Internal Investigation
Administrative Worksheet
PI# 15-150

Principal(s): Deputy Curtis Vincent

Complainant(s): Administration

Facility/Location: Intake Release Center/ Custody Operations

Disposition:

1. 1018.1 STANDARD OF CONDUCT

☐ Unfounded / ☐ No Further Action / ☐ Exonerated / ☐ Not Sustained / ☒ Sustained

2. 1018.6 OBIEDIENCE TO LAWS AND REGULATION

☐ Unfounded / ☐ No Further Action / ☐ Exonerated / ☐ Not Sustained / ☒ Sustained

3. 1018.8 CONDUCT TOWARD SUPERIOR AND SUBORDINATE OFFICERS AND ASSOCIATES

☐ Unfounded / ☐ No Further Action / ☐ Exonerated / ☐ Not Sustained / ☒ Sustained

4. 1018.33 INCURRING LIABILITY:

☐ Unfounded / ☐ No Further Action / ☐ Exonerated / ☐ Not Sustained / ☒ Sustained

5. 1018.55 PROHIBITED ACTS OR OMISSIONS

☐ Unfounded / ☐ No Further Action / ☐ Exonerated / ☐ Not Sustained / ☒ Sustained

6. 309.2 ELECTRONIC CONTROL DEVICE

☐ Unfounded / ☐ No Further Action / ☐ Exonerated / ☐ Not Sustained / ☒ Sustained

7. 1018.39 USE OF OFFENSIVE LANGUAGE

☐ Unfounded / ☐ No Further Action / ☐ Exonerated / ☐ Not Sustained / ☒ Sustained

8. 1018.40 OFFENSIVE CONDUCT

☐ Unfounded / ☐ No Further Action / ☐ Exonerated / ☐ Not Sustained / ☒ Sustained

9. 1018.27 UNTRUTHFULNESS

☐ Unfounded / ☐ No Further Action / ☐ Exonerated / ☐ Not Sustained / ☒ Sustained

10. CANNON 4:

STANDARD 4.8

☐ Unfounded / ☐ No Further Action / ☐ Exonerated / ☐ Not Sustained / ☒ Sustained

STANDARD 4.10

☐ Unfounded / ☐ No Further Action / ☐ Exonerated / ☐ Not Sustained / ☒ Sustained

STANDARD 4.11

☐ Unfounded / ☐ No Further Action / ☐ Exonerated / ☐ Not Sustained / ☒ Sustained

☐ Administrative Leave

Discipline: ☐ Written Reprimand ☐ Suspension (# of hours_____)

☐ Demotion (to rank of _____) ☒ Dismissal

Comments / Other: _____

Commander Jon J. Bishop 6-21-2016

Administrative Disposition by: _____ **Date:** 6/21/2016

CAPTAIN P. D'AURIA

Administrative Appeal Hearing

Date: _____ *Time:* _____

In Attendance: _____

Comments: _____

Disposition: _____

Disposition by: _____ *Date:* _____

ORANGE COUNTY
SHERIFF'S DEPARTMENT

550 N. FLOWER STREET
SANTA ANA, CA 92703
714-647-7000
WWW.OCSD.ORG

SHERIFF-CORONER
SANDRA HUTCHENS

NOTICE OF DISMISSAL
P.I. #15-150

Curtis Vincent
[redacted]

You are hereby notified that the Orange County Sheriff-Coroner Department ("Department") has decided to dismiss you from your employment as an Orange County Deputy Sheriff, effective November 17, 2016.

On Tuesday, November 8, 2016, Commander Bob Peterson met with you and your representatives, Paul Bartlett and Adam Chaikin. After reviewing the materials and considering the information presented, Commander Bob Peterson decided to uphold the proposed action to dismiss you from your employment.

This action to terminate your employment is based on sustained allegations that (1) you displayed poor conduct by placing a Taser on another department member (2) you violated numerous policies and laws by assaulting Deputy [redacted] with a Taser, (3) you disrespected Deputy [redacted] and other employees by holding a Taser on Deputy [redacted] and using profanities around the other employees, (4) you threatened Deputy [redacted] by attempting to inflict bodily injury on him, (5) you used a department issued Taser in a manner not authorized by department policy (6) you placed liability on the department due to your on-duty actions, (7) you displayed unsafe and offensive actions, (8) you were untruthful during your criminal and internal affairs interviews, (9) you placed the blame on other employees and brought discredit upon yourself and the Department, and (10) you violated the high standards of integrity, trust, and morality demanded of a member of the Peace Officer Profession.

You have the right to appeal this discharge directly to arbitration within ten (10) calendar days from the date the decision was rendered, pursuant to Article XV, Section 8B, of the Personnel and Salary Resolution, 2003.

John Coppock, Captain Professional Standards Division	Date
Curtis Vincent, Deputy Sheriff	Date

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Administrative Worksheet
PI# 15-150

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Complainant(s): Administration

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☐ Administrative Leave

Discipline: ☐ Written Reprimand ☐ Suspension (# of hours_____)

☐ Demotion (to rank of_____) ☒ Dismissal

Comments / Other: _____

Commander Jon J Blipp 6-21-2016

Administrative Disposition by: _____ **Date:** 6/21/2016

CAPTAIN P. D'AURIA

Administrative Appeal Hearing

Date: 11/08/16 *Time:* 1410 Hours

In Attendance: _____

Comments: AFTER CAREFUL CONSIDERATION I UPHOLD THE DISCIPLINE

Disposition: CONCUR WITH DISMISSAL

Disposition by: [illegible] *Date:* 11/10/16

ORANGE COUNTY
SHERIFF'S DEPARTMENT

550 N. FLOWER STREET
SANTA ANA, CA 92703
714-647-7000
WWW.OCSD.ORG

SHERIFF-CORONER
SANDRA HUTCHENS

NOTICE OF INTENT TO DISMISS

PI #15-150

Curtis Vincent

[redacted]

In accordance with Article IX, Section 5 of the County of Orange Memorandum of Understanding for the Peace Officer Unit, and the Orange County Sheriff-Coroner Department Policy Manual, Policy 340.2, you are hereby notified that the Orange County Sheriff-Coroner Department ("Department") intends to dismiss you from your employment as a Deputy Sheriff II effective October 13, 2016.

This proposed discharge is based on the Department's determination that you pointed and touched your department issued Taser at Deputy [redacted] penis/ groin area while inside the Intake and Release Center ("IRC"), and then lied about that fact both to the District Attorney and during your Internal Affairs interview. This display of extremely poor judgment and lack of honesty is very concerning. You are a liability to the department and can no longer be trusted. Your misconduct and unprofessionalism violated the following Department policies:

1. **1018.1 STANDARD OF CONDUCT**
   (a) Members shall conduct their private and professional lives in such a manner as to avoid bringing discredit upon themselves or the department.
   (b) Commissioned officers will conform with the Code of Professional Conduct and Responsibilities for Peace Officers (Policy 1001).

2. **1018.6 OBEDIENCE TO LAWS AND REGULATIONS: (a)** Members shall observe and obey all laws and ordinances, all rules/regulations, procedures and policies of the department and all orders of the department or commands thereof. In the event of improper action or breach of discipline, it will be presumed that the member was familiar with the law, rule/regulation, procedure or policy in question.
   (b) Employees are to report to their immediate supervisor within 24 hours any arrest, incident, or allegation of criminal or other misconduct, which could result in the employee being criminally prosecuted. All allegations of criminal and other misconduct

will be immediately documented by the supervisor in memo form to his/her Command Commander/Director.

3. **1018.8 CONDUCT TOWARD SUPERIOR AND SUBORDINATE OFFICERS AND ASSOCIATES**
   Members shall treat superior officers, subordinates and associates with respect. They shall be courteous and civil at all times in their relationships with one another. They shall not maliciously ridicule one another or the orders issued by competent authority.

4. **1018.33 INCURRING LIABILITY:** Members shall exercise extreme caution and good judgment to avoid occurrences that might give rise to liability chargeable against the department, the Sheriff-Coroner, or the County.

5. **1018.55 PROHIBITED ACTS OR OMISSIONS**
   (a) The following acts or omissions by employees are prohibited:
   1. Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily injury on another
   4. Engaging in horseplay resulting in injury or property damage or the reasonable possibility thereof.

6. **309.2 ELECTRONIC CONTROL DEVICE**
   (I) Utilization of an ECD in any manner (horseplay or other behavior) not authorized by this policy or the Rules & Regulations is strictly prohibited.

7. **1018.39 USE OF OFFENSIVE LANGUAGE**
   Members shall not use offensive or uncomplimentary language within the hearing of any other person.

8. **1018.40 OFFENSIVE CONDUCT**
   Members shall not by their actions, speech, or demeanor, antagonize any person.

9. **1018.27 UNTRUTHFULNESS**
   No member shall knowingly make false statements or misrepresentations to other members or Superiors.

10. **CANON FOUR**
    PEACE OFFICERS WILL SO CONDUCT THEIR PUBLIC AND PRIVATE LIVES THAT THEY EXEMPLIFY THE HIGH STANDARDS OF INTEGRITY, TRUST, AND MORALITY DEMANDED OF A MEMBER OF THE PEACE OFFICER PROFESSION.

    STANDARD 4.8 Peace officers shall not engage in any activity that would create a conflict of interest or would be in violation of any law.

    STANDARD 4.10 Peace officers shall not be disrespectful, insolent, mutinous, or insubordinate in attitude or conduct.

STANDARD 4.11 Peace officers shall be courteous and respectful in their official dealings with the public, fellow officers, superiors and subordinates.

EMPLOYMENT HISTORY

You began your employment with the County of Orange on March 28, 1986 as a Deputy Marshal I assigned to the West/ Harbor Division. On January 24, 1992 you were temporarily promoted to an Investigator I assigned to the FDS- Warrants Division (Santa Ana Investigations) where you worked until January 19, 1994. From January 20, 1994 to May 22, 1997 you were reassigned back to a Deputy Marshal I where you worked at the West/ Central Division. On May 23, 1997 you were again temporarily promoted back to an Investigator I were you worked in the FSD- Warrants Division (Huntington Beach Investigations) until April 23, 1998. On April 24, 1998 you were promoted to a Deputy Marshal II and assigned to the FSD- Civil/ SpOps Division. On July 1, 2000, the Orange County Marshal's Department merged with the Orange County Sheriff's Department and your rank changed to Deputy Sheriff II. From July 1, 2000 to September 7, 2000 you remained assigned to the FSD- Civil/ SpOps Division until transferring to the Intake Release Center on September 8, 2000. You have been assigned to the Intake Release Center since that time.

Throughout your employment with the Marshal's and Sheriff's Departments, you have received training on various Department policies and procedures including the Department's policy on Professionalism and Ethics. According to Lexipol, the Department's web-based policy provider, you last logged on and acknowledged receipt of the Department's Policy Manual on October 1, 2013. You have also received OCSD policy updates from the SAFE Division (via email), and it has been your responsibility to review and familiarize yourself with these OCSD policies.

BACKGROUND

On 11-2-15, Assistant Sheriff Kea initiated an Internal Criminal investigation for allegations of you assaulting another employee on October 21, 2015. This investigation was initiated after Deputy [redacted] ("Deputy [redacted]") reported that you took your department issued Taser out of your holster, turned it on, and pointed it directly at the groin area of Deputy [redacted] ("Deputy [redacted]. Deputy [redacted] reported these allegations after hearing about them from Correctional Services Technician (CST) [redacted] ("CST [redacted]"), who witnessed the incident.

During a preliminary investigation into the incident, Sergeant Jonathan Daruvala ("Sergeant Daruvala") determined the incident did in fact occur inside the Module K guard station at the Intake Release Center, and in the presence of Deputy [redacted] ("Deputy [redacted]), Correctional Services Technician [redacted] ("CST [redacted]") and Correctional Services Assistant (CSA) [redacted] ("CSA [redacted]").

During Sergeant Daruvala's interview with Deputy [redacted] stated that he went into the Module K guard station to speak with Deputy [redacted] confirmed as he entered the guard station you told him to leave. After [redacted] efused to leave, he stated you "took out a Taser", pointed it at his testicles, turned it on, and again told him to leave. After [redacted] refused to leave the guard station, you grabbed his left arm and again told him to leave. After you grabbed his arm, [redacted] stood up and left the guard station.

On November 3, 2015, the Orange County Homicide Detail conducted an internal criminal investigation into your alleged assault of Deputy [redacted] During Investigator Cruz Alday's ("Investigator Alday") investigation, he interviewed CST [redacted] CSA [redacted] Deputy [redacted] and Deputy [redacted] During his interviews with them, they all stated that the incident with the Taser in fact occurred. However, during your interview with Investigator Alday, you were unable to recall an incident with a Taser -- despite being given a description of the events, multiple opportunities to amend your answer and a break with your representatives to consider the matter. You told investigator Alday that you believed Deputy [redacted] was retaliating against you for reporting a prior incident to a supervisor.

On February 1, 2016, Deputy D.A. Denise Hernandez determined there was no evidence of criminal culpability and declined to prosecute any parties involved. On February 10, 2016, the case was forwarded to Internal Affairs for an administrative review of the incident, and to determine if department policies were violated during the alleged assault incident.

INTERNAL AFFAIRS INVESTIGATION

On March 2, 2016, the Internal Affairs Bureau conducted an Administrative Personnel Investigation to determine whether your alleged conduct violated Department policies. During the investigation, the Internal Affairs Bureau conducted interviews with you, and several OCSD employees.

Summary of the Internal Affairs Interview with Deputy [redacted]

On March 23, 2016, Sergeant Graham interviewed Deputy [redacted] inside the Administrative Sergeant's office at the Intake Release Center. The interview was recorded.

During the interview, [redacted] admitted to working with you, CSA [redacted] and CST [redacted] on October 21, 2015. [redacted] explained that Deputy [redacted] was the court deputy on 10-21-15, and believed [redacted] was present inside the guard station because he was escorting inmates back to the module. Regarding the Taser incident, [redacted] remembered writing something down on the computer, turning around to look, and seeing you pull out your Taser. [redacted] stated she remembered seeing you with a Taser and carrying it the day of the incident.

Regarding the incident, [redacted] stated she remembered hearing excitement and [redacted] say something similar to "Whoa", which got her attention and caused her to turn. When she turned around, she saw you with the "Taser out." [redacted] stated she saw you hold the Taser to [redacted] groin area and say, "Yeah." [redacted] also stated she remembered seeing the red Taser light illuminated and placed on [redacted]

[redacted] was not sure if you were joking with [redacted] and did not hear any verbal exchange between the two of you before she exited the guard station. [redacted] also did not know if [redacted] was upset over you pointing the Taser at him. [redacted] believed your actions were unprofessional and inappropriate. [redacted] did not know how close you placed the Taser to [redacted] person, but she knew it was "there." [redacted] also stated that with the red light being illuminated, the Taser could have easily been discharged.

Summary of the Internal Affairs Interview with CST [redacted]

On March 24, 2016, Sergeant Graham interviewed CST [redacted] The interview was conducted inside the Administrative Sergeant's office at the Intake Release Center. The interview was recorded.

During the interview, [redacted] admitted to working with you, CSA [redacted] Deputy [redacted], and Deputy [redacted] on October 21, 2015. [redacted] remembered the incident involving you and [redacted] inside the module K guard station and described it as follows.

[redacted] stated she did not hear any conversations which would lead her to believe you were upset prior to [redacted] arriving in the module K guard station. [redacted] was in the guard station because he was bringing court bodies back to the module. While in the guard station, you and [redacted] were "horse playing", and she asked you why you were so mean to [redacted] You responded by pulling out the Taser, and telling her you were not being mean.

[redacted] was not sure if you were serious, or if you were just goofing around. However, [redacted] remembered seeing the Taser light on. [redacted] described you pulling the Taser from your right leg area. She stated, "I thought he did something like this, and there it was, pointed at his genitals." [redacted] confirmed she regularly saw you with a Taser on your person.

Again, [redacted] did not know what conversations were said prior to you pulling out the Taser. However, even with the Taser being brought out, [redacted] believed the conversations were "friendly", and that you were just "screwing around." Although [redacted] could not remember all the exact comments you said to [redacted] she did describe your comments as being inappropriate, and you "being rude". Of all the comments stated, [redacted] did remember you making a comment about [redacted] penis.

While the October 21, 2015 incident was occurring, [redacted] stated she was standing on the guard station stairway and approximately 2-3 feet from you and [redacted] [redacted] described you and [redacted] both sitting in chairs and facing each other. There was nothing obstructing her view from the two of you, and she clearly saw you holding the Taser.

Even though your actions did not offend [redacted] she believed your words and conduct were inappropriate for the workplace. [redacted] felt you were unprofessional.

Summary of the Internal Affairs Interview with CSA [redacted]

On March 28, 2016, Sergeant Graham interviewed CSA [redacted] in the JCATT office at the Intake Release Center. The interview was recorded.

During the interview, [redacted] admitted to working with you, Deputy [redacted] and CST [redacted] on October 21, 2015. During the shift, [redacted] remembered the incident involving you and Deputy [redacted] [redacted] stated [redacted] entered the module K guard station to speak with Deputy [redacted] after returning court bodies back to the module. While in the guard station, [redacted] was discussing [redacted] upcoming birthday party.

[redacted] stated as [redacted] was speaking with [redacted], you told [redacted] to leave the guard station. After [redacted] told you, "No.", [redacted] witnessed you grab a Taser and point it at [redacted] crotch area. You then told [redacted] while laughing, "Oh, I bet you'll fucking leave now." After your actions, [redacted] got up and left the guard station. [redacted] confirmed you, [redacted] and [redacted] were all in the guard station during the incident.

[redacted] stated that prior to the incident, you were doing paperwork and did not seem upset. However, after [redacted] entered the guard station, you told him to leave 2-3 times and used profanities while you spoke to [redacted] During the verbal exchange, your voice was raised and you were seated next to [redacted] and [redacted] After [redacted] refused to leave, you attempted to grab [redacted] left arm, and eventually grabbed the Taser.

While [redacted] remained seated, you "pulled the Taser out and just pointed it straight towards his crotch area." [redacted] stated you were "really close" and facing each other, with your knees "probably an inch away from each other." [redacted] remembers the light on the Taser being illuminated and pointed at [redacted] penis. [redacted] was not sure if you contacted [redacted] with the Taser. She stated, I'm not sure if it came in contact with his crotch area, but it was pretty close."

[redacted] described you as "serious" during the incident, and believes [redacted] was upset. She felt [redacted] was upset about the incident, because [redacted] got up and left and didn't return for the remainder of the shift. [redacted] believes your actions and conduct were unprofessional, and felt the Taser

could have accidentally or possibly shot [redacted] [redacted] felt uncomfortable about witnessing the incident and didn't want anything to do with it.

Summary of the Internal Affairs Interview with Deputy [redacted]

On March 28, 2015, Sergeant Graham interviewed Deputy [redacted] in the JCATT office at the Intake Release Center. The interview was recorded.

During the interview, Deputy [redacted] admitted to working on October 21, 2015 and being involved in an incident with Deputy Vincent while inside the Module K guard station. [redacted] stated the incident occurred when he refused to leave the guard station after being told to do so by Deputy Vincent.

After [redacted] refused to leave the guard station, he stated you "grabbed the Taser" and pointed it at his thigh and groin area, while telling him to "Get out." [redacted] stated you "told" him to leave the guard station "4 times".

[redacted] stated you retrieved the Taser from on top of the guard station counter. He described your actions as, "He slid his chair and grabbed it. And he slid back with it." [redacted] further explained that you and he were sitting in chairs approximately 2 to 3 feet from each other during the incident. [redacted] remembered seeing the Taser light illuminated on his genital area. [redacted] stated, "For a split second it was on my inner thigh area, and then he moved it to, yeah." [redacted] also confirmed you physically contacted him with the Taser. [redacted] stated, "I'd say one time, maybe two, but I wasn't paying attention. But, definitely one time I recall. But it could have been a second time." Although [redacted] was not scared and did not think you would use the Taser on him, he did admit it was possible the Taser could have accidentally been activated and discharged on him.

[redacted] confirmed you were sitting in the chair right across from him after you retrieved the Taser. While seated, you reached over with the Taser and made contact with his person. [redacted] stated, "I think the light was on me at first and then he touched me. He made contact...over my penis."

After you touched [redacted] with the Taser and [redacted] refused to leave, you slid back to the counter, placed the Taser down and again told him to leave. You then proceeded to grab [redacted] bad arm (left hand) causing him to get up and leave. When you grabbed his left hand, he even told you, "No, no, no that's my bad wrist." [redacted] explained he recently had surgery on his left hand and you had knowledge of his left hand being previously injured. [redacted] believed you intentionally grabbed his left wrist because you knew it was previously injured. [redacted] admitted you caused him pain when you grabbed his left wrist. [redacted] believed your actions were unprofessional and wrong for the workplace.

The following day, [redacted] spoke to you regarding your future interactions with him. [redacted] told you that he needed you to be "professional" with him while at work. You responded by telling [redacted] "OK." [redacted] stated that although he didn't have a problem with the jokes you played on him, he was concerned about the other employees who witnessed and could be offended by your actions.

[redacted] stated you "went too far" with the Taser incident. Although he didn't mind being joked with, [redacted] did not feel having a Taser pointed at his penis was appropriate conduct for the workplace. Although [redacted] did not think you had any ill will towards him during the Taser incident, he believed you were trying to be the center of attention (because other employees were present).

Summary of the Internal Affairs interview with Deputy Vincent Curtis

On April 4, 2016, Sergeants Graham and Manhart interviewed you in the Internal Affairs' office (Attachment #8). Present during your interview was your Association of Orange County Deputy Sheriffs (AOCDS) Representative Adam Chaikin. The following is a summary of the interview:

You began the interview by stating that you have been employed with the OCSD for 30 years and that you were familiar with OCSD policies. You continued by stating you are currently assigned to the Intake Release Center (IRC) and have been working there since September of 2000. You also confirmed that you were working in Module K at the IRC with Deputy [redacted] and CSA [redacted] on October 21, 2015. You also admitted to getting along with both employees.

During your October 21, 2015 Module K shift, you initially stated you did not recall if Deputy [redacted] entered the module, or being involved in an incident with [redacted] during your shift. However, you later admitted [redacted] could have entered the module. You also admitted [redacted] could have been sitting in a chair across from you inside the module. However, you denied any knowledge of an incident involving a Taser.

You admitted [redacted] would come to "visit quite often" in module K, and you may have "jokingly" told [redacted] to "get out" of the guard station. Although you admitted to joking "back and forth" with each other and to "probably" using profanities in the past towards [redacted] you again did not remember an incident involving [redacted] or using profanities towards him during your October 21, 2015 shift. You also did not remember grabbing a Taser and pointing it at [redacted] penis after he told you he was not going to leave the (module K) guard station.

When asked about pointing the Taser at [redacted] you denied making physical contact to [redacted] penis and crotch area with the Taser. You stated you did not remember even handling a Taser during the October 21, 2015 shift. You even stated that 99.9 % of the time, you don't have the Taser on your person. You stated you "never carry" the Taser, and your partner carries it.

However, your statements contradicted several other employee statements regarding you regularly possessing and carrying a Taser while at work. You eventually admitted to possibly picking up the Taser and moving it, and to having access to a Taser while inside the guard station on October 21, 2015.

Although you had knowledge of [redacted] having a previous hand injury, you claimed you did not know which hand was injured. However, you admitted to helping [redacted] with the worker's compensation claim regarding his injured hand, and to helping him with a lot of things because you are his area representative.

You denied grabbing [redacted] left hand in an attempt to make him leave the guard station. However, you stated, "I could have touched his hand. I could have grabbed on to his hand at one point or another, but I don't know if it was the left hand, right hand, I didn't grab it to pull him out to make him leave. I didn't do any of that stuff at all." You stated you did not purposely grab [redacted] hand knowing it was injured.

You denied speaking with [redacted] about the October 21, 2015 Taser incident the following week, or telling him "OK" when [redacted] told you to be professional. However, you admitted to working with [redacted] in court transfer the following week, and to [redacted] telling you in the locker that "we can't mess around."

Regarding the Taser, you confirmed you did not wear the Taser 99.9% of the time you worked. However, you admitted you would wear the Taser when your partners were not present. You also stated it was possible that you had the Taser because [redacted] left it on the counter when she went on break.

You stated you would never point a Taser at a fellow deputy. However, three other OCSD employees personally witnessed you illuminate the Taser light, point the Taser light at [redacted] penis, physically contact [redacted] penis with the Taser, and physically grab [redacted] in an attempt to make him leave the guard station. When you were asked to explain why three employees (who you get along with) would say this about you, you did not have a response and denied all allegations.

After reading you the other employee statements about the Taser incident, you again denied pointing the Taser at "anybody." When asked for a reason as to why the employees would implicate you in pointing the Taser at [redacted] penis, physically contacting [redacted] with the Taser, and grabbing [redacted] You replied, "You want me to tell you that they are lying? Because I'll tell you right now I believe they are lying... All three of them..."

You agreed it would be unprofessional to point a Taser at another employee, to touch another employee with a Taser, to use profanities at another employee, and to purposely grab another

employee's injured body part. You also agreed these types of actions would create liability for the department.

When asked if it was possible the Taser incident happened and you couldn't remember, you stated, "No, because I could tell you right now this incident did not happen. At least not the way you guys are describing it or they are describing it." After your response, you were told that four employees had the same vivid recollection of the incident, and that the Administration is going to wonder why they have the same story and how you could not remember the incident. Your response was, "I'm saying it didn't happen."

Even after all of your denials regarding the incident, you were asked again if you were just "messing around" and the incident got out of hand. You replied, "No." Your representative Mr. Chaikin also asked you to confirm your answer that the incident did not happen. You again denied the incident happened. You eventually made the comments that you believe the other three employees were lying, and that the Taser incident did not occur at any point in time. Your statement was, "Correct. That is correct. I did not have a Taser that I pointed at Deputy [redacted] at any point in time." You also stated, "I don't remember this incident at all. It did not happen as far as I know. No. It did not happen."

FINDINGS AND DETERMINATIONS

Based on the information and evidence obtained during the Internal Affairs investigation, including statements from witnesses and yourself, the Department makes the following findings and determinations.

The Department has concluded that you were dishonest during your internal affairs interview and during your internal criminal interview. Not only did you deny your actions and conduct regarding the placement of a department issued Taser on the penis of Deputy [redacted] you claimed the entire incident never occurred by stating, "I'm saying it didn't happen." This is an unequivocal denial, and does not leave open the possibility that you were merely confused or clouded in your memory.

Even after you heard that four other department employees (who you admitted to getting along with during your Internal Affairs interview) personally witnessed you place the Taser on Deputy [redacted] you still denied the incident occurred. These four employees included a Correctional Services Assistant, a Correctional Service Technician, and two sworn Deputy Sheriff's. You provided no credible reason why these four witnesses would conspire against you by fabricating an elaborate story involving a Taser. Their stories were consistent with each other and all provided adequate detail to support their reliability.

We also do not believe you have merely forgotten about the incident and that your denials are honest. First, after asserting that you could not recall such an incident happening, you later

claimed very firmly that it did not happen. Second, it would defy logic that the four witnesses found the incident noteworthy enough to recall very clearly, but that it somehow slipped your mind, even after repeated prompting by the internal criminal investigator and internal affairs.

As a result, we conclude that the four witnesses were telling the truth and that you were lying.

What is of additional concern, is that instead of admitting the incident occurred and taking responsibility for your actions, you implicated the four other employees as "Lying". Throughout your interview, you were asked several times about the incident and given opportunities to admit the incident occurred, or that the incident was something that escalated out of your normal joking environment with Deputy [redacted] However, after questioning, you still adamantly denied the incident happened and continued to label your fellow employees as liars. Your lack of accountability and unprofessional conduct is unacceptable for an Orange County Deputy Sheriff.

Your conduct and actions not only violated laws and OCSD policies, but you also treated your fellow employees with disrespect. Your actions and inappropriate language were uncourteous to Deputy [redacted] and you placed him in jeopardy of being seriously injured, even if that was not your intentions. Also, by you placing a department issued Taser on Deputy [redacted] penis and illuminating the Taser light, you placed a huge liability on the Orange County Sheriff's Department. Overall, you displayed extremely poor judgment and impulse control.

But, of greatest concern is your dishonesty. It is clear that you were lying and you knew you were lying. And, you were dishonest in a situation where you understood that telling the truth was paramount. But, you chose to put your own needs in front of the needs of the Department in investigating this important matter. Moreover, even after lying to the internal criminal investigator, and then having the time to reflect on your actions, you chose to lie a second time during the internal affairs investigation. This indicates that, internally, you found such dishonesty acceptable. This is highly troubling and makes it likely you would lie again in the future. The Department's relationship with its deputies is built on trust, and you have forever lost that trust. If your employment continued, the Department would have a difficult time believing anything you officially report, and would be unable to put you in a position where your statements or testimony needed to be relied upon.

The OCSD policies clearly state that employees are unauthorized and prohibited from threatening, attempting to inflict unlawful bodily injury on the person of another, or engaging in any horseplay that could result in injury or the possibility of injury of another person. By you placing a Taser on Deputy [redacted] penis, illuminating the Taser light, and then grabbing his previously injured hand, you clearly violated the Prohibited Acts or Omissions and Electronic Control Device policies.

It is obvious your conduct does not exemplify the high standards of integrity, trust, and morality demanded of a member of the law enforcement profession and the Orange County Sheriff's Department. Your conduct not only violated laws and department policies, but it also violated the standard of treating fellow employees with respect.

CONCLUSION

After consideration of all available information, the Department concludes that your behavior violated the aforementioned policies and procedures of the Orange County Sheriff's Department. Your statements in your Internal Affair interview show that you intentionally lied about placing a department issued Taser on Deputy [redacted] You then placed the blame on the employees who personally witnessed your unprofessional actions with a Taser.

As a result of your inappropriate actions, you have exposed yourself and the OCSD to potential liability and discredited your standing within the Department and among your peers.

Your conduct falls far below the standards set forth by the Orange County Sheriff's Department and has negatively affected your standing within the Department in your capacity as a Deputy Sheriff. As a Deputy with this Department, you are held to a higher standard and expectation to uphold and follow the rules and laws peace officers are tasked to enforce. Based on your actions and extremely poor judgment, the Department has determined that you are unfit to work in a public safety setting where integrity, honesty, and an expectation to abide by all laws and policies are essential. As such, you no longer meet the qualifications to continue your employment as a sworn peace officer with the Orange County Sheriff's Department. Because of your serious misconduct, the Department now intends to terminate your employment effective October 13, 2016. In addition to this Notice of Pending Dismissal, you are hereby provided with copies of the following documents that substantiate this decision to dismiss you:

Attachments:

1. Initial Action
2. Personnel Investigative Summary
3. Initiating OCSD Memos
5. Internal Criminal Memos
6. Supporting Documents
7. OCSD Department Policies
8. Internal Affairs Interviews CD

You are entitled to pre-deprivation, pre-disciplinary due process review (Skelly Meeting) before discipline is imposed. You may respond in writing to Assistant Sheriff Linda Solorza within ten (10) calendar days of receipt of this notice, or you may request a meeting. If you choose a meeting, you must notify Internal Affairs Sergeant Ed Manhart within ten (10) calendar days of receipt of this notice. A meeting will be arranged for a later date.

If you do not provide a written response or request a meeting by 1700 hours on the tenth calendar day following your receipt of this notice, the Department will take the position that you have waived your right to be heard. If you do so respond, consideration will be given to your response prior to taking any proposed action.

You are entitled to represent yourself or you may be represented by the recognized exclusive employee organization to which you belong in any due process review meeting you request.

If this proposed action becomes final, you have the right to appeal, pursuant to Article IX, Section 5C and Article X, Sections 7 & 8 of the Memorandum of Understanding, County of Orange and the Association of Orange County Deputy Sheriff's for the Peace Officer and Supervising Peace Officer Unit.

J. COPPOCK — 9-29-16

John Coppock, Captain — Date

Curtis Vincent by — 9.29.16

Curtis Vincent, Deputy Sheriff — Date

David C. Dolson

ORANGE COUNTY SHERIFF'S DEPARTMENT
INTERNAL MEMO

TO: Captain P. D'Auria
FROM: Lieutenant C. Corn
DATE: June 6, 2016
RE: PI #15-150

During my analysis of this personel investigation I reviewed all audio recordings, computer printouts, interviews and documents included in the file. Below are my findings.

Involved Employee:
Deputy Curtis Vincent #6313

Upon the conclusion of my review, I recommend the following related to **Deputy Curtis Vincent:**

1. **Section 1018.1 Standard of Conduct** - **Sustained**
   Deputy Vincent by his own actions, brought discredit to himself and the department. His numerous violations of policy and untruthfullness is a disgrace to the department.

2. **Section 1018.6 Obedience to Laws and Regulations** - **Sustained**
   Deputy Vincent violated numerous department policies listed here in my analysis.

3. ***Section 1018.8 Conduct Toward Superior and Subordinate Officers and Assoiciates*** - **Sustained**
   Deputy Vincent was disrespectful not only to Deputy [redacted] but to the other employees in the guard station who heard the comments he made. He also pointed an Electronic Control Device (ECD) at Deputy [redacted] crotch, which in itself is unsafe and a violation of numerous policies.

4. **Section 1018.33 Incurring Liability** - **Sustained**
   During this incident, Deputy Vincent by aiming the ECD at Deputy [redacted] used bad judgment, exposing the department to liability.

5. **Section 1018.55 Prohibited Acts or Omissions** - **Sustained**
   When Deputy Vincent pointed a department issued ECD at Deputy [redacted] and told him to leave the guard station, he violated 1018.55 section (1) Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily injury on another.

6. **Section 309.2 Electronic Control Device** - **Sustained**
   Again, when Deputy Vincent pointed a department issued ECD at Deputy [redacted] he utilized the ECD in a manner not authorized by department policy.

7. **Section 1018.39 Use of Offensive Language** - **Sustained**
   During this incident, Deputy Vincent made a remark about the size of Deputy [redacted] penis and also used a few explatives during his conversation with Deputy [redacted] These things were said in the presence of other department employees.

8. **Section 1018.40 Offensive Conduct** - **Sustained**
   Deputy Vincent was disrespectful not only to Deputy [redacted], but to the other employees in the guard station who heard the comments he made. He also pointed an Electronic Control Device (ECD) at Deputy [redacted] crotch, which in it self is unsafe and a violation of numerous policies.

9. **Section 1018.27 Untruthfulness** - **Sustained**
   Deputy Vincent appeared to be untruthful during the entire investigation. He claims the incident did not occur. He did not even have a different version of the incident. The three other employees who were present in the guard station when the incident ocurred have the same recollection of what happened. Deputy Vincent states that he gets along with all three, however according to him, all three are lying about the incident.

10. **Cannon Four**

    a) **Standard 4.8:** Peace Officers shall not engage in any activity that would create a conflict of interest or would be in violation of the law. - **Sustained**
    Deputy Vincent violated this Cannon by his actions listed in the above policy violations.

    b) **Standard 4.10:** Peace officers shall not be disrespectful, insolent, mutinous or insubordinate in attitude or conduct. - **Sustained**
    Deputy Vincent violated this Cannon by his actions listed in the above policy violations.

    c) **Standard 4.11:** Peace officers shall be courteous and respectful in their official dealings with the public, fellow officers, superiors and subordinates. - **Sustained**
    Deputy Vincent violated this Cannon by his actions listed in the above policy violations.

INITIAL ACTION

Complainant: Administration **Case Name: 15-150**

Date of Complaint: October 23, 2015

Division / Division Commander: IRC / Captain D'Auria

INITIAL ACTION

☐ **No Further Action**

☐ **Division Review**

☐ **Human Resources Investigation**

☐ **Division Personnel Investigation**

☑ **Personnel Investigation**

☑ **Internal Criminal Investigation**

Internal Affairs:

Logged, P.I # and an Immediate Assessment by Internal Affairs:

I.A Sergeant Reviewed by:_____ Date:_____

Internal Criminal:

Sergeant:_____ Date:_____

Investigator:_____ Date: _____

☐ **Administrative Leave**

Assistant Sheriff / Commander

11/2/15
Date

PERSONNEL INVESTIGATION SUMMARY

ORANGE COUNTY SHERIFF'S DEPARTMENT
INTERNAL MEMO

TO: Lieutenant Jason Danks
FROM: Sergeant Thomas Graham
DATE: April 15, 2016
RE: Personnel Investigation #15-150

Complainant: **Administration**

Employee(s): **Deputy Curtis Vincent #6316**

Incident Location: **Intake Release Center, Module K Guard Station**

Incident Date: **Sunday October 21, 2015**

Allegation(s): **Orange County Sheriff's Department Policy Manual**

1. **1018.1 STANDARD OF CONDUCT**
   (a) Members shall conduct their private and professional lives in such a manner as to avoid bringing discredit upon themselves or the department.
   (b) Commissioned officers will conform with the Code of Professional Conduct and Responsibilities for Peace Officers (Policy 1001).

2. **1018.6 OBEDIENCE TO LAWS AND REGULATIONS: (a)** Members shall observe and obey all laws and ordinances, all rules/regulations, procedures and policies of the department and all orders of the department or commands thereof. In the event of improper action or breach of discipline, it will be presumed that the member was familiar with the law, rule/regulation, procedure or policy in question.
   (b) Employees are to report to their immediate supervisor within 24 hours any arrest, incident, or allegation of criminal or other misconduct, which could result in the employee being criminally prosecuted. All allegations of criminal and other misconduct will be immediately documented by the supervisor in memo form to his/her Command Commander/Director.

3. **1018.8 CONDUCT TOWARD SUPERIOR AND SUBORDINATE OFFICERS AND ASSOCIATES**
   Members shall treat superior officers, subordinates and associates with respect. They shall be courteous and civil at all times in their relationships with one another. They shall not maliciously ridicule one another or the orders issued by competent authority.

4. **1018.33 INCURRING LIABILITY:** Members shall exercise extreme caution and good judgment to avoid occurrences that might give rise to liability chargeable against the department, the Sheriff-Coroner, or the County.

5. **1018.55 PROHIBITED ACTS OR OMISSIONS**
   (a) The following acts or omissions by employees are prohibited:
   1. Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily injury on another
   4. Engaging in horseplay resulting in injury or property damage or the reasonable possibility thereof.

6. **309.2 ELECTRONIC CONTROL DEVICE**
   (I) Utilization of an ECD in any manner (horseplay or other behavior) not authorized by this policy or the Rules & Regulations is strictly prohibited.

7. **1018.39 USE OF OFFENSIVE LANGUAGE**
   Members shall not use offensive or uncomplimentary language within the hearing of any other person.

8. **1018.40 OFFENSIVE CONDUCT**
   Members shall not by their actions, speech, or demeanor, antagonize any person.

9. **1018.27 UNTRUTHFULNESS**
   No member shall knowingly make false statements or misrepresentations to other members or Superiors.

10. **CANON FOUR**
    PEACE OFFICERS WILL SO CONDUCT THEIR PUBLIC AND PRIVATE LIVES THAT THEY EXEMPLIFY THE HIGH STANDARDS OF INTEGRITY, TRUST, AND MORALITY DEMANDED OF A MEMBER OF THE PEACE OFFICER PROFESSION.

    STANDARD 4.8 Peace officers shall not engage in any activity that would create a conflict of interest or would be in violation of any law.

    STANDARD 4.10 Peace officers shall not be disrespectful, insolent, mutinous, or insubordinate in attitude or conduct.

    STANDARD 4.11 Peace officers shall be courteous and respectful in their official dealings with the public, fellow officers, superiors and subordinates.

Initial Action

On 11-2-15, at the direction of Assistant Sheriff Kea, Internal Affairs initiated a personnel investigation into the on duty actions of Deputy Curtis Vincent. It is alleged that Deputy Vincent violated several department policies when he acted unprofessional and threatened another employee inside the guard station of Module K at the Intake Release Center.

Initiating Memos

Summary of memo from Sgt. Daruvala to Lt. Howell

This memo is dated October 26, 2015, and is in reference to Deputy C. Vincent. Within the memo, Sergeant Daruvala describes being advised of an incident by Deputy [redacted], in which Deputy Vincent pointed a Taser at Deputy [redacted] groin. Deputy [redacted] stated [redacted] told her of the incident and CST [redacted] was also present during the incident. After receiving the information, Sergeant Daruvala interviewed the employees involved.

During the conversation with [redacted], Daruvala was advised she did witness the incident in which Vincent unholstered a Taser, put it over [redacted] groin area, turned on the Taser, and told [redacted] to leave. [redacted] believed Vincent and [redacted] were joking with each other during the incident.

[redacted] told Daruvala on October 21, 2015, at approximately 1400 hours, he went to Module K to speak with Deputy [redacted]. When he entered the module, Vincent told him to leave. After he replied "No" and sat down in a chair, Vincent took out a Taser, pointed it at his groin, turned it on, and again told him to leave. After he refused again, Vincent grabbed his left arm and told him to leave again. At this time, he left the guard station. [redacted] stated Vincent was just joking during the incident and they were not arguing with each other. [redacted] confirmed he and Vincent are good friends and there was no problem between them. However, [redacted] stated he did feel "uneasy" at the time and believed Vincent crossed the line by pointing the Taser at him and grabbing his arm. [redacted] confirmed [redacted] and CSA [redacted] were in the guard station during the incident.

CSA [redacted] told Daruvala that Vincent was having a bad day and that he was upset about being moved out of the guard station the day before. When [redacted] entered the guard station and started speaking with [redacted] Vincent told him, "Get the fuck out of my mod." [redacted] stated she did not know if Vincent was serious or joking. After [redacted] told Vincent "No", Vincent stated, "I'm not kidding. Get the fuck out of my mod. Get off your ass. Go do your job." [redacted] confirmed Vincent took out a Taser and touched [redacted] groin area with it causing [redacted] to leave. [redacted] stated Vincent did not turn on the Taser.

[redacted] confirmed she was in the guard station at the time, but that she was not paying attention to what happened between Vincent and [redacted] because she was typing a report. However, [redacted] did hear [redacted] say "whoa" in a loud voice, and she saw Vincent holding a Taser very close to [redacted] groin area. [redacted] confirmed the Taser was on, but she could not see if the Taser was actually touching [redacted] Feeling uncomfortable, [redacted] left the guard station.

Summary of memo from Lt. Howell to Captain D'Auria

This memo is dated October 24, 2015, and is in reference to staff misconduct by Deputy Curtis Vincent. Within the memo, Lieutenant Howell explained how Sergeant Daruvala was informed of the on duty incident, how the incident was confirmed to have actually occurred, and there being another possible unprofessional incident involving Deputy Vincent inside module K. Lt. Howell expressed that Deputy Vincent's on duty conduct is not only disgraceful, but that he disregarded the safety of other personnel and the department's core values. Lt. Howell requested the incidents be referred to Internal Affairs for further investigation.

Summary of memo from Captain D'Auria to Commander Bland

This memo is dated October 28, 2015 and is titled "Recommendation for PI." Within the memo, Captain D'Auria believes the allegations are serious in nature and agrees with the recommendation for an Internal Affairs investigation.

Summary of memo from Commander Bland to Captain Byerley

This memo is dated October 30, 2015 and is titled "Request for Internal Affairs Investigation." Within the memo, Commander Bland concurs with Captain D'Auria for an Internal Affairs investigation into Deputy Vincent's on duty action. Within the memo, Commander Bland includes several policy violations to investigate.

Deputy Curtis Vincent placed on Administrative Leave

Deputy Curtis Vincent was placed on Administrative Leave on Monday, November 11, 2015. Deputy Vincent was explained the Administrative Leave process and he signed the Notice of Administrative Leave form. Deputy Vincent was placed on Administrative leave at 1130 hours. His department issued duty weapon [redacted], 3 magazines with ammunition, ID cards, badges (uniform and flat #2421), and one department key were collected and placed into the Internal Affairs safe pending further investigation.

Internal Criminal Investigation

Summary of memo from Lieutenant Dave Sawyer to Captain Stu Greenberg

This memo is dated February 10, 2016 and is in reference to DR# 15-246710. The memo is signed by Investigative Captain Stu Greenberg, Area Commander Adam Powell, and Assistant Sheriff Toni Bland. They all recommend an internal investigation into the incident. The following is a summary of the memo:

On November 3, 2015, the Homicide Unit was notified of a possible internal criminal investigation regarding an assault against another staff member by OCSD Deputy Curtis Vincent. It was alleged Deputy Vincent pointed his department issued Taser at Deputy [redacted] groin area while working inside the IRC, Module K, guard station. The complaint was submitted to Sergeant Daruvala by Deputy [redacted] who was not present during the incident, but heard about the incident from Deputy [redacted]

Investigator Cruz Alday was assigned the case and conducted the internal criminal investigation. Investigator Alday spoke with Sergeant Daruvala to confirm the facts of the case, and interviewed all witnesses associated to the incident, confirming that the incident occurred. During his interviews, Deputy [redacted] stated he is friends with Deputy Vincent, they were just horse playing, there was no criminal act, and that he did not want prosecution. Deputy Vincent stated he did not remember the incident and believed that Deputy [redacted] was retaliating against him for a past use of force he reported to a sergeant.

At the conclusion of his investigation, Investigator Alday submitted the case to the Orange County District Attorney's Office for review. Deputy District Attorney Denise Hernandez was assigned the case. After carefully reviewing Investigator Alday's case, DDA Hernandez determined there was no evidence of criminal culpability. She refused to prosecute any parties involved in the case.

Summary of memo from Deputy District Attorney Hernandez to Investigator Alday

This memo is dated February 1, 2015, and is reference to OCSD 15-246710 and Deputy Curtis Vincent. The memo stated the District Attorney's office has completed their review of the referenced incident and they have determined there is insufficient evidence to support the filing of criminal charges against any of the deputies involved. DA Jones documented the District Attorney's office is closing their inquiry into the matter at this time.

Summary of Criminal Investigation by Investigator C. Alday #4970

In a follow-up report dated 11-3-15, Investigator Alday #4970 listed all the parties involved in the incident and summarized his investigation. In the report, Investigator Alday not only reviewed and summarized Sergeant Daruvala's internal department memo, but he also spoke with Sergeant Daruvala to confirm facts of the 10-21-15 incident. Investigator Alday also conducted his own interviews of all involved parties to determine if there were any internal criminal violations associated to the October 21, 2015 incident.

Employee Interviews

On Tuesday, November 3, 2015, Investigators Alday and Quinlantan interviewed CST [redacted] CSA [redacted] and Deputy [redacted] in the Administrative Sergeant's office at the Intake Release Center. On November 17, 2015, Investigators Alday and Mauga interviewed Deputy [redacted] in the Administrative Sergeant's office at the Intake Release Center with AOCSD attorney Robert Gazley present. On December 16, 2015, Investigators Alday and Quinlantan interviewed Deputy Vincent at the Association of Orange County Deputy Sheriff's offices in the presence of AOCDS Representative Paul Bartlett and Attorney Paul Meyer. All interviews were digitally recorded and are available for review.

The following are copies of their interviews:

Interview with CST [redacted]

"On 11-03-15 at about 1343 hours, Inv. A. Quilantan and I interviewed CST [redacted] at the Intake Release Center in the Administration Sgt.'s office. The interview was audio recorded and the following is a summary of the interview.

CST [redacted] has worked for the department since 1988. She has been assigned as the CST to Module "K" since October. Her duties are to supervise the feeding of inmates, the clothing exchange of inmates, the cleaning of the module, and taking care of the inmates' needs. She currently works from 6am to 6pm on Sunday, Monday, Tuesday, with every other Wednesday off.

On 10-21-15 (Wednesday) she was assigned to work at Module "K" along with Deputy [redacted] Deputy C. Vincent, and Correctional Service Assistant (CSA) [redacted] Inside the module office, there are three chairs next to the control panels along with two computers.

Sometime in the afternoon, she was standing closest to the module door when Dep. [redacted] came into the module to see Dep. [redacted] At the time, Dep. C. Vincent was sitting by a computer, CSA [redacted] was sitting on the control panel counter, and she was not sure if Dep. [redacted] was standing or sitting inside the module. Dep. [redacted] took a seat on one of the chairs and she remembered hearing "bantering" back and forth between Dep. [redacted] and Dep. C. Vincent. She did not remember specifics as to what was being said but she remembered telling Dep. C. Vincent, "Why are you so mean to him? Why can't you be nice to him?" Dep. [redacted] said to her, "Don't worry about it, I'll take care of it."

CST [redacted] did not know any history between the two deputies. She thought Deputy C. Vincent and Deputy [redacted] were engaged in friendly "badgering" and "messing around." The next thing she knew was Deputy [redacted] was sitting in a chair and Deputy C. Vincent had the laser from the Taser pointed at Dep. [redacted] penis. Dep. C. Vincent made some reference to the size of Dep. [redacted] penis but she did not remember specifics. The distance between Dep. C. Vincent and Dep. [redacted] was about four feet in proximity. Dep. [redacted] covered his crotch area with his hands and Dep. C. Vincent moved closer and got within two feet of Dep. [redacted] crotch area. Both deputies were sitting in chairs across from each other. She did not know what provoked Dep. C. Vincent to point the Taser at Dep. [redacted] Eventually, Dep. [redacted] got up and left the module. She did not see Dep. C. Vincent put his hands on Dep. [redacted] or Dep. [redacted] put his hands on Dep. C. Vincent. After Dep. [redacted] left the module, Dep. C. Vincent said something to the effect, he did not like that deputy or he can't stand that guy.

CST [redacted] didn't think much of the encounter between the Deputies. Neither she nor Dep. [redacted] or CSA [redacted] talked about the incident to Dep. C. Vincent.

Interview with CSA [redacted]

On 11-03-15 at about 1401 hours, Inv. A. Quilantan and I interviewed CSA [redacted] at the Intake Release Center in the Administration Sgt.'s office. The interview was audio recorded and the following is a summary of the interview. CSA [redacted] has been with our department since 2012. She was a recruit in the academy but was injured during the academy so she was sent to the Professional Standards Division, Law Library, and Commissary. She went back to the academy and graduated as a Correctional Services Assistant in June of 2013. She has since been assigned to the Intake Release Center. CSA [redacted] is currently assigned to the visiting lobby at the Intake Release Center. Her duties are to check in the visitors and provide escorts inside the jail. Her work hours are from 6am to 6pm.

On 10-21-15 (Wednesday), she was assigned to work Module "K." In Mod "K" her duties were to do the inmate movement logs, the visiting logs, and the guard station logs. Also assigned to the Mod were Dep. [redacted] Dep. C. Vincent, and CST [redacted] The Mod (guard station) has a control panel, computer, and three chairs inside.

CSA [redacted] was sitting on the control panel counter. Dep. [redacted] Dep. C. Vincent, and Dep. [redacted] were sitting in the chairs. She stated Dep. [redacted] had been planning her [redacted] birthday party and had invited Dep. [redacted] Dep [redacted] came to visit Dep. [redacted] in the Mod and they were talking about the birthday plans. Dep. C. Vincent didn't like the fact that Dep. [redacted] was inside the Mod so he told him to get out.

CSA [redacted] stated that Dep. C. Vincent used some profanity when he addressed Dep. [redacted]. Dep. [redacted] refused to leave and he told Dep. C. Vincent he was not leaving since he was talking to his partner (Dep. [redacted]. Dep. C. Vincent told him he did not like him here and again told him to get out. Dep. [redacted] said "No" and told him to make him. Dep. C. Vincent used both of his hands and grabbed Dep. [redacted] by the arm and tried to move him. CSA [redacted] thinks it was Dep. [redacted] right arm that Dep. C. Vincent grabbed. When Dep. [redacted] wouldn't move, Dep. C. Vincent pulled out the Taser and pointed it towards Dep. [redacted] crotch area. CSA [redacted] was able to tell the Taser was turned on because she was able to see the laser coming from the Taser. She was able to see the tip of the Taser come in contact with Dep. [redacted] crotch area. Dep. C. Vincent was laughing and telling Dep. [redacted] "I bet you'll get your ass up now." Dep. [redacted] got up from the chair and said "Alright" and he got out of the Mod. Dep. C. Vincent and Dep. [redacted] exchanged some words as Dep. [redacted] was leaving the Mod. CSA [redacted] said that all of this took place while both Dep. C. Vincent and Dep. [redacted] were sitting down on the chairs, facing each other, and in close proximity.

CSA [redacted] was not sure if Dep. C. Vincent and Dep. [redacted] were messing around, if they knew each other like that, or if this was hostile between them. She stated she did not know their personal background. CST [redacted] said neither Dep. [redacted] nor CST [redacted] said anything when the incident took place. After Dep. [redacted] left, Dep. C. Vincent did not say anything to them about the incident. They all went back to doing their work and they did not talk about the incident."

Interview with Deputy [redacted]

On 11-03-15 at about 1427 hours, Inv. A. Quilantan and I interviewed Deputy [redacted] at the Intake Release Center in the Administration Sgt.'s office. The interview was audio recorded and the following is a brief summary of the interview.

Dep. [redacted] has been a Deputy for two years and has been assigned to the Intake Release Center for that time. She currently works Sunday, Monday, Tuesday, every other Wednesday from 6am to 6pm. Since September of 2015, she has been assigned to work Module "K." Also assigned to Mod "K" are Dep. C. Vincent and CSA R. Gentile #5420.

On 10-21-15 (Wednesday), she was assigned to work Mod "K." As a Mod "K" deputy, her duties are the care and custody of the inmates housed in Mod "K." On this day, CSA [redacted] was assigned to work Mod "K" in place of CSA R. Gentile.

Reference the incident, Dep. [redacted] said Dep. [redacted] who works Court Transfer had stopped by the Mod since he had escorted some Mod "K" inmates from court transfer. Dep. [redacted] came inside the guard station (Mod) to say "Hi." Dep. [redacted] did not remember if Dep. C. Vincent and Dep. [redacted] had a conversation, she was not paying attention to them. Both Dep. C. Vincent and Dep. [redacted] were sitting on chairs next to each other, facing each other, and within arms reach of each other. She was sitting in front of the computer in the Mod writing a report when she heard Deputy [redacted] say, "Whoa, whoa." She turned to see what was going on and she saw Dep. C. Vincent pointing his Taser directly at Dep. [redacted] penis area. Dep. [redacted] was able to see the Taser's red light was on and pointed right onto Dep. [redacted] penis area.

Dep. [redacted] was able to see Dep. C. Vincent make physical contact with the Taser by placing it on Dep. [redacted] penis area. Dep. C. Vincent pulled it away from making physical contact and that's when she left the Mod due to having to escort some inmates. Dep. [redacted] did not know if Dep. [redacted] was upset about the incident. She did not know what ended up happening between Dep. C. Vincent and Dep. [redacted] By the time she returned to the Mod, Dep. [redacted] was no longer there. Dep. [redacted] confirmed that CSA [redacted] was also inside the Mod but she was not sure if CST [redacted] was also inside the Mod.

Dep. [redacted] said she did not know what was going on between the deputies and she did not want to know either. She was not sure if they were joking around or being serious. She did not remember what their conversation was about. She has not had any other incidents involving Dep. C. Vincent. Nothing else occurred and the day was like any other day. She stated that it was not unusual for a Deputy to stop by the Mod and say "Hi." She thought it was a very unprofessional conduct from Dep. C. Vincent towards Dep. [redacted]

Interview with Deputy [redacted]

On 11-17-15 at about 1325 hours, Inv. J. Mauga and I interviewed Deputy [redacted] at the Intake Release Center in the Administration Sgt.'s office. Also present during the interview was Deputy [redacted] association attorney, Robert Gazley (714) 375-0628. The interview was audio recorded and the following is a brief summary of the interview.

I asked Dep. [redacted] if the statement he was about to give us was free and voluntary and not coerced and he said, "Yes." Dep. [redacted] has been a Deputy for 2 years and 3 months and has been assigned to the Intake Release Center during that time. He previously was a Port Police Officer for the island of St. Lucia for 8 years. His current assigned position at the IRC is Court Transfer Deputy. As a Court Transfer Deputy, his duties are to receive inmates from their housing locations and send them out to court and receive them back from court and send them back to their housing locations. He works Monday through Friday from 12pm to 8:30pm.

On October 21, 2015 (Wednesday) at about 1400 hours, he escorted an inmate to Mod "L." On his way back, he walked through Mod "K" to stop by and say hi to Dep. [redacted] He knew Dep. [redacted] and Dep. C. Vincent were assigned to Mod "K." Dep. [redacted] went inside the Mod's guard station and Dep. C. Vincent jokingly told him to get out of his guard station. Dep. [redacted] said "No" and he sat down on one of the chairs inside the Mod. Dep. C. Vincent again told him to get out of his guard station. Dep. [redacted] again said "No" and he tried to talk to Dep. [redacted] Dep. C. Vincent grabbed the Mod "K" Taser, turned it on, and pointed it at Dep. [redacted] crotch area. Dep. [redacted] didn't say anything as he could see the Taser's red light pointed to his crotch area. Dep. C. Vincent physically made contact with him by touching the Taser to his crotch area (inner left thigh). Dep. [redacted] said Dep. C. Vincent made physical contact with the Taser to his crotch area twice for approximately one to two seconds each time. Dep. C. Vincent told him again to get out and again he said, "No." Dep. C. Vincent put the Taser back and he reached over and grabbed him by his left arm. As Dep. C. Vincent went to grab his left arm, Dep. [redacted] reminded him that it was his "bad arm." Dep. C. Vincent acknowledged him by saying that he knew it was his bad arm as he used both hands to grab him by his left wrist and fingers.

As soon as Dep. C. Vincent grabbed him, Dep. [redacted] became very defensive and told him it was his bad hand. At that point, Dep. [redacted] said he was done and he got up and left the Mod. Dep. [redacted] stated he had previously had major surgery on his left arm and he was sensitive to anyone putting their hand to his wrist. He stated Dep. C. Vincent was aware of his previous surgery to his wrist. Dep. [redacted] said Dep. C. Vincent had never grabbed the Taser and threatened him with it before. He stated this was the first time Dep. C. Vincent ever did that to him. Dep. [redacted] said that Dep. C. Vincent always jokes around with him and he considered the incident to be Dep. C. Vincent's way of joking around. Dep. [redacted] stated he did not have any reason to believe Dep. C. Vincent was serious during this incident.

Dep. [redacted] said, that as a joke, Dep. C. Vincent always tells him to get out of his work location. Dep [redacted] considered Dep. C. Vincent's comments of "get out of my guard station" as something he typically says to him. Dep. [redacted] said during this incident, Dep. C. Vincent was not upset and he was smiling the whole time. Due to this, Dep. [redacted] believed that Dep. C. Vincent was joking with him during the incident. Dep. [redacted] explained that when Dep. C. Vincent grabbed the Taser, he still thought Dep. C. Vincent was joking around but thought he might be taking it too far. Dep. [redacted] continued by saying when Dep. C. Vincent grabbed him by his "bad wrist" he just didn't want to get hurt so he decided to leave the Mod.

Dep. [redacted] said the way Dep. C. Vincent carried himself by asking him to leave the Mod was typical of Dep. C. Vincent's way of joking around with him. Dep. [redacted] was not "ok" with having the Taser pointed at him but he did not see the act as being aggressive. Dep. [redacted] saw it as Dep. C. Vincent making a "bad joke" and taking it too far. Dep. [redacted] said he did not feel threatened by Dep. C. Vincent and he did not feel that Dep. C. Vincent was going to deploy the Taser. With regards to his wrist, Dep. [redacted] stated that his wrist is very sensitive so he did not want to be touched on his bad hand.

Dep. [redacted] confirmed that Dep. [redacted], CSA [redacted] and CST [redacted] were present during the incident. He did not think Dep. [redacted] witnessed the incident since she was facing away working on the computer. He did not know if CSA [redacted] saw the incident but he thinks CST [redacted] might've witnessed the whole incident. Dep. [redacted] said no one discussed the incident afterwards. Dep. [redacted] never spoke to Dep. C. Vincent about the incident but he did run into him at a later time and Dep. C. Vincent wanted to "joke" the same way with him.

On 10-28-15 (Wednesday), Dep. [redacted] said he knew the jail administration already knew about the incident. He stated he had confided in another deputy and had told her about the incident and believes that this deputy told the administration about the incident. Dep. [redacted] ran into Dep. C. Vincent so he decided to give Dep. C. Vincent some "friendly advice." He told Dep. C. Vincent that from that point on he needed to be as professional as possible with him. Dep. C. Vincent told him "ok." They ended up working together and Dep. C. Vincent was "professional" and did not joke about anything with him.

Dep. [redacted] said he considered Dep. C. Vincent a very close acquaintance. He stated Dep. C. Vincent has confided in him in the past about his personal issues. Dep. [redacted] considers Dep. C. Vincent one of the few guys he really speaks to and likes. He knows Dep. C. Vincent as always joking around and he considers their work relationship to be "pretty good."

Dep. [redacted] said he did not feel threatened by Dep. C. Vincent's actions during the incident. Dep. [redacted] also said he did not want to take any criminal action against Dep. C. Vincent for telling him to leave the Mod, for pulling the Taser out, pointing it at him, making physical contact with the Taser, or for grabbing him by his wrist."

Interview with Deputy Curtis Vincent #6316

"On 12-16-15 at about 1112 hours, Inv. A. Quilantan and I interviewed Deputy Curtis Vincent [redacted] at the Association of Orange County Deputy Sheriff's offices. Also present during the interview was Association Representative, Paul Bartlett (714) 285-9900 and Attorney Paul Meyer (714) 754-6500. The interview was audio recorded and the following is a brief summary of the interview.

I asked Dep. C. Vincent if he knew why we were there and he said he did not know. I explained to him we were investigating a possible internal criminal incident. Using my department issued Miranda card, I read him his Miranda Warnings. Dep. C. Vincent answered "Yes" to the questions and decided to speak with us. Dep. C. Vincent stated this was a free and voluntary statement, was not ordered to give us a statement, and was not compelled to give us a statement.

Dep. C. Vincent has been with the Orange County Sheriff's Department for 30 years. He is currently a Deputy Sheriff assigned to the Intake Release Center. Since September of 2015, he has been assigned to work as the Module (Mod) "K" Prowler on Shift-I from 0600-1800 hours on Sunday, Monday, Tuesday, and every other Wednesday. His duties as a prowler are to care for the inmates housed in Mod "K." I asked him if he remembered working on October 21, 2015 and he said he did not. I showed him the Intake Release Center watch list for the day of Wednesday, October 21, 2015. The watch list had him listed as a Mod "K" Prowler, Dep. [redacted] as a Mod "K Prowler, CSA [redacted] assigned to Mod "K," and Dep. [redacted] as the Court Prowler. Dep. C. Vincent also confirmed that CST [redacted] was assigned to Mod "K."

I asked him if he knew Dep [redacted] Dep. C. Vincent said he knew Dep. [redacted] for several years since he had assisted him in contacting the association in an incident he was involved in that required Dep. [redacted] to be placed on light duty. Dep. C. Vincent described their relationship as "friendly." I asked him if he remembered an incident on that day involving him and Dep. [redacted] Dep. C. Vincent stated he did not remember.

I told him that based on several interviews we had conducted; we had concluded that on Wednesday, October 21, 2015 at about 1400 hours, Dep. [redacted] stopped by Mod "K" to visit Dep. [redacted]. Dep. [redacted] came inside the Mod and sat on one of the chairs and was told by him (Dep. C. Vincent) to, "Get out, I don't want you here." Dep. [redacted] told him Dep. C. Vincent, "No" so he (Dep. C. Vincent) grabbed a Taser, turned it on, and pointed the Taser's laser to Dep. [redacted] crotch area. Dep. C. Vincent made physical contact with Deputy [redacted] by placing the Taser on his crotch area. Dep. C. Vincent eventually grabbed Dep. [redacted] by his left arm at which point Dep. [redacted] reminded him Dep. C. Vincent it was his "bad arm." Dep. C. Vincent told Dep. [redacted] that he knew it was his bad arm. At this point, Dep [redacted] decided to leave the Mod on his own.

Dep. C. Vincent continually said he did not remember the incident ever happening. He stated it was possible he might have told Dep. [redacted] to leave the Mod since he and Dep. [redacted] have that type of "joking" relationship. He said it wouldn't be out of character for him to say something like that to him since they like to "joke around." Dep. C. Vincent said he would never point a Taser at a fellow Deputy. He stated, as they teach them in the academy, "Don't point unless you plan on using it." He again stated – he would never point a Taser at anyone.

Dep. C. Vincent explained that a Taser is always assigned to one of the Deputies assigned to the Mod. The night shift deputy carrying the Taser will turn it over to the day shift deputy and they will place it in their holster and carry it for the remainder of the shift. Dep. C. Vincent stated that 99.9 of the time Dep. [redacted] carried the Taser during their shifts. The only time Dep. [redacted] would take the Taser off was when she would go to lunch. Dep. [redacted] would leave the Taser on the counter inside the Mod. Dep. C. Vincent said it was very few times when he would take the assigned Taser.

Dep. C. Vincent said he knew about Dep. [redacted] previous hand injury stating that the injury happened in 2013 or 2014 while he was involved in an altercation inside the jail. Dep. [redacted] had surgery on the hand and was out of work for about six weeks. Dep. C. Vincent did not know which hand Dep. [redacted] had injured. I continued by telling him that about a week after the incident took place, Dep. [redacted] found out the administration knew about the Taser incident. Dep. [redacted] told us he decided to speak to Dep. C. Vincent and told him to be "professional" with him. Dep. C. Vincent stated he did not remember having that conversation with Dep. [redacted] and he was not aware the administration knew of this incident.

I told him this investigation was not generated by Dep. [redacted] since he too had stated they did have a "joking" relationship. Dep. [redacted] did not want to be a victim, was not threatened during the incident, and did not want anything done with this investigation. I reminded him that Dep. [redacted] Dep. [redacted] CSA [redacted] and CST [redacted] all had told me the same thing about the incident. Dep. C. Vincent again stated he did not remember the incident. Inv. A. Quilantan asked him if there was a reason why they would say something that may not be accurate and if there was any animosity towards him. At this point (at about 1139 hours), Dep. C. Vincent along with Attorney Paul Meyer and Association Representative Paul Bartlett requested we take a break. We stopped the interview and Inv. A. Quilantan and I left the interview room.

At about 1147 hours, Inv. A. Quilantan and I came back to the interview room and we resumed the interview. Dep. C. Vincent stated that at the advice of AOCDS representatives, for a while now, he has kept a detailed log of any and all incidents. He looked at his log and he noted that on October 18, 2015, Dep. [redacted] was "counseling" and used "hands-on" a female inmate. He went ahead and told Sgt. Alvarez about the "use of force" that Dep. [redacted] had used. Dep. C. Vincent believes Dep. [redacted] does not like him. Dep. C. Vincent went ahead and mentioned several other incidents he had logged about other jail staff. These incidents were not relevant to my investigation. Dep. C. Vincent mentioned he was placed on Administrative Leave on November 2, 2015.

I again asked him to explain how Dep. [redacted] Dep. [redacted] CSA [redacted] and CST [redacted] told me the same thing about the incident. Dep. C. Vincent again said he did not remember the incident. I asked him if he takes medications that would cause him to forget things and he said, "No." Dep. C. Vincent had no information as to why he did not remember the incident. We concluded the interview at 1208 hours. For further details refer to the digital recording."

Internal Affairs Investigation

Interview with Deputy [redacted]

On March 23, 2016, at approximately 1320 hours, I conducted an interview with Deputy [redacted] inside the Administrative Sergeant's Office at the Intake Release Center. [redacted] was provided with the Confidentiality Directive and understood she was a witness in this investigation. The interview was recorded and the following is a summary of that interview:

Deputy [redacted] has been employed with the Sheriff's Department for approximately 5 years, including the last 3 years as a Deputy Sheriff. [redacted] currently works as a Deputy I at the Intake Release Center, assigned to Module K. [redacted] is familiar with OCSD policies and acknowledged to signing on to Lexipol and accepting the policy manual.

On October 21, 2015, [redacted] admitted to working in Module K as a deputy sheriff. During her shift, [redacted] worked with Deputy Vincent and Correctional Services Assistant (CSA) Gentile. However, on this particular day (10-21-15), [redacted] explained that CSA [redacted] was working with her because Gentile was off work for the day. [redacted] stated Correctional Services Technician [redacted] was also working in Module K on 10-21-15.

[redacted] remembered an incident involving Deputies Vincent and [redacted], but stated, "I don't really have a clear memory of what happened that day. It's been so long." Regarding the incident, she remembered writing something on the computer, turning around to look, and seeing Deputy Vincent pull out his Taser. [redacted] stated she didn't know the "purpose" of it with Deputy [redacted] but admitted something happened in the Module so she walked out. [redacted] stated she didn't know exactly "why or what" they were doing. [redacted] explained that Deputy [redacted] was the Court Deputy on October 21st and believed [redacted] was present in Module K because he was escorting court bodies back to the Module. [redacted] did not remember hearing any previous conversations of Vincent's prior to [redacted] arrival, and did not know if Vincent was upset with anything that day.

Regarding the Taser, [redacted] believed Vincent had the Module K Taser on October 21, 2015. However, she stated, "I don't remember if he had checked one out from Main Control or if it was the one from the mod that day." When asked if the Module K Taser was usually assigned to a particular person, she stated, "No, it's just whoever, uh, comes in in the morning and gets the Taser. Once you get the Taser, then we log who has the Taser on that day." [redacted] does not remember who the Module K Taser was logged to on the day of October 21, 2015. [redacted] further explained that if the Taser is assigned to someone, that person would normally carry it on their person for the day.

Although [redacted] does not remember who the Module K Taser was assigned to on October 21, 2015, she does remember seeing Deputy Vincent with a Taser and carrying it that day. When asked if Deputy Vincent would normally carry the Taser, [redacted] replied, "He normally carries a Taser. Yes." [redacted] stated Vincent would normally carry the Taser on his person. She explained it wasn't Vincent's senior deputy status in the Module that required him to carry the Taser, and stated, "It's just the way it worked that day. He happened to have the Taser." [redacted] explained it was possible that the Module K log stated she had the Taser but he was actually the one who carried it. If Vincent were to pick up the Module K Taser from the guard station, she would go to Main Control and check one out. [redacted] admitted to carrying a Taser on her person every day. So technically, [redacted] stated there could have been two Tasers in Module K on the day of the incident or any other day.

During the incident with Deputy [redacted], [redacted] remembered hearing excitement and [redacted] say something similar to "Woa", which got her attention and caused her to turn. When she turned around, [redacted] saw Vincent had the "Taser out". [redacted] admitted to seeing Vincent hold the Taser to [redacted] groin area by stating, "Yeah." [redacted] remembered seeing the red Taser laser light illuminated and pointed at [redacted] Although [redacted] could not remember seeing the Taser cartridge on the Taser, or the electric current activated (from pulling the trigger), she admitted the standard procedure for the guard station Taser is to always have the Taser cartridge on the Taser. [redacted] does not remember ever seeing the Module K Taser without a Taser cartridge on it.

[redacted] was unsure if Vincent was joking around with [redacted] because she doesn't know the extent of their personal relationship. All [redacted] knows was [redacted] stated something like "Woa, Woa", and she turned and saw Vincent with his Taser out. [redacted] did not hear any exchange of words between Vincent and [redacted] because she left the guard station shortly after Vincent pointed the Taser at [redacted] [redacted] did not recall if [redacted] was upset over the Taser incident, but believed pointing a Taser at another deputy is not professional. [redacted] did not say she was offended by Vincent's actions, but stated, "I just don't think it was appropriate."

[redacted] did not know how close the Taser was to [redacted] person, but knew it was "there." [redacted] stated the incident happened very quickly and she didn't pay that much attention of where the Taser was located. [redacted] did remember the Laser being illuminated and feels the Taser could have easily discharged. [redacted] never spoke to [redacted] about the incident. She also never heard Vincent apologize to [redacted], or hear him talk to anyone else about the incident. Vincent never joked about the incident, and [redacted] had never seen Vincent use the Taser inappropriately before this incident.

[redacted] ended the interview by explaining that not everyone checks out a Taser from Main Control at the beginning of their shift. [redacted] stated if you are working the Modules, they already have assigned Tasers in each Module. So, whichever deputy gets the Taser that day keeps it on their holster for the day. During their shift, Main Control would call into the Module to check if the equipment was working and functional and ask who was assigned the Taser. On the day of the incident, [redacted] could not remember if Vincent was assigned the Module K Taser or if he checked one out from Main Control.

[redacted] was shown the "IRC Main Control Equipment Inventory" log and asked to explain whether she checked a Taser out from Main Control. After looking at the log, [redacted] stated it appears the Module K Taser was assigned to her on that day, therefore, Vincent more than likely checked one out of Main Control. **(INVESTIGATIVE NOTE: The "IRC Main Control Equipment Inventory" log states [redacted] was assigned the Module K Taser #431. It also documents Taser #584 was also "IN MOD K". After interviewing Deputy [redacted] it was learned Taser #431 was broken and out of rotation. Deputy [redacted] explained that she logged [redacted] as having Taser #584, and that #584 was being used as the Module Taser.)**

Interview with Deputy [redacted]

On March 23, 2016, at approximately 1420 hours, I conducted an interview with Deputy [redacted] nside the Administrative Sergeant's Office at the Intake Release Center. [redacted] was provided with the Confidentiality Directive and understood she was a witness in this investigation. The interview was recorded and the following is a summary of that interview:

Deputy [redacted] has been employed with the Sheriff's Department for approximately 3 years, and she currently works as the Main Control Deputy for Shift 1A. [redacted] confirmed she is familiar with OCSD policies and admitted to signing on to Lexipol and accepting the policy manual.

[redacted] admitted to working on October 21, 2016 as the Main Control Deputy and filling out the "IRC Main Control Equipment Inventory" log. [redacted] explained that when the shift begins, deputies give "us" (Main Control workers) their card, and she assigns employees radios, Tasers, and key sets. After she passes out all the equipment, she begins working on the log. [redacted] confirmed the employee names on the "IRC Main Control Equipment Inventory" log are inputted at the beginning of the shift.

[redacted] explained the October 21, 2015 Main Control Equipment Inventory log by stating that Taser #431 is assigned to Module K and is always in the guard station. She stated the deputies do not pick up #431 from Main Control. However, [redacted] explained that Taser #431 "broke" so Taser #584 was assigned to Module K. [redacted] continued to explain that according to the way she filled out the Main Control log on October 21, 2015 (Wednesday), [redacted] actually had Taser #584 issued to her, and no other Deputies had #584 assigned to them.

[redacted] further explained the log is usually created early in the morning, so any employee that comes after 8 or 9 in the morning and gets a Taser does not log it. [redacted] stated she does not update the log, but the employees who get their Tasers or equipment later in their shift still provide their employee Taser card or key card. [redacted] stated employees frequently come later in their shifts to get their own Tasers. [redacted] confirmed the documented Main Control Equipment Inventory log is just the initial "beginning of shift" log. She stated there are other pieces of equipment that are distributed to employees throughout the day that are not updated on the initial log. [redacted] did not remember exactly when Taser #431 was broken but stated it was prior to Wednesday, October 21, 2015. **(Investigative Note: Taser #431 was first documented as being broken on the September 23, 2015 IRC Main Control Equipment Inventory log.)**

Interview of CST[redacted]

On March 24, 2016, at approximately 1545 hours, I conducted an interview with Correctional Services Technician [redacted] inside the Administrative Sergeant's Office at the Intake Release Center. [redacted] was provided with the Confidentiality Directive and understood she was a witness in this investigation. The interview was recorded and the following is a summary of that interview:

CST[redacted] has been employed with the Sheriff's Department for approximately 28 years, and currently works as the Correctional Services Technician inside the female clothing room. Prior to working the female clothing room, [redacted] worked inside Module K last shift. [redacted] confirmed she is familiar with OCSD policies and admitted to signing on to Lexipol and accepting the policy manual.

During her previous shift in Module K, Hack stated she worked with Deputies Vincent, [redacted] and CSA Gentile. However, on October 21, 2015, [redacted] worked with Vincent, [redacted], CSA [redacted], and [redacted]. [redacted] stated CSA Gentile was off that day. [redacted] remembered the incident involving Deputies Vincent and [redacted] and described what occurred.

Prior to [redacted] arriving to Module K, Hack did not hear any conversations from Vincent which would lead her to believe Vincent was upset with something. [redacted] entered the Module to wait until they fed the inmates and was not in the guard station for a long period of time. [redacted] stated [redacted] was at Module K because he was working court transfer and bringing court bodies back to the Module. Regarding the incident, [redacted] remembered Vincent and [redacted] "horse playing" at first, and her asking Vincent why he was being so mean to [redacted] Vincent told her he wasn't being mean, and then pulled out the Taser. [redacted] didn't know if it was serious, or if they were just goofing around. However, she noticed the Taser "light was on so I know it was ready to go." [redacted] mentioned as [redacted] walked out of the guard station someone stated, "He really hates you."

When Vincent pulled the Taser out, [redacted] believed Vincent pulled the Taser out from "his leg", referring to Vincent having a leg holster. [redacted] was not sure which leg had the holster, but she believed Vincent had the Taser on his person. [redacted] described Vincent pulling the Taser from his right leg area and stated, "I thought he did something like this, and there it was, pointed at his genitals." [redacted] did not remember seeing Vincent retrieve the Taser from the guard station counter. [redacted] worked in Module K for four months and would enter the guard station every day. She would go in the guard station daily to "hang out" before they fed the inmates. When asked if she ever saw Vincent carry a Taser during the shifts, she replied, "I think Vincent most always had one on his leg. [redacted], I'm not positive if she did or not." [redacted] confirmed she regularly saw Vincent carry a Taser on his person, but could not remember how he actually carried it.

[redacted] did not know what the conversations were between Vincent and [redacted] prior to Vincent pulling the Taser out. She stated, "It was just back and forth, and I just thought it was kind of friendly at first, I wasn't sure if it was really, that's what they meant. But then, and even with the, with the Taser being out, I just thought they were kind of screwing around." [redacted] does not really know [redacted] at all, and remembered repeatedly asking Vincent why he was being so mean to him.

[redacted] confirmed [redacted] was not being mean and stated, "No. Just Vincent was making comments to [redacted] She could not remember the exact comments Vincent was saying to [redacted], but described them as inappropriate, and Vincent "being rude to him." [redacted] never heard [redacted] say anything inappropriate to Vincent. Regarding the Taser, [redacted] stated the Taser was pointed at [redacted] groin area and the "light was on." [redacted] believed the Taser was in Vincent's right hand, but she was not positive. [redacted] saw the Laser light pointed at [redacted] genital area. [redacted] was not sure if the Taser cartridge was on the Taser, and did not see an electronic current on the Taser. [redacted] stated she also "vaguely" remembered Vincent joke and make comments about [redacted] penis. She stated, "About the size of it or something" but couldn't tell what it was.

During the whole incident between Vincent and [redacted], [redacted] stated she was standing on the guard station stairway about two to three feet from them. [redacted] described Vincent and [redacted] as both sitting in chairs and facing each other. There was nothing obstructing her view during the incident and she clearly saw Vincent holding the Taser. Deputy Vincent's actions and words did not offend [redacted], but she felt his actions and words were inappropriate in the workplace. [redacted] believed Vincent acted "unprofessional". [redacted] did not say anything unprofessional during the incident and eventually left the Module. When [redacted] left the Module, [redacted] believed Vincent made the comment, "I can't stand that guy." [redacted] confirmed Vincent was the only male inside the guard station after [redacted] left. She was "pretty sure" Vincent made the comment. [redacted] never talked to [redacted] or Vincent about the incident, and never heard Vincent comment about it to any other employee.

Interview with Deputy [redacted]

On March 28, 2016, at approximately 1752 hours, I conducted an interview with Deputy [redacted] inside the JCATT Office at the Intake Release Center. [redacted] was provided with the Confidentiality Directive and understood he was a witness in this investigation. The interview was recorded and the following is a summary of that interview:

Deputy [redacted] has been employed with the Sheriff's Department for approximately 3 years, and he currently works as the Court Transfer Deputy at the IRC. [redacted] was also the Court Transfer Deputy at the IRC during his last shift, which included the October 21, 2015 incident date. [redacted] confirmed he is familiar with OCSD policies and admitted to signing on to Lexipol and accepting the policy manual.

During his October 21, 2015 shift, [redacted] remembered going to Module K after returning court bodies to another Module and being involved in an incident with Vincent. [redacted] described the incident as him entering the guard station to say hello to a fellow deputy. When he entered the guard station, Deputy Vincent told him to leave. [redacted] believed Vincent was joking with him. [redacted] told Vincent, "No." and continued talking with Deputy [redacted] Vincent told him to leave again and [redacted] responded, "No." a second time. After hearing his second response, [redacted] stated, "He (Vincent), um, grabbed the Taser, pointed it at my thigh area, my groin area. And said, Get out. Again, joking, smiling. I said, No. He uh, I think he touched me with it and I pretty much ignored him, and he, he stopped I guess."

[redacted] confirmed Vincent didn't ask him to leave the guard station and that Vincent "told" him to leave. [redacted] did not remember Vincent using profanities towards him during the incident and believed Vincent told him, "Get out of my guard station." During the course of the incident, [redacted] stated Vincent told him to leave the guard station "4 times" to the best of his knowledge. When [redacted] entered the guard station, there was no verbal exchange between him and Vincent. Vincent just told him to leave.

When [redacted] didn't leave, Vincent retrieved the Taser from the top of the guard station counter. [redacted] believed Vincent did not have the Taser on his person. [redacted] stated, "He slid his chair and grabbed it. And he slid back with it." [redacted] explained he and Vincent were both sitting in chairs in the guard station approximately "2 to 3 feet" from each other. [redacted] did not remember if the Taser had a cartridge on it, but remembered seeing the Taser light illuminated on his genital area. [redacted] stated, "For a split second it was on my inner thigh area, and then he moved it to, yeah", confirming his genital area. [redacted] stated Vincent made physical contact on him with the Taser. [redacted] said, "I'd say one time, maybe two, but I wasn't paying attention. But, definitely one time I recall. But could have been a second time." [redacted] was not scared and didn't actually think Vincent would use the Taser on him. However, [redacted] admitted it was possible the Taser could have accidentally been activated and used on him.

[redacted] confirmed that after Vincent retrieved the Taser, Vincent was still sitting in the chair and right across from him. Vincent reached over with the Taser and placed it on his person. [redacted] stated, "I think the light was on me at first and then he touched me. He made contact...over my penis." However, [redacted] still believed Vincent was joking. After Vincent touched [redacted] with the Taser and [redacted] did not leave, Vincent slid back to the counter, placed the Taser down, and again told him to leave. At that time, Vincent grabbed ahold of his "bad arm" or his "left hand." At that point, [redacted] left because he didn't want his hand injured.

[redacted] explained he had surgery on his left hand and it is "still kind of tender". Therefore, when Vincent grabbed it, he got up and left because he doesn't like anyone touching his wrist. When Vincent grabbed his left hand, [redacted] told him, "No, no, no, that's my bad wrist." [redacted] stated Vincent replied, "I know." It was at that time [redacted] got up and left. When Vincent grabbed his wrist, [redacted] admitted it caused him pain. He stated, "Yeah, once it's touched it hurts. So, the fact that he grabbed it was a little painful." In [redacted] opinion, Vincent intentionally grabbed his left wrist because he knew it was his bad wrist. [redacted] explained Vincent could have just as easily grabbed his right wrist, but he intentionally grabbed his left wrist. Vincent commented to [redacted] that he knew it was [redacted] bad wrist.

Because the Taser was on the counter, [redacted] believed the Taser Vincent grabbed was assigned to the Module K guard station. Although [redacted] admitted to previously seeing Vincent carry a Taser while on duty, and him carry the Taser in a left leg holster (while working court transfer with him), he did not see Vincent carry the Taser on his person the day of the incident. [redacted] also did not know if [redacted] had a Taser assigned to her that day. [redacted] does not think Vincent acted professionally during the incident, and believed his actions were wrong. [redacted] believed Vincent was wrong and stated, "Yeah, he shouldn't do it. Especially I mean, we in a work environment. There are certain things you shouldn't do."

admitted talking to Vincent about the incident the following Wednesday (October 28, 2015). stated this communication occurred while they worked together in court transfer. explained his interactions with Vincent have always been Vincent joking with him. Therefore, since there is the concept of the senior deputy in the jail environment, tolerated Vincent's jokes because of his senior deputy status.

On the day in question, Vincent came up from behind him and got in front of him. believed this was Vincent's way of telling him he was getting his equipment first. After Vincent did this, told him, "Hey, just so you know, just some friendly advice, today you need to be as professional as possible. Just keep it professional." stated Vincent replied, "OK." has not talked to Vincent about the Taser incident and Vincent never apologized to him. stated the Wednesday he worked with him in court transfer was the last time he saw Vincent.

Although didn't want the Taser pointed at him, he typically did not have a problem with the jokes Vincent played on him. However, since other employees could witness Vincent's actions and take offense to them, he told Vincent to be professional. has not heard Vincent talk to any other employee about the Taser incident. admitted talking to Deputy Castaneda after the incident and believed another employee overheard his conversation and informed Sergeant Daruvala.

believes Vincent "went too far" during this incident. Although stated he doesn't mind being joked with, he did not feel having a Taser pointed at his penis was proper conduct in the workplace. ended the interview by stating this incident transpired quickly within a few minutes. did not know this incident was going to go the way it did, and stated if he had a problem with someone doing something, he would speak with that person about it. did not initiate this complaint and it has caused him some discomfort. He stated he would have addressed the issue personally. However, he never got the opportunity too. explained this was the first time anything like this has happened to him, and believes Vincent was trying to be the center of attention. stated, "Yes, that's, I think that's primarily what it was. There was a deputy present, a CSA present, and a CST present. So I think, in the excitement he was just, you know, exciting himself." believed Vincent did not have any ill will towards him and was just trying to be the class clown.

Interview with CSA

On March 28, 2016, at approximately 1903 hours, I conducted an interview with Correctional Services Assistant inside the JCATT Office at the Intake Release Center. CSA was provided with the Confidentiality Directive and understood she was a witness in this investigation. The interview was recorded and the following is a summary of that interview:

Correctional Services Assistant has been employed with the Sheriff's Department for approximately 4 years, and she currently works as the Module N CSA at the Intake Release Center. During her last shift, was assigned as the visiting CSA. However, on the October 21, 2015 incident date, was reassigned to the Module K CSA position. confirmed she is familiar with OCSD policies and admitted to signing on to Lexipol and accepting the policy manual.

During her last shift, [redacted] worked with Deputies Vincent and [redacted] and CST [redacted] [redacted] stated she remembered an incident that occurred between Deputies Vincent and [redacted] during her last shift and described the incident. [redacted] said [redacted] brought court bodies back to the module and then he came inside the module to speak with [redacted] [redacted] stated [redacted] was talking to [redacted] about her [redacted] upcoming birthday party, which he was invited to. [redacted] explained that she believed Vincent and [redacted] did not get along with each other, due to previously working together in court transfer.

As [redacted] was talking to [redacted], Vincent told [redacted] to leave the guard station. [redacted] told him, "No. I'm talking to Deputy [redacted], this doesn't involve you." At that time [redacted] was sitting in a chair and [redacted] was sitting on the counter. [redacted] witnessed Vincent grab a Taser and point it at Deputy [redacted] crouch area. Vincent told [redacted] "Oh, I'll bet you'll fucking leave now." and began laughing. After this, [redacted] got up and "took off." During the incident, [redacted] stated Vincent, [redacted] [redacted], and herself were all in the guard station. She believed CST [redacted] was downstairs cleaning.

Prior to the incident, Vincent was doing paperwork in the module and Vincent did not seem upset with anything. Vincent was seated in the module next to [redacted] and [redacted] After Deputy [redacted] entered the guard station, Vincent told [redacted] to leave "approximately 2-3 times" and also used profanities towards [redacted] Vincent's voice was raised when he told [redacted] to leave. Vincent also attempted to grab [redacted] left arm with his right hand in an attempt to get [redacted] up. After [redacted] wouldn't get up, Vincent grabbed the Taser. [redacted] believes the Taser was on his person, but she was not one hundred percent sure where Vincent retrieved the Taser from.

During the Taser incident, [redacted] was sitting and Vincent "totally just pulled the Taser out and just pointed it straight towards his crouch area." [redacted] stated Vincent and [redacted] were "really close" to each other. [redacted] described Vincent's and [redacted] knees were "probably an inch away from each other" and that they were facing each other. [redacted] remembers the light on the Taser was illuminated and pointed at [redacted] penis. [redacted] was not sure if Vincent made contact with [redacted] She stated, "I'm not sure if it came in contact with his crouch area, but it was pretty close."

[redacted] doesn't know Vincent very well, but stated "it seemed like he was serious, cause Deputy [redacted] just got up and left. And after he got up and left, nothing else was said." [redacted] believes [redacted] was upset from the incident because he got up and left, and didn't come back for the rest of the shift. [redacted] did not talk to Vincent or [redacted] after the incident, and she never heard Vincent talk to any other employee regarding the incident. [redacted] believes Vincent was unprofessional during the incident, and believed the Taser could have accidentally or possibly shot [redacted] [redacted] stated the incident made her feel uncomfortable because she is currently in the background process for Deputy Sheriff Trainee. [redacted] did not want to be a witness to it, and didn't want anything to do with it.

Interview with Deputy [redacted]

On March 30, 2016, at approximately 1027 hours, I conducted an interview with Deputy [redacted] inside the JCATT Office at the Intake Release Center. [redacted] was provided with the Confidentiality Directive and understood she was a witness in this investigation. The interview was recorded and the following is a summary of that interview:

Deputy [redacted] has been employed with the Sheriff's Department for approximately 12 ½ years, and she currently works in Module N at the Intake Release Center (IRC). During her last shift, which included the October 21, 2015 incident date, [redacted] was assigned as the Court Transfer Deputy at the IRC. [redacted] confirmed she is familiar with OCSD policies and admitted to signing on to Lexipol and accepting the policy manual.

On October 23, 2015, Deputy [redacted] was working at the IRC as the Court Prowler Deputy and overheard a conversation between Deputies [redacted] and [redacted] about a previous incident involving [redacted] and Deputy Vincent. [redacted] was unsure when the incident occurred between Vincent and [redacted] but she heard [redacted] tell [redacted] that Vincent had "taken the Taser and put it on his balls, and threatened to tase him several times." [redacted] does not know how many times Vincent actually placed the Taser on, or near [redacted] but she heard [redacted] comment that the Taser light was on.

During [redacted] conversation with [redacted] [redacted] did not appear upset or mention he was scared about the incident involving Vincent and the Taser. In contrary, [redacted] stated [redacted] made comments indicating he "wished" Vincent actually Tasered him, so he could "sue the department." After the topic of suing the department was brought up, [redacted] stated they had a conversation on whether the department could be held liable if Vincent actually Tased [redacted] [redacted] did not remember any other conversations they discussed, except for [redacted] being "adamant that he would own the department if that had happened."

After hearing about the incident involving Vincent, [redacted] told [redacted] he needed to tell someone "higher up". [redacted] informed [redacted] that if he didn't tell "somebody", she was going to. [redacted] eventually informed Sergeant Daruvala of the incident, and stated she informed Sergeant Daruvala because "of the fact that [redacted] kept saying he was going to sue the department." [redacted] explained she has worked with [redacted] a whole shift and feels [redacted] is "looking for anything he can to sue the department or get injured, or anyway he can get out of work and get paid." Although [redacted] did not think Vincent's conduct was professional, she was not concerned about Vincent's demeanor and unprofessionalism. [redacted] was more concerned about [redacted] mentioning he wanted to sue the department. [redacted] never spoke to Vincent about the incident and never heard him apologize to [redacted]. [redacted] admitted to working with Vincent "here and there" while at the IRC, but cannot remember ever seeing him carry a Taser on his person. She stated she does not pay attention to what everyone else has on their person.

Interview with Deputy [redacted]

On March 30, 2016, at approximately 1354 hours, I conducted a telephonic interview with Deputy [redacted], who was out of the state for Immigration and Customs Enforcement Training in South Carolina. [redacted] understood he was a witness in this investigation, and that everything we discussed during the interview was confidential. I ordered [redacted] not to discuss the interview with anyone other than Internal Affairs or his representative. The interview was recorded and the following is a summary of that interview:

Deputy [redacted] has been employed with the Sheriff's Department for approximately 3 years, and currently works in Module J at the Intake Release Center (IRC). During his last shift, [redacted] also worked in Module J. However, on the October 21, 2015 incident date, [redacted] worked overtime as the Court Transfer Deputy at the IRC. [redacted] confirmed he is familiar with OCSD policies and admitted to signing on to Lexipol and accepting the policy manual.

[redacted] admitted to working Court Transfer overtime with both [redacted] and [redacted] During one of his shifts, [redacted] remembered having a conversation with Deputy [redacted] about an incident involving Deputy Vincent. However, [redacted] stated he doesn't exactly remember what was said. While questioning [redacted] about the incident, he stated he doesn't remember the details of the conversation, but he knew it was something that happened in the past. [redacted] was asked if he remembered [redacted] telling him that Vincent pointed a Taser at his "groin area or balls". [redacted] replied, "He, I think what he, yeah, I mean I think he said, I think what he said was, man again I don't know the specifically. I couldn't quote exactly what he said, but he referred to either like somebody messing around with the Taser, or an incident that happened in the past, um."

[redacted] confirmed it was Deputy Vincent who [redacted] was talking about, and Vincent sounded familiar. [redacted] added he didn't know if Vincent physically contacted [redacted] with the Taser or where the incident occurred. However, he stated, "From what I got from it, was, I don't know where it was or what the circumstances were. But, I believe it was like, it might have been in a Mod setting, or I don't know if it was in court transfer or a Mod or where it was at. But um, he said that, he was talking about the story about, I believe it was Vincent, um he never said the first name or anything, but I believe, Vincent sounds familiar. Um about playing around with the Taser, and I don't know if he said he pointed it at him, or if the light was on. But I do remember at the time thinking like, OK well that's not like a good idea or something." [redacted] admitted he wasn't paying "100% attention" to [redacted] story.

During [redacted] story about the incident, [redacted] did not believe [redacted] was upset when he was telling it. [redacted] described [redacted] demeanor as not being "overly outraged", and that [redacted] told the story "like hey can you believe this". [redacted] explained it "just like the story. Like uh, like you know, like everyone tells stories." [redacted] did not take [redacted] rendition of the incident as him being upset. He described [redacted] reaction after he told the story as, "Yeah, I can't believe that happened. Like that wasn't cool type of thing." [redacted] has never spoken with Vincent about the incident, and can't remember ever working with him. He only knows of Vincent as being "the older guy, who uh he wears glasses, been here for a while." [redacted] has only seen Vincent in passing and can't remember ever seeing him with a Taser

Interview with Deputy Curtis Vincent

On April 4, 2016, at 1523 hours, I conducted an interview with Deputy Curtis Vincent in the Internal Affairs office. Also present for the interview was Attorney/ AOCDS representative Adam Chaikin and Sergeant Edward Manhart of Internal Affairs. Prior to conducting the actual interview, I provided Deputy Vincent with the Confidentiality Directive, Miranda Advisement, and the Lybarger Admonishment for his review.

I asked him if he had any questions about his Miranda rights or the Lybarger Admonishment and he said he did not. He read his Miranda Warnings and understood his rights. Vincent would not waive his rights, and understood he was compelled to answer my questions under Lybarger. Vincent also understood he was a principal in this investigation. The interview was digitally recorded and the following is a synopsis of our conversation:

After describing the nature of the complaint as allegations of unprofessional conduct during an on duty incident at the Intake Release Center on October 21, 2015, Deputy Vincent answered that he has been employed with OCSD for 30 years. Following Vincent's answer, Deputy Vincent's AOCDS representative Adam Chaikin asked for more clarity in the "nature" of the allegations. It was explained to Mr. Chaikin that after additional questions, Vincent will have a better understanding on what incident the investigation centered on. Vincent confirmed he is familiar with OCSD policies and admitted to signing on to Lexipol and accepting the policy manual.

Deputy Vincent is currently assigned to the Intake Release Center and has been working there since September of 2000. Vincent was asked if he was working in Module K on October 21, 2015, and was shown the Watch List for that particular day. Vincent confirmed he worked in Module K on October 21, 2015, and included he worked with Deputy [redacted] and CSA [redacted] replaced CSA Gentile who was on vacation). Vincent was asked if he got along with [redacted] and [redacted] Vincent responded, "Yes."

Regarding the October 21, 2015 shift he worked in Module K, Vincent was asked if he remembered at any time during the shift if Deputy [redacted] entered Module K. Vincent replied, "I don't remember him entering it. No." However, Vincent admitted [redacted] could have entered Module K. Vincent also stated he did not remember being involved in an incident with [redacted] during the October 21, 2015 shift. At this time, Mr. Chaikin commented that being involved in an "incident" was pretty broad, and requested more information regarding what the investigation was centered on. Vincent was asked if he was previously involved in a criminal investigation, and questioned about an incident that occurred in Module K involving Deputy [redacted] Vincent responded by saying he was questioned about an incident involving [redacted] in the Module K guard station, but stated he was never advised on what it was he did. Vincent admitted he could have been sitting in a chair across from [redacted] but denied any knowledge of an incident involving a Taser.

Although Vincent estimated [redacted] would come up to Module K "two or three different times a day" and "visit quite often", he did not remember an incident involving [redacted] on October 21, 2015. Vincent admitted he may have "jokingly" told [redacted] "Get out, I don't want you here." Vincent explained that he and [redacted] "joke back and forth" and "say things to each other all the time". Vincent admitted he "probably" had used profanities towards [redacted] in the past, but did not remember using profanities on the day in question (10-21-15). However, he did say it was "possible". Vincent did not remember [redacted] telling him he was not going to leave, or Vincent grabbing a Taser, and illuminating the Taser light at [redacted] penis or crotch area.

When asked, he stated, "No, I don't." Vincent denied making physical contact to [redacted] penis and crotch area with the Taser by stating, "No, I did not." Vincent does remember handling a Taser during the October 21, 2015 shift, and reiterated his criminal investigation statement by saying, "I told them 99.9% of the time I don't have the Taser on me. I never carry it. It's my partner who carries it." **(INVESTIGATIVE NOTE: Contradicts statements from Deputies [redacted] [redacted] and CST [redacted] who all stated they have witnessed Vincent regularly carry a Taser.)**

Vincent stated it was possible he picked up the Taser and "moved it" in the guard station, and admitted having access to the Taser. He stated, "I could have picked it up. Yes." However, he said [redacted] "normally" had the Taser on her except when she goes to lunch. Vincent denied making comments about the size of [redacted] penis. Prior to the October 21, 2015 Taser incident, Vincent admitted helping [redacted] with a worker's compensation claim where [redacted] sustained a previous hand injury. However, Vincent did not remember which hand [redacted] previously injured. Vincent agreed they both get along with each other, and stated, "Yes...Like I said, [redacted] and I joke, and I am his area rep so I help him with a lot of things."

When I asked Vincent if he remembered which hand [redacted] previously injured, Mr. Chaikin intervened and asked whether the Taser incident was the nature of the investigation. I explained to him the nature of the investigation was for unprofessional conduct and there could be multiple moments of unprofessional conduct regarding the one Taser incident which could include Deputy [redacted] hand.

Vincent confirmed he knew about [redacted] previous hand injury and referenced [redacted] injuring it during a "Code Alpha". Vincent denied grabbing [redacted] left hand in an attempt to make him leave the guard station after [redacted] told him he wasn't going to leave. Vincent stated, "No." Vincent was asked if he could have grabbed [redacted] by the hand to make him leave. Vincent replied, "I could have touched his hand. I could have grabbed on to his hand at one point or another, but I don't know if it was the left hand, right hand, I didn't grab it to pull him out to make him leave. I didn't do any of that stuff at all." Vincent stated he did not purposely grab [redacted] hand knowing it was injured. **(INVESTIGATIVE NOTE: Contradicts [redacted] interview when [redacted] documents: "When Vincent grabbed his left hand, [redacted] told him, "no, no, no, that's my bad wrist." [redacted] stated Vincent replied, "I know.")**

Vincent denied speaking with [redacted] about the Taser incident the following week (October 28, 2015), but admitted to working with him in court transfer. Vincent stated he stayed in court transfer about an hour and a half that day, but then went to the hospital for the rest of the night. Vincent denied speaking with [redacted] prior to the shift and answering, "OK." when [redacted] old him to be professional. Vincent stated, "No. He, [redacted] said to me, was in the locker room, was, we can't mess around. And I thought OK." Vincent stated this conversation occurred the day he worked overtime with [redacted] **(INVESTIGATIVE NOTE: According to the watch list, this occurred the following Wednesday (October 28, 2015) after the Taser incident.)**

Vincent confirmed he did not wear the Taser 99.9% of the time by stating, "That's correct." Vincent explained he would wear the Taser when his partners ([redacted] and Deputy Von Voight) were not present. He stated his partners would want to wear the Taser, so if [redacted] or Deputy Von Voight (his other partner) were not there, he would "put it on." He stated "generally" he would not wear it.

Vincent could not recall how many times he wore the Taser last shift. When asked if he put it on when they went to lunch, he replied, "Well, they would put it on the counter, I wouldn't necessarily put it on. It was right there." Vincent admitted it was possible he had the Taser because [redacted] was on her lunch break and left it on the counter. Vincent stated, "It's possible. Yes, I can't tell you."

Vincent confirmed that a Taser was assigned to Module K. Vincent admitted there were times in which he would go to Main Control and get a Taser on his own using his Taser card. He replied, "Yeah, that would be when I worked, uh, court transfer." Vincent denied ever getting his own Taser from Main Control while working in Module K. Vincent did not remember accessing the Taser on the October 21, 2015 incident date. Vincent was asked if he could explain how several employees stated he was seen wearing the Taser regularly last shift. He replied, "No, I can't explain that because I know I didn't wear the Taser on a regular basis." He stated [redacted] and Von Voight would always tell Main Control they had the Taser.

Vincent confirmed his criminal statement in which he stated he would never point a Taser at a fellow deputy. He was asked if he could explain why three other employees personally witnessed him illuminate the Taser light, point the Taser light at [redacted] penis, physically contact [redacted] penis with the Taser, and physically grab [redacted] n an attempt to make him leave the guards station. Vincent replied, "I cannot explain why anybody would say that. But I did not point a Taser at [redacted] penis. I did not grab [redacted] and try to force him out, out of the guard station. And I did not point the Taser in a threatening manner at any fellow employee. Like I told them during the criminal investigation, I've been on this job long enough to know that you do not do that with a gun, a knife, a Taser or any other thing that you don't plan on using it to uh stop an incident or destroy." **(INVESTIGATIVE NOTE: Contradicts Deputy [redacted], Deputy [redacted], CSA [redacted], and CST [redacted] statements on what they personally witnessed.)**

Vincent was read several employee witness statements from the criminal investigation about the Taser incident and asked if there was a reason why these employees would make up these statements. The employees' statements confirmed Deputy Vincent pointed the Taser at Deputy [redacted] penis or crouch area, Vincent physically contacted [redacted] with the Taser, and Vincent grabbed [redacted] After being read the employee statements, Vincent was asked for a reason. He replied, "You want me to tell you that they are lying? Because I'll tell you right now I believe they are lying... All three of them. Because I have never, ever, ever, pointed a Taser at anybody. I've never discharged a Taser except during training."

Vincent agreed it would not be professional to point a Taser at another employee, to touch another employee with a Taser, to use profanity at another employee, or to purposely grab another employee's injured body part. Vincent also agreed these types of actions would create liability for the department. Vincent was asked if it was possible the Taser incident with [redacted] happened and he didn't remember. He replied, "No, because I could tell you right now this incident did not happen. At least not the way you guys are describing it or they are describing it. Nothing happened like that." It was explained to Vincent there are three employees (who he earlier said he gets along with) that have the same vivid recollection of the incident and he is saying it did not happen. He was told the Administration is going to see and wonder how these three employees have the same story and how he cannot remember the incident and stated it didn't happen. Vincent replied, "I'm saying it didn't happen."

Vincent was again asked if he was messing around and the incident just turned in to something. Vincent stated, "No. [redacted] and I joke around like I told you. We joke around about his accent all the time." Mr. Chaikin interrupted Vincent and informed him he already said, "No. it didn't happen. Is that correct?" Vincent then stated, "That's correct." Sergeant Manhart asked for some clarification about whether there has ever been an incident while at work in which Vincent has ever joked around with [redacted] and he had a Taser in his hand. Vincent replied, "No." Vincent was also asked if he believed that all the other employees involved in the criminal investigation were lying. Vincent replied, "Yes, I do." At this time, Mr. Chaikin made the comment, "or mistaken", in which Vincent agreed and stated, "Or mistaken. Okay."

Sergeant Manhart explained three employees could not have mistaken an incident involving a Taser because that was their recollection of a specific incident. Sergeant Manhart confirmed with Vincent that a Taser incident did not occur at any point in time. Vincent replied, "Correct. That is correct. I did not have a Taser that I pointed at Deputy [redacted] at any point in time." Deputy Vincent confirmed his criminal investigation statement that he was not taking medications that caused him to forget things. Mr. Chaikin followed up with additional questions to Vincent regarding the October 21, 2015 incident. Mr. Chaikin asked Vincent, Do you remember using profanity to Deputy [redacted]? ... Did you turn on the Taser and point it at Deputy [redacted] or any part of his body? ... Do you remember grabbing Deputy [redacted] injured hand? ... Is there anyone who would hold a grudge against you that you can think of?

Vincent responded, "No" to the first three questions. Vincent explained that he keeps a detailed log, and in the log there is a comment in which a deputy had done some "unscrupulous" things. After he brought the actions of the deputy to the sergeant's attention, Vincent stated he was "bounced" out of Module K and then this incident originated. Vincent believes this Taser incident and the previous incident might be related because nothing ever happened to the other deputy. Again, Vincent admitted he gets along with Deputy [redacted], Deputy [redacted], CSA [redacted] and CST [redacted] Vincent was questioned again on whether the incident happened. He responded, "I don't remember this incident at all. It did not happen as far as I know. No. It did not happen."

Included for Review

1. Initial Action
2. Personnel Investigative Summary
3. Initiating OCSD Memos
5. Internal Criminal Memos
6. Supporting Documents
7. OCSD Department Policies
8. Internal Affairs Interviews CD

INITIATING OCSD MEMOS

ORANGE COUNTY SHERIFF'S DEPARTMENT
INTERNAL MEMO

TO: Lt. S. Howell
FROM: Sgt. J. Daruvala
DATE: October 26, 2015
RE: Deputy C. Vincent

On October 23, 2015, at approximately 0830 hours, I spoke with Deputy [redacted] at her assigned work location (IRC Court Transfer). She advised me of an incident involving Deputy Curtis Vincent and Deputy [redacted] stated she was not a witness, but that Deputy [redacted] told her Deputy Vincent pointed a Taser at his groin. She told me that CST [redacted] witnessed the incident.

At approximately 0900 hours, I spoke with CST [redacted] over the phone. She stated she was present for an incident during which time Deputy Vincent and Deputy [redacted] were joking with each other. Deputy Vincent unholstered a Taser, put it over Deputy [redacted] groin area, turned on the Taser, and told Deputy [redacted] to leave. CST [redacted] thought that they were joking with each other.

At approximately 1000 hours, I spoke with Deputy [redacted] in my office. [redacted] stated that on October 21, 2015, at approximately 1400 hours, he went to Module K to speak with Deputy [redacted]. When he arrived, Deputy Vincent told him to leave. Deputy [redacted] replied, "No" and sat in a chair. Deputy Vincent "took out a Taser", pointed it at Deputy [redacted] testicles, turned it on, and again told him to get out. Deputy [redacted] again refused to do so. Deputy Vincent then grabbed Deputy [redacted] left arm and again told him to leave. Deputy [redacted] stood up and walked out of the guard station.

I asked [redacted] if they were joking with each other or if they were arguing. [redacted] stated they had not been arguing and that Deputy Vincent was joking. He stated he and Deputy Vincent are good friends. However, he did feel "uneasy" at the time and felt that Deputy Vincent had "crossed the line" by pointing a Taser at him and grabbing his arm. I asked him if there was any conflict between them that could escalate. He again stated that they were friends and that there was not a problem.

[redacted] stated that CST [redacted] CSA [redacted] and Deputy [redacted] were all in the guard station at the time.

At 1330 hours, I spoke with CSA [redacted] in my office. She stated she was in the guard station at the time of the incident. [redacted] told me that Deputy Vincent was "having a bad day" because he was upset about being moved out of the guard station the day before. Deputy [redacted] came into the guard station and started speaking with Deputy [redacted] Deputy Vincent told Deputy [redacted] "Get the fuck out of my mod". CSA [redacted] stated she was not sure if Deputy Vincent was joking or if he was actually upset. Deputy [redacted] replied, "No". Deputy Vincent then stated, "I'm not kidding. Get the fuck out of my Mod. Got off your ass. Go do your job". Deputy Vincent then took out a Taser, touched Deputy [redacted] groin area with the Taser, but did not turn it on. Deputy Vincent again told Deputy [redacted] to leave at which point he did.

I asked CSA [redacted] if she saw Deputy Vincent grab Deputy [redacted] She replied, "There was some grabbing going on". CSA [redacted] also told me Deputy Vincent had recently exhibited other bizarre behavior. She stated approximately two weeks ago, she was in Module K when Deputy Vincent put on a blue wig and escorted a nurse through the dayrooms as the nurse passed medications to the inmates. At one point, Deputy Vincent allowed an inmate out of her cell to "style" the wig as the both stood on the upper tier. CSA [redacted] did not know which inmate it was, but described the inmate as a mental health patient.

On 10-25-15, at approximately 1320 hours, I spoke with Deputy [redacted] over the phone. Deputy [redacted] stated she was in the guard station at the time of the incident, but that she was typing a report and not paying attention to the interaction between Deputy Vincent and Deputy [redacted] At one point, she heard Deputy [redacted] raise his voice and say "whoa". Deputy [redacted] turned and saw Deputy Vincent holding a Taser "very close" to Deputy [redacted] groin area. The Taser was turned on, but she could not see if the Taser was actually touching Deputy [redacted] Deputy [redacted] stated she did not feel comfortable with what was going on so she left the guard station.

Deputy Vincent has not been to work since this incident was reported to me on October 23, 2015. He took sick days on October 24th and 25th. When he reports to work, I will give him a copy of Policy 309 and ask him to review it.

I recommend further investigation of this incident for possible violations of the following ECD and personal conduct policies:

- 309.2(k) – Utilization of an ECD in any manner (horseplay or other behavior) not authorized by this policy or the Rules and Regulations is strictly prohibited.

- 1018.33 – Members shall exercise extreme caution and good judgment to avoid occurrences that might give rise to liability chargeable against the department, she Sheriff-Coroner, or the County.
- 1018.39 – Members shall not use offensive or uncomplimentary language within the hearing of any other person.
- 1018.40 – Members shall not by their actions, speech, or demeanor, antagonize any person.
- 1018.55a4 – Engaging in horseplay resulting in injury or property damage or the reasonable possibility thereof.

Respectfully submitted,

Sergeant Jonathan Daruvala #3615

ORANGE COUNTY SHERIFF'S DEPARTMENT
INTERNAL MEMO

TO: Captain P. D'Auria
FROM: Lieutenant S. Howell
DATE: October 24th, 2015
RE: Staff Misconduct / Deputy Curtis Vincent

On October 23, 2015, Sergeant J. Daruvala was working as the Operations Sergeant at the IRC when he was approached by Transportation Deputy [redacted] [redacted] told Daruvala she had heard about an incident occurring on October 21, 2015, inside the Module K Guard Station. [redacted] stated Deputy C. Vincent took his issued Taser out of his holster, turned it on, and then pointed it directly at the groin area of Deputy [redacted]

Upon hearing this information, Sergeant Daruvala immediately notified me regarding the alleged incident. I then directed Daruvala to contact any witnesses to determine if in fact the incident actually occurred. Daruvala was able to talk to all of the witnesses involved and confirmed the incident did occur. Deputy [redacted] Deputy [redacted] [redacted], CSA [redacted] and CST [redacted] witnessed the entire incident. All IRC staff members were on duty, in uniform, inside the Module K Guard Station at the time of the incident. If the alleged incident witnessed by four employees is true, the inadvertent discharge of the Taser may have caused temporary or permanent injury to Deputy [redacted]

CSA [redacted] also stated Deputy Vincent has recently exhibited other bizarre behavior. She stated while on duty working his assigned position in Mod K, Vincent placed a blue wig on his head and escorted one of the nurses through the mod while she passed medications to the inmates. At one point, he allowed a female mental health inmate out of her cell to "style" the blue wig he was wearing on his head.

The incidents occurred while on duty, in uniform, within a maximum security jail facility. Deputy Vincent's conduct was disgraceful and displayed a blatant disregard for the safety of personnel and a blatant disregard for our department's core values.

Based on my initial review of the incident, Sergeant Daruvala's initial findings, and four separate witness statements, I believe this incident should be referred to Internal Affairs for further investigation for the Policy Violations listed in Daruvala's initial report.

ORANGE COUNTY SHERIFF'S DEPARTMENT
INTERNAL MEMO

TO: Cmdr. T. Bland
FROM: Capt. P. D'Auria
DATE: October 28, 2015
RE: Recommendation for PI

I concur with both Lt. Howell's and Sgt. Daruvala's recommendation for an Internal Affairs Investigation. The allegations if true are serious in nature and I recommend that this be sent to PSD for further investigation into the allegations.

ORANGE COUNTY SHERIFF'S DEPARTMENT
Santa Ana, California

TO: Captain Byerly
FROM: Commander T. Bland
DATE: October 30, 2015
RE: Request for Internal Affairs Investigation

Captain P. D'Auria has requested an internal affairs investigation be conducted regarding the on-duty conduct of Deputy Curtis Vincent. The memo from Captain D'Auria is attached. I concur with the recommendation, please initiate a personnel investigation for the following policy violations:

340.3.2 Conduct

(a) Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily injury on another.
(d) Engaging in horseplay resulting in injury or property damage or the reasonable possibility thereof.

1018.1 Standard of Conduct

(a) Members shall conduct their private and professional lives in such a manner as to avoid bringing discredit upon themselves or the department.

1018.6 (a) Obedience to Laws and Regulations

Members shall observe and obey all laws and ordinances, all rules/regulations, procedures and policies of the department and all orders of the department or commands thereof. In the event of improper action or breach of discipline, it will be presumed that the member was familiar with the law, rule/regulation, procedure or policy in question

1018.33 Incurring Liability

Members shall exercise extreme caution and good judgment to avoid occurrences that might give rise to liability chargeable against the department, the Sheriff-Coroner, or the County.

T. Bland 10/30/15

Commander Toni Bland Date

FORWARD TO INTERNAL CRIMINAL INVESTIGATION FOR ASSIGN

SK
11/2/15

INTERNAL CRIMINAL MEMOS

SHERIFF'S DEPARTMENT, ORANGE COUNTY
Santa Ana, California

TO: Captain Stu Greenberg

FROM: Lieutenant Dave Sawyer

DATE: February 10, 2016

RE: 15-246710 Internal Criminal Investigation

On November 3, 2015, the Orange County Sheriff's Homicide Detail was assigned an internal criminal investigation alleging an assault against another staff member by OCSD Deputy Curtis Vincent. It was alleged that Deputy Vincent pointed his department issued Taser at Deputy [redacted] groin area while inside the IRC, Module K, Guard Station. The initial complaint was submitted to Sgt. Daruvala by Deputy [redacted] who admitted she was not present when the alleged incident occurred but heard about the incident from Deputy [redacted]

The case was assigned to Investigator Cruz Alday who conducted the internal criminal investigation. He spoke with Sgt. Daruvala and confirmed the facts of the case. Inv. Alday interviewed CST [redacted] CSA [redacted], Deputy [redacted] and Deputy [redacted] who all stated the incident took place. Deputy [redacted] said he is friends with Deputy Vincent and they were engaged in horseplay. He said there was no criminal act and didn't want prosecution. Deputy Vincent, stated he did not remember the incident and he believed that Deputy [redacted] was retaliating against him for a past use of force incident that Deputy Vincent had reported to a sergeant.

At the conclusion of the investigation, Inv. Alday submitted the case to the Orange County District Attorney's office for review. The case was assigned to Deputy District Attorney Denise Hernandez. After carefully reviewing the case presented by Inv. Alday, Deputy D.A. Denise Hernandez determined there was no evidence of criminal culpability. She declined to prosecute any parties involved in the incident.

I recommend this case be assigned to Internal Affairs for an administrative review of the incident if necessary.

Command Staff

Investigations Captain

Area Commander

Assistant Sheriff

Remarks

CONCUR TO PSD FOR I.A.

FORWARD TO PSD/IA

OFFICE OF THE
DISTRICT ATTORNEY
ORANGE COUNTY, CALIFORNIA
TONY RACKAUCKAS, DISTRICT ATTORNEY

JIM TANIZAKI
SENIOR ASSISTANT D.A.
VERTICAL PROSECUTIONS/
VIOLENT CRIMES

JOSEPH D'AGOSTINO
SENIOR ASSISTANT D.A.
GENERAL FELONIES/
ECONOMIC CRIMES

MICHAEL LUBINSKI
SENIOR ASSISTANT D.A.
SPECIAL PROJECTS

JAIME COULTER
SENIOR ASSISTANT D.A.
BRANCH COURT OPERATIONS

CRAIG HUNTER
CHIEF
BUREAU OF INVESTIGATION

ROBERT WILSON
INTERIM DIRECTOR
ADMINISTRATIVE SERVICES

SUSAN KANG SCHROEDER
CHIEF OF STAFF

February 1, 2016

Investigator Cruz Alday
Orange County Sheriff Department
550 N. Flower Street
Santa Ana, CA 92703

Re: OCSD 15-246710
Deputy Curtis Vincent

Dear Investigator Alday,

I have reviewed the above referenced case submitted by your agency.

There is no evidence of any criminal charges in this matter.

Sincerely,

Denise Hernandez
Deputy District Attorney
Special Prosecutions Unit

SUPPORTING DOCUMENTS

TASER PROTECT LIFE

EVIDENCE SYNC

TASER Information		Offline Report	
Serial	X00-447431	**Local Timezone**	Pacific Standard Time (UTC -07:00)
Model	TASER X26	**Generated On**	09 Mar 2016 15:35:52
Firmware Version	Rev. 24		
Application Version	2.9.2		

Device (X26)

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
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3	09 Feb 2009 13:27:46	Trigger	5	27	99
4	09 Feb 2009 13:27:51	Trigger	5	27	99
5	01 Feb 2010 12:02:54	Trigger	1	19	96
6	03 Feb 2010 07:34:55	Trigger	1	19	96
7	11 Feb 2010 06:22:34	Trigger	1	20	96
8	12 Feb 2010 06:09:33	Trigger	1	21	96
9	13 Feb 2010 06:17:27	Trigger	1	19	96
10	16 Feb 2010 11:07:26	Trigger	1	20	96
11	25 Feb 2010 18:37:43	Trigger	1	20	96
12	26 Feb 2010 18:15:33	Trigger	1	20	95
13	27 Feb 2010 18:20:36	Trigger	1	20	95
14	28 Feb 2010 09:36:51	Trigger	1	19	95
15	03 Mar 2010 09:37:11	Trigger	1	21	95
16	03 Mar 2010 09:37:13	Trigger	1	21	95
17	05 Mar 2010 06:35:05	Trigger	1	21	95
18	05 Mar 2010 18:26:48	Trigger	1	19	95
19	06 Mar 2010 08:59:10	Trigger	1	20	94
20	09 Mar 2010 07:23:55	Trigger	1	20	94
21	09 Mar 2010 07:23:57	Trigger	1	20	94
22	10 Mar 2010 18:25:30	Trigger	1	19	94
23	11 Mar 2010 18:29:04	Trigger	1	19	94
24	12 Mar 2010 19:11:53	Trigger	1	21	94
25	14 Mar 2010 22:35:56	Trigger	1	20	94
26	18 Mar 2010 18:19:02	Trigger	1	19	94
27	19 Mar 2010 23:01:35	Trigger	1	20	94
28	20 Mar 2010 18:29:07	Trigger	2	19	93
29	21 Mar 2010 06:56:18	Trigger	1	20	93
30	24 Mar 2010 19:05:02	Trigger	1	20	93

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
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1697	05 Aug 2015 11:04:46	Trigger	5	18	92
1698	05 Aug 2015 18:31:43	Trigger	1	17	91
1699	08 Aug 2015 18:56:34	Trigger	5	17	91
1700	09 Aug 2015 18:12:56	Trigger	3	18	91
1701	17 Aug 2015 18:27:48	Trigger	2	19	90
1702	19 Aug 2015 18:19:51	Trigger	3	19	90
1703	20 Aug 2015 18:16:04	Trigger	5	19	90
1704	21 Aug 2015 18:17:21	Trigger	2	20	89
1705	23 Aug 2015 06:47:28	Trigger	5	19	89
1706	24 Aug 2015 18:20:16	Trigger	3	18	89
1707	25 Aug 2015 18:16:23	Trigger	4	20	89
1708	26 Aug 2015 18:21:38	Trigger	1	19	88
1709	30 Aug 2015 18:37:08	Trigger	4	17	88
1710	01 Sep 2015 18:38:36	Trigger	3	17	88
1711	04 Sep 2015 18:16:17	Trigger	3	17	87
1712	06 Sep 2015 18:22:56	Trigger	2	18	87
1713	08 Sep 2015 06:50:28	Trigger	5	17	87
1714	08 Sep 2015 18:36:40	Trigger	5	19	87
1715	09 Sep 2015 18:21:23	Trigger	5	17	86
1716	11 Sep 2015 18:14:26	Trigger	5	18	86
1717	13 Sep 2015 18:22:18	Trigger	3	17	85
1718	14 Sep 2015 18:21:59	Trigger	4	20	85
1719	16 Sep 2015 18:17:45	Trigger	5	18	85
1720	17 Sep 2015 18:16:51	Trigger	5	17	84
1721	01 Jan 2000 10:07:25	Trigger	5	18	84
1722	01 Jan 2000 11:58:05	Trigger	1	19	83
1723	02 Jan 2000 10:04:03	Trigger	5	19	83
1724	03 Jan 2000 10:01:28	Trigger	5	19	83
1725	04 Jan 2000 10:12:03	Trigger	4	17	82
1726	05 Jan 2000 10:00:31	Trigger	2	18	82
1727	14 Oct 2015 08:15:23	Sync	27 Jan 2000 00:00:38 to 14 Oct 2015 08:15:23		
1728	19 Oct 2015 07:57:37	Trigger	1	20	81
1729	02 Mar 2016 06:45:53	Sync	02 Mar 2016 06:46:26 to 02 Mar 2016 06:45:53		
1730	02 Mar 2016 06:52:10	Trigger	5	26	81
1731	09 Mar 2016 15:30:04	Sync	09 Mar 2016 15:30:06 to 09 Mar 2016 15:30:04		

TASER PROTECT LIFE

EVIDENCE SYNC

TASER Information		Offline Report	
Serial	X00-486584	**Local Timezone**	Pacific Standard Time (UTC -07:00)
Model	TASER X26	**Generated On**	19 Jan 2016 09:41:31
Firmware Version	Rev. 24		
Application Version	2.9.2		

Device (X26)

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
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2	03 Aug 2009 12:21:13	Sync	03 Aug 2009 12:21:13 to 03 Aug 2009 12:21:13		
3	03 Aug 2009 12:21:56	Trigger	5	24	99
4	03 Aug 2009 12:22:03	Trigger	5	25	99
5	03 Aug 2009 12:22:09	Trigger	5	25	99
6	01 Feb 2010 09:52:04	Sync	01 Feb 2010 10:02:29 to 01 Feb 2010 09:52:04		
7	01 Feb 2010 12:03:43	Trigger	1	20	97
8	01 Feb 2010 15:43:40	Trigger	5	24	97
9	01 Feb 2010 18:24:17	Trigger	1	22	97
10	02 Feb 2010 18:20:14	Trigger	1	22	97
11	03 Feb 2010 18:18:34	Trigger	1	21	97
12	04 Feb 2010 21:54:44	Trigger	1	22	97
13	05 Feb 2010 06:54:17	Trigger	1	22	96
14	06 Feb 2010 06:37:10	Trigger	1	22	96
15	07 Feb 2010 06:29:02	Trigger	1	22	96
16	07 Feb 2010 18:16:52	Trigger	1	22	96
17	08 Feb 2010 18:20:51	Trigger	1	22	96
18	09 Feb 2010 18:53:57	Trigger	1	21	96
19	11 Feb 2010 18:23:03	Trigger	1	20	96
20	12 Feb 2010 07:11:21	Trigger	1	22	96
21	12 Feb 2010 18:16:35	Trigger	1	21	96
22	14 Feb 2010 18:17:28	Trigger	1	21	96
23	15 Feb 2010 20:18:41	Trigger	1	22	96
24	16 Feb 2010 06:16:12	Trigger	1	21	96
25	17 Feb 2010 06:40:30	Trigger	1	21	95
26	17 Feb 2010 18:39:29	Trigger	1	21	95
27	18 Feb 2010 07:21:26	Trigger	1	21	95
28	18 Feb 2010 18:47:47	Trigger	1	21	95
29	19 Feb 2010 06:53:51	Trigger	1	22	95
30	19 Feb 2010 18:31:38	Trigger	1	21	95

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1337	04 Sep 2015 06:24:28	Trigger	3	22	66
1338	04 Sep 2015 16:40:30	Trigger	2	22	66
1339	06 Sep 2015 06:26:14	Trigger	2	22	66
1340	11 Sep 2015 18:19:43	Trigger	5	20	66
1341	12 Sep 2015 06:47:45	Trigger	5	20	65
1342	12 Sep 2015 18:19:07	Trigger	5	20	65
1343	23 Sep 2015 18:25:17	Trigger	5	20	64
1344	24 Sep 2015 18:31:58	Trigger	5	20	64
1345	25 Sep 2015 18:28:10	Trigger	5	20	64
1346	26 Sep 2015 18:30:36	Trigger	1	20	63
1347	27 Sep 2015 18:23:46	Trigger	3	20	63
1348	28 Sep 2015 07:08:00	Trigger	5	20	63
1349	28 Sep 2015 18:34:29	Trigger	3	20	62
1350	29 Sep 2015 06:22:06	Trigger	2	21	62
1351	29 Sep 2015 18:26:02	Trigger	4	22	62
1352	02 Oct 2015 06:24:16	Trigger	5	20	62
1353	02 Oct 2015 18:23:41	Trigger	4	21	61
1354	03 Oct 2015 06:31:52	Trigger	5	21	61
1355	03 Oct 2015 19:43:05	Trigger	5	20	60
1356	04 Oct 2015 18:26:10	Trigger	5	20	60
1357	07 Oct 2015 15:04:37	Trigger	2	20	59
1358	08 Oct 2015 06:30:17	Trigger	5	22	59
1359	08 Oct 2015 18:54:47	Trigger	4	20	59
1360	09 Oct 2015 06:25:26	Trigger	5	21	59
1361	09 Oct 2015 18:20:15	Trigger	4	21	58
1362	10 Oct 2015 06:30:41	Trigger	5	20	58
1363	10 Oct 2015 18:25:07	Trigger	4	21	57
1364	11 Oct 2015 18:23:28	Trigger	5	21	57
1365	12 Oct 2015 20:30:15	Trigger	5	20	57
1366	14 Oct 2015 06:20:47	Trigger	5	19	56
1367	14 Oct 2015 07:22:57	Sync	14 Oct 2015 07:33:03 to 14 Oct 2015 07:22:57		
1368	14 Oct 2015 07:24:10	Trigger	5	23	56
1369	14 Oct 2015 18:16:47	Trigger	3	20	55
1370	15 Oct 2015 06:15:41	Trigger	5	20	55
1371	15 Oct 2015 18:09:50	Trigger	4	20	55
1372	16 Oct 2015 06:13:27	Trigger	5	20	54
1373	17 Oct 2015 06:18:55	Trigger	5	20	54
1374	17 Oct 2015 18:11:24	Trigger	5	20	53
1375	18 Oct 2015 18:19:06	Trigger	5	20	53
1376	20 Oct 2015 06:54:03	Trigger	5	22	53
1377	22 Oct 2015 06:27:15	Trigger	5	20	52
1378	23 Oct 2015 06:13:56	Trigger	5	20	52
1379	23 Oct 2015 18:13:12	Trigger	5	20	51
1380	24 Oct 2015 18:13:22	Trigger	4	20	51

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1383	28 Oct 2015 18:19:24	Trigger	5	20	50
1384	29 Oct 2015 06:28:15	Trigger	5	22	49
1385	29 Oct 2015 18:12:54	Trigger	4	21	49
1386	30 Oct 2015 06:23:33	Trigger	1	20	48
1387	31 Oct 2015 06:36:08	Trigger	1	21	48
1388	31 Oct 2015 18:26:42	Trigger	5	22	48
1389	01 Nov 2015 18:51:31	Trigger	5	21	48
1390	02 Nov 2015 19:06:59	Trigger	5	21	47
1391	03 Nov 2015 18:19:05	Trigger	5	22	47
1392	04 Nov 2015 18:31:19	Trigger	5	20	47
1393	05 Nov 2015 06:18:36	Trigger	5	22	46
1394	05 Nov 2015 18:25:00	Trigger	4	21	46
1395	06 Nov 2015 06:17:47	Trigger	5	21	45
1396	07 Nov 2015 18:14:24	Trigger	5	20	45
1397	09 Nov 2015 18:18:21	Trigger	5	22	45
1398	10 Nov 2015 18:36:44	Trigger	5	21	44
1399	11 Nov 2015 06:25:41	Trigger	5	21	44
1400	11 Nov 2015 18:23:34	Trigger	4	21	43
1401	12 Nov 2015 06:14:26	Trigger	1	22	43
1402	12 Nov 2015 18:16:22	Trigger	5	20	43
1403	13 Nov 2015 18:34:14	Trigger	4	21	42
1404	15 Nov 2015 18:17:28	Trigger	5	22	41
1405	18 Nov 2015 18:18:03	Trigger	4	22	41
1406	19 Nov 2015 18:18:03	Trigger	4	20	40
1407	20 Nov 2015 06:16:03	Trigger	5	21	40
1408	20 Nov 2015 18:16:00	Trigger	4	20	39
1409	22 Nov 2015 18:53:52	Trigger	5	20	39
1410	23 Nov 2015 18:17:43	Trigger	5	22	39
1411	24 Nov 2015 19:09:44	Trigger	5	22	38
1412	25 Nov 2015 06:16:01	Trigger	1	21	38
1413	25 Nov 2015 18:18:46	Trigger	3	21	38
1414	26 Nov 2015 06:16:27	Trigger	1	21	37
1415	26 Nov 2015 18:33:04	Trigger	5	21	37
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1417	27 Nov 2015 18:16:19	Trigger	4	22	36
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1419	28 Nov 2015 19:30:34	Trigger	5	21	36
1420	29 Nov 2015 18:44:16	Trigger	5	22	36
1421	01 Dec 2015 19:47:10	Trigger	5	21	35
1422	02 Dec 2015 18:49:14	Trigger	4	22	35
1423	03 Dec 2015 06:18:45	Trigger	3	21	34
1424	03 Dec 2015 18:21:22	Trigger	5	21	34
1425	04 Dec 2015 06:28:18	Trigger	1	21	34

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celcius]	Batt Remaining [%]
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1427	06 Dec 2015 06:28:23	Trigger	5	20	33
1428	06 Dec 2015 19:06:35	Trigger	5	20	33
1429	07 Dec 2015 18:17:38	Trigger	5	22	32
1430	09 Dec 2015 06:16:29	Trigger	1	21	32
1431	09 Dec 2015 18:13:02	Trigger	4	21	32
1432	10 Dec 2015 06:15:32	Trigger	5	21	32
1433	10 Dec 2015 18:16:43	Trigger	5	21	31
1434	11 Dec 2015 18:15:22	Trigger	4	21	31
1435	16 Dec 2015 18:27:10	Trigger	5	21	30
1436	17 Dec 2015 06:19:11	Trigger	1	22	30
1437	17 Dec 2015 18:27:40	Trigger	5	21	30
1438	18 Dec 2015 18:29:44	Trigger	5	21	29
1439	19 Dec 2015 18:23:20	Trigger	5	21	29
1440	21 Dec 2015 18:47:08	Trigger	5	22	28
1441	22 Dec 2015 19:11:40	Trigger	5	22	28
1442	24 Dec 2015 18:19:57	Trigger	3	21	28
1443	25 Dec 2015 18:14:35	Trigger	4	21	27
1444	26 Dec 2015 06:15:05	Trigger	5	22	27
1445	26 Dec 2015 19:00:39	Trigger	5	21	27
1446	27 Dec 2015 18:15:04	Trigger	5	20	26
1447	30 Dec 2015 18:23:13	Trigger	5	23	26
1448	31 Dec 2015 06:25:09	Trigger	1	22	25
1449	31 Dec 2015 18:13:03	Trigger	4	21	25
1450	01 Jan 2016 18:18:39	Trigger	4	22	25
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1463	11 Jan 2016 06:15:19	Trigger	5	22	21
1464	11 Jan 2016 18:22:56	Trigger	5	22	20
1465	13 Jan 2016 18:23:01	Trigger	5	22	20
1466	14 Jan 2016 18:28:58	Trigger	5	22	20
1467	15 Jan 2016 06:34:54	Trigger	5	21	19
1468	15 Jan 2016 18:24:41	Trigger	5	22	19
1469	19 Jan 2016 09:41:09	Sync	19 Jan 2016 09:45:19 to 19 Jan 2016 09:41:09		

OCSD DEPARTMENT POLICIES

Rules of Conduct - General

1018.1 STANDARD OF CONDUCT

(a) Members shall conduct their private and professional lives in such a manner as to avoid bringing discredit upon themselves or the department.

(b) Commissioned officers will conform with the Code of Professional Conduct and Responsibilities for Peace Officers (Policy 1001).

1018.2 LOYALTY

Members shall maintain such loyalty to the department and their associates as is consistent with their oath of office and personal and professional ethics. Loyalty to the department and to associates is an important factor in departmental morale and efficiency.

1018.3 COOPERATION

Members shall establish and maintain a high spirit of cooperation within the department and with other agencies. Cooperation between the ranks and units of the department and between the department and other law enforcement agencies is essential to effective law enforcement.

1018.4 INSUBORDINATION

Members shall not be insubordinate. Intentional failure or refusal by any member of the department to obey a lawful order given by a superior officer shall be insubordination

1018.5 PERFORMANCE OF DUTY

Members shall perform their duties as required or directed by law, department rules/regulations, procedures, policies, or by order of a superior officer. All lawful duties required by competent authority shall be performed promptly as directed.

1018.6 OBEDIENCE TO LAWS AND REGULATIONS

(a) Members shall observe and obey all laws and ordinances, all rules/regulations, procedures and policies of the department and all orders of the department or commands thereof. In the event of improper action or breach of discipline, it will be presumed that the member was familiar with the law, rule/regulation, procedure or policy in question.

(b) Employees are to report to their immediate supervisor within 24 hours any arrest, incident, or allegation of criminal or other misconduct, which could result in the employee being criminally prosecuted. All allegations of criminal and other misconduct will be immediately documented by the supervisor in memo form to his/her Command Commander/Director.

(c) Employees authorized to carry a handgun, on duty or off duty, must immediately notify their Division Commander if they have been convicted of any domestic violence offense. Defined:

Adoption Date: 2014/12/10
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"Any use or attempted use of physical force committed against a current or former spouse, parent or person similarly situated."

(d) Employees authorized to carry a handgun, on duty or off duty, must immediately notify their Division Commander if they are currently the subject of a court restraining order, which is based upon threats of violence.

1018.7 ESTABLISHING ELEMENTS OF A VIOLATION OF LAW

The existence of facts establishing a violation of the law or ordinance is all that is necessary to support any allegation under Section 1018.6. When a violation of law occurs under Section 1018.6, lack of criminal prosecution shall be no bar to administrative discipline

1018.8 CONDUCT TOWARD SUPERIOR AND SUBORDINATE OFFICERS AND ASSOCIATES

Members shall treat superior officers, subordinates and associates with respect. They shall be courteous and civil at all times in their relationships with one another. They shall not maliciously ridicule one another or the orders issued by competent authority.

1018.9 COURTESY TO RANK

While on duty, commissioned personnel holding rank shall be addressed by such rank.

1018.10 CRITICISM OF ORDERS

Members shall not criticize instructions or orders in the presence of subordinates or persons from outside the department.

1018.11 ISSUING ORDERS

Orders shall be issued in clear and understandable language and in pursuit of departmental business. No member shall issue any order, which is in violation of any law, or ordinance or which is beyond the scope of their authority.

1018.12 OBEDIENCE TO UNLAWFUL ORDERS

Obedience to an unlawful order is never a defense for an unlawful action; therefore, no member is required to obey any order, which is contrary to Federal or State law or County Ordinance. Responsibility for refusal to obey an unlawful order rests with the member and they must be able to justify their action.

1018.13 CONFLICTING ORDERS

In the event of a conflict of orders, members shall call such conflict to the attention of the superior issuing the last order. Responsibility for countermanding the original order then rests with the individual issuing the second order. Should the superior not change or rescind the order, it shall be obeyed, and members shall not be held accountable for violating the previous order. Orders will be countermanded, or conflicting orders issued only when necessary for the good of the department.

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1018.26 SURRENDER OF COUNTY PROPERTY

(a) Upon separation from the department, members shall surrender all County and departmental items of property to the Professional Standards Division within 48 hours.

(b) Department issued equipment, including handguns and badges are the sole property of the department and shall be returned immediately upon request.

1018.27 UNTRUTHFULNESS

No member shall knowingly make false statements or misrepresentations to other members or superiors.

1018.28 REMOVAL OR ALTERATION OF OFFICIAL RECORDS PROHIBITED

Members shall not remove or alter any official record of the department except as directed by superiors in accordance with established departmental procedures, or under due process of law.

1018.29 OFFICIAL CORRESPONDENCE

Only those members authorized by the Sheriff-Coroner may engage in official departmental correspondence.

1018.30 DEPARTMENT LETTERHEAD

All official correspondence shall be written on the department's official letterhead stationery. Official letterhead shall not be used for any purpose other than official business.

1018.31 ABSENCE FROM DUTY

No member shall be absent from duty without proper leave or permission from, or notification to, the appropriate supervisor.

1018.32 SICK LEAVE

(a) While on official paid sick leave, members shall remain at home or other place of confinement except when, in the department's judgment, their individual circumstances justify leaving the place of confinement. Members shall advise the department of their place of confinement.

(b) Members shall not feign illness or injury or deceive a superior as to the member's health condition.

1018.33 INCURRING LIABILITY

Members shall exercise extreme caution and good judgment to avoid occurrences that might give rise to liability chargeable against the department, the Sheriff-Coroner, or the County.

1018.34 PATRIOTIC COURTESY

To the flag:

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1018.38 SLEEPING ON DUTY
Members shall not sleep on duty.

1018.39 USE OF OFFENSIVE LANGUAGE
Members shall not use offensive or uncomplimentary language within the hearing of any other person.

1018.40 OFFENSIVE CONDUCT
Members shall not by their actions, speech, or demeanor, antagonize any person.

1018.41 RECEIPT OF TRAFFIC CITATION - COUNTY VEHICLE
Members who receive a traffic citation while operating a county vehicle shall not request the department to intercede in their behalf but shall handle the matter as a private citizen.

1018.42 FIXING TICKETS
Members shall not "attempt to fix" or "fix" a citation for a traffic violation.

1018.43 FRATERNIZATION

(a) Except as permitted by written authority of their Division commander, no member shall fraternize with, engage the services of, accept services from, or give to or receive favors from any person in department custody or recently released (within one year) from department custody. Any member who is contacted by or on behalf of a recently released (within one year) prisoner shall immediately report same, in memorandum form, to his or her immediate supervisor.

(b) Members shall not associate socially with, or fraternize with the spouse or family member of any person in the custody of the department without the express permission of the Sheriff-Coroner.

(c) Except as necessary to carry out their assigned duties, members shall not engage in familiarity with inmates or the families or friends of inmates. Members shall not discuss departmental matters or private affairs concerning themselves or coworkers with inmates.

(d) Members shall not trade or barter with, lend to or borrow from, or engage in any other personal transaction with, any inmate. Members shall not, directly or indirectly, give to or accept from any inmate, or member of the family of any inmate, anything of value or a promise of same.

(e) Members shall not accept from, or send to, any inmate any verbal or written message, reading matter, literature, or any item, article, or substance except as necessary in carrying out the member's assigned duties.

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1018.50 LOITERING IN DEPARTMENT AREAS

Members off duty and not on official standby shall not loiter in department areas, other than those normally designated for use as recreation or rest areas

1018.51 CONDUCTING BUSINESS IN DEPARTMENT AREAS

Members shall not conduct any commercial ventures for profit in department work-sites unless authorized by the Sheriff-Coroner

1018.52 USE OF THE BADGE, I.D. CARD AND UNIFORM BY NON COMMISSIONED PERSONNEL

(a) Professional staff, who have been issued a badge, I.D. card and/or uniform, will not, under any circumstances, display same except at or during their work assignment.

(b) Badges, I.D. cards or uniform items shall not be used for any purpose other than official department business.

(c) Professional staff will not carry their badge while off duty or to or from work. Badges are to be left at work assignments. Exceptions will be forensic personnel subject to call out and special circumstances requiring written approval of a Command Commander

1018.53 AUTHORIZED TELEPHONE USAGE

Members of the department, whether on duty or off duty, shall not make or receive telephone calls, using county telephone equipment or services, for purposes other than official department business or family emergencies. Any identified misuse of the telephone may result in discipline and/or reimbursement to the department for the cost of the calls.

1018.54 EMPLOYEE'S DUTY TO REPORT MISCONDUCT

The reporting of misconduct and prevention of the escalation of misconduct are areas that demand an employee to exercise courage, integrity, and decisiveness. This policy requires that when an employee, at any level, becomes aware of possible misconduct by another member of this Department, the employee shall immediately report the incident to a supervisor or directly to the Internal Affairs Bureau. This requirement applies to all employees, including supervisory personnel and managers who learn of possible misconduct through the review of an employee's work. Generally, the supervisor accepting the complaint shall initiate the complaint process.

Furthermore, an employee who observes serious misconduct shall take appropriate action to cause the misconduct to immediately cease. The fact that a supervisor is present and not taking appropriate action to stop the misconduct does not relieve other employees present from this obligation

1018.55 PROHIBITED ACTS OR OMISSIONS

(a) The following acts or omissions by employees are prohibited:

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1. Unauthorized or unlawful fighting, threatening, or attempting to inflict unlawful bodily injury on another.
2. Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment without first notifying the Sheriff of such action.
3. Using departmental resources in association with any portion of their independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.
4. Engaging in horseplay resulting in injury or property damage or the reasonable possibility thereof.
5. Unauthorized possession of, loss of, or damage to department property or the property of others or endangering it through unreasonable carelessness or maliciousness.
6. Failure of any employee to promptly and fully report activities on their own part or the part of any other employee where such activities may result in criminal prosecution or discipline under this policy.
7. Failure of any employee to promptly and fully report activities that have resulted in official contact by any other law enforcement agency.
8. Using or disclosing one's status as an employee with the department in any way that could reasonably be perceived as an attempt gain influence or authority for non-departmental business or activity.
9. The use of any information, photograph video or other recording obtained or accessed as a result of employment with the department for personal or financial gain or without the expressed authorization of the Sheriff or his/her designee may result in criminal prosecution and/or discipline under this policy (Penal Code § 146g).
10. Seeking restraining orders against individuals encountered in the line of duty without the expressed permission of the Sheriff.
11. Unwelcome solicitation of a personal or sexual relationship while on duty or through the use of official capacity.
12. Engaging in on-duty sexual relations including, but not limited to sexual intercourse, excessive displays of public affection or other sexual contact.
13. Careless workmanship resulting in spoilage or waste of materials or work of an unacceptable nature as applicable to the nature of the work assigned.
14. Unsatisfactory work performance including but not limited to, failure, incompetence, inefficiency or delay in performing and/or carrying out proper orders, work assignments or instructions of supervisors without a reasonable and bona fide excuse.

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Electronic Control Device (ECD)

309.1 PURPOSE AND SCOPE

When properly applied in accordance with this policy, the Electronic Control Device (ECD) is a control device which provides an "intermediate" or "medium" amount of force and is intended to temporarily incapacitate a violent or potentially violent individual without causing serious injury. It is anticipated that the appropriate use of such a device will result in fewer serious injuries to employees and subjects.

309.2 POLICY

(a) Employees who have completed department approved training may be issued an ECD for use at the beginning of their shift or during their current assignment.Employees shall be expected to return their issued device to the department's inventory at the conclusion of their shift, unless the ECD is assigned to the individual or when leaving a particular assignment.

(b) Employees shall only use the ECD and cartridges that have been issued by the department. The device should be carried as a part of a uniformed employee's equipment in an approved holster. Non uniformed employees may carry the ECD in an approved holster or the device may be stored in the driver's compartment of the employee's county vehicle so that it is readily accessible at all times.

(c) When the ECD is carried as a part of a uniformed Deputy's equipment, it shall be carried on the side opposite from the duty weapon.

(d) All ECDs shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.

(e) Whenever practical, employees should carry a total of two or more ECD cartridges on their person at all times while carrying an ECD.

(f) Employees shall be responsible for ensuring that their issued ECD is properly maintained and in good working order at all times.

(g) Each ECDs data shall be downloaded and stored on a department computer network file (\\hosta\taserupload) a minimum of every 180 days.

(h) ECD data of all use of force applications will be downloaded and stored as soon as practical. A scanned copy of the downloaded ECD data will be attached to the use of force analysis in CRM.

(i) Employees should never hold both a firearm and the ECD at the same time unless lethal force is justified.

(j) Employees should not target the head, neck, hands, genital or chest areas.

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(k) All Commands will be required to maintain an ECD Log documenting the employee's name, PIN number, ECD number and cartridge number(s) issued to the employee for each shift. Each Command will be required to retain the ECD Log for two (2) years.

(l) Utilization of an ECD in any manner (horseplay or other behavior) not authorized by this policy or the Rules & Regulations is strictly prohibited.

309.3 VERBAL AND VISUAL WARNINGS

(a) Unless it would otherwise endanger officer safety or is impractical due to circumstances, a verbal warning of the intended use of the ECD shall precede the application of the device in order to:

1. Provide the individual with a reasonable opportunity to voluntarily comply.
2. Provide other employees and individuals with warning that an ECD may be deployed.

(b) If, after a verbal warning, an individual continues to express an unwillingness to voluntarily comply with anemployee's lawful orders and it appears both reasonable and practical under the circumstances, the employee may, but is not required to, display the electrical arc (provided there is not a cartridge loaded into the ECD) or the aiming laser in a further attempt to gain compliance prior to the application of the ECD. The aiming laser should never be intentionally directed into the eyes of another person as it may permanently impair his or her vision.

(c) The fact that a verbal and/or other warning was given or reasons it was not given shall be documented in any related reports.

309.4 USE OF THE ELECTRONIC CONTROL DEVICE

(a) As with any law enforcement equipment, the ECD has limitations and restrictions requiring consideration before its use. Although the ECD rarely fails and is generally effective in subduing most individuals, employees should be aware that effectiveness is not guaranteed. Employes should be prepared with other options in the unlikely event of such a failure. The ECD should only be used when its operator can safely approach the subject within the operational range of the device.

(b) Authorized employeesl may use the ECD to subdue or control a subject who poses an immediate threat to the safety of the employee (or others), when the employee has an objective reason to believe that less intrusive tactics are unlikely to be effective. "Immediate threat" should be understood to mean the following:

1. A violent or physically aggressive subject, or
2. An imminent likelihood of violent or physical aggression, as indicated beyond mere agitation or non-compliance.

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- **STANDARD 3.3** Peace officers shall ensure that they are prepared for the effective and efficient undertaking of their assignment.
- **STANDARD 3.4** Peace officers shall safely and efficiently use equipment and material available to them.
- **STANDARD 3.5** Peace officers shall be prepared to and shall respond effectively to the demands of their office.
- **STANDARD 3.6** Peace officers, with due regard for compassion, shall maintain an objective and impartial attitude.
- **STANDARD 3.7** Peace officers shall not allow their personal convictions, beliefs, prejudices, or biases to interfere unreasonably with their official acts or decisions.
- **STANDARD 3.8** Peace officers shall recognize that their allegiance is first to the people, then to their profession and the governmental entity or agency that employs them.

CANON FOUR

PEACE OFFICERS WILL SO CONDUCT THEIR PUBLIC AND PRIVATE LIVES THAT THEY EXEMPLIFY THE HIGH STANDARDS OF INTEGRITY, TRUST, AND MORALITY DEMANDED OF A MEMBER OF THE PEACE OFFICER PROFESSION.

ETHICAL STANDARDS

- **STANDARD 4.1** Peace officers shall refrain from consuming intoxicating beverages to the extent that it results in impairment which brings discredit upon the profession of their employing agency, or renders them unfit for their next tour of duty.
- **STANDARD 4.2** Peace officers shall not consume intoxicating beverages while on duty, except to the degree permitted in the performance of official duties, and under no circumstances while in uniform.
- **STANDARD 4.3** Peace officers shall not use any narcotics, hallucinogens or any other controlled substance except when legally prescribed. When such controlled substances are prescribed, officers shall notify their superior officer prior to reporting for duty.
- **STANDARD 4.4** Peace officers shall maintain a level of conduct in their personal and business affairs in keeping with the high standards of the peace officer profession. Officers shall not participate in any incident involving moral turpitude.
- **STANDARD 4.5** Peace officers shall not undertake financial obligations which they know or reasonably should know they will be unable to meet and shall pay all just debts when due.
- **STANDARD 4.6** Peace officers shall not engage in illegal political activities.
- **STANDARD 4.7** Peace officers shall not permit or authorize for personal gain the use of their name or photograph and official title identifying them as peace officers in connection with testimonials or advertisements for any commodity, commercial enterprise, or commercial service which is not the product of the officer involved.

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- **STANDARD 4.8** Peace officers shall not engage in any activity that would create a conflict of interest or would be in violation of any law.
- **STANDARD 4.9** Peace officers shall at all times conduct themselves in a manner which does not discredit the peace officer profession or their employing agency.
- **STANDARD 4.10** Peace officers shall not be disrespectful, insolent, mutinous, or insubordinate in attitude or conduct.
- **STANDARD 4.11** Peace officers shall be courteous and respectful in their official dealings with the public, fellow officers, superiors and subordinates.
- **STANDARD 4.12** Peace officers shall not engage in any strike, work obstruction or abstention, in whole or in part, from the full, faithful and proper performance of their assigned duties and responsibilities, except as authorized by law.
- **STANDARD 4.13** Peace officers shall maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration, while acting in an official capacity.

CANON FIVE

PEACE OFFICERS SHALL RECOGNIZE THAT OUR SOCIETY HOLDS THE FREEDOM OF THE INDIVIDUAL AS A PARAMOUNT PRECEPT, WHICH SHALL NOT BE INFRINGED UPON WITHOUT JUST, LEGAL, AND NECESSARY CAUSE.

ETHICAL STANDARDS

- **STANDARD 5.1** Peace officers shall not restrict the freedom of individuals, whether by detention or arrest, except to the extent necessary to legally or reasonably apply the law.
- **STANDARD 5.2** Peace officers shall recognize the rights of individuals to be free from capricious or arbitrary acts that deny or abridge their fundamental rights as guaranteed by law.
- **STANDARD 5.3** Peace officers shall not use their official position to detain any individual, or to restrict the freedom of any individual, except in the manner and means permitted or prescribed by law.

CANON SIX

PEACE OFFICERS SHALL ASSIST IN MAINTAINING THE INTEGRITY AND COMPETENCE OF THE PEACE OFFICER PROFESSION.

ETHICAL STANDARDS

- **STANDARD 6.1** Peace officers shall recognize that every person in our society is entitled to professional, effective, and efficient law enforcement services.
- **STANDARD 6.2** Peace officers shall perform their duties in such a manner as to discourage double standards.

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INTERNAL AFFAIRS INTERVIEWS (CD)

CASE MANAGEMENT NOTES

CASE # 15-150

DATE	TIME	INVESTIGATION
11/2/15	-	CASE LOGGED / COPIES TO OIR
11/16/15	-	RECEIVED CASE / TOLLING (CRIMINAL INVEST.)
1-29-16	-	REVIEWED CASE / PRED
2-3-16	-	CRIMINAL CASE / SENT BACK TO COMMAND STAFF FOR REVIEW
3-2-16	-	RECEIVED CASE BACK
3-9-16	1255	CONTACTED IRC SGT. WALTERS FOR POSSIBLE TASER RECORDS/VIDEO
3-18-16	1400	SET INTERVIEW DATES WITH WITNESSES.
3-23-16	1310	INTERVIEWED DEPUTY [redacted]
3-23-16	1400	" DEPUTY [redacted]
3-24-16	1545	" CST [redacted]
3-28-16	1755	INTERVIEWED DEPUTY [redacted]. CONTACTED DEP [redacted] LEFT MESSAGE
3-29-16	1745	SET VINCENT INTERVIEW. FOR 4-7-16
3-30-16	1030	INTERVIEWED DEPUTY [redacted], RESCHEDULED VINCENT
		INTERVIEW AT REQUEST OF REP CHAMKEN. 4-4-16/1500
3-30-16	1350	INTERVIEWED DEPUTY [redacted] VIA PHONE / SOUTH CAROLINA
4-4-16	1510	INTERVIEWED DEPUTY VINCENT.
4-15-16	1400	CASE SUBMITTED TO LT. DANKS.

ORANGE COUNTY SHERIFF'S DEPARTMENT

PROFESSIONAL STANDARDS DIVISION
NOTICE OF ADMINISTRATIVE LEAVE

Confidential

To: Assistant Sheriff Steve Kea
Assistant Sheriff Linda Solorza

From: Sergeant Rich Koenig

Date: November 2, 2015

Please be advised that Deputy Curtis Vincent [redacted] has been placed on Administrative Leave effective today at 1130 hours.

cc: Commander Toni Bland
Commander Adam Powell
Captain Paul D'Auria
Captain Wayne Byerley
Lieutenant Jason Danks
Recruiting Manager – Vicki Pirooz
Human Resources – Robin Scruggs
County Counsel – Mark Howe
Human Resources Services – Robert O'Brien
Sheriff's Payroll – Doris De La Cruz
PSD – Sophia Maciel, Transaction Team
PSD – Joan Villanueva, Transaction Team
PSD – Juana Fierro, Position Control

ORANGE COUNTY
SHERIFF'S DEPARTMENT

550 N. FLOWER STREET
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714-647-7000
WWW.OCSD.ORG

SHERIFF-CORONER
SANDRA HUTCHENS

NOTICE OF ADMINISTRATIVE LEAVE

You are hereby notified that, in accordance with Article I, Section 7A of the Personnel and Salary Resolution, you are on administrative leave with pay, effective immediately.

You are ordered to be on call and remain at your residence, or other designated area, Monday through Friday, between 0800 and 1600 hours, except for county holidays. Please contact Internal Affairs at (714) 834-5548, if you will be away from your residence during that time period.

Consent to leave must be authorized by the Professional Standards Division Captain, Lieutenant or their designee.

Use of sick pay, compensatory pay, vacation pay, etc., during the hours of administrative leave, continue to fall under the provisions provided in the memorandum of understanding for your employee group.

CURTIS VINCENT
Employee Name (print)

[redacted]
Residence / Designated Area Address

[redacted] [redacted] (CELL)
Telephone Number(s)

IAL
Employee's Assigned Division

#6316
Employee Signature

MONDAY NOVEMBER 2, 2015
Date

Assistant Sheriff or Designee

11/2/15
Date

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SANDRA HUTCHENS

P.I. #15-150 / Deputy Curtis Vincent

PUBLIC SAFETY OFFICER PROCEDURAL BILL OF RIGHTS (POBOR)

You are being advised that your rights are fully outlined in the Public Safety Officers Procedural Bill of Rights Act, Government Code 3300-3311. Your rights include:

3303(b) **You have the right to know who will be conducting the interview**

3303(c) **You have the right to know the nature of the investigation prior to the interview**

3303(i) **You have the right to have a representative of your choice present during the interview**

3303(g) **You have the right to record this interview with your own recorder**

3303(g) **Should it become necessary to interview you a second time reference this investigation, a copy of this interview will be made available to you prior to the second interview.**

I have read and acknowledged the above advisement. I fully understand the above listed rights will be afforded me during this interview.

Employee Signature — Monday April 4, 2016 — Date

Sergeant Signature #6475 — 4-4-16 — Date

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SANDRA HUTCHENS

P.I. #15-150

CONFIDENTIALITY DIRECTIVE

Deputy Curtis Vincent, you are hereby ordered not to discuss this case (or any case in which you are a witness or a principal), using any form of communication, with anyone other than your employee representative, Internal Affairs Sergeants or specific parties that may be designated by Internal Affairs.

For the purpose of this directive, the Internal Affairs Investigator presenting this directive is your superior officer. Any violation of this directive may be considered a violation of Orange County Sheriff-Coroner Department Policy 1018.4 and subject you to possible discipline, up to and including dismissal.

OCSD Policy 1018.4 Insubordination

Members shall not be insubordinate. Intentional failure or refusal by any member of the department to obey a lawful order given by a superior officer shall be insubordination.

I have read and acknowledged the above admonition. I fully understand that I am required to make full, complete and truthful statements. Any refusal to do so will be considered insubordination, resulting in discipline up to and including termination.

Deputy Curtis Vincent — MONDAY APRIL 4, 2016 — Date

Sergeant Signature #6475 — 4-4-16 — Date

SHERIFF-CORONER DEPARTMENT
COUNTY OF ORANGE
CALIFORNIA

SANDRA HUTCHENS
SHERIFF-CORONER

P.I. #15-150

MIRANDA WARNING / LYBARGER ADMONISHMENT

Due to the nature of this administrative investigation, Government Code Section 3303(h) requires me to advise you of your rights. Therefore it is important that you understand that criminally:

- *You have the right to remain silent. (Do you understand?)*
- *Anything you say may be used against you in court. (Do you understand?)*
- *You have the right to an attorney before and during any questioning. (Do you understand?)*
- *If you cannot afford an attorney, one will be appointed for you before questioning. (Do you understand?)*

MIRANDA WAIVER

Waiver: With these rights in mind, would you like to speak to me? ***YES*** ***NO***

I have read and acknowledge the above admonition and fully understand my Constitutional/Miranda Rights.

Employee Initials (CDV)

LYBARGER WARNING

Deputy Curtis Vincent*, because you have chosen to invoke your rights under Miranda, and according to the Lybarger v- Los Angeles decision, I must advise you that the interview at this point will be administrative, and no part of this interview or information that is derived from this interview may be used in a criminal investigation. However, at the same time, since this is administrative, I must remind you that you must answer the questions and, should you refuse to answer any of the questions, that at some future date you may be charged with insubordination.*

I have read and acknowledged the above Lybarger warning. I fully understand I am being compelled to answer any and all questions. Any refusal to do so will be considered insubordination, resulting in discipline up to and including termination.

Employee Initials CDV

Employee Name — MONDAY APRIL 4, 2016 — Date

Sgt. Dul #6125 — 4-4-16

Sergeant — Date

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SANDRA HUTCHENS

P.I. #15-150

CONFIDENTIALITY DIRECTIVE

CST[redacted] you are hereby ordered not to discuss this case (or any case in which you are a witness or a principal), using any form of communication, with anyone other than your employee representative, Internal Affairs Sergeants or specific parties that may be designated by Internal Affairs.

For the purpose of this directive, the Internal Affairs Investigator presenting this directive is your superior officer. Any violation of this directive may be considered a violation of Orange County Sheriff-Coroner Department Policy 1018.4 and subject you to possible discipline, up to and including dismissal.

OCSD Policy 1018.4 Insubordination

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I have read and acknowledged the above admonition. I fully understand that I am required to make full, complete and truthful statements. Any refusal to do so will be considered insubordination, resulting in discipline up to and including termination.

[redacted]

3/24/16
Date

Sgt. [illegible] #6178
Sergeant Signature

3-24-16
Date

ORANGE COUNTY
SHERIFF'S DEPARTMENT

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SHERIFF-CORONER
SANDRA HUTCHENS

P.I. #15-150

CONFIDENTIALITY DIRECTIVE

Deputy [redacted] you are hereby ordered not to discuss this case (or any case in which you are a witness or a principal), using any form of communication, with anyone other than your employee representative, Internal Affairs Sergeants or specific parties that may be designated by Internal Affairs.

For the purpose of this directive, the Internal Affairs Investigator presenting this directive is your superior officer. Any violation of this directive may be considered a violation of Orange County Sheriff-Coroner Department Policy 1018.4 and subject you to possible discipline, up to and including dismissal.

OCSD Policy 1018.4 Insubordination

Members shall not be insubordinate. Intentional failure or refusal by any member of the department to obey a lawful order given by a superior officer shall be insubordination.

I have read and acknowledged the above admonition. I fully understand that I am required to make full, complete and truthful statements. Any refusal to do so will be considered insubordination, resulting in discipline up to and including termination.

[redacted]

Deputy [redacted]

03/28/16
Date

Sgt. Gul #6175
Sergeant Signature

3-28-16
Date

ORANGE COUNTY
SHERIFF'S DEPARTMENT

550 N. FLOWER STREET
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SHERIFF-CORONER
SANDRA HUTCHENS

P.I. #15-150

CONFIDENTIALITY DIRECTIVE

Deputy [redacted] you are hereby ordered not to discuss this case (or any case in which you are a witness or a principal), using any form of communication, with anyone other than your employee representative, Internal Affairs Sergeants or specific parties that may be designated by Internal Affairs.

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OCSD Policy 1018.4 Insubordination

Members shall not be insubordinate. Intentional failure or refusal by any member of the department to obey a lawful order given by a superior officer shall be insubordination.

I have read and acknowledged the above admonition. I fully understand that I am required to make full, complete and truthful statements. Any refusal to do so will be considered insubordination, [redacted] ***nd including termination.***

Deputy [redacted]

3.30.16
Date

Sgt. [illegible] 6475
Sergeant Signature

3-30-16
Date

ORANGE COUNTY
SHERIFF'S DEPARTMENT

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SHERIFF-CORONER
SANDRA HUTCHENS

P.I. #15-150

CONFIDENTIALITY DIRECTIVE

CSA[redacted] you are hereby ordered not to discuss this case (or any case in which you are a witness or a principal), using any form of communication, with anyone other than your employee representative, Internal Affairs Sergeants or specific parties that may be designated by Internal Affairs.

For the purpose of this directive, the Internal Affairs Investigator presenting this directive is your superior officer. Any violation of this directive may be considered a violation of Orange County Sheriff-Coroner Department Policy 1018.4 and subject you to possible discipline, up to and including dismissal.

OCSD Policy 1018.4 Insubordination

Members shall not be insubordinate. Intentional failure or refusal by any member of the department to obey a lawful order given by a superior officer shall be insubordination.

I have read and acknowledged the above admonition. I fully understand that I am required to make full, complete and truthful statements. Any refusal to do so will be considered insubordination, resulting in discipline up to and including termination.

[redacted]

CSA[redacted] 03/28/2016
Date

Sgt. Brooks #6475
Sergeant Signature

3-28-16
Date

ORANGE COUNTY
SHERIFF'S DEPARTMENT

550 N. FLOWER STREET
SANTA ANA, CA 92703
714-647-7000
WWW.OCSD.ORG

SHERIFF-CORONER
SANDRA HUTCHENS

D.P.I. 15-150

CONFIDENTIALITY DIRECTIVE

Deputy [redacted] you are hereby ordered not to discuss this case (or any case in which you are a witness or a principal), using any form of communication, with anyone other than your employee representative, Internal Affairs Investigators or specific parties that may be designated by Internal Affairs.

For the purpose of this directive, the Internal Affairs Investigator presenting this directive is your superior officer. Any violation of this directive may be considered a violation of Orange County Sheriff-Coroner Department Policy 1018.4 and subject you to possible discipline, up to and including dismissal.

OCSD Policy 1018.4 Insubordination

Members shall not be insubordinate. Intentional failure or refusal by any member of the department to obey a lawful order given by a superior officer shall be insubordination.

I have read and acknowledged the above admonition. I fully understand that I am required to make full, complete and truthful statements. Any refusal to do so will be considered insubordination, resulting in discipline up to and including termination.

[redacted]
Employee Signature

03-23-2016
Date

Sgt. Thomas Graham #6178
Sergeant Thomas Graham

3-23-16
Date

ORANGE COUNTY
SHERIFF'S DEPARTMENT

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SHERIFF-CORONER
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[redacted]

Deputy [redacted]

3-23-16
Date

Sgt. [signature] #6175
Sergeant Signature

3-23-16
Date

OCSD Professional Standards Division

Case Report by Principal - CURTIS VINCENT

Print Date: 11/2/2015

Case Number	Incident Date	Issue Date	Complete Date	Complaint Description	Disposition
[redacted]					
PI15-094 A	7/2/2015	07/08/2015		Allegations of unauthorized disclosure of conffidential information.	Pending

Total Cases per Principal: [redacted]

To: Personnel Dept. & Employee Benefits

☒ AOCDS Member
(check box only if applicable)

From: OCERS - Retirement Benefits

Subject: Notice of Retirement

Name: CURTIS VINCENT SSN: [redacted]

**Address: _____

List only if member is in Deferred Retirement status

Date of Retirement: 11/16/2016 Date of Birth: [redacted]

Separation Date: 11/15/2016 Agency: SHERIFF-SAFETY

Type of Retirement: Service Retirement

ORANGE COUNTY SERVICE ONLY

	YEARS	FROM	TO
Current Orange County Service:	30.5724	03/28/2016	11/15/2016

Service Credit Purchases:

Extra Help:		/ /	/ /
		/ /	/ /
Med Leave/Work Comp:		/ /	/ /
		/ /	/ /
Public Service:		/ /	/ /
		/ /	/ /
Prev. Orange County Service:		/ /	/ /
		/ /	/ /

Early Retirement Incentive: ____

TOTAL SERVICE YEARS: **30.5724**

Angel Bronsgeest
OCERS – Member Services

11/16/16
Date