

**Internal Investigation
Administrative Worksheet
PI# 15-160**

Principal(s): Deputy Angel Guerrero

Complainant(s): Administration

Facility/Location: Intake and Release Center

Disposition:

1. OCSD Policy Manual Section 1018.1 – Standard of Conduct

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

2. OCSD Policy Manual Section 1018.27 - Untruthfulness

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

3. OCSD Policy Manual Section 1018.33 – Incurring liability

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

4. OCSD Policy Manual Section 1018.43 - Fraternization

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

5. OCSD Policy Manual Section 1018.6 – Obedience to laws and regulations

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

6. OCSD Policy Manual Section 1001.2 – Canons of ethics standard 4.4

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

7. OCSD Policy Manual Section 1001.2 – Canons of ethics standard 4.8

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

8. OCSD Policy Manual Section 1001.2 – Canons of ethics standard 4.9

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

9. OCSD Policy Manual Section 1001.2 – Canons of ethics standard 6.3

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

☐ Administrative Leave

Discipline: ☐ Written Reprimand ☐ Suspension (# of hours _____)
☐ Demotion (to rank of _____) ☒ Dismissal

Comments / Other: _____

Administrative Disposition by:

P. D. D. -
for J. M. M.

Date:

4/27/17
5-2-17

Date:

JUNE 14, 2017

Administrative Appeal Hearing

Time:

2:00 PM

In Attendance:

DAVID GOLDWASSER, CHARLIE WATERS, CORY
MARTINO, ANGELO GUERRERO, WILLIAM BAREN

Comments:

Disposition:

DISMISSAL DECISION UPHOLD

Disposition by:

Commander WILLIAM BAREN

Date:

6-19-17



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. #15-160

Angel Guerrero
[REDACTED]
[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 immediately.

On Wednesday, June 14, 2017, Commander William Baker met with you and your representative, Dave Goldwasser. After reviewing the materials and considering the information presented, Commander Baker decided to uphold the proposed action to dismiss you from your employment.

This proposed action is based on the Department's determination that (1) you violated the law by accessing, furnishing, and receiving privileged information using the ELETE data base system without having proper authorization. You pled guilty to two charges of CPC 11143 on August 8, 2016; (2) you misused information that you obtained from the Department's criminal history data bases; (3) you impermissibly and knowingly fraternized with a probationer after the inmate was released from Orange County jail within one year; (4) you knowingly made false statements during your administrative interview; (5) you brought discredit upon yourself and the Department, and (7) your actions exposed the Department to liability.

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.

J. Coppock

John Coppock, Captain
Professional Standards Division

6-20-17

Date

*Angel Guerrero by
Daniel C. Goldwasser* *ACOS*
Angel Guerrero, Deputy Sheriff I

6.20.2017

Date



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SHERIFF-CORONER
SANDRA HUTCHENS

NOTICE OF INTENT TO DISMISS PI #15-160

Angel Guerrero

[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.

This proposed action is based on the Department's determination that (1) you violated the law by accessing, furnishing, and receiving privileged information using the ELETE data base system (you pled guilty to two charges of CPC 11143 on August 8, 2016) without having proper authorization; (2) you misused information that you obtained from the Department's criminal history data bases; (3) you impermissibly and knowingly fraternized with a probationer inmate after the inmate was released from Orange County jail within one year; (4) you knowingly made false statements during your administrative interview; (5) you brought discredit upon yourself and the Department, and (7) your actions exposed the Department to liability. Your misconduct violated all of 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.

2. 1018.27 UNTRUTHFULNESS

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

3. 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.

4. 1018.43(a) - FRATERNIZATION:

(a). Except as permitted by written authority of their unit 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.

5. 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.

6. 1001.2 CANONS OF ETHICS:

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 4.4 – *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 4.8 – Peace officers shall not engage in any activity that would create a conflict of interest or would be in violation of 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 6.3 - Peace officers shall conduct themselves so as to set exemplary standards of performance for all law enforcement personnel.

EMPLOYMENT HISTORY

You began your employment with the County of Orange on January 17, 1997 as an Orange County Marshal. On June 30, 2000 you joined the Orange County Sheriff's Department and were assigned to Custody Operations. You currently work at the Intake and Release Center.

Throughout your employment with the Department, you have received training on various Department policies and procedures including the Department's policy on professional/ethical conduct. According to Lexipol, the Department's web-based policy provider, you last logged in to and acknowledged receipt of the Department's Policy Manual on September 1, 2016. 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 November 30, 2015, at the direction of Assistant Sheriff Kea, Internal Affairs initiated a personnel investigation into your on and off duty actions. It is alleged on September 4, 2013, you were involved in unprofessional conduct both on and off duty and had an inappropriate relationship with a probationer.

During the investigation into your inappropriate relationship with probationer [REDACTED] it was discovered you logged into the ELETE data base system and retrieved information on probationer [REDACTED] and [REDACTED] for personal reasons. This was discovered by Internal Affairs. Application Specialist Tina Winterburn provided Internal Affairs with this information. It shows you logged in thirty-seven times from November 20, 2014 to October 24, 2015 to retrieve information pertaining to [REDACTED]. You also logged in forty-one times from November 15, 2014 to September 26, 2015 to retrieve information pertaining to probationer [REDACTED]. Due to this information, Internal Affairs requested for an Internal Criminal investigation to be conducted.

On February 9, 2016, Investigator Kim from the Orange County Sheriff's Department Homicide Unit was assigned to this case and investigated this new information. After completion of his

investigation, he sent it to the Orange County District Attorney's Office for review. After review, charges were filed against you and you pled guilty on August 8, 2016 to two misdemeanor charges of CPC 11143-Unauthorized person receiving privileged information. Once the criminal investigation was complete, Internal Affairs resumed the administrative investigation into your on and off duty misconduct.

Special Incident Report by Orange County Deputy Probation Officer Ortiz

On November 25, 2015, at approximately 1015 hours, Deputy Probation Officers (DPO) Ortiz and Fix were booking a probationer into the Orange County Jail. You were working in the receiving guard station accepting paperwork for newly booked inmates. DPO Ortiz states he has known you from previous bookings and you had previously given information reference a probationer, [REDACTED]. You indicated to Ortiz that [REDACTED] was your niece.

The first time you inquired about [REDACTED] was in January 2015. You initially informed Ortiz that you were a friend of the family, and [REDACTED] had absconded probation. You and her family were concerned about her drug use and associates. DPO Ortiz confirmed with her assigned Probation Officer M. Yriarte, she was living on Ball Road in the City of Anaheim. DPO Ortiz advised DPO Yriarte he was going to conduct a probation check on [REDACTED]. On January 23, 2015, DPOs Ortiz and Fix contacted [REDACTED] mother and sister who confirmed [REDACTED] was not living with them. [REDACTED] had absconded probation supervision thereafter.

During a subsequent booking at the Orange County Jail, you informed Ortiz that [REDACTED] was staying at her husband's residence in the City of Fullerton. On February 5, 2015, DPOs Ortiz and Fix went to the residence of [REDACTED] in the city of Fullerton, and located [REDACTED]. [REDACTED] was cited for HS 11364 by the Fullerton Police Department, and [REDACTED] was booked for a probation violation. For the next several months, during the booking process at the Orange County Jail, DPOs Ortiz and Fix saw you. You stated [REDACTED] had violated a restraining order that prevented him from having contact with [REDACTED]. You also stated [REDACTED] was in custody for new charges, and his arrest would help with [REDACTED] sobriety. You again were referring to [REDACTED] as your [REDACTED]. During another booking at the Orange County Jail, you commented to Ortiz that [REDACTED] had been transferred to a different institution and that you had arranged for [REDACTED] to return to the Main Jail. DPO Ortiz did not make any assumptions and he did not ask you the reason for the transfer.

On November 25, 2015, while booking a probationer, you grabbed DPO Ortiz' attention and wanted to talk about [REDACTED]. You stated again that [REDACTED] was your niece and you spoke to her about being in compliance with probation. You were concerned about her honesty with her probation officer, and she might not be living with her grandmother at the Ball Road address. [REDACTED] told you she was considering going back to court to remove the restraining order against her husband, [REDACTED]. You did not want this to happen because she may get back into using drugs again. You also stated [REDACTED] had been "hanging out" with friends that might negatively influence her, and she had not told her probation officer this information. You asked DPO Ortiz

to do a compliance check at her grandmother's residence as you were concerned about your niece [REDACTED]. You asked DPO Ortiz to call afterwards and you wrote down your office phone number (647-6040) and your personal cell number [REDACTED] on a yellow Post-it note.

DPO Ortiz asked you what your niece's name was and you said, [REDACTED]. You said her date of birth was [REDACTED]. DPO Ortiz asked you if you remembered her address on Ball Road and you offered to look up the information on the OCSD data base system (ELETE). DPO Ortiz told you it was not necessary and he would look on their ICMS. Due to the fact [REDACTED] was on formal probation, and DPO Ortiz had previous contact with the family, DPO Ortiz told you he would conduct a compliance check as you seemed like a concerned relative and did not want to see your niece violate her probation. DPO Ortiz recalled DPO Yriarte was scheduled off, so he reviewed the ICMS notes on [REDACTED]. DPO Ortiz noticed on September 24, 2015, DPO Yriarte attempted to contact the probationer at the Ball Road address and was unclear if the probationer was in fact living there. DPO Ortiz decided to conduct a compliance check on [REDACTED] due to the fact that [REDACTED] might not be living at her address of record and also DPO Ortiz had information from you that she might not be in compliance with her terms of probation.

At approximately 1045 hours, DPOs Ortiz and Fix arrived at [REDACTED] in the City of Anaheim, [REDACTED] address of record. They knocked on the door and [REDACTED] opened the door. DPO Ortiz told her they were there to do a compliance check and they were glad to see her at her reported address. DPO Ortiz told her he would inform DPO Yriarte he verified the residence and she was taking care of her grandmother as DPO Yriarte had stated. DPO Fix asked her if she had belongings to confirm her residency, and she stated that she did. She pointed to a closet that DPO Fix searched while DPO Ortiz asked her to have a seat on a dining room chair. She slept on the bed in the family room within reach of the dining room chair. DPO Ortiz noticed two cell phones, an iPhone, and a wireless Ipad on her bed. She stated that they were her phones and she was going to sell the white phone at a nearby store. DPO Ortiz picked up the dark colored Samsung phone from her bed and began to scroll through the text messages to verify that she was not involved in any drug transactions because she was on probation for HS 11352 (Drug sales). DPO Ortiz noticed the first text message from "My Fifty Shades" and observed several sexually explicit text messages to and from the probationer and "My Fifty Shades". The most recent text was sent and received November 25, 2015 between [REDACTED] and "My Fifty Shades".

DPO Ortiz asked [REDACTED] if she was in a relationship at this time, knowing that her husband, [REDACTED], was in custody. DPO Ortiz was concerned that the text messages might be from [REDACTED] and he may have had access to a cell phone while in custody. She stated that she had a boyfriend and then stated he was her fiancé. DPO Ortiz asked his name, and she asked if she needed to tell him. DPO Fix told her that DPO Yriarte would want to know who her associates are in order to ensure that her fiancé was not on probation or parole. [REDACTED] stated her fiancée was you. DPO Fix asked why she did not want to initially state her fiancé's name. [REDACTED] explained that you were a Deputy with the Sheriff's Department. DPO Ortiz looked back into the contacts in the phone to identify the phone number associated with "My Fifty Shades", and found the phone

number to be [REDACTED] the same phone number given by you. DPO Fix finished her search of [REDACTED] purse and located two credit cards with other individual's names on them. The two credit cards and the Samsung cell phone were seized, and DPO Fix wrote the items on the back of her business card to indicate that they were seized by the Probation Department. DPO Ortiz told [REDACTED] to report to DPO Yriarte on November 30, 2015 in order to talk to her about the contents on the cell phone as well as to be honest with DPO Yriarte about her relationship with her associates.

Upon returning to the Probation Department, Supervising Probation Officer (SPO) Shawn Barry was notified of the findings. SPO Christine Staswick and DPO Michele Yriarte were also notified.

REVIEW OF CELL PHONE RECORDS

According to a review of [REDACTED] cell phone records, you and [REDACTED] communicated via text message. The text messages were from November 6, 2015 to November 29, 2015. Several of these text messages were sexual explicit in nature. During your administrative interview, you admitted to texting and communicating with probationer [REDACTED] and knowingly violating the Orange County Sheriff's Department Fraternization Policy.

INTERNAL AFFAIRS INVESTIGATION

On October 12, 2016, the Internal Affairs Bureau received the investigation from the Internal Criminal Bureau and conducted an Administrative Personnel Investigation for the purpose of determining whether your conduct violated Department policy.

Summary of Internal Affairs Interview of Probationer [REDACTED]

On January 12, 2016, at approximately 1105 hours, Sergeants Graham and Asuncion interviewed [REDACTED] at the Orange County Probation Office in the City of Orange. Deputy Probation Officers (DPO) Ortiz and Yriarte were also present during the interview.

[REDACTED] stated she and you have been friends for the past 10 years. According to the report, she told DPO Ortiz that you were her fiancée. Asuncion asked [REDACTED] if you were her fiancée. She replied, "Yes, it's only because the fact that I am still technically married but I'm going through a divorce. And fiancée is kind of like overtop, it's just that we are serious as far as like we both love each other. We have a love for each other. I've known him for over 10 years." [REDACTED] was wearing an engagement ring for a month but decided to not wear the ring because she has not seen or heard from you for a couple of months. After DPO Ortiz confiscated her cell phone, [REDACTED] has not been able to contact you because she does not have any of your contact information.

[REDACTED] claimed to have met you over 10 years ago at Taboo's Gentlemen Club where she used to work. You were a regular customer and after a period of time, you and [REDACTED] had an

intimate relationship. [REDACTED] explained the relationship was not going any further than just a sexual relationship because she was still young and dating other people. One day, [REDACTED] mentioned marriage to you and you expressed to her you were not interested in marrying her at this time. [REDACTED] started dating other men and eventually married [REDACTED]. You and [REDACTED] remained friends and kept in contact even after the marriage. [REDACTED] stated she would not contact you "all the time" but would call you every now and then.

A few months into her marriage (2013) with [REDACTED] [REDACTED] was involved in a domestic violence incident involving [REDACTED]. She called you for advice. You comforted her and gave her advice about how to handle her marriage. She decided to separate from [REDACTED] and worked on divorce paperwork. [REDACTED] stated [REDACTED] did not have a restraining order against him at the time preventing him from contacting her. She was told about getting one on [REDACTED], but denied ever requesting one. [REDACTED] never told you about the Emergency Protective Order that was obtained. [REDACTED] claimed you never told her you would get [REDACTED] arrested to keep her safe. You do not know [REDACTED] and are not related in any way. She was not sure how you knew she lived in Fullerton with [REDACTED]. [REDACTED] stated you have always been a friend and a positive influence in her life.

[REDACTED] has been in custody a few times in her life and claims the last time was in February of 2015. [REDACTED] saw you twice while she was in custody at the IRC and said she did not know you were a Deputy Sheriff until then. While in custody, [REDACTED] spoke to her mother who told her she had spoken to you and told you she was in jail. You assured [REDACTED] mother that she would be ok and you mentioned you worked for the Sheriff's Department. [REDACTED] recalled you telling Deputy Drummond you were related to her. You spoke to [REDACTED] in the outdoor recreation area in her module at the IRC and made sure she was doing ok. [REDACTED] stated the two of you were never alone and there were other deputies and inmate workers at a distance. She was always out of view from the other inmates. You never had physical contact or promised anything to her while she was in jail.

After [REDACTED] was released from custody, you contacted her by cell phone to check on her. At the end of the summer (2015), [REDACTED] and you met with each other approximately 8 times and were sexually intimate with each other approximately 5 out of the 8 times. You gave [REDACTED] an engagement ring in October of 2015. The last time [REDACTED] and you contacted each other was on November 24, 2015.

Sergeant Graham asked if you ever mentioned to her you should probably not go out with her. She replied, "He did say something about being in custody under a year, something like that." [REDACTED] admitted your relationship with her was very secretive. She added, "Just that, I needed to stay out of trouble and that if I wanted to continue seeing him that he'll never see me like this." Sgt. Asuncion confirmed with [REDACTED] that you told her, something to the effect of, "I can't see you because it's under a year. I have to wait."

██████████ called you "My Fifty Shades" because she read the book while she was in custody.

Summary of Internal Affairs interview with Deputy ██████████

On January 25, 2016 at approximately 1322 hours, Sergeant Graham and Sergeant Asuncion interviewed Deputy ██████████ in the Intake and Release Center Conference Room reference the above case.

██████████ has worked for the Sheriff's Department for 15 years. She is currently assigned to Custody Operations and works at the Intake and Release Center. ██████████ is familiar with the Department's policies and procedures and knows how to access the policy manual.

In February of 2015 through March of 2015, ██████████ was working in module November at the Intake and Release Center. At first, ██████████ did not remember an inmate by the name of ██████████. Sgt. Asuncion showed ██████████ a booking photo of ██████████ and ██████████ stated ██████████ looked familiar and she believes ██████████ was housed in sector 27. Sgt. Asuncion asked ██████████ if she was ever contacted by you regarding ██████████. She said yes and it was sometime in February or March of 2015. You asked ██████████ to come down to your work location (IRC receiving guard station) so you could talk with her. You told ██████████ your cousin, ██████████ was in custody for domestic violence charges and you wanted her to watch out for her explaining ██████████ was in a bad situation and you wanted to make sure nothing happened to her. After the conversation, ██████████ left your work location and returned to module November.

Approximately two weeks later, ██████████ recalled you coming to module November and having a discussion with her regarding inmate ██████████. ██████████ did not remember what the conversation was about but did say you asked about ██████████ and again said ██████████ was your ██████████ and you wanted her to keep an eye on her and to make sure nothing happened to her. ██████████ did not remember if you actually talked to ██████████ while inside the module but does remember you mentioning something about ██████████ going through a divorce. You left after this conversation.

██████████ was asked if it is common practice for deputies to come to the module to talk with other deputies. ██████████ said this happens all the time but deputies usually do not inquire about a specific inmate and/or family member. They usually talk about everyday life. ██████████ had nothing else to say and said she was honest and truthful during this interview.

Summary of Internal Affairs Interview of Deputy Angel Guerrero

On February 28, 2017 at approximately 1230 hours, Sgt. Virgil Asuncion and Sgt. Charles Walters interviewed you in the Internal Affairs' office. Also present was AOCDS representative/attorney Dave Goldwasser.

You have worked for the Sheriff's Department for approximately 17 years. You are currently assigned to Custody Operations and work at the Intake and Release Center. You claimed to be familiar with the Department's policies and procedures and know how to access the policy manual.

You stated you have known [REDACTED] (Formal probationer) for approximately 15 years. [REDACTED] has been a friend of yours since 2002/2003. You admitted you and [REDACTED] have had a sexual relationship in the past and the last time you had a sexual encounter with [REDACTED] was at the end of November 2015. You admitted [REDACTED] has had a troubled past and has been in custody for narcotics violations. You knew she was housed at the Intake and Release Center from January 2015 to March 2015 which is where you work.

On January 25, 2015, you recalled Probation Officers Ortiz and Fix being at the Intake and Release Center and booking someone into jail. You spoke to Ortiz and told him [REDACTED] was your niece and you wanted them to check on her. You admitted [REDACTED] was not your niece in reality but you told Ortiz she was because you wanted to make it easier for you and everybody else so people would not ask who [REDACTED] was and how you knew her. You made the statement, "Once everyone believed she was a family member they would lay off of asking me questions."

Sgt. Walters asked you if you knew [REDACTED] was on probation when you told Ortiz she was your niece. At first you said she was not. Sgt. Asuncion asked you if you knew she was on probation. You said, "Not at the time, no." Sgt. Asuncion then said, "Then why did you ask a probation officer about [REDACTED]?" You said, "She was in a relationship with someone who was very violent to her and I wanted probation to go and seek her out and find her." Sgt. Asuncion said, "If [REDACTED] was not on probation then why would you ask probation to check on her? You said, "Uh, she had a probation hold, or something like that." Sgt. Asuncion said, "So, if she had a probation hold wouldn't that mean she was on probation?" You said, "Yeah, I guess so." You then changed your story and said you knew she was on probation when you told Ortiz that [REDACTED] was his niece. Your statement directly contradicts your early statement that you did not know [REDACTED] was on probation when telling Ortiz she was your niece. You also admitted when telling Ortiz that [REDACTED] was your niece, it was an untrue statement and that you gave false information to a probation officer.

Sgt. Walters asked you if you told Ortiz that [REDACTED] may be using drugs and had absconded pertaining to her probation. You said [REDACTED] was giving her drugs, but you were unaware if she used drugs in the past. You admitted to knowing her booking charges had to do with the transportation of narcotics. You explained [REDACTED] situation to Ortiz and asked him to find her because [REDACTED] had called you and stated [REDACTED] was very controlling and did not want to let her out of the house. You said that Ortiz told you he knew who [REDACTED] was and that he was a bad guy.

On February 5, 2015, Probation Officer's Ortiz and Fix went to [REDACTED] and [REDACTED] house in Fullerton and arrested [REDACTED]. You admitted you told Ortiz that [REDACTED] was staying at [REDACTED] house in Fullerton. Once [REDACTED] was arrested, you claimed you did not know what she was arrested for. Once she was booked in, you remembered telling Ortiz that [REDACTED] had violated a restraining order that [REDACTED] had placed on him. Sgt. Asuncion asked you how you knew [REDACTED] had a restraining order against [REDACTED]. You stated [REDACTED] told you about the restraining order but then you said you assumed the restraining order was real because of what [REDACTED] told you.

You told Ortiz to contact you if they made contact with [REDACTED] while at [REDACTED] house. You said you possibly could have written down your cell phone [REDACTED] and work numbers (714-647-6040) on a yellow piece of paper and gave it to Ortiz. Sgt. Walters showed you the yellow piece of paper with your cell phone and work numbers on it and you said it was your writing and that you wrote down the numbers, but you did not write [REDACTED] date of birth. Sgt. Walters asked you if you ever offered to run [REDACTED] on the law enforcement data base ELETE for Ortiz to get her address. You said, "No." You then said, "I ran something on ELETE. I tried to see if there was a restraining order on her." Sgt. Asuncion asked you how you would run someone on ELETE. You stated, "I couldn't really do it because I really didn't know how to get on the system because no one gave me formal training on ELETE, except for the written test they give you, but they don't show you how to go onto ELETE until you go to patrol." Sgt. Walters asked you in the seventeen years while working at the IRC and in the receiving guard station, did you ever go onto ELETE and run someone. You said, "I ran people for warrants, and I have operated on ELETE." Sgt. Walters asked you if you ran [REDACTED] and [REDACTED] on ELETE. You said, "Yes." Sgt. Walters asked you if you pled guilty in court to two counts of unauthorized person receiving privileged information. You said, "Yes." Sgt. Walters asked you if you were going to stick to his previous statement claiming to not know how to get onto the ELETE data base system and have an understanding how to operate it. Guerrero said, "Uh yes, I know how to run ELETE and I know it was wrong." This directly contradicts your previous statement that you did not know how to use ELETE.

You used ELETE to see if there was a restraining order pertaining to [REDACTED] and [REDACTED]. You claimed you could not open the section to find it. Sgt. Walters asked you if you knew [REDACTED] was on probation. You said, "Yes." Sgt. Walters asked you again if you knew about the restraining order. You said, "Yes". Sgt. Walters asked you if you knew all this because you found it on ELETE. You said [REDACTED] showed you the restraining order when the two of you went to lunch together. Sgt. Asuncion asked you about your statement earlier in the interview that you assumed [REDACTED] had a restraining order. You said you did in fact meet with [REDACTED] and saw the restraining order. Sgt. Walters again asked you if you had been trained on ELETE and if you pled guilty to using ELETE when you were not supposed to. You said yes. This directly contradicts your previous statement on not being trained on ELETE, how to use it, and actually seeing the restraining order and knowing one existed. Sgt. Walters asked you again if you ever offered to run [REDACTED] on ELETE for Ortiz to get him her address that was off of Ball Road. You said, "Yes." You again said

you ran [REDACTED] and [REDACTED] on ELETE. You knew it was wrong the entire time and knew you were not supposed to do this while working as a Deputy Sheriff.

You knew [REDACTED] was on formal probation from January 2015 to November 2015. You contacted [REDACTED] by both cell phone and in person during this time frame. You had [REDACTED] cell phone number in your cell phone and would send sexual explicit text messages to her. You were unaware of how many sexual explicit text messages you actually sent her. Sgt. Walters asked you if [REDACTED] had a nickname for you or a saying that she might have put in her cell phone to disguise your number. You did not know. Sgt. Walters asked you if you ever heard [REDACTED] say that you were "My Fifty Shades" to her. You never heard her say anything about this. [REDACTED] only called you by your first name. You did admit you gave your cell phone number to Ortiz which was the same cell phone number that was found in [REDACTED] cell phone records. Sgt. Walters showed [REDACTED] phone records and again you confirmed your cell phone number was on it and under the name "My Fifty Shades."

You had a sexual relationship with [REDACTED] while she was on formal probation. Once [REDACTED] was released from jail on March 17, 2015, you stated she went to a women's shelter for domestic violence victims. You believed [REDACTED] left the shelter in the summer months of 2015. During this time, you had a sexual relationship with her. You said the two of you had sex 3 or 4 times. You did not wait for [REDACTED] to get off of probation or wait over a year from her being released from jail to have a sexual relationship with her. You knew this was a violation of the Fraternization Policy and knew you did not comply with the policies of the Orange County Sheriff's Department. You did not notify anyone from the department that you were having a sexual relationship with [REDACTED] (Formal probationer) and did not notify your immediate supervisor in writing. Again, this violated the Fraternization Policy of the Orange County Sheriff's Department.

You told Sgt. Walters and Sgt. Asuncion that [REDACTED] was not your niece as you previously told Ortiz. Sgt. Walters asked you if you ever gave [REDACTED] an engagement ring. You said no. You did admit you gave [REDACTED] a ring but called it a friendship ring and you did not know what finger she wore it on. As you gave [REDACTED] the ring, you told Sgt. Walters you explained to her the ring was a friendship ring and nothing more. Sgt. Asuncion asked you if [REDACTED] could have interpreted this as an engagement ring. You said no, but could have explained it better to her that it was just a friendship ring and not an engagement ring. You said [REDACTED] was just a friend who you would sexually hook up with even though you were married. You said the last time you had sex with [REDACTED] was in November of 2015. You said you knew having sex with [REDACTED] was a violation of the Fraternization policy and knew you should not have done it.

Sgt. Walters asked you if you ever placed money on [REDACTED] inmate account while she was in custody at the Intake and Release Center. You said, "Yes." You put money "on her books" because she would call you and say she needed money to buy things. You would put seventy-five dollars in her inmate account at one time and claimed you did this three to four times while she was in jail. You would transfer the money to her account on your day off. You also admitted

to giving [REDACTED] money when she was out of custody so she could buy things as well. You would give her cash whenever she asked. You admitted this was not a normal act of a Deputy Sheriff.

You visited [REDACTED] two times while she was in custody as you were working the receiving guard station at the IRC. You would take your lunch break and go to module November to talk to her. You would ask the CSAs or Deputies working in module November to pull her out of her cell and place her into the outdoor recreation area so you could talk to her. You were unsure who the CSAs or Deputies were but claimed they never asked you why you were pulling her out. You claimed you wanted to know her mental state and if she needed anything from you in order for you to help. You admitted you know you should not have gone and seen her while working as a Deputy Sheriff.

Sgt. Walters showed you the Fraternization Policy and had you read it out loud. You read policy 1018.43 subsections A, B, and C out loud. You said you were familiar with this policy. You admitted you violated all three of these sections and knew you should not have interacted both in conversation as well as sexually with Probationer [REDACTED]. You knew talking to her and having a sexual relationship with her under one year was against department policy. You again stated you did not notify anyone from the Orange County Sheriff's Department regarding your relationship with [REDACTED]. You claimed you never told [REDACTED] anything about the IRC, its employees, or anything relating to the security of the facility. You did say the only reason why [REDACTED] and her mother knew you were a Deputy Sheriff is because when [REDACTED] was booked into the IRC in January she saw you. You never told her anything about your job before.

You stated after looking back at this entire incident you should have not done what you did. You did not act as a Deputy Sheriff and would change everything if you could. You again knew you were violating department policy and claimed you never told [REDACTED] to stay quiet about their relationship. You did acknowledge the fact if someone had found out about your relationship with [REDACTED] you would be in trouble with the Orange County Sheriff's Department regarding the fraternization policy.

FINDINGS AND DETERMINATIONS

Based on the evidence obtained, your statements, witness statements and information obtained during the internal affairs interviews and the internal criminal investigator's report, the Department makes the following findings and determinations.

VIOLATION OF OCSD POLICY 1018.1(a) - STANDARD OF CONDUCT:

During your Internal Affairs interview, you admitted you had a romantic and sexual relationship with a recently released inmate which violated the high standard of personal and professional conduct expected of a Deputy Sheriff. You chose to continue your relationship and tried to hide

the fact you were violating the Department's fraternization policy. When asked if you knew you were violating the fraternization policy, you admitted to violating the fraternization policy.

The Department discovered your unauthorized relationship and unprofessional conduct not from you but through another law enforcement agency. Your poor decision to privately contact [REDACTED] while she was in custody as well as out of custody showed unprofessionalism and a considerable lack of judgement. Your actions brought discredit to the integrity of Custody Operations Command and the Department.

Your use of the Department's data base (ELETE) to conduct inquiries into [REDACTED] and [REDACTED] was illegal and unprofessional. You have discredited your position as a Deputy Sheriff by betraying the trust of the Department in accessing information intended for legitimate law enforcement use not the furtherance of a personal relationship.

VIOLATION OF OCSD POLICY 1018.27 – UNTRUTHFULNESS

During your interview, you admitted you lied to Orange County Probation Officer Ortiz about your relationship with probationer [REDACTED]. You claimed [REDACTED] was your niece when in fact she was someone who you were having a sexual relationship with. You lied to a fellow peace officer to induce that peace officer to utilize his professional position in a way that would benefit you personally. During your Internal Affairs interview, you misrepresented the truth about knowing that [REDACTED] was on formal probation. You later admitted she was on probation the whole time and you lied because you did not want anyone to know who she was.

You misrepresented the truth to Deputy [REDACTED] when you told her [REDACTED] was your cousin. You did this so [REDACTED] would not have questioned you about the Fraternization Policy. You did not tell the truth and lied to another Deputy Sheriff.

You misrepresented the truth during your interview with Sgt. Walters and Sgt. Asuncion as it pertained to the ELETE data base system. You first stated you had not been trained to operate the system but later in the interview confirmed you knew how to run the system and how to find out information in the system. You also stated you had been given the proper training and had even taking a test about the system in which you passed.

You also stated during your Internal Affairs interview that you did not know [REDACTED] was on probation. After further questioning, you admitted you knew the entire time [REDACTED] was on formal probation and you lied because you knew the relationship was a violation of the Department's policies and procedures.

VIOLATION OF OCSD POLICY 1018.6(a) OBEDIENCE TO LAWS AND REGULATIONS:

As a member of this Department, you are obligated to obey all laws and regulations. It is clear that your actions violated the law. Due to your on-duty actions, Criminal Investigations conducted a follow-up investigation into you accessing ELETE for personal reasons and submitted their findings to the District Attorney's Office. You pled guilty to two misdemeanor counts of CPC 11143-Unauthorized Person receiving privileged information

VIOLATION OF OCSD POLICY 1018.33 INCURRING LIABILITY:

Your failure to exercise caution and your bad judgment has made the department liable for your actions. You have created significant liability for yourself and the Department by abusing your position as a sworn Deputy Sheriff. Moreover, by engaging in a sexual relationship with a person who was on formal probation and only released from custody, you put yourself in a compromising position.

VIOLATION OF OCSD POLICY 1018.43(a) - FRATERNIZATION:

During your interview, you admitted to communicating with probationer [REDACTED] after she was released from Orange County Jail. There were text messages sent by you to [REDACTED] verifying your relationship. You also admitted in engaging in sexual acts with [REDACTED] four to five months after she was released from custody. You stated you had a romantic relationship with [REDACTED] and would give her money whenever she needed it. You also socialized with an inmate while she was housed at the IRC and gave her money to personally support her. You deliberately and knowingly violated the Fraternization Policy which states, no member shall fraternize with any person in department custody or recently released (within one year) from department custody.

VIOLATION OF OCSD POLICY 1001.2 CANON OF ETHICS, STANDARDS 4.4, 4.8, & 4.9:

Your actions violated the standard of personal and professional conduct expected of an officer employed by the Orange County Sheriff's Department. You had an obvious conflict of interest in the performance of your duties, and your activity and involvement in this incident involved acts of moral turpitude.

VIOLATION OF OCSD POLICY 1001.2 CANON OF ETHICS, STANDARD 6.3:

You had a sexual relationship with a probationer while working as a Deputy Sheriff. You were unprofessional and irresponsible when you knowingly lied to a Probation Officer, a Deputy Sheriff, and two Internal Affairs Sergeants. Your conduct using a department data base (ELETE) for personal reasons was unacceptable and against the law. You pleading guilty to two misdemeanor charges of receiving privileged information from an unauthorized person is

substandard and intolerable for a Deputy Sheriff. You failed to set exemplary standards of performance for all law enforcement personnel.

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 Affairs interviews show that you intentionally contacted [REDACTED] and had a sexual relationship with her after she was released from custody violating the department's Fraternization policy. You also violated the law as it pertains to privileged information using a Sheriff's Department computer resource (ELETE). Your actions discredited yourself and the Department and have placed the County in an extremely liable position.

Your conduct falls far below the standards set forth by the Orange County Sheriff's Department and has discredited 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, 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. 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. Personnel Investigation Summary
2. Initial Action
3. Memo from District Attorney's Office
4. CD of Internal Affairs Interviews
5. Notice of Administration Leave
6. OCSD Policy and Procedures
7. Copy of Internal Criminal Investigation Report

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 Steve Kea 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 Dawn Haag 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

John Coppock, Captain

5-18-17

Date

Angel Guerrero by
David C. Goldwasser

Angel Guerrero, Deputy Sheriff II

5.19.17

Date

**Internal Investigation
Administrative Worksheet
PI# 15-160**

Principal(s): Deputy Angel Guerrero

Complainant(s): Administration

Facility/Location: Intake and Release Center

Disposition:

1. OCSD Policy Manual Section 1018.1 – Standard of Conduct

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

2. OCSD Policy Manual Section 1018.27 - Untruthfulness

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

3. OCSD Policy Manual Section 1018.33 – Incurring liability

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

4. OCSD Policy Manual Section 1018.43 - Fraternization

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

5. OCSD Policy Manual Section 1018.6 – Obedience to laws and regulations

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

6. OCSD Policy Manual Section 1001.2 – Canons of ethics standard 4.4

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

7. OCSD Policy Manual Section 1001.2 – Canons of ethics standard 4.8

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

8. OCSD Policy Manual Section 1001.2 – Canons of ethics standard 4.9

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

9. OCSD Policy Manual Section 1001.2 – Canons of ethics standard 6.3

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

☐ Administrative Leave

Discipline: ☐ Written Reprimand ☐ Suspension (# of hours _____)
☐ Demotion (to rank of _____) ☒ Dismissal

Comments / Other: _____

Administrative Disposition by:

P. J. M. J.
for J. M. J.

Date:

4/27/17
5-2-17

Administrative Appeal Hearing

Date: _____

Time: _____

In Attendance: _____

Comments: _____

Disposition: _____

Disposition by: _____ Date: _____

Case #	ORANGE COUNTY SHERIFF'S DEPARTMENT	POBOR DEADLINE
15-160		7/26/2017

PERSONNEL INVESTIGATION TRACKING CHECKLIST

The investigation for the above-referenced case is now complete and ready for assessment.

Distributed by PSD to IRC/Transportation 4/26/2017
 Division DATE

Within your Division, please assess the file from the perspective of individual accountability as well as training, policy, and systems issues.

* PSD supervisors have reviewed the case. You should consider them a potential resource for a variety of questions and concerns as you proceed.

* For those cases where the discipline exposure is 24 hours or greater, please consult with the *Constitutional Policing Advisor* (714-834-3381)

DIVISION TRACKING

Initial Review by: W/A DATE
 LIEUTENANT OR MANAGER

Constitutional Policing Advisor consulted: yes no DATE
 (Circle One)

DIVISION REVIEW

Division Review by: Captain P.D'Auria DATE
 DIVISION COMMANDER

☐ Disposition is *Unfounded* or *Not Sustained*
 or

☐ Disposition within Division Authority (Written Reprimand - 24 Hours)
 or

☒ Recommended discipline exceeds Division Authority; Referred to: CMOR. J. Beibbs
 COMMAND

EXECUTIVE COMMAND REVIEW (If applicable)

Executive Command Review by: Jan J. Buino Date: 5-2-17

PROCESSING

Returned to PSD for processing: DATE

Employee Notification: DATE

Notes

Initial Action

Complainant: Administration

Case Name: 15-160

Date of Complaint: November 30, 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



Date

Complainant: Administration

Case Name: 15-160

Date of Complaint: November 30, 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


Date

Personnel Investigation Summary

ORANGE COUNTY SHERIFF'S DEPARTMENT
INTERNAL MEMO



TO: Lieutenant J. Danks *JD*
FROM: Sergeant Charles Walters #8208
DATE: March 1, 2017
RE: PI #15-160

Complainant: Administration
Employee(s): Deputy Angel Guerrero
Incident Location: Orange County
Incident Date: September 4, 2013
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.

2. 1018.27 UNTRUTHFULNESS

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

3. 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.

4. 1018.43(a) - FRATERNIZATION:

(a). Except as permitted by written authority of their unit 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.



5. 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.

6. 1001.2 CANONS OF ETHICS:

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 4.4 – *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 4.8 – *Peace officers shall not engage in any activity that would create a conflict of interest or would be in violation of 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 6.3 - *Peace officers shall conduct themselves so as to set exemplary standards of performance for all law enforcement personnel.*

Initial Action

On November 30, 2015, at the direction of Assistant Sheriff Kea, Internal Affairs initiated a personnel investigation into the on and off duty actions of Deputy Angel Guerrero. It is alleged on September 4, 2013, Deputy Guerrero was involved in unprofessional conduct on/off duty and had an inappropriate relationship with a probationer, [REDACTED]

OC Probation Special Incident Report by Deputy Probation Officer Ortiz

On November 25, 2015 at approximately 1015 hours, Deputy Probation Officers (DPO) Ortiz and Fix were booking a probationer into the Orange County Jail. Deputy Angel Guerrero was accepting the paperwork for jail bookings at that time. DPO Ortiz has known Deputy Guerrero from previous bookings and Guerrero had previously given information reference a probationer, [REDACTED] indicating [REDACTED] was his niece.



The first time Deputy Guerrero inquired about [REDACTED] was in January 2015. He initially informed Ortiz that he was a friend of the family, and [REDACTED] had absconded probation. He and her family were concerned about her drug use and associates. DPO Ortiz confirmed with her assigned Probation Officer M. Yriarte, she was living on Ball Road in the City of Anaheim. DPO Ortiz advised DPO Yriarte he was going to conduct a probation check on [REDACTED]. On January 23, 2015, DPOs Ortiz and Fix contacted [REDACTED] mother and sister who confirmed [REDACTED] was not living with them. [REDACTED] had absconded probation supervision thereafter.

During a subsequent booking at the Orange County Jail, Deputy Guerrero informed Ortiz that [REDACTED] was staying at her husband's residence in the City of Fullerton. On February 5, 2015, DPOs Ortiz and Fix went to the residence of [REDACTED] in the city of Fullerton, and located [REDACTED]. [REDACTED] was cited for HS 11364 by the Fullerton Police Department, and [REDACTED] was booked for a probation violation. For the next several months, during the booking process at the Orange County Jail, DPOs Ortiz and Fix saw Deputy Guerrero. Deputy Guerrero recently stated that [REDACTED] had violated a restraining order that prevented him from having contact with [REDACTED]. Deputy Guerrero stated [REDACTED] was in custody for new charges, and [REDACTED] arrest would help with [REDACTED] sobriety. Deputy Guerrero was now referring to [REDACTED] as his niece. During one of their recent bookings at the Orange County Jail, Deputy Guerrero commented that [REDACTED] had been transferred to a different institution and that he had arranged for [REDACTED] to return to the Main Jail. DPO Ortiz did not make any assumptions and he did not ask him the reason for the transfer.

On November 25, 2015, while booking a probationer, Deputy Guerrero grabbed DPO Ortiz' attention and wanted to talk about [REDACTED]. He stated again that [REDACTED] was his niece and he spoke to her about being in compliance with probation. Deputy Guerrero was concerned about her honesty with her probation officer, and she might not be living with her grandmother at the Ball Road address. [REDACTED] told him she was considering going back to court to remove the restraining order against her husband, [REDACTED]. Deputy Guerrero did not want this to happen because she may get back into using drugs again. He also stated that [REDACTED] had been "hanging out" with friends that might negatively influence her, and she had not told her probation officer the information. He asked to do a compliance check at her grandmother's residence as he was concerned about his niece. Deputy Guerrero asked DPO Ortiz to call afterwards and wrote down his office phone number (647-6040) and his personal cell number [REDACTED] on a yellow Post-it note.

DPO Ortiz asked him what his niece's name, and he said, [REDACTED]. Deputy Guerrero said her date of birth was [REDACTED]. DPO Ortiz asked him if he remembered her address on Ball and he offered to look up the information on their database. DPO Ortiz told Deputy Guerrero it was not necessary and he would look on their ICMS. Due to the fact [REDACTED] was on formal probation, and DPO Ortiz had previous contact with the family, DPO Ortiz told Deputy Guerrero he would conduct a compliance check as he seemed like a concerned relative and did not want to see his niece violate her probation. DPO Ortiz recalled DPO Yriarte was scheduled off, so he reviewed the ICMS notes on [REDACTED]. DPO Ortiz noticed on September 24, 2015, DPO Yriarte attempted to contact the probationer at the Ball Road address and was unclear if the probationer was in fact living there. DPO Ortiz decided to conduct a compliance check on [REDACTED] due to the fact that [REDACTED] might not be living at her address of record and also DPO Ortiz had information from Deputy Guerrero that she might not be in compliance with her terms of probation.



At approximately 1045 hours, DPOs Ortiz and Fix arrived at [REDACTED] in the City of Anaheim, [REDACTED] address of record. They knocked on the door and [REDACTED] opened the door. DPO Ortiz told her they were there to do a compliance check and they were glad to see her at her reported address. DPO Ortiz told her he would inform DPO Yriarte he verified the residence and she was taking care of her grandmother as DPO Yriarte had stated. DPO Fix asked her if she had belongings to confirm her residency, and she stated that she did. She pointed to a closet that DPO Fix searched while DPO Ortiz asked her to have a seat on a dining room chair. She slept on the bed in the family room within reach of the dining room chair. DPO Ortiz noticed two cell phones, an iPhone, and a wireless Ipad on her bed. She stated that they were her phones and she was going to sell the white phone at a nearby store. DPO Ortiz picked up the dark colored Samsung phone from her bed and began to scroll through the text messages to verify that she was not involved in any drug transactions because she was on probation for HS 11352 (Drug sales). DPO Ortiz noticed the first text message from "My Fifty Shades" and observed several sexually explicit text messages to and from the probationer and "My Fifty Shades". The most recent text was sent and received November 25, 2015 between Sanchez and "My Fifty Shades".

DPO Ortiz asked [REDACTED] if she was in a relationship at this time, knowing that her [REDACTED] was in custody. DPO Ortiz was concerned that the text messages might be from [REDACTED] and he may have had access to a cell phone while in custody. She stated that she had a boyfriend and then stated he was her fiancé. DPO Ortiz asked his name, and she asked if she needed to tell him. DPO Fix told her that DPO Yriarte would want to know who her associates are in order to ensure that her fiancé was not on probation or parole. [REDACTED] stated her fiancée was Angel Guerrero. DPO Fix asked why she did not want to initially state her fiancé's name. [REDACTED] explained that Angel Guerrero was a Deputy with the Sheriff's Department. DPO Ortiz looked back into the contacts in the phone to identify the phone number associated with "My Fifty Shades", and found the phone number to be [REDACTED], the same phone number given by Deputy Guerrero. DPO Fix finished her search of [REDACTED] purse and located two credit cards with other individual's names on them. The two credit cards and the Samsung cell phone were seized, and DPO Fix wrote the items on the back of her business card to indicate that they were seized by the Probation Department. DPO Ortiz told [REDACTED] to report to DPO Yriarte on November 30, 2015 in order to talk to her about the contents on the cell phone as well as to be honest with DPO Yriarte about her relationship with her associates.

Upon returning to the Probation Department, Supervising Probation Officer (SPO) Shawn Barry was notified of the findings. SPO Christine Staswick and DPO Michele Yriarte were also notified.

Internal Affairs Investigation Summaries

Summary of Interview with [REDACTED]

On January 12, 2016, at approximately 1105 hours, Sergeants Graham and Asuncion interviewed [REDACTED] at the Orange County Probation Office in the City of Orange. Deputy Probation Officers (DPO) Ortiz and Yriarte were also present during the interview. Asuncion advised [REDACTED] the interview was going to be recorded and she acknowledged. Initially, [REDACTED] did not want to be interviewed but after discussing it with her probation officer, she decided to cooperate.



█████ stated Angel Guerrero and her have been friends for the past 10 years. According to the report, she told DPO Ortiz that Guerrero was her fiancée. Asuncion asked █████ if Guerrero was her fiancée. She replied, "Yes, it's only because the fact that I am still technically married but I'm going through a divorce. And fiancée is kind of like overtop, it's just that we are serious as far as like we both love each other. We have a love for each other. I've known him for over 10 years." █████ was wearing an engagement ring for a month but decided to not wear the ring because she has not seen or heard from Guerrero for a couple of months. After DPO Ortiz confiscated her cell phone, █████ has not been able to contact Guerrero because she does not have any of his contact information.

█████ met Guerrero over 10 years ago at Taboo's Gentlemen Club where she used to work. Guerrero was a regular customer and after a period of time, Guerrero and █████ had an intimate relationship. █████ explained their relationship was not going any further than just a sexual relationship because she was still young and dating other people. One day, █████ mentioned marriage to Guerrero and he expressed to her he was not interested in marrying her at this time. █████ started dating other men and eventually married █████ Guerrero and █████ remained friends and kept in contact even after the marriage. █████ stated she would not contact Guerrero "all the time" but would call him every now and then.

A few months into her marriage (2013) with █████ █████ was involved in a domestic violence incident involving █████ She called Guerrero for advice. Guerrero comforted her and gave her advice about how to handle her marriage. She decided to separate from █████ and worked on divorce paperwork. █████ stated █████ did not have a restraining order against him at the time preventing him from contacting her. She was told about getting one on █████ but denied ever requesting one. █████ never told Guerrero about the Emergency Protective Order that was obtained. Guerrero never told █████ he would get █████ arrested to keep her safe. Guerrero and █████ do not know each other and are not related in any way. She was not sure how Guerrero knew she lived in Fullerton with █████ █████ stated Guerrero has always been a friend and a positive influence in her life.

█████ has been in custody a few times in her life and claims the last time was in February of 2015. █████ saw Guerrero twice while she was in custody at the IRC and said she did not know Guerrero was a Deputy Sheriff until then. While in custody, █████ spoke to her mother who told her she had spoken to Guerrero and told him she was in jail. Guerrero assured █████ mother that she would be ok and he mentioned he worked for the Sheriff's Department. █████ recalled Guerrero telling Deputy █████ he was related to █████ Guerrero spoke to █████ in the outdoor recreation area in her module at the IRC and made sure she was doing ok. █████ stated they were never alone and there were other deputies and inmate workers at a distance around them. She was always out of view from the other inmates. Guerrero never had physical contact or promised anything to █████ while she was in jail.

After █████ was released from custody, Guerrero contacted her by cell phone to check on her. At the end of the summer (2015), █████ and Guerrero met with each other approximately 8 times and were sexually intimate with each other approximately 5 out of the 8 times they met. Guerrero gave █████ an engagement ring in October of 2015. The last time █████ and Guerrero contacted each other was on November 24, 2015.



Sergeant Graham asked if Guerrero ever mentioned to her he should probably not go out with her. She replied, "He did say something about being in custody under a year, something like that." Sanchez admitted their relationship was very secretive. She added, "Just that, I needed to stay out of trouble and that if I wanted to continue seeing him that he'll never see me like this." I confirmed with [REDACTED] that Guerrero told her, something to the effect of, "I can't see you because it's under a year. I have to wait."

[REDACTED] called Guerrero "My Fifty Shades" because she read the book while she was in custody.

Interview with Deputy [REDACTED]

On January 25, 2016 at approximately 1322 hours, Sergeant Graham and Sergeant Asuncion interviewed Deputy [REDACTED] in the Intake and Release Center Conference Room reference the above case. Prior to going on tape, Sgt. Asuncion had [REDACTED] review and sign the Confidentiality Directive. The interview was recorded and the following is a summary of the interview:

[REDACTED] has worked for the Sheriff's Department for 15 years. She is currently assigned to Custody Operations and works at the Intake and Release Center. [REDACTED] is familiar with the Department's policies and procedures and knows how to access the policy manual.

In February of 2015 through March of 2015, [REDACTED] was working in module November at the Intake and Release Center. At first, [REDACTED] did not remember an inmate by the name of [REDACTED]. Sgt. Asuncion showed [REDACTED] a booking photo of [REDACTED] and [REDACTED] stated [REDACTED] looked familiar and she believes [REDACTED] was housed in sector 27. Sgt. Asuncion asked [REDACTED] if she was ever contacted by Deputy Guerrero regarding [REDACTED]. She said yes and it was sometime in February or March of 2015. Guerrero asked [REDACTED] to come down to his work location (IRC receiving guard station) so he could talk with her. Guerrero told [REDACTED] his cousin, [REDACTED] was in custody for domestic violence charges and he wanted her to watch out for her explaining [REDACTED] was in a bad situation and he wanted to make sure nothing happened to her. After the conversation, [REDACTED] left Guerrero's work location and returned to module November.

Approximately two weeks later, [REDACTED] recalled Guerrero coming to module November and having a discussion with her regarding Inmate [REDACTED]. [REDACTED] did not remember what the conversation was about but did say Guerrero asked about [REDACTED] and again said [REDACTED] was his [REDACTED] and he wanted her to keep an eye on her and to make sure nothing happened to her. [REDACTED] did not remember if Guerrero actually talked to [REDACTED] while inside the module but does remember Guerrero mentioning something about [REDACTED] going through a divorce. Guerrero left after this conversation.

[REDACTED] was asked if it is common practice for deputies to come to the module to talk with other deputies. [REDACTED] said this happens all the time but deputies usually do not acquire about a specific inmate and/or family member. They usually talk about everyday life. [REDACTED] had nothing else to say and said she was honest and truthful during this interview.



Supplemental information

After completing Deputy [REDACTED] interview, Sergeant Asuncion discovered Deputy Guerrero logged into the ELETE data base system and retrieved information on [REDACTED] and [REDACTED]. Asuncion contacted Application Specialist Tina Winterburn who provided this application. It was discovered Guerrero logged in thirty-seven times from November 20, 2014 to October 24, 2015 to retrieve information pertaining to [REDACTED]. He also logged in forty-one times from November 15, 2014 to September 26, 2015 to retrieve information pertaining to [REDACTED]. Due to this information, Asuncion requested for an Internal Criminal investigation to be conducted.

On February 9, 2016, Investigator Kim from the Orange County Sheriff's Department Homicide Unit was assigned to this case and investigated this new information. After completion of his investigation, he sent it to the Orange County District Attorney's Office for review. After review, charges were filed against Guerrero and he pled guilty on August 8, 2016 to two charges of CPC 11143 – Unauthorized person receiving privileged information (misdemeanor).

Interview of Deputy Angel Guerrero

On February 28, 2017 at approximately 1230 hours, Sergeant Virgil Asuncion and I interviewed Deputy Angel Guerrero in the Internal Affairs' office. Also present was AOCDS representative/attorney Dave Goldwasser. Prior to going on tape, I had Guerrero review and sign the Public Safety Procedural Bill of Rights, the Confidentiality Directive and the Miranda/Lybarger Admonishment. The interview was recorded and the following is a summary of that interview:

Guerrero has worked for the Sheriff's Department for approximately 17 years. He is currently assigned to Custody Operations and works at the Intake and Release Center. Guerrero is familiar with the Department's policies and procedures and knows how to access the policy manual. Guerrero has known [REDACTED] (Formal probationer) for approximately 15 years. [REDACTED] has been a friend of his since 2002/2003. Guerrero does admit he and [REDACTED] have had a sexual relationship in the past and the last time they had a sexual encounter was at the end of November 2015. Guerrero does know [REDACTED] has had a troubled past and has been in custody for narcotics violations. [REDACTED] was housed at the Intake and Release Center from January 2015 to March 2015 where Guerrero worked before being placed on Administrative Leave.

On January 25, 2015, Guerrero recalls Probation Officers Ortiz and Fix being at the Intake and Release Center and booking someone into jail. Guerrero spoke to Ortiz and told him [REDACTED] was his niece and he wanted them to check on her. Guerrero admitted [REDACTED] was not his niece but told Ortiz she was because he wanted to make it easier for everybody so people would not ask who [REDACTED] was and how he knew her. Guerrero said, "Once everyone believed she was a family member they would lay off of asking me questions." I asked Guerrero if a Probation Officer was a Peace Officer. Guerrero said, "To an extent, not a full police officer, I guess." I asked him if he knew [REDACTED] was on probation when he told Ortiz she was his niece. Guerrero said, "No, she wasn't." Sgt. Asuncion asked if he knew she was on probation. Guerrero said, "Not at the time, no." Sgt. Asuncion replied, "Then why did you ask a probation officer about [REDACTED]?" Guerrero said, "She was in a relationship with someone who was very violent to her and I wanted probation to go and seek her out and find her."



Sgt. Asuncion said, "If [REDACTED] was not on probation then why would you ask probation to check on her?" Guerrero said, "Uh, she had a probation hold, or something like that." Sgt. Asuncion said, "So, if she had a probation hold wouldn't that mean she was on probation?" Guerrero said, "Yeah, I guess so." Guerrero then changed his story and said he knew she was on probation when he told Ortiz that [REDACTED] was his niece. **(Investigative note: This directly contradicts his early statement that he did not know [REDACTED] was on probation when telling Ortiz she was his niece.)** Guerrero admitted telling Ortiz that [REDACTED] was his niece was untrue and that he gave false information to a probation officer. **(Investigative note: Gave false information to a Probation Officer regarding his relationship to probationer [REDACTED])**

I asked Guerrero if he told Ortiz that [REDACTED] may be using drugs and had absconded pertaining to her probation. Guerrero said [REDACTED] was giving her drugs, but he was unaware if she used drugs in the past. Guerrero admitted to knowing her booking charges had to do with the transportation of narcotics. Guerrero explained [REDACTED] situation to Ortiz and asked to find her because [REDACTED] had called Guerrero and stated [REDACTED] was very controlling and did not want to let her out of the house. Ortiz claimed he knew who [REDACTED] was and that he was a bad guy. Guerrero did ask for Ortiz to check on [REDACTED] but claimed Ortiz did not tell him if they were going to or not.

On February 5, 2015, Probation Officer's Ortiz and Fix went to [REDACTED] and [REDACTED] house in Fullerton and arrested [REDACTED]. Guerrero admitted he told Ortiz that [REDACTED] was staying at [REDACTED] house in Fullerton. Once [REDACTED] was arrested, Guerrero claimed he did not know what she was arrested for. Once she was booked in, Guerrero remembered telling Ortiz that [REDACTED] had violated a restraining order that [REDACTED] had placed on him. Sgt. Asuncion asked Guerrero how he knew [REDACTED] had a restraining order against [REDACTED]. Guerrero said [REDACTED] told him about the restraining order but then said he assumed the restraining order was real because of what [REDACTED] told him.

Guerrero told Ortiz to contact him if they made contact with [REDACTED] while at [REDACTED] house. Guerrero said he possibly and could have wrote down his cell phone [REDACTED] and work numbers (714-647-6040) on a yellow piece of paper and gave it to Ortiz. I showed Guerrero the yellow piece of paper with his cell phone and work numbers on it and he said it was his writing and he wrote down the numbers, but he did not write [REDACTED] date of birth. I asked Guerrero if he ever offered to run [REDACTED] on the law enforcement data base ELETE for Ortiz to get her address. Guerrero said, "No." Guerrero then said, "I ran something on ELETE. I tried to see if there was a restraining order on her." Sgt. Asuncion asked Guerrero how he would run someone on ELETE. Guerrero said, "I couldn't really do it because I really didn't know how to get on the system because no one gave me formal training on ELETE, except for the written test they give you, but they don't show you how to go onto ELETE until you go to patrol." I asked Guerrero in the seventeen years working at the IRC and in the receiving guard station, did he ever go onto ELETE and run someone. Guerrero said, "I ran people for warrants, and have operated on ELETE." I asked him if he ran [REDACTED] and [REDACTED] on ELETE. Guerrero said, "Yes." I asked him if he pled guilty in court to two counts of unauthorized person receiving privileged information. Guerrero said, "Yes." I asked him if he was going to stick to his previous statement claiming to not know how to get onto the ELETE data base system and have an understanding how to operate it. Guerrero said, "Uh yes, I know how to run ELETE and I know it was wrong." **(Investigative note: This directly contradicts his previous statement that he did not know how to use ELETE).**



Guerrero used ELETE to see if there was a restraining order pertaining to [REDACTED] and [REDACTED]. Guerrero claimed he could not open the section to find it. I asked Guerrero if he knew [REDACTED] was on probation. Guerrero said, "Yes." I asked him again if he knew about the restraining order. Guerrero said, "Yes". I asked him if he knew all this because he found it on ELETE. Guerrero said [REDACTED] showed him the restraining order when they went to lunch together. Sgt. Asuncion asked Guerrero about his statement earlier in the interview that he assumed [REDACTED] had a restraining order. Guerrero said he did meet with [REDACTED] and saw the restraining order. I again asked Guerrero if he had been trained on ELETE and if he pled guilty to using ELETE when he was not supposed to. He said yes. **(Investigative note: This directly contradicts his previous statement on not being trained on ELETE, how to use it, and actually seeing the restraining order and knowing one existed).** I asked Guerrero again if he ever offered to run [REDACTED] on ELETE for Ortiz to get him her address that was off of Ball Road. Guerrero said, "Yes." **(Investigative note: This directly contradicts his previous statement that he did not run [REDACTED] on ELETE for Ortiz).** Guerrero again said he ran [REDACTED] and [REDACTED] on ELETE. Guerrero knew it was wrong the entire time and knew he was not supposed to do this while working as a Deputy Sheriff.

Guerrero knew [REDACTED] was on formal probation from January 2015 to November 2015. He contacted [REDACTED] by both cell phone and in person. Guerrero had [REDACTED] cell phone number in his cell phone and would send sexual explicit text messages to her. He was unaware of how many sexual explicit text messages he actually sent her. I asked Guerrero if [REDACTED] had a nickname for him or a saying that she might have put in her cell phone to disguise his number. Guerrero did not know. I asked him if he ever heard [REDACTED] say that he was "My Fifty Shades" to her. Guerrero never heard her say anything about this. [REDACTED] only called him by his first name. Guerrero admitted he gave his cell phone number to Ortiz which was the same cell phone number that was found in [REDACTED] cell phone records. I showed Guerrero [REDACTED] phone records and again he confirmed his cell phone number was on it and under the name "My Fifty Shades."

Guerrero had a sexual relationship with [REDACTED] while she was on formal probation. Once [REDACTED] was released from jail on March 17, 2015, Guerrero stated she went to a women's shelter for domestic violence victims. Guerrero believes [REDACTED] left the shelter in the summer months of 2015. During this time, he had a sexual relationship with her. Guerrero said they had sex 3 or 4 times. Guerrero did not wait for [REDACTED] to get off of probation or wait over a year from her being released from jail to have a sexual relationship her. Guerrero knew this was a violation of the Fraternization Policy and knew he did not comply with the policies of the Orange County Sheriff's Department. **(Investigative note: Guerrero admitted to violating the OCSD Fraternization Policy and knew he should not have contacted a probationer during the one year time frame that is spelled out in policy 1018.43 (a)).** Guerrero did not notify anyone from the department that he was having a sexual relationship with [REDACTED] (Formal probationer) and did not notify his immediate supervisor in writing. **(Investigative note: Guerrero admitted to violating the OCSD Fraternization Policy).**

Guerrero told us [REDACTED] was not his niece as he previously told Ortiz. I asked him if he ever gave [REDACTED] an engagement ring. Guerrero said no. He did admit he gave [REDACTED] a ring but called it a friendship ring and he did not know what finger she wore it on. As Guerrero gave [REDACTED] the ring, he told me he explained to her the ring was a friendship ring and nothing more. Sgt. Asuncion asked if [REDACTED] could have interpreted this as an engagement ring.



Guerrero said no, but could have explained it better to her that it was just a friendship ring and not an engagement ring. Guerrero said [REDACTED] was just a friend who he would sexually hook up with even though he was married. Guerrero said the last time he had sex with [REDACTED] was in November of 2015. Guerrero said he knew having sex with [REDACTED] was a violation of this policy and knew he should not have done it.

I asked Guerrero if he ever placed money on [REDACTED] inmate account while she was in custody at the Intake and Release Center. Guerrero said, "Yes." He put money "on her books" because she would call him and say she needed money to buy things. He would put seventy-five dollars in her inmate account at one time and claimed he did this three to four times while she was in jail. Guerrero would transfer the money to her account on his day off. Guerrero also admitted to giving [REDACTED] money when she was out of custody so she could buy things as well. He would give her cash whenever she asked. Guerrero admitted this was not a normal act of a Deputy Sheriff.

Guerrero visited [REDACTED] two times while she was in custody as he was working the receiving guard station at the IRC. Guerrero would take his lunch break and go to module November to talk to her. Guerrero would ask the CSAs or Deputies working in module November to pull her out of her cell and place her into the outdoor recreation area so he could talk to her. He was unsure who the CSAs or Deputies were but they never asked him why he was pulling her out. He claimed he wanted to know her mental state and if she needed anything from him in order for him to help. Guerrero knows he should not have gone and seen her while working as a Deputy Sheriff.

I showed Guerrero the Fraternization Policy and had him read it out loud. Guerrero read policy 1018.43 subsections A, B, and C out loud. Guerrero said he was familiar with this policy. Guerrero said he violated all three of these sections and knew he should not have interacted both in conversation as well as sexually with Probationer [REDACTED]. Guerrero knew talking to her and having a sexual relationship with her under one year was against department policy. Guerrero again stated he did not notify anyone from the Orange County Sheriff's Department regarding his relationship with [REDACTED]. Guerrero claims he never told [REDACTED] anything about the IRC, its employees, or anything relating to the security of the facility. Guerrero did say the only reason why [REDACTED] and her mother knew he was a Deputy Sheriff is when she was booked into the IRC in January and saw him. He never told her anything about his job before.

Guerrero said after looking back at this entire incident he should have not done what he did. He did not act as a Deputy Sheriff and would change everything if he could. Guerrero knew he was violating department policy and claims he never told [REDACTED] to stay quiet about their relationship. He does acknowledge if someone had found out about their relationship he would be in trouble with the Orange County Sheriff's Department regarding the fraternization policy. He has learned from his mistake.

Attorney Goldwasser asked Guerrero about what he should have done when he first knew [REDACTED] was in custody. Guerrero said he should have gone to his supervisor and asked for guidance. Goldwasser asked Guerrero about who [REDACTED] was prior to being in custody. Guerrero acknowledged she was just a friend and also an extra marital affair. Guerrero does agree that once she was arrested and he knew about it, everything should have changed and he should have acted in a different way. Guerrero said, "I should have cut the whole thing off, not do anything that I did." Guerrero should have notified a supervisor and followed the policies of the Sheriff's Department.



Included for Review

- Investigation Summary
- Initial Action
- Memo from the District Attorney's Office
- Memo from Probation Officer Ortiz
- CD of Internal Affairs Interview's



Reports



ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION

16-111

INTERVIEW REPORT

CASE NAME: GUERRERO, ANGEL LORA

CLASSIFICATION: OFFICER MISCONDUCT

INTERVIEW OF: JOSEPH ORTIZ, DEPUTY PROBATION OFFICER
14180 BEACH BOULEVARD
WESTMINSTER, CA
714-937-4542

PRESENT: N/A

DATE AND TIME: JUNE 22, 2016

1004 - 1042 HOURS

LOCATION: ORANGE COUNTY PROBATION DEPARTMENT

On Tuesday, June 21, 2015, I conducted an interview of Deputy Probation Officer (DPO) JOSEPH ORTIZ. The interview was audio digitally recorded. The following is a summary of that interview:

ORTIZ has been a Probation Officer with the County of Orange for 24 years. In 2015, ORTIZ was assigned to North County, Adult Field Supervision. His partner was DPO JENNIFER FIX.

ORTIZ and FIX, as part of their duties, would arrest and book probationers into the Orange County Jail (OCJ). It was while booking prisoners at OCJ that ORTIZ became acquainted with Deputy ANGEL GUERRERO who worked in the Intake and Release Center (IRC).

On January 23, 2015, while at OCJ, ORTIZ was contacted by GUERRERO. GUERRERO asked if he would check on the wellbeing of probationer [REDACTED] GUERRERO explained to ORTIZ that he was a friend of the [REDACTED] family and that the family was

Investigator: C. BROWER

Date of Report: 06/22/2016

Approved By:

Date: 06/28/2016

concerned for her welfare. The family believed [REDACTED] was using drugs, associating with drug users, and violating her probation by living at an address unknown to the probation department. GUERRERO said [REDACTED] was supposed to be living at [REDACTED] Anaheim.

ORTIZ confirmed through probation records that [REDACTED] was on probation for sales and transportation of drugs and her address of record was, [REDACTED] Anaheim. ORTIZ contacted DPO MICHELLE YRIARTE, [REDACTED] probation officer, and received permission to go to the [REDACTED] address and determine if [REDACTED] was living there. ORTIZ and FIX went to the location; spoke with [REDACTED] mother and sister and confirmed [REDACTED] was not living at that address.

During a subsequent booking at OCJ, GUERRERO told ORTIZ that [REDACTED] who he referred to as his "niece", was living with her husband, [REDACTED] Fullerton.

On February 5, 2015, based on the information provided by GUERRERO, ORTIZ, FIX and Fullerton Police Department (FPD) Detective KENNETH EDGAR went to [REDACTED] Based on [REDACTED] probation status, a search of the residence was conducted. [REDACTED] and [REDACTED] were arrested and transported to FPD jail. [REDACTED] was arrested for PC 1203.2, violation of probation (not residing at her address of record); [REDACTED] was arrested for H&S 11550(a), under the influence of a controlled substance and H&S 11364(a), possession of drug paraphernalia (FPD Case #15-7727).

Over the next several months, while booking other probationers at OCJ, GUERRERO would talk to ORTIZ about [REDACTED] On one occasion, GUERRERO mentioned [REDACTED] was in

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custody for violating a restraining order that prevented [REDACTED] from contacting [REDACTED]. GUERRERO expressed hope that with [REDACTED] in custody his "niece" [REDACTED] may stay off drugs. GUERRERO also mentioned he had [REDACTED] transferred from the "Farm" (James A. Musick Facility) to the Main Jail (Central Men's Jail).

On November 25, 2015, while booking a probationer at OCJ, GUERRERO contacted ORTIZ and told him he believed his "niece" [REDACTED] was not living at the Ball Road address. GUERRERO asked ORTIZ to do another compliance check at that location; ORTIZ agreed to do so.

GUERRERO asked ORTIZ to call him afterward and let him know what he found. GUERRERO gave ORTIZ a yellow Post-it that had "647-6040 work" and "[REDACTED] home" written on it. ORTIZ asked GUERRERO to confirm his niece's name and date of birth. GUERRERO told him [REDACTED] date of birth [REDACTED]. ORTIZ wrote that information on the Post-it.

ORTIZ asked GUERRERO if he remembered the address on Ball. ORTIZ did not, but offered to look it up through their database. ORTIZ declined the offer and told him he would look it up in the probation database.

At approximately 1045 hours, ORTIZ and FIX knocked on the door at [REDACTED] [REDACTED] Anaheim. [REDACTED] answered the door and let ORTIZ and FIX in. A search of the apartment was completed. ORTIZ found a Samsung phone, which [REDACTED] identified as belonging to her.

ORTIZ scrolled through the text messages on the phone to verify [REDACTED] was not involved in any drug transactions. The first text message ORTIZ saw was from "My Fifty

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Approved By: 

Date: 06/28/2016

Shades". The texts were sexually explicit; the most recent text had been sent by "My Fifty Shades" to [REDACTED] phone on November 25, 2015 at 0129 hours.

ORTIZ asked [REDACTED] who "My Fifty Shades" was. [REDACTED] first said it was her boyfriend, and then said it was her fiancé. [REDACTED] appeared reluctant to tell ORTIZ what her fiancé's name was. [REDACTED] ultimately identified her fiancée as OCSD Deputy ANGEL GUERRERO.

ORTIZ looked in the phone contacts and found the phone number associated with "My Fifty Shades" was [REDACTED] [REDACTED] was the "home" phone number GUERRERO had written on the Post-it and given to ORTIZ. The Samsung cell phone was seized by ORTIZ.

After ORTIZ realized he had been "manipulated" by GUERRERO, he reported the incident to Supervising Probation Officer SHAWN BARRY, Professional Standards Division, Orange County Probation Department. ORTIZ wrote a report documenting his contacts and conversations with Guerrero. The Samsung phone, taken from [REDACTED] was turned over to DPO MICHAEL LESKO for forensic examination.

Investigator: C. BROWER

Date of Report: 06/22/2016

Approved By: 

Date: 06/28/2016



ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION

SA 16-111

SUPPLEMENTAL REPORT

CASE NAME: GUERRERO, ANGEL LORA

CLASSIFICATION: OFFICER MISCONDUCT

TYPE: MISCELLANEOUS

AGENCY: ORANGE COUNTY SHERIFF'S DEPARTMENT

On May 30, 2016, at the request of Assistant District Attorney EBRAHIM BAYTIEH, I contacted Orange County Sheriff's Department (OCSD) Lieutenant JASON DANKS to make arrangements to examine, pursuant to Penal Code Section 832.7(a), all administrative and personnel files of Deputy ANGEL GUERRERO.

On May 31, 2016 at approximately 1400 hours, I responded to the OCSD Professional Standards Bureau. I was escorted to a conference room where I reviewed GUERRERO's administrative and personnel files. The following is a brief summary of GUERRERO's personnel file:

- OCSD Deputy since August 1999
- Assigned to Custody Operations since July 2000
- Rated as "Meets Expectations" in all evaluations
- Signed Use of Criminal Justice & DMV policy, June 2000
- [REDACTED]
- [REDACTED]
- Signed County Clets Statement policy, June 2013
- Placed on administrative leave, November 2015

I was provided a copy of GUERRERO's *administrative file*.

Investigator: C. Brower #279

Date of Report: 06/27/2016

Approved By:

Date: 07/08/2016



ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION

SA 16-111

INTERVIEW REPORT

CASE NAME: GUERRERO, ANGEL LOARA

CLASSIFICATION: OFFICER MISCONDUCT

INTERVIEW OF: [REDACTED]

ANAHEIM, CA
[REDACTED]

PRESENT: N/A

DATE AND TIME: JUNE 27, 2016

1010-1139 HOURS

LOCATION: ORANGE COUNTY PROBATION, NORTH COUNTY FIELD OFFICE

On Tuesday, June 21, 2015, I interviewed [REDACTED]. The interview was conducted at Orange County Probation, North County Field Office, 1535 East Orangewood Avenue, Anaheim. The interview was digitally audio recorded. The following is a summary of that interview:

[REDACTED] first met ANGEL GUERRERO in 2004, at her place of employment Taboo Gentlemen's Club in Anaheim. I showed [REDACTED] a photo of GUERRERO; she identified the person in the photo as GUERRERO.

[REDACTED] described her relationship with GUERRERO as an intimate long term dating relationship. They would text each other daily and see each other once or twice a month at different prearranged locations. They would never go to the other's home and never cohabitated with each other.

Investigator: C. BROWER #279

Date of Report: 07/01/2016

Approved By: *Stan Berry*

Date: 07/08/2016

██████ told her parents about her relationship with GUERRERO but never told them his name. When she spoke of GUERRERO to them she referred to him as "The Guy".

GUERRERO never told ██████ what he did for a living and she never asked. ██████ respected GUERRERO's privacy. Early in their relationship ██████ told GUERRERO she wanted a more permanent relationship with him. GUERRERO made it clear that was not what he wanted; the relationship continued as a "dating relationship" until May 2013.

Between 2007 and 2013, while dating GUERRERO, ██████ was arrested four times:

- 9/19/2007 – H&S 11364, Possession of Drug Paraphernalia
- 2/27/2009 – CVC 14601.1(a), Driving on a suspended License
- 9/19/2012 – H&S 11350(a), Possession of a Controlled Substance
- 4/10/2013 – H&S 11351, Possession of a Controlled Substance for Sales

██████ never told GUERRERO about her 2007 arrest. ██████ told GUERRERO about the 2009, 2012, and 2013 arrests but only after being released from jail. ██████ never contacted GUERRERO, spoke to GUERRERO or saw GUERRERO while at OCJ in 2009, 2012 and 2013.

In May 2013, ██████ began to date ██████. Once that relationship began, ██████ stopped seeing GUERRERO; she did however periodically exchange text with him.

On June 24, 2013, ██████ married ██████. Shortly after being married they moved to Arizona. While in Arizona, ██████ found GUERRERO's cell phone number in her phone and called him. ██████ allegedly called and sent text to GUERRERO. ██████ told him to stay away from ██████. ██████ does not believe ██████ or GUERRERO knows what the other person looks like.

Investigator: C. BROWER #279

Date of Report: 07/01/2016

Approved By: 

Date: 07/08/2016

A few months after moving to Arizona [REDACTED] and [REDACTED] returned to California. They returned because [REDACTED] had become physically and mentally abusive and [REDACTED] trial for her 2013 was set to begin in January 2014.

In January 2014, [REDACTED] was convicted of Possession of a Controlled Substance for Sales. In March 2014, she was sentenced 120 days in jail; she was immediately taken into custody. [REDACTED] served 2 weeks at OCSD's James A. Musick Facility ("The Farm") before being released on Community Work Program (CWP).

[REDACTED] failed to complete her CWP and was remanded back into custody. She served her time at "The Farm" and was released in July 2014. After her release, [REDACTED] told probation she lived with her mother at [REDACTED] Anaheim, when in reality she lived with [REDACTED] at [REDACTED] Fullerton.

On November 11, 2014, [REDACTED] was arrested for H&S 11550(a), Under the Influence of a Controlled Substance. [REDACTED] did not tell GUERRERO about the arrest and was not taken to OCJ. (Four days after that arrest, GUERRERO made his initial CLETS inquiry of [REDACTED])

[REDACTED] would periodically text GUERRERO with updates on her life and let him know she still cared for him; but at this point in their relationship GUERRERO rarely replied to her text.

On February 5, 2015, [REDACTED] and [REDACTED] were arrested by the Fullerton Police Department and Orange County Probation Department. [REDACTED] was charged with PC 1203.2, Violation of Probation (not residing at her address of record). [REDACTED] was arrested for H&S 11550(a), Under the Influence of a Controlled Substance and H&S 11364(a), Possession of Drug Paraphernalia.

Investigator: C. BROWER #279

Date of Report: 07/01/2016

Approved By: 

Date: 07/08/2016

[REDACTED] was unaware that her daughter had been arrested and after days of not hearing from her she grew concerned for her wellbeing. [REDACTED] decided to call "The Guy" (GUERRERO) to see if he knew where she was or if he could help find her. GUERRERO was able to find [REDACTED] he told [REDACTED] that [REDACTED] was in jail. It was during that conversation that GUERRERO told [REDACTED] he was an Orange County Deputy and he worked at OCJ; [REDACTED] subsequently told [REDACTED] that GUERRERO was a police officer.

[REDACTED] was sentenced to 90 days in jail and served her time in OCJ Central Women's Jail. While in custody, GUERRERO came to the roof during [REDACTED] recreation time and spoke to her. He told [REDACTED] about a Domestic Violence Program that he thought could help her; he encouraged her to enroll in the program. This was the first time [REDACTED] had seen GUERRERO since May 2013 and the only time she ever saw him while in OCJ. [REDACTED] was released from custody on March 17, 2015 and moved in with her grandmother at [REDACTED] Anaheim.

[REDACTED] filed for divorce from [REDACTED] after her release and began communicating with GUERRERO on a more frequent basis. They began "dating" again in August or September 2015 and got engaged in November 2015.

[REDACTED] never asked GUERRERO to check on anyone, including herself or [REDACTED]. [REDACTED] could not recall providing GUERRERO with [REDACTED] personal information (date of birth, social security, driver's license, etc.). [REDACTED] believed some of [REDACTED] information could be found on his Facebook page.

Investigator: C. BROWER #279

Date of Report: 07/01/2016

Approved By: 

Date: 07/08/2016



ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION

16-111

SUPPLEMENTAL REPORT

CASE NAME: GUERRERO, ANGEL LORA

CLASSIFICATION: OFFICER MISCONDUCT

TYPE: MISCELLANEOUS

AGENCY: ORANGE COUNTY SHERIFF'S DEPARTMENT

On November 30, 2015, DPO MICHAEL LESKO conducted a forensic search of [REDACTED] Samsung cellular phone; a "Cellebrite" extraction report was created as a result of that search.

On June 23, 2016, I reviewed the "Cellebrite" extraction report. The report covers November 6, 2015 through November 25, 2016. The following is a summary of what was found from my review of the SMS Messages (Cellebrite report, pages 14-24):

- 324 Text messages involving [REDACTED] phone and GUERRERO's phone
- 75 Text messages from [REDACTED] phone to GUERRERO's phone
- 249 Text messages from GUERRERO's phone to [REDACTED] phone
- Appears as though many of [REDACTED] text replies are missing or erased

A large number of the text messages were sexually explicit. In one text GUERRERO offered to run a phone number [REDACTED] through law enforcement databases for [REDACTED]. In another GUERRERO told [REDACTED] he spoke to probation about her.

The following are some specific examples of the text between [REDACTED] phone and GUERRERO's phone:

Investigator: C. Brower #279

Date of Report: 06/23/2016

Approved By: *Sam Berry*

Date: 6/28/2016

245	Inbox		11/16/2015 5:57:11 AM(UTC+0)	Read	You just have to say that you didn't give permission and stick with that. The car is in your name! So it belongs to you not her!
-----	-------	--	------------------------------------	------	--

213	Inbox		11/17/2015 6:06:39 AM(UTC+0)	Read	That's why I'm telling you to spread the word about me on who I am to you! That way they will leave you alone!!
-----	-------	--	------------------------------------	------	---

211	Inbox		11/16/2015 6:12:27 AM(UTC+0)	Read	I'm your boyfriend/fianci!!!
-----	-------	--	------------------------------------	------	------------------------------

209	Inbox		11/16/2015 6:18:10 AM(UTC+0)	Read	Yes! Deputy sheriff! Cause sooner or later they will come to jail and I will be waiting! The one that makes you scream and yell my name!
-----	-------	--	------------------------------------	------	--

175	Inbox		11/19/2015 9:01:13 AM(UTC+0)	Read	I spoke to probation. You better not take it lightly. That's all I can tell you! With my artificial love! So you say!
174	Inbox		11/19/2015 10:05:54 AM(UTC+0)	Read	No, I didn't say one thing!! I'm just saying don't take it lightly! Gosh! You act like I'm your enemy!

76	Inbox		11/24/2015 5:34:35 AM(UTC+0)	Read	Whatever! That's your choice! You know the consequences!
75	Outbox		11/24/2015 5:45:02 AM(UTC+0)	Sent	Go ahead with your threats.
74	Inbox		11/24/2015 5:47:43 AM(UTC+0)	Read	No threats! You know!

21	Inbox		11/25/2015 4:50:37 AM(UTC+0)	Read	With your permission, I am going to run that number thru our data banks and find out where it came from! Is that alright ?
----	-------	--	------------------------------------	------	--

Investigator: C. Brower #279

Date of Report: 06/23/2016

Approved By: 

Date: 6/28/2016

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
GENERAL MISDEMEANOR GUILTY PLEA FORM**

CASE NO. 16CM07158 PEOPLE vs. GUERRERO

1. My true full name is Angel Lora Guerrero
2. I understand that I am pleading ☒ **GUILTY** / ☐ **NOLO CONTENDERE** and admitting the following offenses, prior convictions and special punishment allegations, with the maximum punishment indicated below:

FILED
Court Use Only
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER
OCT 12 2016
ALAN CARLSON, Clerk of the Court
BY: N. ROBLES, DEPUTY

CT	CHARGE	PRIORS (Date)	ALLEGATIONS	MAX SENTENCE JAIL/FINES
1	11143 P.C.			6mo 2000
2	11143 P.C.			(654)

3. I understand I am also charged with a violation of probation in Case No. _____

3. A

RIGHTS AND WAIVERS

4. I understand I have the following constitutional rights, which I am waiving and giving up by entering my plea, and, if applicable, by my admission of a probation violation:

4. A

4a. I have the right to be represented by an attorney at all stages of the proceedings until the case is completed. If I cannot afford an attorney, one will be appointed to represent me.
(For defendants without an attorney: I am aware that there are dangers and disadvantages of representing myself and there may be a value in obtaining advice from an attorney in this matter but I knowingly and voluntarily waive and give up my right to an attorney and choose to represent myself.)

4a. A

4b. I have the right to a speedy and public trial by a jury or a judge, and if charged with a probation violation, the right to a hearing before a judge. I waive and give up this right.

4b. A

4c. I have the right to confront the witnesses against me and to cross examine them. I waive and give up this right.

4c. A

4d. I have the right to testify on my own behalf but I cannot be compelled to be a witness against myself and may remain silent if I choose. I waive and give up this right.

4d. A

4e. I have the right to present evidence and have the Court issue subpoenas to bring into Court all witnesses and evidence favorable to me, at no cost to me. I waive and give up this right.

4e. A

4f. Under the Fourth and Fourteenth Amendments to the United States Constitution, I have a right to be free from unreasonable searches and seizures. If I am granted probation, I waive and give up this right. I agree to submit my person and property, including any residence, premises, container, or vehicle under my control, to search and seizure at any time of the day or night by any law enforcement or probation officer, with or without a warrant, and with or without reasonable cause or reasonable suspicion.

4f. A

5. I understand I have the right to appeal an adverse ruling on a Penal Code section 1538.5 suppression motion. I waive and give up this right.

5. 2

6. I understand that I have the right to have a delay in pronouncement of my sentence of not less than six hours and not more than five days after my plea. I waive and give up this right and agree to be sentenced at this time.

6. A

7. **Arbuckle waiver:** I understand I have the right to be sentenced by the judge who accepts this plea. I waive and give up this right.

7. A

8. I understand I have the right to be present for the entry of the plea of guilty or nolo contendere, and I hereby waive and give up that right.

8. A

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
GENERAL MISDEMEANOR GUILTY PLEA FORM**

CASE NO. _____ PEOPLE vs. _____

9. I understand I have the right to reject probation, and I hereby waive and give up that right and accept probation on the terms and conditions ☐ as imposed by the court, or ☒ as contained in the attached Sentence Recommendation form.

9. 

9a. If the judge does not wish to follow the Prosecutor's sentence recommendation, I may withdraw my plea.

9a. 

9b. If I violate any of the terms of probation, I may be returned to court and sentenced up to the maximum punishment as indicated in 2 above.

9b. 

CONSEQUENCES:

10. I understand that some possible consequences of my plea and admissions are as follows:


10a. There will be state penalty assessments added to any fines imposed by the court.

10a. 


10b. I will be ordered to pay a minimum of \$150 and a maximum of \$1,000 to the State Restitution Fund unless the court makes a finding of "compelling and extraordinary reasons" for waiving this fine.

10b. 

10c. I will be ordered to pay a minimum of \$150 and a maximum of \$1,000 probation revocation restitution fine pursuant to Penal Code section 1202.44. The restitution fine will be stayed but will be payable upon revocation of probation.

10c. 

10d. If I am not a citizen of the United States the conviction for the offense(s) charged may or, with certain offenses, will have the consequence of deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

10d. 

10e. If I am charged and convicted of a similar offense in the future, my plea today may be used to increase my punishment for the new offense.

10e. 

10f. If I am presently on probation or parole for any previous conviction, my plea today may cause me to be in violation of that probation or parole and result in additional penalties and/or punishment.

10f. 

10g. There may be additional consequences to my plea, as follows:

10g. 


☐ I may be required to register as a sex offender as required by Penal Code section 290.

☐ I may be required to register as a drug offender as required by Health and Safety section 11590.

10h. The Department of Motor Vehicles may take action and may suspend my driver's license for specified drug, alcohol offenses and vandalism, including the following:

EVERYONE convicted of Penal Code section(s) 594, 594.3, or 594.4 (Vandalism): 1 year suspension.

UNDER 21 years of age – Suspended for 1 year for violation of Penal Code section(s) 647f, 192.5; Health and Safety Code sections involving dangerous drugs, controlled substances, and alcohol; Business and Professions Code section(s) 25658, 25658.5, 25661, 25662; Vehicle Code section(s) 23222, 23224.

10h. 

11. I understand I have the right to enter my plea before, and be sentenced by, a judge. I waive and give up this right and agree to enter my plea before, and be sentenced by, a commissioner or temporary judge: _____ as assigned _____ (enter name of Commissioner or Temporary Judge).

11. 

PLEA

12. I offer my plea and admit the listed priors and allegations freely and voluntarily. No one has made any threats, used any force against me or my family or loved ones, and no one has made any promises to me other than as on the Sentence Recommendation form.

13. I make my plea with a full understanding of all the matters set forth in the charging document and in this form. I have read, understood, and personally initialed each item herein, and I understand that the signing and filing of this form is conclusive evidence that I have pleaded ☒ **GUILTY** / ☐ **NOLO CONTENDERE** to the charges set forth.

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
GENERAL MISDEMEANOR GUILTY PLEA FORM**

CASE NO. _____ PEOPLE vs. _____

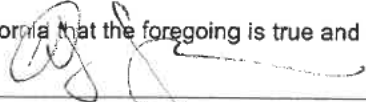
14. Discussion with my attorney (*Leave this box blank if you are not represented by an attorney*). Before entering this plea, I have had a full opportunity to discuss with my attorney the facts of the case, the elements of the charged offenses and prior convictions (if any), any defenses that I may have, my constitutional and statutory rights and waiver of those rights, the consequences of this plea, and anything else I think is important to my case.

14. 

15. I offer the following as a factual basis for my plea: On + between Oct 31, 2014 +
November 1, 2015 I obtained without lawful author, zation information
from a record - on 2 occasions.

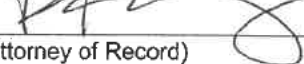
I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: 10-5-16

SIGNED: 
(Defendant)

DEFENDANT'S ATTORNEY: I am the attorney of record for the defendant. I have explained each of the above rights to the defendant and answered all of the defendant's questions with regard to the plea. I have discussed the facts of the defendant's case with the defendant and explained the consequences of this plea, the elements of the offense(s), the possible defenses, and the sentence to be imposed. I concur in this plea and in the defendant's decision to waive his/her constitutional rights.

DATED: 10-5-16

SIGNED: 
(Attorney of Record)

INTERPRETER'S STATEMENT: Having been sworn or having a written oath on file, I certify that I translated this form to the defendant in the _____ language. The defendant stated that (s)he understood the contents of this form and then (s)he initialed and signed the form.

DATED: _____

SIGNED: _____
(Court Interpreter)

FOR THE PEOPLE:

DATED: 10/5/16

SIGNED: 



Right Thumb Print

(Bailiff's Signature and Badge #)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
MISDEMEANOR SENTENCE RECOMMENDATION

Court Use Only

CASE NUMBER 16cm07158 PEOPLE VS Queviera

- ☐ Count(s) _____ dismissed on motion of People.
☐ Count(s) _____ sentence suspended.
☐ Count(s) _____ stayed pursuant to PC 654.

TERMS

- ☒ Imposition ☐ Execution of sentence is suspended. 3 years
☐ Formal ☒ Informal PROBATION as to Count(s) 1, 2
☒ Violate no laws ☒ Obey all orders and rules of Court, Probation Department & Jail.
☐ Submit to search and seizure.
☐ Consume no alcoholic beverages and do not be present in any establishment where alcohol is primary item of sale.
☐ Do not drive with a measurable amount of alcohol in blood system.
☐ Submit to a chemical test of blood on demand of any peace officer or probation officer.
☐ Use no unauthorized drugs, narcotics or controlled substances and submit to chemical testing on demand of probation officer or police officer.
☐ Cooperate with Probation Department in any plan for counseling or treatment.
☐ Seek training, schooling, employment and maintain residence as approved by the Probation Department.
☐ Do not associate with anyone disapproved of by your probation officer.
☐ Do not knowingly own, use or possess any type of dangerous or deadly weapon ☐ Term of 10 years.
☐ Court orders weapon destroyed.
☒ Do not drive without a valid driver's license in your possession.
☒ Do not drive without valid insurance.
☒ Use TRUE NAME and Date of Birth at all times.
☒ Carry valid government issued identification card at all times.
☒ Provide the Court with your current address, telephone number, employer's name, address and telephone number. Immediately notify the Court of any changes.
☒ Disclose probation terms upon request of Probation or Law Enforcement Officer.

FINES AND FEES

- ☐ Pay a fine of \$ _____ + Penalty Assessment on count _____.
☐ Pay a fine of \$ _____ + Penalty Assessment on count _____.
☐ Commit on fine(s) on count(s) _____ for _____ days.
☐ Pay \$ _____ Court Costs on count(s) _____.
☐ Pay \$50 Alcohol Abuse Education Fee. (VC 23645)
☐ Pay \$50 Alcohol Testing Penalty (PC 1463.14)
☐ Pay \$100 Alcohol Assessment Fee. (VC 23649)
☐ Pay \$50 Lab fee + Penalty Assessment (PC 1463.14/HS 11372.5)
☐ Pay \$150 Drug Program Fee + Penalty Assessment (HS 11372.7)
☐ Pay \$ _____ Domestic Violence Discretionary Fee for all Orange County Domestic Violence Shelters. (PC 1203.097)
☐ Pay \$ _____ Domestic Violence Prevention Fund. (PC 1203.097(a)(5))

(optional)

THE FOLLOWING FEES ARE NOT CONDITIONS OF PROBATION:

- ☒ Pay \$ 120 State Restitution Fine (minimum of \$100.00) on count(s) 1, 2. (PC 1202.4(b)(1))
☒ Pay \$ 120 Probation Revocation Restitution Fine (minimum of \$100.00). Restitution fine stayed. Effective upon revocation of probation. (PC 1202.44)
☒ Pay the following fees:
• Criminal Conviction Assessment Fee(s) \$30/misdemeanor; \$35/infracton (per convicted count). (GC 70373(a)(1))
• \$40.00 Court Operations Fee (per convicted count) (PC 1465.8)
• Additional fees as required by law
☐ \$10 Local Crime Prevention Fund (PC 1202.5)
☐ Pay Booking Fees as ordered by the Court.
☐ Pay costs of formal probation as directed by Probation Officer.
☐ Fines/Fees to be paid forthwith.
☐ Fines/Fees to be paid through Court Collections ☐ forthwith ☐ by _____.
☐ Fines/Fees to be paid through Probation.

Additional program fees may be applicable and paid through the program.

JAIL

- ☐ Serve _____ days Orange County Jail on Count _____.
☐ Serve _____ days Orange County Jail on Count _____.
☐ Jail to be served through the City of _____.
☐ Credit for _____ actual + _____ = total _____.
☐ Work release denied ☐ Electronic Confinement denied
☐ County Work Program denied
☐ JAIL STAYED to _____ at _____ am/pm. Report to ☐ Theo Lacy ☐ Orange County Jail-Intake Release Center.
☐ May be released to an authorized representative of the _____ program to serve remainder of jail sentence.
☐ Serve _____ weekends at _____ Jail (no good time or work time to be applied to original sentence).
☐ Sentence(s) to run consecutive / concurrent to each other / any other sentence / Case No: _____.
☐ Jail stayed to _____ pending successful completion of
☐ DUI Court (except any statutory minimum term which may be served on SEC during the term of DUI Court as imposed by the Court.)
☐ Probation ☐ Community Service ☐ Cal Trans
☐ Cal Trans/Physical Labor by _____.
☐ Receive day for day credit. If program not completed, full jail sentence to be imposed with no credit for time served.
☐ To be served in State Prison concurrently.
☐ Book and release and show proof by _____.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
MISDEMEANOR SENTENCE RECOMMENDATION

CASE NUMBER 16CM07158

PEOPLE VS Guerrero

COMMUNITY SERVICE / OTHER PROGRAMS

- ☒ Complete 30 ☒ hours ☐ days of ☒ Comm. Service
☐ Cal Trans ☐ Cal Trans/Physical Labor
☐ In lieu of fines ☐ in lieu of jail
☐ Complete Graffiti Removal as to count(s) _____
☐ Proof of completion due to the Clerk's Office by 6-30-17

ALCOHOL & DRUG/PROGRAMS/DRIVERS LICENSE

Complete 1st Offender Program:

- ☐ 3 month program ☐ 6 month ☐ 9 month
☐ Complete Multiple Offender – 18 month
☐ 12 hour program
☐ Attend Victim Impact Counseling. Proof of completion due to the Clerk's Office by _____
☐ Attend and complete _____ self help and/or Alcoholics Anonymous meetings ☐ self help and/or Narcotics Anonymous meetings ☐ per day ☐ per week ☐ per month. Proof due by _____.
☐ Court designates defendant a Habitual Offender. (VC 13350(b))
☐ Driving privilege suspended for 1 year pursuant to:
☐ VC 13202 (Vehicle conviction related to controlled substances)
☐ VC 13202.5 (Alcohol / Drugs under the age of 21)
☐ VC 13202.6 (Vandalism)
☐ Driving privilege suspended for _____ year(s) pursuant to VC 13352(a)(3) (2nd DUI conviction w/in 10 years)
☐ Driving privilege revoked for _____ years pursuant to VC 13352(a)(5)
☐ Complete Youthful Alcohol & Drug Deterrence Program and show proof to the Clerk's Office by _____
☐ Enroll and complete PC 1210 program. Proof of enrollment due by _____. Refer to PC 1210 Addendum
☐ Register with local law enforcement within 5 days from today or within 5 days upon release from custody pursuant to:
☐ HS 11590 (narcotics offense)
☐ PC 186.30 (gang related offense)
☐ PC 457.1 (arson offense) – Lifetime registration
☐ PC 290 (sex offense) – Lifetime registration
☐ Submit to AIDS testing. Proof due to Department _____ by _____.
☐ Attend and complete AIDS Prevention Education. Proof of completion due to the Clerk's Office by _____.

DOMESTIC VIOLENCE

- ☐ Complete Batterers' Treatment Program. (52 weeks active participation required)
☐ Alcohol/Drug Component
☐ Total abstinence from alcohol and drugs
☐ Test alcohol and drugs (blood or urine only)
☐ Parenting component
☐ One year Child Abuser's Program.
☐ Health Care Agency Perinatal Program.

I have read, I understand, and I accept these terms and conditions of probation.

Date: 10-5-16

Defendant's Signature: _____

D.A. / C.A. Signature: _____

Defense Counsel Signature: _____

Legend: PC-Penal Code GC – Government Code VC – Vehicle Code

HS – Health & Safety Code

Page 2 of 2

DOMESTIC VIOLENCE, continued

- ☐ Other program(s) _____ ☐ weeks
☐ months ☐ years active participation required.
☐ Proof of enrollment due to the Court by _____.
☐ Comply with Court protective order.
☐ Defendant owns/possesses firearm(s). Relinquishment hearing set on _____.
☐ Surrender all firearms within 24 hours as required by law and file proof of surrender form within 48 hours with the Court.

RESTITUTION

- ☐ Make Restitution in the amount of \$ _____ or as determined through ☐ Victim Witness ☐ Probation, with interest at the rate of 10% ☐ from the date of sentencing ☐ from the date of loss.
☒ Pay \$ 500 to Victim Witness Emergency Fund by 12/12/16. (PC 1203.1(i)) → Deemed Paid
☐ Pay cost of counseling to the victim and/or children in the amount of \$ _____.
☐ Submit a new financial disclosure form if money is still owing on a restitution order or fine 120 days before the scheduled release from probation. File the form with the court at least 90 days before the scheduled release from probation.
☐ Complete and return Statement of Assets form by _____.

ADDITIONAL TERMS & CONDITIONS

- ☐ Have no contact with _____.
☐ Stay _____ miles ☐ yards away from _____.
☐ Obey all rules of Court ordered program. Do not leave the program without Court approval.
☐ Probation to ☐ terminate ☐ be modified to informal status upon _____.

ADDENDUMS

- ☐ PC 1210 with Disclosure ☐ Gang ☐ Graffiti ☐ DUI Court
☐ _____
☐ _____

DEFERRED ENTRY OF JUDGMENT (PC1000)

- ☐ All checked terms and conditions will be imposed, if terminated from the PC1000 Program.

REPORT ☐ forthwith ☐ by stay date to:

- ☒ Collections ☐ Clerk's Office ☐ Probation
☒ OneOC ☐ Alcohol Liaison ☐ _____
☐ District Attorney ☐ Victim Witness

OTHER \$500 @ 10/12/16

NOTICE TO DEFENDANT: After successful completion of probation, or if not placed on probation, any time after the lapse of one year from the date of pronouncement of judgment, you may petition the court to dismiss the charges under Penal Code Section 1203.4. This notice does not apply to any protective orders.

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

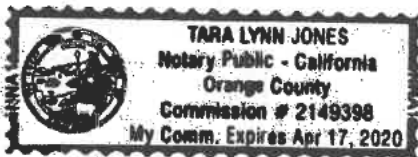
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
 County of Orange)
 On October 5, 2016 before me, Tara Lynn Jones, Notary Public
 Date Here Insert Name and Title of the Officer
 personally appeared Angel L. Guerrero
 Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Tara Lynn Jones
 Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Plea form, Sentencing recommendation Document Date: 10/05/16
 Number of Pages: 5 Signer(s) Other Than Named Above: Paul S. Mayer

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

Signer's Name: _____
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Individual ☐ Attorney in Fact
☐ Trustee ☐ Guardian or Conservator
☐ Other: _____
 Signer Is Representing: _____

Memorandums

**ORANGE COUNTY SHERIFF'S DEPARTMENT
INTERNAL MEMO**



TO: Lieutenant J. Danks
FROM: Sergeant V. Asuncion
DATE: January 26, 2016
RE: PI#15-160

While conducting my internal investigation, I discovered that Deputy Angel Guerrero logged into ELETE and retrieved information on [REDACTED] and her estranged husband, [REDACTED]. I contacted Application Specialist Tina Winterburn who provided the information. Deputy Guerrero logged in 37 times from November 20, 2014 to October 24, 2015 to retrieve information pertaining to [REDACTED]. He also logged in 41 times from November 15, 2014 to September 26, 2015 to retrieve information pertaining to [REDACTED].

[REDACTED] In light of Deputy Guerrero's internal investigation, I am requesting for Internal Criminal Investigations to review Deputy Guerrero's use of the ELETE system for possible violations of CPC sections 11141-11143 and 13302-13304.



Deputy Probation Officer Ortiz
Special Incident Report

INSTRUCTIONS:

1. This report is applicable to any unusual or serious incident affecting the safety of individuals or physical assets of a probation activity
2. If injury or illness is involved, an extra copy should be forwarded immediately to Human Resources.

DISTRIBUTION:

FOR ACCIDENTS OR INJURIES ONLY:
"Professional Standards Division"
DEPUTY PROBATION OFFICER CONCERNED
SUPERVISING PROBATION OFFICER
DIVISION DIRECTOR OF SERVICE INVOLVED
CHIEF DEPUTY – FIELD SERVICES

CHECK NATURE OF INCIDENT:

- ☐ Injury or accident * ☐ Abnormal behavior ☐ Physical Altercation ☐ Damage to equipment
☒ Other (describe) Possible OCSD Deputy relationship with Probationer

Date & Time: 11-25-15/ 1045
hrs

Division: Adult Supervision

Unit: 137

DESCRIBE INCIDENT:

On 11-25-15 at approximately 1045 hrs, DPO Fix and I went to do a compliance check at a probationer's residence, [REDACTED] Anaheim, CA 92802, and located text messages from an OCSD Deputy's personal phone on the probationer's cell phone.

DESCRIBE FULLY:

On 11-25-15 at approximately 1015 hrs, DPO Fix and I were booking an Adult Probationer into the Orange County Jail. Deputy Angel Guerrero, was accepting the paperwork for jail bookings at that time. I have known Deputy Guerrero from previous bookings and he had previously given us information reference a probationer [REDACTED] indicating that [REDACTED] was his Niece. The first time Deputy Guerrero inquired about [REDACTED] was in January 2015. He initially informed me that he was a friend of the family and that [REDACTED] had absconded probation. He explained that he and her family were concerned about her drug use and associates. I confirmed with her assigned Probation Officer, DPO M. Yriarte, that she was living on Ball Rd. in the City of Anaheim. I asked DPO Yriarte if I could attempt to make contact and was told yes. On 1-23-15, DPO Fix and I contacted [REDACTED] mother and sister who confirmed that [REDACTED] was not living with them. [REDACTED] absconded probation supervision thereafter. (SEE NEXT PAGE)

FOR ADDITIONAL SPACE USE SPECIAL INCIDENT REPORT 2ND PAGE (F057-7018a) ATTACHED

Recommended follow-up: PSD to follow up with the investigation

Action taken (include Court and medical treatment, if applicable) _____

Witnesses (include name, title, address, telephone number and nature of testimony): _____

DPO J. Fix -1283
NCFSO
714-937-4538

SIGNATURE

11-25-15
DATE

SUPERVISOR

DPO - Joseph Ortiz -1373
(PRINT NAME – TITLE)
PHONE: (714) 937-4542

SPECIAL INCIDENT REPORT
(FIELD SERVICES)

During a subsequent booking at the Orange County Jail, Deputy Guerrero informed us that [REDACTED] was staying at her husband's residence in the City of Fullerton. On 2-5-15, DPO Fix and I went to the residence of [REDACTED] husband, in the city of Fullerton and located the probationer and [REDACTED] was cited for HS 11364 by the Fullerton Police Department and [REDACTED] was booked for a probation violation. For the next several months, during the booking process at the Orange County Jail, we would see Deputy Guerrero. Deputy Guerrero recently stated that [REDACTED] husband, had violated a restraining order that was in place preventing [REDACTED] from having contact with [REDACTED]. He stated [REDACTED] was in custody for new charges, and that this would help in [REDACTED] sobriety. He was now referring to [REDACTED] as his niece. During one of our recent bookings at the Orange County Jail, Deputy Guerrero commented that [REDACTED] had been transferred to a different institution and that he had arranged for [REDACTED] to return to the Main Jail. I made no assumptions nor did I ask him why.

Today, 11-25-15, while booking in one of my probationers Deputy Guerrero called for my attention and wanted to talk to me about [REDACTED]. He again stated that [REDACTED] was his niece and that he had been talking to her about being in compliance with probation. He stated that he was concerned about her honesty with her probation officer and that she might not be living with her grandmother at the Ball Rd. address. He stated that she had told him that she was considering going back to Court to remove the restraining order regarding her husband, [REDACTED]. Deputy Guerrero stated that he did not want this to happen as she might get back into using drugs again. He also stated that [REDACTED] has been "hanging out" with friends that might negatively influence her and that she has not told her probation officer this information. He asked if we would do a compliance check at her grandmother's residence as he was concerned about his niece. He asked me to give him a call afterwards and wrote down his desk # 647-6040 and his personal # [REDACTED] on a yellow post-it note. I asked him what his niece's name was, and he said [REDACTED]. I asked him what her DOB was and he said [REDACTED]. I asked him if he remembered her address on [REDACTED] and he offered to look up the information on their database. I told him it wasn't necessary and that I would look on our ICMS. Due to the fact that she is currently on Formal Probation, and I have had previous contact with the family, I told him that I would try and do a compliance check as he seemed like a concerned relative and did not want to see his niece violate her probation. I recalled that DPO Yriarte was scheduled off so I reviewed the ICMS notes on [REDACTED] and noticed that on September 24, 2015, DPO Yriarte attempted to contact the probationer at the Ball Rd. address and was unclear if the probationer was in fact staying there. I made the decision to do the compliance check for her due to the fact that [REDACTED] might not be living at her address of record and because I had information from Deputy Guerrero that she might not be in compliance with her terms of probation.

We arrived at [REDACTED] Anaheim, CA 92802, [REDACTED] address of record, at approximately 1045 hrs. We knocked on the door and [REDACTED] opened the door to let us in. We told her we were there to do a compliance check and that we were glad to see her at her reported address. We told her we would inform DPO Yriarte that we verified the residence and that she was taking care of her grandmother as DPO Yriarte had stated. DPO Fix asked her if she had belongings to confirm her residency, and she stated that she did. She pointed to a closet that DPO Fix searched while I asked her to have a seat on a dining room chair. She said that she slept on the bed in the family room within reach of the dining room chair. I noticed two cell phones, an iPhone and a wireless pad on her bed. She stated that they were her phones and that she was going to sell the white phone at a nearby store. I picked up the dark colored Samsung phone from her bed and began to scroll through the text messages to verify that she was not involved in any drug transactions, as she is on probation for HS 11352(a) (Drug sales). I noticed the first text message from "My Fifty Shades" and observed several sexually explicit text messages to and from the probationer and "My Fifty Shades". The most recent text was sent and received today 11-25-15 between [REDACTED] and "My Fifty Shades".

I then asked [REDACTED] if she was in a relationship at this time, knowing that her husband, [REDACTED] was in custody. I was concerned that the text messages might be from [REDACTED] and that he may have had access to a cell phone in custody. She stated that she had a boyfriend then stated he was her fiancé. I asked what his name was and she asked if she needed to tell us. DPO Fix told her that DPO Yriarte would want to know who her associates are in order to ensure that her fiancé was not on probation or parole, or someone that probation would disapprove of. [REDACTED] stated that her fiancé was Angel Guerrero. DPO Fix asked her why she didn't want to initially state who her fiancé was. She explained that Angel Guerrero was a Deputy with the Sheriff's Department. I looked back into the contacts in the phone to identify the phone number associated with "My Fifty Shades" and found the phone # to be [REDACTED], the same phone number given to me by Deputy Guerrero. DPO Fix finished her search of [REDACTED] purse and located two credit cards with other individual's names on them. The two credit cards and the Samsung cell phone were seized and DPO Fix wrote the items on the back of her business card to indicate that they were seized by the probation department. I told her that she was to report to DPO Yriarte on Monday 11-30-15 in order to talk to her about the contents on the cell phone and to be honest with DPO Yriarte about her relationship with her associates as DPO Yriarte wants her to remain in compliance while on probation.

Upon returning to the Probation Department, SPO Shawn Barry was notified of our findings. SPO Christine Staswick and DPO Michele Yriarte were also notified.

Supplemental Information

Orange County Sheriff-Coroner Department

Policy Manual

Rules of Conduct - General

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.



VISION Web
CRIMINAL AND TRAFFIC SYSTEM

Welcome Elite User!
Click on [User Preferences](#)
to change User Settings

[Cases](#)
[Calendar](#)
[Vehicle](#)
[Agency Calendar](#)

[Home](#)
[FAQs](#)
[About](#)
[Feedback](#)
[Log Out](#)

Case Number: 16CM07158

OC Pay Number: 8913750

Originating Court: Central

Defendant: Guerrero, Angel Lora

☐ Demographics...

☐ Identifiers...


☐ Names...

☐ Vehicles...

Case Status: Convicted

☐ Details...

[View All Case Documents](#)

[Printable Version](#) 

Case Stage: -

Charging Document: Complaint

DA Case Number: 16C04299

Release Status: Released on Own Recognizance

Mandatory Appearance: Y

DR Number: 16-032341

Warrant: N

Owner's Resp: N

Amendment #: 0

[Case Info](#)

[Hearing Info](#)

[Release Info](#)

[Sentencing](#)

[Register of Actions](#)

[Other Cases Report](#)

[Filing Documents](#)

Filter Start Date: - Filter End Date: - Docket Code: [Filter](#) [Clear](#)

Register of Action

Date Action	Seq	Docket Code	Text
08/08/2016	1	FLDOC	Original Complaint filed on 08/08/2016 by Orange County District Attorney.
	2	FLNAM	Name filed: Guerrero, Angel Lora
	3	FLCNT	MISDEMEANOR charge of 11143 PC filed as count 1. Date of violation: 10/31/2014.
	4	FLCNT	MISDEMEANOR charge of 11143 PC filed as count 2. Date of violation: 10/31/2014.
	5	CLADD	At the request of People, case calendared on 09/06/2016 at 08:30 AM in C54 for ARGN.
	6	FI959	Accusatory pleading filed by the prosecutor pursuant to Penal Code section 959.1.
09/06/2016	8	FIFCI	Arraignment Letter filed.
	1	HHELD	Hearing held on 09/06/2016 at 08:30:00 AM in Department C54 for Arraignment.
	2	OFJUD	Judicial Officer: Melissa R. McCormick, Judge
	3	OFJA	Clerk: K. Kolonics
	4	OFBAL	Bailiff: B. Kurka
	5	APSDA	David McMurrin made a special appearance for District Attorney Gautam Kumar Sood.
	6	APNDC	Defendant not present in Court represented by Paul S. Meyer, Retained Attorney.
	7	WV977	Defendant's appearance is waived pursuant to Penal Code 977(a).
	8	FICON	Request for Continuance - Misdemeanor filed.
	9	CLCON	Arraignment continued to 09/20/2016 at 08:30 AM in Department C54 at request of Defense.
	10	WVRAT	Defendant waives the right to be arraigned today.
	11	DSROR	Court orders defendant released on own recognizance.
09/20/2016	12	OFMCD	Minutes entered by M. Mejia on 09/06/2016.
	1	HHELD	Hearing held on 09/20/2016 at 08:30:00 AM in Department C54 for Arraignment.
	2	OFJUD	Judicial Officer: Melissa R. McCormick, Judge
	3	OFJA	Clerk: G. Cooper
	4	OFBAL	Bailiff: B. Kurka
	5	APDDA	People represented by Gautam Kumar Sood, Deputy District Attorney, present.
	6	APNDC	Defendant not present in Court represented by Paul S. Meyer, Retained Attorney.
	7	WV977	Defendant's appearance is waived pursuant to Penal Code 977(a).
	8	FICON	Request for Continuance - Misdemeanor filed.
	9	WVRAT	Defendant waives the right to be arraigned today.
	10	CLCON	Arraignment continued to 10/14/2016 at 08:30 AM in Department C54 at request of Defense.
	11	CLTXT	Counsel may appear Penal Code 977(a) on 10/14/16.
	12	DSOCN	Defendant's release on own recognizance continued.
10/06/2016	13	OFMCD	Minutes entered by R. Coffey on 09/20/2016.
	1	CLADD	At the request of People, case calendared on 10/12/16 at 08:30 AM in C54 for ARGN.
10/12/2016	2	CLCAN	ARGN set on 10/14/16 at 08:30 AM in C54 has been cancelled.
	1	HHELD	Hearing held on 10/12/2016 at 08:30:00 AM in Department C54 for Arraignment.
	2	OFJUD	Judicial Officer: Melissa R. McCormick, Judge
	3	OFJA	Clerk: N. Robles
	4	OFBAL	Bailiff: B. Kurka
	5	APDDA	People represented by Gautam Kumar Sood, Deputy District Attorney, present.
	7	APNDC	Defendant not present in Court represented by Paul S. Meyer, Retained Attorney.
	8	TEXT	Notorized Tahl
	9	PLGCT	To the Original Complaint defendant pleads GUILTY as to count(s) 1, 2.
	10	ADCRWG	The defendant has been advised of constitutional rights, waivers and consequences in writing pursuant to the guilty plea form. The defendant makes the plea with a full understanding of all the matters set forth in the charging document and in the guilty plea form, that defendant has read, understood and personally initialed each item herein. Defendant understands that the signing and filing of the guilty plea form is conclusive evidence that defendant has pleaded GUILTY to the charges set forth.
	11	FIWWR	Defendant's notarized written waiver of legal and constitutional rights for guilty plea received and ordered filed.
	12	FDCAU	Court finds counsel has been authorized to enter waivers and plea and accepts the sentence on behalf of the defendant.
	13	WVTIM	Defendant waives statutory time for Sentencing.
	14	PRISS	No legal cause why judgment should not be pronounced and defendant having Pled Guilty to count(s) 1, 2, Imposition of sentence is suspended and defendant is placed on 3 Year(s) INFORMAL PROBATION on the following terms and conditions:
	15	PRVNL	Violate no law.
	16	PROBY	Obey all orders, rules, and regulations, and directives of the Court, Jail, and Probation.

Case #	ORANGE COUNTY SHERIFF'S DEPARTMENT	POBOR DEADLINE
15-160		7/26/2017

PERSONNEL INVESTIGATION TRACKING CHECKLIST

The investigation for the above-referenced case is now complete and ready for assessment.

Distributed by PSD to IRC/Transportation 4/26/2017
 Division DATE

Within your Division, please assess the file from the perspective of individual accountability as well as training, policy, and systems issues.

* PSD supervisors have reviewed the case. You should consider them a potential resource for a variety of questions and concerns as you proceed.

* For those cases where the discipline exposure is 24 hours or greater, please consult with the *Constitutional Policing Advisor* (714-834-3381)

DIVISION TRACKING

Initial Review by: N/A
 LIEUTENANT OR MANAGER DATE

Constitutional Policing Advisor consulted: yes no
 (Circle One) DATE

DIVISION REVIEW

Division Review by: Captain P.D'Auria
 DIVISION COMMANDER DATE

☐ Disposition is *Unfounded* or *Not Sustained*
 or

☐ Disposition within Division Authority (Written Reprimand - 24 Hours)
 or

☒ Recommended discipline exceeds Division Authority; Referred to: CMOR. J. Brubbs
 COMMAND

EXECUTIVE COMMAND REVIEW (If applicable)

Executive Command Review by: Joe J. Brubbs Date: 5-2-17

PROCESSING

Returned to PSD for processing: _____
 Date

Employee Notification: _____
 Date

Notes



Human Resource Services
Memorandum

Date: May 17, 2017

To: Sandra Hutchens, Sheriff-Coroner
OC Sheriff-Coroner Department

From: Brenda Diederichs, Chief Human Resources Officer
Human Resource Services

Subject: Authorization to Discharge (Angel Guerrero)

In accordance with Article X, Section 5 of the County of Orange 2016-2019 Memorandum of Understanding with the Peace Officer Unit and Supervising Peace Officer Unit, the proposed discharge of Angel Guerrero, Deputy Sheriff II, is approved.

Brenda Diederichs
Chief Human Resources Officer

5/18/2017
Date

Cc: Richard Sanchez, Human Resources Manager, OC Sheriff
Lt. Jason Danks, Professional Standards, OC Sheriff



CASE MANAGEMENT NOTES

CASE#15-160

DATE	TIME	INVESTIGATION
12-8-15		CASE RECEIVED AND REVIEWED.
1-11-16		EMAIL NOTIFICATION FOR DPO JOSEPH ORTIZ.
1-12-16	0830	PHONE INTERVIEW WITH DPO JOSEPH ORTIZ.
1-12-16	1030	INTERVIEW WITH [REDACTED]
1-20-16		INTERVIEW SCHEDULED WITH DEPUTY GUERRERO FOR 1-28-16.
1-22-16		INTERVIEW WITH DEPUTY [REDACTED]
2-15-16		CASE SENT TO INTERNAL CRIMINAL.
5-17-16		INTERNAL CRIMINAL FILED WITH DA.
8-8-16		DA FILED CHARGES AGAINST DEPUTY GUERRERO.
10-12-16		DEPUTY GUERRERO PLED GUILTY (16CM07158) AT CENTRAL COURT. PRINTED OUT REGISTER OF ACTIONS FROM VISION SHOWING GUILTY AND SENTENCING STATUS.
12-16-16		CASE TRANSFERRED TO ME FROM SGT. ASUNCION.
12-20-16		STARTED WORKING ON QUESTIONS FOR GUERRERO INTERVIEW.
1-25-17		INTERVIEW SCHEDULED FOR DEPUTY GUERRERO ON 2-28-17.
2-28-17		INTERVIEW DOWLOADED TO INVESTIGATIVE SUMMARY.
3-1-17		CASE SUBMITTED FOR APPROVAL.

Deputy Angel Guerrero



ORANGE COUNTY SHERIFF'S DEPARTMENT

PROFESSIONAL STANDARDS DIVISION NOTICE OF ADMINISTRATIVE LEAVE

Confidential

To: Assistant Sheriff Steve Kea
Assistant Sheriff Linda Solorza

From: Sergeant Virgil Asuncion

Date: November 30, 2015

Please be advised that Deputy Angel Guerrero [REDACTED] has been placed on Administrative Leave effective today at 1630 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
SANTA ANA, CA 92703
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.

ANGEL GUERRERO

Employee Name (print)

[REDACTED]

Residence / Designated Area Address

[REDACTED]

(H)

Telephone Number(s)

CHANGE on 4-19-17
WATERS

CUSTODY - IRC

Employee's Assigned Division

[Signature]

Employee Signature

11-30-15

Date

[Signature]

Assistant Sheriff or Designee

11/30/15

Date



ORANGE COUNTY SHERIFF'S DEPARTMENT

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

SHERIFF-CORONER
SANDRA HUTCHENS

P.I. #15-160

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 (AG)

LYBARGER WARNING

Deputy Angel Guerrero, as a result of your refusal to waive your Miranda rights, 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 (AG)

[Signature]
Employee Signature
[Signature]
Sergeant Signature

2-28-17
Date

2-28-17
Date



ORANGE COUNTY SHERIFF'S DEPARTMENT

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

SHERIFF-CORONER
SANDRA HUTCHENS

P.I. #15-160

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

2-28-17

Date



Sergeant Signature

2-28-17

Date



ORANGE COUNTY SHERIFF'S DEPARTMENT

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

SHERIFF-CORONER
SANDRA HUTCHENS

P.I. #15-160

CONFIDENTIALITY DIRECTIVE


Deputy Angel Guerrero, 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 Sergeant 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.



Employee Signature

7-28-17
Date



Sergeant Signature

2-28-17
Date



Case Report by Principal - ANGEL L. GUERRERO

Print Date: 12/1/2015

<u>Case Number</u>	<u>Incident Date</u>	<u>Issue Date</u>	<u>Complete Date</u>	<u>Complaint Description</u>	<u>Disposition</u>
PI15-160 A	ongoing	11/30/2015		Fraternization	Pending

Total Cases per Principal: 1