DISC W/ PHOTOS FROM SEARCH WARRANT AT [REDACTED]			
13	Evidence	1 Items Flashdrive - SEALED CELLEBRITE EXTRACTIONS			
14	Evidence	1 Thumb Drive - THUMB DRIVE W/ PHOTOS FROM CELLEBRITE EXTRACTION OF [REDACTED] PHONE			

SUMMARY

██████████ and ██████████ have been married two years and share no children. ██████████ has two of his ██████████ in the house who live with both him and ██████████. Tonight ██████████ was arrested for 273.5 PC and then later 847 (c) PC from custody.

Through my investigation while at Tuolumne County Jail, it was determined that ██████████ was no longer going to be arrested for 273.5 PC.

INVESTIGATION

On 07-17-2019, at approximately 1950 hours, I responded to 17975 ██████████ for a report of a female throwing all of her belongings out of the house and onto the ground in a rage. I arrived on scene at approximately 2005 hours and met with ██████████ who was sitting at the top of his driveway with his two children ██████████ ██████████ and ██████████ ██████████.

I was in full Sheriff uniform and arrived in a marked black and white patrol car when I arrived at the residence. When I began to speak with ██████████ he was sitting on the ground with both legs crossed drinking a Samuel Adams beer out of a beer can. From my initial observation of him I could determine that he was under the influence of alcohol, he had a strong odor of an alcoholic beverage emanating from his person, red bloodshot eyes, and slurred speech. I asked ██████████ to tell me what happened, and he struggled to get the words out at times because of his level of intoxication.

██████████ told me the following in summary. ██████████ said everything was going cool tonight with ██████████ as they were drinking a few beers. Then ██████████ decided to tell ██████████ that he had talked to his ex-wife ██████████ about taking the kids back to Colorado first thing in the morning. ██████████ said the kids were only here for a short time and they were due to go back to Colorado with their mother ██████████ in the morning. ██████████ said tonight he had about 10 to 12 beers and he believed ██████████ had about 20. ██████████ said they started to argue because he talked to his ex-wife two days ago and then decided to tell ██████████ tonight that they talked. ██████████ said ██████████ got upset because she thought ██████████ and his ex-wife were going to be in some type of secret relationship. ██████████ said that's when ██████████ blew up and started acting crazy where she went and took all her property to include chairs, clothes, and miscellaneous items laying around the porch and threw them over the embankment. ██████████ pointed to where all the pieces were laying, and it was a massive pile of miscellaneous items that were laying around the house.

I asked ██████████ if there was any physical contact at all between him and ██████████ and he said no. I asked ██████████ if he was injured in any way or if ██████████ was injured in any way and he said no, but he pointed to a scratch on his arm that was approximately 5 to 6 inches in length and possibly 1 inch wide with a red mark. I asked ██████████ if ██████████ scratched him and he shrugged his shoulders and said she could have, but he was trying to stop her from throwing all the items over the side of the embankment. ██████████ said he just decided to call law enforcement and come out here and wait. I asked ██████████ where ██████████ was now, and he said she was inside the house.

When I was done talking to ██████████ ██████████ decided she wanted to talk to me and tell me what

Prepared By:

1696 DANIEL, DAVID

Date:

07/17/2019

Approved By:

██████████ ██████████ ██████████

Date:

07/20/2019



had happened tonight. [REDACTED] goes by the nickname [REDACTED]. She is a [REDACTED], and she was very happy to see law enforcement tonight. I asked [REDACTED] what happened tonight, and she said, "[REDACTED] is hiding in my closet." I asked [REDACTED] why [REDACTED] was hiding in her closet, and she said, "we were hiding together." [REDACTED] became very shy and did not want to talk any longer. She was clutching her bear and sat down with her brother.

I then spoke with [REDACTED] who is ten years old and he told me the following in summary. [REDACTED] said he didn't know what was going on tonight, but he saw [REDACTED] taking all of her stuff and throwing it off the embankment with [REDACTED]. [REDACTED] said it looked like [REDACTED] and [REDACTED] were having fun and he just heard [REDACTED] and [REDACTED] arguing back and forth about something, but he didn't understand what it was. [REDACTED] said that he did not see his dad [REDACTED] or [REDACTED] become physical at any point in time during the altercation. [REDACTED] had nothing more to say at this time.

When I was done speaking with [REDACTED] [REDACTED] and [REDACTED] Sergeant [REDACTED] and Deputy [REDACTED] arrived on scene to assist in my investigation. Based on the information [REDACTED] provided, I entered the house to see if I could locate [REDACTED] whom according to [REDACTED] committed 273.5(a) PC. I made several announcements for [REDACTED] to come out of the house and come and speak with me. When I entered the residence, I could see there were a few small glass items broken and glass scattered about the living room. Other than the glass and the few things strewn about the ground, the house was relatively calm and appeared to be very well taken care of. As we searched for [REDACTED] throughout the rooms, we were unable to locate her, but we did find a door that according to [REDACTED] has been closed and unopened for two years that was now open. We went through the door and began searching outside for [REDACTED] continuing to make our announcements. [REDACTED] was not located anywhere on the property.

There is a property directly next to where [REDACTED] and [REDACTED] reside. There is a small embankment that walks down to the property to a small outbuilding. Sergeant [REDACTED] was able to locate [REDACTED] hiding underneath the shed. Sergeant [REDACTED] announced himself and announced Tuolumne County Sheriff's and [REDACTED] did not come out. When he announced his presence a second time [REDACTED] came out from underneath of the shed and was taken into custody by being placed into handcuffs by Deputy [REDACTED].

I then escorted [REDACTED] to my patrol car and secured her with her seatbelt. There was a strong odor of alcohol emitting from [REDACTED] person, and she did not appear to be injured other than a couple of scratches from climbing underneath the outbuilding. [REDACTED] was dirty and crying. She had dirt up and down her back, and her makeup was running from crying. I told [REDACTED] since she was already detained in handcuffs that I needed to admonish her verbatim from my Department-issued Miranda card. [REDACTED] stated yes that she understood her rights and yes that she would speak with me. [REDACTED] then started yelling for [REDACTED] stating, "Really [REDACTED] you're going to do this to me. I didn't do anything to you." Due to [REDACTED] crying hysterically and only wanted to talk to [REDACTED] I decided I would not question her at this time.

Based on the information I had that was provided to me from [REDACTED] and his visible injury of a scratch on his right upper arm, I placed [REDACTED] under arrest for 273.5 PC.

I then went inside the residence and took a few pictures of where the damaged glass was near the

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Date:

07/17/2019

Approved By:

[REDACTED] [REDACTED]

Date:

07/20/2019



entry door. I took pictures of the property that [REDACTED] threw from the porch down the embankment. Once I was done taking pictures of all the property, and broken glass inside the house, I asked [REDACTED] if he wanted to press charges or if he was going to pursue charges with the District Attorney when asked. [REDACTED] stated several times that he was not going to pursue any charges against [REDACTED] and refused to sign any forms regarding the domestic violence information letter, victim of violent crime injury report, and confidential victim report. [REDACTED] did not want [REDACTED] arrested at this time but stated he understood.

I then transported [REDACTED] to Tuolumne County Jail for booking. When we arrived at Jail, I attempted to talk to [REDACTED] one more time before walking her into the sally port. I asked [REDACTED] to tell me what happened tonight, and she told me the following in summary.

[REDACTED] said tonight both her and [REDACTED] were drinking, but she does not regularly drink. [REDACTED] said it was strange because she's not a typical drinker, but [REDACTED] just kept feeding her beer after beer after beer. Tonight, [REDACTED] decided that she was going to tell [REDACTED] that she wanted a divorce and that she was leaving him. [REDACTED] said [REDACTED] responded by saying, "no, I'm not going to let you leave me," and his response was to pass her another beer. [REDACTED] said she believed that [REDACTED] and his ex-wife were still in a secret relationship and she just wanted a divorce. [REDACTED] said she thought something had been going on for a couple of weeks and when [REDACTED] decided to tell her tonight that they had talked to days ago she said she had had enough. [REDACTED] said all she wanted was a divorce and to leave. [REDACTED] went over to the porch with [REDACTED] and decided that she was going to take all her belongings and start throwing them into a big pile. [REDACTED] stated when she was doing all this, and she felt better as if it made her feel like she was releasing some anger or stress of being married to [REDACTED] [REDACTED] said that she is the breadwinner of the house because she makes most of the money and most all the property in the house to include vehicles, boats, RVs and all the property that she threw down the embankment all belong to her which was paid for by her money. [REDACTED] stated at no time did she ever touch [REDACTED] [REDACTED] and doesn't know why he would say that she tried to hurt him or did hurt him.

[REDACTED] was very frustrated and crying hysterically. She was anxious about her losing her job as a flight nurse. She stated she is on the Board of Nursing here in Tuolumne County and is a nursing instructor. [REDACTED] noted that she never touched [REDACTED] and was adamant that what he was saying was not right. [REDACTED] had nothing more to add at this time. I then walked [REDACTED] into Tuolumne County Jail and turned her over to Jail deputies.

While I was filling out the booking paperwork, I observed [REDACTED] take a breathalyzer test where she blew a .201 on the breathalyzer test. After jail deputies had processed her, they placed her in a holding cell No. 2. I completed the booking paperwork, and I went back in to speak with [REDACTED] once again. I asked [REDACTED] now that she's had a little bit of time to think if she could tell me and provide me with a little bit more details of what happened and transpired tonight. [REDACTED] continued to say all she wanted to do was tell [REDACTED] that she wanted a divorce in which that's what she told him. It was then noted that [REDACTED] stated that [REDACTED] broke her foot. [REDACTED] pointed to her foot, where I noticed her left foot was starting to swell with a dark bruise. [REDACTED] would not let me take any pictures of her whatsoever. I then exited the jail cell and advised jail deputies to have the nurse look at [REDACTED] left foot once again. At this point, I was starting to believe that [REDACTED] may be the victim of domestic violence or something else

Prepared By:

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Date:

07/17/2019

Approved By:

[REDACTED] [REDACTED]

Date:

07/20/2019



NARRATIVE - Case Report

may have transpired at the house that she was not telling me happened. At this time, the Jail Nurse went inside and observed her foot, and it appeared that it possibly could be broken but we would not know without an XRAY. There was damage done to [REDACTED] foot. The jail nurse said there was broken skin but not enough to bleed and it was apparent by the size of the bruise and swelling that something was wrong with her foot and that she needed to be seen by the emergency room staff.

I then took [REDACTED] out of the cell placed her back into handcuffs and escorted her outside of the jail sally port. Once I was back outside at the jail sally port, I asked [REDACTED] once again how that injury to her foot happened. [REDACTED] said that [REDACTED] stepped on her foot, but she would not say if it were done intentionally or if it was done by accident. [REDACTED] said she was hiding under the shed from [REDACTED] but also admitted to hiding from Law Enforcement as well. [REDACTED] said she was hiding with [REDACTED] as a game but then realized [REDACTED] called the police when [REDACTED] told her he did. [REDACTED] said she did not want to have [REDACTED] arrested either.

I informed [REDACTED] that I would be taking her to the emergency room to have her foot treated. [REDACTED] stated, based on the nature of her work and what she does with nursing, she was not going to go to the emergency room and be humiliated and embarrassed by the people that work for her. I asked [REDACTED] if she was refusing medical treatment, and she said, "Yes."

Based on the initial investigation at the scene, it was determined that [REDACTED] was the dominant aggressor by leaving a scratch mark on [REDACTED] arm. Through my investigation at the jail, it was determined that [REDACTED] also had an injury to her left foot and it was undetermined how exactly that happened. Based on this information, I decided that I would no longer book [REDACTED] in the Tuolumne County Jail due to the change in circumstances surrounding the incident at the residence. I collected [REDACTED] property and transported her back to her home.

Before going back to the residence, I asked [REDACTED] if she had any other family or friends or neighbors that she could stay with tonight to prevent any further escalation and she said, "No I don't know anybody, and I have no family here." I asked [REDACTED] if she felt safe going back to her residence tonight, and she said, "Yes, of course, I do." [REDACTED] stated she's just going to wait for the morning when [REDACTED] goes to work for five days, and she will pack all her belongings, and she will leave and find her a place to stay.

I provided [REDACTED] with my business card and case number and advised her that if anything escalates tonight whatsoever to call Tuolumne County Sheriff's Office back and we will respond immediately. [REDACTED] again stated she felt safe and thanked us for our service.

The investigation was unfounded as both parties claimed the injuries are unknown how they occurred. It is possible both were injured while property was being thrown about the yard.

PHYSICAL CONDITION

[REDACTED] had a scratch on his right arm about 5-6 inches in length and 1 inch wide. The scratch was

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07/17/2019

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[REDACTED] [REDACTED]

Date:

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red but not bleeding.

██████ had a large bruise to her left foot and pain to her little toe. Injury is undetermined at this time.

This report has been sent to the District Attorney for review. It is recommended that based on the facts of this case that charges not be filed.

Prepared By:

1696 DANIEL, DAVID

Date:

07/17/2019

Approved By:

██████ ██████████

Date:

07/20/2019



28 N LOWER SUNSET DR SONORA, CA 95370 209-533-5815
IMAGES FOR CASE 19002442

01/13/2020

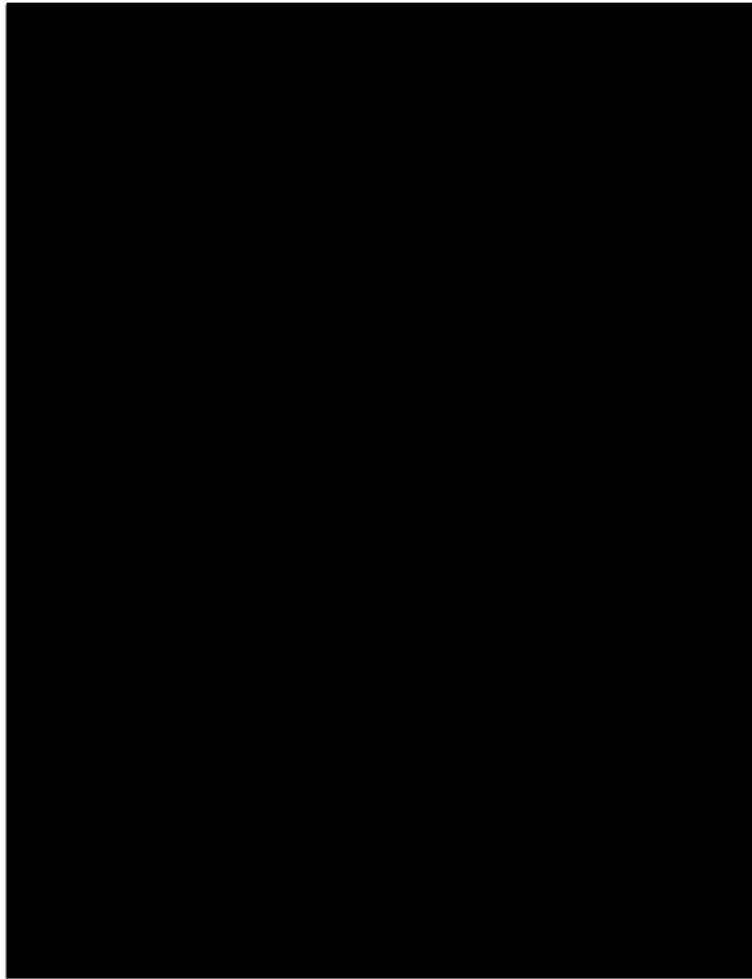


Photo #: 1
Date Taken: 07/18/2019
ID:

Notes



28 N LOWER SUNSET DR SONORA, CA 95370 209-533-5815
IMAGES FOR CASE 19002442

01/13/2020

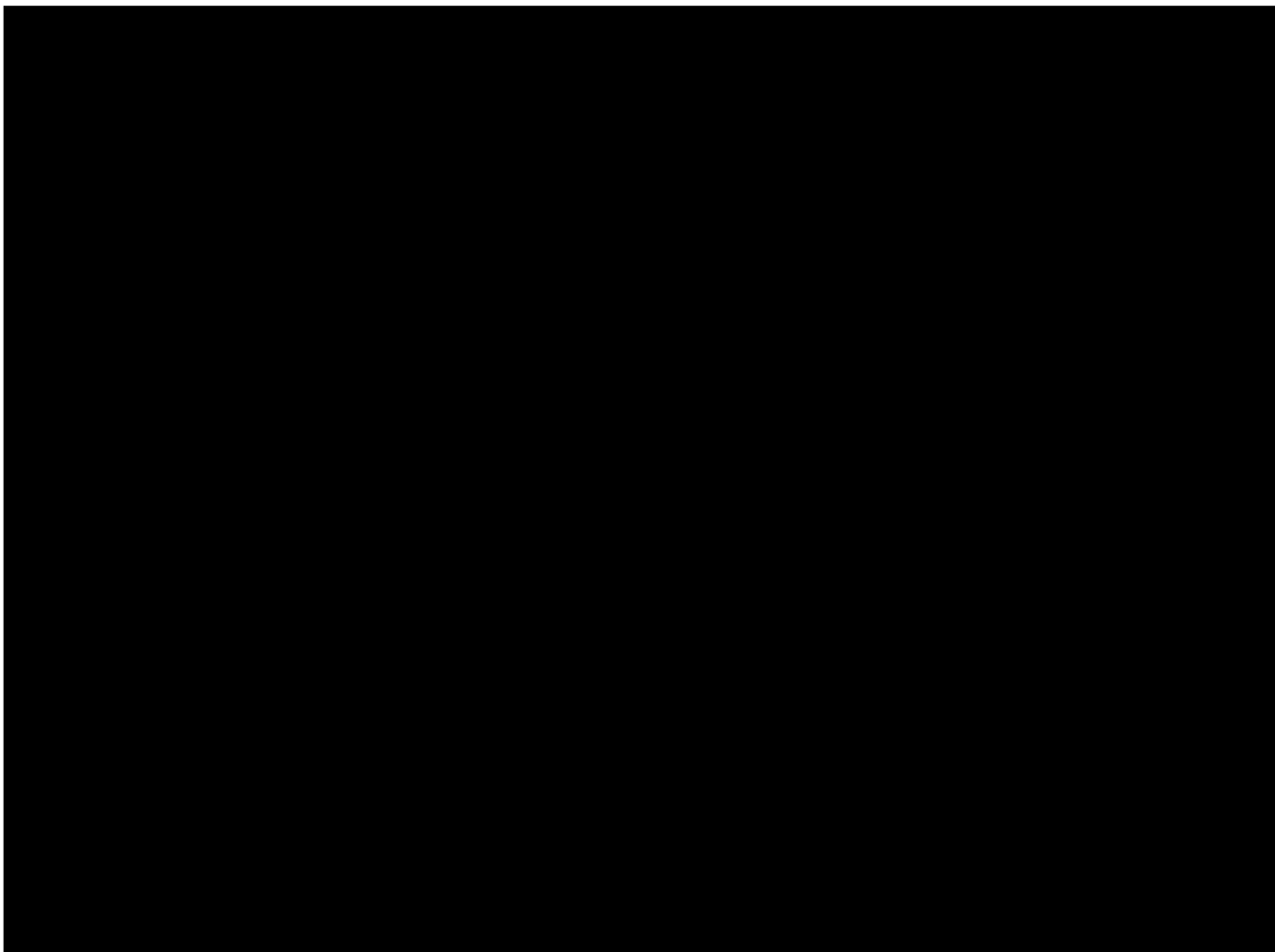


Photo #: 3
Date Taken: 07/18/2019
ID:

Notes



28 N LOWER SUNSET DR SONORA, CA 95370 209-533-5815
IMAGES FOR CASE 19002442

01/13/2020

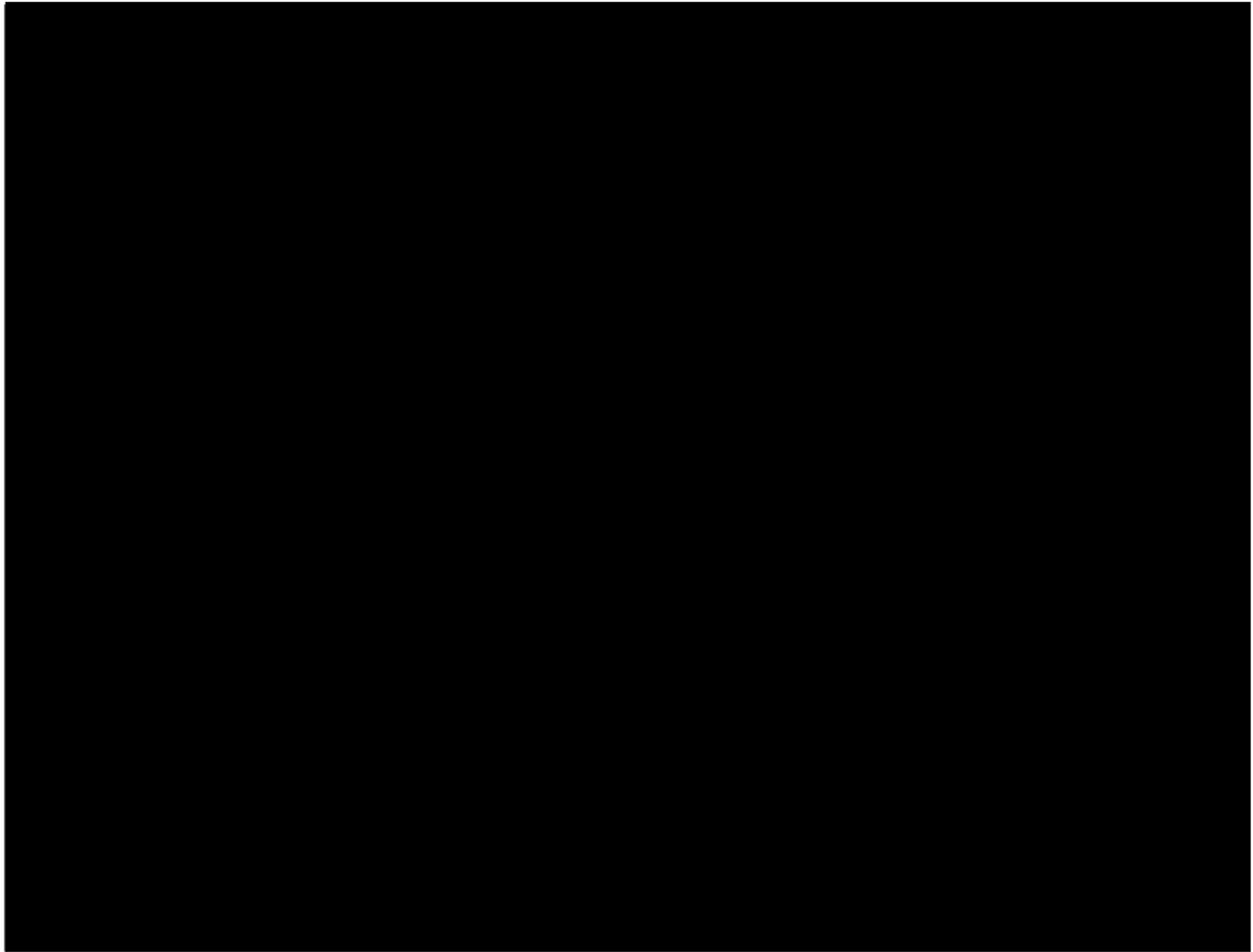


Photo #: 5
Date Taken: 07/18/2019
ID:

Notes

Property thrown down the hill.



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IMAGES FOR CASE 19002442

01/13/2020

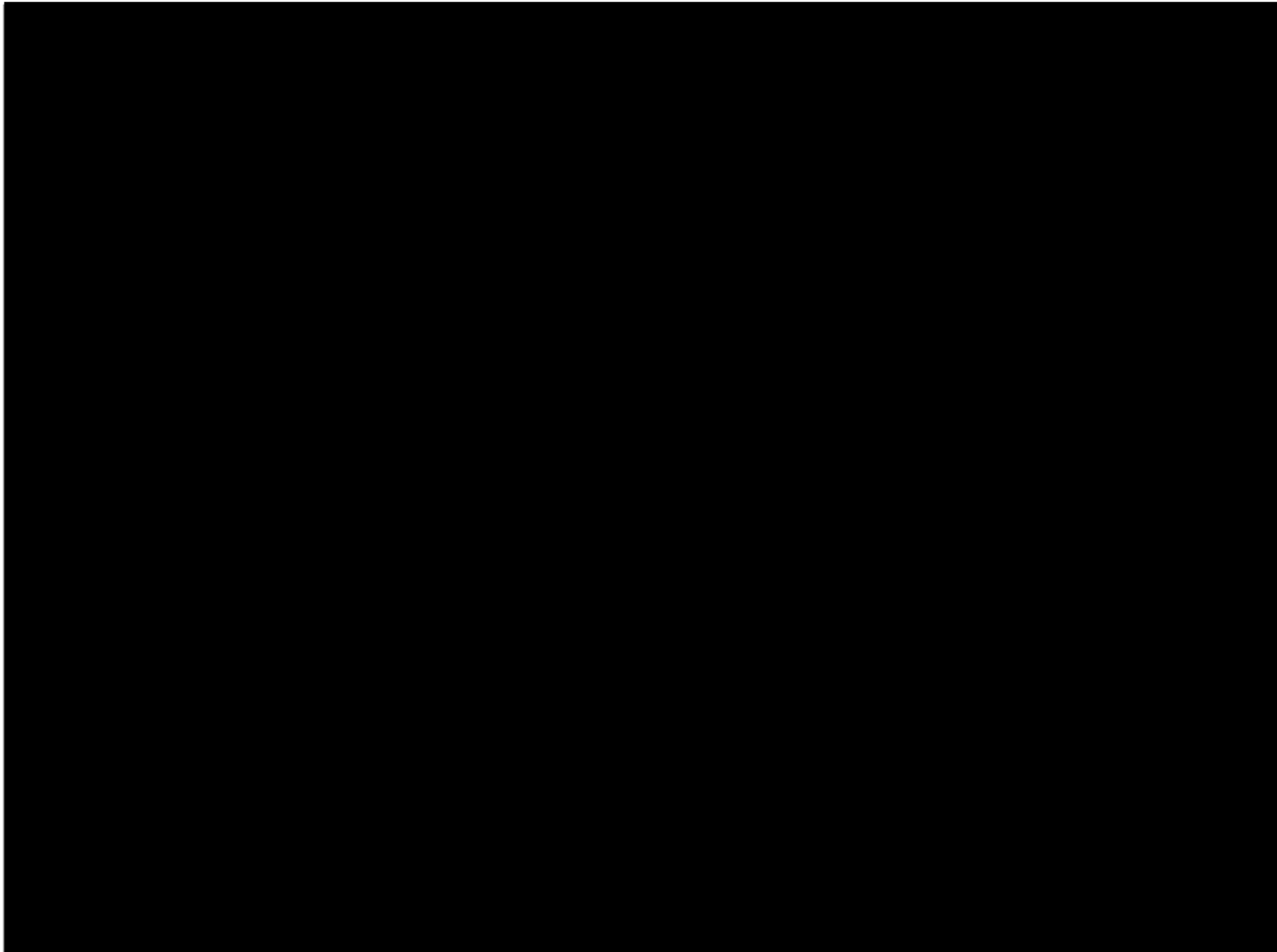


Photo #: 7
Date Taken: 07/18/2019
ID:

Notes

Livingroom

SUPPLEMENTAL REPORT

On 07-18-2019 at approximately 1200 hours, I received a phone call from [REDACTED] in which she wanted to speak with me further regarding the incident of the night prior.

[REDACTED] stated that she was sorry for what transpired the night prior and that she had a little trouble remembering what happened, but she was ready to talk about what led up to the incident that night. [REDACTED] said she and [REDACTED] have not been getting along for about one year. There are times where [REDACTED] was accused of trying to have an affair with the lady across the street who was the daughter-in-law of one of the neighbors. That created a lot of conflict between her, [REDACTED] and the neighbors, and things never really got better from there. [REDACTED] said she has been trying to leave [REDACTED] for an extended period but is unable to do so because [REDACTED] always convinces her to stay and work on their problems. [REDACTED] stated when she woke up that morning; she received several text messages from her kids of what [REDACTED] had sent them the night she was arrested. [REDACTED] said [REDACTED] sent text messages to her kids that stated that she tried to attack him with a knife and that she also tried to attack the cops with a knife, and that's why she was arrested and went to jail. It was noted in the previous and primary case report that no mention of a knife by either of the children present, [REDACTED] or [REDACTED] and there was not one found at the scene. There were no injuries indicating a knife or sharp object was used at any time during the incident.

I asked [REDACTED] why [REDACTED] would call her kids and tell them that story, and she said she believes that if he were able to have her arrested with the lies that he was telling that night, that he knows she would lose her job as a registered flight nurse. [REDACTED] said if she was to lose her job, then that would make [REDACTED] the primary breadwinner of the house, and he believes that would now make her reliant on him. [REDACTED] had nothing more to add this day

On 07-19-2019, at approximately 2100 hours, I conducted a follow up with [REDACTED] [REDACTED] on this incident that occurred between her and [REDACTED] [REDACTED]. It has been nearly two days since [REDACTED] and [REDACTED] were involved in an incident at their home on [REDACTED]. [REDACTED] asked if I could meet with her to discuss the incident. [REDACTED] finally started to open up and explain to me some of the issues that she was having that led up to the incident on the 17th. I spoke with [REDACTED] in person for approximately one hour where she was able to explain to me more in detail what happened that night and what has led up to the blowup.

As I was sitting with [REDACTED] I observed on her body, several bruises that were not visible on the 17th. [REDACTED] was wearing a white tank top and on the right side near her back there was approximately two to three bruises that were the shape of large fingers. I asked [REDACTED] how she got those bruises, and she ignored me. It was still obvious to me that [REDACTED] was not going to tell me how any of the bruises that I was observing on her body had got there. I also observed a bruise on her left thigh that was the approximate size of a fist, and it appeared it could be possible that someone had punched her in the leg. Again, I asked [REDACTED] how she received that bruise, and she said I don't know. I asked her if that was caused by [REDACTED] and he she did not respond to me.

I told [REDACTED] that I believed that she has been being abused and I was just trying to get more information from her to help her. We stopped talking about the abuse for a short period, and she asked

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Date:

07/20/2019

Approved By:

[REDACTED] [REDACTED]

Date:

07/20/2019



me several questions regarding how to seek a concealed carry permit. I asked her why she felt she needed to have a concealed carry permit and she said she just likes to carry her gun for protection and she's a gun enthusiast. [REDACTED] explained that she goes shooting with her dad several times. It's one of her ways of decompressing from her job and her marriage. I specifically asked [REDACTED] if she needed a handgun or a concealed carry permit to protect herself from her husband, and she said, "No." [REDACTED] said that she's just sick of [REDACTED] and all she wanted to do was get a divorce.

[REDACTED] stated that she told [REDACTED] several times that she wanted a divorce and [REDACTED] would not listen to her. [REDACTED] went on to describe that she has no intimacy in the relationship for a long period, and that included about a year and a half. [REDACTED] had stated that [REDACTED] at times would have sex with her when she was sleeping or when she had a few drinks without her permission. [REDACTED] said [REDACTED] would never ask if they could have sex because he told her he is his wife and his property. [REDACTED] would wake up several times, and he would be on top of her. [REDACTED] had mentioned that she would face [REDACTED] while they were sleeping to prevent him from having sex with her at night when she was asleep. [REDACTED] says that she knows this is a form of abuse, but all she wants to do at this point is to get away from him and move on with her life. [REDACTED] had told me that she has no place to go to Tuolumne County. She does not have any friends here, and she does not have any family here. All her children are grown and are out of the house and off on living their own lives.

I informed [REDACTED] that if she did not have a place to go, or she felt unsafe that I could help her arrange to find a domestic violence shelter. [REDACTED] said she will probably go to her friend's house in Nevada City. [REDACTED] did say that she makes more than enough money that she could leave at any time, but she believes right now staying home and forcing [REDACTED] out of the house is the best course of action. I advised [REDACTED] of how to seek restraining orders, and she said that she was not going to go that route right now. [REDACTED] has said that [REDACTED] has made several statements over the last couple years that he would not want her to leave him and that she would just continue to stay in the house. [REDACTED] always says that he wants to go on special vacations with [REDACTED] so they can work on their marriage, but she wants nothing to do with that, and she again stated all she wants is a divorce and to get away from him.

[REDACTED] stated that she was very thankful for how Tuolumne County Sheriff's Office had handled her case because she was terrified of losing her job by being arrested for domestic violence. But she was very adamant when she said that [REDACTED] continually lies because he believes that if she loses her job that [REDACTED] will be completely dependent upon [REDACTED]. [REDACTED] has stated several [REDACTED] lies to get sympathy and to ensure people feel sorry for him. [REDACTED] had nothing more to add at this time.

At this time [REDACTED] stated she does not want to pursue anything against [REDACTED] with the TCSO or the courts.

This report is for information only at this time.

ADDITIONAL OFFENSES ADDED TO CASE

Offense #4 Charge added: 262(A)(3) PC

Prepared By:

1696 DANIEL, DAVID

Date:

07/20/2019

Approved By:

[REDACTED]

Date:

07/20/2019

Supplemental Report

On 10/15/2019 at approximately 1200 hours, Lieutenant Pippin asked Detective [REDACTED] and I to conduct a follow-up investigation regarding a domestic violence incident between [REDACTED] and his wife, [REDACTED]. The incident took place on 7/17/2019 at [REDACTED] in [REDACTED]. Lieutenant Pippin told me the case was investigated by Deputy Danel. [REDACTED] was arrested by Deputy Danel for a violation of 273.5 (a) PC (corporal injury of a spouse/cohabitant), a felony and 148 (a) (1) PC (resisting or deterring an officer), misdemeanor. [REDACTED] was released by Deputy Danel the night of the incident. During a later interview [REDACTED] made statements to Deputy Danel that [REDACTED] had sex with her while she was sleeping, a violation of 262 (a) (3) PC (spousal rape while victim is asleep).

Lieutenant Pippin told me he was assigned an Internal Affairs investigation regarding alleged policy violations related to how Deputy Danel conducted his investigation. Lieutenant Pippin told me he had come to a point in his investigation that led him to believe crimes may have been investigated inappropriately. Lieutenant Pippin told me additional follow-up investigation was needed to prove or disprove the allegations of domestic violence and spousal rape.

Lieutenant Pippin advised me on or about 7/21/2019, (which was 4 days after this initial report was taken) [REDACTED] contacted the Sheriff's Office to file a complaint. [REDACTED] advised that he had located messages on [REDACTED] phone from Deputy Danel. There were also messages from [REDACTED] to Deputy Danel with videos and pictures. [REDACTED] reported the messages were not appropriate and were sent after the domestic violence report on 7/17/2019.

Lieutenant Pippin advised me that when the initial complaint review was conducted, Sergeant [REDACTED] had a conversation with Deputy Danel. Deputy Danel admitted to text messaging [REDACTED] with his personal phone regarding this case. Deputy Danel told Sergeant [REDACTED] that he had deleted the messages he had exchanged with [REDACTED]. Sergeant [REDACTED] told Deputy Danel that he was ordering him not to have further contact with [REDACTED].

Lieutenant Pippin told me that he conducted an interview with [REDACTED] after the initial complaint. [REDACTED] told Lieutenant Pippin he was at his home on 7/17/2019 when [REDACTED] was returned home by Deputy Danel. [REDACTED] told Lieutenant Pippin he asked [REDACTED] how she got out of jail and she replied, "I sucked his dick" referring to Deputy Danel. Lieutenant Pippin told me [REDACTED] was not able to show him records of communications he located between Deputy Danel and [REDACTED] because [REDACTED] would not allow

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him access to them. [REDACTED] did show Lieutenant Pippin text messages he had received from Deputy Danel's wife [REDACTED]. Lieutenant Pippin provided me with copies of the messages and I reviewed them.

The following is a summary of the messages:

[REDACTED] told [REDACTED] in the messages that Deputy Danel had been messaging [REDACTED] multiple times in the middle of the night. One of the messages from [REDACTED] to [REDACTED] reads, "I know my husband is a deputy handling a situation between you all however I was super confused about why they needed to talk every day for several weeks at 2 am, 3 am, 5am etc".

[REDACTED] told [REDACTED] she confronted Deputy Danel about the messages. Deputy Danel said his conversations with [REDACTED] were only related to his investigation. [REDACTED] told [REDACTED] that she also confronted [REDACTED] [REDACTED] said [REDACTED] response when she confronted her was, "we were not talking about sex or anything".

Brandy and [REDACTED] continued to talk. He tells [REDACTED], "She hurt me and they dropped her chargers now she walks away." [REDACTED] tells [REDACTED] that Deputy Danel had now filed a rape charge against him. [REDACTED] explains has been a paramedic for twenty-six years and he was now fighting for his career.

Lieutenant Pippin told me his investigation was ongoing and Lieutenant Vasquez would be my new point of contact. This was to insure the criminal and Internal Affairs investigations stayed separate.

I decided I first needed to understand what had taken place at the [REDACTED] residence on 7/17/2019. I looked up case 19002442 and began my investigation

The following information was obtained from two narratives authored by Deputy Danel in the case file:

On 7/17/2019 at approximately 1950 hours, Sergeant [REDACTED] Deputy Danel, and Deputy [REDACTED] responded [REDACTED] [REDACTED] in Tuolumne, for a report of fight or disturbance. Incident report 1907170151 stated [REDACTED] [REDACTED] and his wife, [REDACTED] [REDACTED] were in an argument. Dispatch's original comments stated that [REDACTED] was the reporting party. Dispatch noted in the incident [REDACTED] reported [REDACTED] "blew up (rage monster) and is throwing everything off the porch and breaking things in the house. RP is outside with two kids. Weapons are secure in the residence."

Deputy Danel stated in his report that he arrived on the scene and met with [REDACTED] told

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Deputy Danel he lives in the residence with [REDACTED] and they had been married for approximately two years. [REDACTED] has two children from a previous relationship. The children are ages [REDACTED] and were at the residence with [REDACTED] when Deputy Danel conducted his investigation.

Deputy Danel documented in his report that he could see a scratch on [REDACTED] right triceps. Deputy Danel described the scratch as being 5 to 6 inches in length, possibly 1-inch wide and was red. I could see photographs taken of [REDACTED] right triceps the night of the incident. The scratch was visible and was the same dimensions as Deputy Danel had described in his report.

[REDACTED] told Deputy Danel that [REDACTED] was angry at him because he called his ex-wife earlier that day. An argument ensued, at which time [REDACTED] started throwing items in a large pile off the porch. [REDACTED] tried to stop her from throwing the items. [REDACTED] said [REDACTED] might have scratched him while he was trying to stop her.

Deputy Danel interviewed the [REDACTED] and [REDACTED] children that were in the residence at the time. Both children said they did not see the incident; although, they could hear [REDACTED] and [REDACTED] arguing. [REDACTED] told Deputy Danel he had consumed at least 10 to 12 beers that night, and he believed [REDACTED] had consumed 20 beers. Deputy Danel described [REDACTED] has having the odor of an alcoholic beverage on his breath, watery bloodshot eyes, and slurred speech.

Sergeant [REDACTED] and Deputy [REDACTED] arrived on the scene. They assisted Deputy Danel with searching the residence for [REDACTED] was not located in the home. A search was conducted on an adjacent property. [REDACTED] was located hiding under a shed. [REDACTED] was verbally ordered out from under the shed. Deputy Danel notated [REDACTED] had minor scratches on her body. He determined the scratches were from [REDACTED] hiding under the shed. Deputy Danel wrote, "she did not appear injured" in his report.

Deputy Danel described [REDACTED] as being intoxicated and crying hysterically. Deputy Danel read [REDACTED] the Miranda Admonishment. [REDACTED] indicated that she understood her rights and she would speak with Deputy Danel. Deputy Danel's report stated that he did not interview [REDACTED] due to her crying hysterically. [REDACTED] was subsequently arrested for a violation of 273.5 PC (Corporal injury of a Spouse/Cohabitant), a felony. Deputy Danel transported [REDACTED] to the Tuolumne County Jail for booking.

Deputy Danel's report stated that he conducted a second interview with [REDACTED] This interview took place in the sally port (garage) of the jail. Deputy Danel does not indicate anyone else was present during this interview. [REDACTED] said she was willing to speak with Deputy Danel and told him details about

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what happened earlier in the night.

█████ told Deputy Danel she was drinking beer throughout the night with █████. She explained that she is not a regular drinker, but █████ kept "feeding her beer after beer." █████ told Deputy Danel she informed █████ that she wanted to file for divorce. █████ told █████ he was not going to allow her to leave him. █████ told Deputy Danel she believed █████ and his ex-wife were having a secret relationship, and that was the reason she wanted a divorce.

█████ told Deputy Danel she started throwing her belongings off the porch into a big pile. █████ said she was doing this to make herself feel better and that it helped her release anger and stress. █████ denied scratching █████ and said that he was lying about the allegations to get her fired from work. █████ explained that she is a registered flight nurse. █████ told Deputy Danel she is on the board of nursing for Tuolumne County; and if she is arrested, she could lose her job. Deputy Danel concluded his interview and continued with the pre-booking process.

A preliminary alcohol-screening device (PAS) was used as part of the booking process. After █████ blew into the PAS, she was found to have a blood-alcohol level of .201 percent. She was evaluated by the jail nurse and then placed into a holding cell. Deputy Danel's report stated another he conducted another interview with █████ in the holding cell. This was the third interview Deputy Danel conducted with █████ who was now confirmed to be highly intoxicated.

Deputy Danel's report stated he noticed swelling and a bruise on █████ left foot. Deputy Danel wrote the jail nurse missed this injury during the pre-booking evaluation. Deputy Danel described this injury as being a large bruise. █████ told Deputy Danel, █████ stepped on her foot, but she would not say if this was an accident or if it was an intentional act.

The jail nurse examined █████ foot. Deputy Danel's report indicated the nurse determined █████ foot may have been broken and she needed to go to the emergency room for medical clearance. I know it is procedure to have a suspect(s) medically evaluated and when the suspect(s) are intoxicated or have serious medical problems. This is usually ordered by the jail nurse when the pre-booking medical screening is conducted.

Deputy Danel wrote he escorted █████ to his patrol vehicle and told her that he was going to take her to the hospital. █████ told Deputy Danel she didn't want to go to the emergency room because she was a nurse and would be embarrassed. Deputy Danel did not transport █████ to the hospital. This is not

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standard procedure for the Tuolumne County Sheriff's Office.

Deputy Danel's report states the following: "Based on the initial investigation at the scene, it was determined that [REDACTED] was the dominant aggressor by leaving a scratch mark on [REDACTED] arm. Through my investigation at the jail, it was determined that [REDACTED] also had an injury to her left foot and it was undetermined how exactly that happened. Based on this information, I decided that I would no longer book [REDACTED] in the Tuolumne County Jail due to the change in circumstances surrounding the incident at the residence. I collected [REDACTED] property and transported her back to her home."

Deputy Danel wrote the following about what happened when they arrived at [REDACTED] residence: "Before going back to the residence, I asked [REDACTED] if she had any other family or friends or neighbors that she could stay with tonight to prevent any further escalation and she said, "No I don't know anybody, and I have no family here." I asked [REDACTED] if she felt safe going back to her residence tonight, and she said, "Yes, of course, I do." [REDACTED] stated she's just going to wait for the morning when [REDACTED] goes to work for five days, and she will pack all her belongings, and she will leave and find her a place to stay." This is not standard procedure for the Tuolumne County Sheriff's Office or within the guidelines set forth in 13701 PC (domestic violence policies)

I could see a supplemental report authored by Deputy Danel on 7/20/2019. The report stated on 7/18/2019, at approximately 1200 hours, he received a phone call from [REDACTED] told Deputy Danel she wanted to talk about what happened the previous night. This was Deputy Danel's fourth interview with [REDACTED]. It should be notated Deputy Danel was working graveyard and was not on duty at the time of this phone call.

Deputy Danel's report indicates [REDACTED] again denied that she scratched [REDACTED]. [REDACTED] stated when she woke up that morning, she received text messages from [REDACTED] children. These messages were copies of messages that were sent from [REDACTED] to his children.

[REDACTED] told Deputy Danel the text messages stated she had tried to attack [REDACTED] with a knife. [REDACTED] said [REDACTED] also tried to attack the cops with the same knife and that's why she had gone to jail. [REDACTED] told Deputy Danel that she believed [REDACTED] told the children this story to get her fired as a registered flight nurse. These messages were not collected as evidence by Deputy Danel.

In the same report, I saw that Deputy Danel conducted another follow-up interview with [REDACTED] on 7/19/2019 at approximately 2100 hours. Deputy Danel went to [REDACTED] residence, located at [REDACTED]

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██████ in ██████. This was his 5th interview with ██████ Deputy Danel's report does not indicate he conducted any follow-up interviews with ██████

During this interview Deputy Danel spoke with ██████ in more detail about what happened on 7/17/2019 at her residence. His report indicates ██████ had finally "opened up" about what had occurred between her and ██████ Deputy Danel notated that he observed a bruise on her left thigh that was approximately the size of a fist. It appeared to Deputy Danel the injury could be caused by someone punching ██████ leg.

Deputy Danel also notated he saw two to three bruises that were in the shape of large fingers on ██████ back. ██████ would not tell Deputy Danel how she received any of these bruises or where they had come from. Deputy Danel told ██████ that he believed somebody was abusing her and ██████ would change the subject.

As they continued to talk, ██████ disclosed sexual abuse by ██████ ██████ said that she has not been intimate with ██████ for approximately a year and a half. ██████ said that ██████ would sometimes have sex with her when she was sleeping or had been drinking alcohol. ██████ indicated this took place without her permission. ██████ further told Deputy Danel that ██████ would never ask if they could have sex. ██████ said ██████ told her she was his property and he didn't have to ask.

██████ told Deputy Danel she knows this is a form of abuse but, she just wanted to get away from ██████ and move on with her life. At that time, ██████ did not want to move out of the residence and stated that she was going to try to get ██████ to leave. ██████ denied a restraining order against ██████ and Deputy Danel concluded his investigation.

At the end of Deputy Danel's investigation, he stated that his report was being sent to the District Attorney's office for review and because of the facts of the case, "charges should not be filed." The investigation was never forwarded to the District Attorney for review or Investigations for follow-up to the rape allegations. I could see the status was "Closed" and the disposition was "Information Only" This not standard procedure for the Tuolumne County Sheriff's Office or consistent with California Law. All allegations of rape are investigated by the Investigations Division.

Deputy Danel's report stated that ██████ would not allow him to take photos of her. I could see in the photo section of Deputy Danel's report there was a photo of ██████ in the sally port (garage) of the jail. No photos of ██████ were taken to document the alleged injury to her foot. There were also no photos

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██████ ██████

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taken of the additional injuries Deputy Danel noticed in his last interview with [REDACTED]

After reading Deputy Danel's reports, I could see multiple governing policies of the Tuolumne County Sheriff's Office and California Penal Code had been violated during the course of Deputy Danel's investigation. Deputy Danel's documentation of his investigation gave me suspicion that he had a personal interest in releasing [REDACTED]. I determined more investigation needed to be conducted regarding the domestic violence incident with [REDACTED] and [REDACTED]. I also determined the allegations by [REDACTED] of sexual abuse by [REDACTED] needed more investigation.

On 10/16/2019, I met with Lieutenant Vasquez at the Sheriff's Investigations Office. Lieutenant Vasquez told me he and Lieutenant Pippin had a conversation with [REDACTED] on 10/3/2019 at her residence which was still [REDACTED] in [REDACTED]. [REDACTED] was not Mirandized for this interview.

Lieutenant Vasquez told me the following in summary:

Lieutenant Vasquez told me during the interview [REDACTED] admitted that she was having a personal contact with Deputy Danel that manifested from the day of the incident. [REDACTED] admitted to sending and receiving messages and talking on the phone with Deputy Danel but claimed their relationship was centered around her case. [REDACTED] denied performing oral sex on Deputy Danel to be released from custody. [REDACTED] admitted she told [REDACTED] she had preformed oral sex on Deputy Danel to get out of jail but she only said that to make [REDACTED] jealous. When [REDACTED] was asked if she was willing show Lieutenant Pippin her conversations or have an extraction on her phone conducted, she became nervous and refused. [REDACTED] also refused to provide her cell phone bill.

Lieutenant Vasquez told me [REDACTED] was asked about the spousal rape allegation in Deputy Danel's report. [REDACTED] said she denied telling Deputy Danel she wanted a criminal complaint generated against [REDACTED]. [REDACTED] said, "We were just talking, I don't want [REDACTED] in trouble he has kids." [REDACTED] then said, "Is this going to go up higher? I don't want it to." Lieutenant Vasquez told me they concluded the interview and left the residence.

This case is still under investigation.

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[REDACTED]

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Supplement Report

On 10/17/2019, I authored two warrants (CRS61368 and CRS61369) related to this case. The warrants requested the seizure of electronic devices belonging to Deputy Danel and [REDACTED]. The warrants included a search of their persons, homes, and vehicles. The Honorable Judge Katlin Segerstrom signed both warrants at 1540 hrs. the same day.

On 10/17/2019 at approximately 1800 Hrs, Lieutenant Pippin and Lieutenant Vasquez served search warrant CRS61369 on Deputy Danel at the Sheriff's Office. At about that same time Detective [REDACTED] and I went to [REDACTED] residence located [REDACTED] in [REDACTED] to serve a search warrant CRS61368. Detective [REDACTED] spoke with Detective [REDACTED] a short time later and provided him the following information:

Deputy Danel gave Lieutenant Pippin and Lieutenant Vasquez two cell phones. One was a black iPhone inside a black and green case. The second cellphone Deputy Danel was issued by the Tuolumne County Sheriff's Office. It is also a black iPhone in a black Otter case. These phones were collected by Lieutenant Pippin and later given to me at the Sheriff's Office. Deputy Danel was placed on paid administrative leave pending the results of the investigation. Deputy Danel told them these were the only cellphones he was in possession of and he did not have any others.

At [REDACTED] residence I activated audio recorder to record my conversations with [REDACTED]. This interview was later sent to Speakwrite for transcription. Please see the attachment labeled "[REDACTED] House Interview" for a copy of the transcription.

The following is summary of my interview [REDACTED] and investigation at her residence. The summary is not verbatim or in chronological order.

Detective [REDACTED] and I met with [REDACTED] on the front porch of her residence and we informed her we had a warrant to search the property. [REDACTED] allowed us to come into the house and we went into the living room. Detective [REDACTED] conducted a search of the residence while I spoke with [REDACTED].

[REDACTED] asked me what the warrant was for and I explained to her it was for electronic devices. [REDACTED] provided me with her Samsung Galaxy cell phone in a gold case. Detective [REDACTED] took possession of the phone.

A short time later Detective [REDACTED] told me [REDACTED] was receiving phone calls from a contact labeled, "David D". Detective [REDACTED] told me he believed this contact was Deputy Danel. At that time,

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Deputy Danel had already surrendered his cell phones and to Lieutenant Pippen and Lieutenant Vasquez. Later in my investigation, [REDACTED] confirmed the contact was Deputy Danel and he was using a cell phone she had purchased for him. This phone call was proof that Deputy Danel had lied in an official investigation, because he had another cell phone in his possession.

I read [REDACTED] the Miranda Admonishment from a department issued card. [REDACTED] told me she understood her rights. I asked [REDACTED] if she was having an inappropriate relationship with Deputy Danel. [REDACTED] admitted that she was having a relationship with Deputy Danel but that relationship started months after she was arrested. [REDACTED] told me there would be messages between her and Danel on the cellphone she provided me. [REDACTED] statement was confirmation that Deputy Danel had ignored Sergeant [REDACTED] order to end contact with her.

Deputy [REDACTED] told me that while searching for the electronic devices he located three illegal assault rifles in the closet of the master bedroom. See Detective [REDACTED] supplemental report for details. [REDACTED] admitted that she had an AR-15 rifle and she had assembled it herself. [REDACTED] explained her father lives in Arizona and she planned on take it to Arizona [REDACTED] said, "[REDACTED] has one too."

I talked with [REDACTED] about coming to the Sheriff's Office for an interview. [REDACTED] said "Now I am going to need a lawyer." I asked [REDACTED] if she wanted a lawyer and she replied, "Yeah I just don't feel good about any of this right now." The audio recording with my conversation with [REDACTED] was later transcribed by Speak Write. Please the attachment labeled, "[REDACTED] Home Interview."

Lieutenant Vasquez, Lieutenant Pippin, Deputy [REDACTED] and CSO [REDACTED] arrived on scene. CSO [REDACTED] took photos and helped process the evidence. Lieutenant Vasquez spoke with [REDACTED] in front of the residence while we finished the search. Detective [REDACTED] and I concluded a search of the residence. The following property was collected as evidence:

1 Black 7.62 Cal SKS Rifle (Item #1), 1 7.62 Cal Anderson AM-15 Rifle (Item #2), 1 5.56 Cal AM-15 Rifle (Item #3), 1 30 cartridge 5.56 Mag Pull Magazine (Item #4), 1 Samsung Galaxy S7 Smart Phone, 1 Samsung Galaxy Smart Watch (Item #6), 2 Black Samsung Smart Phones, (Items #7 and #8), and 1 Black Motorola Cell Phone (Item# 9).

Lieutenant Vasquez told me [REDACTED] now was willing to come to the Sheriff's Office for an interview. I went outside and spoke with [REDACTED] said she would speak with me but she did not want to answer any questions about the rifles. I told her she was not under arrest and could leave the

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interview at any time. [REDACTED] drove her own car to the Sheriff's Office where I met with her. I escorted her to an audio and video recorded room in the Investigations Office.

I read [REDACTED] the Miranda Admonishment again. I asked her if she understood her rights and she said, "yes". I asked her if she was willing to speak with me and she told me she would. Since [REDACTED] had made an expressed waiver of her rights, I continued my interview with her.

The following is a summary of my interview with [REDACTED]

During my interview with [REDACTED] she denied that she abused her husband, [REDACTED] [REDACTED] the night she was arrested. [REDACTED] said she was highly intoxicated the night of the incident and no memory of certain portions of what took place. [REDACTED] said she could remember a "scuffle" when she was throwing the items off the porch. [REDACTED] admitted to telling [REDACTED] that she "sucked his dick" to get out of jail, referring to Deputy Danel. [REDACTED] told me she didn't perform oral sex on Deputy Danel to get of jail and maintained that the sexual relationship started weeks later.

[REDACTED] told me she has been having a sexual relationship with Deputy Danel for several months. [REDACTED] said this relationship did not start the night she was arrested but developed later. [REDACTED] told me she was having sexual intercourse with Deputy Danel while he was on and off duty. [REDACTED] initially told me that this only happened about five times. When [REDACTED] was pressed harder about her relationship with Deputy Danel, she admitted to having sex with many times. [REDACTED] estimated Deputy Danel would have sexual intercourse with her once a week during his shifts and additional times while off duty. These sexual encounters would occur at her residence.

[REDACTED] admitted that on one occasion she met Deputy Danel at the Lyons Gate Hotel in Sacramento. They again had sexual intercourse. [REDACTED] said she knew Deputy Danel was staying at the hotel while attending a Sheriff's Office funded training in Sacramento. I asked [REDACTED] if she knew the room was paid for by the Tuolumne County Sheriff's Office. [REDACTED] confirmed she did because Deputy Danel told her it was.

[REDACTED] told me that she communicated with Deputy Danel by using her Samsung Galaxy Cellphone that I collected at her residence. I asked [REDACTED] about the contact labeled "David D" that Deputy [REDACTED] had seen on the phone. [REDACTED] told me that was the contact she saved in her phone she for the phone Deputy Danel was using to communicate with her. [REDACTED] admitted the phone was one she had purchased for Deputy Danel to use so that they could secretly communicate.

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[REDACTED]

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I asked [REDACTED] if she and Deputy Danel ever discussed what she should say if she was contacted by investigators regarding their relationship. [REDACTED] said she and Deputy Danel talked about how they would lie and say they were only friends having conversations, if they were confronted.

During my interview with [REDACTED] I talked with her multiple times about her statements about [REDACTED] sexually abusing her. [REDACTED] did not want to speak with me in detail about these allegations but did describe an indecent that took place approximately one week ago. I offered [REDACTED] an advocate to be with her while we discussed the allegation and she refused.

[REDACTED] said she was sleeping in a spare bedroom at the residence and she woke up to [REDACTED] touching her body. [REDACTED] said [REDACTED] was trying to have sexual intercourse with her. [REDACTED] told me she punched [REDACTED] in the face to get him stop and then he left the room. [REDACTED] eventually said she did want to continue talking with me about [REDACTED] sexually assaulting her. I told her that it still need to be investigated and she could contact me if she wanted to tell me more.

Please see the transcription in the attachments section labeled, "Interview with [REDACTED] at Investigations" for the full interview with [REDACTED] [REDACTED]

I am currently seeking warrants for Deputy Danel and [REDACTED] smart phones. The evidence collected during the service of the warrants was placed in a secure locker at the investigations office and were later booked by Deputy [REDACTED].

This case is still under investigation.

Prepared By:

[REDACTED] [REDACTED]

Date:

10/25/2019

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Supplemental Report:

On 10-16-2019 and 10-17-2019, I made several attempts to contact [REDACTED] so I could conduct a follow-up interview with him. I called both phone numbers listed for [REDACTED] in RIMS [REDACTED] and [REDACTED]. I was unsuccessful in making contact with [REDACTED].

I asked Lieutenant Pippin if he had another number listed for [REDACTED] being that he had already spoken with him on a previous occasion for the administrative side of his investigation. Lieutenant Pippin advised me that he had emailed [REDACTED] and he received a quick response from [REDACTED]. Lieutenant Pippin provided me with [REDACTED] email address [REDACTED].

On 10-17-2019, at approximately 0921 hours, I sent [REDACTED] the following email.

Hello Mr. [REDACTED]
My name is [REDACTED]. I'm a Detective with the Tuolumne County Sheriff's Office. My partner Detective [REDACTED] and I have been assigned to follow-up on an investigation regarding an allegation of Domestic Violence between your wife, [REDACTED] and yourself, which reportedly took place on 07-17-2019. There are concerns about the case, specifically that it was not handled properly. I would like to set up a time to speak with you to get more details about what took place. I understand you work out of the area so if you could please call me at your earliest convenience I would appreciate it. Thank you.

On 10-18-2019, at approximately 1335 hours, I received the following response from [REDACTED]

Hi [REDACTED]
I do work out of the area. Both on ground 911 and Air medical. As far as the case against my wife hitting me I don't have anything else to say about it. I called 911 for help from your department which I was very reluctant to do given my profession in public safety. As I'm sure you are aware things did not seemingly go the way they should have. To the point I got text messages from a woman who is apparently married to one of those deputies that responded that night to the 415 at my home. This occurred on the 10th at around 22:30 hrs she inferred that her husband and my wife may have had something going on. I did forward the text conversation to the lieutenant. I have spoken with the Lieutenant in person I believe it was the 7th or 8th of October and he informed me that my wife has pursued domestic violence and spousal rape allegations against me. Probably filed or taken a report by the same deputy I don't know. Anyways I have not been in Tuolumne County since 8 October. I have changed my phone plan got a new phone and have a new phone number so that nobody reaches out to me in this scandal that has unraveled. I do not feel safe in my own home or county now that this has transpired. I am avoiding going home and being around my spouse. I'm working on divorcing [REDACTED]. What ever [REDACTED] has done or said I'm unaware of as I feel it is best to distance myself from the toxic environment and just work my two jobs. Anything else I can be of assistance please let me know.

Prepared By:

[REDACTED]

Date:

10/25/2019

Approved By:

[REDACTED]

Date:

10/25/2019



On 10-25-2019, at approximately 1536 hours, I responded to [REDACTED] with the following email.

Mr. [REDACTED]

Thank you for getting back to me. I'm sorry for the delayed response. I was away for a few days because of training. I understand you have already spoken with Lieutenant Pippin regarding this issue, however his reason for contacting you was to look into possible violations of department policy, from an administrative stand point on the involved deputy. I'm not sure if you are aware of this, but the Deputy who responded to your house for the initial incident is no longer employed with the Tuolumne County Sheriff's Office. I am following up on the investigation into the initial call for service itself. I understand your concerns however the only way I can fully investigate this is by getting my information directly from the source. I can't force you to speak with me but it would really help me out to hear your side of things. We have also conducted a follow up interview with your wife, but again, this only gives us one side of things. I work Tuesday through Friday pretty much bankers hours. Please let me know if we can set up a date and time to have a conversation about this or if you would just like for us to not contact you any further regarding this matter. Thank you.

Respectfully,
[REDACTED]

On 10-25-2019, at approximately 1605 hours, [REDACTED] responded to my email with the following message.

[REDACTED]
I've heard nothing but good about you from prior coworkers in the county. I'm sorry the Deputy is no longer employed with the county. As it was not my intention to be a catalyst to this mans career and it ending here locally . I had a wife problem that was toxic and it was unfortunate he involved himself in any other means but professionally. I do not know the back side of the story as my wife has basically quit communication with me since July. I don't have a clear recollection of every detail of the incident. As it was almost 4 months ago and I did not think to jot down any notes on it. So it Would be unfair and inappropriate to speculate or input any opinion into it other then the facts you have at hand. When [REDACTED] was arrested and placed in the patrol vehicle and taken to jail that was the last knowledge I have of the incident at my residence. I was no longer involved in the incident other then speculating the two were communicating via my phone bill. As far as I'm concerned my divorce is on track and I am meeting said obligations in a purposeful safe manner. I miss being home but understand I will have to remain out of town until amicable separation is achieved with [REDACTED] so that I can start rebuilding my life. I appreciate your understanding. Marriages that end in divorce can become pretty nasty, insecure, angry and disrespectful to one another. I'm sure I have contributed my fair share into it all as nothing is one sided.
[REDACTED]

On 10-25-2019, at approximately 1618 hours, I responded to [REDACTED] email with the following

Prepared By:

Date:

10/25/2019

Approved By:

Date:

10/25/2019



message.

Mr. [REDACTED]

I know this has not been an easy or pleasant thing to go through. The Deputies actions and conduct were ultimately what caused or lead to his separation of employment from the Sheriff's Office. That's on him and he will have to deal with that. I understand and respect where you are at the moment with this. I will document what we have at this point. Please feel free to contact me if you remember anything else that you think might be pertinent to this investigation. Thank you again for getting back to me and good luck to you.

Respectfully
[REDACTED]

I printed copies of the emails, which I later scanned and attached to this report.

Prepared By:

[REDACTED]

Date:

10/25/2019

Approved By:

[REDACTED]

Date:

10/25/2019

Supplemental Report:

On 10-15-2019 at approximately 1400 hours, I was assigned to follow up on Case No. 19-2442. This assignment came to me from Lieutenant Pippin. It involved a domestic violence incident which reportedly took place on 07-17-2019, at 17975 [REDACTED] in [REDACTED]. Detective [REDACTED] was also briefed on this information by Lieutenant Pippin. We were advised that there was currently an Internal Affairs (IA) investigation that was taking place, which would be running concurrent with our investigation. Lieutenant Pippin advised us that the (IA) portion of the investigation also stemmed from the initial case. Lieutenant Pippin advised us that he was looking into the Internal Affairs or administrative side of this investigation and requested that we conduct follow up into the potential criminal violations (273.5 PC, 148(a)(1) PC and 262 PC) related to this case. Lieutenant Pippin believed that there were several steps missed in this investigation and that the case was not investigated properly.

Detective [REDACTED] and I first familiarized ourselves with the case by reading the reports authored and submitted by Deputy David Danel. Detective [REDACTED] authored two search warrants to gain or obtain the cellular phones and other electronic devices from Deputy Danel and the involved female party, [REDACTED]. These warrants were reviewed and signed by the Assistant District Attorney, Eric Hovatter. They were then in turn reviewed, signed and authorized by the Honorable Judge Kate Powell-Segerstrom (refer to Detective [REDACTED] supplemental reports for further details).

On 10/17/2019 at approximately 1750 hours, Detective [REDACTED] and I responded to [REDACTED]. We made contact with [REDACTED] in the front yard of her residence. It should be noted Detective [REDACTED] and I were both wearing business attire with our badges and firearms displayed, indicating and identifying us as peace officers. We verbally identified ourselves as Detectives with the Tuolumne County Sheriff's Office and advised [REDACTED] we were there to speak with her regarding an investigation we were conducting. Detective [REDACTED] advised [REDACTED] that we had a warrant to seize her cellular phone and any other electronic devices that she may utilize. He provided her with a copy of the warrant and asked if we could speak inside.

At the time we advised her of the warrant and prior to entering [REDACTED]'s residence, [REDACTED] had her phone in her hand. Detective [REDACTED] took immediate custody and possession of the phone. Detective [REDACTED] spoke with [REDACTED] in the living room and explained the situation to her. While Detective [REDACTED] was speaking with [REDACTED] for officer safety reasons, I decided to conduct a protective sweep of the interior of the residence. I asked [REDACTED] if there was anyone else in the house and if there were any firearms in the house. [REDACTED] told me there was no one else home, but there were several loaded firearms throughout the house. She indicated there was a loaded pistol in the cabinet above the refrigerator in the kitchen and another loaded pistol in the nightstand in her bedroom (master bedroom). I did not locate any other persons inside the home. I did later locate the two firearms she mentioned previously and rendered them safe.

The search warrant authored by Detective [REDACTED] allowed for us to search anywhere within her home where a cellular device or electronic communication device could be kept. Detective [REDACTED] stood by with [REDACTED] while I searched the residence. In the kitchen I found an empty box for an Apple iPhone. I asked [REDACTED] about this phone and where it was. [REDACTED] told me the phone belonged to her husband ([REDACTED]). I did not locate the phone associated with the empty box.

Prepared By:

[REDACTED]

Date:

10/29/2019

Approved:

[REDACTED]

Date:

10/29/2019



I checked in the master bedroom. On the nightstand (same nightstand where the firearm was located) closest to the door that led outside, I located a Samsung smartwatch. I know through my training and experience that devices such as these (i.e. Smart watches) have cellular-like capabilities and can be used like cellular phones. Some are also capable of storing messages (i.e. Short Message Service "SMS" and Multi-media Messaging Service "MMS") and other data. This watch was photographed by CSO [REDACTED] per my request and later seized as evidence.

There was a large entertainment center located across from the bed in the master bedroom. I opened the cabinet-style swinging doors and noticed there were some drawers. I opened the top drawer and I located three other cellular phones. Two of these phones were Samsung brand devices and the other was a Motorola. These were also photographed by CSO [REDACTED] at my request and later seized as evidence.

I went into the closet of the master bedroom. To my immediate left there was a shelf with some clothing and other items. On the same shelf, I noticed a stripper clip with approximately 10 live rounds of 7.62x39 ammunition. I recognized these rounds and the configuration they were in (attached in a straight line with a stripper clip) as the same type of ammunition that would be used in an SKS or AK-47 style rifle. There were also two other firearms (pistols) on the shelf.

On the floor directly underneath the shelf with the stripper clip and pistols, I noticed several other ammunition cans and boxes of ammo which were labeled 7.62x39 and .223 or 5.56 caliber.

Directly above me on the top shelf, I noticed several rifle cases. I used a chair to stand on and looked inside the rifle cases. In the first one, I noticed a complete assembled, AR-style rifle. I noticed that the rifle had a collapsible stock and a vertical foregrip on the fore end. There was no bullet button and that the weapon did not appear to be California compliant or legal. There were also detachable magazines in the rifle case. The writing on the side of the rifle indicated that it was chambered in 7.62x39 caliber.

In the case directly below that one was another similar AR-style rifle (complete assembled). This rifle had the same configurations (i.e. collapsible stock, vertical fore end grip, detachable magazines and no bullet button). The writing on the side of this rifle indicated that it was chambered in .223 or 5.56 caliber.

On the top shelf, just to the left of the two AR style rifles, I located an SKS semi-automatic rifle. This rifle was also modified so that it could accept a detachable magazine and it had a bayonet affixed to the front of it. It should be noted this SKS rifle was also chambered in 7.62x39 caliber.

I left these items in place and notified Detective [REDACTED] what I had located. I advised him that I believed these weapons were not legal within California and fell under Penal Code Section 30605 (a) which is an illegal assault weapon. CSO [REDACTED] later photographed these rifles per my request.

Based on the rifles being located inside the house during the course and execution of our search

Prepared By:

[REDACTED]

Date:

10/29/2019

Approved By:

[REDACTED]

Date:

10/29/2019



warrant and the fact that they appeared to not be California complaint or legal; I seized these weapons as evidence.

A property receipt was filled out and provided to [REDACTED] on scene. [REDACTED] agreed to speak with Detective [REDACTED] about our initial investigation, but opted to not speak about the subject of the firearms we had located in her house. At one point during our contact with her, she did make a statement about claiming ownership of at least one of the rifles and said she had built one of them.

We later returned to the Sheriff's Office and put the firearms and electronic phone devices that we had seized during the warrant into a temporary evidence locker.

On 10/22/2019 at approximately 1035 hours, I removed the firearms and phones from the temporary locker.

The SKS rifle (entered into RIMS as item #1 in the property section) was a Norinco brand SKS rifle. The serial number on the rifle was [REDACTED]

The second rifle (entered into RIMS as item #2 in the property section) was an Anderson Manufacturing AM-15, multi-caliber rifle. It was chambered in .223 or 5.56 Nato and had a serial number of [REDACTED] Inside the case with this rifle, I located a 30-round polymer magazine, which was also designed to take .223 or 5.56 ammunition. I removed this magazine and packaged it separately.

The third rifle (entered into RIMS as item #3 in the property section) was also an Anderson Manufacturing AM-15, multi-caliber rifle. The serial number was [REDACTED] and was chambered in 7.62x39 caliber.

I had Dispatch run these firearms in CLETS and in the Automated Firearms System (AFS). Dispatch advised me that none of these firearms were on file in CLETS or (AFS) and there was no registered owner associated or listed with the firearms. These weapons were all rendered safe and packaged.

I then packaged the phones and smart watch that were seized. I booked the items into evidence Locker No. 21.

Prepared By:

[REDACTED]

Date:

10/29/2019

Approved By:

[REDACTED]

Date:

10/29/2019

**Supplemental Report**

On 10/22/2019, I authored a search warrant (CRS61420) for the two iPhones collected from David Danel and the Samsung Galaxy S-7 cell phone that I collected from [REDACTED] [REDACTED] on 10/17/2019. The Honorable Judge Katleen Segerstrom signed the warrant on the same day.

On 10/23/2019, Detective [REDACTED] conducted a Cellebrite Extraction on the phones on 10/23/2019. The Cellebrite Extractions were placed on a flash drive by Detective [REDACTED]. I gave the flash drive to Lieutenant Vasquez for review. Lieutenant Vasquez later provided me with the original flash drive and a new flash drive with copies of the evidence he collected. I provided the new flash to Detective [REDACTED] for review. I sealed the original extractions and booked them as evidence. See property #13 for details. I later returned a warrant return to the court.

Prepared By:

[REDACTED] [REDACTED]

Date:

11/19/2019

Approved By:

1585 VASQUEZ, DAVID

Date:

01/13/2020

Supplemental Report:

On 11/20/2019, I received a thumb drive from Lieutenant Vasquez. I was advised that the contents of the thumb drive had several photos and screen shots that were taken from the Cellebrite extraction of [REDACTED]'s phone. Several of the photographs on the thumb drive were duplicates.

Some of the photos were labeled as screen shots. The first photo on the thumb drive was a picture of [REDACTED] face. She appears to be topless and she is posed facing the camera. The next photo appears to be a shot of a woman's buttocks; however, you cannot tell who the person in the photo is. The third photo is a close-up of what appears to be a woman's vagina and a hand. The hand appears to be spreading open the vagina. There is also a fingernail polish on the fingers which would lead me to believe that the hand is of a female. The fourth photo appears again to be a female's hand touching her vagina, just from a different angle (close-up). There were several other photographs on the thumb drive that were similar to this. Again, you can clearly see that is a woman's vagina; however, you are unable to tell who the person in the photo is based on it being a close-up photo of the vagina itself. There were other photos of [REDACTED] posing topless and showing her breasts. I was able to identify [REDACTED] in these photos from my prior contact with her.

There are several photographs on the thumb drive of [REDACTED] face, which are close up or selfie style photos. I again recognized [REDACTED] in these photos from my prior contacts with her. There is a screen shot of a picture with water and what looks like a rock in the background. Above the photograph there is a contact associated which states, "David." On the bottom portion of the picture it is dated August 13, at 2341 hours.

There were several screen shots from text messages between [REDACTED] and [REDACTED]. These text messages appear to coincide with some of the messages that were provided to me from Lieutenant Pippin during his administrative investigation. The subject of these text messages appears to be [REDACTED] questioning [REDACTED] about her having an inappropriate relationship with her husband David Danel.

I located a screen shot of a text message conversation between [REDACTED] and her husband [REDACTED]. There are dates and times associated with the messages which show as October 13 starting at 1341 hours to 1359 hours the same date. In this thread of text messages [REDACTED] accuses [REDACTED] of sending phone records and filing a complaint with law enforcement regarding their conversations about her and Deputy Danel. [REDACTED] denies this and said that he only had a conversation with law enforcement about the incident.

I located another screen shot of a text conversation where [REDACTED] contacts [REDACTED] again asking her about the relationship with her husband (Dave Danel). The first message is dated October 10 at 2158 hours. It reads, "Hi, this is [REDACTED]. I know you don't want to hear from me butt I see now on the phone bill my husband is talking to a phone belonging to [REDACTED] who is your husband so is that the case, or are you using your husband's number to speak to my husband." There is a response with that same date from [REDACTED] at 2210 hours which states, "What the fuck is wrong with you? I told you I wasn't having any communication with your husband."

Prepared By:

[REDACTED]

Date:

11/22/2019

Approved By:

1585 VASQUEZ, DAVID

Date:

01/13/2020



The message after that is again from [REDACTED] and states, "Well my husband told me he was speaking with your husband, so this is why I am asking. I guess I can ask your husband directly since you want to be a bitch about it." The next response from [REDACTED] on the text thread was at 2215 hours. It states, "If that's what you want to do, do it. Why do you want to bring me into your stuff. I haven't talked to your husband for months now. He's a dick. I had to ask him some questions and he gave me answers. I don't want anything to do with him."

There was another screen shot of a text conversation between [REDACTED] and [REDACTED]. This one is dated October 11 at 1050 hours. The first message is from [REDACTED] asking, "Show me the phone record that your husband received a call from mine". [REDACTED] responds with, "I can, but why? Your husband has the same records and the same questions about the need to talk at 2:00 a.m. etc." The next message is at 1053 hours. It states, "No, I want to see the phone record where your husband got a call from my husband's phone. You're trying to start something with me and I want you to prove it. Yes, he has the records for July. Does he have any other months? No, because I haven't contacted your husband and he hasn't tried to contact me."

There is another screen shot that appears to contain a picture of a phone bill. It's dated 9/27. This was sent again from [REDACTED] phone; however, I'm unable to read the information in the photo due to it being too pixelated and grainy. There's a message directly underneath the photo from [REDACTED] which states, "I have July and August so it was not just July." [REDACTED] responds with, "Well, that wasn't me. I was at work, so..."

There is another screen shot which appears to be a continuance of the previous message. It states from [REDACTED], "You're right it stopped in August when I confronted both of you about it, otherwise we all know it would have not stopped. It only stopped because you were caught, but then I have the newest call in September." [REDACTED] responds with, "I wasn't caught doing anything." [REDACTED] responded to this message with, "The point is it continues longer than it should have and it did not stop until I confronted both of you." [REDACTED] responded with three emojis (same emoji three times in a row) of a smiley face that is laughing so hard it is crying.

I observed another conversation that was a screen shot on Schrader's phone. It appeared to be correspondence with Deputy Dave Danel. Deputy Danel starts the conversation by stating, "How are you really doing." The next message is again from Deputy Danel saying, "Yes, your neighborhood is my beat for the month." He then tells her that he works Thursday, Friday and Saturday. [REDACTED] responds back by stating, "Well, he's not coming back any time soon so you shouldn't have to respond here tonight." Deputy Danel responds back by stating, "Oh good, I'll just wait for an invite then. LOL. Can't take you to jail twice now can I? HAHA Sorry." [REDACTED] responds to this by stating, "Not too bad. I could be worse and still in jail...". Her next message is again states, "That would be a really bad day. That's what I thought this morning. I was like... are you fucking kidding me... now what did I do." Deputy Danel responds to this by stating, "Well, I know that. But when those things happen you have to tell us everything. We are restricted in what we can do with domestic violence. Our hands get tied."

There's another screen shot of a message thread labeled, "David D." There's a date associated with this of October 10 at 1557 hours. [REDACTED] writes to Danel, "Once you have trust you have everything."

Prepared By:

[REDACTED]

Date:

11/22/2019

Approved By:

1585 VASQUEZ, DAVID

Date:

01/13/2020



everything." Danel responds back with a message that states, "I'm working on it." There are several pictures of a new motor home that [REDACTED] purchased. One of the messages references her new purchase of the motor home. In the same text thread [REDACTED] asked, "Can you stay in it with me?" Deputy Danel responds, "Yes, I can." [REDACTED] then responds with an emoji of a winking smiley face blowing a kiss.

In Deputy Danel's original arrest report he makes mention that he noticed [REDACTED] left foot had a dark bruise on it and was starting to swell. In the report Deputy Danel indicated that the jail nurse looked at [REDACTED]'s foot and said it could possibly be broken but they would not know that without an X-ray. The jail nurse indicated there was broken skin but not enough to bleed and it was apparent by the size of the bruise and swelling that something was wrong with her foot. Deputy Danel further indicated in his report that he asked [REDACTED] about the injury and in his report he states that her response was that [REDACTED] had stepped on her foot, but would not say if it was done intentionally or by accident. There is a photograph of a female's feet that was taken on 5/24/19 at approximately 1125 hours according to the information in the Cellebrite extraction. I believe these feet belonged to a female, based on their size and nail polish on the toe nails. It is clearly noticeable in the photo that the left foot is swollen and there is some bruising; however, the time frame does not coincide with when Deputy Danel's original report was taken. This photograph according to the information (time stamp) on [REDACTED]'s cell phone show the photo was taken at least 2 months prior.

There is another image that is dated 7/18 at 7:26 p.m. It appears to be a picture of [REDACTED] in the sally port at the Tuolumne County Jail. The date and time coincides with the time that she was brought into the jail for booking.

I located two other photographs on the thumb drive that are dated 08/31/2018. These photographs are of the AR15 style weapon that I seized during the search warrant at [REDACTED] home. When I zoomed in on the photograph I could see the serial number. I was able to confirm it was the same weapon that I seized during the search warrant. Refer to Item No. 2 in the evidence section of this report.

I later booked the thumb drive into evidence.

Prepared By:

[REDACTED]

Date:

11/22/2019

Approved By:

1585 VASQUEZ, DAVID

Date:

01/13/2020

Supplemental Report

At the conclusion of my investigation, I found no direct evidence that [REDACTED] had bribed Deputy Danel with sexual favors to get out of jail. It was clear that Deputy Danel had engaged inappropriate relationship with [REDACTED] and that relationship was a result of the Deputy Danel's initial investigation. I recommend the District Attorney's Office review this case for possible weapons and domestic violence charges against [REDACTED] and [REDACTED]

Forward case to the District Attorney for review.

Prepared By:

[REDACTED]

Date:

11/27/2019

Approved By:

1585 VASQUEZ, DAVID

Date:

01/13/2020

[REDACTED]

Detective [REDACTED] The machine was on.

[REDACTED] Okay.

Detective [REDACTED] I'll keep ****.

Other Speaker: That train station here looks just like ours.

Detective [REDACTED] Yeah, I know. **** one though?

Other Speaker: Don't know.

Detective [REDACTED] ****. All right, [REDACTED] If you wanna come in. Get yourself sitting right there, okay.

[REDACTED] Okay.

Detective [REDACTED] I'll be back in just a second. I gotta grab some paperwork and all that kinda stuff. Uh, just make yourself comfortable. You want like a water or –

[REDACTED] I'm really –

Detective [REDACTED] – anything?

[REDACTED] – great, thank you.

Detective [REDACTED] Okay. No problem. I'll grab my.

Other Speaker: Here you go. Here's ****.

[REDACTED] Thank you.

Detective [REDACTED] Okay. So, like I said, um, because your, all of this stuff has happened. We've come to your house with a search warrant. There's these guns. There's other stuff, um, and you indicated out in the field that you didn't wanna talk to me about the guns, and that's why you're revoking your Miranda rights. I won't a, ask you any questions about that investigation. Okay? Um, but because a that, I'm gonna read your rights again, just so you understand what those are, okay. You have the right to remain silent. Anything may use, may be used against you in court. You have the right to the presence of attorney before and during any questioning. If you cannot afford an attorney, one will be appointed to you free of charge before any questioning if you want. Do you know each o, do you understand each of those rights I've explained to you? Having those rights in mind, do you wish to speak with me?

[REDACTED] Yes.

Detective [REDACTED] Okay. So we got a little brief information like when we were talking at your house, but I, I don't know, really know anything about you other than, you know, what I've read in reports and the brief information I had. So one thing that, that I like to do is just try to get your basic information to make sure we have everything accurate in our, our system, okay. So this is just basic questions about, you know, your name, all that kinda stuff. We always double and triple get information. So can you spell your full name for [REDACTED]

[REDACTED] Uh, [REDACTED], um, [REDACTED], um, [REDACTED]

Detective [REDACTED] Do you have a middle name or –

[REDACTED] Yes, [REDACTED].

Detective [REDACTED] [REDACTED]? Is [REDACTED] your maiden name?

[REDACTED] Uh, no, it's my married name.

Detective [REDACTED] Oh okay. Um, was that from a previous marriage? Oh, okay, and wa, who were you married to before?

[REDACTED] Um, his name's [REDACTED].

Detective [REDACTED] [REDACTED] Was he local here or was that from some –

[REDACTED] No, he lives –

Detective [REDACTED] – other place?

[REDACTED] – in [REDACTED].

Detective [REDACTED] Did you live in [REDACTED]

[REDACTED] Mm hmm.

Detective [REDACTED] Where in [REDACTED]d you live?

[REDACTED] [REDACTED]

Detective [REDACTED] [REDACTED]? Okay. I know exactly where that is. It's nice up there.

[REDACTED] Mm hmm.

Detective [REDACTED] Yeah, I used to go to [REDACTED] 'cause they, I lived in [REDACTED] [REDACTED] so –

[REDACTED] Hmm.

Detective [REDACTED] – so all those places up there. [REDACTED], all that stuff. Um, well we know your home address, and then you're gonna be traveling in your car?

[REDACTED] Mm hmm. To check out some of the beaches so.

Detective [REDACTED] Cool.

[REDACTED] I haven't really been past San Fran, or, I guess, Santa Cruz so I'm gonna go south.

Detective [REDACTED] Oh cool. Like Monterey and stuff like that ****?

[REDACTED] I've been to Monterey, yeah.

Detective [REDACTED] Okay.

[REDACTED] Is that further south than Santa Cruz?

Detective [REDACTED] Yeah, Santa Cruz is north of Monterey.

[REDACTED] Oh. So yeah.

Detective [REDACTED] Um, when are you planning on moving outa your residence?

[REDACTED] Um, I don't have a date.

Detective [REDACTED] Just whenever you get your stuff packed outa there?

[REDACTED] Mm hmm. I told 'em I wasn't in a big rush so.

Detective [REDACTED] Okay, and then is [REDACTED] gonna stay there?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. Have you used any other names, aliases, anything like that?

[REDACTED] Um, I have, um, a married, I have my maiden name.

Detective [REDACTED] Okay. What is your maiden name?

[REDACTED] Uh, [REDACTED], and then [REDACTED].

Detective [REDACTED] Okay, and what's your current phone number?

Detective [REDACTED] Not really?

[REDACTED] I mean I watch it just to make it fun and bet against the other people, but no.

Detective [REDACTED] Okay. Cool.

[REDACTED] Not bet, but go against ****.

Detective [REDACTED] I'm a horrible sports fan. The only thing I ever watch is the Celtics and usually that's in the playoffs and stuff.

[REDACTED] I saw them in a basketball game.

Detective [REDACTED] Did you? When?

[REDACTED] Mm hmm. Um, I took my son up to Portland. They were playing the Trail, um, Trailblazers.

Detective [REDACTED] Yeah? Did you like it? Was it fun?

[REDACTED] Mm hmm.

Detective [REDACTED] Yeah?

[REDACTED] Yeah. We went to two.

Detective [REDACTED] Yeah, I always enjoy watching the basketball games over any other sports.

[REDACTED] Yeah. It's –

Detective [REDACTED] It's interesting.

[REDACTED] – mom-son time, and we went actually up there and saw, um, Jazz, which is his favorite team.

Detective [REDACTED] Oh, that's cool.

[REDACTED] Yeah.

Detective [REDACTED] Um, do you have a college degree or anything like that?

[REDACTED] Mm hmm. I have my Bachelors in nursing.

Detective [REDACTED] And you and [REDACTED] are still married, correct?

[REDACTED] Yes.

Detective [REDACTED] But I think you said at the house, that you guys have decided to go your separate ways completely and –

[REDACTED] We have the divorce papers. We just need to sign 'em now –

Detective [REDACTED] Okay.

[REDACTED] – um, file 'em.

Detective [REDACTED] So you guys both getting along with all that stuff now, and –

[REDACTED] And, yeah, he's been gone so it's been nice.

Detective [REDACTED] Okay. Do you guys have any children together?

[REDACTED] No.

Detective [REDACTED] Okay, but he has two children, right?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. What were their names?

[REDACTED] Uh, [REDACTED] [REDACTED] and then [REDACTED], [REDACTED]

Detective [REDACTED] Do you have a pretty good relationship with them?

[REDACTED] Yeah.

Detective [REDACTED] Yeah? So that must be tough with all this going on.

[REDACTED] I'm surprised I stayed as long as I have.

Detective [REDACTED] Yeah? Where are they at right now?

[REDACTED] They're in Colorado with their mom.

Detective [REDACTED] Okay. Are you still gonna try to have a relationship with him after this or is it basically –

[REDACTED] There's no way her, their mom will let me.

Detective [REDACTED] No?

[REDACTED] She didn't want me part of their lives anyways.

Detective [REDACTED] Oh, I'm sorry to hear. That's gotta be tough.

[REDACTED] It's, it's gonna be hard.

Detective [REDACTED] Um, so the, the name of the company you work for again? Are you okay?

[REDACTED] Mm hmm.

Detective [REDACTED] Take your time, all right. I don't want you to feel like we've gotta jump through all these questions real quick. If –

[REDACTED] Mm hmm.

Detective [REDACTED] – there's anything you wanna talk about, I'm here to listen too.

[REDACTED] Mm hmm. No, I'm just getting tired. Um, I work for Reach County Medical.

Detective [REDACTED] Okay.

[REDACTED] I work for the [REDACTED], and I work for, um, [REDACTED], and I work for, um, [REDACTED].

Detective [REDACTED] I don't even write as fast as you, uh –

[REDACTED] Where to –

Detective [REDACTED] – the places you're working.

[REDACTED] – where did I leave ya?

Detective [REDACTED] Uh, s, something with Arizona.

[REDACTED] Oh, [REDACTED].

Detective [REDACTED] Uh, is [REDACTED] your primary job or –

[REDACTED] Yeah.

Detective [REDACTED] Okay. Well you are quite busy with work it sounds like.

██████████ Yeah. I just quit ██████████.

Detective ██████████ You working at ██████████ too?

██████████ I was. In their ██████████.

Detective ██████████ Now you were ever in the r, ever in the military?

██████████ Mm hmm. I was in the ██████████.

Detective ██████████ You were in the ██████████? Really?

██████████ Mm hmm.

Detective ██████████ When were you in the ██████████?

██████████ When?

Detective ██████████ Yeah.

██████████ ██████████

Detective ██████████ What did, what did you do?

██████████ The administrative assistant, so I did like all the promotions and paperwork and stuff like that. I went in as an ██████████ and you had to be like a ██████████ to go to medical school, so.

Detective ██████████ Did you, uh, did you ever go to medical school?

██████████ Mm mm.

Detective ██████████ No?

██████████ No, I ended up getting out on a medical, um, discharge 'cause, um, I was pregnant and my ex-husband was in the military also.

Detective ██████████ Okay.

██████████ And it was during Desert Storm so I ended up getting out since we both couldn't deploy.

Detective ██████████ Oh –

██████████ Deploy.

Detective [REDACTED] – I see, okay.

[REDACTED] And then I had another baby at home.

Detective [REDACTED] Okay. Did you, did you wanna stay in or were you just kinda –

[REDACTED] I liked it. I liked it.

Detective [REDACTED] Okay.

[REDACTED] Um, but a parent has to be home so –

Detective [REDACTED] Okay.

[REDACTED] – and he had more time in than I did.

Detective [REDACTED] You said you had some, uh, you were pregnant at that time. You guys have a, did you, did you have children of your own right now or?

[REDACTED] I have [REDACTED].

Detective [REDACTED] children? Wow. Where, where are they at?

[REDACTED] Uh, my oldest is in [REDACTED]. Um, she got her degree in, um, microbiology and chemistry from Oregon State.

Detective [REDACTED] Wow.

[REDACTED] Um, a son is in [REDACTED] working on avionics, um, on airplanes. He, um, had joined the Navy after graduating and then that was like his field of study, and then he was able to get a job in [REDACTED] doing it, and then I have a boy that's in [REDACTED] in the Air Force.

Detective [REDACTED] Mm hmm.

[REDACTED] He's in security, um, forces, and then I have a daughter who lives in [REDACTED]. Um, well I have two daughters who live in [REDACTED]. Um, one just started college, and the other one is finishing up high school.

Detective [REDACTED] Okay. Wow. That's, it, it's probably hard to keep track of 'em all.

[REDACTED] Nah, it's easier now.

Detective [REDACTED] Yeah. I'll bet. I'll bet.

[REDACTED] Mm hmm.

Detective [REDACTED] I have two and I can barely keep track a them.

[REDACTED] Well they're grown, mine are pretty much grown.

Detective [REDACTED] Yeah. Um, have you ever been arrested before, besides what we already know about?

[REDACTED] No.

Detective [REDACTED] No? Okay. Um, have you ever been a suspect before in a case or anything like that?

[REDACTED] Nope.

Detective [REDACTED] And how do you feel today?

[REDACTED] Shitty.

Detective [REDACTED] Okay. Um, I probably, is, do you feel that way emotionally or do you feel that way because you're sick or –

[REDACTED] No.

Detective [REDACTED] – more interested in how medically you feel.

[REDACTED] I'm fine.

Detective [REDACTED] You're fine? Okay. Uh, are you under any type of doctor's care whatsoever?

[REDACTED] I have a doctor.

Detective [REDACTED] Right, but I mean like, when I see a doctor's care, I mean like you're currently getting medications or treatments or anything, like any type of mental health things or any type of –

[REDACTED] I take medicine –

Detective [REDACTED] – physical stuff?

[REDACTED] – for depression.

Detective [REDACTED] Okay. Is that a recent thing or is that –

[REDACTED] No.

Detective [REDACTED] – something you've taken for a long time?

[REDACTED] Yeah. I've been taking it for years.

Detective [REDACTED] Okay. Have you been taking your medications regularly now? Okay. So we already kinda talked about alcohol and drug use earlier today. Um, have you taken any type of alcohol or drugs, other than you said you had I think a beer or –

[REDACTED] I had beer when I was on a conference call –

Detective [REDACTED] And then –

[REDACTED] – this afternoon.

Detective [REDACTED] And they were just like a –

[REDACTED] A sip.

Detective [REDACTED] – maybe a sip taken out of the other one, right? Okay. Do you feel any effects of that at all? Okay. And how about medications? Any of your medications you take affecting you in any way at this point?

[REDACTED] No.

Detective [REDACTED] Okay.

[REDACTED] I never do any drugs, so no.

Detective [REDACTED] Okay. Yeah, we did talk about that and, um, so you don't use marijuana? Some people believe it or not ****, a lotta people don't consider marijuana even a drug anymore.

[REDACTED] Well you still get like tested and it's still reported.

Detective [REDACTED] That's true.

[REDACTED] Um, no.

Detective [REDACTED] Okay. Okay. So, like I said, I appreciate you coming down here and talking to me. Um, you know, you told me that you don't wanna talk to me about, um, you know, the, the firearms and shit at your house, and that's fine. Um, I respect that. I, I understand why. Um, I do appreciate you coming down here to talk about the original case that we came here to talk to you about. Okay? Um, you know. Why don't we just start with this, and you, in your, in, in your own words tell me, kinda lay out everything that happened for me that night, um, when you were, from the time, you know, you and [REDACTED] were, were at the house and you

guys started drinking, or maybe that whole day, if you can remember what you can, and just kinda lay out for me that whole night, how that all happened. Okay?

██████████ Um, so I had gotten home from work, um, and ██████████ kinda started picking my buttons, um, as soon as I got home. Um, and then he went to the store about 11 to get me some beer and, um, I had a couple, and we went to lunch. Um, had a couple with the kids, and I didn't wanna go to lunch and he got the kids to talk me into it because I was not in a good mood after I came home, and –

Detective ██████████ Sure.

██████████ – then, um, he was kind of, he was picking at me all day, just pushing my buttons, and he had said something about the lawn furniture once again, um, the patio furniture, and so I guess I just snapped, and I started picking up the furniture and I threw it off the side of the driveway.

Detective ██████████ Okay.

██████████ And then I went in the house and, 'cause this all, it's my stuff, and he hates it and so I went in the house and grabbed other items that he said he hated, and I started throwing them, and then, um, he told me that he was gonna call the cops, and so then ██████████ and I went and hid in the closet. Um, and then the next thing I remember I was under the shed, um, but she wasn't with me, and then they were arresting me.

Detective ██████████ Okay.

██████████ And then I got put in the car and taken down to jail.

Detective ██████████ Okay, and then, and then what happened next?

██████████ Um, they fingerprinted me and was saying how cool my job was, and I was like, yeah, well it's cool until this, 'cause then, you know, that being arrested with a domestic abuse would be a felony. ██████████ didn't have any pull I guess, and I remember he wanted to talk to me when I was in the back of the police car, and I told him no, um, and then, well and then Officer Daniel read me my rights, and I told him I wasn't fucking gonna talk to him anyways, and so I didn't. Um, and then I got in there, and then they, they took pictures of my tattoos and bruises and fingerprints, and then I got put in a cell.

Detective ██████████ Okay. And then, um, after you were in the cell, what happened?

██████████ Um, I was sitting, I thought it was forever, but I was sitting in there, um, in the middle 'cause I didn't wanna touch the walls and stuff, and –

Detective ██████████ Yeah, I can unders, I can understand that.

██████████ I was, um, kind of sitting in a ball, and I was rubbing my foot and he had come in and asked what was wrong with my foot, and I said nothing, and he's like, "Well why is it bruised?" I'm like, "I don't know", and then he's like, "I'm gonna take you to the hospital." I'm like, "You can't take me to the hospital. I work with those people. Like what are they gonna do for a broken foot?"

Detective ██████████ Mm hmm.

██████████ And, um, he's like, "How did you get it?" and I said, "I don't, I don't know." I said it was probably during s, the scuffle, um, with me throwing stuff. I don't know if ██████████ stepped on it trying to get me not to throw something. I don't, I don't know how, but my toe got broken. Um, and then, um, he left and then he came back and he had me go with him, and I told him I wasn't going to the hospital, and he's like, "No, I'm taking you home", and then we, he drove me back, and then when we got to my house, I asked him for his, if he had a card 'cause I was gonna most likely have questions about it the next day, and then when I got home the two kids were still up, um, and I had gotten my phone and my kids had been texting me, and so I was texting them back that everything was fine, like I didn't know that they knew. Um, they were just asking how I was doing, whatever, and will they end up both of them and to call me and tell me that ██████████ had, um, told them that I got arrested, and that I went after him and the cops with a knife too, and, um, they had said that he was texting them, and I said well take pictures of those and email them to me 'cause my phone doesn't receive pictures, and, um, but I had asked them a couple a days later, if they still had the text messages that he sent. Um, but I reinforced with them that I didn't go after anybody with a knife. I didn't have a weapon. Um, then it said I had a little screwdriver, which I did have a little screwdriver at one point 'cause I was trying to take that, um, ██████████ established, that sign off the wall 'cause I was gonna throw it. Um, I did have a little screwdriver at that point. Um, and then, so I talked to the girls. The kids talked the girls, and then the kids and I went and slept in the spare room, and then ██████████ woke up, um, almost in time, I mean it was almost morning, like early morning. He woke up and had asked me, "How the fuck'd you get home?" and, or he asked me, "How did you get home?" I said, "I fucking sucked his dick. How do you, how the fuck do you think I got home?" and that was the comment that led to this.

Detective ██████████ Okay. So just focusing on this portion of things that happened, okay. Um, going back to the original night, you made mention of a scuffle when you talked about when you, Deputy Daniel noticed the bruise on your foot, um, and so tell me more about that. What, what it is, how did the scuffle take place?

██████████ We're not really sure. I, what I'm thinking is I was trying to throw some furniture and ██████████ was trying to take it away from me, is what I'm guessing. I do not know.

Detective ██████████ Okay. Um, how many beers do you think you had that night?

██████████ Oh, I had a lot that day.

Detective ██████████ Okay.

██████████ Um, I think throughout the whole day, probably 12.

Detective ██████████ Twelve? Okay.

██████████ IPAs.

Detective ██████████ And that was starting from about what time to what time?

██████████ About 11 until whenever I got arrested, which I think was around 7 –

Detective ██████████ Mm hmm.

██████████ – ish. I'm not really sure.

Detective ██████████ Would you say that you were drunk?

██████████ Mm hmm.

Detective ██████████ At the time you were arrested?

██████████ Yeah.

Detective ██████████ Okay. How did the alcohol make you feel?

██████████ Oh, I don't remember part of the day.

Detective ██████████ Okay. So it's safe to say there's time that you just don't remember because of the alcohol use?

██████████ Mm hmm.

Detective ██████████ Okay. Where, do you remember the scuffle on the porch at all?

██████████ Mm mm.

Detective ██████████ You don't? Okay. Then, I guess the question is, how do you know it took place if you, if you don't remember what happened?

██████████ I don't know –

Detective ██████████ Okay.

██████████ – 'cause ██████████ doesn't remember either.

Detective ██████████ Okay.

Well how many, how many, listen, how many beers did [REDACTED] had that day? That's a good question too.

Detective [REDACTED] Oh, he had a lot more than I did.

[REDACTED] Lot more than you did?

Detective [REDACTED] Mm hmm. Um, does he drink regularly?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. Can you tell me more about that?

[REDACTED] Um, he drinks pretty much every day and gets drunk when he's home.

Detective [REDACTED] Okay. Um, how many days a week would you say he's drunk?

[REDACTED] Um, re, well the last couple a months not as often because he hasn't been home. He's been working two jobs, but when he was home, it would be, he'd work two, be off four, so he would be drunk four, and then work two.

Detective [REDACTED] So every day?

[REDACTED] Yeah.

Detective [REDACTED] Okay. Would you say he's an alcoholic?

[REDACTED] Yeah.

Detective [REDACTED] Okay. And how about yourself?

[REDACTED] I definitely have increased my intake of alcohol since I've been with him.

Detective [REDACTED] Okay. So how many days a week would you say you drink to when you're intoxicated?

[REDACTED] 'Til I get intoxicated?

Detective [REDACTED] Mm hmm.

[REDACTED] Um, I would say once every couple a weeks.

Detective [REDACTED] Once every couple a weeks?

[REDACTED] Mm hmm.

Detective [REDACTED] How often do you just drink period?

[REDACTED] I always have a beer or two a day.

Detective [REDACTED] Okay.

[REDACTED] Yeah.

Detective [REDACTED] Well lots of people do. Um, would you say that you have a alcohol problem?

[REDACTED] Mm, for the last cup, I would say, yes, yes.

Detective [REDACTED] And, and understand when I ask some of these questions, I'm not judging you, okay.

[REDACTED] No, but I –

Detective [REDACTED] I'm not at all. Okay?

[REDACTED] – I would say the last couple a months I have drank more than I need to.

Detective [REDACTED] Sure.

[REDACTED] But when he's not home, I don't drink –

Detective [REDACTED] Okay.

[REDACTED] – like that.

Detective [REDACTED] What about since this domestic violence incident? ***** you've, have you increased your alcohol take since then?

[REDACTED] Mm mm. I've decreased it.

Detective [REDACTED] Decreased it?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. Kinda reevaluated things a little bit?

[REDACTED] Yes.

Detective [REDACTED] Okay. I got it. I get it. Um, so just kinda moving on. So you don't remember most of the scuffle that took place on, on the porch, right?

██████████ No, I re, I mean I just remember throwing out, out the furniture and then going in the house and throwing furniture. Um, I think the scuffle happened when I was trying to take the, um, thing off the wall, 'cause I think that's the only time that ██████████ was actually near me.

Detective ██████████ Mm hmm. Did you ever touch ***** this that you can remember?

██████████ I think I pushed him.

Detective ██████████ You just pushed him?

██████████ Mm hmm.

Detective ██████████ Okay.

██████████ Away from me.

Detective ██████████ Okay, and do you remember how that happened?

██████████ I think I was trying to unscrew it and he was grabbing my arms, and I think I just pushed him.

Detective ██████████ Okay. Was he just grabbing your arms to stop, stop you from unscrewing it?

██████████ Yeah.

Detective ██████████ Okay, and did you have any injuries from that?

██████████ No, I don't think so.

Detective ██████████ Okay. Um, so just, do you remember if ██████████ ever, you know, you mentioned you had something wrong with your foot. Um, can you tell me more about that?

██████████ Oh, the, the toe, the foot was broken.

Detective ██████████ Mm hmm.

██████████ Yeah.

Detective ██████████ Okay. Do you remember how it occurred?

██████████ No.

Detective ██████████ Okay. Um, and you said that Deputy Daniel noticed that while you were at the jail.

██████████ Mm hmm.

Detective ██████████ Did you alert him to that or did he notice that?

██████████ Well, when he was walking in, I was rubbing my foot and he noticed it.

Detective ██████████ Okay.

██████████ 'Cause I had sandals on, and my, I had my shoes off, and –

Detective ██████████ Mm hmm.

██████████ – and I was, it was a large bruise.

Detective ██████████ Okay. Did you ever take any pictures of that bruise?

██████████ No.

Detective ██████████ Did you ever take any videos of your, your injuries or anything like that? Okay. Um, is there any reason why you didn't?

██████████ I don't, I don't know why I would've.

Detective ██████████ Mm hmm. Well lots of people do because they'll say oh, you know, it just happens a lot where, um, you know, I investigate these cases and later on victims go home and take pictures of their injuries, and go look you did this to me. You know, as far as especially if you're not split up, 'cause that can come up in the divorce court and stuff like that, you know what I mean.

██████████ Right.

Detective ██████████ Um, but that didn't occur in your case?

██████████ Mm mm.

Detective ██████████ Okay. Um, so we're jumpin' around a little bit. I'll try 'cause I have just a lotta different questions, but, um, goin' back to when you were first arrested, you said that, um, Deputy Daniel tried to interview in the car, and you do remember that?

██████████ No, he read me my rights.

Detective ██████████ Okay.

██████████ And I told him I wasn't gonna talk to him anyways.

Detective [REDACTED] Okay.

[REDACTED] But I didn't say it that nice.

Detective [REDACTED] Oh, how'd you say it?

[REDACTED] I don't, I, I said it doesn't fuckin' matter. I'm not gonna talk to you anyways.

Detective [REDACTED] Okay. Did you feel like you were invokin' your rights at that point?

[REDACTED] I was, well, what do you mean?

Detective [REDACTED] Well, just like we've read you your rights tonight, and just like multiple ****.

[REDACTED] ****

Detective [REDACTED] Um, at that time, when he was reading you his, your rights, did you feel by saying that, you were invoking your rights to not speak with him?

[REDACTED] I wasn't, just I wasn't gonna speak to him.

Detective [REDACTED] Okay. And then you mentioned that – when was the next time you spoke with Deputy Daniel about what took place?

[REDACTED] Um, I think when, uh, he came in with my foot.

Detective [REDACTED] Okay. Did you ever have any other conversations with him before that?

[REDACTED] Mm mm.

Detective [REDACTED] Okay.

[REDACTED] Not that I recall.

Detective [REDACTED] Okay. Um –

[REDACTED] But I also don't remember the whole, like, everything that, like, I couldn't tell you where the jail's at right now.

Detective [REDACTED] Mm hmm.

[REDACTED] Like, I have no idea where the jail's at.

Detective [REDACTED] Sure. Uh, that, that's pretty common.

██████████ Mm hmm.

Detective ██████████ Pretty common.

██████████ Mm hmm.

Detective ██████████ Um, so then, and when you previously said that, um, Deputy Daniel, um, told you he was taking you to the hospital, um, was that, how long was that by the time you didn't – well, let's go back to this. Did you s, did you actually see a nurse or anything when y, you came into the, the jail?

██████████ Mm mm.

Detective ██████████ No? Okay. Did you ever see a nurse that night in the jail?

██████████ I don't think so.

Detective ██████████ Okay. Um, but Deputy Daniel told you he was gonna take you to the hospital?

██████████ Yeah.

Detective ██████████ Okay.

██████████ Have my foot ****.

Detective ██████████ Tell me more about that conversation.

██████████ Oh, just when, uh, he was, he had come in. I was rubbin' my foot. He said I'm gonna take you to the hospital, and I'm, like, I'm not, I don't wanna go to the hospital. I said there's nothin' they're gonna do for my foot.

Detective ██████████ Mm hmm.

██████████ So –

Detective ██████████ And then did you ask to go home or did he take you home?

██████████ He took me home.

Detective ██████████ Okay. So whose idea was it to, to take you back home?

██████████ Well, he had, so I was tryin' to get some information. I guess I had a second conversation with him because I was, like, how do I get outta here, and he's tellin' me about a bal, bails bondsman thing, and I'm, like, well, what is that? And I was tryin' to, like,

okay, how do you get from here to home? And he's, like, um, u, usually somebody will come get you or you can taxi it or whatever, and I'm, like, well, I have no money. I don't have anybody to come get me. My piece-of-shit husband's drunk, um, and so I was just tryin' to figure out, like, how I would get home, and then, then after that is when, um, I was in the cell again, and then I was rubbin' my foot, and then he said he was gonna take me to the hospital, then he ended up leaving, and then he came back and, um, had me go with him, and he brought me home.

Detective [REDACTED] Okay. So you said that he took you to the, to the, so you guys were in basically the garage area of the jail when you were talkin' about goin' to the hospital? Is that where you're standing?

[REDACTED] [REDACTED] No, we're standing with the people, um, I guess the intake people.

Detective [REDACTED] Mm hmm.

[REDACTED] [REDACTED] I was, we were with them.

Detective [REDACTED] Mm hmm.

[REDACTED] [REDACTED] Um, when I was askin' them like how do I get outta here and how do I find a, I was kinda, I couldn't remember his name, the ****, uh, like how do I find one of those, and they said you have three phone calls, and I'm like I don't have my phone. I don't know anybody's numbers except for Devon's –

Detective [REDACTED] Mm hmm.

[REDACTED] [REDACTED] – but we were in like where they do the fingerprints, that area.

Detective [REDACTED] Okay, and then when you had the discussion about going to the hospital, where were you at?

[REDACTED] [REDACTED] I was in a cell with, uh, ****.

Detective [REDACTED] Okay. Um, so you made mention that you were out of the cell. Then, you went back in the cell and Deputy Daniel left and came back? Is that what I understand?

[REDACTED] [REDACTED] Well, I was out of the cell. I talked to him about it. They brought me down to another part where they've, um, took pictures of me, and then they put me into another cell.

Detective [REDACTED] Okay, and then at the, the, when did the conversation with going to the hospital take place during all that?

[REDACTED] [REDACTED] I've ended up, it was the last place I was, in the big, like I would say it was a bigger cell. It was –

Detective [REDACTED] Okay. It was one of the holding cells there?

[REDACTED] Yeah, it has nothing in it except for a drain in the middle and then the toilet behind the wall thing.

Detective [REDACTED] Okay. Um, did you ever tell Deputy Daniel **** caused this injury to you?

[REDACTED] Not that I can recall.

Detective [REDACTED] Okay, and you don't remember [REDACTED] ever did cause that injury is what I'm understanding?

[REDACTED] Right. I think I might have said, I didn't tell him, I think I said, 'cause he broke my foot is what I think I said.

Detective [REDACTED] Okay, and did you ever get medical treatment for your foot?

[REDACTED] No.

Detective [REDACTED] Okay, um, and what I –

Kelli [REDACTED] There's nothin' they're gonna do about it. There's, I mean, put me in a boot, that's it.

Detective [REDACTED] Well, yeah, I mean, it just depends on how it's broken or where, right?

[REDACTED] Right.

Detective [REDACTED] And so, you said your toe or your foot was broken?

[REDACTED] My foot.

Detective [REDACTED] Your foot, okay, and then, um, when you got back to the house, you mentioned that [REDACTED] was there?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. Wha, what, what happened when you got back to the house?

[REDACTED] Um, when I got back, the two kids were up. Um, [REDACTED] was asleep on the bed, and then that's when I grabbed my phone and the girls had texted me what not –

Detective [REDACTED] Okay.

██████████ – and I talked to them, and then the two little ones and I went into the spare room and went to bed.

Detective ██████████ Okay. Um, there was another 911 call –

██████████ Mm hmm.

Detective ██████████ – at the house that morning. Can you explain that to me?

██████████ So –

Detective ██████████ What happened there?

██████████ So, ██████████ got the kids up. Well, we all got up and so I could say goodbye to them. It was about 5:30 that they had left, 5:35, something like that, and then all of a sudden like 10 minutes later, **** people showed back up, and I wasn't going to answer the door, 'cause I wasn't plan, I mean, I don't answer the door unless I know someone's comin' over. Um, just with past experience, it hasn't gone well for me, so if I don't know if you're comin' over, I won't answer the door. Um, so, there was pounding, and it was, was the sheriff's office, and I'm like fuck, what did I do, and so I got up and answered the door, and they're like we had another 911 call, and I'm like I didn't make the call, and they're like no, and I'm like was it a 209 number, and they're like yeah, and I was like that's Devon's phone, and, um, they went through and checked out the house, and then they both left.

Detective ██████████ Okay.

██████████ And then, ██████████ had, um, I think, uh, he, I think I called him and said why did you call 911 again –

Detective ██████████ Mm hmm.

██████████ – and he said that he had, um, accidentally hit ****.

Detective ██████████ And, and who were the deputies that showed up that morning? Do you remember?

██████████ Um, it was Daniel and another gentlemen that had been there the night before –

Detective ██████████ Okay.

██████████ – but I don't know his name.

Detective ██████████ Okay. Um –

██████████ I didn't know either one of there's names, so I didn't know, but –

Detective [REDACTED] Was [REDACTED] upset that, um, you were back at home?

[REDACTED] [REDACTED] Um, I think kinda. I mean, it did not sound like it when he got up and asked me how I got home. Um, it sounded like he wasn't too happy about me being home, but –

Detective [REDACTED] Is that because you got released or –

[REDACTED] [REDACTED] I don't know if it's 'cause I had both kids in the bed with me and they weren't in the bed with him. I don't know. I don't know.

Detective [REDACTED] Hmm.

[REDACTED] [REDACTED] I don't know why he –

Detective [REDACTED] And what was your, um, what was his response when you told him you had sucked the guy's dick?

[REDACTED] [REDACTED] Um, nothing, he just went back to bed.

Detective [REDACTED] There was no argument –

[REDACTED] [REDACTED] Mm mm.

Detective [REDACTED] – or anything like that?

[REDACTED] [REDACTED] No.

Detective [REDACTED] 'Cause I know if my wife said that to me I'd be pretty pissed off.

[REDACTED] [REDACTED] I'm not, and unfortunately, I said things like that to him before and he doesn't react, so, um, no, he went back to bed.

Detective [REDACTED] Well, tell me more about that. How does he react when you say things like that to him usually?

[REDACTED] [REDACTED] Um, he usually doesn't, just because we've gotten, we can get into some heated discussions, and he'll say stupid stuff like that to me, and I say it back to him, so, um, it's a very volatile relationship.

Detective [REDACTED] Okay. So, it sounds like there's been a lot of issues in the past?

[REDACTED] [REDACTED] Mm, 2 years, yeah.

Detective [REDACTED] Two years? Has there been any other violence or anything?

██████████ On my part?

Detective ██████████ I mean, just period.

██████████ Um, um, I don't know how to answer that.

Detective ██████████ Well, you answer it how you want to, okay?

██████████ There has been some things that have not been good in our relationship.

Detective ██████████ Okay. Do you wanna tell me more about that?

██████████ Um, so, him and I quit havin' sex, and when he wants it, he just kinda does it.

Detective ██████████ Okay. Do you wanna tell me about, 'bout that?

██████████ No.

Detective ██████████ Okay. Like I said earlier, it, it's, it's up to you if you want to talk to me about that or not. I'm not gonna force you to do that. I would never do that, okay?

██████████ But I'm his wife his wife, so I mean, that's part of my duty.

Detective ██████████ Well, that's not exactly what the California State Law says, okay? So, depending on the circumstances of those things, that's also a crime, and that's, like I told you earlier, I'm not only here to investigate the incidents of domestic violence, I'm here to investigate all the criminality related to this entire thing, okay? And that's my job, but like I said earlier, if they, if he has done somethin' like that to you, I want to know about that. If you are more comfortable havin' an advocate here while we speak, we can call and see if we can get somebody to come down and sit with you, and then we discuss those issues, okay? Um, is that something that you want to do right now?

██████████ Have an advocate? No.

Detective ██████████ Okay.

██████████ The least people that know about this the better.

Detective ██████████ Okay. Well, they're all confidential. They can't tell anybody either, and they're just here for you, to be a support for you, okay? Um, and if you want that at any time, just let me know, okay? Um, do you want to talk to me more about what's been goin' on with ██████████ and that issue?

██████████ It's, um, the reason why I'm leavin', we have a very volatile relationship.

Detective [REDACTED] Okay. Do you want to provide me any specific details about that?

[REDACTED] My, you can see the text message on my phone. So, the last time I was home with him, um, I was sleepin' in the spare room, and he was tryin' to get some, and I hit him and kicked him off the bed so that he didn't do that.

Detective [REDACTED] So, can you tell me a little bit more about how that all took place?

[REDACTED] Um, so, he had been drinking. I had a couple beers, but I had to work the next morning, and so I went to go to bed in the spare room, because I didn't want to sleep in the room with him, 'cause I always have to like face him **** and things don't go well. Um, so, I went and slept in the, well, at first, it started in my room, and I had locked him out, but he had broke in, and so then, I got pissed, and I went into the spare room, because I was like this, I have to work tomorrow. All my stuff's in that bathroom, and so I was like why don't you go sleep in the spare room, and he wouldn't, and so then, I got up and went into the spare room, um, and then, it wasn't that much longer that he came in and he, um, tried to get me to go to the store and get him some more alcohol, and so, I was like no, I'm not gettin' you more beer, um, and then I found, uh, I had hidden some alcohol from him, and I gave it to him, and I'm like now, can you leave me alone? And then, he, I think he tried some more, and then he ended up comin' in and tryin' to get frisky with me, and I ended up hittin' him and, um, kickin' him off the bed, and then he tried it again, and then, um, I think I hit him again.

Detective [REDACTED] Okay. When you say he tried to get frisky with you, can you tell me more details?

[REDACTED] He tried to have sex with me.

Detective [REDACTED] And how did he try to do that?

[REDACTED] Um, like pullin' at my clothes and stuff.

Detective [REDACTED] Okay. Did he ever touch your private parts or –

[REDACTED] No.

Detective [REDACTED] – your breasts or your vagina or anything like that?

[REDACTED] No, 'cause I was fightin' him.

Detective [REDACTED] Okay. Was he sayin' anything while this was takin' place?

[REDACTED] Mm, I'm his wife and that he needs to get it from me.

Detective [REDACTED] Okay, and you said when did this event took place?

[REDACTED] Hmm?

Detective [REDACTED] How long ago did this take place?

[REDACTED] Um, this last time? Um, probably just a couple, about a week, 2 weeks ago.

Detective [REDACTED] 'Kay.

[REDACTED] It's the last time we've been together, like in the house together.

Detective [REDACTED] And had there been previous instances like this?

[REDACTED] Yeah.

Detective [REDACTED] Do you wanna talk to me about those? Okay. Well, if you do wanna talk to me about those, you, I'm always here, okay? All right, so, I know there's this other stuff that's happened and all this other crazy stuff, um, but we do wanna be there for you for ****. You okay, [REDACTED] All right. I, I truly mean that, all right? I take no pleasure in doin' anything with this case, okay? To be honest with you, um, but it is my job, and I'm, I will do the best I can, okay? Um, so, like I said, if you wanna talk to me about those things, do you need a minute?

[REDACTED] I'm okay. Um, no, I'm, yeah. No, I just, I don't wanna get him in trouble. We just need to be done and separated and go our own way.

Detective [REDACTED] Okay. Well –

[REDACTED] So, I had asked for, um, Devon's card, and so the next day, like, in the afternoon, I think I texted him to apologize.

Detective [REDACTED] So, I have a little bit of a question about the card, okay? Um, did that have his personal cell phone number on it?

[REDACTED] Um, that was the number on the back.

Detective [REDACTED] It was written on the back of the card, just handwritten? Okay, um, and was that Tuolumne County Sheriff's card?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. Do you still have it?

[REDACTED] Mm mm.

Detective [REDACTED] Okay. Um, but you said you sent text messages or somethin' like that? So, it was a digital thing?

██████████ Mm hmm.

Detective ██████████ Okay. What was the context of that?

██████████ I just said, apologized for being an asshole to him and then asked him if I could ask him some questions about like what happened and now what happens.

Detective ██████████ Okay, and then what was his response?

██████████ He said he, he would talk to me, and so then, he had come up. Um, we were sittin' outside on the driveway, and I gave him a cup of coffee, and then we talked about like what happened, why, what ██████████ said, um –

Detective ██████████ And this was the day after the incident?

██████████ Mm hmm.

Detective ██████████ Okay. Do you remember about what time that was?

██████████ Mm, no, 'cause it took me a bit to sober up.

Detective ██████████ Sure, sure, and like I said, I'm not judgin' you ****, okay?

██████████ No, but I don't drink like that, and so I, well, luckily I was on call that day, 'cause when they had come back and they had asked me if I was drinkin', I said no, I have to work in a couple hours.

Detective ██████████ Mm hmm.

██████████ One of the, one of them said if you sober up enough, 'cause I was still, I was still quite buzzed, and, um, there was no way I was goin' to work.

Detective ██████████ Okay.

██████████ There was no way I could've drove.

Detective ██████████ So, you, when you said Deputy Daniel came to your house, was he, uh, in uniform at that time or was he in civilian clothes?

██████████ No, he was in uniform.

Detective ██████████ Okay, and do you remember, so, you said you gave him a cup of coffee?

██████████ Mm hmm.

Detective ██████████ Okay. Were you guys at the top of the hill? Where were you guys at?

Just right at the dri, um, at the garage doors.

Detective At the garage doors? Okay.

Mm hmm.

Detective Um, did you have any conversations with him on the phone about any of this stuff?

Mm mm.

Detective Okay. So, this was all in person?

Mm hmm.

Detective Okay. Um, do you remember if it was daylight outside or dark or anything like that?

It was daylight.

Detective Daylight? Okay. Um, do you know **** the time of day?

It was in the afternoon.

Detective Mm hmm. Would you say it was before 6 or after or –

Maybe a little bit before, maybe around, before 6.

Detective Okay. If you don't, it's okay, too.

I really don't know. I know that it was still, I mean, the sun wasn't settin' or anything, but it was also –

Detective Mm hmm.

– summer. Um, and the only bad thing is that I, I don't know if your wife's like this, but like the little stuff you don't keep track of or you don't really like pay much mind to. The big stuff is what you focus on.

Detective Sure.

So, the little details I don't have. Um, that's why I take pictures of car accidents, because I can't really, like when they're tellin' me, if I'm workin' on a patient, I'm not listenin' to how fast they were goin', what they hit, like I'm havin' pictures taken –

Detective [REDACTED] Mm hmm.

[REDACTED] [REDACTED] – and anyways. Um, I, it was daylight. He was in his uniform. He did stay for a cup of coffee. We did talk about, um, kinda what happened that night. Um, I was asking him about like, um, the legal like what happens now and, um, he said that it wasn't, um, I wasn't bein' arrested, um, and then, that was it, and then, um, I was, I want to say a day or 2 later, um, I had asked him if he wanted to have a coffee, 'cause then I wanted to ask him about like when I applied for my nursing license, do I have to put down that I got arrested, because it's on the application, um, and for the Board of Nursing like you have to disclose that stuff, and I'm like, well, okay, so, I got arrested, but, and he's like you weren't charged. I'm like okay, so when I fill that stuff out, do I check that I got arrested, and he said no.

Detective [REDACTED] Mm hmm.

[REDACTED] [REDACTED] So.

Detective [REDACTED] Where did that coffee take place at?

[REDACTED] [REDACTED] On the driveway.

Detective [REDACTED] Oh, same thing?

[REDACTED] [REDACTED] Mm hmm.

Detective [REDACTED] Okay. Did he come inside the house during either one of these –

[REDACTED] [REDACTED] Mm mm.

Detective [REDACTED] – conversations or anything like that?

[REDACTED] [REDACTED] No.

Detective [REDACTED] Okay, and then, as you best can remember, the night that everything happened, um, you know, when he took you home, did you come straight home or did you guys go anywhere else?

[REDACTED] [REDACTED] Um, I was pretty much sober, like, I mean, I wasn't sober, but I remember driving home –

Detective [REDACTED] Mm hmm.

[REDACTED] [REDACTED] – and that we didn't go anywhere.

Detective [REDACTED] Okay.

[REDACTED] [REDACTED] We just went straight to my house.

Detective [REDACTED] Okay, and did you, did you ever offer to, to provide him oral sex for him –

[REDACTED] No.

Detective [REDACTED] – to let you outta jail?

[REDACTED] No, never.

Detective [REDACTED] Okay, and did you, during that, those two other times that he came to your house, was anything sexual taking place there?

[REDACTED] No, never.

Detective [REDACTED] Okay. So, um, you know, and like I said, if it did, it doesn't mean you're guilty of anything.

[REDACTED] No, no.

Detective [REDACTED] You know?

[REDACTED] I just –

Detective [REDACTED] It doesn't mean anything other than we just, you know –

[REDACTED] No, there's –

Detective [REDACTED] – that's obviously part of this investigation based on the, the stuff that, that came out with [REDACTED] and you, you know?

[REDACTED] No, there was nothin' like that –

Detective [REDACTED] Mm hmm.

[REDACTED] – and unfortunately, I made that comment to [REDACTED] and he went with it.

Detective [REDACTED] Okay. Which, you know, I mean, whatever' goin' on with [REDACTED] I mean, I think most, most people would take some offense to that or, you know, it, it, it, there's a reason we're all havin' these conversations right now, [REDACTED] I mean, we have this kind of unorthodox things that happened related to the domestic violence incident, but we don't usually let people go home.

[REDACTED] I don't think that that's why [REDACTED] reported him. I think it's because he saw the text messages.

Detective [REDACTED] Mm hmm.

Detective [REDACTED] Mm hmm.

[REDACTED] Um, so, that was why, plus I need, I needed some information from him regarding the whole situation. Um, and then, I just, um, I dunno. I've been in this shitty relationship for so long that I just started flirting.

Detective [REDACTED] Is it safe to say you were probably a little vulnerable at that time?

[REDACTED] Um, I don't know about vulnerable. Are you talkin' because of me and [REDACTED] and our split up?

Detective [REDACTED] Yeah.

[REDACTED] Oh no, this has been, I've been threatenin' to leave him for 2 years.

Detective [REDACTED] You've been married for 2 years, right?

[REDACTED] Uh, we've been married a little over 2 years, and he tried cheating on me three times in the 4 months that we got married.

Detective [REDACTED] Mm hmm.

[REDACTED] And so, that was the downfall of our relationship.

Detective [REDACTED] And that must've been hard for you to deal with.

[REDACTED] Mm hmm. That was really hurtful.

Detective [REDACTED] Mm hmm.

[REDACTED] But is stayed for the kids.

Detective [REDACTED] Mm 'kay.

[REDACTED] And I tried to forgive him, and then he's doin' the same thing.

Detective [REDACTED] Mm hmm. Um, so, you said that, you said that you met with him a couple, like a week later after the second incident, he got coffee, things like that. Am I right about that? Um, was there any text messages or phone calls back and forth between that meeting?

[REDACTED] Um, if there was, it was just like hey, how are you doin'? I'm fine. How are you? I'm fine.

Detective [REDACTED] Mm hmm.

Kind of stuff. Um, there was one time I had called, um, the house that's next to us. I had, um, called them and see, and see if he would come over and check, the house that's next to me, um, has been empty since spring break –

Detective Mm hmm.

– and I know that, um, so, when I went over there, everything was moved out and it was, like some stuff was missin' like light fixtures and stuff, because an older lady, and her husband had passed away, and so she was livin' in that house, but I hadn't seen her or the dog for a few days, so I went over there, because I know, and I had noticed that the house was empty. I know they had been, I mean, nobody was there, um, and then, it was like a couple, well, it was re, it was a couple, I would say a couple weeks after, um, having, uh, met with him, I asked him if he'd come over, 'cause there was a car there and check it out and make sure that there wasn't somebody stayin' in the house since it was empty.

Detective Okay. So, that was in between the coffee and the second meeting –

Mm hmm.

Detective – that was just after the third meeting?

No, that was I guess, I don't know. There's, I don't know. Um, maybe after the third meeting. I know that that was one reason why he came by.

Detective So, when did you start flirtin' with him? That, that was where we were kind of touching on some things and then –

Um, I would just probably say about 4 weeks maybe after, um, I got arrested.

Detective Okay, and how did that start?

Um, just with me, and I texted him. Hey, how you doin'? Um, I didn't know he was married. Um, we hadn't even talked about that. Um, the only personal thing that we had talked about before that was just, um, that I was expectin' a grandbaby and he had a grandbaby, so ****, but, um, I was just, um, I was just like hey, do you wanna come over and have coffee and, to chat and like not in a professional way, just like personal way.

Detective Mm hmm, and so, did he?

Um, eventually, he did, yeah.

Detective When you say that, do you mean was it that day or was it a different day or –

██████████ Mm, I, crap, this is so bad. Um, no, I don't think he came that day. I think he may have come the next day.

Detective ██████████ Okay, and then, what happened during that time?

██████████ I think we just, um, started kinda talkin' about like what he's goin' through, what I'm goin' through, and, um, we just ended, I think, and the conversations that we had afterwards, we just developed a bond of, of being in really horrible places and –

Detective ██████████ 'Kay. Was there any type of, you know, romantic stuff goin' on physically and, and, durin' that time?

██████████ Mm mm.

Detective ██████████ Like kissing, touching, anything like that?

██████████ Mm mm.

Detective ██████████ Did that eventually happen?

██████████ Mm hmm.

Detective ██████████ Okay. Can you tell me more about that?

██████████ And probably about a couple weeks later, um, I kissed him.

Detective ██████████ Okay, and when did that occur? How did that occur?

██████████ Um, he had stopped by for coffee.

Detective ██████████ Uh, let me, sorry, I need to go back again, but, uh, the last, you said it, the first time you started flirting with him and he came over, was he off duty or was he in uniform or –

██████████ Uh, he was off duty.

Detective ██████████ He was off duty that time?

██████████ Mm hmm.

Detective ██████████ Okay. Um, and then, the kissing time, when, when did that occur?

██████████ Um, he was in his uniform. Um, I had offered him coffee, and I think I took him by, or, or off guard 'cause I kissed him.

Detective ██████████ Okay.

██████████ And then, he left.

Detective ██████████ Did he kiss you back or, I mean, was this like a mutual kiss?

██████████ Um, yeah, it was a really awkward, weird kiss, but yeah.

Detective ██████████ Okay, and, um, were you guys messaging after that about those types, that kind of thing or, yeah, I know those things can be awkward like the first time you kiss somebody and –

██████████ Um –

Detective ██████████ – maybe it's an unexpected, you know?

██████████ Yeah, we did have a couple text messages that night, just, uh, hey sorry, that was a little awkward and I caught him off guard and, um, I had said you need to try it again.

Detective ██████████ Yeah?

██████████ Mm hmm. Get it right the next time. Mm.

Detective ██████████ Okay. So, was there a next time?

██████████ Mm hmm.

Detective ██████████ Tell me more about that.

██████████ Um, he was off duty, and he had come over, and we just were chitchattin', and I kissed him on the couch.

Detective ██████████ Okay.

██████████ And then, he left.

Detective ██████████ Is that all that happened? Are you sure? 'Cause you were lookin' like you were thinkin' about some other things that –

██████████ Oh, no, he, no, he ended up leavin'. I didn't know he was married, so I didn't realize like yeah, by his behavior, it was a little weird.

Detective ██████████ Mm hmm.

██████████ Um, so then, like I wouldn't talk to him for a couple days and just wasn't sure what was goin' on. I didn't find out until probably about, well, till ██████████ texted me.

Detective [REDACTED] Okay.

[REDACTED] And so, I found out that he was married.

Detective [REDACTED] So, he never relayed that to you or anything like that?

[REDACTED] Um, no, he just said that they, um, were in the process of getting divorced. Um, like he had served her papers but didn't know that they were still like very married. Does that make sense?

Detective [REDACTED] Yeah, it does. Okay. Um, did you guys ever have a sexual relationship?

[REDACTED] Eventually, yes.

Detective [REDACTED] Well, tell me more about that. How did that start? And look, I'm not judgin' you at all, okay, I'm not –

[REDACTED] I don't, I know.

Detective [REDACTED] I've heard it all in here. Trust me.

[REDACTED] I don't know, um, I'm bein' an idiot, that's the thing, seem comfortable.

Detective [REDACTED] Mm hmm.

[REDACTED] Um, I don't know, don't know how it really started. I think we just started kissin' and things just go from there.

Detective [REDACTED] So, I try to do things to play off like a movie, and so I can under, that's how I think of things in my brain, and that's just how, you know, I'm able to understand things, so, um, like goin' through when you first **** of how things started and all these, you know, you were arrested and all that different stuff, and it all, it all makes a lot of sense, um, of how the stuff has taken place, okay? And I thank you for all the things that you're tellin' me right now. I really do, and I know some of the stuff is super hard to talk about. Um, you know, the children, the things that have been goin' on with [REDACTED] and I know that this portion of it's hard to talk about, too, but trust me, I'm not judging you right now. I, I'm just tryin' to understand what took place between the two of you, because of the accusations from [REDACTED] um, and they're serious, all right? And the worst thing I want to do is, you know, go down the wrong path in an investigation. I wanna know exactly the truth of what took place, okay? So.

[REDACTED] Well, I will –

Detective [REDACTED] Feel free to just tell me the first time this happened. How did this occur that you guys had sex?

██████████ Well, there was a time that he came over, 'cause he asked me why I would've said that to ██████████ –

Detective ██████████ Mm hmm.

██████████ – and I told him that I said it was 'cause I was tryin' to piss him off, and he's like this is not gonna look good for me, and I'm like, well, what do you mean? You didn't, I didn't do it. You didn't do it, and he says it doesn't matter. I'm guilty until proven innocent.

Detective ██████████ Mm hmm. When did that conversation take place?

██████████ Um, that would've been, um, I don't know, a couple of weeks at most. I don't remember when ██████████ did that, but it was, it would've been the day that ██████████ had reported him, because then he had come over and asked me about it. Why would you do this?

Detective ██████████ So, it was like right after ██████████ reported that and –

██████████ Mm hmm.

Detective ██████████ Okay. Um, and he was just basically askin' why you told him that and the stuff like that? Okay.

██████████ Yeah, he was like why would you tell him that?

Detective ██████████ Um, was that before or after the two initial meetings **** his, uh –

██████████ It was after.

Detective ██████████ After that?

██████████ Mm hmm.

Detective ██████████ Okay.

██████████ 'Cause that's where the text messages that were goin' back and forth. There wasn't a whole lot of 'em, but –

Detective ██████████ Mm hmm.

██████████ – ██████████ has seen 'em on the phone though –

Detective ██████████ Uh huh.

██████████ – and then that's when he went with it.

Detective [REDACTED] Okay. All right. So, I think I have a pretty good picture that he came over after that stuff happened, and then you had some more meetings, some more coffees. Um, there was a, then, he called to check out a car for you, right?

[REDACTED] Um, the house as well.

Detective [REDACTED] The house, okay.

[REDACTED] And then, I had called him before we even became, um, intimate. I had called him, um, so I had told you, I had that stalker, which, um, I had handprints on a couple windows that I had just cleaned, and so I was concerned about that.

Detective [REDACTED] Mm hmm.

[REDACTED] And so, I asked him if there was any way if he could find out if this guy was anywhere near me. Um, that's why I left Arizona.

Detective [REDACTED] Okay.

[REDACTED] Um, and so, he said that he would look into it.

Detective [REDACTED] Look into the person?

[REDACTED] To see if he had like, if he knew if he was around or not.

Detective [REDACTED] Oh, okay, and, and what was that person's name?

[REDACTED] [REDACTED].

Detective [REDACTED] [REDACTED]?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. Um, did he ever tell you if he checked into that?

[REDACTED] Um, I don't think, I don't think he did. I mean, I don't think he told me if he did or not.

Detective [REDACTED] Mm hmm. Well, what did he say when you asked him to.

[REDACTED] He said that he would try.

Detective [REDACTED] Okay. Did he ever, then, then, he never told you any results of that or —

[REDACTED] No, I don't think we talked about it after.

Detective [REDACTED] Okay. So, gettin' back to the time that you guys first had sex, can you tell me how that took place as far as what happened that day, night, what, what –

[REDACTED] Um, he had come over, um, that night, and he was not in his uniform. He was in his regular clothes, and we had sex, and then he left.

Detective [REDACTED] That's, just, just like that. I mean –

[REDACTED] Yeah, he didn't stay.

Detective [REDACTED] Okay. Um, and how many, how long ago after you were arrested did this take place?

[REDACTED] I would say like 2 months –

Detective [REDACTED] Two months?

[REDACTED] Month and a half, 2 months, yeah.

Detective [REDACTED] Okay. So, you were arrested on the 17th of June. So, that would mean somewhere in September?

[REDACTED] Mm hmm, like the first part of September.

Detective [REDACTED] First part of September, okay, and did that sexual relationship continue after that?

[REDACTED] Um, only a couple times.

Detective [REDACTED] Okay. So, how many times would you say you had sexual interco, or any type of, when I say that, I mean any type of sex or anything like that, um, as far as like oral sex or, you know, anything intimate.

[REDACTED] I'd say probably five times.

Detective [REDACTED] Five times? Okay, and I don't mean to be overly, uh, invasive, um, but did you ever perform oral sex on him?

[REDACTED] I have never.

Detective [REDACTED] Okay, and has he ever performed oral sex on you?

[REDACTED] No.

Detective [REDACTED] Okay. Um, but you guys had sexual intercourse?

██████████ Mm hmm.

Detective ██████████ Okay. Um, was any of that in relation to any threats of goin' to jail or anything like that?

██████████ No.

Detective ██████████ No?

██████████ I thought I was in the clear.

Detective ██████████ Okay.

██████████ It had nothin' to do, no, it, I honestly didn't think this would go anywhere else.

Detective ██████████ Sure.

██████████ I thought it was over.

Detective ██████████ Right. Um, I mean –

██████████ And I was the one that instigated it.

Detective ██████████ Okay. Um, did any of these sexual, um, relations happen, um, during a time that Daniel was workin' or in uniform?

██████████ Um –

Detective ██████████ It's okay to be honest.

██████████ I think there was one time he had come by. He was in uniform, but I think he was gettin' off shift.

Detective ██████████ Mm hmm.

██████████ Like he was off shift and had stopped by before he went home.

Detective ██████████ Mm hmm.

██████████ 'Cause I didn't understand like why he was so quiet about where his time was, you know what I mean?

Detective ██████████ What do you mean by that?

██████████ Well, 'cause I just wouldn't hear from him for like a week or, um, I just, I wouldn't hear from him for quite a while, and then all of a sudden, like hey, how's it goin'? I was like, so, it all made sense after ██████████ had texted me that, um, he was tryin' to see me but still be married.

Detective ██████████ Okay. Yeah, I guess –

██████████ You know, we didn't –

Detective ██████████ – it would make a lot of sense, right?

██████████ We didn't have like a real in-depth, deep, um, like relationship, because we didn't really talk a whole lot.

Detective ██████████ Sure.

██████████ Um, just for the fact that he didn't have the time, and then I work a lot, so, so yeah, it wasn't very often that, I was the one that had instigated it, but it was a while after being arrested.

Detective ██████████ Okay. Okay. Um, and you're sayin' that he stopped by when he was off shift and showed up in his patrol car or –

██████████ I'm sure he did, 'cause he was still in his uniform.

Detective ██████████ Okay. Did you see the car?

██████████ Uh uh.

Detective ██████████ Okay. Um, so, when was the last time that you guys had, um, any type of sexual contact or anything like that? I think you said you saw him about a week ago when I was at your house.

██████████ I'm thinkin'.

Detective ██████████ Think. Hey, I want –

██████████ Um –

Detective ██████████ – the actual answers. I'm here, you can take as much time as you want, and I know you're probably gettin' a little tired right now.

██████████ I am tired. Um, what's today?

Detective ██████████ Today is the 17th of October.

██████████ No, what's the date? I mean, the day.

Detective ██████████ Today is Thursday, I think, still. Yeah, it's still Thursday.

██████████ So, yesterday.

Detective ██████████ Okay. So, you guys had sexual relations yesterday?

██████████ Mm hmm.

Detective ██████████ Okay.

██████████ Since, you know –

Detective ██████████ Okay.

██████████ 'Cause he was ****.

Detective ██████████ Okay. How did that take place? Where, where did that take place at?

██████████ At my house. I asked him over.

Detective ██████████ Okay, and, um, can you provide me some details at all on any of that or like what, what exactly took place when you guys, when he came over? Just hang out, talk for a while? I mean –

██████████ Not really.

Detective ██████████ Mm 'kay. It just kinda started out or what?

██████████ Yeah.

Detective ██████████ Okay, all right.

██████████ Yeah.

Detective ██████████ I gotcha.

██████████ I mean –

Detective ██████████ Sometimes it's like that. Sometimes things just start.

██████████ He's not a real big talker.

Detective ██████████ Okay. All right.

██████████ I mean, no, uh, we, we've, um, talked a little bit afterwards, and then he took off.

Detective ██████████ Okay, and, um, you don't, did he ever mention that he wasn't supposed to see you or –

██████████ Mm mm.

Detective ██████████ – anything like that? Did he ever mention the complaint with ██████████

██████████ Yeah, because he had come by that night and asked me.

Detective ██████████ I mean after that.

██████████ Um, yesterday, he said that ██████████ had sent, had made a second complaint against him.

Detective ██████████ Mm 'kay.

██████████ And I said about what, and then he had said about, um, I dunno, it had somethin' to do with ██████████ maybe ██████████ contactin' ██████████ Um, I had asked ██████████ about it. He said he didn't.

Detective ██████████ And how did he know that complaint was, had, had been made?

██████████ I don't know.

Detective ██████████ He never mentioned anything?

██████████ I didn't ask.

Detective ██████████ No, I just mean him, he never mentioned anything?

██████████ Of how the complaint got made? He just said that ██████████ had –

Detective ██████████ Or how he knew a complaint was made is what I mean.

██████████ Oh, no.

Detective ██████████ Okay.

██████████ I didn't ask him how.

Detective ██████████ Okay.

██████████ And he didn't provide me any details.

Detective [REDACTED] Mm hmm.

[REDACTED] [REDACTED] But he had just said that [REDACTED] had, he thought, he thought [REDACTED] had made a second complaint, and I don't know how. I didn't ask.

Detective [REDACTED] Okay.

[REDACTED] [REDACTED] I'm the per, person that if you wanna tell me something you're gonna tell me. I'm not gonna like try to dig it out of you kinda thing.

Detective [REDACTED] Mm hmm.

[REDACTED] [REDACTED] So, I don't sit and try to extract a bunch of stuff.

Detective [REDACTED] So, it sounds, sounds to me like you were probably pretty comfortable with the situation that it was just –

[REDACTED] [REDACTED] I just wanted to see him, yes.

Detective [REDACTED] Okay. All right. Well, thank you for being honest. I appreciate that, okay? I appreciate everything that you're tellin' me here, because I know with everything that's gone on with this this is hard to, to do, and I do appreciate you being honest with me and coming here and talkin' about these things, okay? Um, did he ever talk to you about this happenin'?

[REDACTED] [REDACTED] No. I didn't –

Detective [REDACTED] And what the repercussions could be about your relationship with him?

[REDACTED] [REDACTED] No.

Detective [REDACTED] Okay. Um, I'm gonna take a break and use the bathroom. If you need to use the bathroom, you're more than welcome to –

[REDACTED] [REDACTED] Are we about done?

Detective [REDACTED] What's that? Well, uh, it'll be a little bit. Um, I have to go to the restroom real quick, and then we'll come back and talk for a few more minutes, okay? If you're comfortable with that, okay?

[REDACTED] [REDACTED] Well then, I'll use it, but I need to get, I need to get –

Detective [REDACTED] Okay. Um –

[REDACTED] [REDACTED] You don't mind me ****.

Detective [REDACTED] I have a few more questions for you. Um, if you, if you, you're willin' to stay, I would appreciate it. Um, like I said, you can leave at any time, so if you wanna leave, you can leave. It's no big deal.

[REDACTED] Okay.

Detective [REDACTED] Um, but I'm sure you probably want this to be over tonight.

[REDACTED] I do.

Detective [REDACTED] Okay. So, if you could bear with me for a little bit longer, I would appreciate it, okay?

[REDACTED] Yeah, you don't want a sleepy flight nurse tryin' to save your –

Detective [REDACTED] Hey, I gotcha. You don't want a sleepy cop runnin' around either, right?

[REDACTED] Right.

Detective [REDACTED] ****. Um, I'll take you over there. There's a, there's a secured facility, so I'll walk you through it.

[REDACTED] Okay. Is it ****?

Detective [REDACTED] What's that?

[REDACTED] Can I leave my purse?

Detective [REDACTED] Yeah, you can leave all your stuff here. It's no big deal. We're just gonna walk to the restroom, okay?

Other Speaker: He'll be right back with ya.

Detective [REDACTED] Hey, [REDACTED] So, um, insights of the reports that Deputy Daniel submitted relating to your case when this initially took place he mentioned, um, you had, he noticed you had some bruising on your body several days after the incident took place. Is that true? Did you have any bruising on your body?

[REDACTED] Mm, I'd probably say I did have bruising, yeah.

Detective [REDACTED] Okay, and can you tell me more about that?

[REDACTED] Um, he had asked me about them and asked me where I got them from, and I told him I didn't know –

Detective [REDACTED] Mm hmm.

██████████ – and I could tell that he didn't believe me.

Detective ██████████ Okay, and did you know where those came from?

██████████ No.

Detective ██████████ Okay.

██████████ I'm a helicopter nurse, like in the back ****, I have no idea.

Detective ██████████ Okay. Did you ever tell him that it was from ██████████ or anything like that?

██████████ Mm, I don't think I did. I was just **** I'm bruised all the time.

Detective ██████████ Okay, and then his, the reports also kinda indicated, um, that you had talked about some of these issues with ██████████ um, you know, obviously, we've been talkin' about it for a while, and you knew that we already knew about that when I started talkin' to you earlier today.

██████████ Right.

Detective ██████████ Um, what did Deputy Daniel say he was gonna do with that information when you told him about it?

██████████ I was just more havin' a conversation with him, because I was just appalled at how I got arrested and the shit that ██████████ has done and that, you know, I'm the one that's goin', that got arrested. Um, I, he didn't say if he was, if, he didn't say that he was goin' to or that he wasn't goin' to do anything with the information. I thought he was just listenin'. Um, and I was kinda just venting I guess.

Detective ██████████ Okay.

██████████ I was surprised to see it in the police report.

Detective ██████████ So, tell me more about that. Why were you surprised?

██████████ Because I didn't think that, I thought just the initial night that you get arrested is what goes into the report. I didn't know that it was anything I would say afterwards.

Detective ██████████ Okay, and when did the conversation about the, um, uh, ██████████ and the sexual assault issues come into play? When, wha, do you remember what –

██████████ I would say –

Detective ██████████ – ****?

██████████ – probably the second time we had coffee outside.

Detective ██████████ Okay. Um, the other question I have is how do you usually communicate with him?

██████████ I don't usually. Um, it will be every once a while I'll text message.

Detective ██████████ Okay. Do you use any apps or anything like that, Messenger, stuff like that?

██████████ Uh uh.

Detective ██████████ Facebook?

██████████ Uh uh.

Detective ██████████ Okay. Um, well, just when I opened your phone, and I saw the Messenger thing on there, so I was just curious if you talked to Daniel on there.

██████████ No, um, the, um, the WhatsApp?

Detective ██████████ Mm hmm.

██████████ I talk to ██████████ on that.

Detective ██████████ Okay.

██████████ And then, one of my best friends that, um, I talk to on Viber.

Detective ██████████ Okay.

██████████ And then –

Detective ██████████ What, what about Facebook? There was a Facebook thing on there.

██████████ I do have a Facebook, but I've never con, we've never talked through Facebook.

Detective ██████████ Okay. Uh –

██████████ I've stalked his Facebook –

Detective ██████████ Okay.

██████████ – but I took a couple pictures off his Facebook.

Detective [REDACTED] Okay.

[REDACTED] I don't know that he knows that.

Detective [REDACTED] Okay. So, let me ask you this, and this is super important, okay? All right? Obviously, we have your phone. We have warrants for phones, okay? We have warrants for Dan, Daniel's phone, okay? Is anything in those phones gonna conflict with anything that you've told me here as far as when your sexual relationship began, as far as when all this stuff took place?

[REDACTED] Well, I can't tell you for sure a timeline.

Detective [REDACTED] Well, I mean, that's important, okay? So, those are the things that, I mean, as far as for sure, but, you know, are we gonna find messages that are of a sexual nature within 2 or 3 days from the time you were arrested or the night you were arrested?

[REDACTED] Mm mm.

Detective [REDACTED] And you're very confident about that.

[REDACTED] Mm hmm.

Detective [REDACTED] Is that because those messages have been deleted?

[REDACTED] Mm mm. And I knew you could pull that shit up.

Detective [REDACTED] And how do you know that?

[REDACTED] 'Cause I was talkin' to, um, David, the lieutenant.

Detective [REDACTED] Okay.

[REDACTED] Yeah. I'm not, I mean, I'm not, I'm not stupid. No, we, it was strictly professional, and I was the one that instigated it a while after just for the fact that I didn't think there was gonna be any other case –

Detective [REDACTED] Mm hmm.

[REDACTED] – um, so, no.

Detective [REDACTED] Okay. Is there any other things that we're gonna see that might lead us to believe that what you're tellin' me here isn't true as far as your relationship with him and when these things occurred.

[REDACTED] No, I don't think so.

Detective [REDACTED] Okay. Was there any other times that you had sex with him while he was still in uniform than what you've told me right now, and like I said, this is the time to be honest, right? Like I, I hate it, I would hate it for, 'cause I think there's, this happens all the time, okay? I interview people, and, um, you know, people omit certain details and then later on we find out those things. We're not exactly, because maybe you didn't wanna say anything. Maybe you're just embarrassed about it. Um –

[REDACTED] I mean, there was a couple times that he had come over in uniform, yeah.

Detective [REDACTED] Okay, and you guys had, had sexual intercourse during those times or –

[REDACTED] Uh, yeah.

Detective [REDACTED] Okay, and was that when he was working?

[REDACTED] Um, it was either, yeah, I think he was on a break or getting off.

Detective [REDACTED] Okay. Tell me about the time that you guys had sex when he was on a break.

[REDACTED] Um, that he had just taken a break and was goin' to go get somethin' to eat and he had stopped by.

Detective [REDACTED] Well, what time of the night was that?

[REDACTED] Um, like 1 in the morning.

Detective [REDACTED] 1 in the morning? Okay. So, he was on a break, and then he came over, and, and you guys had sex.

[REDACTED] Mm hmm, and then he left.

Detective [REDACTED] Oh, when did this incident take place?

[REDACTED] I don't know. Um, month ago.

Detective [REDACTED] A month ago? Okay. Um, so, like I said, I'm not tryin' to be judgmental or anything, but all of these little things, you know what I mean, that I know sometimes it's hard to remember, and I know that we're in here, we're tired, it's, it's gettin' late, and, you know –

[REDACTED] But I'm not gonna be able to pinpoint exactly how many times and what conversations we've had, I mean, for detail, because we really don't go into conversation.

Detective [REDACTED] Well, right, but I mean, I, I think you'd probably a sexual experience with him, right?

██████████ No.

Detective ██████████ No?

██████████ I'm just teasin'. I'm just teasin'. Um, yeah.

Detective ██████████ Okay, so.

██████████ But it hasn't been that often, 'cause I don't see him.

Detective ██████████ Right. So, you talk about the one time you came over, and you guys had sex when he was gettin' off of duty, and then you talked about the time that you guys just had sex when he was in uniform and came to your house on a break at about 1 in the morning. Was there other incidences besides those that you would explain to me?

██████████ Yes, probably once a week he would come by.

Detective ██████████ Once a week he would come by when he was workin'? And you guys would have sex? Okay. So, if it's once a week, when did that kinda start. I mean, did it really start 2 months after, because that doesn't seem like enough time for him and the amount of times you guys have had sex ****, okay? And like I said, ██████████ it's okay, 'cause it doesn't matter if it's once or 20.

██████████ No, it would've been either the middle of August or beginning of September.

Detective ██████████ So, the middle of August, okay.

██████████ Maybe.

Detective ██████████ Okay.

██████████ Or the end.

Detective ██████████ So, how many times have you guys actually had sex?

██████████ About once a week from then.

Detective ██████████ So est, tell me how times you think you guys have had se, you know how, you know, you know how many times you've had sex.

██████████ No, really, I haven't counted it up. Um, I would probably say maybe ten times, maybe.

Detective ██████████ Okay. So, that's a little more, right?

Or maybe five or six.

Detective Than what we counted up.

Yes.

Detective Okay. So, you think it's about ten times now, okay, so, this is what I'm talkin' about, all right? This is the kinda stuff, because although we're havin' this great nice conversation, you're statements that I know –

Mm hmm.

Detective – that are from outside of this room and outside from my investigation, okay?

Okay.

Detective And I am tellin' you right now that not bein' honest about these little details –

Well, it's not that I'm not being honest.

Detective make other things a bigger detail.

I know, but I, I really don't remember. I mean, I really can't tell you how many.

Detective Okay. Well, it's just like this, because at first we're talkin' and you're sayin' that there was one time that you guys had sex while he was gettin' off of duty. Then, we're talkin' about another time. Now, we're talkin' about once a week while he's on duty. So, is, is those things occurring, because he doesn't want his wife to find out?

Probably.

Detective I mean, you guys are probably havin' a conversation **** any contact in a while though, right?

Right.

Detective Okay? So, that's what I mean. Be completely honest with me, all right?

And we've never talked about why he comes over when he comes over.

Detective Okay.

██████████ Um, he's come over in straight clothes also. So, I tell you I don't take a bunch of, I don't go into a bunch of information, and I don't know that he would actually answer me if I tried to like talk to me about stuff like that.

Detective ██████████ So, this is the next question I have for you, okay? And, uh, like I said, we have, we have not only information from your phones, okay? We now have that information. We're gonna be analyzing that information, okay?

██████████ Mm hmm.

Detective ██████████ Um, we plan on writing search warrants to those phones, okay? Um, and it, this is very, very important, okay? And this is the time to be honest about this. Did you or he, did he ever coach you on what to say if we contacted you? Because that, this whole thing seems like there it is, you know, you're havin' a conversation about a complaint comin' in. I don't think that anybody in that position that was gonna continually engage in a relationship with you would not have some type of conversation with you, ██████████ about –

██████████ We had –

Detective ██████████ – what to do if we talked.

██████████ We had talked about it and had said that we were both just gonna say that, um, we talk every once in a while and we've become friends.

Detective ██████████ And when did that conversation take place?

██████████ Um, I think it was after I met with the lieutenant the first time.

Detective ██████████ Okay. So, you met with the lieutenant.

██████████ Mm hmm.

Detective ██████████ Okay. What about after the initial complaint came in and he came to your house?

██████████ We had talked about, um, letting, um, me givin' the lieutenants my daughter's information and, um, so that, like Devon's not a credible person and to have them talk to my daughters about the conversations and then get the text messages from them, um, to show them if, if, if I got talked to.

Detective ██████████ Mm hmm. Did Deputy Daniel ask you to report anything against ██████████ as far as this, um, these sexual assault issues in order to –

██████████ No.

Detective [REDACTED] No? Okay. Um, it's just a question I have to ask, okay? And, and like I said, I've, def, we definitely want to be here for, for you for that, okay? When you're ready, all right? Um, but like I said, if this sexual relationship started 1 day after this thing happened or 30 days after this thing, this, this arrest happened, it really doesn't change a lot other than, because it's inappropriate all the way around, okay? And wrong is wrong, right? And this happened multiple times. Um, like I said, I'm not judging you. I think that, um, as, uh, that, just so you understand, it really doesn't matter that it had happened like the day after or if it happened 2 weeks after and then 3 weeks after, right? So, I don't want you to try to protect that little part of this, because now we know there's more times that you didn't tell us about. You know what I'm sayin', [REDACTED]

[REDACTED] Mm hmm.

Detective [REDACTED] Does that make sense?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. So, be honest with me. Did you start having a sexual relationship with Deputy Daniel in those few days right after this happened?

[REDACTED] No.

Detective [REDACTED] Okay, and we're not gonna find anything in those phones that say that?

[REDACTED] Mm mm.

Detective [REDACTED] You're sure?

[REDACTED] Mm hmm.

Detective [REDACTED] I've been doin' this a long time, [REDACTED]

[REDACTED] I know. I'm not, I, we hadn't, we hadn't at all.

Detective [REDACTED] Okay. So, you also know that we can pull data from cell phone towers?

[REDACTED] Mm hmm.

Detective [REDACTED] We do all that kinda stuff. You said that you talked to lieutenants. Has Deputy Daniel ever talked to you about cell phone stuff?

[REDACTED] Mm, no, was talkin' about gettin' rid of my cell phone and gettin' a new one.

Detective [REDACTED] Okay. So, tell me about that conversation.

██████████ Um, just because, um, after ██████████ had seen the phone bills and ██████████ um, just like gettin' a new, a new phone, um, with a new number that they didn't have.

Detective ██████████ Mm hmm.

██████████ So that ██████████ didn't harass me, and I think that's why ██████████ ended up changin' his phone number.

Detective ██████████ Okay. So, my partner did notice when we were baggin' up your phone, um, there was multiple calls from a number, contact listin' called Daniel D. At that time, Deputy Daniel's cell phone had already been seized by our office. So, does he use a different cell phone to contact you?

██████████ I got him a cell phone.

Detective ██████████ You got him a cell phone.

██████████ Mm hmm.

Detective ██████████ Is that cell phone in your name?

██████████ Mm hmm.

Detective ██████████ Okay, and what's the telephone number for that cell phone?

██████████ It's in my phone.

Detective ██████████ It's in your phone?

██████████ Mm hmm. I don't know it.

Detective ██████████ Is that the one under Daniel D?

██████████ Mm hmm.

Detective ██████████ Okay. Is that under your cell phone plan?

██████████ Mm hmm.

Detective ██████████ Your current one? Okay. How long ago did you purchase this phone for him?

██████████ Um, it was around his birthday, which was the 29th, so –

Detective ██████████ Is that how you guys usually communicate is on that cell phone?

■■■■ Uh uh. No, we actually, um, didn't, uh, we really don't communicate that much, but, um, lately, yes, it has been on that cell phone.

Detective ■■■■ Okay. So, you purchased it for him. You gave it to him. You contact him on there, or he contacts you, text messages, um, what about the app stuff? Did you talk to him on WhatsApp or whatever?

■■■■ Mm mm.

Detective ■■■■ I'm not that familiar with that one.

■■■■ No, it's only ■■■■ 'cause, um, pictures don't go through my phone, so we decided to start usin' the WhatsApp. Um, for some reason, the pictures come through, and I'll usually get waiting to download, um, for pictures in a text message.

Detective ■■■■ Okay.

■■■■ And so, the girls would send ■■■■ 'cause they have iPhones, send him pictures to him, and then he would send them to me through WhatsApp so I could get them.

Detective ■■■■ You guys engage in these conversations, um, through your cell phone. Um, do you send like text messages of like a sexual nature, anything like photos, stuff like that?

■■■■ Uh uh.

Detective ■■■■ 'Cause lots of people do. If you do, be honest, 'cause we're gonna find it.

■■■■ No, I've sent pictures of just me but not naked, no, and I've never had a picture of him. He's never sent me a picture.

Detective ■■■■ Okay. All right. I have to ask that question, 'cause it's a completely –

■■■■ No, that's out there.

Detective ■■■■ – it's like 90 percent of my investigation –

■■■■ Right.

Detective ■■■■ – revolves around that, okay.

■■■■ No, once you put that out there it doesn't come back.

Detective ■■■■ No, it does not.

■■■■ No.

Detective [REDACTED] None of this stuff.

[REDACTED] Right.

Detective [REDACTED] And that's why I'm tryin' to get, I'm tryin' to really understand and make sure that you're telling me the truth here about these, all of the issues, okay? Because if you're not, you know, it does not look good when this stuff comes out after we come back and go through a cell phone and find all the information that you're sayin' doesn't add up, right?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay? And right now, there's a lot of things in this investigation that don't add up from the beginning, and that's why we're here, right? So, there's, you know, I, I, I'm like super confused if I, what, what Daniel would never have told you that he put this stuff in the report.

[REDACTED] Yeah, I have no idea.

Detective [REDACTED] I mean, when was your first knowledge that he had even written a report about that?

[REDACTED] When they were reading it to me at my house.

Detective [REDACTED] Okay, and how did that make you feel?

[REDACTED] I was shocked. I was shocked. I was worried, because [REDACTED] has the two kids. Um, I was worried about that.

Detective [REDACTED] Okay. You were worried that [REDACTED] was going to lose his kids because of those reports?

[REDACTED] Or his job or whatever, yeah, yeah.

Detective [REDACTED] Is it safe to say you were pretty concerned you were gonna lose your job when you were in jail?

[REDACTED] Oh yeah. I just saw my job.

Detective [REDACTED] Okay. Mm hmm.

[REDACTED] [REDACTED] didn't realize that **** that even could still arrest me without having anything. It's just his word against mine.

Detective [REDACTED] Mm hmm. Well, it's a little more than that. There was physical injuries and stuff like that, right? I mean, you know, you know the case by now. I mean –

██████████ He had a scratch on his arm, yes –

Detective ██████████ Mm hmm.

██████████ – but we also have a very rambunctious 5 year old that I ended up being out last summer with for –

Detective ██████████ So, just be completely honest with me. I think you've been, you know, more forthcoming as we keep talking and as this night has gone on, and I, I do appreciate the things that you're tellin' me. I really do. Do you have any knowledge of how, um, well, let's put it this way. Did you cause the injuries to ██████████ that night?

██████████ Not to my knowledge, no. I wouldn't have touched him in front of his kids.

Detective ██████████ Well, you also say you were black-out drunk, right?

██████████ Right, but I just know my behavior. I snapped throwing furniture. Um, I can't say that I didn't like scratch him when I was movin' the furniture if he was tryin' to grab it from me.

Detective ██████████ Is that something you're inferring or do you remember?

██████████ No, I don't remember.

Detective ██████████ Okay.

██████████ I don't know how he got the scratch.

Detective ██████████ Okay. So, ██████████ like I said, are we gonna find anything on that phone that's gonna show me that, that what you're sayin' is not the truth?

██████████ I don't think so.

Detective ██████████ Are you willing to take a polygraph?

██████████ I've never taken one, but sure.

Detective ██████████ Okay. So, you're, what do you think the polygraph will show?

██████████ I don't know. It's where, I mean, I'm already anxious and nervous right now, so I can't imagine it's gonna spike too much more.

Detective ██████████ Well, let me ask you this.

██████████ You even have the phone. I mean, why would I lie to you about this? You have the phone. I'm just not very good on recollection, reco, um –

Detective ██████████ But I mean, just with the, those things in relation to Deputy Daniel's relationship and the des, domestic violence things that happened that night, okay?

██████████ No, there's nothing on there that you're gonna find. I will take the polygraph to that.

Detective ██████████ Okay, and what do you think the results of that will be?

██████████ I'll pass.

Detective ██████████ Okay.

██████████ No, there is nothing, we didn't even start doin' anything until after this was in the clear, uh, 'cause I didn't want to, it was me. I didn't want to, um, make him feel weird or whatever. Um, it was me that instigated it. It wasn't him at all.

Detective ██████████ Yeah.

██████████ And it was me after the fact.

Detective ██████████ Okay, and I'm just clear, I'm just not talkin' about the other issues. Um, I'm only talkin' about with Deputy Daniel and the domestic violence issue that happened that night.

██████████ There was nothin'.

Detective ██████████ Okay.

██████████ And I will totally take a polygraph.

Detective ██████████ Okay, thank you. Um, just wait here for a minute, okay?

██████████ Okay.

Detective ██████████ All right. So, **** about everything we're talkin' about. So, the ph, the phone that you purchased for Deputy Daniel, do you remember how long ago you purchased that?

██████████ It was the end of September.

Detective ██████████ End of September, okay. So, this was after ██████████ contacted you?

██████████ Mm hmm.

Detective [REDACTED] Okay. Um, and did you, um, did you ever delete any messages on your phone that you, that you had sent to Daniel or did he delete any messages that you had sent to him or anything like that that you know of?

[REDACTED] Well, I don't know about the messages that I sent him, but I delete my messages, yeah.

Detective [REDACTED] Okay. So, you deleted messages and conversations that you've had with him.

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. Um, were any of those messages, 'cause you know we can retrieve those, right?

[REDACTED] Mm hmm.

Detective [REDACTED] Um, and, and, and that's not a bluff. That's really true.

[REDACTED] No, I believe it.

Detective [REDACTED] We, we just retrieved about 2,000 in another case that were maybe 10 years old, okay? So, it happens very regularly. I'm not being dishonest about that by any means. Are any of those things gonna sh, show you guys talkin' about hey, don't tell him this if the cops come to your house or, you know, anything that's gonna relate to, you know, our conversations or, or the possible conversations between other members of his agency and you?

[REDACTED] Mm mm.

Detective [REDACTED] No? Okay. Um –

[REDACTED] We don't text like that.

Detective [REDACTED] Okay. So, you didn't talk about any of that stuff through text messages or anything like that?

[REDACTED] Mm mm.

Detective [REDACTED] Okay. Did you, and like I said, any of the conversations and what you told me about, about what you would say or, and coaching you to say things to us?

[REDACTED] No.

Detective [REDACTED] Okay. Um –

██████████ No, I had just told him that I was just goin' to tell you guys that we rarely talked and that it was mostly, um, professional.

Detective ██████████ In Devon's complaint, he made an allegation that you had er, er, erased things off of his phone. Is, is that true or –

██████████ Off of Devon's phone?

Detective ██████████ Yes.

██████████ No. I don't mess with Devon's phone.

Detective ██████████ Okay. He had said you had deleted some messages or something that you, he had located or, or something along those lines.

██████████ No.

Detective ██████████ So, you've never deleted a message off of Devon's phone?

██████████ No.

Detective ██████████ Okay, have you ever like, you know, took anything off his Cloud account and deleted it or anything like that, 'cause you know everything has a Cloud account and all of that –

██████████ Yeah, but he's Apple, I'm 'Droid.

Detective ██████████ Mm hmm.

██████████ I don't have access to his Cloud or anything like that.

Detective ██████████ Oh, okay. Um –

██████████ ██████████ deletes everything as soon as he gets it. That way, that's sometimes why he doesn't realize I'm mad at him and what I'm mad at him for.

Detective ██████████ Okay.

██████████ 'Cause he'll delete his –

Detective ██████████ 'Cause he'll forget?

██████████ Well, he, yeah, he'll send me a bunch of stuff. Well, I have it on mine, and he'll delete it off his, so in the morning, he's like why are you mad? I'm like did you read your text messages? No, I don't have 'em. Of course, you don't, because you delete everything.

Detective [REDACTED] Mm hmm.

[REDACTED] No, I don't delete, I don't mess with Devon's phone.

Detective [REDACTED] Okay.

[REDACTED] Um, I don't delete anything, and I have no idea how you would get to a Cloud.

Detective [REDACTED] Okay. Um, did, so, you had mentioned, um, approximately ten times that you had sexual intercourse with Daniel. Um, did all of those take place at your home?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. Did you ever have sex with him anywhere else?

[REDACTED] I had sex with him in Sacramento.

Detective [REDACTED] In Sacramento, okay, so tell me about that.

[REDACTED] I, um, I was coming from Concord, and I stayed the night with him in Sacramento, and then I went home.

Detective [REDACTED] Okay, and how long ago was that?

[REDACTED] Um, that would've been in September.

Detective [REDACTED] In September? What was he doin' in Sacramento?

[REDACTED] Uh, I think he was doin' the range thing.

Detective [REDACTED] The range training? Okay, and you stayed in his hotel room? Where was that hotel at?

[REDACTED] Um, the Lions Gate.

Detective [REDACTED] The Lions Gate Hotel? Do you remember that, where that is in Sacramento?

[REDACTED] It's McClellan.

Detective [REDACTED] McClellan? Okay, and did you know that was a room that was rented by the Tuolumne County Sheriff's Office?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. How did your meeting with him at that room take place?

[REDACTED] I asked him if I could come.

Detective [REDACTED] Okay. So, you knew he was goin' out there, and did he say anything about the other deputies that might've been with him there?

[REDACTED] Yeah, he was, um, not sure if he was gonna have a single room or not.

Detective [REDACTED] Okay. Was he concerned he might get caught by them with you?

[REDACTED] Um, we didn't go anywhere.

Detective [REDACTED] Well, I mean, as far as just you bein' in his room, you know, 'cause I go to trainings, a lot of us, you know, we'll meet up for dinner or –

[REDACTED] Yeah, no.

Detective [REDACTED] So, he didn't mention ever being concerned about that?

[REDACTED] No.

Detective [REDACTED] And you stayed the whole night?

[REDACTED] Mm hmm. I left in the morning.

Detective [REDACTED] Okay.

[REDACTED] I got there like at 7, 8:00 at night and then left in the morning.

Detective [REDACTED] So, this is the question I have for you, and, you know, this is something that I've kinda been thinkin' about during this whole thing. Did he ever express any guilt for any of this stuff about, you know, doin' these things or, or, you know –

[REDACTED] What, what do you mean by guilt?

Detective [REDACTED] Like they felt bad about it.

[REDACTED] Havin' sex with me?

Detective [REDACTED] Yeah, or doin' these things like while on duty and at McClellan Air Force Base and all those other things.

[REDACTED] Well, he's really hard to rate. I don't, I don't know. He never expressed, but he never said it.

Detective [REDACTED] Mm hmm.

[REDACTED] Um, but he's also really hard to read.

Detective [REDACTED] Did he ever say, yeah, like I don't think we should be doin' this or anything like that?

[REDACTED] Mm mm.

Detective [REDACTED] Okay. Um, do you know if there's gonna be anything else on the phone that you purchased him that we might find that might be different than anything that we talked about or things that maybe you haven't told me, maybe 'cause I just didn't ask or stuff like that?

[REDACTED] No.

Detective [REDACTED] Okay. Well, here's what I think, [REDACTED] I think tonight we've had a long day, and I know I've had a long day. I know that your night's been long, and –

[REDACTED] I thought you were gonna do a polygraph.

Detective [REDACTED] No, we're not gonna do a polygraph in here right now.

[REDACTED] Hmm, I was just kinda interested, I don't know if it's, just kinda hopin', I don't know.

Detective [REDACTED] We can set one up if you like.

[REDACTED] No.

Detective [REDACTED] Um, you know, and that may be something we might ask you to do in the future, and that'll be up to you, okay?

[REDACTED] Yeah, I'll totally do it.

Detective [REDACTED] Um, just understand that we will never ask you questions on a polygraph related to, um, the sexual assault, things with [REDACTED] okay? We'd never do that, okay? Um, because, um –

[REDACTED] That's not part of this case though.

Detective [REDACTED] That is absolutely not part of this case, and so I didn't want to infer that when I talked to you about that earlier. Um, if we did ask you to take a polygraph related to this case, um, you're willin' to do that.

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. Um, that may be somethin' we ask you to do. Um, if we have other questions for you later on, are you willin' to come back and talk with us?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. Um, you know, you may choose to talk to Daniel, Deputy Daniel after this is over with, you may not. I, it's your own personal life, okay? Um, he knows the repercussions of, of certain things that he's been instructed, okay, um, that are just part of this investigation and has for some time, okay? Um, he, he knows wha, what's right and what's wrong. Um, so, your choices of, um, continuin' a relationship with him are up to you. You know, I appreciate everything that you told me tonight. I really, really do. Um, I think you've been very honest with me, and I do appreciate that, because at the end of the day, you know, that's all that really matters is what the truth is here and what happened, okay?

[REDACTED] I'm sorry. I'm not good at recallin' some of the information.

Detective [REDACTED] That's okay. Um, I think that, you know, the only thing I just wanna leave you with right now, and this is just kind of the last thing. I know I'm kinda beatin' a dead horse here. Is there anything you think might be pertinent to our investigation that you didn't disclose to us right now? And take a minute and think about it, okay? Because once you walk out the door, we go find something else, like oh, no, this is, she didn't tell us about this, you know?

[REDACTED] Well, I mean, you have the messages. You know that we got into a sexual relationship. There's really nothin' more to our relationship than that, so.

Detective [REDACTED] Were there any other times you met him at a training and had like sexual intercourse with him or anything like that?

[REDACTED] No.

Detective [REDACTED] Okay.

[REDACTED] I've never met him away from my house like except for Sacramento.

Detective [REDACTED] Okay. Well, hey, thank you for being honest with us, [REDACTED] Um -

[REDACTED] If I think of something, I'd call you, but I don't have a phone.

Detective [REDACTED] Okay. Um, that could be tough. Um, I wish I had the ability to have your phone dumped right now. Even then, we still have to fill out some paperwork and take it to the court, because the judge technically has to release your phone and give it back to you, okay? Um, not us, because when we take something at service of a search warrant, it belongs to the judge, and, um, you know what, I think you've kind of, uh, cleared up some of the questions that we've had. I'm glad that you came in and talked to us, because without your, your information, we're not able to sort out some of these other issues that are just allegations by [REDACTED] right? Um, that are criminal, that we have to investigate that, okay? Um, so, I think some of those

things that you laid out to us are very helpful in us understanding how this relationship took place as inappropriate as it might've been, um, but, um, I appreciate it, okay? And do you have any questions for me right now?

██████████ Mm, no, I don't think so.

Detective ██████████ Okay. I will grab one of my cards for you before you leave.

██████████ When am I gonna see you again?

Detective ██████████ Uh, I don't know. When do you, well, whenever you wanna talk to me, I guess. Um, I, I will caution you. Um, I will talk to you in this kind of environment or in an environment similar in the future, okay? So, if you wanna come down and talk to me about some issues and stuff, we set up another meeting. Um, if you have other things that you wanna talk to me about as far as, um, the allegations with ██████████ feel free to call me. I will set it up, and we can come in and discuss those issues, okay? Um, and like I said, I am very adamant that we will wanna help you if you want the help, okay? Um, some of the things you told me, I will document in a report, okay? As far as what happened just recently, all right? That is something that is part of the separate investigation that I will be still investigating, okay? And even though you don't want to, to tell me more details than you've already told me, um, I have to investigate it, okay? And what's happened, what, what, what was reported earlier, I still have to investigate, because that, that's my job. All right? Um, so, I understand, and I'm upfront with you, it's not gonna show up, I don't want you to be surprise that that will be documented in a report, okay? Um, and I think that's only fair to let you know that, um, there are services that are available to you, okay? Uh, regardless if you want them or not. Um, so, I can get you, um, some, a pamphlet real quick with some information. You don't want any of that? Okay. I'm happy to give it to you, okay? Um, if I give it to you, you can just take it and maybe throw it away. How 'bout that?

██████████ No, I have, I have resources.

Detective ██████████ Okay, but these, these, these places like, um, Victim's Witness, um, uh, Center for a Non-Violent Community, all of these people will have people to help support you, okay? Even if you don't wanna talk to me about it.

██████████ No, I have a, I have a pretty, outside of this area, I have a really good support system.

Detective ██████████ Okay.

██████████ I still have everybody here.

Detective ██████████ And if you do decide you wanna come in and talk with me about those issues, hey, great. Um, we'll sit down. I'll, we'll get you an advocate over here. We can talk, and, you know, that's completely up to you, or if you don't feel comfortable with me, there's other deputies here who handle these types of cases, okay?

██████████ So, if I go to work tomorrow, you're not gonna show up at my work and –

Detective ██████████ I'm not gonna show up to your work, okay?

██████████ Okay.

Detective ██████████ Let me put it this way. I'm not gonna show up to your work and arrest you for anything related to this unless something new happens that would lead me to believe that I have to arrest you.

██████████ No, I meant the other issue, complaint.

Detective ██████████ Okay. You're talkin' about this, the assault rifles? Like I said, we will be issuing a case to the district attorney's office related to those issues, okay? We have discretion, because misdemeanor or a felony, um, whereas like when you were arrested for domestic violence, that is a felony. There is no discretion, especially with domestic violence. An arrest has to be made if there's probable cause. In this case, we're gonna review that, um, we're gonna check out those assault rifles. You already invoked your Miranda rights in, in relation to that. You don't wanna speak with me about it. I respect that. Um, we still have to do an investigation on that, okay? So, it is what it is. Um, the DA may file charges against you. I, I don't know. Like I said, I will make you no promises or threats to come in here, okay? Uh, this is all of your own free will, all right? Um, which I, I do thank you for doin'. I know it takes a lot of courage, especially when you're, you, all of this stuff is goin' on, okay, ██████████ Um, do you have any other questions for me right now?

██████████ I don't think so.

Detective ██████████ Okay. I'm gonna grab, uh, a card for you, and then, um, I will be back in just a minute, okay? You okay?

██████████ Mm hmm.

Detective ██████████ You just kinda upset about all this or –

██████████ I'm good. Thank you.

Detective ██████████ Okay. Here's my card, okay? You can reach me at the number on there. Um, that's my desk number. If I'm not available for some reason, feel free to leave me a telephone message, okay? All right?

██████████ That'll be in a couple days when I get my phone.

Detective ██████████ Sure, and I will definitely find a way to contact you when we have your, when your cell phone's released, okay?

[REDACTED] [REDACTED] All right.

Detective [REDACTED] All right. Drive home safe, okay?

[REDACTED] [REDACTED] Thanks.

[REDACTED]

██████████

██████████

****.

Detective ██████████ That's okay. So I, I guess a couple of weeks ago you spoke with, uh, a couple of our lieutenants. Okay, so this is related to that, okay. Um, we have a search warrant we obtained for your residence. You can see a copy of it here.

██████████ What are you looking for?

Detective ██████████ Um, it's gonna be electronic devices, okay. Um, so I guess you said your cellphone's up front. Do you have other devices here, as far as like your phone, tablets, things like that?

██████████ Um, I have a Nook that's, um, not charged, and I have an iPad that's not charged.

Detective ██████████ Okay, all right. Um, because I'm talking to you and because this is a criminal investigation, okay.

██████████ Against me?

Detective ██████████ Against you, yes.

██████████ Okay.

Detective ██████████ Um, it's related to the domestic violence incident that took place out here, um, a couple of months ago on the 17th of July, okay. Uh, I'm gonna read your Miranda rights just so you can understand just 'cause we're talking, all right. Um, you're not under arrest right now or anything like that, but because doing a search warrant of your house, stuff like that, um, I just want you to know what your rights are, okay. You have the right to remain silent. Anything you say may be used against you in court. You have the right to the presence of an attorney before and during any questioning. If you cannot afford an attorney, one will be appointed for you free of charge before any questioning if you want. Do you understand each of these rights as I've explained to you?

██████████ Yes.

Detective ██████████ Okay. So anyway, um, this is just basically right now we're serving a search warrant on your house for electronic devices, cellphones, things like that, um, in relation to that case. Okay? Um, I know that you talked to some of the lieutenants and things like that a couple of weeks ago. That's a different type of investigation. Me and my partner have been assigned a, a criminal investigation based on what happened out here that night. Okay? Um, there were some procedural things that were not done within our policies, um, in relation to the incident that took place here. Okay? Um, because of that, that case is still an open investigation, and we have to relook at that, we have to talk to you. Uh, part of that is looking at cellphone records. A judge signed a warrant for your residence, okay? And that's what we're here for today, okay? So um, I don't want ya to freak out, all right, um, but that's just what has to happen.

Okay? Um, I'm, my goal is to find the truth, um, that's what I do. I, I'm not here to make accusations or, you know, say that you're guilty of anything. Um, I wasn't here that night, I wasn't one of the officers that responded to the scene, um, but since then there's been a lotta things that are going on, and um, this is one of the steps that we have to take as investigators. Okay? Are you, are you okay with all that or do you understand all that that I just explained?

██████████ I kinda have to be, right?

Detective ██████████ Yes, kind of, you kinda have to be. Um, I see you had a beer. You been drinking a lot tonight or?

██████████ No, it's my first one.

Detective ██████████ Okay. Um, do me a favor and no more alcohol while we're here, okay? Um, my partner's gonna be conducting the search while we sit here and talk, okay? Um, so basically, ██████████ this is probably the time if you weren't honest about anything before, let's put that all behind us, okay, and let's talk about what's going on right now. All right? I know that there were some accusations being said by you. Some of those things other – the other issue that we have is that there was an accusation against your husband, ██████████ um, about a sexual assault that might have occurred. Um, that is inside the case file and, you know, I understand that when some of our other people talked to you, you said you didn't want anything done about it. We still have to investigate that with investigation divisions. All those are done with the investigations division, okay? So we actually have two cases open. One case is for your report of that, um, the other case is the domestic violence incident that took place here. Okay? So I know that's a lot to swallow and there's a lotta stuff going on in your mind right now, um, but we can't just walk away from a possible report of something like that. Okay? And even though you may be a suspect in one case, you know, I'm here for you as a victim in the other case. Okay? So I hope you under, can understand the parallel that is there. It's kind of hard to understand, but um, we're trying to find out exactly what's going on. Okay? Um, where's ██████████ right now?

██████████ Uh, he's in ██████████ at work.

Detective ██████████ He's in ██████████ Okay. Do you know when he's gonna be back home or anything like that?

██████████ Um, he should be, I think he said he was coming home the 22nd 'cause I'll be work, and then I'm staying with my girlfriend when he's home and then I'll come back when he's gone.

Detective ██████████ Okay. Um, is there –

██████████ You guys wanna sit?

Detective ██████████ No, that's okay, we can stand.

Detective ██████████ ****.

Detective [REDACTED] I sit all day long. Um, so do you have any other cellphones besides the one that's ****?

[REDACTED] No.

Detective [REDACTED] Okay. 'Cause we, we can, you know, we're trying to be as, you know, gentle as we can in this situation. Okay? Usually you have a whole time of people that come out here. We have, you know, that will basically go through this entire house.

Detective [REDACTED] Obviously you're moving. You know, we're not trying to delay that any further, but the quicker we get moving and we get our job done, the quicker we're outa here.

Detective [REDACTED] Um, we also wanted to see if you would come back to the sheriff's office.

[REDACTED] Can I see the search warrant?

Detective [REDACTED] Yes you can.

Detective [REDACTED] We actually ****.

[REDACTED] Have me come where?

Detective [REDACTED] Uh, I was also gonna see if you wanted to come down the sheriff's office and talk to us tonight about these issues.

[REDACTED] Can I just talk to you here?

Detective [REDACTED] Um, you could, but we prefer to, for your, for, for both of our benefits, that it's a video recorded room, um, audio and video. Um, what that does is just basically protect you and protect us that nothing else is going on, um, as far as how this interview's conducted. Okay? Um, we wanna talk to you, I wanna get your side of the story about everything that's taken place here, um, over the last couple of months. Okay? Um, and honestly, I have read the reports that were initially issued, um, I've talked to people, um, we're looking for information obviously, um, and there's a lotta things we need to discuss. I would like to do that at the sheriff's office. Um, it's a lot easier to go down there and talk where it's not like a whole bunch of people up in front of your house here. Okay? Um, but I'm not going to make you come down there by any means, you're not under arrest.

[REDACTED] Well, I'm just, I'm gonna end up having to go to bed pretty soon. I have to work tomorrow.

Detective [REDACTED] Okay. Well, it wouldn't take too long. Okay? And I really think that's the better way to, to go.

██████████ Well, if you just read me my rights, I think I should probably get a lawyer before I talk to you guys about anything because this is my career, and I gave the information to the lieutenant, um, regarding, like ██████████ doesn't remember much of that night, and he called my girls, they can tell you exactly what ****, um, and then there's me going after him, the sheriff's, uh, deputies with a knife. I mean, the whole thing got blown out of proportion, and it's because I finally said I was going. Um, I'm off on Monday. Can I come down Monday?

Detective ██████████ Uh, if you'd rather come down Monday, uh, we could try to accommodate you, um, but to be honest with you – here's kinda the thing, ██████████ I don't wanna play games or, you know, beat around the bush around things, okay? There's a lotta serious accusations that have taken place, there's a lotta serious accusations that have taken place against Deputy Dannell. Um, what my goal is is I'm not an internal affairs investigator, okay? I don't investigate policy violations that may have taken place, and that's all of our administrative guys that have come out here. Okay? But some of the accusations are criminal accusations. Okay? And I'll be honest with you, they're very serious. This whole thing is very, very serious. The domestic violence incident is one thing, but now we have accusations and things like that coming out about your relationship with him, about conversations that may or may not have taken place, um, there has been reports of text messages and things going back and forth with him. That's why we have a warrant for electronic devices. The devices that we collect here today, we're gonna write search warrants for those. Okay? And they may show things that would relate to whatever relationship was taking place. My, my issue is not so much whatever inappropriate relationship you may or may not have had with him, or appropriate relationship, I don't know, but it's more, uh, the accusations of you were arrested, you were then released the same night. Those can, those types of accusations are, fall under things like conspiracy, um, to commit a crime, to conceal evidence, things like that. Okay? And those are the allegations that we are investigating. We're investigating the domestic violence incident, what happened after the jail when you got here as far as the criminal side of those things. There is an internal affairs investigation going on with Deputy Dannell right now. That's why the lieutenants were speaking with you, okay? So you have to understand, um, these allegations are very serious. I'm not saying you did anything wrong, okay?

Detective ██████████ Our job is to also prove something didn't happen to you, so we'll get the facts of that too. We're the factfinders. It's not just innocence or guilty, it's to prove that if something did happen, okay, we investigate that, or if something didn't happen, well then, there's, there's evidence to show that nothing happened here that was inappropriate. We just have to know that.

██████████ Okay, so like if I go down there, we're only talking about the domestic violence case. Is that correct?

Detective ██████████ No. We're gonna talk about everything. That's what I would like to talk about.

██████████ And that's what I've already talked to the lieutenants about, about the whole officer thing.

Detective [REDACTED] Right. And like I told you, and that, that, and during that conversation with you, um, they've already told us that they had a conversation with you and that you were not Mirandized during that conversation, and that conversation was related to their investigation. So there's two different things. They are doing an internal affairs investigation.

[REDACTED] Right. So why would I have to attest to anything you already know.

Detective [REDACTED] Well, because there's also criminal aspects of that if certain things that are alleged took place, and without your side of the story we are going to have to act with other investigation options to try to understand what took place. Okay? All right?

Detective [REDACTED] If we only get one side of things, that's all we have is one side. You understand that? We need the whole picture here. That's where you come in because obviously we weren't there. You were and you know what happened that night. You know what's transpired and we don't. We, we get reports after the fact when they slide this across our desk and say hey, look into this. Well, if that's all we have to go on, that's all we have to go on. That's why we're here having this conversation with you.

Detective [REDACTED] Did you locate any cellphones or anything yet?

Detective [REDACTED] No. I just did a protective sweep.

Detective [REDACTED] Okay. Why don't you go ahead and start the search and I'll just stay in here with her and talk to her for a few minutes. I guess she said her cellphone was outside.

[REDACTED] No, I have it.

Detective [REDACTED] You have it on your person?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. Could you provide that for us now please?

[REDACTED] **** but do I get it back?

Detective [REDACTED] Um, when the investigation's completed you will.

[REDACTED] No I can't. I have all my **** stuff on here, seriously. ****.

Detective [REDACTED] No, it's not an option. Okay? Um, the judge has ordered, this has been signed by a judge. We don't have an option but to collect the devices that are here right now, okay? They are evidence in the case and we have to collect them. Okay? Um, when the case is adjudicated or the DA's office decides what they wanna do with the case, you, you will have a right to get your, your items back. Okay? But right now you're gonna provide that to us ****.

[REDACTED] Can I take some stuff off of that?

Detective [REDACTED] No you cannot.

[REDACTED] Can I look at my calendar at least?

Detective [REDACTED] No ma'am. ****.

Detective [REDACTED] If you need numbers off of it, if you need to call people, we can –

[REDACTED] Can I do that?

Detective [REDACTED] – **** provide you with those numbers.

Detective [REDACTED] Um, we can do that for you if you want.

[REDACTED] Okay. Can I get some things off of there first?

Detective [REDACTED] No.

[REDACTED] No, I mean just open it so I can look.

Detective [REDACTED] No ma'am, you cannot. We're seizing this as evidence.

[REDACTED] I have my calendar on there, I have dates, I have phone numbers, I have ****.

Detective [REDACTED] Okay.

[REDACTED] I'll just pull up my calendar so I can **** the next few days.

Detective [REDACTED] Like I said, we'll try to accommodate that for you.

[REDACTED] So I only have two other electronics here, and they're in my, um, bedside table.

Detective [REDACTED] Okay. And where would those be?

[REDACTED] Um, in my bedside table. Want me to walk with you and show you?

Detective [REDACTED] No, just wait here please. He can check that.

[REDACTED] Um, there's a gun in the top drawer of my bedside table, and it's like the second **** drawer down.

Detective [REDACTED] Okay. You have any other firearms that are loose in the house or anything like that?

██████████ Um, I have one up there.

Detective ██████████ Okay. Well, just remain seated. My partner will take care of that, okay? Thank you for being cooperative, I appreciate it. So ██████████ here's, here's kinda the thing about the interview that we were talking about a minute ago. I'm not gonna ask, you don't have to answer any questions that you don't want to, okay? Um, this is not, you're not being placed under arrest right now for anything. Um, we would just like to get a better side of your story about everything that's taken place. Now, if you don't wanna answer questions, you don't have to. Okay? You can leave at any time. If you don't wanna stay there, you can leave. Okay? This is not a forced thing, you don't have to do it. Um, but like I said earlier, we, we really wanna get your side of the story, okay, 'cause I think there's a lot of things here that maybe need to come to light, and I honestly don't think you wanna deal with a lotta the things that have happened after all the stuff took place at your house.

██████████ I have a couple iPods.

Detective ██████████ Okay. Are they just like iPods for listening to music, stuff like that? Okay. Let me just ask ya outright, ██████████ is there anything on these devices or anything that's going to, um, lead to us seeing to some type of relationship that was inappropriate?

██████████ Um, with the officer?

Detective ██████████ Yes.

██████████ Um, within the last couple months, yes, but back then in July, no.

Detective ██████████ Okay.

██████████ And August, no.

Detective ██████████ Um, so when you say that, um, was there anything going on the night that you came back over here?

██████████ No.

Detective ██████████ Okay.

██████████ And unfortunately, I said a comment to my husband to make him mad and it got blown out of proportion. You will find that nothing **** like that on my phone.

Detective ██████████ Okay.

██████████ It did not happen.

Detective [REDACTED] Um, well, see, that's, that's, that's some of the stuff that we wanna talk about, okay? And because of that comment, that's a big part of this. Right? Because now there's an accusation that you did something to get out of jail, and there's a lot of circumstances behind that that are outside of our normal, you know, operating things that we do. Does that mean that, you know, a bunch of the legal things happened? No. I don't know. That's why we need to talk so we can understand exactly what's going on here, okay? And this is the time to be honest about those things because, you know, in my opinion we're honest about things in the beginning and other things come out later, you know, or we're dishonest about things in the beginning and other things come out later. Right? Nobody really wants to trust what you said, right? But now, and I get the first time the cops come there's always a narrative. I'm sorry?

Detective [REDACTED] Do you have her phone?

Detective [REDACTED] I do. And I get the first time the cops talk to you, we always know that there's always gonna be -

Detective [REDACTED] Not that one.

Detective [REDACTED] This one?

Detective [REDACTED] Yeah.

Detective [REDACTED] This is hers, yeah. Um, we always know that there's probably gonna be some things that are, you know, left out or omitted, and I get that, right, so let's just forget about all the stuff that's happened before and talk about the stuff that's happening, you know, all the things you told us before anyway, that's a better way to phrase that. Okay? I want a fresh start, a fresh everything in this investigation, okay? Because No. 1, we owe that to you based on the allegations that you have made about [REDACTED] and we also owe the investigation to [REDACTED] based on the allegations that came out that night. Okay? Um, and that's just the truth. And we also owe an obligation to you about what happened that night 'cause honestly, um, there's a lotta things that aren't normally done in an investigation for domestic violence that happened that night. Okay? Um, I mean, you're shaking, you're nodding your head up and down. I think you probably agree with that, right?

[REDACTED] [REDACTED] No, I think he realized that he jumped the gun when he arrested me, and he even talked to the kids that were here, our two kids that were here.

Detective [REDACTED] Mm hmm.

[REDACTED] [REDACTED] Like there was not an issue.

Detective [REDACTED] Okay.

[REDACTED] [REDACTED] **** was pissed.

Detective [REDACTED] Mm hmm.

██████████ And he just, he didn't think that I would be arrested because he called.

Detective ██████████ So I'm sure this whole thing probably seems like a –

Detective ██████████ Who has an iPhone here?

██████████ Oh, ██████████ does.

Detective ██████████ ██████████ does? Okay.

██████████ Mm hmm.

Detective ██████████ So, so you say nothing took place that night. Um, when is the last time something took place?

██████████ It's been a while. I haven't really seen him.

Detective ██████████ Mm hmm. Well, when you say it's been a while, what do you mean by that?

██████████ Well, I haven't, I don't, I can't give you a timeframe.

Detective ██████████ Well, has it been a week, a month?

██████████ Um, probably a week.

Detective ██████████ Okay. Are we gonna find messages between you and him on this phone, ██████████

██████████ Probably.

Detective ██████████ Okay. Thank you for being honest with me. I really appreciate it, ██████████ I really do. She said there's, uh, two other devices on the, on the bed.

██████████ ****.

Detective ██████████ In her bedroom. Are we gonna find anything on these other devices or is this gonna be the main device that's gonna have some issues?

██████████ That's the only one.

Detective ██████████ Okay. What are the other ones, they're just –

██████████ Um, an iPad and a Nook.

Detective [REDACTED] iPad and a Nook? Okay. Do you use any of those things for work or anything like that?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay.

[REDACTED] **** months.

Detective [REDACTED] Where do you work at?

[REDACTED] I'm a flight nurse.

Detective [REDACTED] My wife's a nurse too. And I do understand why these allegations that took place, and I've read the reports, I understand about the embarrassment and the, and the, possibly losing your license is probably scaring you to death. All right, I get it, I really do. Um, I definitely am familiar with, you know, the board of nursing, you know, I understand how things can affect your career and I get it. But like I said, I'm not, I'm not alleging you did anything wrong here. I just want a fresh start to talk to you about these things. Okay? And I think you wanna be honest about this stuff, [REDACTED] I think you do.

[REDACTED] Well, I don't know how much I'll be able to tell you.

Detective [REDACTED] Okay.

[REDACTED] I didn't do what he claimed I did that night, and I thought, I think ****, um, settled that. Um, that's the only reason. And I have an injury to myself also and –

Detective [REDACTED] Well, yeah, that injury is definitely important to me. That's something I definitely wanna talk to you about.

[REDACTED] But I don't really, I don't want [REDACTED] to go and, I don't want him having to sit through this like I am.

Detective [REDACTED] Mm hmm.

[REDACTED] Like that's not fair. We decided to split, and that's the best thing that we need to do.

Detective [REDACTED] Well, because of the way Deputy Dannel handled some of this investigation as far as we have a report that regardless of what, you know, you may want or not want, we have, we have actual statutes that we have to follow as far as a report of a sexual assault. Okay? Um, you know –

[REDACTED] But I don't have to say anything to you.

Detective [REDACTED] No you don't.

[REDACTED] Okay.

Detective [REDACTED] You don't have to say anything to us if you don't want to. Um, like I said, these, these other things we definitely really wanna talk to you about. If you don't wanna talk about this sexual assault thing and you don't wanna provide a statement to us about that, that's completely up to you. Okay? I'm not gonna force you to do anything, okay? But some of these things aside from that, 'cause like I said, that's a separate case, a separate investigation, but we have to understand, we want to understand, what took place the night out here. We have to re-interview you about that night, okay? And honestly, because of the way this has all played out and because of this relationship that's taken place, um, we have to almost, it's very hard to explain, but we have to pretend like this is a new investigation, okay, and this is starting all over again because once that relationship between a victim and the officer is tainted in this way, it makes it like we can't trust what happened. So we have to find out and verify, and that's all we're doing. Okay? So I'm not saying that you will end up facing criminal charges, I don't know. Uh, I'm not, I'm not gonna make that assumption, okay? Um, that's what a district attorney's office does. Um, but besides that there's these other issues that are, that happened after that. And like you're saying, nothing happened that – those are the things we gotta talk about. Those are the things we gotta get details about, okay? Because when there's an allegation of, of something like that, our officer may have taken a bribery and also the actions are unusual.

Detective [REDACTED] The two tablets that were in your, uh –

[REDACTED] Bedside table.

Detective [REDACTED] Yeah. Are those working, are they old or?

[REDACTED] I haven't had them on for months.

Detective [REDACTED] Months? Okay. All right. Is there any other devices in there besides, like there's an, like an Apple Watch or something like that?

[REDACTED] Mm mm.

Detective [REDACTED] All right.

Detective [REDACTED] Um, I appreciate you telling us about the firearm. I just unloaded it and set it aside just for safety reasons right now.

[REDACTED] That's fine.

Detective [REDACTED] Um, you're a nurse, correct?

[REDACTED] Mm hmm.

Detective [REDACTED] I'm not gonna find any **** or anything like that? Again, I grew up in a house full of nurses. Sometimes shit gets put in pockets, you know, that kinda stuff.

[REDACTED] No.

Detective [REDACTED] But nothing like that?

[REDACTED] I have my **** and stuff at work.

Detective [REDACTED] Okay. You work for [REDACTED]?

[REDACTED] Mm hmm.

Detective [REDACTED] They, they're the ones out in Merced, right?

[REDACTED] Um, we're out at Stockton.

Detective [REDACTED] Stockton, okay.

[REDACTED] Um, past **** Merced, but we're the same company.

Detective [REDACTED] Oh, okay. I did my **** time with, uh, Riggs in Merced. You guys selling the place or you just moving out?

[REDACTED] I'm just moving out.

Detective [REDACTED] Okay. Killer attack shiatzu?

[REDACTED] Mm hmm.

Detective [REDACTED] Is that what it is, a shiatzu?

[REDACTED] Mm hmm. I can't go without my phone.

Detective [REDACTED] Well, like Detective [REDACTED] said, because we have a court order for it, we can't give it to ya 'cause the judge has signed that, but if there's some numbers out of it we can get for you, we can provide you with that information, but we have to actually seize it out there first.

[REDACTED] Can I pull up my calendar and just look over what the next few days are?

Detective [REDACTED] Um, we should be able to get you that information at some point. I can't, he has the phone right now, he's the one that's lead on this. I'm just assisting him, um, but I don't see why we can't at least provide you with that information when we get to the point where we can. Are there any other firearms in the house besides that one in the nightstand?

██████████ Um, I have one that's up there ****.

Detective ██████████ That's where?

██████████ Um, above the, the fridge.

Detective ██████████ Oh, okay, cool. Is it loaded and all that? All right.

██████████ What good is a gun if it's not loaded?

Detective ██████████ Good point.

██████████ I'm mostly here by myself all the time, so.

Detective ██████████ Yeah?

██████████ I'm gonna have to take some numbers off. I don't know ****.

Detective ██████████ I'm assuming work stuff, all that?

██████████ Yeah.

Detective ██████████ Okay.

Detective ██████████ Um, did we locate those ****?

Detective ██████████ Uh, a couple, uh, ****. I found, um, like an Apple watch and then two tablets.

Detective ██████████ Okay. Um, so ██████████ I just was informed that, um, a warrant was just served on Deputy Dannel as well. Okay? Um, so all this stuff's probably gonna come to light, all right, one way or another. Um, like we talked about a few minutes ago, um, I think, uh, as soon as Deputy ██████████ is done, um, checking around for other things –

██████████ What time is it?

Detective ██████████ Right now is 6:20. Um, are you willing to just come down and talk with us? 'Cause honestly, with the, all of the things that have happened here, I would like to talk to you and, and both of us –

██████████ **** the last time ****. I mean –

Detective ██████████ That wasn't me.

██████████ — how can a man ruin your friggin' career over one comment. It's ridiculous, and you guys aren't even looking at like why he would even say it because I'm leaving him, like it just doesn't make any sense.

Detective ██████████ And ██████████ I understand your frustration. Okay?

██████████ I doubt that. It's my whole career, my whole career, off something that ***** said. It's fucked up.

Detective ██████████ Well —

██████████ And then you guys aren't even looking at like maybe talking to my daughters who talked to him that night. As soon as I left, he got on the phone with my girls and started talking to them and telling them a bunch of *****.

Detective ██████████ So these are the things we need to talk about.

██████████ I already, I already told the lieutenants. They obviously didn't follow up with it.

Detective ██████████ That information is, that information is, we cannot take all the information from that investigation. We don't know all those things. We just know they talked to you.

██████████ I will talk about that night and what else transpired. I'm not gonna say anything about the sexual assault.

Detective ██████████ Like I said, it's, it's nothing like that. We are not going to force you to do anything, okay? But I understand, even if — I want you to really understand for me right now, okay? You can ask anybody around here. I will fight for my victims 'til the very end. Okay?

██████████ Right. We're not victims. We're accused until proven innocent.

Detective ██████████ I'm talking about as far as the sexual assault things that you, that you reported. Okay, ██████████ And if you don't wanna report that right now, that's fine. If you have, if you have, want to express that later on, even if it's not with me, if it's with someone else, we're more than happy to accommodate that for you. Okay? Because that's not okay either. All right? That is not okay. All right? And I wanna make sure that if ██████████ did that to you that he is held accountable for that. All right? We all make mistakes, we all do things that are, you know, less than *****. I know I have many times in my life, okay? You know, I'm not a perfect person.

██████████ But you're not facing losing your career.

Detective ██████████ Mm hmm. I'm not right now.

██████████ Mm hmm.

Detective [REDACTED] You're right, I am not. But I do have a career and I can see the gravity of what you're looking at, definitely. We all worked very hard to get where we're at.

[REDACTED] Will you put that in the fridge for me?

Detective [REDACTED] Put what, your, your beer?

[REDACTED] Yeah.

Detective [REDACTED] Yeah, we'll put it in the fridge for you before we leave, okay? How many, you just had, that's your first one?

[REDACTED] Well, I had one earlier when I was on a phone conference call.

Detective [REDACTED] Okay.

[REDACTED] About 4:30, so this is two.

Detective [REDACTED] Do you feel intoxicated right now or anything like that?

[REDACTED] Mm mm.

Detective [REDACTED] Okay. Have you taken any medications, you know, anything at all? Do you use marijuana at all?

[REDACTED] Uh uh.

Detective [REDACTED] Okay.

[REDACTED] ****.

Detective [REDACTED] What's that?

[REDACTED] ****.

Detective [REDACTED] Yeah. Well, we do a lot of investigations. There's a lotta stuff that happens out there.

[REDACTED] So do you know about how long you might have my phone, just an estimate?

Detective [REDACTED] Um, well, we don't have anybody at the office right now that can download it for you, okay? Um, so what typically happens is we have to seize it, um, for our investigation. Oftentimes we can go to the judge after we have the information which is downloaded from the phone and we can –

Are you guys gonna get into like other text messages that I sent to other people or like what are you looking for?

Detective Well, basically, correspondence related to the domestic violence case and what happened after that because, um, the communications with you and Dannel that may have been about that, 'cause I know you talked about several times, um, when, that you had had conversations related to your case about that, those are actually exculpatory evidence. So those are the things we're looking for related to this investigation.

But you're not looking at like my kids' messages, my parents' messages.

Detective Um, we're looking for any messages related to this case, so that can be a pretty broad-speaking, you know, span. It doesn't mean that we're, we're not – so, so if you're worried about the privacy aspect, that stuff is not going to be introduced if it's not related to our case. It takes all the information off your phone. That's how the system works, okay? And then

Are you gonna delete anything?

Detective I'm sorry? No we will not. Um, it just basically takes the stuff off your phone and copies it, and then we have that in a digital format and we look for the parameters that we're looking for. Okay? In this case, there will be a date, the day of the incident most likely, um, until we, a date that we decide is relevant to our investigation. Okay? And then information related to that is what we're looking for. We take that information, we make a file out of that, and the rest of your data is sealed into a, a sealed copy, which is then booked into evidence. Um, after that occurs, we keep the items that we **** and we book that into evidence as a separate thing. So your other data that's not related to our case is sealed, and nobody gets to look at that, okay?

Okay 'cause I have a patient text on there.

Detective Okay, I understand, and we're not gonna be looking at that stuff. Okay? Um, obviously as we go through there's an analysis that takes place, all right, so we can find the things that we need to find, but things that are related to somebody else if we see that we're not going to continue to look at it. Okay? If it's not related to our investigation, I don't care. You know what I mean? Our phones are, have tons of data on them of all different kinds and, um, in this case we're looking for things related to this investigation, and I think you probably can understand that at this point. Um –

So if it gets downloaded then can I have it back?

Detective Yeah. Um, we can –

I have to work tomorrow but maybe are you guys, maybe Saturday?

Detective [REDACTED] It just depends on how long it takes for us if we get a warrant and how long it takes for the process to get downloaded. Okay?

[REDACTED] I thought you just had a warrant.

Detective [REDACTED] Well, that's not the same thing. That's a warrant to collect your, uh, your phone. We will write an additional warrant to your phone now, okay? That has to do with a lotta state laws, there's tons of 'em, um, but we will issue a warrant for your phone. Okay? Um, Deputy Dannel has provided us with his phone, so we will get information off of his phone too. So it's not just you that's dealing with this, and you know, this is a tough case for all of us because, you know, Deputy Dannel is a member of our team and, you know, these allegations, they will have to be investigated. Um, you know, if you would have gone to jail that night and, you know, not made these comments and we wouldn't have this relationship going on, we wouldn't probably be here right now. Okay? But because of all these factors, we have a duty to investigate this, okay? And, you know, I take zero pleasure in this right now in being here and, and going through this with you. It's the last thing I want to do. I'll be completely honest with you. Um, but it is my job and I have to do my job. Um, but um, if you're asking about the timeframe it'll take down at the office, I think you were saying something about that a few minutes ago, um, I would think maybe an hour, maybe a little bit more, um, and then you can come back home. You're not going to be arrested for anything. You can come back here and stay the night and do your thing. Okay? Um, you know, like I said, eventually a district attorney is gonna have to review all of the information, um, but I'm not going to place you under arrest, okay, regardless of what you might say in there, okay, aside from telling me that you just murdered somebody and they're in the backyard. Okay? Then I might have to arrest you. But other than that, you are not going to be arrested at all, okay? Um, and if you don't feel comfortable answering certain questions, you don't have to. All right?

[REDACTED] Do I need a lawyer?

Detective [REDACTED] That's completely up to you.

[REDACTED] Well, it's pretty **** that my career is on the line here. I just need, I don't know.

Detective [REDACTED] Well, where are you moving to?

[REDACTED] Um, I'm gonna stay in my van.

Detective [REDACTED] In the van?

[REDACTED] Mm hmm.

Detective [REDACTED] That ****?

[REDACTED] Mm hmm.

Detective [REDACTED] You gonna travel or?

[REDACTED] Mm hmm.

Detective [REDACTED] That sounds cool. Where you gonna go?

[REDACTED] I don't know. Um, so I'm gonna, I work four **** and then I have nine off, so I **** to just go put everything in storage. I don't wanna buy right now and I don't wanna rent. I'm usually never home.

Detective [REDACTED] You guys rent this place or you own it?

[REDACTED] Uh, [REDACTED] uh, we, we own it. I'm signing it back over to him.

Detective [REDACTED] Mm hmm. Is that like an RV? I didn't really look at it too close when I came up.

[REDACTED] Mm hmm.

Detective [REDACTED] So it has like a bed in there and stuff?

[REDACTED] Mm hmm.

Detective [REDACTED] That's cool.

[REDACTED] Yeah, I've been cleaning it, trying to figure out what I'm gonna put in there. It's got a bed, a bathroom, kitchen.

Detective [REDACTED] My parents have an RV. Me and my wife went up to, uh, Yellowstone with the kids last summer, or two summers ago.

[REDACTED] Yeah, I just sold my camp trailer and got that.

Detective [REDACTED] It was a blast. Best trip ever.

[REDACTED] Yeah. I like camping. But this I can have at work, um, ****, um, her and I can **** I can just go have some peace.

Detective [REDACTED] How many days, how many days a week you work?

[REDACTED] I work seven a month.

Detective [REDACTED] Seven a month? That's awesome.

[REDACTED] Mm hmm.

Detective [REDACTED] Super awesome. You fly, right?

[REDACTED] Mm hmm.

Detective [REDACTED] Where you guys fly to and from?

[REDACTED] Um, well, we're outa Stockton, so we do a lot of the San Joaquin area, um, but we'll fly over here in the Foothills and pick up people, ****. I used to work for [REDACTED]. I really don't have ****.

Detective [REDACTED] Okay. Well, we have to check because then they'll say we didn't look and, you know, all that kinda stuff, and we don't wanna do that. I think you're being honest with us, [REDACTED] I think you really are, and I appreciate, I, I really do appreciate that. I know there's 1,000 things going through your head right now. I don't even know how I would feel if I was in your possession.

Detective [REDACTED] Sorry, um, so, are, um –

[REDACTED] Oh, those are dead cellphones. They don't work.

Detective [REDACTED] They don't?

[REDACTED] No. They're the Galaxy ones.

Detective [REDACTED] Okay. Are these old ones or somethin'?

[REDACTED] Yeah. I had 'em for backup.

Detective [REDACTED] Okay.

[REDACTED] But the only thing you can do is call 911 just because they are not supported.

Detective [REDACTED] And **** hooked up to a plan.

Detective [REDACTED] This one looks like it's just been opened.

[REDACTED] They're not, um, they're not, um, Verizon doesn't support them anymore.

Detective [REDACTED] Okay.

Detective [REDACTED] Um, well, we're gonna take, we're gonna be taking these devices too, okay, just because that's what's listed on our warrant. Um –

[REDACTED] What's the top one?

Detective [REDACTED] This looks like – this?

[REDACTED] No.

Detective [REDACTED] This one?

[REDACTED] Yeah.

Detective [REDACTED] It's like a Motorola phone of some kind.

Detective [REDACTED] It was in the same drawer with the other ones.

[REDACTED] Oh, yeah, they're all dead.

Detective [REDACTED] Okay.

Detective [REDACTED] And then we got looks like some two older Samsung phones here. Looks like they're matching.

Detective [REDACTED] You're saying you haven't used these in several months as well?

[REDACTED] Mm mm. They're probably dead.

Detective [REDACTED] Okay.

Detective [REDACTED] Okay. Um, we'll just be taking these. We'll give you a property receipt for those. Um –

[REDACTED] I completely forgot about those phones.

Detective [REDACTED] It's kinda crazy how you have this stuff around. I've got phones around my house I haven't seen in years.

[REDACTED] Well, it happens 'cause I thought maybe I had one for an emergency phone, but you can only call 911 ***** good to have.

Detective [REDACTED] Mm hmm.

Detective [REDACTED] An LT.

Detective [REDACTED] Okay. All right. Can I get an ***** on this?

Detective [REDACTED] I don't know about that or –

Detective [REDACTED] Oh, okay. Um, yeah, find out what ***** about that.

Detective [REDACTED] Okay.

Detective [REDACTED] Are, are all the firearms in the house your husband's or are any of them yours?

[REDACTED] Um, they're, some of 'em are mine too.

Detective [REDACTED] Okay. All right.

[REDACTED] You wanna walk with me to the bathroom?

Detective [REDACTED] Um, can you give us just a minute? I'll ****. Gotta call the boss.

[REDACTED] I can only imagine why. I was taking it, I was gonna bring it to my dad's.

Detective [REDACTED] Gonna bring what?

[REDACTED] What you guys just found.

Detective [REDACTED] Oh, your rifles?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. He said somethin' about rifles. I don't know what kind are in there. What are they?

[REDACTED] I have an AR.

Detective [REDACTED] You have an AR-15? Okay. Where'd you get that from?

[REDACTED] I put it together.

Detective [REDACTED] Oh, you built it? That's pretty interesting. Where does your dad live?

[REDACTED] Arizona.

Detective [REDACTED] He lives in Arizona? Okay.

[REDACTED] I know I can't have it here.

Detective [REDACTED] Yeah, um, that's an issue.

[REDACTED] Mm hmm.

Detective [REDACTED] Did, does [REDACTED] have any firearms that are in here, are they all yours, or is there any other illegal ones?

Detective [REDACTED] Because it's a DV situation, we will be seizing.

Detective [REDACTED] Okay. Um –

[REDACTED] He's got one up there too.

Detective [REDACTED] Who does, [REDACTED]

Detective [REDACTED] Yeah, we noticed a bunch of guns in the closet. I get it, it's a household, um, but because of the nature of this investigation we're basically required to seize firearms until this case can be adjudicated, so –

[REDACTED] Do I get them back?

Detective [REDACTED] Uh, there is a process you'd have to go through, it's through the Department of Justice who basically regulates all this type of thing. Um, but uh, as long as, well, if you're convicted of a certain type of crime then you're excluded from owning firearms. If it turns out that that is not the case, then yes you can go, go through the process to get your firearms back. So I don't know which ones are yours or which ones are his, but um, that'll come back to which comes back registered to you, if they are registered to you.

Detective [REDACTED] So [REDACTED] what I'm kinda thinking might be a good idea at this point, okay, is I know there's a bunch of firearms in there, we got some questions about that stuff now too. All right? Um, would, would you be willing to come to the sheriff's office and talk with me while my partner –

[REDACTED] Now I'm gonna need a lawyer.

Detective [REDACTED] Okay. You want a lawyer?

[REDACTED] Yeah. I just, I don't feel good about any of this right now.

Detective [REDACTED] Okay.

[REDACTED] I'm just, no.

Detective [REDACTED] So what's happening, [REDACTED] is, uh –

[REDACTED] I don't –

Detective [REDACTED] – we have a search warrant obviously, so we're seizing the residence until we can conclude our investigation here. I have some more resources that are coming out that's gonna help me basically document and photograph things that, of an evidential nature. Um, so if you're choosing that you don't wanna make a statement, that's fine, we understand that. That is

your right, we're not gonna force you to do something you don't wanna do, uh, but we are gonna be here for a little bit. So just kinda stand by to stand by unfortunately. Okay?

██████████ Um –

Detective ██████████ Who's coming up?

Detective ██████████ Uh, Lieutenant Vasquez is working on getting us a resource to come up with photograph, help with photographs and whatnot.

Detective ██████████ Okay. Um, can I take a look at the rifle that's there?

Detective ██████████ It's up on the closet up top.

██████████ How much trouble can I get in for that?

Detective ██████████ I'm sorry?

██████████ ****.

Detective ██████████ Is that yours?

██████████ Yeah.

Detective ██████████ Oh, okay. Well –

██████████ I ****. I was gonna take it to my dad's.

Detective ██████████ Does he live out of state?

██████████ He lives in Arizona.

Detective ██████████ A free state where you can have shit like that? Yeah.

██████████ Now I just moved back, well, I moved back from Arizona a little while ago.

Detective ██████████ Oh yeah? What part?

██████████ I lived in ██████████

Detective ██████████ ██████████

██████████ Mm hmm. And ██████████.

Detective [REDACTED] Okay, [REDACTED], I know that area. My dad lives out in the styx, a little area called [REDACTED].

[REDACTED] Oh yeah, I was looking at a job out there in **** [REDACTED]

Detective [REDACTED] Yep.

[REDACTED] Mm hmm.

Detective [REDACTED] I have a cousin that was a, uh, she was Miami PD and then, uh, she worked for, uh, Gila County SO for a long time. She retired outa there. She was a boat deputy up at Lake Roosevelt.

[REDACTED] Nice.

Detective [REDACTED] How long have you been doing the flight thing?

[REDACTED] Eight years.

Detective [REDACTED] Yeah? Were you **** before that or?

[REDACTED] Uh, I had a **** response.

Detective [REDACTED] Cool. The adrenaline ****, huh?

[REDACTED] Yeah.

Detective [REDACTED] I'm a EMT for our S.W.A.T. team, but I don't have anywhere near the knowledge you do. Tourniquets and blood stoppers, that's all I really do.

[REDACTED] That's pretty much all ya need.

Detective [REDACTED] Yeah. Yeah, we bought a, our new vehicle, the Bearcat, but we bought the **** version that is set up like an ambulance inside, you know, oxygen, basic stuff like that, and none of us knew how to turn the shit on. So it's like oh, ****. So is your big competition [REDACTED] with the other –

[REDACTED] I used to apply for them, but yeah. Well, they're not – kinda. Um, we are **** now.

Detective [REDACTED] Okay.

[REDACTED] We're together and then, yeah, [REDACTED] is here, but [REDACTED] **** five bases in –

Detective [REDACTED] Mm hmm.

██████████ – California ****.

Detective ██████████ Yeah.

██████████ Is that my husband?

Detective ██████████ No.

██████████ So what are you taking pictures of?

Detective ██████████ Me?

██████████ Yeah. What are they –

Detective ██████████ They're looking at those rifles to see if –

██████████ Oh, is that what they're gonna –

Detective ██████████ Yeah.

██████████ – take pictures of?

Detective ██████████ When we have, like I said, originally it started as a domestic situation, so normally the procedure is if there's weapons we seize them, so that's just for public safety reasons, like kind of a cooling off type thing. I need to **** two damn phones.

██████████ So what's next?

Detective ██████████ I'm sorry?

██████████ What's next?

Detective ██████████ Well, it just depends. Um, now we're waiting for some other people to get here, some other resources, 'cause now we have to take some more documentation regarding photographs, things like that, um, because you have an assault rifle. Okay? Um, that's a felony, so I mean, we have to look at the gun, you've invoked your Miranda rights I guess, you're saying you don't wanna talk to us, so we have to wait for the resources to get here now.

██████████ Having that gun is a felony?

Detective ██████████ Absolutely. You cannot have an assault rifle in the State of California, ma'am.

██████████ It's not an, I mean, that's an AR-15, it's not –

Detective [REDACTED] It is, but unfortunately you have a modification on the bullet button that makes it not a bullet button. You have a collapsible stock, you have a, a forward grip, so those are the things that make it –

Detective [REDACTED] Is it AR or AK, I couldn't really tell.

Detective [REDACTED] It's an AR style, correct me if I'm wrong, AR platform with chamber of 762, right, so an AK round?

[REDACTED] [REDACTED] ****.

Detective [REDACTED] You get a free gun or somethin' like that or?

[REDACTED] [REDACTED] No. He, so in Arizona he's been building them, so he got me the stuff to build it and I didn't think twice about it.

Detective [REDACTED] Is it, um, is it a bullet button on the outside of the gun or is it just a, is it modified without that?

[REDACTED] [REDACTED] There's a button to release the mag. Is that what you're talking about?

Detective [REDACTED] Yeah. So it looks like you had a bullet button at one point and you –

[REDACTED] [REDACTED] ****.

Detective [REDACTED] Okay. Whoever built it looks like it had a bullet button and they put that extension on there so you could still tap it. That's one of the issues.

[REDACTED] [REDACTED] I don't know.

Detective [REDACTED] So you know to release the magazine?

[REDACTED] [REDACTED] Uh huh. There's a button.

Detective [REDACTED] Yeah. So normally for California legal weapons, um, the bullet button had to be affixed, and there was a little tiny piece in there that you had to use a tool or something to release the magazine.

[REDACTED] [REDACTED] Oh yeah.

Detective [REDACTED] Well, it looks like somebody on that one has modified it where they put like an extension on it so you could still push the button, which makes it a detachable magazine
****.

Detective [REDACTED] Um, see, this is where we get into problems where we, you just Mirandized yourself, now we can't ask you any, we can't ask you any questions related to this investigation or the gun.

Detective [REDACTED] ****.

[REDACTED] Well, now I'm facing another felony, like –

Detective [REDACTED] You could be, I don't know. We have to look at your gun.

[REDACTED] I didn't think about it. Now my dad ****. Can I pee now please?

Detective [REDACTED] Um –

[REDACTED] You can check with – I'll walk with you to the ****.

Detective [REDACTED] Wait 'til my partner comes back.

[REDACTED] Which gun are you talking about?

Detective [REDACTED] I'm sorry?

[REDACTED] Which gun?

Detective [REDACTED] I, I can't ask you any questions related to it, ma'am.

[REDACTED] Do you know any defense attorneys or –

Detective [REDACTED] I can't recommend any legal counsel for you ma'am. Not fun, huh?

[REDACTED] It's crazy. It's all over a comment.

Detective [REDACTED] Well, it's not just the comment, but I can't talk to you about it anymore, so.

Detective [REDACTED] ****.

Detective [REDACTED] Hmm? I'm sorry?

Detective [REDACTED] Um, why don't you throw this on.

Detective [REDACTED] Okay. All right, she needs to use the bathroom.

Detective [REDACTED] Okay.

Detective [REDACTED] Just walk her to the bathroom real quick, check the bathroom, make sure there's nothing in there.

Detective [REDACTED] All right. I gotta go pee real quick.

Detective [REDACTED] And can we get a, we're gonna have to search on you too, I'm sorry, 'cause we don't know ****. Could you just put your, uh, hands on the small of your back for me please? I'm gonna use the back of my hand ****, okay? I have to check, I have to check your breast area, okay? I'm using the back of my hands. You understand that?

[REDACTED] Mm hmm.

Detective [REDACTED] Okay. No guns in there, knives, nothing like that?

[REDACTED] Mm mm.

Detective [REDACTED] Okay. I also have to check your waistline.

Detective [REDACTED] Is this thing locked?

[REDACTED] Well, [REDACTED] it's really hard to open. Do you need a **** for the screen door?

Detective [REDACTED] No, that's fine.

Detective [REDACTED] ****.

Detective [REDACTED] Okay. Where's your restroom at, over here? Jake, you wanna come with us to the restroom real quick ****?

Detective [REDACTED] So do understand now you're actually being detained 'cause we have to find out the source of this, this gun. Okay? And we've got some people here who will ****. Okay? And then we'll go from there, all right?

Detective [REDACTED] Where's the nearest restroom, this way?

[REDACTED] ****.

Detective [REDACTED] Okay. You're good. Just gonna **** real quick. ****.

Detective [REDACTED] Huh?

Detective [REDACTED] I can guarantee you ****.

Detective [REDACTED] Who?

Detective [REDACTED] ****.

Detective [REDACTED] Okay.

Detective [REDACTED] **** immediately and she didn't answer.

Detective [REDACTED] Okay.

Detective [REDACTED] **** please.

Detective [REDACTED] What's that?

Detective [REDACTED] You have that **** receipt?

Detective [REDACTED] Yeah. You wanna **** that?

Detective [REDACTED] Yeah.

[REDACTED] Can I go smoke if you come with me?

Detective [REDACTED] I'm sorry?

[REDACTED] Can I go smoke?

Detective [REDACTED] Yeah. Maybe Detective [REDACTED] will go out there with you. Um –

[REDACTED] Can I put this in the garbage?

Detective [REDACTED] We will.

Detective [REDACTED] Where, where are your cigarettes kept first?

[REDACTED] Um, ****, you know where the, um, the, where the TV's at, the, um –

Detective [REDACTED] Yeah. The, uh, wardrobe looking thing?

[REDACTED] Uh huh, yeah.

Detective [REDACTED] Okay.

[REDACTED] So right next to it, um, in the top drawer.

Detective [REDACTED] All right. Give me a second to go find it.

[REDACTED] It's a small, and there should be a lighter in there also.

Detective [REDACTED] All right.

Am I gonna be arrested tonight?

Detective I don't know yet, ma'am. I really don't. I'm gonna have to look at your assault rifles and stuff now and see where we're at. Okay? Um, that's a whole different, you know, ball of wax that's going on here, okay? Um, I promise you this. I'm always honest and upfront about things, okay? I will let you know if that's going to happen, okay, and when I know it's gonna happen. I'm not gonna play a bunch of games with you, okay? Um –

I'm gonna need some numbers out of my phone so I can get out if I do.

Detective Okay. Um, that might not be possible now, okay? So you might have to get those numbers some other way, okay? Now that you've invoked your Miranda rights, things like that, there's certain legalities where now we're seizing this stuff as evidence and we have other stuff that we have to deal with. I don't know if you're gonna go outside, but you can go outside and have a cigarette. Deputy will take care of that. We're gonna start writing down everything so you can get your property receipt for the items that we are going to take. All right? I promise you those rifles are probably coming with us. I don't know about the other firearms that are in the house. Uh, those are, are there other legal, illegal firearms, be honest, just for safety or anything like that?

Well, ****.

Detective We'll ****, you don't have to worry about it.

****.

Detective **** okay? We'll ****.

Yeah, ****.

Supplemental Report:

On 10-16-2019 and 10-17-2019, I made several attempts to contact [REDACTED] so I could conduct a follow-up interview with him. I called both phone numbers listed for [REDACTED] in RIMS [REDACTED] and [REDACTED]. I was unsuccessful in making contact with [REDACTED]

I asked Lieutenant Pippin if he had another number listed for [REDACTED] being that he had already spoken with him on a previous occasion for the administrative side of his investigation. Lieutenant Pippin advised me that he had emailed [REDACTED] and he received a quick response from [REDACTED] Lieutenant Pippin provided me with Devon's email address [REDACTED]
[REDACTED]

On 10-17-2019, at approximately 0921 hours, I sent [REDACTED] the following email.

Hello Mr. [REDACTED]
My name is [REDACTED] I'm a Detective with the Tuolumne County Sheriff's Office. My partner Detective [REDACTED] and I have been assigned to follow-up on an investigation regarding an allegation of Domestic Violence between your wife, [REDACTED] and yourself, which reportedly took place on 07-17-2019. There are concerns about the case, specifically that it was not handled properly. I would like to set up a time to speak with you to get more details about what took place. I understand you work out of the area so if you could please call me at your earliest convenience I would appreciate it. Thank you.
[REDACTED]
[REDACTED]

On 10-18-2019, at approximately 1335 hours, I received the following response from [REDACTED]

Hi [REDACTED]
I do work out of the area. Both on ground 911 and Air medical. As far as the case against my wife hitting me I don't have anything else to say about it. I called 911 for help from your department which I was very reluctant to do given my profession in public safety. As I'm sure you are aware things did not seemingly go the way they should have. To the point I got text messages from a woman who is apparently married to one of those deputies that responded that night to the 415 at my home. This occurred on the 10th at around 22:30 hrs she inferred that her husband and my wife may have had something going on. I did forward the text conversation to the lieutenant. I have spoken with the Lieutenant in person I believe it was the 7th or 8th of October and he informed me that my wife has pursued domestic violence and spousal rape allegations against me. Probably filed or taken a report by the same deputy I don't know. Anyways I have not been in Tuolumne County since 8 October. I have changed my phone plan got a new phone and have a new phone number so that nobody reaches out to me in this scandal that has unraveled. I do not feel safe in my own home or county now that this has transpired. I am avoiding going home and being around my spouse. I'm working on divorcing [REDACTED] What ever [REDACTED] has done or said I'm unaware of as I feel it is best to distance myself from the toxic environment and just work my two jobs. Anything else I can be of assistance please let me know.
[REDACTED]

Prepared By:

Date:

Approved By:

Date:

10/25/2019

10/25/2019



On 10-25-2019, at approximately 1536 hours, I responded to [REDACTED] with the following email.

Mr. [REDACTED]

Thank you for getting back to me. I'm sorry for the delayed response. I was away for a few days because of training. I understand you have already spoken with Lieutenant Pippin regarding this issue, however his reason for contacting you was to look into possible violations of department policy, from an administrative stand point on the involved deputy. I'm not sure if you are aware of this, but the Deputy who responded to your house for the initial incident is no longer employed with the Tuolumne County Sheriff's Office. I am following up on the investigation into the initial call for service itself. I understand your concerns however the only way I can fully investigate this is by getting my information directly from the source. I can't force you to speak with me but it would really help me out to hear your side of things. We have also conducted a follow up interview with your wife, but again, this only gives us one side of things. I work Tuesday through Friday pretty much bankers hours. Please let me know if we can set up a date and time to have a conversation about this or if you would just like for us to not contact you any further regarding this matter. Thank you.

Respectfully,
[REDACTED]

On 10-25-2019, at approximately 1605 hours, [REDACTED] responded to my email with the following message.

[REDACTED]
I've heard nothing but good about you from prior coworkers in the county. I'm sorry the Deputy is no longer employed with the county. As it was not my intention to be a catalyst to this mans career and it ending here locally . I had a wife problem that was toxic and it was unfortunate he involved himself in any other means but professionally. I do not know the back side of the story as my wife has basically quit communication with me since July. I don't have a clear recollection of every detail of the incident. As it was almost 4 months ago and I did not think to jot down any notes on it. So it Would be unfair and inappropriate to speculate or input any opinion into it other then the facts you have at hand. When [REDACTED] was arrested and placed in the patrol vehicle and taken to jail that was the last knowledge I have of the incident at my residence. I was no longer involved in the incident other then speculating the two were communicating via my phone bill. As far as I'm concerned my divorce is on track and I am meeting said obligations in a purposeful safe manner. I miss being home but understand I will have to remain out of town until amicable separation is achieved with [REDACTED] so that I can start rebuilding my life. I appreciate your understanding. Marriages that end in divorce can become pretty nasty, insecure, angry and disrespectful to one another. I'm sure I have contributed my fair share into it all as nothing is one sided.
[REDACTED]

On 10-25-2019, at approximately 1618 hours, I responded to [REDACTED] email with the following

Prepared By:

Date:

Approved By:

Date:

10/25/2019

10/25/2019



message.

Mr. [REDACTED]

I know this has not been an easy or pleasant thing to go through. The Deputies actions and conduct were ultimately what caused or lead to his separation of employment from the Sheriff's Office. That's on him and he will have to deal with that. I understand and respect where you are at the moment with this. I will document what we have at this point. Please feel free to contact me if you remember anything else that you think might be pertinent to this investigation. Thank you again for getting back to me and good luck to you.

Respectfully

[REDACTED]

I printed copies of the emails, which I later scanned and attached to this report.

Prepared By:

[REDACTED] [REDACTED]

Date:

10/25/2019

Approved By:

[REDACTED] [REDACTED]

Date:

10/25/2019

Supplemental Report:

On 10-15-2019 at approximately 1400 hours, I was assigned to follow up on Case No. 19-2442. This assignment came to me from Lieutenant Pippin. It involved a domestic violence incident which reportedly took place on 07-17-2019, at [REDACTED] in [REDACTED]. Detective [REDACTED] was also briefed on this information by Lieutenant Pippin. We were advised that there was currently an Internal Affairs (IA) investigation that was taking place, which would be running concurrent with our investigation. Lieutenant Pippin advised us that the (IA) portion of the investigation also stemmed from the initial case. Lieutenant Pippin advised us that he was looking into the Internal Affairs or administrative side of this investigation and requested that we conduct follow up into the potential criminal violations (273.5 PC, 148(a)(1) PC and 262 PC) related to this case. Lieutenant Pippin believed that there were several steps missed in this investigation and that the case was not investigated properly.

Detective [REDACTED] and I first familiarized ourselves with the case by reading the reports authored and submitted by Deputy David Danel. Detective [REDACTED] authored two search warrants to gain or obtain the cellular phones and other electronic devices from Deputy Danel and the involved female party, [REDACTED]. These warrants were reviewed and signed by the Assistant District Attorney, [REDACTED]. They were then in turn reviewed, signed and authorized by the Honorable Judge Kate Powell-Segerstrom (refer to Detective Donaldson's supplemental reports for further details).

On 10/17/2019 at approximately 1750 hours, Detective [REDACTED] and I responded to [REDACTED]. We made contact with [REDACTED] in the front yard of her residence. It should be noted Detective [REDACTED] and I were both wearing business attire with our badges and firearms displayed, indicating and identifying us as peace officers. We verbally identified ourselves as Detectives with the Tuolumne County Sheriff's Office and advised [REDACTED] we were there to speak with her regarding an investigation we were conducting. Detective [REDACTED] advised [REDACTED] that we had a warrant to seize her cellular phone and any other electronic devices that she may utilize. He provided her with a copy of the warrant and asked if we could speak inside.

At the time we advised her of the warrant and prior to entering [REDACTED]'s residence, [REDACTED] had her phone in her hand. Detective [REDACTED] took immediate custody and possession of the phone. Detective [REDACTED] spoke with [REDACTED] in the living room and explained the situation to her. While Detective [REDACTED] was speaking with [REDACTED] for officer safety reasons, I decided to conduct a protective sweep of the interior of the residence. I asked [REDACTED] if there was anyone else in the house and if there were any firearms in the house. [REDACTED] told me there was no one else home, but there were several loaded firearms throughout the house. She indicated there was a loaded pistol in the cabinet above the refrigerator in the kitchen and another loaded pistol in the nightstand in her bedroom (master bedroom). I did not locate any other persons inside the home. I did later locate the two firearms she mentioned previously and rendered them safe.

The search warrant authored by Detective [REDACTED] allowed for us to search anywhere within her home where a cellular device or electronic communication device could be kept. Detective [REDACTED] stood by with [REDACTED] while I searched the residence. In the kitchen I found an empty box for an Apple iPhone. I asked [REDACTED] about this phone and where it was. [REDACTED] told me the phone belonged to her husband ([REDACTED]). I did not locate the phone associated with the empty box.

Prepared By:

[REDACTED]

Date:

10/29/2019

Approved By:

[REDACTED]

Date:

10/29/2019



I checked in the master bedroom. On the nightstand (same nightstand where the firearm was located) closest to the door that led outside, I located a Samsung smartwatch. I know through my training and experience that devices such as these (i.e. Smart watches) have cellular-like capabilities and can be used like cellular phones. Some are also capable of storing messages (i.e. Short Message Service "SMS" and Multi-media Messaging Service "MMS") and other data. This watch was photographed by CSO [REDACTED] per my request and later seized as evidence.

There was a large entertainment center located across from the bed in the master bedroom. I opened the cabinet-style swinging doors and noticed there were some drawers. I opened the top drawer and I located three other cellular phones. Two of these phones were Samsung brand devices and the other was a Motorola. These were also photographed by CSO [REDACTED] at my request and later seized as evidence.

I went into the closet of the master bedroom. To my immediate left there was a shelf with some clothing and other items. On the same shelf, I noticed a stripper clip with approximately 10 live rounds of 7.62x39 ammunition. I recognized these rounds and the configuration they were in (attached in a straight line with a stripper clip) as the same type of ammunition that would be used in an SKS or AK-47 style rifle. There were also two other firearms (pistols) on the shelf.

On the floor directly underneath the shelf with the stripper clip and pistols, I noticed several other ammunition cans and boxes of ammo which were labeled 7.62x39 and .223 or 5.56 caliber.

Directly above me on the top shelf, I noticed several rifle cases. I used a chair to stand on and looked inside the rifle cases. In the first one, I noticed a complete assembled, AR-style rifle. I noticed that the rifle had a collapsible stock and a vertical foregrip on the fore end. There was no bullet button and that the weapon did not appear to be California compliant or legal. There were also detachable magazines in the rifle case. The writing on the side of the rifle indicated that it was chambered in 7.62x39 caliber.

In the case directly below that one was another similar AR-style rifle (complete assembled). This rifle had the same configurations (i.e. collapsible stock, vertical fore end grip, detachable magazines and no bullet button). The writing on the side of this rifle indicated that it was chambered in .223 or 5.56 caliber.

On the top shelf, just to the left of the two AR style rifles, I located an SKS semi-automatic rifle. This rifle was also modified so that it could accept a detachable magazine and it had a bayonet affixed to the front of it. It should be noted this SKS rifle was also chambered in 7.62x39 caliber.

I left these items in place and notified Detective [REDACTED] what I had located. I advised him that I believed these weapons were not legal within California and fell under Penal Code Section 30605 (a) which is an illegal assault weapon. CSO [REDACTED] later photographed these rifles per my request.

Based on the rifles being located inside the house during the course and execution of our search

Prepared By:

Date:

10/29/2019

Approved By:

Date:

10/29/2019



warrant and the fact that they appeared to not be California complaint or legal; I seized these weapons as evidence.

A property receipt was filled out and provided to [REDACTED] on scene. [REDACTED] agreed to speak with Detective [REDACTED] about our initial investigation, but opted to not speak about the subject of the firearms we had located in her house. At one point during our contact with her, she did make a statement about claiming ownership of at least one of the rifles and said she had built one of them.

We later returned to the Sheriff's Office and put the firearms and electronic phone devices that we had seized during the warrant into a temporary evidence locker.

On 10/22/2019 at approximately 1035 hours, I removed the firearms and phones from the temporary locker.

The SKS rifle (entered into RIMS as item #1 in the property section) was a Norinco brand SKS rifle. The serial number on the rifle was 21001961.

The second rifle (entered into RIMS as item #2 in the property section) was an Anderson Manufacturing AM-15, multi-caliber rifle. It was chambered in .223 or 5.56 Nato and had a serial number of 16321826. Inside the case with this rifle, I located a 30-round polymer magazine, which was also designed to take .223 or 5.56 ammunition. I removed this magazine and packaged it separately.

The third rifle (entered into RIMS as item #3 in the property section) was also an Anderson Manufacturing AM-15, multi-caliber rifle. The serial number was 18045135 and was chambered in 7.62x39 caliber.

I had Dispatch run these firearms in CLETS and in the Automated Firearms System (AFS). Dispatch advised me that none of these firearms were on file in CLETS or (AFS) and there was no registered owner associated or listed with the firearms. These weapons were all rendered safe and packaged.

I then packaged the phones and smart watch that were seized. I booked the items into evidence Locker No. 21.

Prepared By:

[REDACTED]

Date:

10/29/2019

Approved By:

[REDACTED]

Date:

10/29/2019



TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill Pooley
Sheriff-Coroner

February 4, 2020

David Danel
[REDACTED]

Re: Notice of Proposed Disciplinary Action

David Danel

You are hereby notified that the Tuolumne County Sheriff's Office would have Terminated you from the position of Deputy Sheriff if you had not resigned prior to the completion of this investigation. This action would have been taken based upon the following violations:

Tuolumne County Sheriff's Office Policies:

Policy 320.4 Domestic Violence, Investigations

(e) *All injuries should be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the general investigations in the event that the injures later become visible.*

(j) *Deputies should take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:*

- 4. The potential financial or child custody consequences of arrest*
- 5. The physical or emotional state of either party*
- 6. The use of drugs or alcohol by either party*
- 7. Denial that the abuse occurred where evidence suggests otherwise.*

11. *The racial, cultural, social, professional position or sexual orientation of the victim or suspect*

Policy 320.5 Domestic violence, victim assistance

Victims may be traumatized or confused. Deputies should:

- (b) Provide the victim with the Office's domestic violence information handout, even if the incident may not rise to the level of a crime*
- (c) Alert the victim to any available victim advocates, shelters and community resources*

Policy 320.9.1 Domestic violence, standards for arrests

Deputies investigating a domestic violence report should consider the following:

- (a) An arrest should be made when there is probable cause to believe that a felony or misdemeanor domestic violence offense has been committed (penal code 13701). Any decision not to arrest an adult when there is probable cause to do so requires supervisor approval.*

Policy 320.9.4 Domestic violence, reports and records

- (b) Reporting deputies should provide the victim with the case number of the report. The case number may be placed in the space provided on the domestic violence victim information handout provided to the victim. If the case number is not immediately available, an explanation should be given regarding how the victim can obtain the information at a later time.*

Policy 340.3.1 Standards of Conduct, Ethics

- (a) Using or disclosing one's status as a member of the Tuolumne County Sheriff's Office in any way that could reasonably be perceived as an attempt to gain influence or authority for non-office business or activity*
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose*
- (g) Any other failure to abide by the standards of ethical conduct*

Policy 340.3.3 Standards of conduct, relationships

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.*
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact*
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact*

Policy 340.3.6 Standards of conduct, efficiency

- (a) Neglect of duty*
- (b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable or bona fide excuse*
- (c) Concealing, or attempting to conceal, removing or destroying defective or incompetent work*

Policy 340.3.7 Standards of conduct, performance

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation*
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any office record, public record, book, paper or document.*
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any office-related business.*
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this office or its members.*

Policy 340.3.8 Standards of conduct, conduct

(h) Criminal, dishonest, or disgraceful conduct, whether on or off-duty, that adversely affects the member's relationship with this office

(m) Any other on or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this office, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this office or its members

Policy 804.6 Records Section, arrest without filing of accusatory pleading

The patrol division commander should ensure a process is in place for when an individual is arrested and released, and no accusatory pleading is filed so that the following occurs (penal code section 849.5 & 851.6)

(a) *The individual is issued a certificate describing the action as a detention.*

County of Tuolumne Personnel Rules and Regulations:

TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action

(16) Violation of a department rule.

Tuolumne County DSA Memorandum of Understanding:

DSA MOU Article 16, Section C. Cause(s) of Action

(2) Falsification of an official statement or document.

(3) Willful disobedience of any job-related law, ordinance, county rule, or department regulation or any supervisor's lawful order

(4) Incompetence

(5) Inefficiency

(6) Inexcusable neglect of duties

(Dishonesty, untruthfulness, lying

(15) Violation of department rule

(16) Other failure of good behavior either during or outside of duty hours which is of such a nature that it causes discredit to the county

County of Tuolumne Personnel Rules and Regulations:

TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action

(6) Inefficiency

(16) Violation of a department rule.

The particular facts of this recommendation were identified during the internal affairs investigation (Internal Affairs Investigation #19-004). These findings were sustained, and a recommendation was made by the Disciplinary Review Board that met on 01/31/2020. A summary of the internal affairs investigation findings are as follows.

You had been employed with the Tuolumne County Sheriff's Office for approximately 2 years as a Deputy Sheriff. You were a San Diego City Police Officer for approximately 4 years prior to coming to the Tuolumne County Sheriff's Office. In 2013 you successfully completed the basic POST academy. While in the academy, a learning domain on domestic violence was covered which you successfully completed/passed. You successfully completed the two field training programs, part of which contains a block of instruction and training on domestic violence.

This investigation started as a result of a citizen's complaint that was filed by [REDACTED]. On or about July 21st, 2019, [REDACTED] contacted Dispatch and requested to file a complaint alleging an inappropriate relationship between you and his wife [REDACTED]. Over the course of numerous weeks following the complaint, Dispatchers who were aware of the complaint recognized a pattern of behavior from you which caused alarm. The behavior included you being at or near the [REDACTED] residence while on duty (shown by patrol car MDC/GPS), as well as you turning off your patrol car MDC/GPS while near [REDACTED]. Dispatcher [REDACTED] reported this information to Sergeant [REDACTED] who in turn notified Lt David Vasquez.

On July 17th, 2019, you were charged with the duties of working as a patrol deputy. You were assigned to the graveyard watch, between the hours of 1800 and 0600.

At approximately 1950 hours you were dispatched to a domestic disturbance at the residence of [REDACTED] and [REDACTED] you arrived on scene at 2005 hours. During an investigation at the scene, you

developed probable cause to arrest [REDACTED] for felony domestic violence as well as delaying and obstructing. This decision was supported by evidence obtained by you including visible injuries to [REDACTED] [REDACTED] actions at the scene and statements from [REDACTED]

[REDACTED] was contacted at the residence and had a visible injury to his arm as the result of a physical confrontation with [REDACTED] [REDACTED] was not initially located at the scene when deputies first began to look for her. After making announcements and searching outside of the residence, [REDACTED] was located by Sergeant [REDACTED] hiding under a shed. After several announcements ordering her out from the underneath the shed, [REDACTED] crawled out. [REDACTED] showed obvious signs of intoxication and was taken into custody.

Prior to leaving the scene you failed to provide [REDACTED] with required victim paperwork and information, including the domestic violence information handout. Sergeant [REDACTED] left the scene prior to the completion of the investigation and assumed proper procedures and protocol would be followed.

You transported [REDACTED] to the Jail for booking and turned her over to jail staff. A short time after leaving the Jail, jail booking contacted Dispatch and requested you to transport [REDACTED] to the hospital for medical clearance. You returned to the jail and had a subsequent conversation with [REDACTED] During this conversation, [REDACTED] advised you that if she went to the hospital she would be humiliated and embarrassed because she works with the hospital staff. You chose at this time to forego medical clearance for booking and released [REDACTED] from custody. By [REDACTED] own admission in a later interview, she had a conversation with you regarding this being a "professional courtesy".

Probable cause to support the decision to arrest [REDACTED] for felony domestic violence, as well as obstructing or delaying still existed at the time the decision was made to release [REDACTED] from custody. The decision to release [REDACTED] was made by you without supervisor approval, which is required by policy. In addition, there was no paperwork completed documenting her time in custody was a detention only (849 (b)(1) PC), and no accusatory pleading would be filed.

Sergeant [REDACTED] overheard the radio transmission when you advised Dispatch, that you would be taking [REDACTED] home. This immediately drew the attention of Sergeant [REDACTED] and he contacted you. You told Sergeant [REDACTED] that you no longer had probable cause to arrest [REDACTED] and you were no longer certain domestic violence had occurred which is why you chose to release her from custody pursuant to 849(b) PC. You told Sergeant [REDACTED] that [REDACTED] had an injury to her foot, and you believed neither the injury to [REDACTED] or [REDACTED] were caused intentionally, rather it was unknown how the injuries occurred.

You did not present Sgt. [REDACTED] with any information that supported insufficient grounds for making a criminal complaint against [REDACTED] which is a requirement to release her from custody for the charges of domestic violence or delaying and obstructing pursuant to 849(b)(1) PC. You transported [REDACTED] back to her residence and did not book her for the crimes she was alleged to have committed, which were supported by probable cause. Furthermore, you made no attempts to ensure [REDACTED] was not still at the residence.

[REDACTED] was still at the residence at the time [REDACTED] was dropped off by you. A few hours later, during the same shift, a 9-1-1 call was made from [REDACTED] cell phone at the residence which resulted in a response by our office (Inc#1907180021).

Your decision to release [REDACTED] from custody and take her back to the residence while intoxicated exposed both [REDACTED] and [REDACTED] to continued acts of domestic violence and our office to great liability. There were no attempts made by you to ensure [REDACTED] or the persons at the residence would be safe, given the circumstances present at the time the decision was made, which included [REDACTED]'s level of intoxication.

There are numerous factual misrepresentations in the report authored by you surrounding your decision to release [REDACTED] from custody. There is no mention of you leaving the jail and later being summoned back to transport [REDACTED] for medical clearance at the request of the jail nurse. In the report, you indicate you learned about the injury to [REDACTED] foot while interviewing her when you were completing the booking process. Your report indicates you immediately notified the jail nurse who examined the injury and requested [REDACTED] be seen for medical clearance.

Per TCSO dispatch records, you cleared the Jail at 2144 hours and gave a case disposition of an arrest being made. This was after you completed the booking process. You were summoned back to the jail to transport [REDACTED] to AHS for medical clearance at the request of the jail nurse and arrived at 2249 hours. All the information you obtained from [REDACTED] relative to the domestic violence incident (statements) came prior to you coming back to transport her for medical clearance.

It is evident that you omitted information from your report to avoid the appearance of releasing [REDACTED] from custody, as a professional courtesy. Rather, you chose to give the appearance of you making your decision based on information you developed during your interview with [REDACTED] prior to, and during booking. You already had all relevant information when you made the decision to book [REDACTED] and close out the call with an arrest made. It is evident your decision to release [REDACTED] from custody was not based on lack of probable cause, rather on the potential

embarrassment she would face by being seen at the hospital, and by her admission "as a professional courtesy".

Several procedures and required forms were ignored or never mentioned in your report, such as documentation of injuries (photographs) and written documentation supporting [REDACTED]'s release from custody. You also cited 847(c) PC, which does not exist, as a governing section which would allow [REDACTED] to be released from custody.

On July 19th [REDACTED] contacted you and asked you to come over for coffee, to which you agreed. This contact was documented in a supplemental report; however, you omitted the location of the meeting and you classified the meeting as "follow up". You documented observing bruising on [REDACTED] and documented statements she made alleging she was the victim of spousal rape. [REDACTED] indicated [REDACTED] was the person who raped her.

There is nothing in the supplemental report, or evidence, indicating photographs were ever taken of the injuries. There were no requests, or anything to indicate investigative follow up was being done in relation to the rape allegations. You added additional charges of 262(A)(3) PC to the report and changed the status to "information only". At no time did you conduct, or request, further investigation into the allegations of spousal rape and domestic violence.

On or around July 21st, 2019, [REDACTED] contacted the Sheriff's Office to report an inappropriate relationship between you and his wife [REDACTED]. The complaint alleged you and [REDACTED] were texting and calling each other at all hours of the day and night. The complaint was forwarded to Sergeant [REDACTED] who questioned you about your contact with [REDACTED]. You admitted to communicating with [REDACTED] via text message, however you claimed it was work related and had since erased the messages from your phone.

Sergeant [REDACTED] ordered you to cease all contact with [REDACTED] and to forward any investigative reports to the Tuolumne County District Attorney for review. Any communications between [REDACTED] and you should have been documented in a report and they were not. You disobeyed the orders from Sergeant [REDACTED] never forwarding the case for review and continued to have contact with [REDACTED].

From the time you conducted your investigation, and over the days and weeks leading up to your resignation, you and [REDACTED] developed an inappropriate sexual relationship. This included multiple incidents of on duty sexual conduct, including sexual intercourse. You went to extreme measures to conceal the relationship, including obtaining a cell phone from [REDACTED] to conceal

your communications and repeatedly manipulating your patrol car GPS to hide your location while on duty.

You omitted information from your investigative reports and disobeyed direct orders from your supervisor. When asked specific questions during this investigation, you were not truthful in your response. You made efforts to hinder the investigation, which was confirmed in an interview with [REDACTED] when she said you coached her on what to say, should she be questioned in an administrative investigation.

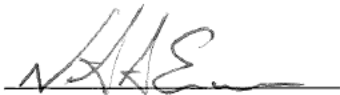
Your investigation into alleged domestic violence that occurred between [REDACTED] and [REDACTED] accompanied by your decision to release [REDACTED] from custody was not consistent with department policies and procedures, nor was it consistent with the professionalism and sound judgment required as a Deputy Sheriff with the Tuolumne County Sheriff's Office. Your decision to engage in an inappropriate relationship with [REDACTED] and actions while doing so, was in direct violation of numerous governing policies of the Sheriff's Office, the DSA MOU and the County of Tuolumne rules and regulations.

CONCLUSION:

Based on your conduct during the events on and after 07/17/2019, described above and in the attached internal affairs report, you violated the above-referenced personnel rules and policies.

Your behavior, and lack of integrity disrupted the efficiency of the Tuolumne County Sheriff's Office. You willfully violated several governing sections of the Tuolumne County Sheriff's Policy, County Rules and Regulations, to include the Deputy Sheriff's Association MOU. As a sworn Peace Officer, you are held to a high standard. You are entrusted by the public to display the highest level of personal conduct, morality and professional skill.

Your conduct demonstrated your unwillingness to conform to department rules, policies and orders. Those requirements exist for the safety of the public and personnel, as well as ensure the agency's operations do not violate the rights of citizens. Violation of these requirements, therefore, placed the agency and others at considerable risk and they left the agency with little choice other than to terminate your employment had you not resigned prior to the completion of this investigation.


Undersheriff Neil Evans



TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: Sgt. [REDACTED]

From: Lt. Jarrod Pippin

Date: 10/14/2019

Subject: Notice of Investigation/ Confidentiality Order

Let this serve as a notice that you are the subject of an Internal Affairs Investigation regarding your conduct as an employee of the Tuolumne County Sheriff's Office. You are under investigation and are subject to disciplinary action up to and including termination. Due to the possibility of disciplinary action you are hereby notified of your right to representation.

The investigation has been assigned to (**Lt. Jarrod Pippin**), should you have any issues or questions you may contact the investigator at (**209-694-2970**). The date, time and location of your interview will be (**Tuesday, 10/22/19, 1500 hours, at Tuolumne County Administration Building, HR conference room, 1st floor, 2 S Green Street, Sonora, CA 95370**). The date and time of this interview may be adjusted by your representation based on their availability.

It has been brought to the attention of the Tuolumne County Sheriff's Office that your actions may be in violation of County Policy and/ or the Tuolumne County Sheriff's Office Policy and Procedures.

Tuolumne County Sheriff's Office Policies:

TCSO Policy 201.2 Authority, Ranking Officers

The ranking officer shall exercise the authority of his or her position under all conditions which require that he or she use such authority in the best interests of the department.

TCSO Policy 320.2 Domestic Violence, policy

The Tuolumne County Sheriff's Office's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this office to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

TCSO Policy 340.2: Standards of Conduct

The continued employment or appointment of every member of Tuolumne County Sheriff's Office shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on, or off-duty, may be cause for disciplinary action.

TCSO Policy 340.3.6: Efficiency

(b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable and bona fide excuse.

TCSO Policy 444.1 Watch Commanders

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

County of Tuolumne Personnel Rules and Regulations:

TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action

(16) Violation of a department rule.

Tuolumne County DSA Memorandum of Understanding:

DSA MOU Article 16, Section C. Cause(s) of Action

(4) Incompetence

(5) Inefficiency

(15) Violation of department rule

External and internal complaints were made regarding your alleged involvement in a criminal investigation and neglect of your duties as a Sheriff's Sergeant.

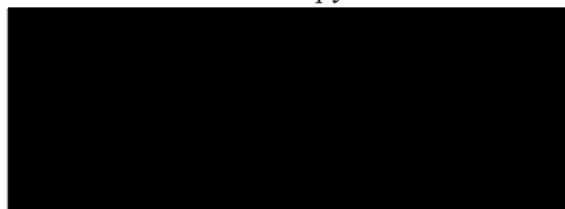
A complaint alleges on 7/17/19, at 1950 hours, the Tuolumne County Sheriff's Office received a report of a domestic disturbance involving a [REDACTED] and [REDACTED]. During the subsequent response a criminal investigation was conducted, and [REDACTED] was arrested for numerous penal code violations, including felony domestic violence, and transported to the Tuolumne County Jail for booking. The complaint further alleges [REDACTED] developed a personal relationship with investigating officer and was released without charges for the crimes she was arrested for, and she was transported back to her residence disregarding the victims' rights and call for help.

An internal complaint alleges numerous violations of governing policies and statutes were committed by in the investigating officer during the criminal investigation, which went against enforcement of the law to protect the victim and to facilitate the victims' and offenders' access to appropriate civil remedies and community resources. Additionally, the internal complaint alleges [REDACTED] was injured and no medical treatment was sought for her injuries. The alleged unsatisfactory work performance occurred while you were acting as the watch commander, responsible for ensuring investigations are done in a manner consistent with department policies, and California law while keeping the best interests of the department.

This is a confidential investigation. You are ordered not to discuss any aspect of this investigation with any other county employee, volunteer, contractor, or witness to the incident, with the exception of your designated employee representative, or the designated investigator.

You will not access any Sheriff's Office records, reports or databases for materials that relates in any way to this investigation. All previous orders or directives are still in effect. Failure to abide by this confidentiality order may result in disciplinary action up to and including termination.

I have received a copy of this notice.



10/14/19

Date



TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill Pooley
Sheriff-Coroner

ADMINISTRATIVE ADMONISHMENTS

Constitutional Rights

Due to the nature of this administrative investigation, Government Code § 3303 (h) requires me to advise you of your constitutional rights. Therefore, it is important that you understand that criminally:

- You have the right to remain silent.
- Anything you say may be used against you in court.
- You have the right to an attorney before and during questioning.

Miranda Waiver

Do you understand each of these rights that I have explained to you? YES X NO _____

With these rights in mind, would you like to speak to me now? YES _____ NO X

Lybarger Admonishment

- While you have the right to remain silent with regard to any criminal investigation, you do not have the right to refuse to answer my questions administratively.
- This is an administrative investigation. I am, therefore, now ordering you to answer all of my questions fully and honestly.
- If you refuse to answer my questions, your silence can be deemed insubordination and result in administrative discipline, up to and including termination.
- Any statement you make under compulsion of the threat of such discipline is for administrative purposes only and cannot be used against you criminally.

I understand my rights as described in the **Lybarger Admonishment** and WILL **WILL NOT** discuss this matter with you administratively.

Weingarten Admonishment

You have the right to have a representative present with you at this meeting. You have the right to meet with your representative prior to being questioned and you can request a recess at any time during this interview to speak privately with your representative. Your representative can ask clarifying questions but cannot interfere with the investigation in any manner. Your representative cannot instruct you not to answer any of my/our questions. Any refusal to answer any of my/our questions under the direction of your representative will be deemed to be insubordination to which you can be disciplined up to and including termination.

I understand my rights as described in this **Admonishment**. YES X NO _____

Is there any reason this interview cannot continue at this time? YES _____ NO X

☐ I waive my right to a representative.

Signature

Date

10/22/19

Witness

Date

10/22/19



TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: Dispatcher [REDACTED]

From: Lt. Jarrod Pippin

Subject: Confidentiality Order

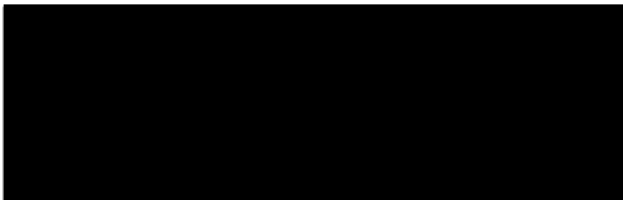
Date: 10/29/19

You have been identified as a possible WITNESS to an issue that is currently being investigated by the department. **YOU ARE NOT THE SUBJECT OF THIS INVESTIGATION.** This administrative investigation is confidential.

I am ordering you at this time not to discuss this investigation directly or indirectly with any other County employee, volunteer or contractor to protect the confidentiality and personal rights of the individual(s) being investigated. Failure to adhere to this order is considered insubordination and can lead to disciplinary action up to and including termination.

Should you have any issues or questions regarding this matter at any time, you are ordered to bring these matters directly to me for review. You are to answer all of my questions fully and honestly at the time of your interview.

I have received a copy of this notice.



10/29/19
Date



TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: Sergeant [REDACTED]

From: Lt. Jarrod Pippin

Subject: Confidentiality Order

Date: 10/29/19

You have been identified as a possible WITNESS to an issue that is currently being investigated by the department. **YOU ARE NOT THE SUBJECT OF THIS INVESTIGATION.** This administrative investigation is confidential.

I am ordering you at this time not to discuss this investigation directly or indirectly with any other County employee, volunteer or contractor to protect the confidentiality and personal rights of the individual(s) being investigated. Failure to adhere to this order is considered insubordination and can lead to disciplinary action up to and including termination.

Should you have any issues or questions regarding this matter at any time, you are ordered to bring these matters directly to me for review. You are to answer all of my questions fully and honestly at the time of your interview.

[REDACTED] copy of this notice.

10/29/19
Date

INTERVIEW WITH SERGEANT [REDACTED] 10/22/19

Lt. Pippin: All right. We're recording. It is October the 22nd. It's about 2:50 in the afternoon. Present with Sergeant [REDACTED] Jason Jasmine his representaion and Lieutenant Vasquez of the Professional Standards Division, and, uh, we are here today to do an interview in regards to an Internal Affairs investigation. And, uh, we will go ahead and start off with the administrative admon, admonishments. Um, I'm sure you probably were briefed on these and what's, what's to be, uh, to come, what's to be expected or what's coming, so we'll just go ahead and get right through 'em real quick. Um, you have some constitutional rights, and due to the nature of this administrative investigation, Government Code § 3303, Subsection H requires me to advise you of your constitutional rights. Therefore, it is important that you understand that criminally, you have the right to remain silent. Anything you say may be used against you in court. You have the right to an attorney before and during questioning. And do you understand each of these rights that I've explained to you?

Sgt [REDACTED] Yes.

Lt. Pippin: Having these rights in mind, would you like to speak to me now?

Sgt [REDACTED] No.

Lt. Pippin: So, if I can just get you to check those there, the proper responses. All right. We'll move to the next one. While you have the right to remain silent with regard to any criminal, to any criminal investigation, you do not have the right to refuse to answer my questions administratively. This is an administrative investigation. I am, therefore, now ordering you to answer all of my questions fully and honestly. If you refuse to answer my questions, your silence can be deemed insubordination and result in administrative discipline, up to and including termination. Any statement you make under a compulsion of threat of such discipline is for administrative purposes only and cannot be used against you criminally. And then here, it says, uh, that you understand – I'll just read it verbatim – I understand my rights as described in the Lybarger admonishment and will or will not discuss this matter with you administratively. So, what you're gonna, fill out the will part.

Sgt [REDACTED] I understand, yes.

J. Jasmine: So, you're actually skipping ahead.

Sgt [REDACTED] Oh, sorry.

Lt. Pippin: So, on that –

Sgt [REDACTED] Will?

Lt. Pippin: Yeah, sorry. Uh, just the will. Yes, circle that. There you go. And then the last part here is the Weingarten admonishment. You have the right to a representative present with you at this meeting. Your representation is here. You, you have the right to meet with your

representative prior, prior to being questioned, and you can request a recess at any time during this interview to speak privately with your representative. Your representative can ask clarifying questions but cannot interfere with the investigation in any manner. Your representative cannot instruct you to answer any, any of our questions. Any refusal to answer any of our questions under the direction – or excuse me – any refusal to answer any of our questions under the direction of your representative will be deemed to be insubordination, to which you can be disciplined, up to and including termination. And, again, it's, at the bottom, it's, uh, you understand your rights as described in the admonishment, and is there any reason the interview, uh, cannot continue at this time. And then the waiver, you don't need to fill that part out 'cause your representative is here.

Sgt [REDACTED] Sign it?

Lt. Pippin: Yep.

J Jasmine: Yes. You can just cross out this line here, I waive my right to – yeah. And then you can sign and date it.

Lt. Pippin: Okay. So, you wanna witness that or?

J Jasmine: Sure.

Lt. Pippin: All right. As we get started here, there's a couple of things I brought that I just wanna provide for you, and should you need to reference either one of these at any time during the interview, that's what they're here for. One is a copy of the actual case report. That's dated from July, or the actual case report that came in July 17th in regards to [REDACTED] and [REDACTED]. This is a report that was authored by Deputy Dannel and a, a report that Sergeant [REDACTED] uh, reviewed and approved. So, there's a copy of that should you need it. What's not included in this is the supplemental reports because those were reviewed by a different sergeant, not Sergeant [REDACTED]. There's that, and then also now I probably will be getting into a little bit of the domestic violence policy, so I brought you a copy of that, as well. If you wanna, if you need to pause at any moment in time to review that stuff to get your recollection back, that's what those are there for. So, feel free to ask for a pause or break when, when needed.

Sgt [REDACTED] Okay.

Lt. Pippin: All right. Let's, uh, let's start with, uh, just kinda laying a foundation of some training of and training of, training of – I'm getting my words jumbled – training and experience, starting when in, kinda way back, um, with the police academy. What year did you go to the police academy?

Sgt [REDACTED] 2009?

Lt. Pippin: 2009? Okay. And that was at the Modesto academy, correct, ray simon?

Sgt [REDACTED] Yes.

Lt. Pippin: While you were in the academy, did they cover domestic violence in one of the learning domains?

Sgt [REDACTED] Yes.

Lt. Pippin: Okay. Um, as every academy does. It's a requirement for, for post. Um, and, uh, you successfully completed that learning domain at the academy?

Sgt [REDACTED] Yes.

Lt. Pippin: Yes? Um, moving forward, you were hired here that same year. We, we sponsored you, correct?

Sgt [REDACTED] Uh, yes. I was hired before that, uh, but yes, I was sponsored.

Lt. Pippin: Okay. So, you came right through, you went, came through our FTO program directly ag, after, uh, the academy graduation, and during the FTO program, uh, is it true that we also cover domestic violence as part of the, um, phase training in the FTO program?

Sgt [REDACTED] Yes.

Lt. Pippin: Okay. During your career, how many – just, and this is gonna be a rough guesstimate – how many domestic violence cases do you think you've handled?

Sgt [REDACTED] I have no idea. A lot.

Lt. Pippin: A lot?

Sgt [REDACTED] Couldn't put a number to it.

Lt. Pippin: Uh, would you say more than 50?

Sgt [REDACTED] Yes. It's a, it's a common call.

Lt. Pippin: Okay. Um, currently, you are the, uh, sergeant assigned to patrol, correct?

Sgt [REDACTED] Yes.

Lt. Pippin: Okay. Um, and you're also the field training unit supervisor?

Sgt [REDACTED] Yes.

Lt. Pippin: Okay. Can you explain to me as a patrol sergeant, um, what your duties as the watch commander are?

Sgt [REDACTED] Yes. Uh, it's to supervise my crew, uh, ensure they're not violating policy, violating the law, uh, violating any type of, uh, county rule, uh, that they're enforcing the law.

Lt. Pippin: Okay. Wanna go back, um, this would've been now probably close to at least, what was it, at least a few weeks ago. Could've been more, more like a month ago. Um, I learned about a complaint, uh, from a [REDACTED] [REDACTED] uh, alleging that Deputy Dannell had, um, established a personal, personal relationship with his then wife, or current wife, [REDACTED] [REDACTED] um, and, more specifically, that the complaint alleged that he was having an inappropriate relationship via text with her. Um, believe the specifics of that complaint were that it was at all throughout, all hours of the night and they were texting inappropriate things, uh, between each other. And then I contacted you about that complaint because I was curious about what the resolution was. Do you, do you recall that conversation?

Sgt [REDACTED] Yes.

Lt. Pippin: Okay. Um, during that conversation, I asked you to document the findings on a complaint form, which you did. Um, um, do you recall the summary of those findings that, uh, you provided to me?

Sgt [REDACTED] Yes.

Lt. Pippin: Okay. Um, and I apologize, I don't have the actual summary with me, but during that, um – well, lemme ask you this. Everything in that summary that you provided me is, was, in fact, true and correct.

Sgt [REDACTED] Yes. Uh, to the best, best of my recollection, yes.

Lt. Pippin: And understanding that it, it had taken place probably a month, month and a half prior to you, you and I speaking.

Sgt [REDACTED] Yes.

Lt. Pippin: Right. Um, [REDACTED] [REDACTED] had said that he provided you with a call log, uh, between his wife, [REDACTED] and Deputy Dannell. Did you receive that call log from him?

Sgt [REDACTED] Yes.

Lt. Pippin: Do you know how you got that call log, or do you recall how, how you received it?

Sgt [REDACTED] I gave him my email address, and he sent to me.

Lt. Pippin: An email to you? Okay. Do you still have it?

Sgt [REDACTED] I don't believe I do.

Lt. Pippin: Okay. Lemme go through some of these real quick just to make sure I've got everything. Have you ever been led to believe, at any point in time, that Deputy Dannell's integrity has been called into question, um, or have you ever been given any reason not to trust him?

J Jasmine: Timeframe? Ever, up through the present day?

Lt. Pippin: Since his, since he's been, uh, assigned to your, to your, to your shift – or, or lemme, lemme strike that – since he's been assigned to patrol.

J Jasmine: But, again, just to be clarified, through the present day because –

Lt. Pippin: No. Until you took the complaint.

J Jasmine: Okay.

Sgt [REDACTED] No.

Lt. Pippin: Okay. So, in that summary that you provided me is something I, I wanna confirm before we move forward. Um, in the summary, it specified that you, uh, had advised [REDACTED] [REDACTED] that you gave an instruction to Deputy Dannell to not have any more contact with [REDACTED] unless he went through you and got authorization to have contact with her. Is that, in fact, uh, accurate?

Sgt [REDACTED] That is accurate.

Lt. Pippin: Okay. In the, in the complaint summary that you wrote, it says that you, you told that to [REDACTED] [REDACTED] that you had that contact with Deputy Dannell, but it does not specify what you said to Deputy Dannell in, in that context. So, can you tell me what your exact words were to Deputy Dannell, to the best of your recollection?

Sgt [REDACTED] To, uh, exact words, no. The best of my recollection, um, I told him that, um, he was to have no further contact with her, um, and he was to document what he had found in his follow up and that that follow up would then be, uh, forwarded to, uh, well, he would make a determination whether, uh, it, there was a criminal complaint, and that would go to the DA, or if there needed to be further investigation, and that would go to investigations.

Lt. Pippin: Okay.

Sgt [REDACTED] That he was to have no further involvement in any investigation regarding them at all.

Lt. Pippin: Okay. And at that point, did you, were you aware of the follow up that he had conducted? 'Cause, uh, I understand, well, it, it's documented in the report that there was a little bit of follow up done by Deputy Dannell, and you were aware of that follow up at that time.

Sgt [REDACTED] I was aware he was doing follow up.

Lt. Pippin: Okay.

Sgt [REDACTED] I'm not, I was not, at that time, aware of what that follow up was, uh, entirely, no.

Lt. Pippin: Okay. And did Deputy Dannell acknowledge your orders to cease contact with [REDACTED] [REDACTED]

Sgt [REDACTED] He said he would never speak or text with her again.

Lt. Pippin: And did you expect that those orders would be followed and obeyed?

Sgt [REDACTED] Absolutely.

Lt. Pippin: I wanna walk through a little bit of the investigation, um, understanding that you were present when the investigation took place.

Sgt [REDACTED] Yes.

Lt. Vasquez: Jarrod, can I, can I make one comment real quick? Just for –

Lt. Pippin: Absolutely.

Lt. Vasquez: – clarity, we talked about, um, a previous complaint or an initial complaint that was made from [REDACTED] [REDACTED] that you received, correct?

Sgt [REDACTED] Yes.

Lt. Vasquez: Okay. And during that time, um, you looked at the call log and the information that he provided to you, and at that time, did you determine that there was violations that had taken place? Based on that initial, based on the information that [REDACTED] gave to you, the circumstance that you had there on that day, did you determine that there was policy violations?

Sgt [REDACTED] No. I determined that it was concerning, and I was gonna follow up with it.

Lt. Vasquez: But it was unfounded at that point?

Sgt [REDACTED] At that point, yes –

Lt Vasquez: Okay.

Sgt [REDACTED] – uh, even according to Mr., uh, [REDACTED] mm hmm.

Lt. Vasquez: Okay. So, the complaint then came in, it was unfounded based on the initial information that you received, and you carried on after that.

Sgt [REDACTED] Yes.

Lt. Vasquez: Giving Deputy Dannel the guidance of you're not to contact her, correct?

Sgt [REDACTED] Yes.

Lt. Vasquez: Okay.

Lt. Pippin: Uh, during our conversation at that time in my office, as well, um, you began to discuss the case with me a little bit. Not in great detail, but understanding that the complaint came from that investigation, you began to kind of explain to me the narrative of what happened that day. I didn't really have the opportunity to ask you any questions at that time. However, you did advise me of a few things then, and I just wanna clarify and, again, based on your re, your re, recollection of the investigation, and if you need to refer to the report at any time, please do so. Um, did you have, did you have contact with [REDACTED] [REDACTED] at the scene the day of the initial response at the [REDACTED] reshi, re, [REDACTED] residence for that domestic violence call?

Sgt [REDACTED] Yes.

Lt. Pippin: Okay. Did you observe her level of intoxication that night?

Sgt [REDACTED] Uh, yes, I'm the one that found her.

Lt. Pippin: Okay. And, uh, I understand that, and I don't know if you know this, but I understand she blew a .21 while she was at the jail. Would that be accurate from what your observations were to her level of intoxication?

Sgt [REDACTED] Um, I would have no guess to her level of intoxication. She walked and talked fine.

Lt. Pippin: Okay.

Sgt [REDACTED] Uh, uh, but it was obvious she had been drinking.

Lt. Pippin: Did, uh, did [REDACTED] [REDACTED] appear injured based on what you recall?

Sgt [REDACTED] No. She walked and, and talked fine, slight, slight slur like she had been drinking.

Lt. Pippin: Okay. Um, uh, after, there was a determination made at the scene that Deputy Dannel was going to arrest her for domestic violence, and according to the report, that was based on an injury to [REDACTED] [REDACTED]. He had a scratch on his arm he documented with a photograph and through his narrative and because the alterta, altercation that took place between them established relationship and so on. Um, once at the jail, there was a determination made by Deputy Dannel that she was gonna be released from custody. Did Deputy Dannel request permission from you to release her from custody?

Sgt [REDACTED] No. He did not request permission. Uh, he was at the jail. Uh, then I heard him go out over the air that he would be providing her a, a ride back to her house, and I got ahold of him. I don't recall if it was over the air saying gimme a 10-21 or if I grabbed my phone and called him. I don't re, recall, but I spoke with him, um, and, and I said hey, while I respect your, your judgment and I kinda have to, uh, these are the kind of things I need to know about. What is going on? Um, and then he explained to me that, uh, she had given a statement at the jail, and based on the statement, uh, not only did he not have probable cause to arrest her, but he did not know that domestic violence had, he was no longer positive domestic violence had even occurred based on the totality of [REDACTED] statement and her statement. They both, uh, alleged that yes, there was an argument and that there was an, uh, inadvertent, or possibly inadvertent scratch. They did not know if it was intentional, um, and she complained of, of, uh, foot pain, and she didn't know if it was intentional. So, based on his investigation, he did not believe domestic violence took place, and he no longer had probable cause to arrest her.

Lt. Pippin: Okay. Excuse me. I think you, you answered kinda my next question, but this was, this was, uh, after he had taken her from the jail – I just wanna confirm that – after he had taken her from the jail, you heard him go en route back to her residence with her?

Sgt [REDACTED] Yes.

Lt. Pippin: And then you request that he contact you.

Sgt [REDACTED] Yes. I think, I think, um, yes, yes.

Lt. Pippin: Okay. And he advised you of those facts –

Sgt [REDACTED] Yes.

Lt. Pippin: – uh, uh, that supported his decision to do that.

Sgt [REDACTED] Yes.

Lt. Pippin: Okay. Another thing that I wanted to clarify, um, when we had our conversation in my office is that you had made, um, a statement that the reason why our office didn't pursue any contact with [REDACTED] further contact whether, it was to seek him out as a suspect of domestic violence or to get a statement because he had left the residence. Is that –

Sgt [REDACTED] My –

Lt. Pippin: – accurate from what you recall?

Sgt [REDACTED] My understanding of the night of was that he was going to be leaving. Um, I was, when we arrived at the scene, I was not the investigating officer. She was alleged to have been in the house somewhere, so I was watching the house. There was a conversation going on, uh, 20, 25 yards behind me, and I could hear parts of it, and I heard him say that, uh, he was going to

be taking his kids sometime really early that morning, uh, and driving them to Arizona or Utah, wherever his ex lives, turning them over, and then he was en route to somewhere in the Bay Area, I believe, where he's a medic now, uh, that he would be gone for several weeks.

Lt. Pippin: Okay. Did Deputy Dannell, uh, when he was giving you or articulating those facts that led him to the decision to take her back home, during that conversation, did he bring up the fact that [REDACTED] [REDACTED] was no longer gonna be at the residence, which was part of his decision to take her home or supporting that decision?

Sgt [REDACTED] Um, I don't know if he specific, I, I can't recall if he specifically mentioned that. Um, I know it was in my thought process. Uh, so, I, I couldn't say whether he did or not.

Lt. Pippin: Okay. Based on what you knew, did you make the assumption that he'd be leaving the residence?

Sgt [REDACTED] I, I assumed he was already gone, yes.

Lt. Pippin: Okay.

Sgt [REDACTED] Or, or would be before they arrived.

Lt. Pippin: Okay. Did Deputy Dannell at any time show you any evidence that suggested that [REDACTED] [REDACTED] was a victim of domestic violence?

Sgt [REDACTED] Did [REDACTED] [REDACTED] – no.

Lt. Pippin: No. Did you find his decision odd?

Sgt [REDACTED] Not odd. Um, I didn't, I didn't find it odd, uh, when comparing it to have I been at the scene of, of a possible domestic violence where a, Spouse A and Spouse B have both been drinking, they get in an argument and somebody inadvertently gets hurt. Um, I didn't find that odd. I found it odd that he made the decision without consulting me and left the jail. Uh, I did find that, uh, uh, I would not have done that to one of my supervisors. If I was, if I had somebody in custody at the jail, I would've contacted a supervisor before doing that. Um, so, that was different. The decision itself odd? No.

Lt. Pippin: Maybe odd's not the best term to use. I guess it's unorthodox. It's not something that we typically do.

Sgt [REDACTED] Correct.

Lt. Pippin: Um, and you've already answered, I think, some of this, but just to confirm again, you didn't interview [REDACTED] [REDACTED] yourself at any time?

Sgt [REDACTED] No.

Lt. Pippin: And, and you were the one that found her under the shed?

Sgt [REDACTED] Yes.

Lt. Pippin: Did you take her into custody at that point as far as, like, detention?

Sgt [REDACTED] No. There was a third deputy there. I called her out, and that deputy came over and handcuffed her.

Lt. Pippin: Okay. Did, uh, when you had your conversation with Deputy Dannell, um, on the phone after he's leaving the jail, did he ask permission to forego having medical clearance done for [REDACTED] or having her seen for any injuries at the hospital?

Sgt [REDACTED] No. He told me that he didn't have probable cause to arrest her, um, that she was, uh, a free person, um – I don't, again, I don't recall his exact words – um, and that she worked at the hospital as a charge nurse and also as a flight nurse, and she was refusing to go, uh, as, as, you know, her own person who was no longer in custody because she was afraid that she would be embarrassed and possibly lose her job.

Lt. Pippin: Okay. Did he tell you that she had a broken foot?

Sgt [REDACTED] Um, no. He said she's walking with a limp, and, uh, you know, that, that, uh, that she said her foot's hurt but she's, she's fine. She doesn't want medical attention.

Lt. Pippin: Okay. You answered my next question about her being a nurse and the subject of possible embarrassment had she gone to the hospital. Um, per [REDACTED] we've spoken to [REDACTED] you know, as part of this investigation, and per [REDACTED] she had a, she told us that she had a conversation with Deputy Dannell about being released from custody and not being charged, and the reason that she had this conversation was because of some of those things and that they discussed doing this as a professional courtesy, quote. Um, did Deputy Dannell, uh, in your, during your conversations, ever suggest to you or make any statements as such that, uh, he was doing this for her as a professional courtesy? And I say doing this, meaning releasing her from custody.

Sgt [REDACTED] No. Um, again, by the time I was aware of it, uh, he had already made the decision to release her from custody. Um, he never told me it was being done as a professional courtesy. He told me he does not have probable cause in his mind to arrest her for domestic violence, um, and I asked him, you know, uh, or I, I explained well, even with it being domestic violence, you still have to have probable cause one way or another to make an arrest. If you truly feel you don't, then that's what the 849 section is for, so.

Lt. Pippin: Okay.

Lt. Vasquez: Jarrod, just so I can clarify one thing, please.

Lt. Pippin: Mm hmm.

Lt. Vasquez: All right.

Lt. Pippin: Absolutely.

Lt. Vasquez: Going back to that, the line of questioning before this, it was your understanding, based on a phone conversation that you had with Deputy Dannell, that he had made a decision to 849(b) her, therefore she was free from custody, and after that, she was refusing medical attention.

Sgt [REDACTED] Correct.

Lt. Vasquez: It wasn't that she was a prisoner who was refusing medical attention.

Sgt [REDACTED] Correct. My understanding of the conversation and the way that it was explained to me, he did not have probable cause to make an arrest, and therefore she was a free person, and we could not force medical treatment on her, and she was refusing it.

Lt. Vasquez: Okay.

Lt. Pippin: Okay. We already talked about him leaving. So, I'm gonna reference the report a little bit here in a second, but can you tell me what the purpose would be for, not just this report, but sergeant's, uh, responsibility to review a report and, uh, and approve them?

Sgt [REDACTED] To –

Lt. Pippin: Can, can you tell, talk to me about the purpose of that and –

Sgt [REDACTED] Sure. It's, it's –

Lt. Pippin: – what the process is?

Sgt [REDACTED] – to ensure that it's, one, factually accurate, um, to ensure that it includes the elements of a crime, uh, to ensure that there were no intentional or unintentional policy or law violations and that we're providing the proper service to the public and that it's properly documented – excuse me – uh, and also to allow that deputy, uh, and any other deputies who may become involved in it to have a basic understanding of what occurred to follow in it, uh, to further investigation or to testify later in court.

Lt. Pippin: Okay. This report in question that we're speaking about today, did you, did you re, did you read that report thoroughly?

Sgt [REDACTED] To the best of my recollection, yes.

Lt. Pippin: Okay. When you were reviewing that report as part of your responsibilities as the watch commander, did you compare that report against p, uh, policy, Sheriff's Office policy or the penal code when you were viewing it?

Sgt [REDACTED] Did I physically sit there and, and pull up policies? No. Did I physically pull up the penal code? No. Um, that's generally not something that, uh – to answer your question, no, I did not. I went off of –

Lt. Pippin: And I think you were kind of going in a direction which was along with my next question. That, is that typical that you would do that?

Sgt [REDACTED] No.

Lt. Pippin: I wanna reference the, uh, domestic violence policy real quick.

Lt. Vasquez: Can, can I look at that narrative real quick, this right here?

Lt. Pippin: Yeah. That's the supplemental. So that's, yeah, that's after the fact. I wanna bring your attention to a few things. I've got them highlighted. If you ki, if you go to Page 2. In reference to Domestic Violence Policy 320, specifically we'll start with, uh, Section 320.4 which is the guidelines for the investigations and how we, um, investigative guidelines that we follow, the Deputy should follow when investigating cases of domestic violence. Um, Subsection D talks about when practical and legally permitted, video or audio recording, all significant statements and observations. Um, I can tell you that there's no video or audio recorded statements that have been booked into evidence. Is it your recollection that none of that was done, or at least presented to you in the report?

Sgt [REDACTED] Yes.

Lt. Pippin: Uh, Subsection E. "All injuries should be photographed regardless of severity, taken, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the general investigations in the event that the injuries later become visible", and I will tell you, and you can reference the report if you need to, that Deputy Dannell talks about injuries that [REDACTED] [REDACTED] sustained during the incident, specifically a possible broken foot, and that no photographs were taken of those injuries. Do you know of any photographs that we don't have that were taken of those injuries?

Sgt [REDACTED] No, I do not.

Lt. Pippin: Okay. Do you know, uh, and also it talks about, and this is not in, not in, for the record, not in a, in a report that you approved, um, but he does speak about injuries, visible injuries that she sustained, um, suspected to have sustained during this incident that he speaks of in a supplemental report later, and there is also no photographs attached to the report booked into evidence. Are you aware of any of those photos, photos that exist?

Sgt [REDACTED] No.

Lt. Pippin: Okay. Um, "Deputies should, should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable." Do you know, again, none of that is attached to the report or booked, do you know that if [REDACTED] or [REDACTED] filled out a release of med, for medical records?

Sgt [REDACTED] Uh, no, it's my understanding that neither sought medical treatment, and therefore, uh, neither, uh, would have been asked to sign that.

Lt. Pippin: Okay. Um, "If the suspect is no longer at the scene", this is Subsection G, uh, "deputies should make reasonable efforts to locate the suspect to further the investigation and provide the suspect with an opportunity to make a statement and make an arrest or seek an arrest warrant if appropriate." Now the way that the narrative reads and the initial investigation report that Deputy Dannel completed, it suggests that this injury to [REDACTED] [REDACTED] could have happened by [REDACTED] [REDACTED] stepping on her foot. Do you know of any point in time any attempt was made by Deputy Dannel or anybody else to contact [REDACTED] [REDACTED] that otherwise we're unaware of or wasn't documented in the report?

Sgt [REDACTED] No, my understanding of, of again, both the report and in speaking with Deputy Dannel, this was kind of a, um, these injuries may have happened when he was trying to stop her from breaking her stuff, but there was no intentional violence, um, and that was, that was, uh, I think mentioned by both of their statements. He wasn't sure, you know, he believed it was incidental and he didn't wanna participate in any domestic violence and she, I believe, uh, also stated that it could a been incidental.

Lt. Pippin: Mm hmm.

Sgt [REDACTED] Uh, there was no known intention and she couldn't recall an intentional act.

Lt. Pippin: Mm hmm, and, and I'll, again, going back, just for the record, um, just wanna note that, Deputy Dannel learned of these injuries to [REDACTED] [REDACTED] after the fact, after they left the residence and no longer had contact.

Sgt [REDACTED] Correct.

Lt. Pippin: With, with [REDACTED] Okay.

Sgt [REDACTED] That's correct.

Lt. Pippin: Um, moving down a little bit, Subsection J, "Deputy should take appropriate enforcement action when there's probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining taking enforcement action include" and it goes on to list a bunch a things, but it, at, at a point that night, during that investigation, our office and Deputy Dannel did, um, have probable cause to believe that an offense had occurred.

In fact, he did take the appropriate action, enforcement action and placed [REDACTED] [REDACTED] under arrest for domestic violence. Is that correct?

Sgt [REDACTED] At the, uh, scene, yes.

Lt. Pippin: Okay. Um, goes down to talk about, uh, you had mentioned that both of them didn't want to participate or didn't want any enforcement action to happen, um, if you look down to No. 8 under Subsection J, it says, "A request by the victim not to arrest the suspect should not be appropriate or it should not be used as a factor, um, or justification for declining taking enforcement action." Is that correct?

Sgt [REDACTED] Uh, correct. It's listed as a factor that, uh, is, should not, uh, be used as a factor if a deputy has probable cause to believe that offense occurred.

Lt. Pippin: Correct. [REDACTED] [REDACTED] was arrested, and under 320.4.1 it says, "If a suspect is arrested, a deputy should" and it lists a few things, "advise the victim that there's no guarantee the suspect will remain in custody". Do you know if this was stated to, to [REDACTED] if he was advised of that?

Sgt [REDACTED] Uh, prior to me leaving the scene, I asked Deputy Dannel if he needed any assistance. He said no. He was gonna go over the statement one more time. He was going to do all the re, required paperwork, uh, and I cleared so I don't know what their conversation was.

Lt. Pippin: Okay. Um, let's go into a little bit of paperwork. You know, as, as you're a trained sergeant. You've handled these yourself. Um, some of that paperwork that we, that we are trained to provide, and per policy, under victim assistance in the, uh, domestic violence policies, specifically list a few of those things. Um, one of them is to provide the victim with the office's domestic violence information handout even if, even if the incident may not rise to the level of a crime. There's nothing noted, noted in his report that he provided a domestic violence letter to either [REDACTED] or [REDACTED]. Are you aware if he did or did not?

Sgt [REDACTED] The only knowledge I have I believe it says in the report that [REDACTED] refused to participate in any paperwork. Um, that's the only knowledge I have, and that his ultimate decision was, uh, domestic violence didn't occur. I don't know if he offered the paperwork, uh, if it was refused or if he just didn't do it.

Lt. Pippin: Okay. So, there's a few things that are missing from the report that I think we've been able to clarify a little bit. Um, couple of things. Domestic violence paperwork. Keeping, keeping in mind that a lot of the things that we talked about are things that should have happened prior to [REDACTED] being taken to the jail. In other words, um, domestic violence information letter, Marsy's pamphlet, all of those things that we're required to do to provide victims in those cases. Um, is it fair enough to say that if those things weren't listed in the report that they didn't happen?

Sgt [REDACTED] No. Um, oftentimes that kinda stuff happens and it doesn't make it into the report.

Lt. Pippin: Is it, is that the way we train our staff?

Sgt [REDACTED] Uh, me personally, no. Uh, in fact I just went over it with a training officer this week. Hey, I know you did it, put it in the report.

Lt. Pippin: Okay.

Sgt [REDACTED] Um, so no.

Lt. Pippin: Is it, would it, would it be, would it be common, matter of fact, uh, would it be our practice, um, that when we train people when they, when they prepare reports that those things that we're obligated and mandated to do by statute, such as the Marsy's pamphlet, domestic violence information letter, that we document those things in the report to, well to document that we actually in fact did them?

Sgt [REDACTED] Um, we train that way, and it's, and it's, uh, common for people to do that but it's also not uncommon for people to not put it in the report.

Lt. Pippin: Mm hmm. As a supervisor, when reading one of those reports, would it be fair to say that they should be, um, kicked back for, for lack of better terms or at least have the deputy go back and fix that report to make sure that they're in there?

Sgt [REDACTED] Yes, my, my practice is generally to tell 'em hey, I notice you didn't put this in there. I need you to add a line.

Lt. Pippin: Okay. Going back to some of the FTO stuff and the things that are kinda missing from this report and some of the, um, ab, abnora, ab.

Sgt [REDACTED] Normalities.

Lt. Pippin: Normalities, thank you. I don't know why I can't say big words today. Um, uh, going into the standard evaluation, standardized evaluation guidelines for the FTO program, we go over things such as knowledge of criminal statutes, knowl, knowledge of department policy and procedures, forms for accuracy and completeness.

Sgt [REDACTED] Mm hmm.

Lt. Pippin: Um, codes of criminal procedure investigative skill, problem solving, decision making, a lot of these different things. Uh, when it comes to this report – well, first let me ask this. W, after you get out of the FTO program, do those standards that we teach stop when FTO's completed?

Sgt [REDACTED] No.

Lt. Pippin: It's an easy one, right? Um, these basic standards are what we expect for somebody to clear FTO and become, um, a solo beat deputy, right? The basic, basic, basic level to perform at a solo beat deputy level.

J. Jasmine: There's a nod yes.

Sgt [REDACTED] Yeah. Yes.

Lt. Pippin: Correct. Okay. When you th, when you, we've gone over this report, some of the things that it lacks especially when it comes to, uh, department policy and procedures, would you say that this report, and I'll give you a couple a categories because I'm telling you right now, I don't think it's superior but you may, but when it comes to what the guidelines are for a solo beat deputy, um, acceptable would be "familiar with most commonly applied department policies, regulations and/or procedures. Unacceptable – fails to display knowledge of department policies, regulations and/or procedures or violates the same." Which one of those categories would you place that report in?

Sgt [REDACTED] Do you mind if I review the report, report real quick?

Lt. Pippin: Not at all.

Lt. Vasquez: Also, um, Jason, for the record too, that I just wanna outline that, um, Sergeant [REDACTED] is reading the actual report, um, and we're, we're asking for his opinion just based on the report, not based on any conversations that may have also taken place.

J. Jasmine: Understood. And [REDACTED], you understand that as well? In other words, you're to give –

Sgt [REDACTED] Yes.

J. Jasmine: – feedback on just the report –

Sgt [REDACTED] Just the report.

J. Jasmine: – itself.

Lt. Vasquez: And there'll be a question about how you approve reports and do you take that into consideration later.

Sgt [REDACTED] Um, based on my review, um, the report documents my understanding of the incident, uh, but it has issues.

Lt. Pippin: Okay. Let me, let me just kinda, we'll walk through some of those, um, and I'll ask you for your opinion based on, uh, what you just read and maybe some information that I can glean from, from what I know as well and, uh, see what your response would be to that. Um, understanding knowledge of department policies and procedures and some of those policies we

just went through with the, in reference to domestic violence and what you just read, would you say that that report is unacceptable or acceptable? And una, unacceptable meaning it fails to display knowledge of department policies, regulations and/or procedures. Um, and acceptable meaning that that report reflects a familiarity, familiar, arity with most commonly applied department policies, regulations and/or procedures.

Sgt [REDACTED] Um, I would say that it actually reflects a familiarity, um, and that he addresses the, the paperwork. However, he did not do it so.

Lt. Pippin: Keep in mind that there's things like, uh, injuries that were not documented. They were not photographed.

Sgt [REDACTED] Right. Those, no, those are, those are, um, collection of evidence, there's, there's issues, uh, but as far as what was written, the, the written work, um, it shows a familiarity with the, the process and that he, uh, speaks about, at least with [REDACTED] the, the paperwork. Uh, however, he didn't do it so it does in fact violate policy. Um, there's certain papers that they can refuse to sign and, and refuse to participate in but the basic domestic violence packet we're still supposed to give them.

Lt. Pippin: Okay. So speaking of forms, one of the things that we teach people and for them to maintain or, or operate under, um, the level of a solo beat deputy are, uh, under routine forms for accuracy and completeness. It says, "An un, unacceptable level is unaware that a form must be completed and/or unable to complete the proper form given the situation, acceptable meaning knows of commonly used forms, understands their use, completes them with reasonable accuracy and thoroughness." Would you say that that's an acceptable report or unacceptable?

Sgt [REDACTED] Well the basic fact is he didn't do 'em so it would fall under unacceptable, uh, although it is a lot more common.

Lt. Pippin: Um, let's talk about knowledge of codes and criminal procedure. Part of that, we talk about what we teach these guys in the academy. Part of that is 849, the release of, uh, arrest from custody. I just wanna clarify that there's no dispute that she was taken into custody and arrested.

Sgt [REDACTED] Correct.

Lt. Pippin: Correct? Um, I will remind you that that report, there's no paperwork attached to it as an attachment, nor does it mention the paperwork being filled out about, uh, a 849, release from custody form. Is it true that we train guys when they have somebody in custody and they're gonna be released that they be released pursuant to 849, uh, being that we have the paperwork that's supposed to be filled out?

Sgt [REDACTED] Yes, and in this case, um, you know, Deputy Dannell was told, uh, that's what a 849B is for, um, and, you know, uh, my understanding was that there was going to be, uh, an additional follow-up report documenting that, it didn't happen.

Lt. Pippin: Okay. Just based on the, the, but the original report speaks of her being released from custody.

Sgt [REDACTED] Yes.

Lt. Pippin: Correct? But there's no paperwork to suggest —

Sgt [REDACTED] Correct.

Lt. Pippin: — it was done appropriately.

Sgt [REDACTED] Correct.

Lt. Pippin: Having that in mind, would you say that that's acceptable or unacceptable by standards in ****?

Sgt [REDACTED] Unacceptable.

Lt. Pippin: Okay. Do we allow — let me rephrase that. When investigating, uh, accusations of domestic violence and somebody has injuries, is it ever an option not to document those injuries by way of photographic evidence? In other words, if somebody says I don't want you to take pictures of 'em, what's a typical response?

Sgt [REDACTED] Um, does that happen? Yes. Uh, you, you attempt to get them to allow you to. Uh, does it happen that people refuse? Yes, and then we do end up not having pictures? Yes. Um, are we supposed to, again, do, do our due diligence? Hey, you know, explain to 'em that, you know, I know this is how you're feeling right now, but at least let us document what it looks like tonight. It may be worse tomorrow, you know, and, and to try to explain it to get their, their consent. Yes, we typically do that, but it is often that people just simple refuse and we don't get those pictures.

Lt. Pippin: And we have things and, and it even stated in policy and things that, and ways that we can go about doing that to make people feel more comfortable such as having somebody of the same sex take the photograph —

Sgt [REDACTED] Correct.

Lt. Pippin: — for you, right.

Sgt [REDACTED] Correct.

Lt. Pippin: In this case, no photographs were taken the night of the incident, and I'll stick just with that because the supplemental report, you weren't a part of. Um, but based on the investigation that was conducted, the injuries that were spoken of but not documented accordingly, um, would you say that that is unacceptable or acceptable, and if you need clarification on what those standards I can read them for you.

Sgt [REDACTED] I would say it's, it's unacceptable that he didn't get the, the picture. However, my understanding, uh, as to why it was that Mr. [REDACTED] was not going to participate, um, with any part of the investigation to include photographs or, uh, documentation in the form of paperwork.

Lt. Pippin: Okay, and just for clarification, we do have photographs of Mr. [REDACTED]

Sgt [REDACTED] Okay.

Lt. Pippin: They were attached to the report.

Sgt [REDACTED] Okay.

Lt. Pippin: Um, Mrs., Mrs. [REDACTED] [REDACTED] were not.

Sgt [REDACTED] Okay. I'm talking about her foot.

Lt. Pippin: Yeah.

Sgt [REDACTED] Okay.

Lt. Pippin: All right. Let's move on to, uh, do you have anything?

Lt. Vasquez: I have one question just about the, um, reports and I hope, I hope I don't step on anybody but –

Lt. Pippin: Not at all.

Lt. Vasquez: – I felt like it's in this, um, realm. When approving reports, um, are you just looking at the report on face value and determining whether or not you're going to approve it, or do you take into consideration, um, as you compare and contrast things that you may have heard while you were on scene or other conversations that you had with arresting deputies, does that come into your mind when you're approving reports at all?

Sgt [REDACTED] I think absolutely it does. I think it's impossible to separate, uh, knowledge in your head and, and as you're reading something, uh, that knowledge overlays with what you're reading on the page so, yes, conversations that I'd already had, uh, made the report read, uh, clearer to me because I had some of the missing information, not realizing that it is in fact missing. It was in my head.

Lt. Vasquez: That's all I had.

Lt. Pippin: Um, I, I may come back to the report but, uh, at this point I wanna move, move on from there. Uh, wanna talk about some of the activity post report, post that investigation. Um, and I'm sure as you, as you've probably been told by, uh, your representation, we have done some other investigations, um, interviews I should say, in this, in this internal investigation so

some of this information has been gleaned through that, and I just wanna go over some of it with you. Um, we talked about what the duties are of watch commander. You clarified that. Couple questions about that though. When, we're unique here, right. When, when, especially when you consider like graveyard, which you're the sergeant of, no, nobody else is around on graveyard. Lieutenants aren't around. The Sheriff, Under Sheriff. It's basically just you. Um, as the watch commander in those certain situations, are you the supervisor of the communication in the absence of that rank and file being there?

Sgt [REDACTED] Yes.

Lt. Pippin: Okay. Are you the supervisor of custody in the absence of those people being there?

Sgt [REDACTED] Yes.

Lt. Pippin: Were you aware, and I believe you are, I don't know that you're aware of the circumstances, but were you aware that Deputy Dannell met with [REDACTED] [REDACTED] on two occasions in the 48 hours after the original incident? So the night of the 17th is when you guys all responded to the residence, and that two times, over the next 48 hours, Deputy Dannell met with [REDACTED] [REDACTED] and that they, they were documented in a supplemental report. However, the locations were not, uh, provided, but were you aware that he had met with her?

Sgt [REDACTED] I was aware that he had met with her once.

Lt. Pippin: Okay. Did he tell you where he met with her? What the purpose of, of that was for?

Sgt [REDACTED] Um, he said that they met, um, and they discussed the events, um, and he further believed there was, uh, that she might be a victim, um, and that she, well that's, that's all I really recall. He didn't, he might a said it was at, at their house. I don't, I don't recall.

Lt. Pippin: Okay. Did you speak with Deputy Dannell at any time? Let me be more specific. I wrote this question down. I need to be more specific 'cause he's on your shift so of course you spoke to him after you were served with your notice. Did you speak with Deputy Dannell at any time after being served with your notice of investigation about this case, um, or anything specific about, um, the investigation?

Sgt [REDACTED] Absolutely not.

Lt. Pippin: Were you aware that after you advised Deputy Dannell to not have contact with [REDACTED] [REDACTED] under any circumstances, that he contacted her that night and questioned why she filed a complaint or why she made statements to her husband which resulted in a complaint being filed against him?

Sgt [REDACTED] I was not aware of that until you just said that.

Lt. Pippin: At any time after the incident, uh, as, as I say incident I'm referencing the July 17th, at any time after the incident and two follow-up interviews that we spoke about that he conducted with her, specifically after you instructed Deputy Dannell to not have any further contact with [REDACTED] did Deputy Dannell ask permission to contact her at any time?

Sgt [REDACTED] Not once.

Lt. Pippin: Deputy Dannell has, has been assigned to the Groveland beat periodically, um, under your watch. Is it common for the Groveland deputy to be in service but centrally located in the county?

Sgt [REDACTED] Yes, depending on call volume. Yes.

Lt. Pippin: Correct. Outside of priority calls, so let's say call volume is normal and there's no priority calls, is it common practice for the Groveland deputy to remain in Groveland?

Sgt [REDACTED] Yes.

Lt. Pippin: Were you aware, or were you made aware, that while working the Groveland beat on several different occasions after the incident, Deputy Dannell drove to [REDACTED] residence and made contact with her, after you ordered him not to contact her?

Sgt [REDACTED] No, I was not aware of that.

Lt. Vasquez: And just, just for clarification, that's not isolated to just Deputy Dannell working Groveland. He could've also worked the 4 or the 3 or the 1 or any beat associated with that, but specifically, were you aware that he had had that contact?

Sgt [REDACTED] No.

Lt. Pippin: Were you aware or were you made aware that on at least two occasions Deputy Dannell responded to [REDACTED] residence for calls for service after the incident, after he was contacted personally via his cell phone and these incidents were not documented? They were incidents that occurred after you instruction, instructed him to have, not have contact with her.

Sgt [REDACTED] I was absolutely not aware.

Lt. Pippin: Um, if a deputy calls off on a patrol check in a certain area, other than you physically being present when that pa, when that patrol check is, is put out let's say over the radio, um, is it normal to assume that the deputy is in fact where he or she states they are doing that patrol check?

Sgt [REDACTED] Yes. I, uh, I actually instruct my guys to go do patrol checks when there's not a call so that the public can see us in their neighborhoods and I assume, uh, that's where they are.

If I happen to be driving, uh, sometimes I can see 'em on the map, and yeah, that's where are, and depending on how far that is from me and the setting on my map.

Lt. Pippin: And I think it would be safe to assume that as the patrol watch commander when somebody calls off on a patrol check, that you would trust that that's where they are and what they're doing.

Sgt [REDACTED] Absolutely.

Lt. Pippin: Right. You spoke about the map and a way to confirm and see if they're there. Is that something that you do –

Sgt [REDACTED] Yes –

Lt. Pippin: – every –

Sgt [REDACTED] – I periodically check my map, uh, as I patrol, uh, to ensure where my guys are.

Lt. Pippin: Periodically.

Sgt [REDACTED] Uh, it's, it's, it's only a, a function that's available in the vehicle, um, and I don't make a habit of checking it while my vehicle's moving, but periodically, yes, I'll stop. I'll pull up the map. Hey, my, my, my numbers are where they're supposed to be.

Lt. Pippin: Mm hmm, and it saves, oftentimes as a watch commander, you're in the office behind the computer and, like you said, the desktops don't sh, have that feature. Correct?

Sgt [REDACTED] Correct.

Lt. Pippin: Correct. Were you aware or were you made aware that on numerous occasions over several months after the initial incident that Deputy Dannell was turning off his MDC as to hide his GPS location while calling off on random patrol checks, while visiting [REDACTED] [REDACTED] at her residence?

Sgt [REDACTED] No, I was not, not aware. Not at all.

Lt. Pippin: Were you aware or made aware that on no less than ten occasions, Deputy Dannell drove to [REDACTED] [REDACTED] residence and had sex with her while on duty?

Sgt [REDACTED] No, I was not aware.

Lt. Pippin: Were you aware or were you made aware that after being told to not have contact with [REDACTED] [REDACTED] that Deputy Dannell met with her while attending range instructor school where they shared a hotel room and engaged in sexual intercourse?

Sgt [REDACTED] I was not aware.

Lt. Pippin: At any time has [REDACTED] [REDACTED] reached out to you about alleged misconduct invol, concerning David Dannell?

Sgt [REDACTED] No.

Lt. Pippin: Were you aware or at any time made aware that Deputy Dannell was using three different cell phones on duty, one of which was a cell phone purchased for him by [REDACTED] [REDACTED] to conceal his communications with her?

Sgt [REDACTED] No, I was not aware.

Lt. Pippin: Can we take a quick break?

J. Jasmine: Sure. You want us to step out or are you stepping out?

Lt. Pippin: Um

J. Jasmine: Either way's fine

Lt. Pippin: Yeah, that's fine.

Lt. Vasquez: Why don't we let them ****.

Lt. Pippin: Okay. Resuming recording there. We're back after a short little recess. Just a couple of things, Sergeant [REDACTED] I wanted to clarify. You had talked about being able to look at the mapping system within RIMS and figure out where guys are at. Um, are you aware of any indicators that would suggest to you that somebody has turned their MDC off?

Sgt [REDACTED] Um, I know when somebody's MDC is on there's a hashtag or something like that. If it, if it was s, I think the way I was trained is if they sign on with their MDC it puts a hashtag or, um, or the person logging it on if it's done from, um, from, over the air via dispatch. They can put the hashtag there to show you it's there –

Lt. Pippin: Okay.

Sgt [REDACTED] – or the pound sign.

Lt. Pippin: Do you under, from your understanding, does that hashtag signify whether or not their MDC is on or off?

Sgt [REDACTED] No. Uh, my understanding is that it means that vehicle has an MDC.

Lt. Pippin: Okay. So that's not something you typically look at?

Sgt [REDACTED] No.

Lt. Pippin: To figure out if somebody –

Sgt [REDACTED] No.

Lt. Pippin: – would or would not be.

Sgt [REDACTED] No, our policy, uh, and I'm very well aware of it because I, I drove a car for, uh, months with an MDC that would routinely just shut off, and in fact my current car, uh, the only way to fix that was to disable all shutoffs on mine. Um, our policy states that if it does go off, you are supposed to grab the radio and immediately notify dispatch so that they know you have lost those resources, um, so, you know, I don't generally check that. Um, I just check hey, they're there. They're where they're supposed to be.

Lt. Pippin: Okay. Um, were you, has anybody ever come to you with any c, uh, complaints or alleged, uh, any alleged in regards to Deputy Dannel other than the complaint you received from dispatch via, or via dispatch from [REDACTED] [REDACTED]

Sgt [REDACTED] Has anyone ever come to me? No.

Lt. Pippin: In other words, let me, let me, let me specify a little better. Have you, have you taken any complaints in regards to Deputy Dannel, um, or his behavior while on duty from anybody else other than the one that we spoke about?

Sgt [REDACTED] Not that I can recall. Um, I don't recall taking any citizen complaints. Um, I don't recall taking any personnel complaints. Um, no.

Lt. Pippin: Okay. Lieutenant Vazquez, anything from you?

Lt. Vasquez: Yes. I, I had, I had a question that popped into my mind and kinda just went away, but give me a second.

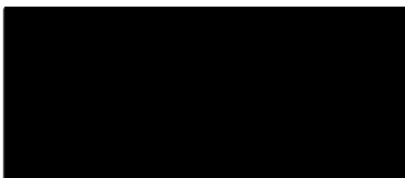
Lt. Pippin: No problem.

Lt. Vasquez: Um, it's gone. ****. That's it.

J. Jasmine: Well if it's important and it comes back, uh, reach out to me and we'll respond.

Lt. Vasquez: Okay.

Lt. Pippin: All right. I'm gonna go ahead and, uh, stop the recording now.



Jarrold Pippin

From: Jarrod Pippin
Sent: Tuesday, September 24, 2019 2:25 PM
To: [REDACTED]
Cc: [REDACTED] David Vasquez
Subject: email

Good afternoon [REDACTED]

I am conducting an internal affairs investigation and discovered a complainant may have sent an email to Sergeant [REDACTED] [REDACTED] with an attachment/photo of a call log history from a cell phone. I do not have the originating email address, however the name of the subject who sent the email is [REDACTED] [REDACTED]. The time frame I suspect the email was sent was during the month of July, after July 17th. I am requesting an inquiry into Sergeant [REDACTED] email to identify this email and preserve a copy for my investigation. I can be reached by cell or at my desk if you have any questions. Thank you for your assistance in this matter, respectfully,



Lt. Jarrod Pippin
Patrol Division
28 N. Lower Sunset
Sonora, Ca 95370
209-352-9094 (cell)
694-2970 (desk)

CAU from [REDACTED] CONFIRMED HE WAS
NOT ABLE TO FIND EMAIL FROM [REDACTED]
TO SGT [REDACTED] PIPPIN



TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill Pooley
Sheriff-Coroner

February 4, 2020

[REDACTED]

Re: Notice of Proposed Disciplinary Action

Sergeant [REDACTED]

You are hereby notified that the Tuolumne County Sheriff's Office is proposing to suspend you for 120 hours without pay and assign you to take a POST certified Assertive Supervision Course (24 hours). This action is being taken based upon the following violations:

Tuolumne County Sheriff's Office Policies:

TCSO Policy 201 Command and Authority

The ranking officer shall exercise the authority of his or her position under all conditions which require that he or she use such authority in the best interests of the department.

Policy 340.3.6 Standards of conduct, efficiency

- (a) Neglect of duty*
- (b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable or bona fide excuse*

TCSO Policy 444 Watch Commanders

Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

County of Tuolumne Personnel Rules and Regulations:

TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action

(16) Violation of a department rule.

Tuolumne County DSA Memorandum of Understanding:

DSA MOU Article 16, Section C. Cause(s) of Action

(4) Incompetence

(5) Inefficiency

(15) Violation of department rule

The particular facts of this recommendation were identified during the internal affairs investigation (Internal Affairs Investigation #19-004); a copy of that report is attached. A summary of the internal affairs investigation findings are as follows.

You have been employed with the Tuolumne County Sheriff's Office for approximately 14 years as a Deputy Sheriff and currently hold the rank of Sergeant. The rank of Sergeant is a supervisor position. You have been, a Corporal/ Field Training Officer (FTO) for one year, which is also a supervisory position. You currently hold an Intermediate POST Certificate. You have held this rank for one year. You have been a Detective in general Investigations for two years and in Narcotics for one year. You are currently supervising the Field Training Officer program. You are responsible for training new recruits on policy, procedure and best practices including domestic violence. You attended supervisor school where you received training on principles of liability, decision making, problem solving and managing personnel.

In 2009 you successfully completed the basic POST academy at the Ray Simon Criminal Justice Training Center. While in the academy a learning domain on domestic violence was covered which you successfully completed/passed. You successfully completed the field training program, part of which contains a block of instruction and training on domestic violence. During your career, you stated that you have handled no less than 50 domestic violence investigations which you classified as a "common call".

As the watch commander, you described your duties as "supervising your patrol shift, ensuring they are not violating department policy or county rules, and they are enforcing the law".

This investigation started as a result of a citizen's complaint that was filed by [REDACTED]. On or about July 21st, 2019, [REDACTED] contacted Dispatch and requested to file a complaint alleging an inappropriate relationship between David Danel and his wife [REDACTED]. Over the course of numerous weeks following the complaint, Dispatchers who were aware of the complaint recognized a pattern of behavior from David Danel which caused alarm. The behavior included David Danel being at or near the [REDACTED] residence while on duty (shown by patrol car MDC/GPS), as well as David Danel turning off his patrol car MDC/GPS while near [REDACTED]. Dispatcher [REDACTED] reported this information to Sergeant [REDACTED] who in turn notified Lt David Vasquez.

On July 17th, 2019, former Deputy Sheriff David Danel was charged with the duties of working as a patrol deputy. You were charged with the duties of the watch commander and were directly supervising David Danel. Both of you were assigned to the graveyard watch, between the hours of 1800 and 0600.

At approximately 1950 hours David Danel was dispatched to a domestic disturbance at the residence of [REDACTED] and [REDACTED] he arrived on scene at 2005 hours. You also responded to the scene and arrived approximately 9 minutes after David Danel. During an investigation at the scene, David Danel developed probable cause to arrest [REDACTED] for felony domestic violence as well as delaying and obstructing. This decision was supported by evidence obtained by David Danel including visible injuries to [REDACTED] [REDACTED] actions at the scene and statements from [REDACTED].

[REDACTED] was contacted at the residence and had a visible injury to his arm as the result of a physical confrontation with [REDACTED]. [REDACTED] was not initially located at the scene when deputies first began to look for her. After making announcements and searching outside of the residence, [REDACTED] was located by you hiding under a shed. After several announcements ordering her out from underneath the shed, [REDACTED] crawled out. [REDACTED] showed obvious signs of intoxication and was taken into custody.

Prior to leaving the scene, David Danel failed to provide [REDACTED] with required victim paperwork and information, including the domestic violence information handout. You left the scene prior to the completion of the investigation and assumed proper procedures and protocol would be followed. You were not given any further information or reason to believe that probable cause no longer existed to arrest [REDACTED] for domestic violence along with delaying and obstructing, and that the arrest was in fact taking place.

David Danel transported [REDACTED] to the Jail for booking and turned her over to jail staff. A short time after leaving the Jail, jail booking contacted Dispatch and requested David Danel transport [REDACTED] [REDACTED] to the hospital for medical clearance. David Danel returned to the jail and had a subsequent

conversation with [REDACTED] During this conversation, [REDACTED] advised David Danel if she went to the hospital she would be humiliated and embarrassed because she works with the hospital staff. David Danel chose at this time to forego medical clearance for booking and released [REDACTED] from custody. By [REDACTED] own admission in a later interview, she and David Danel had a conversation regarding this being a "professional courtesy".

Probable cause to support the decision to arrest [REDACTED] for felony domestic violence as well as obstructing or delaying still existed at the time the decision was made to release [REDACTED] from custody. The decision to release [REDACTED] was made by David Danel without supervisor approval, which is required by policy. In addition, there was no paperwork completed documenting her time in custody was a detention only (849 (b)(1) PC), and no accusatory pleading would be filed.

You overheard the radio transmission when David Danel advised Dispatch, he was taking [REDACTED] home. This immediately drew your attention and you contacted David Danel. Danel told you he no longer had probable cause to arrest [REDACTED] and he was no longer certain domestic violence had occurred which is why he chose to release her from custody pursuant to 849(b) PC. Danel told you [REDACTED] had an injury to her foot, and he believed neither the injury to [REDACTED] or [REDACTED] were caused intentionally, rather it was unknown how the injuries occurred.

You were not presented with any information that supported insufficient grounds for making a criminal complaint against [REDACTED] which is a requirement to release her from custody for the charges of domestic violence or delaying and obstructing pursuant to 849(b)(1) PC. You allowed David Danel to transport [REDACTED] back to her residence and forgo booking her for the crimes she was alleged to have committed, which were supported by probable cause. Furthermore, you assumed [REDACTED] was no longer at the residence but made no attempts to ensure this to be true. **[TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)].**

██████████ was still at the residence at the time ██████████ was dropped off by David Danel. A few hours later, during the same shift, a 9-1-1 call was made from ██████████ cell phone at the residence which resulted in a response by our office (Inc#1907180021). You failed to inquire about the circumstances that led up to this call from the residence and to ensure the safety of all parties involved or recognize that ██████████ was still at the residence [***TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)]***].

Allowing David Danel to release ██████████ from custody and take her back to the residence while intoxicated exposed both ██████████ and ██████████ to continued acts of domestic violence and our office to great liability. There were no attempts made by you to ensure ██████████ or the persons at the residence would be safe given the circumstances present at the time the decision was made, which included ██████████'s level of intoxication. You neglected your duties as the ranking officer by not immediately ordering David Danel to transport ██████████ to the hospital for medical clearance for booking, and then to book her for the charges she was arrested for at the scene [***TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)]***].

There are numerous factual misrepresentations in the report authored by David Danel surrounding his decision to release ██████████ from custody. There is no mention of David Danel leaving the jail for over an hour and later being summoned back to transport ██████████ for medical clearance at the request of the jail nurse. In the report, David Danel indicates he learned about the injury to ██████████ foot while interviewing her when he was completing the booking process. His report indicates he immediately notified the jail nurse who examined the injury and requested ██████████ be seen for medical clearance [***TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)]***].

Per TCSO dispatch records, David Danel cleared the jail at 2144 hours and gave a case disposition of an arrest being made. This was after he completed the booking process. He was summoned back to the jail to transport ██████████ to AHS for medical clearance at the request of the jail nurse and arrived at 2249 hours.

All the information David Danel obtained from [REDACTED] relative to the domestic violence incident (statements) came prior to him coming back to transport her for medical clearance.

It is evident David Danel omitted information from his report to avoid the appearance of releasing [REDACTED] from custody, as a professional courtesy. Rather he chose to give the appearance of him making his decision based on information he developed during his interview with [REDACTED] prior to, and during booking. David Danel already had all relevant information when he made the decision to book [REDACTED] and close out the call with an arrest made. It is evident his decision to release [REDACTED] from custody was not based on lack of probable cause, rather on the potential embarrassment she would face by being seen at the hospital, and by her admission, "as a professional courtesy".

Several procedures and required forms were ignored or never mentioned in the report, such as documentation of injuries (photographs) and written documentation supporting [REDACTED]'s release from custody. David Danel also cited 847(c) PC, which does not exist, as a governing section which would allow [REDACTED] to be released from custody. You failed to recognize inconsistencies and misrepresentations of facts when you reviewed and approved David Danel's report, the same facts Sergeant [REDACTED] found "alarming" when he reviewed the report later. When asked to review the report again during your interview, you agreed the report did not meet the field training requirements required of a solo beat deputy [*TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)]*].

Sergeants are tasked with reviewing and approving reports prepared by deputies to ensure they are factually accurate, contain the required documentation to support charges, and to ensure department policies and procedures have been followed. You demonstrated unsatisfactory work performance when you failed to recognize the inconsistencies and misrepresentation of facts in the report authored by David Danel [*TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)]*].

On or around July 21st, 2019, [REDACTED] contacted the Sheriff's Office to report an inappropriate relationship between David Danel and his wife [REDACTED]. The complaint stated that when [REDACTED] asked [REDACTED] how she got out of jail, she told him "I sucked his dick, how the fuck do you think I got out". [REDACTED] later found phone records showing numerous text messages and phone calls between [REDACTED] and David Danel, at all hours of the day and night. The complaint was forwarded to you, and you

questioned David Danel about his contact with [REDACTED] Danel admitted to communicating with [REDACTED] via text message, however he claimed it was work related and had since erased the messages from his phone.

You ordered David Danel to cease all contact with [REDACTED] and to forward any investigative reports to the Tuolumne County District Attorney for review. Any communications between [REDACTED] and David Danel should have been documented in a report and they were not. David Danel disobeyed your orders, never forwarding the case for review and continuing to have contact with [REDACTED] [REDACTED] In your interview you stated you intended to do more follow up into the complaint from [REDACTED] [REDACTED] however you determined the complaint was unfounded when [REDACTED] stated he did not want any further investigation. You failed to take into consideration the nature of the complaint and monitor David Danel's behavior post complaint to ensure nothing inappropriate was occurring. In fact, line level employees noticed behavior from David Danel, post complaint, that ultimately caused an internally generated complaint [*TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)*].

Your supervision of David Danel during the investigation into alleged domestic violence between [REDACTED] and [REDACTED] accompanied by his decision to allow the release of [REDACTED] from custody and approve related reports, was not consistent with department policies and procedures, nor was it consistent with the professionalism and sound judgment required of a watch commander with the Tuolumne County Sheriff's Office. Your failure to supervise and/or recognize inappropriate behavior from David Danel while investigating the complaint from [REDACTED] and actions while doing so, was in direct violation of numerous governing policies of the Sheriff's Office, the DSA MOU and the County of Tuolumne rules and regulations [*TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)*].

CONCLUSION:

Based on your conduct during the events on and after 07/17/2019, described above and in the attached internal affairs report, you violated the above-referenced personnel rules and policies.

Your failure to provide the basic level functions of a Deputy Sheriff Sergeant disrupted the efficiency of the Tuolumne County Sheriff's Office. As a sworn Peace Officer, and as a supervisor holding the rank of Sergeant, you are held to a high standard. You are entrusted by the public to display the highest level of professional skill.

Violation of these requirements, therefore, place the agency and others at considerable risk and it leaves the agency with little choice other than to discipline you. Therefore, I am proposing to suspend you without pay for 120 hours and mandate you to attend a POST certified Assertive Supervision Course (24 hours).

APPEAL RIGHTS

Pursuant to Skelly, you have the right to appeal this action to Sheriff Bill J. Pooley, either verbally or in writing within seven (7) calendar days after service of this notice. Although the pre-disciplinary conference is not designed to be a formal evidentiary hearing, you may be represented by legal counsel or another individual of your choice. You may provide statements from yourself, written statements of any witnesses and other documentary material. Your failure to provide a written response or to request a pre-disciplinary conference will constitute a waiver of your right to provide a response. Accordingly, the Sheriff's decision to either sustain, modify, or reject this recommendation will be based upon a review of this Notice of Intent and its attachments.

WARNING AGAINST RETALIATION

This provision is to notify you it is illegal and inappropriate to retaliate against any person who has participated in complaining or providing information regarding the allegations against you as set forth above and in the attached Internal Affairs Investigation.


Undersheriff Neil Evans



TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill Pooley
Sheriff-Coroner

March 19, 2020

[REDACTED]

Re: Notice of Disciplinary Action

Sergeant [REDACTED]

On March 3, 2020, we held a *Skelly* meeting in my office where you and your attorney, Jason Jasmine, were both present. The purpose of the *Skelly* meeting was to consider your response to the *Notice of Proposed Discipline* dated February 4, 2020, and determine whether it is appropriate to proceed with the proposed discipline of a 120 hours suspension without pay. After carefully considering all the facts and argument presented at the *Skelly* meeting, including the facts outlined in the *Notice of Proposed Discipline*, I find you violated the policies referenced below. However the discipline is reduced as explained below.

You are hereby notified that the Tuolumne County Sheriff's Office is suspending you for 30 Hours without pay.

The remaining 46 hours will be held in obedience for a period of one year, starting March 25, 2020. Should you violate any of the policies sustained in this order, you will serve the 46 hours in addition to any discipline associated with the new violations up to and including termination.

Within the next 6 months, you will be assigned to take a POST certified Assertive Supervision Course (24 hours). Within two weeks of completing the course you will prepare a detailed report on the lessons learned, how those lessons should be applied to our office to reduce liability and how those lessons could have helped you prevent the incidents outlined in this Internal Affairs investigation. The report will provide feedback and recommendations to me on whether or not we should continue to send our supervisors to the class.

If your report is not completed on time or lacks the detail on the information requested you will serve an additional 10 hours without pay.

Tuolumne County Sheriff's Office Policies:

TCSO Policy 201 Command and Authority

The ranking officer shall exercise the authority of his or her position under all conditions which require that he or she use such authority in the best interests of the department.

Policy 340.3.6 Standards of conduct, efficiency

- (a) Neglect of duty*
- (b) Unsatisfactory work performance including, but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or the instructions of supervisors without a reasonable or bona fide excuse*

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Each patrol shift must be directed by supervisors who are capable of making decisions and communicating in a manner consistent with departmental policies, procedures, practices, functions and objectives. To accomplish this goal, a Sergeant heads each watch.

County of Tuolumne Personnel Rules and Regulations:

TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action

- (16) Violation of a department rule.*

Tuolumne County DSA Memorandum of Understanding:

DSA MOU Article 16, Section C. Cause(s) of Action

- (4) Incompetence*
- (5) Inefficiency*
- (15) Violation of department rule*

The particular facts of this recommendation were identified during the internal affairs investigation (Internal Affairs Investigation #19-004); a copy of that report is attached. A summary of the internal affairs investigation findings are as follows.

You have been employed with the Tuolumne County Sheriff's Office for approximately 14 years as a Deputy Sheriff and currently hold the rank of Sergeant. The rank of Sergeant is a supervisor position. You have been, a Corporal/ Field Training Officer (FTO) for one year, which is also a supervisory position. You currently hold an Intermediate POST Certificate. You have held this rank for one year.

You have been a Detective in general Investigations for two years and in Narcotics for one year. You are currently supervising the Field Training Officer program. You are responsible for training new recruits on policy, procedure and best practices including domestic violence. You attended supervisor school where you received training on principles of liability, decision making, problem solving and managing personnel.

In 2009 you successfully completed the basic POST academy at the Ray Simon Criminal Justice Training Center. While in the academy a learning domain on domestic violence was covered which you successfully completed/passed. You successfully completed the field training program, part of which contains a block of instruction and training on domestic violence. During your career, you stated that you have handled no less than 50 domestic violence investigations which you classified as a "common call".

As the watch commander, you described your duties as "supervising your patrol shift, ensuring they are not violating department policy or county rules, and they are enforcing the law".

This investigation started as a result of a citizen's complaint that was filed by [REDACTED]. On or about July 21st, 2019, [REDACTED] contacted Dispatch and requested to file a complaint alleging an inappropriate relationship between David Danel and his wife [REDACTED]. Over the course of numerous weeks following the complaint, Dispatchers who were aware of the complaint recognized a pattern of behavior from David Danel which caused alarm. The behavior included David Danel being at or near the [REDACTED] residence while on duty (shown by patrol car MDC/GPS), as well as David Danel turning off his patrol car MDC/GPS while near [REDACTED]. Dispatcher [REDACTED] reported this information to Sergeant [REDACTED] who in turn notified Lt David Vasquez.

On July 17th, 2019, former Deputy Sheriff David Danel was charged with the duties of working as a patrol deputy. You were charged with the duties of the watch commander and were directly supervising David Danel. Both of you were assigned to the graveyard watch, between the hours of 1800 and 0600.

At approximately 1950 hours David Danel was dispatched to a domestic disturbance at the residence of [REDACTED] and [REDACTED] he arrived on scene at 2005 hours. You also responded to the scene and arrived approximately 9 minutes after David Danel. During an investigation at the scene, David Danel developed probable cause to arrest [REDACTED] for felony domestic violence as well as delaying and obstructing. This decision was supported by evidence obtained by David Danel including visible injuries to [REDACTED] [REDACTED] actions at the scene and statements from [REDACTED].

██████████ was contacted at the residence and had a visible injury to his arm as the result of a physical confrontation with ██████████. ██████████ was not initially located at the scene when deputies first began to look for her. After making announcements and searching outside of the residence, ██████████ was located by you hiding under a shed. After several announcements ordering her out from underneath the shed, ██████████ crawled out. ██████████ showed obvious signs of intoxication and was taken into custody.

Prior to leaving the scene, David Danel failed to provide ██████████ with required victim paperwork and information, including the domestic violence information handout. You left the scene prior to the completion of the investigation and assumed proper procedures and protocol would be followed. You were not given any further information or reason to believe that probable cause no longer existed to arrest ██████████ for domestic violence along with delaying and obstructing, and that the arrest was in fact taking place.

David Danel transported ██████████ to the Jail for booking and turned her over to jail staff. A short time after leaving the Jail, jail booking contacted Dispatch and requested David Danel transport ██████████ to the hospital for medical clearance. David Danel returned to the jail and had a subsequent conversation with ██████████. During this conversation, ██████████ advised David Danel if she went to the hospital she would be humiliated and embarrassed because she works with the hospital staff. David Danel chose at this time to forego medical clearance for booking and released ██████████ from custody. By ██████████ own admission in a later interview, she and David Danel had a conversation regarding this being a "professional courtesy".

Probable cause to support the decision to arrest ██████████ for felony domestic violence as well as obstructing or delaying still existed at the time the decision was made to release ██████████ from custody. The decision to release ██████████ was made by David Danel without supervisor approval, which is required by policy. In addition, there was no paperwork completed documenting her time in custody was a detention only (849 (b)(1) PC), and no accusatory pleading would be filed.

You overheard the radio transmission when David Danel advised Dispatch, he was taking ██████████ home. This immediately drew your attention and you contacted David Danel. Danel told you he no longer had probable cause to arrest ██████████ and he was no longer certain domestic violence had occurred which is why he chose to release her from custody pursuant to 849(b) PC. Danel told you ██████████ had an injury to her foot, and he believed neither the injury to ██████████ or ██████████ were caused intentionally, rather it was unknown how the injuries occurred.

You were not presented with any information that supported insufficient grounds for making a criminal complaint against [REDACTED] which is a requirement to release her from custody for the charges of domestic violence or delaying and obstructing pursuant to 849(b)(1) PC. You allowed David Danel to transport [REDACTED] back to her residence and forgo booking her for the crimes she was alleged to have committed, which were supported by probable cause. Furthermore, you assumed [REDACTED] was no longer at the residence but made no attempts to ensure this to be true. **[TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)].**

[REDACTED] was still at the residence at the time [REDACTED] was dropped off by David Danel. A few hours later, during the same shift, a 9-1-1 call was made from [REDACTED] cell phone at the residence which resulted in a response by our office (Inc#1907180021). You failed to inquire about the circumstances that led up to this call from the residence and to ensure the safety of all parties involved or recognize that [REDACTED] was still at the residence **[TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)].**

Allowing David Danel to release [REDACTED] from custody and take her back to the residence while intoxicated exposed both [REDACTED] and [REDACTED] to continued acts of domestic violence and our office to great liability. There were no attempts made by you to ensure [REDACTED] or the persons at the residence would be safe given the circumstances present at the time the decision was made, which included [REDACTED]'s level of intoxication. You neglected your duties as the ranking officer by not immediately ordering David Danel to transport [REDACTED] to the hospital for medical clearance for booking, and then to book her for the charges she was arrested for at the scene **[TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)].**

There are numerous factual misrepresentations in the report authored by David Danel surrounding his decision to release [REDACTED] from custody. There is no mention of David Danel leaving the jail for over an hour and later being summoned back to transport [REDACTED] for medical clearance at the request of the jail nurse. In the report, David Danel indicates he learned about the injury to [REDACTED] foot while interviewing her when he was completing the booking process. His report indicates he immediately notified the jail nurse who examined the injury and requested [REDACTED] be seen for medical clearance [***TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)***].

Per TCSO dispatch records, David Danel cleared the jail at 2144 hours and gave a case disposition of an arrest being made. This was after he completed the booking process. He was summoned back to the jail to transport [REDACTED] to AHS for medical clearance at the request of the jail nurse and arrived at 2249 hours. All the information David Danel obtained from [REDACTED] relative to the domestic violence incident (statements) came prior to him coming back to transport her for medical clearance.

It is evident David Danel omitted information from his report to avoid the appearance of releasing [REDACTED] from custody, as a professional courtesy. Rather he chose to give the appearance of him making his decision based on information he developed during his interview with [REDACTED] prior to, and during booking. David Danel already had all relevant information when he made the decision to book [REDACTED] and close out the call with an arrest made. It is evident his decision to release [REDACTED] from custody was not based on lack of probable cause, rather on the potential embarrassment she would face by being seen at the hospital, and by her admission, "as a professional courtesy".

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Sergeants are tasked with reviewing and approving reports prepared by deputies to ensure they are factually accurate, contain the required documentation to support charges, and to ensure department policies and procedures have been followed. You demonstrated unsatisfactory work performance when you failed to recognize the inconsistencies and misrepresentation of facts in the report authored by David Danel [***TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)***].

On or around July 21st, 2019, [REDACTED] contacted the Sheriff's Office to report an inappropriate relationship between David Danel and his wife [REDACTED]. The complaint stated that when [REDACTED] asked [REDACTED] how she got out of jail, she told him "I sucked his dick, how the fuck do you think I got out?". [REDACTED] later found phone records showing numerous text messages and phone calls between [REDACTED] and David Danel, at all hours of the day and night. The complaint was forwarded to you, and you questioned David Danel about his contact with [REDACTED]. Danel admitted to communicating with [REDACTED] via text message, however he claimed it was work related and had since erased the messages from his phone.

You ordered David Danel to cease all contact with [REDACTED] and to forward any investigative reports to the Tuolumne County District Attorney for review. Any communications between [REDACTED] and David Danel should have been documented in a report and they were not. David Danel disobeyed your orders, never forwarding the case for review and continuing to have contact with [REDACTED]. In your interview you stated you intended to do more follow up into the complaint from [REDACTED] however you determined the complaint was unfounded when [REDACTED] stated he did not want any further investigation. You failed to take into consideration the nature of the complaint and monitor David Danel's behavior post complaint to ensure nothing inappropriate was occurring. In fact, line level employees noticed behavior from David Danel, post complaint, that ultimately caused an internally generated complaint [***TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)***].

Your supervision of David Danel during the investigation into alleged domestic violence between [REDACTED] and [REDACTED] accompanied by his decision to allow the release of [REDACTED] from custody and approve related reports, was not consistent with department policies and procedures, nor was it consistent with the professionalism and sound judgment required of a watch commander with the Tuolumne County Sheriff's Office. Your failure to supervise and/or recognize inappropriate behavior from David Danel while investigating the complaint from [REDACTED] and actions while doing so, was in direct violation of numerous governing policies of the Sheriff's Office, the DSA MOU and the County of Tuolumne rules and regulations [*TCSO Policy 201 Command and Authority, Policy 340.3.6 Standards of conduct, efficiency (a)(b), TCSO Policy 444 Watch Commanders, TC PR&R Rule 9, Disciplinary Action, Section B. Cause(s) of Action (16), DSA MOU Article 16, Section C. Cause(s) of Action (4)(5)(15)*].

CONCLUSION:

Based on your conduct during the events on and after 07/17/2019, described above and in the attached internal affairs report, you violated the above-referenced personnel rules and policies.

Your failure to provide the basic level functions of a Deputy Sheriff Sergeant disrupted the efficiency of the Tuolumne County Sheriff's Office. As a sworn Peace Officer, and as a supervisor holding the rank of Sergeant, you are held to a high standard. You are entrusted by the public to display the highest level of professional skill.

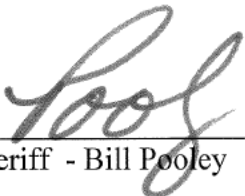
Violation of these requirements, therefore, place the agency and others at considerable risk and it leaves the agency with little choice other than to discipline you. Therefore, I am proposing to suspend you without pay for 120 hours and mandate you to attend a POST certified Assertive Supervision Course (24 hours).

Appeal Notice

Pursuant to Article 16, Section H, of the DSA Memorandum of Understanding, you have the right to appeal this order by submitting your request in writing to the Human Resources Office within seven (7) days after service of this letter. An appeal shall contain an answer to each charge and shall designate the requested hearing body as provided in Article 16.

Warning Against Retaliation

This provision is to notify you it is illegal and inappropriate to retaliate against any person who has participated in complaining or providing information regarding the allegations against you as set forth above and in the attached Internal Affairs Investigation.



Sheriff - Bill Pooley



TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill Pooley
Sheriff-Coroner

To: Sheriff Pooley
From: Sgt. [REDACTED]
Date: 02/18/20
Subject: Skelly Hearing

Sir,

I am writing to request a Skelly hearing regarding my pending discipline. I look forward to the opportunity to meet with you and discuss the case, my actions and the proposed discipline.

Respectfully,

Sgt. [REDACTED]
[REDACTED]