

# Sacramento Police Department

## IAD Investigation Report

### Incident Details

<b>Date Received</b>	<b>Date of Occurrence</b>	<b>Time of Occurrence</b>
02/12/2021	12/06/2020	02:55
<b>Record ID Number</b>	<b>Report Number</b>	<b>IA No</b>
27195	20 356733	IAD2021 026
<b>Date/Time Entered</b>	<b>Entered By</b>	
02/16/2021 11:08	[IAPro entry - Admin Tech Desiree Sayles #6643]	
<b>Sacramento PD Blue Team Assigned Investigator</b>	<b>IAPro Assigned Investigator</b>	
[Pending assignment]	Sgt. Aurelio Villegas #3124	

### Incident Summary

Out to Labor Returned 11/23 Writing LOR's, Out Capt Halstead/Lt Shiraishi 10/19/21 Roddy / Pretorius While investigating another IA complaint, Officers were discovered telling a subject to flush cocaine on their BWC. -SAYLES

3/15/21: SPD 330 sent to OPSA. -SAYLES  
OPSA will review.

10/19/21: Per Lieutenant Shiraishi, Captain Halstead has given him the case to review. RV

11/26/21: IA file sent to OPSA. -DNS

11/29/2021 Letters LOR's to Labor

2/8/2022: Pretorious served LOR. - MR

2/10/2022: Roddy mailed notification of sustained disposition. - MR

5/17/22: Flagged and held for SB16. -DNS

# Incident Location

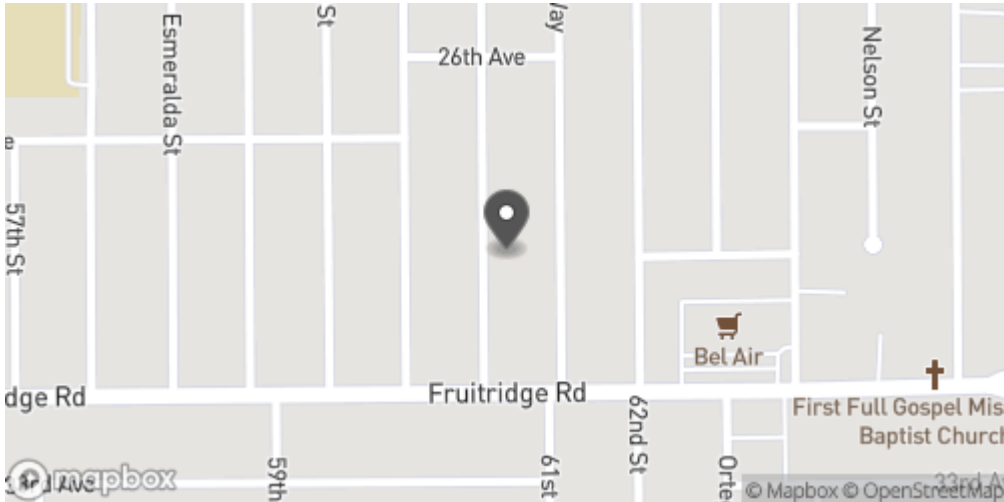
## Addresses

Latitude, Longitude



61st Street, Sacramento, CA, 95820

6B



- Location of Occurrence: 6 - East

# Involved Officers

## Police Officer Hendrik Pretorius

**Assignment at time of incident:** Police Officer 000/Patrol/District 6// Worn/Activated

**Role:** [None Entered]

**Policy Outcome:** Not yet entered

## Linked Allegations

- Neglect of Duty Sustained 11/23/2021
- Improper Search and Seizure - Sustained - 11/23/2021

## Actions taken

- Letter of Reprimand - 02/08/2022

## Police Officer Mark Roddy

**Assignment at time of incident:** Police Officer 000/Patrol/District 6 Worn/Activated

**Role:** [None Entered]

**Policy Outcome:** Not yet entered

### Linked Allegations

- Improper Search and Seizure - Sustained - 11/23/2021
- Neglect of Duty Sustained 11/23/2021

### Actions taken

- Retired -- 12/29/2021

## Tasks

Task Description	Date Due	Date Completed	Summary
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## Running Sheet Entries

No running sheet entries to show

## Attachments

No Attachments

## Assignment History

No assignment history

## Chain of Command History

**Sacramento Police Department  
Internal Affairs Division**

**Summary**

**IAD2021-026**

**Complainant: Sacramento Police Department**

**Report Prepared by: Sergeant Ray Villegas**

**Investigating Office: Internal Affairs**

**Allegations: Neglect of Duty  
Improper Search and Seizure**

**Accused Employee: Mark Roddy  
Hendrik Pretorius**

During an IAD investigation involving [REDACTED], it was discovered that on December 6<sup>th</sup>, 2020, while on a call for service at [REDACTED] 61<sup>st</sup> St, Ofc Roddy and Ofc Pretorius failed to collect, secure, and book evidence that was in plain view. An Internal Affairs investigation was conducted due to these discoveries and completed in IAD2021-026.



## EVIDENCE AUDIT TRAIL

Evidence		Source	
Evidence ID	20-356582	Device Type	Axon Body 3
Categories		Device Name	X60312825
Title	Axon Body 3 Video 2020-12-07 0003	Serial Number	X60312825
Checksum	Sha2- 7055ca1c1f330a770dedb6c91ee4aeb88eb81abf0dc2702b8fd 75f2d3cb2c747		
Record Start	07 Dec 2020 00:03:08	Usage	
Uploaded	07 Dec 2020 11:00:07		
Uploader	Pretorius, Hendrik (Badge ID: 4758)		
Unique ID	AFA3A07AB12A470C834678B947D90A57	Page views	2
		File downloads	
		Video playbacks	1
		Last Viewed Or Downloaded On	10 Feb 2021 17:06:55

#	Date	Time	User	Activity
1	07 Dec 2020	00:03:08 (-08:00)	System	Recording started due to button press Pre-event audio recording: Disabled Video mask: Disabled
2	07 Dec 2020	00:29:58 (-08:00)	System	Recording stopped due to button press
3	07 Dec 2020	10:56:23 (-08:00)	System	Evidence Record Created
4	07 Dec 2020	11:00:07 (-08:00)	System	Evidence successfully uploaded when camera was docked
5	07 Dec 2020	11:00:07 (-08:00)	System	Evidence Uploaded with Checksum. Computed Checksum: TREE-1024k 0A42CA57C104194CFBB4E9049E9A0700123F5B90675D4 9E5A7FFA79D900AF03550
6	07 Dec 2020	11:00:07 (-08:00)	System	Evidence Authenticity Validated. Device Serial Number: X60312825
7	07 Dec 2020	11:00:07 (-08:00)	System	Evidence automatically deleted from camera after successful upload when docked
8	07 Dec 2020	11:00:53 (-08:00)	System	Evidence Checksum Recomputed. Verification Checksum: TREE-1024k 0A42CA57C104194CFBB4E9049E9A0700123F5B90675D4 9E5A7FFA79D900AF03550 Computed Checksums: TREE-1024k 0a42ca57c104194cfbb4e9049e9a0700123f5b90675d49e5a 7ffa79d900af03550 SHA-256 7055ca1c1f330a770dedb6c91ee4aeb88eb81abf0dc2702b8 fd75f2d3cb2c747
9	07 Dec 2020	18:06:35 (-08:00)	System	Tag 'FINAL_CASE_TYPE:5150' Added

#	Date	Time	User	Activity
10	07 Dec 2020	18:06:35 (-08:00)	System	External ID Updated to '20-356582'
11	03 Feb 2021	05:37:56 (-08:00)	Username: [REDACTED] User ID: [REDACTED]	Evidence Record Accessed. Client IP Address: 208.87.83.241
12	03 Feb 2021	05:37:57 (-08:00)	Username: [REDACTED] User ID: [REDACTED]	Media File Buffered by System at Page Load. Client IP 208.87.83.241
13	03 Feb 2021	05:38:03 (-08:00)	Username: [REDACTED] User ID: [REDACTED]	Evidence Record Streamed. Client IP Address: 208.87.83.241
14	10 Feb 2021	17:06:50 (-08:00)	<b>Villegas, Ray (Badge ID: 1046)</b> Username: avillegas User ID: 9294e94a5bef41a3836680592e9a5e0b	Evidence Record Accessed. Client IP Address: 208.87.83.241
15	10 Feb 2021	17:06:51 (-08:00)	<b>Villegas, Ray (Badge ID: 1046)</b> Username: avillegas User ID: 9294e94a5bef41a3836680592e9a5e0b	Media File Buffered by System at Page Load. Client IP 208.87.83.241



### EVIDENCE AUDIT TRAIL

Evidence		Source	
Evidence ID	20-356582	Device Type	Axon Fleet 2 Camera
Categories		Device Name	X54023082
Title	AXON Fleet 2 Video 2020-12-07 0003	Serial Number	X54023082
Checksum	Sha2- cc4b1e4c5a3a877212c478fac3bdaa44c24f66d46abcce5ebd3 7fe72c0472d91		
Record Start	07 Dec 2020 00:03:06		
Uploaded	07 Dec 2020 18:28:01	Usage	
Uploader	Pretorius, Hendrik (Badge ID: 4758)		
Unique ID	C4C3DE3D471F48459D3F162D7BBBBF8D	Page views	1
		File downloads	
		Video playbacks	
		Last Viewed Or Downloaded On	10 Feb 2021 17:08:29

#	Date	Time	User	Activity
1	07 Dec 2020	18:28:01 (-08:00)	System	Evidence Record Created
2	07 Dec 2020	18:28:01 (-08:00)	System	Custom metadata field axon.mountOrientation set to front
3	07 Dec 2020	18:28:01 (-08:00)	System	Custom metadata field axon.vehicleId set to B8EF8684-F231-4C1B-B481-A0983DEC5339
4	07 Dec 2020	18:28:01 (-08:00)	System	Custom metadata field axon.mountId set to 3d8b74d7-09a1-449e-8cca-13cdf0fdfa9
5	08 Dec 2020	18:10:58 (-08:00)	System	Tag 'FINAL_CASE_TYPE:5150' Added
6	08 Dec 2020	18:10:58 (-08:00)	System	External ID Updated to '20-356582'
7	10 Feb 2021	17:08:22 (-08:00)	Villegas, Ray (Badge ID: 1046) Username: avillegas User ID: 9294e94a5bef41a3836680592e9a5e0b	Evidence Record Accessed. Client IP Address: 208.87.83.241
8	10 Feb 2021	17:08:24 (-08:00)	Villegas, Ray (Badge ID: 1046) Username: avillegas User ID: 9294e94a5bef41a3836680592e9a5e0b	Media File Buffered by System at Page Load. Client IP 208.87.83.241



### EVIDENCE AUDIT TRAIL

Evidence		Source	
Evidence ID	20-356582	Device Type	Axon Body 3
Categories		Device Name	X60318880
Title	Axon Body 3 Video 2020-12-07 0003	Serial Number	X60318880
Checksum	Sha2- eacffe481aebc3e92b3df699afe14055b754f7a28b38c017f4534 cdbc043f0d		
Record Start	07 Dec 2020 00:03:21		
Uploaded	07 Dec 2020 07:00:22	Usage	
Uploader	Roddy, Mark (Badge ID: 853)		
Unique ID	F198993C5BDC4C738FD277346445E71A	Page views	2
		File downloads	
		Video playbacks	1
		Last Viewed Or Downloaded On	10 Feb 2021 17:03:37

#	Date	Time	User	Activity
1	07 Dec 2020	00:03:21 (-08:00)	System	Recording started due to button press Pre-event audio recording: Disabled Video mask: Disabled
2	07 Dec 2020	00:30:01 (-08:00)	System	Recording stopped due to button press
3	07 Dec 2020	00:34:23 (-08:00)	System	Evidence accessed using Axon application
4	07 Dec 2020	01:56:59 (-08:00)	System	Evidence accessed using Axon application
5	07 Dec 2020	03:15:55 (-08:00)	System	Evidence accessed using Axon application
6	07 Dec 2020	06:55:40 (-08:00)	System	Evidence Record Created
7	07 Dec 2020	07:00:21 (-08:00)	System	Evidence successfully uploaded when camera was docked
8	07 Dec 2020	07:00:22 (-08:00)	System	Evidence automatically deleted from camera after successful upload when docked
9	07 Dec 2020	07:00:22 (-08:00)	System	Evidence Uploaded with Checksum.  Computed Checksum: TREE-1024k 0A512477AA2B9D7578F264C5D242862A4548E7AE31248 BECB04868AFF87D37D51E
10	07 Dec 2020	07:00:22 (-08:00)	System	Evidence Authenticity Validated. Device Serial Number: X60318880



#	Date	Time	User	Activity
11	07 Dec 2020	07:00:58 (-08:00)	System	Evidence Checksum Recomputed.  Verification Checksum: TREE-1024k 0A512477AA2B9D7578F264C5D242862A4548E7AE31248 BECB04868AFF87D37D51E  Computed Checksums: TREE-1024k 0a512477aa2b9d7578f264c5d242862a4548e7ae31248bec b04868aff87d37d51e SHA-256 eacffe481aebc3e92b3df699afe14055b754f7a28b38c017f45 34cdbc043f0d
12	07 Dec 2020	18:06:35 (-08:00)	System	Tag 'FINAL_CASE_TYPE:5150' Added
13	07 Dec 2020	18:06:35 (-08:00)	System	External ID Updated to '20-356582'
14	03 Feb 2021	07:26:03 (-08:00)	████████████████████ Username: ██████████ User ID: ██████████	Evidence Record Accessed. Client IP Address: 208.87.83.241
15	03 Feb 2021	07:26:04 (-08:00)	████████████████████ Username: ██████████ User ID: ██████████	Media File Buffered by System at Page Load. Client IP 208.87.83.241
16	03 Feb 2021	07:26:08 (-08:00)	████████████████████ Username: ██████████ User ID: ██████████	Evidence Record Streamed. Client IP Address: 208.87.83.241
17	10 Feb 2021	17:03:30 (-08:00)	Villegas, Ray (Badge ID: 1046) Username: avillegas User ID: 9294e94a5bef41a3836680592e9a5e0b	Evidence Record Accessed. Client IP Address: 208.87.83.241
18	10 Feb 2021	17:03:32 (-08:00)	Villegas, Ray (Badge ID: 1046) Username: avillegas User ID: 9294e94a5bef41a3836680592e9a5e0b	Media File Buffered by System at Page Load. Client IP 208.87.83.241

# Sacramento Police Department Personnel Complaint Form

- DEPARTMENT USE ONLY - IAD CASE NUMBER
IAD2021-026

### Complainant:

*\*You have the right to remain anonymous. Consider providing some information for an investigator to contact you for follow-up questions.*

NAME Sacramento Police Department	DOB	AGE	GENDER	RACE
HOME ADDRESS	CITY	STATE	ZIP	
BUSINESS ADDRESS	CITY	STATE	ZIP	
TELEPHONE NUMBER #1	EMAIL ADDRESS	DATE COMPLAINT RECEIVED 02/12/2021		

### Involved Employee:

*\*Provide as much information as possible.*

NAME Mark Roddy / Hendrik Pretorius	RANK Officer/Officer	BADGE 792/657	GENDER M/M	RACE W/W
UNIFORM TYPE Patrol	VEHICLE DESCRIPTION Patrol	VEHICLE NUMBER		

### Incident Details:

INCIDENT DATE 12/6/2020	INCIDENT TIME 0255	LOCATION (ADDRESS OR INTERSECTION) ██████████ 61ST STREET, SACRAMENTO CA 95820
<p><b>SUMMARY OF INCIDENT:</b> <i>Provide witnesses, locations, address, businesses, available photos and video, etc.</i></p> <p>While reviewing the body worn camera's of Ofc Roddy and Ofc Pretorius during a call for service on 12/6/2020 (20-356582), it was discovered that officers neglected to handle and book evidence in an appropriate manner. This discovery was made on 2/12/2021 by Sgt Villegas.</p> <p>Allegations for Ofc Roddy and Ofc Pretorius:                      1) Neglect of Duty                      2) Improper search and seizure.</p>		
<input type="checkbox"/> I have attached _____ more pages to this form.		

### Your Rights:

<p style="text-align: center;"><i>You have the right to make a complaint against an employee for improper conduct. California law requires this agency to have a procedure to investigate personnel complaint, provide written description of this procedure, and retain complaints for at least five years.</i></p> <p style="text-align: center;"><i>I have read and understand these rights.</i>      Signature: _____</p>
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DEPARTMENT USE ONLY:		
ACCEPTING EMPLOYEE NAME AND BADGE NUMBER Sgt Villegas #3124	ACCEPTING SUPERVISOR NAME AND BADGE NUMBER Captain Greg Halstead #5013	DATE AND TIME 2/16/2021 1200

# Sacramento Police Department

## Personnel Complaint Disposition Form

- CONFIDENTIAL AND FOR DEPARTMENT USE ONLY -

- DEPARTMENT USE ONLY -  
IAD CASE NUMBER

IAD2021-026

### Internal Investigation Details:

DATE REPORTED 2/12/2021	TIME REPORT 1200	INCIDENT DATE 2/7/2021	INCIDENT TIME 0003	REPORT NUMBER 20-356582	
INCIDENT LOCATION (INTERSECTION OR FULL ADDRESS) ██████████ 61ST STREET		DISTRICT/BEAT 6B	HOW REPORTED Internal	INVESTIGATION TYPE Internal Affairs Division	
ASSIGNED DATE 2/12/2021	ACTIVE DATE 2/12/2021	SUSPENDED DATE	RESUME DATE	FOLLOW-UP DATE	COMPLETED DATE

### Involved Employee:

NAME Hendrik Pretorius	RANK Officer	BADGE 657	GENDER M	RACE W
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### Allegations:

<input type="checkbox"/> Conduct Unbecoming	<input type="checkbox"/> Firearm Discharge	<input type="checkbox"/> Missing Property
<input type="checkbox"/> Discourtesy	<input type="checkbox"/> Harassment	<input checked="" type="checkbox"/> Neglect of Duty
<input type="checkbox"/> Discrimination	<input checked="" type="checkbox"/> Improper Search and Seizure	<input type="checkbox"/> Profiling
<input type="checkbox"/> Dishonesty	<input type="checkbox"/> Improper Tactics	<input type="checkbox"/> Service
<input type="checkbox"/> Force	<input type="checkbox"/> Insubordination	<input type="checkbox"/> Traffic
<input type="checkbox"/> False Arrest	<input type="checkbox"/> Intoxication	<input type="checkbox"/> Wage Garnishment

### Disposition:

ALLEGATION	FINDING	DISCIPLINE / ACTIONS TAKEN
Neglect of Duty	Sustained	Letter of Reprimand
Improper Search/Seizure	Sustained	Letter of Reprimand

APPROVED BY: Katherine Lester Digitally signed by Katherine Lester  
Date: 2021.11 23 07:02:49 -08'00' Date: 11/23/21

### Skelly or Discipline Settlement:

ALLEGATION	FINDING	DISCIPLINE

APPROVED BY: \_\_\_\_\_ Date: \_\_\_\_\_

INVESTIGATOR NAME AND BADGE NUMBER Sgt Villegas #3124	INVESTIGATOR SUPERVISOR AND BADGE NUMBER Lt. Halstead #4063	DATE AND TIME 2/16/2021 0900
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# Sacramento Police Department

## Personnel Complaint Disposition Form

- CONFIDENTIAL AND FOR DEPARTMENT USE ONLY -

- DEPARTMENT USE ONLY -  
IAD CASE NUMBER

IAD2021-026

### Internal Investigation Details:

DATE REPORTED 2/12/2021	TIME REPORT 1200	INCIDENT DATE 2/7/2021	INCIDENT TIME 0003	REPORT NUMBER 20-356582	
INCIDENT LOCATION (INTERSECTION OR FULL ADDRESS) ██████████ 61ST STREET		DISTRICT/BEAT 6B	HOW REPORTED Internal	INVESTIGATION TYPE Internal Affairs Division	
ASSIGNED DATE 2/12/2021	ACTIVE DATE 2/12/2021	SUSPENDED DATE	RESUME DATE	FOLLOW-UP DATE	COMPLETED DATE

### Involved Employee:

NAME Mark Roddy	RANK Officer	BADGE 792	GENDER M	RACE W
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### Allegations:

<input type="checkbox"/> Conduct Unbecoming	<input type="checkbox"/> Firearm Discharge	<input type="checkbox"/> Missing Property
<input type="checkbox"/> Discourtesy	<input type="checkbox"/> Harassment	<input checked="" type="checkbox"/> Neglect of Duty
<input type="checkbox"/> Discrimination	<input checked="" type="checkbox"/> Improper Search and Seizure	<input type="checkbox"/> Profiling
<input type="checkbox"/> Dishonesty	<input type="checkbox"/> Improper Tactics	<input type="checkbox"/> Service
<input type="checkbox"/> Force	<input type="checkbox"/> Insubordination	<input type="checkbox"/> Traffic
<input type="checkbox"/> False Arrest	<input type="checkbox"/> Intoxication	<input type="checkbox"/> Wage Garnishment

### Disposition:

ALLEGATION	FINDING	DISCIPLINE / ACTIONS TAKEN
Neglect of Duty	Sustained	Letter of Reprimand
Improper Search / Seizure	Sustained	Letter of Reprimand

APPROVED BY: Katherine Lester Digitally signed by Katherine Lester  
Date: 2021.11.23 07:06 21 -08'00' Date: 11/23/2021

### Skelly or Discipline Settlement:

ALLEGATION	FINDING	DISCIPLINE

APPROVED BY: \_\_\_\_\_ Date: \_\_\_\_\_

INVESTIGATOR NAME AND BADGE NUMBER Sgt Villegas #3124	INVESTIGATOR SUPERVISOR AND BADGE NUMBER Lt. Halstead #4063	DATE AND TIME 2/16/2021 0900
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City of  
**SACRAMENTO**  
Police Department

Katherine Lester  
Chief of Police

5770 Freeport Blvd., Suite 100  
Sacramento, CA 95822-3516

(916) 808-0800  
Fax: (916) 808-0818  
www.sacpd.org

February 10, 2022

IAD2021-026

Mr. Mark Roddy  
[REDACTED]

Dear Mark,

An investigation in which you were an accused employee has recently been completed. The allegations against you were Neglect of Duty and Improper Search & Seizure. The allegations stemmed from a Departmental complaint related to IAD2021-026. Both allegations were found to be sustained.

As required by law, we are informing you that you have adverse information that will remain in your personnel file for up to fifteen years. Based on your current status with the Sacramento Police Department, the imposition of discipline on this case will be held in abeyance. If you choose to return to the Sacramento Police Department, the discipline will be imposed at that time.

This is only a notification process and you do not need to respond to Internal Affairs. However, if you have any further questions regarding this matter, you may contact **Sergeant Michael Rinehart**, Internal Affairs Division, at **916-808-2293**.

Sincerely,



Lt. Neil Cybulski  
Internal Affairs Division



City of  
**SACRAMENTO**  
Police Department

KATHERINE LESTER  
Chief of Police

5770 Freeport Blvd., Suite 100  
Sacramento, CA 95822-3516

(916) 808-0800  
Fax: (916) 808-0818  
www.sacpd.org

February 7, 2022  
IAD2021-026

**Final Letter Received**

Date 2/8/22  
Employee [Signature]  
Supervisor SE. Neone #409

Officer Hendrik Pretorius #657  
5770 Freeport Blvd., #100  
Sacramento, CA 95822

Dear Officer Pretorius,

This letter is to inform you that you are hereby reprimanded in your position as a Police Officer with the City of Sacramento. This action is based on the following facts:

1. You have been employed as a Police Officer with the City of Sacramento since June 22, 2019. For calendar year 2020, you were assigned to the Operations Division as a patrol officer in the east area of Sacramento.
2. During the evening hours of Sunday, December 6, 2020, you were on duty as a solo officer unit (unit identifier 1A65). You were driving a fully marked police vehicle equipped with an in-car-camera and you were wearing a body-worn-camera. Officer Mark Roddy #792 (unit identifier 1A64) was your area partner, he was driving a fully marked police vehicle equipped with an in-car-camera and was also wearing a body-worn-camera.
3. At 11:55 p.m., you and Officer Roddy were dispatched to [REDACTED] 61st Street regarding a call for service involving a female subject, identified as [REDACTED] who was possibly high on drugs and posing a danger to herself (Sacramento Police Incident 20-356582). Upon arrival, you and Officer Roddy activated your body-worn-cameras for the duration of the call.
4. While at the residence investigating the circumstances, you and Officer Roddy had a conversation regarding cocaine inside of Ms. [REDACTED]'s home. This conversation was captured on your body-worn-camera between the 11:27 mark to the 12:34 mark (2020-12-07 00:14:06 -0800 through 00:15:11 -0800).
  - At the 11:52 mark, you explained to Officer Roddy that there was cocaine inside the house on the kitchen counter. (Your body-worn-camera 2020-12-07, 00:14:29 -0800)
  - At the 12:13 mark, Officer Roddy advised you, "I'd tell her to dump it". (Your body-worn-camera 2020-12-07, 00:14:50 -0800)
  - At the 12:28 mark of your body-worn-camera, while referring to the emergency medical personnel that also responded to check on Ms. [REDACTED]'s welfare, Officer Roddy told you, "If they don't take her, I'd say dump it, her." (Your body-worn-camera 2020-12-07, 00:14:52 -0800 through 00:15:05 -0800)

5. While speaking with Ms. [REDACTED] about the cocaine you observed in her residence, Officer Roddy made multiple comments to which you did not object. These statements made by Officer Roddy were captured on your body-worn-camera between the 20:25 mark and the 25:11 mark. (Your body-worn-camera 2020-12-07, 00:23:04 -0800 through 00:27:49 -0800)
  - “Can you do us a favor? Can you get rid of the rest of your stuff?”
  - “Do you want us to take it? Because you know we can.”
  - “Flush it now.”
  - “Well then why can’t you just dump it right now?”
  - “Well I don’t want to charge you with anything, but if that’s what is going to make it get out of this house, while we’re here.”
  - After Ms. [REDACTED] asked what she could be charged with, Officer Roddy stated, “Possession of cocaine.”
  - “Yea...I mean if you left it right out in the open.”
  - “And you told us where it was...I mean, are we just supposed to look over it? And kind of we are if you can just flush it now.”
  - “Well, it may not charge, stick the charge, but it gets it out of the house. I want it, I don’t want you.”
  - “Can you flush it while we are here? Is it worth your job? Is it worth the risk of, I mean, doesn’t matter how strong we are, we all, I mean, you went over a year without taking it and you, fell off the wagon tonight. Is it worth taking another chance? Especially since you have already taken some and it may be [unintelligible] do it next time. Alright?”
  - Ms. [REDACTED] stated, “I mean, but if nothing is going to happen, then no I don’t want to flush it. If you are threatening to write me up for it, different story. So, you all got to come clean with me.” Officer Roddy then stated, “Well, we are threatening you.”
  - You stated to Ms. [REDACTED], “It’s going to end up being a citation for possession of cocaine if you do not flush it.”
  - You watched Ms. [REDACTED] collect the cocaine and dispose of it by flushing it down the toilet. You did not attempt to stop Ms. [REDACTED] from discarding this controlled substance.
6. You failed to collect the cocaine and book it properly as required by Sacramento Police Department General Order 525.01 – Evidence and Property.
7. You failed to write a report detailing the evidence located in the residence and the surrounding circumstances as required by Sacramento Police Department General Order 340.01 – Report Quality Control Review.
8. You failed to conduct thorough investigation and complete an accurate report as required by Sacramento Police Department Operations Order 527.05 – Preliminary Investigations.
9. You failed to properly perform your assigned police responsibilities during your shift as required by Sacramento Police Department General Order 210.04 – General and Professional Conduct.
10. Your irresponsible actions during this call for service may bring discredit upon the Department and the City as stated in Sacramento Police Department General Order 210.04 – General and Professional Conduct.

11. On July 8, 2021, you participated in a fact-finding interview with the Sacramento Police Department's Internal Affairs Division, and you admitted the following:

- You observed white substance in the kitchen and felt that the substance was cocaine. (Pages 10-11, lines 428-441)
- While referring to the cocaine located in the residence, when Officer Roddy told you to have Ms. [REDACTED] dump it, he meant to make her get rid of it. (Page 14, lines 587-597)
- Having Ms. [REDACTED] dump the cocaine "was the incorrect thing to do." (Page 14, lines 605-608)
- You felt that by Officer Roddy telling Ms. [REDACTED] "Well, we are threatening you," he meant that if she did not dump the cocaine, she would get charged for it. (Pages 19-20, lines 834-841)
- You felt that Ms. [REDACTED] felt threatened that she was going to get charged if she did not flush the cocaine. (Page 20, lines 847-850)
- You had an opportunity to stop Ms. [REDACTED] from flushing the cocaine. (Page 21, lines 892-896)
- Neither you nor Officer Roddy tried to stop Ms. [REDACTED] from flushing the cocaine down the toilet. (Page 23, lines 995-998)
- Ms. [REDACTED] went to the bathroom to flush the cocaine down the toilet because you and Officer Roddy asked her to do so. (Page 23, lines 1000-1003)
- You neglected to collect the cocaine and appropriately book it as evidence. (Page 27, lines 1171-1173)
- By letting Ms. [REDACTED] destroy the evidence, you failed to do your job appropriately and this could bring discredit or embarrassment upon the department. (Page 27, lines 1175-1183)
- You failed to write an accurate report regarding the circumstances of this case. (Page 28, lines 1190-1193)
- By telling a subject to destroy evidence, it could bring discredit or embarrassment upon the department; you violated General Order 210.04 – General and Professional Conduct. (Page 30, lines 1285-1292)
- By failing to conduct a thorough investigation, collecting and preserving evidence, and completing a report, you violated Operations Order 527.05 – Preliminary Investigations. (Page 30, lines 1307-1311)
- By failing to conduct a thorough investigation into this event and complete an accurate report detailing the facts of the investigation, you violated General Order 340.01 – Report Quality Control. (Page 31, lines 1324-1328)
- By not properly securing and maintaining the integrity of the cocaine that was in the house that evening, you violated General Order 525.01 – Evidence and Property. (Page 31, lines 1352-1356)



Your actions in this matter constitute cause for disciplinary action pursuant to the City of Sacramento Rules and Regulations of the Civil Service Board, specifically Rule 12.2 (d) inexcusable neglect of duty; and (w) caused impairment, disruption, and discredit to your employment and the public service.

Your actions in this matter are in violation of Sacramento Police Department Manual of Orders which state:

**GENERAL ORDER**  
**210.04**  
**GENERAL AND PROFESSIONAL CONDUCT**  
**07-12-17**

**PURPOSE**

The purpose of this order is to establish criteria for the general and professional conduct of Department employees.

**POLICY**

It shall be the policy of the Sacramento Police Department to ensure exemplary conduct of Department employees, both on and off duty, and in keeping with the standards of the City Charter, Civil Service Rules and Regulations, and established labor agreements.

**PROCEDURE**

**A. PROFESSIONAL CONDUCT (ALL EMPLOYEES)**

1. Employees on or off duty shall
  - a. Be governed by ordinary and reasonable rules of good conduct and behavior.
  - b. Not commit any act whether negligent, intentional, criminal, or otherwise that could bring discredit upon the Department or the City.
  - c. Abide by all laws to include, but not limited to the Penal Code, the Health and Safety Code, and the Welfare and Institutions Code. In addition, employees shall ensure that their personal vehicles are compliant with the California Vehicle Code.
2. Employees shall
  - a. Serve the public by direction, counsel, and example that does not interfere with the discharge of their police responsibilities. They shall respect and protect the rights of individuals and perform their services with honesty and integrity
  - b. Be responsible for establishing and maintaining a high spirit of cooperation and respect for others throughout the Department.
  - c. Treat other employees in the Department, regardless of rank, with the respect due to them as fellow employees.
  - d. Properly perform assigned police responsibilities during a scheduled shift. NOTE: Improper performance or failure to perform assigned police responsibilities during a scheduled shift shall be regarded as neglect or dereliction of duty and cause for disciplinary action.
  - e. Not speak slightly or express humiliating discourtesies or derogatory comments to or engage in any harassing behavior towards any person. Employees should refrain from the use of profanity.
  - f. When contacting the public in the performance of their official duties
    - (1) Courteously and accurately provide all appropriate information upon request.

- (2) Respectfully provide their name, badge, and/or identification number upon request.
  - (3) Impartially serve all persons coming to the attention of the Department.
- I. Submit written reports as required by Department orders or instructions from a superior.

**GENERAL ORDER**  
**340.01**  
**REPORT QUALITY CONTROL / REVIEW**  
**05-03-17**

**PURPOSE**

The purpose of this order is to establish a Report Quality Control/Review System for police reports prepared by Department employees.

**POLICY**

It shall be the policy of the Sacramento Police Department that police reports meet the highest professional standards and reflect as thorough an investigation as circumstances allow.

**PROCEDURE**

A. DEFINITIONS

For purposes of this Order, police reports shall be defined as

1. General Offense Reports and supplements.
2. Incident Reports and supplements.
3. Traffic Collision Reports and supplements.
4. Missing Person Reports and supplements.
5. Motor Vehicle Reports and supplements.
6. Arrest Reports.

B. GENERAL

The intent of the Report Quality Control/Review System shall be to

1. Commend employees for outstanding reports.
2. Require supervisors to return deficient reports to employees for correction.

C. RESPONSIBILITIES

1. Officers

a. Employees assigned reporting responsibilities shall

- (1) Conduct a thorough investigation into all incidents or events and determine whether a report is necessary.
- (2) Prepare a complete and accurate police report detailing the facts of their investigation.
- (3) Ensure the thoroughness of the investigation and the accuracy of the police report.

**GENERAL ORDER**  
**525.01**  
**EVIDENCE AND PROPERTY**  
**09-08-17**

**PURPOSE**

The purpose of this order is to establish procedures for collecting and booking evidence and property.

## **POLICY**

It shall be the policy of the Sacramento Police Department to ensure evidence/property is properly secured and stored and readily retrieved and that changes in possession are documented to maintain the integrity required for successful prosecution or proper disposition.

## **PROCEDURE**

### **A. COLLECTING AND HANDLING EVIDENCE/PROPERTY**

1. All seized evidence, contraband, and property of value coming into possession of an employee shall be safeguarded and retained for processing.
  - a. Collect all evidence and handle in a manner that will retain the evidentiary value of the item(s).
    - (1) Whenever reasonable, no piece of evidence should be removed from the position in which it is found until after it has been photographed and its location recorded.
    - (2) If officers pick up a piece of physical evidence, for any reason, they are then responsible for booking that evidence, unless directed otherwise by Investigations or the Forensic Investigations Section (FIS).
  - b. Property collected for booking shall be booked no later than the end of the work shift during which it is acquired.
  - c. Booking evidence or property requires a report in the Versadex Records Management System
    - (1) Reports shall be written to document
      - (a) Where evidence was located.
      - (b) Who picked up the evidence.
      - (c) To whom it was given.
      - (d) Why it was given to someone else.
      - (e) Any other pertinent information.

### **B. BOOKING PROCEDURE**

1. All property shall be entered into Versadex by the booking employee.

#### **6. Controlled Substances**

- a. All controlled substances and suspected controlled substances shall be weighed and placed in a Controlled Substance Envelope by the booking employee. The employee shall complete the chain of custody section prior to placing the envelope into the narcotics/money drop box.

**OFFICE OF OPERATIONS  
527.05  
PRELIMINARY INVESTIGATIONS  
05-13-93**

## **PURPOSE**

To establish guidelines for the amount of time to be spent on preliminary investigations.

## **POLICY**

That officers assigned to the Office of Operations continue preliminary investigations to the point where delay in the investigation, would not materially jeopardize the investigation.

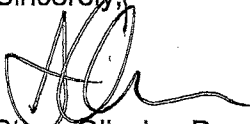
## PROCEDURE

- A. The scope of preliminary investigations can constitute an entire investigation or be limited by:
  - 1. investigative policy.
  - 2. officers' work load assignments.
- B. Officers shall conduct a thorough investigation to include:
  - 1. establishing the violation of law.
  - 2. thorough identification and interviews of all victims, witnesses, and responsible parties.
  - 3. collection and preservation of any evidence.
  - 4. taking appropriate enforcement action.
- C. A report shall be:
  - 1. accurate and completed during the work shift.
  - 2. submitted for supervisory review and approval. (Where a report is associated with an arrest it shall be submitted to a supervisor before going home.)

Your conduct constitutes just cause for disciplinary action pursuant to the Agreement covering your classification. Further continuation of the above acts or other misconduct on your part will subject you to further disciplinary action, up to and including termination.

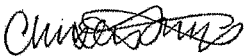
A copy of this letter will be placed in your personnel file. This letter will be withdrawn from your official personnel file eighteen (18) months from the date issued provided there has not been additional formal discipline imposed during the eighteen (18) month period. Pursuant to the Agreement covering your classification, you may have an administrative review of the reprimand by submitting a request in writing within seven (7) calendar days to the Director of Human Resources at 915 I Street, Historic City Hall, First Floor, Sacramento, CA 95814.

Sincerely,



Steve Oliveira, Deputy Chief  
Office of Operations

Approved:



Christen Snyder  
Labor Relations Officer

cc: HR-Labor Relations

**From:** [Jason Bassett](#)  
**To:** [Ray Villegas](#)  
**Cc:** [Greg Halstead](#); [Gerald Landberg](#)  
**Subject:** Re: 20-356582  
**Date:** Tuesday, February 16, 2021 11:30:57 AM

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Sgt Villegas,

Thank you for your detailed summary.

Please open a formal investigation for the following:

Officer Roddy- suspect, improper handling of evidence, neglect of duty  
Officer Pretorius- suspect, improper handling of evidence, neglect of duty

V/R,

JMB

Sent from my iPhone

On Feb 16, 2021, at 11:17 AM, Ray Villegas  
<[AVillegas@pd.cityofsacramento.org](mailto:AVillegas@pd.cityofsacramento.org)> wrote:

Good morning Captain Bassett ,

[REDACTED]  
[REDACTED] However, while investigating this case, I found the following possible misconduct by officers Roddy and Pretorius.

The following was discovered while reviewing the BWC's of Ofc Roddy and Pretorius related to call 20-356582. While Ofc Roddy and Ofc Pretorius were handling this call, [REDACTED] advised that she had cocaine in the kitchen in which she had used. Per BWC, both officers observed the contraband and talked about it. In conversation with [REDACTED] after the Fire Department had already cleared, they requested that she take the cocaine and flush it down her toilet. She initially didn't want to but after officers threatened to cite her for possession of cocaine, she takes the contraband and flushes it. The contraband and [REDACTED] flushing it is visible on the BWC. NOTE: This is not any part of [REDACTED]'s complaint but was discovered during case review. [REDACTED]

Please advise if you would like a new case started and the accusations involved.

Thank you and have a good day - Ray

Aurelio (Ray) Villegas  
Sacramento Police Department  
Sergeant – Internal Affairs Division  
Office: 916-808-1510  
Cell: [REDACTED]



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



## 210.04 GENERAL AND PROFESSIONAL CONDUCT

07-12-17

### PURPOSE

The purpose of this order is to establish criteria for the general and professional conduct of Department employees.

### PREAMBLE

Working in partnership with the community to protect life and property, solve neighborhood problems, and enhance the quality of life in our City shall be the mission of the Department.

### POLICY

It shall be the policy of the Sacramento Police Department to ensure exemplary conduct of Department employees, both on and off duty, and in keeping with the standards of the City Charter, Civil Service Rules and Regulations, and established labor agreements.

### PROCEDURE

#### A. PROFESSIONAL CONDUCT (ALL EMPLOYEES)

##### 1. Employees on or off duty shall

- a. Be governed by ordinary and reasonable rules of good conduct and behavior.
- b. Not commit any act whether negligent, intentional, criminal, or otherwise that could bring discredit upon the Department or the City.
- c. Abide by all laws to include, but not limited to the Penal Code, the Health and Safety Code, and the Welfare and Institutions Code. In addition, employees shall ensure that their personal vehicles are compliant with the California Vehicle Code.

##### 2. Employees shall

- a. Serve the public by direction, counsel, and example that does not interfere with the discharge of their police responsibilities. They shall respect and protect the rights of individuals and perform their services with honesty and integrity.
- b. Be responsible for establishing and maintaining a high spirit of cooperation and respect for others throughout the Department.
- c. Treat other employees in the Department, regardless of rank, with the respect due to them as fellow employees.
- d. Properly perform assigned police responsibilities during a scheduled shift.  
**NOTE: Improper performance or failure to perform assigned police responsibilities during a scheduled shift shall be regarded as neglect or dereliction of duty and cause for disciplinary action.**
- e. Not speak slightingly or express humiliating discourtesies or derogatory comments to or engage in any harassing behavior towards any person. Employees should refrain from the use of profanity.
- f. When contacting the public in the performance of their official duties
  - (1) Courteously and accurately provide all appropriate information upon request.
  - (2) Respectfully provide their name, badge, and/or identification number upon request.
  - (3) Impartially serve all persons coming to the attention of the Department.
- g. Remain awake while on duty. If unable to stay awake, employees shall report this fact to their supervisor, who shall determine the appropriate course of action.  
**NOTE: Sleeping on duty shall be regarded as dereliction of duty and cause for disciplinary action.**



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- h. Not lend, sell, or permit the use of their badges or credentials by other employees/persons under any circumstances.
- i. Not seek the influence or intervention of any person outside the Department for purposes of personal advantage, transfer, or advancement.
- j. Not use any electronic amplifying or recording device to eavesdrop upon or record the conversation of any other employee without their knowledge. This shall not prohibit the use of taping devices or electronic amplifying or recording devices during criminal investigations or other law enforcement activity in which there is no expectation of privacy.
- k. Not file false, inaccurate or improper information orally or in writing, either personally or through another employee, for criminal prosecution, personal gain, or for unearned recognition, including sick or injury reports, falsification of public records, or for any other purpose.
- l. Submit written reports as required by Department orders or instructions from a superior.
- m. Pay their debts promptly.
- n. Maintain a telephone with voicemail capability where they can be reached during any emergency requiring their services. NOTE: Employees on duty or officially on call shall be directly available by normal communication, including cellular telephones.
- o. Complete an Emergency Notification Form (SPD 552) pursuant to General Order 256.01 (Address and Telephone Changes).
- p. Upon notification of an emergency, report for duty as soon as reasonably possible or in compliance with the directive given upon notification.
- q. Not interfere with any person arrested, case under investigation, or case being prosecuted, with the intention of doing physical harm, delaying, or preventing the case from reaching a successful conclusion in accordance with lawful procedure.
- r. Not converse with arrested persons unless required by the nature of their police duties or connected with an official investigation of a case.
- s. Report all facts in writing to the COP if they receive any information that the lawful prosecution of any criminal charge is being, or has been, interfered with in any manner that would indicate any unlawful compounding, compromising, or fixing.
- t. Not, while on duty, suggest, recommend, advise, or otherwise counsel the retention of any attorney or bail bond broker to any person coming to their attention as a result of police business. Employees shall not
  - (1) Convey communications between prisoners and their attorneys, bail bond brokers, or persons involved in a criminal or civil case of interest to this Department. A supervisory officer may exercise such authorization when an in-custody prisoner requests a specific attorney to be contacted.
  - (2) Act as bailor for any person in custody where a fee, gratuity, or reward is solicited or accepted.

## B. AUDIOVISUAL MEDIA FOR SOCIAL NETWORKING OR PERSONAL USE

- 1. All audiovisual media (e.g., film/digital images, video, etc.) captured in the performance of an employee's duties shall be considered property of the Sacramento Police Department.
- 2. It shall not be recorded, printed, downloaded, or distributed for an employee's personal or non-Departmental use unless used in a manner approved by the Chief of Police.
- 3. Employees shall not use personally-owned cameras or equipment (including cellular phone cameras) to capture audiovisual media during the performance of their duties pursuant to GO 525.04 (Use of Digital Cameras for Investigative Purposes).
- 4. If a situation exists in which the use of personal or non-Departmental equipment is deemed necessary, employees shall notify their supervisor.





# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



## C. GRATUITIES

1. A gratuity is defined as any gift or reduction in normal price, offered or given, whether solicited or not, because of one's position with the Police Department. These include
  - a. Discounts or free food and drink (including coffee) at restaurants and drive-ins.
  - b. Discounts or free admission to places of amusement (e.g., sporting events and theaters) on or off duty.
2. Employees shall not accept any gratuity as they represent a compromise of our professional status.
3. This order shall apply only to those types of gratuities that are given to employees because of their employment with the Police Department. Discount prices offered to employee groups as a normal procedure for business operations shall not be prohibited by this order.
4. Employees offered or who suspect that they have been given a gratuity shall
  - a. Explain to the donor that they cannot accept a discount or gift as it is against Department policy.
  - b. Ask the person(s) offering to cooperate with the Department in doing their part to eliminate this practice.
5. Supervisors who are made aware of the gratuity shall
  - a. Contact the business person(s) suspected of or known to offer gratuities and advise them of the Department policy.
  - b. Advise these persons that if the practice continues, it may result in officers not being allowed to frequent the establishment during duty hours. NOTE: Officers invited to various functions to speak or for other purposes as Department representatives are allowed to accept free meals.
6. Department personnel in their capacity as City employees shall not endorse products or services when they know or should reasonably know the endorsement identifying the Department will be used for advertising.

## D. SUPERVISION/LAWFUL ORDERS

1. Employees are subject to the lawful supervision of all superiors.
  - a. Any employee given an order in conflict with any previous order or direction shall call the conflict to the attention of the person giving the order.
  - b. If that supervisor requires the order still be carried out, the employee shall comply and the responsibility for the conflict and the action taken by the employee shall rest with that supervisor.
2. Supervisors shall not knowingly issue any order that is in violation of any law, ordinance, Department order, or the Law Enforcement Code of Ethics.
3. Employees shall fulfill the functions of the Department and the office to which they are assigned and perform any lawful duty assigned by a superior.
4. The willful disobedience of any lawful order issued by a superior is insubordination.
5. Employees shall not publicly criticize instructions or orders received.
6. Employees in doubt as to the nature or details of their assignment shall seek clarification from their supervisor.

## E. OFFICER RESPONSIBILITY

1. Officers shall act reasonably within the limits of their authority as defined by statute and judicial interpretations to ensure the rights of both the individual and the public are protected.
2. Officers, on or off duty, shall take appropriate police action toward aiding all fellow peace officers exposed to danger.
3. On duty officers shall
  - a. Be in uniform/properly dressed and have required equipment required on/with them.
  - b. Be attentive and alert to the directions of supervisors at roll call.



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- c. Acquaint themselves daily with the information provided by the Department (e.g., AB, IB, SNOW, etc.).
  - d. Respond to their given assignment promptly and remain to the end of their shift, unless otherwise relieved.
  - e. Be attentive to reports and complaints by citizens and take appropriate action or refer them to the appropriate person or agency.
  - f. Not allow prisoners or suspects access to weapons or objects readily adaptable as weapons.
  - g. Respond as soon as possible to calls meeting the criteria for police assistance from citizens or other officers.
    - (1) Failure to answer a call for police assistance promptly without justification shall be regarded as dereliction of duty and cause for disciplinary action.
    - (2) Except under extraordinary circumstances or when otherwise directed by a supervisor, employees shall not fail to answer any direct landline or radio call directed to them.
  - h. **When in plain clothes, conspicuously display their badge if their firearm is exposed.**
  4. Off-duty officers shall perform reasonable police services pursuant to GO 570.02 (Crimes Involving Officers or Their Families).
  5. Plainclothes **off-duty** officers shall not wear or carry their firearm conspicuously exposed.
  6. On or off-duty plainclothes officers shall not draw or display their firearm in any public place except during the course of an arrest or investigation or when an officer reasonably believes it is necessary for their safety or the safety of others.
  7. Officers outside the boundaries of this state for extradition or other matters of direct concern to the City shall not engage in police activities unless necessary in the performance of their extradition duties as an agent of the state, and then only after consideration of the tactical situation. If an officer does engage in police activities, he/she must notify the Department as soon as reasonably practical after taking such action.
  8. The priority of call assignments depends on many factors and shall normally be the responsibility of Communications personnel and field supervisors.
    - a. Officers may delay responding to a call if
      - (1) Contacted by a citizen in need of immediate police attention.
      - (2) Personal observation of an event requires immediate police attention.
    - b. Such determination shall be based on the comparative urgency and the risk to life and property of the assigned call and the intervening incident.
    - c. When it is impossible for an officer to handle a citizen's concern or an observed event, the officer shall, if circumstances permit, either give directions for obtaining such assistance or initiate the necessary notifications.
- F. MEALS/PERSONAL BUSINESS**
1. While on duty, employees shall
    - a. Devote their time to the performance of police functions.
    - b. Not carry on personal business. Personal visitations shall only be made during the approved meal period.
    - c. Arrange for a meal period in accordance with the established labor agreements and the schedule made by the employees' supervisors and/or the need for police service.
    - d. Not play any illegal games of chance for money.
    - e. Not, while in uniform, shop or carry packages containing merchandise unless required in the line of duty.
    - f. Not leave their assigned area for any reason other than for police duties without permission from their supervisor. Approval or disapproval of the request shall be within the authority of



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



the supervisor and shall be based on the following considerations, including, but not limited to:

- (1) Distance from the work area.
- (2) Anticipated time required.
- (3) Expected workload.
- (4) Need for police services.

2. No more than four (4) uniformed personnel and a maximum of three (3) marked cars shall be permitted at a place of business or parked together except for official business.
3. Police Department cashiers shall not cash personal checks for employees at any time.

## G. ABSENCE WITHOUT LEAVE

1. Employees shall report for duty as scheduled unless absence is authorized by a supervisor.
2. Employees shall be absent without leave upon failing to appear for duty at the date, time, and location specified without supervisory approval.
3. Supervisors shall report absences without leaves as follows:
  - a. Absences of one (1) day shall be reported in writing to the respective division/watch commander.
  - b. Absences in excess of one (1) day shall be reported in writing to the Chief of Police (COP).

## H. ALCOHOL/DRUG IMPAIRMENT

1. Employees shall not
  - a. Use or possess marijuana or marijuana products, as defined by California H&S code Section 11018.1, medical or otherwise, on or off duty.
  - b. Drink alcoholic beverages to an extent that renders them unfit to report for their next regularly scheduled shift.  
Appear on duty under the influence of any alcoholic beverage or drug.
  - c. While on duty, transport alcoholic beverages in a police vehicle except as evidence, property of the prisoner or suspect, or found property.
  - d. Carry a firearm on or off duty when impaired due to being under the influence of alcohol, medication, or any other substance.
  - e. While on duty or on call, drink any kind of intoxicating beverage or take any intoxicating drugs.
    - (1) Employees shall notify their supervisor if they are taking, while on duty or on call, a prescribed medication that may impair their judgment or performance.
    - (2) Supervisors shall follow GO 220.06 (Employees Suspected of Working Under the Influence - WUI) concerning the employee's fitness for duty or his/her ability to remain on call.
2. Plainclothes officers may, while on special assignment, partake of an alcoholic beverage when necessary for the performance of such assignment.
  - a. The alcoholic beverage shall be consumed in moderation and officers shall not become intoxicated.
  - b. Advance notice of the assignment shall be given to the Division Commander. This advance notice shall include pertinent details of the assignment, as well as the specific location(s) (if known) where the employees are going to consume alcoholic beverages.
  - c. Employees working hours during which their respective division commander is not available shall give advance notice to an on-duty watch commander



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



## 340.01 REPORT QUALITY CONTROL / REVIEW 05-03-17

### PURPOSE

The purpose of this order is to establish a Report Quality Control/Review System for police reports prepared by Department employees.

### POLICY

It shall be the policy of the Sacramento Police Department that police reports meet the highest professional standards and reflect as thorough an investigation as circumstances allow.

### PROCEDURE

#### A. DEFINITIONS

For purposes of this Order, police reports shall be defined as

1. General Offense Reports and supplements.
2. Incident Reports and supplements.
3. Traffic Collision Reports and supplements.
4. Missing Person Reports and supplements.
5. Motor Vehicle Reports and supplements.
6. Arrest Reports.

#### B. GENERAL

The intent of the Report Quality Control/Review System shall be to

1. Commend employees for outstanding reports.
2. **Require supervisors to return deficient reports to employees for correction.**

#### C. RESPONSIBILITIES

##### 1. Officers

##### a. Employees assigned reporting responsibilities shall

- (1) Conduct a thorough investigation into all incidents or events **and determine whether a report is necessary.**
- (2) Prepare a complete and accurate police report detailing the facts of **their** investigation.
- (3) Ensure the thoroughness of the investigation and the accuracy of the police report.
- (4) Prior to going **end of watch**, complete all reports when
  - (a) Arrests have been made.
  - (b) There is an identifiable suspect.
  - (c) The crime is part of a series **or other high-profile incident.**
  - (d) Injuries occurred.
  - (e) The crime necessitates an update to the Stolen Vehicle System.
  - (f) It involves a missing person.
  - (g) **The crime is a robbery, felony assault, or sexual assault.**
  - (h) **The investigation involves a homicide.**
- (5) Have supervisory approval to delay completing reports while ensuring reports are completed before scheduled days off. **If approved to delay completing the reports,**
  - (a) **The officer shall notate on the call which supervisor approved the report to be held over.**
  - (b) **The officer shall notate on the call the portion of the report for which they are responsible.**



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- b. Employees shall submit police reports via the report system submission portal or direct entry through the Records Management System. If the report, supplements, or associated materials are not in a digital copy, they shall be submitted to the approval tray for where the incident occurred.
  - c. Employees shall check their Versadex mail at the beginning of watch and the end of watch for each shift to determine if there are any report corrections required.
2. Primary Review – First Line Supervisors
- a. Supervisors may authorize employees to complete reports on the next work shift if conditions of paragraph C.1.a.(4) are not met. **If the conditions in paragraph C.1.a.(4) are met, the report shall be completed during that shift.**
  - b. Supervisors shall
    - (1) Closely monitor requests to complete reports on the next work shift.
    - (2) Ensure reports to be completed during the next work shift are noted in the call history when closing out calls.
    - (3) Ensure each employee completing reports from a prior work shift does so while available for priority calls.
    - (4) Ensure reports are completed before scheduled days off.
    - (5) Collect **non-digital** reports a minimum of **one (1) time** during each shift, when possible, and deliver them to the Records Division.
    - (6) Review police reports for completeness, accuracy, and to identify errors before **approving**.
      - (a) Deficiencies shall be reported to the employee for corrective action.
      - (b) Supervisors shall require employees to make necessary corrections as soon as possible.
      - (c) When an employee is not available to make corrections (i.e., end of shift, sick leave, etc.), supervisors shall have the employee make necessary corrections when they return to work.
    - (7) Be held accountable for having a deficient report corrected.
    - (8) **Be held accountable for reports not being completed without prior approval.**
    - (9) When **reviewing a report where** an arrest has taken place, immediately determine whether
      - (a) A violation of criminal law occurred.
      - (b) Sufficient probable cause exists to support the arrest.
      - (c) The preliminary investigation is complete, and if not, **determine** what needs to be done or corrected. (Decisions to release or amend booking charges shall be based upon an objective analysis of the law and collected facts and evidence.)
      - (d) **After** a misdemeanor booking, the employee added the correct information on who authorized and why the misdemeanor booking was necessary.
3. Secondary Review
- a. Supervisors in the OOI shall contact officers and their supervisors if they notice
    - (1) Procedural errors.
    - (2) Misinterpretation of the law.
    - (3) Errors or omissions in the preliminary field investigation.
    - (4) Changes or amendments made to booking charges, including 849(b) P.C. releases.
  - b. The Records Division shall
    - (1) Establish procedures for the review of police reports to identify incorrect or missing data. Identified deficiencies shall be brought to the attention of the reporting employee.
    - (2) Monitor report submissions by running a list of missing reports biweekly, verifying the files, and submitting lists of any reports that have not been submitted to the Records



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS

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Division to the responsible supervisors. The responsible supervisors shall take whatever corrective action is necessary to ensure the reports are submitted to the Records Division.



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



## 525.01 EVIDENCE AND PROPERTY 09-08-17

### PURPOSE

The purpose of this order is to establish procedures for collecting and booking evidence and property.

### POLICY

It shall be the policy of the Sacramento Police Department to ensure evidence/property is properly secured and stored and readily retrieved and that changes in possession are documented to maintain the integrity required for successful prosecution or proper disposition.

### PROCEDURE

#### A. COLLECTING AND HANDLING EVIDENCE/PROPERTY

1. All seized evidence, contraband, and property of value coming into possession of an employee shall be safeguarded and retained for processing.
  - a. Collect all evidence and handle in a manner that will retain the evidentiary value of the item(s).
    - (1) Whenever reasonable, no piece of evidence should be removed from the position in which it is found until after it has been photographed and its location recorded.
    - (2) If officers pick up a piece of physical evidence, for any reason, they are then responsible for booking that evidence, unless directed otherwise by Investigations or the Forensic Investigations Section (FIS).
  - b. Property collected for booking shall be booked no later than the end of the work shift during which it is acquired.
  - c. Booking evidence or property requires a report in the Versadex Records Management System
    - (1) Reports shall be written to document
      - (a) Where evidence was located.
      - (b) Who picked up the evidence.
      - (c) To whom it was given.
      - (d) Why it was given to someone else.
      - (e) Any other pertinent information.
    - (2) A report may not be necessary when the item(s) is booked for safekeeping, found, or disposal only. For found property, a street check shall be completed to include the "finder" and the "owner" of the property if known.  
NOTE: a report shall be written for all narcotics, firearms, contraband, and unusual circumstances. See B.1.e. for exception requirements.
  - d. Items meeting the criteria for field evidence release as outlined in G.O. 525.02 (Release of Evidence and Property) shall be released to the owner.
2. Employees shall issue a receipt to the person from whom the property was taken, which includes evidence and safekeeping items, by filling out an Evidence and Property Booking Receipt (SPD 779), listing items taken or received, obtaining a signature if possible, and giving that person the yellow copy. If property is taken due to abandonment, an SPD 779 shall be filled out and the yellow copy left at the site listing the items taken, case number, officer's name and badge number, and the date and time the property was collected. See section A.5.
3. Surrendered Property
  - a. When a citizen surrenders evidence/property at a Police Facility counter, a Police Records employee shall book the evidence/property and complete the appropriate report(s).





# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- b. If the evidence/property is a firearm, narcotic, or other hazardous material, a call expeditor, Community Service Officer (CSO), or officer shall be requested to handle the booking procedures. If left with a security officer, the item(s) shall be secured by the security officer in secured storage in the security office pending pickup by a CSO or officer.
  4. Evidence at Medical Facilities
    - a. Investigating employees should attempt to retrieve physical evidence from involved persons at an incident scene before their transportation to a medical facility.
    - b. If unable to retrieve evidence at the scene, investigating employees shall make every effort to retrieve physical evidence while they are conducting follow-up at the medical facility.
    - c. If the investigating employee is unable to respond to the medical facility for follow up investigation
      - (1) The Communications Division shall be requested to dispatch a unit to retrieve and book the evidence.
      - (2) Investigating employees shall provide the Communications Division with identification information of the person from whom the evidence is to be collected. If the evidence is not readily available, the responding unit shall request hospital personnel to notify the Communications Division when the evidence is available.
  5. Illegal Camping Enforcement Evidence and Property
    - a. It shall be the policy of the Sacramento Police Department that personal property shall not be removed from individuals except when necessary for evidence or safekeeping.
    - b. If no enforcement action is taken, the officer(s) shall not book or remove any items from the scene unless the owner requests the disposal of the property or it is determined to be abandoned. See A.5.d. for 24-hour Notice to Vacate exception.
    - c. When appropriate, officers shall attempt, with the owner's consent, to find a caretaker for the property in lieu of booking for safekeeping.
    - d. If an officer encounters an unoccupied or unattended encampment on public property, he/she shall not remove any property without following the 24-hour Notice to Vacate procedure (SPD 113).
  6. Perishable Food and Live Plants  
Evidence that consists of perishable food or live plants shall be photographed in the field prior to disposal or release. Obvious exceptions, such as items that are illegal to possess or potential biological/DNA evidence from a serious crime, should be booked.
  7. Video Evidence Connected to On-line Reports
    - a. Video footage connected to on-line reports will be turned in by citizens to the front counter at HOJ or dropped off in the mailboxes located outside the substations at Kinney and Rooney or inside at Central. These shall then be forwarded to the Crime Suppression Unit (CSU).
    - b. A CSU Sergeant will review the video footage and the report, conduct follow up as needed, and book the video as evidence.
- B. BOOKING PROCEDURE**
1. All property shall be entered into Versadex by the booking employee.
    - a. Employees shall use the complaint number generated by CAD as the General Offense (GO) number.
      - (1) For each GO number, only one property report will be generated per employee per Property Status (e.g., seized, safekeeping, found, forensic evidence, and photo evidence).
      - (2) If there was no CAD incident, the employee shall obtain a General Offense number.
    - b. All homicide evidence shall be booked at [REDACTED] except for items that do not require immediate processing, such as photo line-ups.





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- c. When the property being booked was seized pursuant to a Search Warrant, the warrant number shall be noted in the "Remarks" field of the "Property Report" screen.
  - d. All reasonable steps shall be taken to identify the legal owner of the booked property. The legal owner's full name and complete address shall be listed in the "Owner" screen.
    - (1) If the legal owner cannot be identified, indicate in the "Owner" screen the words "Unknown."
    - (2) Identify the specific location from where the property was taken in the "Location" field.
    - (3) If there is a finder, the "Related" field shall be filled out, along with specific "Details" to include name and address on the Storage Control screen.
  - e. For booked property when a report is not necessary
    - (1) Booking employees shall enter in "NORPT" as the ABRA in the "Authority for disposal" field on the Property Report screen.
    - (2) Complete the following on the Storage Control screen in the Versadex Property Report:
      - (a) Full owner information (name/address/phone) in the Owner field.
      - (b) If the owner and/or address is unknown, then enter "unknown" in the appropriate field.
      - (c) For Found property, the "finder" shall be selected under the "Related" field drop-down menu and the finder's name shall be entered in the corresponding field. Select the "Details" box and enter the finder's full address/phone.
    - (3) A Note shall be entered on the CAD call indicating why and how the property was booked and, if found, if the finder wishes to claim.
    - (4) Any pertinent information shall be added to the CAD call (e.g., noting the owner was given an SPD 779 Booking Receipt).
    - (5) "No Report" items shall be booked on a separate Property Report (PR) from any other item types (e.g., safekeeping firearm, evidence, disputed ownership of found property, etc.).
  - f. A container holding many small items may be listed as one item with a summary of its contents (e.g., purse w/brush, photos, miscellaneous sundries), with the exception of property belonging to other owners, money, narcotics, firearms, serialized property, credit/debit cards, driver licenses, and other government identification cards. These exceptions, and all other evidence/property, shall be entered separately as single items.
  - g. Employees shall check for errors before completing the booking process. If any errors are discovered after booking, employees shall send a V-mail message through the Versadex system to the "Property Follow-Up Needed" handle explaining the correction(s) that Evidence and Property Section (EPS) personnel need to make.
2. Locker Bookings
- a. The item(s) shall be placed in an evidence envelope, bag, or appropriate container, or a property tag shall be attached to the item(s).
  - b. Employees shall print the item bar code label and apply the label to the appropriate evidence envelope, bag, appropriate container, or property tag, clearly identifying the item(s) booked.
  - c. Police evidence seals shall only be used to seal narcotics (plastic pouch seal and envelope), monies (plastic pouch seal only), and lids of plastic or glass evidence bottles containing liquid samples. Police seals shall be dated with initials and badge number of booking employee.
  - d. The packaged property shall be secured in an appropriately sized locker, using that locker's padlock, or into an envelope collection box. Employees shall use the large property storage area at the Sequoia Pacific booking facility for items that do not reasonably fit into existing lockers.



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- e. Employees shall place a “Caution” sign on the outside of the evidence locker when there is a possibility of danger to anyone handling the booked property.
  - f. Employees shall indicate that a booked item requires special handling in the remarks area of the Property Report screen and make the appropriate notification on the outside of the locker.
  - g. Plastic battery tags are available for booking vehicle batteries.
  - h. Wet items that have the potential to leak should be placed in bottom lockers and double-bagged if necessary.
3. Fingerprint/DNA/County Crime Lab (CCL)/FIS Evidence Lab Evidence/Ballistic Identification System (IBIS)
- a. Items shall be entered and packaged as individual items.
  - b. Items that may be examined by the CCL or the FIS shall be sealed with two-inch clear packaging tape across the entire opening or fold of the container to prevent access to the contents. The booking employee shall initial, date and record his/her badge number on the sealing tape.
  - c. When it is imperative for evidence to be processed immediately for fingerprints, employees shall notify their immediate supervisor, who will contact a Forensic Supervisor to make arrangements for the item to be processed.
  - d. **Expanded shell** casings shall be booked as outlined in this GO and deposited into the Integrated IBIS drop box located [REDACTED]; **expanded shell** casings shall not be booked at any other location.
4. Firearms
- a. Employees shall unload firearms and, when so equipped, put the safety in the “on” position prior to booking.
  - b. A plastic zip-tie shall be attached to the firearm to render it inoperable (e.g., through the breach, receiver, or cylinder). Do not place a plastic tie through the barrel.
  - c. Book and package live ammunition in a separate envelope from the firearm.
  - d. Book and package magazine(s) separately from the firearm.
    - (1) If the magazine is loaded, leave in original condition.
    - (2) Revolvers shall have ammunition removed, unless there are extenuating circumstances, at which time the immediate supervisor shall be notified.
  - e. If a firearm cannot be unloaded, it shall be booked at Sequoia Pacific and on-duty EPS personnel shall be notified. If it is after normal business hours, employees shall place a placard on the locker indicating a loaded firearm. That information shall also be entered in the remarks area of the “Property Report” screen.
  - f. All firearms shall also be treated as evidence, as these firearms are subject to fingerprinting, DNA swabbing, and ballistic identification tests.
  - g. If there is a possibility a firearm will be tested for DNA, it shall be packaged appropriately to prevent contamination, and handlers shall always use a mask and new gloves from initial handling through the booking process.
5. Sharp or Pointed Items
- a. Sharp or pointed items shall be rendered safe, then booked separately and not mixed with other items of evidence. An exposed blade or pointed item can be rendered safe by securing it with cardboard, placing it in a makeshift sheath, and placing it inside a padded envelope, or a combination of these steps, depending on the sharpness of the item.
  - b. Syringes shall be placed inside a hardened container.
    - (1) Empty syringes shall be placed in a plastic syringe holder prior to placement in a booking envelope.
    - (2) Multiple syringes may be placed in a paint can.



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- (3) Loaded syringes shall be placed into a plastic syringe holder and booked as a controlled substance.
- c. Affix the appropriate "sharp" or "biohazard" label to the envelope or paint can.
- d. Place the appropriate placard on the exterior of the locker.
6. Controlled Substances
  - a. All controlled substances and suspected controlled substances shall be weighed and placed in a Controlled Substance Envelope by the booking employee. The employee shall complete the chain of custody section prior to placing the envelope into the narcotics/money drop box.
    - (1) Quantities of 1/2 ounce (14.25 grams) or more of methamphetamine, cocaine, or heroin require booking at [REDACTED].
    - (2) After normal business hours, the on-call EPS employee shall be contacted for amounts that do not fit into the narcotics/money drop box.
    - (3) Watch commanders shall be notified for quantities of methamphetamine, cocaine, or heroin in excess of 1/2 pound (228 grams) to determine if an on-call EPS employee should respond to [REDACTED] if after normal business hours.
  - b. If the original packaging material is to be fingerprinted, it shall be separated from the drugs and packaged as a separate item.
  - c. When an arrest has been made, controlled substances shall be tested for preliminary results prior to booking.
    - (1) Results shall be noted in the booking entry, on the Controlled Substance envelope, and in the crime report.
    - (2) PCP, LSD, and loaded syringes are exempt from preliminary testing.
  - d. Controlled substances are to be heat sealed in a clear plastic pouch prior to placement in the Controlled Substance Envelope.
    - (1) A police seal with the date, initials, and badge number of the booking employee shall be placed across the freshly sealed seam.
    - (2) PCP and LSD require employees to package the suspected narcotics in two plastic pouches (double package) and heat seal each pouch.
  - e. Complete a Controlled Substance Envelope, print an item bar code label, apply the label to the envelope in the "Description of Evidence" area, and enclose the sealed and labeled plastic pouch.
    - (1) Seal the flap with two police seals to include the date, initials and badge number of the booking employee.
    - (2) Record the gross weight of the Controlled Substance Envelope labeled "Chain of Custody" on the "weight" line.
      - (a) When booking different types of controlled substances that may be sent to the Crime Lab, each type of substance shall be heat sealed in a separate clear plastic pouch and placed in a separate Controlled Substance Envelope.
      - (b) Multiple pouches of the same substance from the same case may be consolidated into one (1) Controlled Substance Envelope.
    - (3) Date and sign the "Chain of Custody" on the Controlled Substance Envelope.
  - f. Controlled substances too large for plastic pouches and envelopes may be placed into a paper bag. The paper bag will be sealed with police seals. The booking employee shall write the date, his/her initials and badge number on the police seals. The booking employee shall attach the completed Controlled Substance Envelope to the outside of the bag.
7. Large Quantities of Dried or Green Marijuana
  - a. Dried marijuana amounts greater than two (2) ounces (57 grams) and less than two (2) pounds.
    - (1) Booking employees shall take five (5) random and representative samples, the total net



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weight of which shall not exceed two (2) ounces (57 grams) and which shall consist of leaves and buds.

(2) The samples shall be sealed in a clear plastic pouch and placed in a Controlled Substance Envelope.

(3) The remaining marijuana shall be placed in a paper bag following the procedures outlined in section B.6.f. above.

b. Green marijuana less than two (2) pounds

(1) Booking employees shall follow the sample collection procedures as outlined in B.7.a.

(2) The samples shall be placed in a Controlled Substance Envelope without being sealed in a plastic pouch.

(3) The remaining marijuana shall be placed into a burlap bag and sealed with a plastic tie.

(4) An empty, completed Controlled Substance Envelope that includes all fields and the chain of custody shall be attached to the burlap bag.

c. Amounts greater than two (2) pounds and/or indoor marijuana cultivation

(1) Photograph and videotape the crime scene.

(2) Random samples of marijuana will be processed for booking as outlined above in B.7.a. (for dried marijuana) and B.7.b. (for green/wet marijuana).

(3) In addition, a random two (2) pound sample shall be booked for evidence as a separate item, with a completed empty narcotic envelope filled out and attached for the chain of custody.

(4) Any remaining marijuana above the two (2) pound sample shall be booked for destruction following the criteria set forth in HS11479. Each packaging shall have a completed empty narcotic envelope filled out and attached for the chain of custody. If the criteria of HS11479 are not met, the remaining marijuana shall be booked as evidence.

(5) Only one sample of each type of marijuana grow house equipment (e.g., lights, ballast, fans, etc.) shall be booked. The remaining equipment shall be left in place and documented by video recording and/or photographs.

(6) Grow chemicals, fertilizers and air filters shall be documented but left in place and not booked.

(7) If necessary, contact the OOI supervisor listed in Versadex under OC Narcotics for direction or assistance.

8. Money

a. Money shall be heat sealed in a plastic pouch with a police seal initialed/badge number/dated across the heat seal, placed in a regular evidence envelope with the item bar code label attached, and deposited into the narcotics/money drop box. It is not necessary to seal the regular evidence envelope, since E&P staff will have to verify that the money is properly sealed in the plastic pouch and that there is a money tally sheet, when required.

b. A Money Tally Sheet (SPD 662) shall be completed when booking cash and/or coins in excess of \$200. A copy of the signed original tally sheet shall be sealed inside the plastic pouch with the money and with the total amount line on the tally sheet visible from the outside.

c. One thousand dollars (\$1000.00) cash or more

(1) Shall require employees to immediately notify a supervisor, who shall

(a) Designate a minimum of two (2) sworn or FIS employees to retrieve and count the money.

(b) Instruct the employees to count the money independently of each other and immediately reconcile any differences.

(2) Shall be counted in the presence of the alleged owner, if practical.

(3) Shall not, under any circumstances, be placed in an interim storage area.



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- d. Three thousand dollars (\$3000.00) cash or more shall be booked in the narcotics/ money drop box at [REDACTED].
  - e. If the money has the potential to be printed or tested for DNA, booking employees shall handle appropriately using a mask and with new gloves.
9. Jewelry
- a. Jewelry shall be packaged for booking following the procedures for booking money.
  - b. Jewelry valued under \$200.00 shall be secured in a booking locker.
  - c. Jewelry valued from \$200 to \$3000 shall be secured in a narcotics/money drop box.
  - d. Jewelry valued at more than three thousand dollars (\$3000.00) shall be booked in the narcotics/money drop box at [REDACTED] following the procedures for booking money.
10. Open Alcoholic Beverage Containers
- a. Employees shall book only a sample of the alcoholic beverage.
  - b. Employees shall mark the liquid level on the original container before obtaining a sample.
  - c. Employees shall pour the sample into a plastic evidence bottle with a leak-proof cap securely attached and a police seal placed around the lid prior to booking the empty container as evidence.
  - d. Employees shall dispose of the remaining liquid by pouring it down a drain and book the original container, making sure to secure the opening with packing, tape or placing in a sealed plastic pouch, to prevent leakage of any residual fluid.  
NOTE: For bottles with caps, place a police seal around the cap and mark the liquid level on the outside of the container prior to booking.
11. Flammable Liquids
- a. Employees shall book only a sample of the flammable liquid.
  - b. The employee shall mark the liquid level on the original container before obtaining a sample.
  - c. The employee shall pour the sample into a glass evidence jar with a leak-proof cap securely attached and a police seal placed around the lid.
  - d. After placing the sample into an evidence locker, the employee shall indicate "FLAMMABLE LIQUID" on the exterior of the locker.
  - e. The remaining flammable liquid shall be taken to a police garage for safe disposal, after which the container shall be booked. Garage personnel will dispose of the liquid appropriately.
  - f. In the event the garage is not open, after marking the liquid level and following the procedures in sections (a) through (d) above, the remainder of the liquid shall be stored in the large property storage area at 555 Sequoia Pacific Boulevard.
  - g. Unknown or extremely volatile liquids shall not be booked into EPS. The City Safety Officer or Fire Department HazMat shall be contacted for instructions.
12. Large Property
- a. Print and apply a bar code label to the appropriate property tag and attach it to the large property.
  - b. Place the large property in the large property storage area at 555 Sequoia Pacific Boulevard.
  - c. If a truck is needed after normal business hours
    - (1) Keys to the EPS truck are kept in the large property area for use by employees booking large property.
    - (2) The watch commander may contact the on-call EPS employee when the large property booking room lacks adequate space for the item(s) to be booked.
- C. EVIDENCE AND PROPERTY SECTION EVIDENCE PROCESSING PROCEDURE
1. The EPS employee shall verify all evidence/property booked in the following circumstances:





# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



- a. Homicides (inventory only if not sealed).
  - b. Narcotics/drugs (inspect exterior of the packaging).
  - c. Money (inspect clear plastic pouch).
  - d. Firearms (inspect serial number and verify unloaded condition).
  - e. Hazardous items (verify safe storage and packaging).
2. EPS employees shall not inventory or inspect evidence/property booked under other circumstances unless directed to do so by an EPS supervisor.
  3. Booking errors shall be brought to the attention of an EPS Supervisor, who shall notify the booking officer and his/her supervisor to correct the error.
  4. Items booked with the potential to be printed or tested for DNA shall be handled minimally and only when necessary, and the booking employee shall use a mask and new gloves for each item.
- D. EVIDENCE TO BE PROCESSED BY THE FORENSIC INVESTIGATIONS SECTION (FIS)**
1. The investigator shall notify the FIS of the property to be printed, swabbed for DNA, or submitted for ballistic testing (IBIS) by sending an Evidence Processing Request through the Versadex V-Mail system to the ID-Evidence Lab Versadex handle (HIDLAB).
  2. The FIS employee shall
    - a. Query the Evidence Lab Versadex handle for Evidence Processing Requests.
    - b. Print a copy of each V-Mail and complete an Evidence Transferal Summary (SPD 852). The V-Mails and completed SPD 852 shall be furnished to the EPS.
  3. An EPS employee shall process the evidence for transfer to FIS. All items shall be packaged to prevent access to the contents. If not already sealed with police seals or two-inch clear tape, seal with two-inch clear tape across the entire opening or fold of the packaging, leaving ½” to 1” of space at the top free of any tape or seals. The employee sealing the package shall place his/her initials, badge number and the date across the seal.
  4. When property is to be returned to the EPS, an FIS employee will complete an SPD 852 for items to be returned. Items shall be placed in the Print Locker pending transfer to the EPS.
- E. EVIDENCE TO BE PROCESSED BY THE COUNTY CRIME LAB (CCL)**
1. [REDACTED]
  2. Rape kits and blood/urine samples are picked up by the CCL via drop boxes at UCDMC and the Sobriety Testing Station.
  3. Other items of evidence require a detective or a Deputy District Attorney to submit a “Request for Crime Lab Examination” form (DA-7) to the CCL. Case details should be provided to aid the CCL with the examination of the evidence.
  4. [REDACTED]
  5. All items shall be packaged to prevent access to the contents. If not already sealed with police seals or two-inch clear tape, seal with two-inch clear tape across the entire opening or fold of the packaging, leaving ½” to 1” of space at the top free of any tape or seals. The employee sealing the package shall place his/her initials, badge number, and date across the seal.



# SACRAMENTO POLICE DEPARTMENT

## OFFICE OF OPERATIONS



### 527.05 PRELIMINARY INVESTIGATIONS 05-13-93

#### **PURPOSE**

To establish guidelines for the amount of time to be spent on preliminary investigations.

#### **POLICY**

That officers assigned to the Office of Operations continue preliminary investigations to the point where delay in the investigation, would not materially jeopardize the investigation.

#### **PROCEDURE**

- A. The scope of preliminary investigations can constitute an entire investigation or be limited by:
  - 1. investigative policy.
  - 2. officers' work load assignments.
- B. Officers shall conduct a thorough investigation to include:
  - 1. establishing the violation of law.
  - 2. thorough identification and interviews of all victims, witnesses, and responsible parties.
  - 3. collection and preservation of any evidence.
  - 4. taking appropriate enforcement action.
- C. A report shall be:
  - 1. accurate and completed during the work shift.
  - 2. submitted for supervisory review and approval. (Where a report is associated with an arrest it shall be submitted to a supervisor before going home.)
- D. Necessary reports shall be taken by officers and Community Services Officers.
- E. An officer may refer a complainant to a call expeditor or the report writers per G.O. 130.02.
- F. GUIDELINES FOR PRELIMINARY INVESTIGATIONS
  - 1. To strike a balance between the need of answering calls for service and the amount of time expended on preliminary investigations, officers shall limit preliminary investigations to one hour, unless supervisory approval is obtained. NOTE: When determining the length of time on a preliminary investigation, the report writing time need not be included.
  - 2. Preliminary investigations causing travel outside the sector shall necessitate:
    - a. supervisor approval.
    - b. the supervisor notifying the supervisor of the sector to which the officer is responding.
- G. SECTOR SERGEANTS:  
Sector Sergeants shall:
  - 1. when practical, allow officers to carry an investigation to its logical conclusion.
  - 2. balance the absolute need of maintaining adequate levels of police service and the compelling need to complete the investigation.
  - 3. take the following factors into consideration when authorizing extended preliminary investigations:
    - a. calls for service
    - b. available personnel resources
    - c. severity of the crime
    - d. necessity of immediate apprehension
    - e. potential location of apprehension
    - f. likelihood of apprehension
    - g. loss of evidence
    - h. loss of witnesses
    - i. availability of call expeditor and/or report writers.
  - 4. keep the Watch Commander advised of any extended investigation and the amount of personnel resources committed to it.

**Sacramento Police Department**  
**Internal Affairs Division**  
**Body Worn Camera Review**

**IAD2021-026**

**Investigator: Sgt. Aurelio Villegas #3124**

On 2/12/2021, I reviewed the body worn cameras of Ofc Pretorius and Ofc Roddy pertaining to call (20-356582).

**Ofc Pretorius BWC Video (Axon Body 3 Video 2020-12-07 0003).** I noted the following: As officers made contact with [REDACTED] inside of her house, Ofc Roddy walked through the house to make sure nobody else was there. [REDACTED] explained that she was there by herself and her friend that called police, was in Santa Rosa. [REDACTED] explained that she was a clinical social worker. She explained to Ofc Pretorius that she didn't feel like hurting herself nor anyone else when she was asked. At the 3:25 mark, Ofc Pretorius asked, "Besides the cocaine, what else have you taken today?" She explained that she had taken additional medications after she had used cocaine. At the 3:56 mark, Ofc Pretorius requested the Fire Department to respond and explained to [REDACTED] that he is going to have them make sure she was ok. At the 5:10 mark, Ofc Pretorius said "I'll just be honest, you took me by surprise with how open you were about the cocaine, so that's why it took me a second." [REDACTED] responded while pointing towards the kitchen, "well hey, it's walking in there, yea, it's, it's there, so." [REDACTED] explained that she hadn't used in a year and used a tiny amount. Ofc Pretorius and [REDACTED] had a conversation in regard to drug use and psychological diagnoses pertaining to [REDACTED]. [REDACTED] advised that she didn't have suicidal thoughts this day and agreed that her friend was just worried for her. She explained that she works at [REDACTED]. At the 7:11 mark, Ofc Pretorius walked through the kitchen area and appeared to pause near an 8-10 inch plate (7:13 mark) on the counter. After a brief pause, he turned around and walked back into the living-room. At the 8:03 mark, Ofc Pretorius advised [REDACTED] that she didn't meet the 5150 criteria but urged her to go and talk with someone and get checked out. At the 09:00 mark, Ofc Pretorius stepped outside and awaited the Fire Departments response.

**Ofc Roddy BWC Video (Axon Body 3 Video 2020-12-07 0003).** I noted the following: At the 02:30 mark, I observed Ofc Roddy walk through the house making sure nobody else was there. While walking through the kitchen, he didn't appear to stop and focus on anything. He loosely cleared the house and returned to the living-room area. Ofc Roddy advised that there wouldn't be a report taken and was just curious as to what triggered her use of cocaine. At the 9:48 mark, [REDACTED] said "To be quite honest with you, I really, yea, it's been a very long time, and I spent a shit ton of fucking money on it, that's what's even more crazy." [REDACTED] explained to Ofc Roddy that her [REDACTED]. At the 10:50 mark, the Fire Department arrived and evaluated [REDACTED]. At the 11:13 mark, Ofc Roddy stepped outside with Ofc Pretorius and the following conversation occurred:



**Sacramento Police Department**  
**Internal Affairs Division**  
**Body Worn Camera Review**

**Pretorius:** “So if we were taking her on a hold, that cocaine does not matter, that hold. But since she’s not going on a hold, does that cocaine, now does it matter?”

**Roddy:** “It was in her own home”

**Pretorius:** “Even if it’s that amount?”

**Roddy:** “What amount?”

**Pretorius:** “I mean, there is a couple ro-(unintelligible). I’m not an expert.”

**Roddy:** “Did I miss it somewhere?”

**Pretorius:** “Yea, it’s in the kitchen on the kitchen counter as you walk in. I mean, I don’t...I don’t see how taking enforcement action here would help at all. And I’m not asking to, I’m just trying to educate myself on...”

**Roddy:** “Yea, well I mean, if it’s in plain view, yea, you can take enforcement action, but.”

**Pretorius:** “She’s a victim.”

**Pretorius:** “It’s in plain view but (unintelligible).”

**Roddy:** “I’d tell her to dump it...I wasn’t looking for that stuff so, I was looking for people when I did my (laugh).”

**Pretorius:** “Yea, no, the only reason I knew to look is because she told me where it was.”

**Roddy:** “If they don’t take her, I’d say dump it...(unintelligible)”

At the 12:37 mark, Ofc Roddy re-entered the residence and Ofc Pretorius stayed at the front door speaking with Fire personnel. Ofc Pretorius entered and conversated with Fire personnel while they were conducting an evaluation. At the 18:15 mark, while speaking with Fire personnel, Ofc Pretorius pointed towards the kitchen area and said, “I mean, the cocaine is right in the opening of the kitchen.” Ofc Roddy said, “And her friend told her that she was calling us, so she was, she knew we were coming.”

At the 19:25 mark, you can see Ofc Roddy re-enter the kitchen area and pause near a plate on the kitchen counter. When paused at the 19:28 mark, you can see what appears to be white substance on the plate along with what appears to be a straw and a credit card. Near the plate, there is a plastic bag. After a brief pause, Ofc Roddy returned to the living-room area. [REDACTED] refused to get evaluated by medical personnel and Fire left the home at the 20:15 mark, 0022 hrs. At this point, Ofc Roddy, Ofc Pretorius, and [REDACTED] are the only people in the home and have the following conversation:

**Roddy:** “Can you do us a favor? Can you get rid of the rest of your stuff?”

**Sacramento Police Department**  
**Internal Affairs Division**  
**Body Worn Camera Review**

██████: "Yea."

**Roddy:** "While we are here?"

██████: "No."

**Roddy:** "No? Why not? Because I don't want you using it and if it's here, you are going to use it"

██████: "I'm, no, I'm not going to use it tonight."

**Roddy:** "Tomorrow night?"

██████: "um, never, I generally flush my cocaine. But I paid one hundred and twenty dollars for that because its COVID season. And I hadn't done it for a really long time, so no I don't feel comfortable. I don't want to..."

**Roddy:** "Do you want us to take it?"

██████: "No."

**Roddy:** "Because you know we can."

██████: "No, I want it to stay here unless you are going to fucking charge me with something, and..."

**Roddy:** "alright, do you want us to charge you with something?"

██████: "No....."

**Roddy:** "I mean we are trying to work with you here."

██████: "So what are you saying?"

**Roddy:** "Flush it now."

██████: "Or you will charge me with something if I don't?"

**Roddy:** "Well I don't want you taking it and if..."

██████: "I'm not going to."

**Roddy:** "Well then why can't you just dump it right now?"

██████: "I always dump it, I just don't want to dump it right now, I'm sorry. Unless you are trying to charge me with something."

**Roddy:** "Well I don't want to charge you with anything, but if that's what is going to make it get out of this house, while we're here."

**Sacramento Police Department**  
**Internal Affairs Division**  
**Body Worn Camera Review**

██████: "It...What are you going to charge me with?"

**Roddy:** "What do you think?"

██████: "I don't know."

**Roddy:** "Possession of cocaine."

██████: "Can you charge me with that?"

**Roddy:** "Yea....I mean if you left it right out in the open."

██████: "Well yea, this was not my call."

**Roddy:** "And you told us where it was...I mean, are we just supposed to look over it? And kind of we are if you can just flush it now."

██████: "But there is no intent to do anything, what's crazy. I don't get a fucking present, like that's not enough to charge somebody to stick. I certainly don't want to go to court over it."

**Roddy:** "Well, it may not charge, stick the charge, but it gets it out of the house. I want it, I don't want you."

██████: "So you want to take me to jail."

**Roddy:** "No, I don't want to."

**Pretorius:** "There's no way this turns out where you go to jail, it would be like a parking ticket, if it came to being charged. But either way, the cocaine leaves the house. But that's not..."

**Roddy:** "We just don't want you to get the urge...taking it again."

██████: "Yea, I'm a clinical social worker, in a prison, I don't want to lose my job. So. I certainly like, if that's what it takes, flushing it..."

**Pretorius:** "We would highly appreciate that ma'am, because my concern here is you, right? You are so educated here on this and you know what your triggers are, and there's such and abundance of resources ma'am. There's such and abundance of resources."

██████: "Yea."

**Pretorius:** "And your, obviously life is extremely stressful right now. You deserve better than this now. You know you deserve better than this."

██████: "Yea. I absolutely do."

**Pretorius:** "Ok, even if it's not talking to someone professional..."

**Sacramento Police Department**  
**Internal Affairs Division**  
**Body Worn Camera Review**

██████: "I'm ████████."

**Pretorius:** "But your friend is obviously a good resource, because she called, she was concerned enough about you to call us. Maybe that's someone you want to reach out to as well, ok."

██████: "Yea, we've been talking tonight."

**Pretorius:** "Ok, well.....Partner?"

**Roddy:** "Can you flush it while we are here? Is it worth your job? Is it worth the risk of, I mean, doesn't matter how strong we are, we all, I mean, you went over a year without taking it and you, fell off the wagon tonight. Is it worth taking another chance? Especially since you have already taken some and it may be (unintelligible) do it next time. Alright?"

██████: "(unintelligible)...I mean, but if nothing is going to happen, then no I don't want to flush it. If you are threatening to write me up for it, different story. So, you all got to come clean with me."

**Pretorius:** "Well, that's what we are saying."

**Roddy:** "Well, we are threatening you."

**Pretorius:** "It's going to end up being a citation for possession of cocaine if you do not flush it."

██████: (Walking towards the kitchen) "Then I will...(unintelligible)."

**Pretorius:** "Thank you very much."

At this point in Ofc Roddy's BWC (25:02 mark), you can see ████████ walk into the kitchen, grab and open a plastic bag near the plate with the white substance, pick up the plate and pour the substance into the plastic bag (cocaine Photo#2). She then set the plate back on the counter and showed Ofc Roddy the bag with the substance inside (Photo#3 and #4-cocaine).

██████: (while holding the bag up to Ofc Roddy) "You want me to flush it..., I don't really want to flush it...I guess I can just..." (She turns and walks towards her bathroom)

**Roddy:** "Unless you want us to take...If you want us to take it and book it for destruction with no charges, we can do that."

At this point in Ofc Roddy's BWC (25:36 mark), Ofc Roddy is at the opening of the bathroom and you can see ████████ bent over the toilet area. Ofc Pretorius is standing right next to Ofc Roddy. At one point, you can see ████████'s hands inside of the toilet area (photo #5-toilet). At the 25:40 mark, you can hear the toilet flush and officers walked back out towards the living-room area. In the background, you can hear ████████ saying something that is unintelligible, but can hear say "fucking hate...."

**Sacramento Police Department**  
**Internal Affairs Division**  
**Body Worn Camera Review**

**Roddy:** “we are not trying to do it to be dicks, or jerks, we just don’t want you to get in more trouble.”

**Pretorius:** “██████████, would you like me to give you some numbers for resources?”

██████████: “Such as?”

**Pretorius:** “I can give you information for our mental health unit if that’s something you are interested in.”

**Roddy:** “I have mental health resources.”

**Pretorius:** “Say again now?”

**Roddy:** “She has resources.”

**Pretorius:** “Ok.”

**Roddy:** “Sorry we had to do that but, we are just...”

██████████: “I wasn’t going to do it anyways, it’s not a big deal, this is sort of my M.O.”

**Roddy:** “Ok.”

██████████: “Do what I did, and fucking dump it, so...It just...(Unintelligible)”

**Pretorius:** “For what it’s worth, I’m really glad that you are ok, ok.”

██████████: “Yea, thanks.”

At the 26:50 mark, 0029 hrs, officers leave out the front door. As they are on their way out, ██████████ said “And there’s not report?” Ofc Roddy confirmed that there is no report, just a call for service. Ofc Pretorius advised that it will go down as a medical service call. Both officers turn off their BWC’s as they leave the driveway.

**Sacramento Police Department**  
**Internal Affairs Division**  
**Investigative Summary**

**IAD2021-026**

**Investigator: Sgt. Aurelio Villegas #3124**

**2/10/2021, Wednesday:**

While investigating [REDACTED], I located a call for service at [REDACTED]'s residence ([REDACTED] 61<sup>st</sup> St) where officers arrived and handled a 5150 call on 12/7/2020 (20-356582). During my review, I noted that Ofc Mark Roddy and Ofc Hendrik Pretorius were at the call location and both had BWC video footage available. I located and attached the AXON BWC Audits for both officers regarding call 20-356582.

**2/12/2021, Friday:**

I reviewed the call for service at [REDACTED]'s home on 12/6/2020 (20-356582) and noted the following:

I reviewed the BWC video of the officers that responded to the call for service on 12/6/2020 to [REDACTED] 61<sup>st</sup> ST regarding a 5150 call. Ofc Roddy and Ofc Pretorius responded, both officers having their BWC's activated throughout the BWC video. While reviewing the BWC video from the officers, I found that they advised [REDACTED] to flush cocaine down her toilet in which she did so (See Body Worn Camera Review).

**2/16/2021, Tuesday:**

I emailed Captain Bassett the circumstances surrounding the discovered misconduct by officer Roddy and Officer Pretorius related to call (20-356582). Captain Bassett replied and advised to open a new IAD case with Ofc Roddy and Ofc Pretorius as accused for neglect of duty and improper search and seizure.

**7/27/2021, Tuesday:**

Ofc Pretorius responded to Internal Affairs with his attorney Scott Thorne and provided an accused statement regarding this case. The audio was sent out for transcription.

At 1723 hrs, I contacted [REDACTED] via phone and obtained a statement from her in regard to the officer's actions while they were at her residence on December 6, 2020. The audio was sent out for transcription.

**8/2/2021, Monday:**

Ofc Roddy responded to Internal Affairs with his attorney Scott Thorne and provided an accused statement regarding this case. The audio was sent out for transcription.

**8/6/2021, Friday:**

All transcription was completed, and the case was prepared for review. Contained in the attached case thumb drive: Training and watch folders for Ofc Pretorius and Ofc Roddy, BWC Videos for Ofc Pretorius and Ofc Roddy, Interview Audio for Ofc Pretorius, Ofc Roddy, and [REDACTED].

**From:** [OPSA](#)  
**To:** [Desiree Sayles](#)  
**Cc:** [Ray Villegas](#); [Greg Halstead](#); [LaTasha Watson](#); [Dawud Brewer](#); [Mandy Holm](#)  
**Subject:** RE: IAD2021-026  
**Date:** Wednesday, February 24, 2021 9:38:13 AM  
**Attachments:** [image001.png](#)  
[OPSA REVIEW FORM OPSA2021-0040\[IAD2021-026\].pdf](#)

---

Good morning Desiree,

OPSA will review.

Thank you,

*Alayna D Aguilar*

Executive Assistant to the Director  
Office of Public Safety Accountability  
915 I Street, HCH 3rd Floor  
Sacramento, CA 95814  
Direct: (916) 808-7537  
Main Line: (916) 808-7525

  
Office of Public Safety Accountability  
[cityofsacramento.org/opsa](http://cityofsacramento.org/opsa)

---

**From:** Desiree Sayles <[dsayles@pd.cityofsacramento.org](mailto:dsayles@pd.cityofsacramento.org)>  
**Sent:** Tuesday, February 16, 2021 2:19 PM  
**To:** OPSA <[OPSA@Cityofsacramento.org](mailto:OPSA@Cityofsacramento.org)>  
**Cc:** Ray Villegas <[avillegas@pd.cityofsacramento.org](mailto:avillegas@pd.cityofsacramento.org)>  
**Subject:** IAD2021-026

Good afternoon –

Attached is the SPD 330 for IAD2021-026.

Thank you,

*Desiree Sayles*

Internal Affairs Division  
Sacramento Police Department  
Desk: (916)808-3796  
Main: (916)808-2290

*\*Email correspondence with the City of Sacramento (and attachments, if any) may be subject to the California Public Records Act, and as such may therefore be subject to public disclosure unless otherwise exempt under the Act*

# Sacramento Police Department Personnel Complaint Form

- DEPARTMENT USE ONLY - IAD CASE NUMBER
IAD2021-026

### Complainant:

*\*You have the right to remain anonymous. Consider providing some information for an investigator to contact you for follow-up questions.*

NAME Sacramento Police Department		DOB	AGE	GENDER	RACE
HOME ADDRESS		CITY		STATE	ZIP
BUSINESS ADDRESS		CITY		STATE	ZIP
TELEPHONE NUMBER #1	EMAIL ADDRESS		DATE COMPLAINT RECEIVED 02/12/2021		

### Involved Employee:

*\*Provide as much information as possible.*

NAME See Below		RANK	BADGE	GENDER	RACE
UNIFORM TYPE	VEHICLE DESCRIPTION		VEHICLE NUMBER		

### Incident Details:

INCIDENT DATE 02/07/2021	INCIDENT TIME 0003	LOCATION (ADDRESS OR INTERSECTION) ██████████ 61ST STREET, SACRAMENTO CA 95820
<p>SUMMARY OF INCIDENT: <i>Provide witnesses, locations, address, businesses, available photos and video, etc.</i></p> <p>INITIAL COMPLAINT (██████████): ██████████ claims ██████████ contacted her in regards to a welfare check at her home. ██████████ claims ██████████ "abused her power to access police records" to get personal information about her and feels this is harassment.</p> <p>NEW COMPLAINT: 2/12/2021: During review of Ofc Roddy and Ofc Pretorius BWC on 2/12/2021, it was found that officers neglected to handle evidence in an appropriate manner. It was discovered that ██████████ observed these BWC's as well and failed to report the misconduct.</p> <p>Allegation(s):</p> <p>Mark Roddy: Neglect, Improper Search and Seizure</p> <p>Hendrik Pretorius: Neglect, Improper Search and Seizure</p> <p>██████████</p>		
<input type="checkbox"/> I have attached _____ more pages to this form.		

### Your Rights:

<p><i>You have the right to make a complaint against an employee for improper conduct. California law requires this agency to have a procedure to investigate personnel complaint, provide written description of this procedure, and retain complaints for at least five years.</i></p> <p><i>I have read and understand these rights.</i>                      Signature: _____</p>	
---	--

DEPARTMENT USE ONLY:		
ACCEPTING EMPLOYEE NAME AND BADGE NUMBER Villegas #3124	ACCEPTING SUPERVISOR NAME AND BADGE NUMBER Greg Halstead #4063	DATE AND TIME 2/16/2021



**From:** [Desiree Sayles](#)  
**To:** [OPSA](#)  
**Cc:** [Ray Villegas](#)  
**Subject:** IAD2021-026  
**Date:** Tuesday, February 16, 2021 2:18:50 PM  
**Attachments:** [SPD 330 Complaint Form.pdf](#)

---

Good afternoon –

Attached is the SPD 330 for IAD2021-026.

Thank you,

*Desiree Sayles*

Internal Affairs Division  
Sacramento Police Department  
Desk: (916)808-3796  
Main: (916)808-2290

*\*Email correspondence with the City of Sacramento (and attachments, if any) may be subject to the California Public Records Act, and as such may therefore be subject to public disclosure unless otherwise exempt under the Act*

## Close Out Form

<b>Date:</b>	December 9, 2021
<b>IA Case #:</b>	IAD2021-026
<b>OPSA Case #:</b>	OPSA2021-0040
<b>Complainant's Name:</b>	SPD
<b>Employee(s) Name:</b>	
	Officer M Roddy [0792]
	Officer H Pretorius [0657]
<b>OPSA:</b>	
<input checked="" type="checkbox"/> CLOSE CASE	
<input type="checkbox"/> DO NOT CLOSE	

**Notes:**

Sustained

**OPSA Review:**

Agree

**Approved By:**

LaTasha Watson, Director  
Office of Public Safety Accountability

## Request for Review Form

**Date of Request:** February 24, 2021

**IA Case #:** IAD2021-026

**OPSA Case #:** OPSA2021-0040

**Complainant's Name:** SPD

**Employee(s):**

Officer M Roddy

Officer H Pretorius [0657]

**OPSA:**

**WILL** REVIEW

**WILL NOT** REVIEW\*

*\* Send DISPOSITION form(s) to OPSA upon completion of case.*

SACRAMENTO POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2020-356582

Reported: Dec-06-2020 23:50:55

Incident Location

Address : [REDACTED] 61ST ST  
City : SACRAMENTO County : SACRAMENTO COUNTY  
District : 6 Beat : 6B Grid : 1088

General Information

Report number: 2020-356582  
Case Type : MENTAL SUBJECT Priority : 4  
Dispatch : Dec-06-2020 23:55:16  
Enroute : Dec-06-2020 23:55:24  
At Scene : Dec-07-2020 00:02:55  
Cleared : Dec-07-2020 00:35:17  
How call received : TELEPHONE  
Unit ids : #1 - 1A64 #2 - 1A65  
Call taker ID : 4672 VALENZUELA, ASHLEY 6004

Complainant Information

Name : [REDACTED] FRIEND  
State : CA  
Home Telephone : [REDACTED]  
Remarks :

Dec-06-2020 23:50:55 - COMPS FRIEND IS 922 AND HIGH ON 928(COCAINE) AND HAS TAKEN OTHER PERScription DRUGS ... FRIEND [REDACTED] FWA [REDACTED] ....COMP THINKS HAS HX OF SUICIDE ATTEMPTS, DEPRESSION, AND ANXIETY....NO WPNS IN HOME... HAS MADE STATEMENTS ABOUT NOT BEING HERE AND TAKE HANDFULL OF PILLS TO OD

PRETORIUS, HENDRIK J 0657(at 1A65) on 2020-12-06 23:58:43 - [REDACTED], X [REDACTED], [REDACTED], 39, F, W, 5'03, 150 LBS, BRO, BRO, [REDACTED], SACRAMENTO, CA, ]

LIONEL, TEIAJA 6085(at SD9) on 2020-12-07 00:08:54 - FIRE LOG 635

MULLNIX, LISA 6087(at SR6) on 2020-12-07 00:12:44 - 1A65 MEDIC 10/TK 10 906

PRETORIUS, HENDRIK J 0657(at 1A65) on 2020-12-07 00:34:06 - SUBJECT DOES NOT MEET 5150 CRITERIA. SUBJECT REFUSED MEDICAL CARE.

VALENZUELA, ASHLEY 6004(at SD15) on 2020-12-06 23:56:36 - COMP ADVD THAT [REDACTED] IS AWARE PD HAS BEEN CALLED MAY BE SB OUTSIDE FOR UNITS

Clearance Information

Remarks :  
SEE REMARKS. CHKS OKAY

Final Case type : MENTAL SUBJECT

**SACRAMENTO POLICE DEPARTMENT  
CAD CALL HARDCOPY**

**CP 2020-356582**

**Reported: Dec-06-2020 23:50:55**

Report expected : **No**    Founded : **Yes**  
Cleared by : **POLICE MATTER RESOLVED AT SCENE**  
Reporting Officer1 : **4758 - PRETORIUS, HENDRIK J 06**

**Dispatch Details**

Unit number : **1A64**    Dispatched: **Dec-06-2020 23:55:16**  
Officer 1 : **853 - RODDY, MARK 0792**  
Enroute : **Dec-06-2020 23:56:01**  
At scene: **Dec-07-2020 00:03:04**  
Cleared : **Dec-07-2020 00:35:17**  
Dispatcher ID : **4149**

Unit number : **1A65**    Dispatched: **Dec-06-2020 23:55:16**  
Officer 1 : **4758 - PRETORIUS, HENDRIK J 0657**  
Enroute : **Dec-06-2020 23:55:24**  
At scene: **Dec-07-2020 00:02:55**  
Cleared : **Dec-07-2020 00:34:29**  
Dispatcher ID : **4149**

Dispatched: **Dec-07-2020 00:07:05**  
Special service : **FIRE/AMB**  
Dispatcher ID : **4149**

SACRAMENTO POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2020-356582

Reported: Dec-06-2020 23:50:55

Related text page(s)

Author: 4758 - PRETORIUS, HENDRIK J 0657

Subject: 978 [REDACTED]

Related date/time: Dec-06-2020 2358

4DCNCA01G9H.IN

DATE:12-06-20\*TIME:23:57\*

MATCHED ON:\*S/N\*F/N\*B/3

DMV RECORD FOR LAW ENFORCEMENT USE ONLY

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

END

SACRAMENTO POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2020-356582

Reported: Dec-06-2020 23:50:55

Unit/Officer Details

23:55 Dec 06 SR6 4149 DP:1A65 PT 4758  
5323 61ST ST

23:55 Dec 06 SR6 4149 DP:1A64 PT 853  
5323 61ST ST

23:55 Dec 06 1A65 4758 ER:1A65 PT 4758

23:56 Dec 06 1A64 853 ER:1A64 PT 853

23:57 Dec 06 1A64 853 ER:1A64 PT 853  
RMS Q PERS-NAME: [REDACTED] G1: [REDACTED] DOB: [REDACTED]  
SEX:F RACE:W STATE:CA REC:Y CAD:N EXTN:Y  
EXTE:Y EXTM:Y EXT1:Y EXT2:Y PKI:N TONC:Y  
UNIT:1A64

23:57 Dec 06 1A64 853 ER:1A64 PT 853  
EXT Q PERS-NAME: [REDACTED] G1: [REDACTED] DOB: [REDACTED]  
SEX:F RACE:W STATE:CA REC:Y CAD:N EXTN:Y  
EXTE:Y EXTM:Y EXT1:Y EXT2:Y PKI:N TONC:Y  
UNIT:1A64

23:57 Dec 06 1A65 4758 ER:1A65 PT 4758  
RMS Q PERS-NAME: [REDACTED] G1: [REDACTED] DOB: [REDACTED]  
SEX:F STATE:CA REC:Y CAD:N EXTN:Y EXTE:Y  
EXTM:Y EXT1:Y EXT2:Y PKI:N TONC:Y UNIT:1A65

23:57 Dec 06 1A65 4758 ER:1A65 PT 4758  
EXT Q PERS-NAME: [REDACTED] G1: [REDACTED] DOB: [REDACTED]  
SEX:F STATE:CA REC:Y CAD:N EXTN:Y EXTE:Y  
EXTM:Y EXT1:Y EXT2:Y PKI:N TONC:Y UNIT:1A65

23:59 Dec 06 1A65 4758 ER:1A65 PT 4758  
RMS Q LOC-LOC: [REDACTED] 61ST ST TYPE:H MUN:1 SVTP:P  
CAD:Y REC:Y PKI:N

00:02 Dec 07 1A65 4758 OS:1A65 PT 4758

00:03 Dec 07 1A64 853 OS:1A64 PT 853

00:07 Dec 07 SR6 4149 OS:1A65 PT 4758  
(FA) FIRE/AMB: FA,1A65 \*\*\*\*\* FIRE CLR TO ENTER...  
NO CODE... FWA,NFI UNIT:1A65

00:34 Dec 07 1A65 4758 IS:1A65 PT 4758  
UPDATED CASE SA356582 FOUNDED-Y REPORT-N CLEARED  
BY-A FINAL-5150 BOLO-N STUDY FLAG-M3 REM-SEE  
REMARKS. CHKS OKAY

00:34 Dec 07 1A65 4758 IS:1A65 PT 4758

00:35 Dec 07 1A64 853 IS:1A64 PT 853

SACRAMENTO POLICE DEPARTMENT  
CAD CALL HARDCOPY

CP 2020-356582

Reported: Dec-06-2020 23:50:55

CLEARED CASE SA356582 FOUNDED-Y REPORT-N CLEARED  
BY-A FINAL-5150 BOLO-N STUDY FLAG-M3 REM-SEE  
REMARKS. CHKS OKAY

00:35 Dec 07 1A64 853 IS:1A64 PT 853

\*\* END OF HARDCOPY \*\*



**INTERVIEW WITH HENDRIK PRETORIUS**

**VILLEGAS=Sgt Ray Villegas**  
**FARIA=Sgt Cory Faria**  
**PRETORIUS=Ofc Hendrik Pretorius**  
**THORNE=Scott Thorne**

1  
2  
3  
4  
5  
6  
7  
8 FARIA The date is July 27, 2021. The time is 0801 hours. Present in the Internal Affairs  
9 office are Hendrik Pretorius, attorney Scott Thorne, Sgt. Ray Villegas, and  
10 myself, Sgt. Cory Faria. The purpose of this meeting is to conduct an interview  
11 of Hendrik Pretorius, who is an employee with the Sacramento Police Department  
12 in the capacity of officer. This is an administrative investigation on the charges  
13 of neglect of duty and improper search and seizure involving Hendrik Pretorius.  
14 This is an administrative investigation only on these charges. Do you understand  
15 that, sir?  
16  
17 PRETORIUS Yes, sir.  
18  
19 FARIA However, since the allegations indicated that a crime may have been committed,  
20 I am advising you that you have the right to remain silent. Anything you say may  
21 be used against you in court. You have the right to the presence of an attorney  
22 before and during any questioning. If you cannot afford an attorney, one will be  
23 appointed for you free of charge before any questioning if you want. Do you  
24 understand each of these rights that I have explained to you?  
25  
26 PRETORIUS Yes, I do, sir.  
27  
28 FARIA Having these rights in mind, do you wish to talk to us now?  
29  
30 PRETORIUS No, sir.  
31  
32 FARIA Although you have a right to remain silent and not to incriminate yourself, your  
33 silence can be deemed insubordination and result in administrative discipline. Do  
34 you understand that, based upon the authority vested in me by the Chief of Police,  
35 I am ordering you to answer all of these questions?  
36  
37 PRETORIUS Yes, I do, sir.  
38  
39 FARIA Any statement made under compulsion of a threat of discipline cannot be used  
40 against you in a later criminal proceeding. However, if you do not answer our  
41 questions truthfully and fully, a charge of insubordination may be imposed which  
42 could result in discipline up to and including termination. Do you understand this  
43 is only an administrative investigation?  
44

45 PRETORIUS Yes, sir, I do.  
46  
47 FARIA Do you understand the allegations?  
48  
49 PRETORIUS Yes, sir, I do.  
50  
51 FARIA Do you understand that I am ordering you to answer our questions and that if you  
52 do not answer them truthfully and fully, it could result in disciplinary action up  
53 to and including termination?  
54  
55 PRETORIUS Yes, sir, I do.  
56  
57 VILLEGAS Good morning.  
58  
59 PRETORIUS Good morning, sir.  
60  
61 VILLEGAS Prior to this interview, I provided you with a binder containing a CAD call, 20-  
62 356582; General Order 210.04, General and Professional Conduct, revised date  
63 of 07/12/17; General Order 525.01, Evidence and Property, revised date of  
64 09/08/17; and General Order 340.01, Report Quality Control, revised date of  
65 05/03/17. Have you had enough time to review this information?  
66  
67 PRETORIUS Yes, sir, I have.  
68  
69 VILLEGAS I also provided you with Ofc. Roddy and your body-worn camera for this event.  
70 Did you have time to review this material?  
71  
72 PRETORIUS Yes, sir, I did.  
73  
74 VILLEGAS Thank you. I'm going to go through a little bit of background. For the record,  
75 can you please spell and state your name?  
76  
77 PRETORIUS My first name is Hendrik, H-E-N-D-R-I-K. My last name is Pretorius, P-R-E-T-  
78 O-R-I-U-S.  
79  
80 VILLEGAS And did you graduate from the Sacramento Police Academy?  
81  
82 PRETORIUS Yes, sir, I did.  
83  
84 VILLEGAS And what class did you graduate?  
85  
86 PRETORIUS 19-BR1, sir.  
87  
88 VILLEGAS Did you spend any time prior to the academy as a student trainee or a CSO?

89  
90 PRETORIUS No, sir.  
91  
92 VILLEGAS Okay. And do you have any prior law enforcement experience before Sac PD?  
93  
94 PRETORIUS No, sir, I do not.  
95  
96 VILLEGAS Okay. And would you agree that all Sacramento Police employees are  
97 responsible for being knowledgeable and familiar with their general orders,  
98 department manuals, and training that they have received?  
99  
100 PRETORIUS Yes, sir, I do.  
101  
102 VILLEGAS Okay. I'm going to talk a little bit about your training. In the academy and during  
103 field training, were you given instruction in the collection of evidence and  
104 booking evidence?  
105  
106 PRETORIUS Yes, sir, I did.  
107  
108 VILLEGAS And up to this point in your career, have you collected and booked controlled  
109 substances, including cocaine?  
110  
111 PRETORIUS Yes, sir, I have.  
112  
113 VILLEGAS And as an officer, are you able to identify cocaine?  
114  
115 PRETORIUS Yes, sir, I am.  
116  
117 VILLEGAS Can you explain what, in a powder form, cocaine looks like?  
118  
119 PRETORIUS It's a white, powdery substance. Sometimes it clots.  
120  
121 VILLEGAS So, sometimes it can be in chunks?  
122  
123 PRETORIUS Yes, sir.  
124  
125 VILLEGAS So, on an average call for service, if you were to recognize — you could recognize  
126 what cocaine was?  
127  
128 PRETORIUS Yes, sir.  
129  
130 VILLEGAS Okay. And from your training and experience, in which ways do people use  
131 powdered cocaine? Use it — how do they -  
132

133 PRETORIUS Do you mean how do they ingest it?  
134  
135 VILLEGAS Yes. Sorry.  
136  
137 PRETORIUS You can cook it on a spoon. You can inject it. There's multiple ways to use it,  
138 sir: smoke it, snort it.  
139  
140 VILLEGAS Okay. And from your training and experience, can you explain to me how  
141 subjects are to prepare cocaine on a flat surface to ingest it?  
142  
143 PRETORIUS Usually, they'll take a credit card, or something flat, and they'll make a couple  
144 lines of varying length — I've never seen a uniform one — and then use either  
145 just their nose, or a dollar bill, or something like that to snort the cocaine, sir.  
146  
147 VILLEGAS Okay. Thank you. And would you agree that it can be ingested by using a straw?  
148  
149 PRETORIUS Yes, sir.  
150  
151 VILLEGAS And from your training and experience, would it be accurate to say that a usable  
152 amount of cocaine is something that you can usually visually see and manipulate?  
153  
154 PRETORIUS Yes, sir.  
155  
156 VILLEGAS And when officers locate drugs, to include cocaine, on a call for service or on a  
157 proactive stop, what is expected of the officers?  
158  
159 PRETORIUS You're obligated to deal with it at that point, sir.  
160  
161 VILLEGAS And how would you deal with it? How are you supposed to deal with it?  
162  
163 PRETORIUS Depending on the situation, you either charge the person and book it as evidence,  
164 or you book it for destruction if the person is the victim of a crime.  
165  
166 VILLEGAS But are you responsible for always collecting that evidence?  
167  
168 PRETORIUS Yes, sir.  
169  
170 VILLEGAS Do you have any other specialized training when it comes to the recognition of  
171 drugs or anything else pertaining to drugs?  
172  
173 PRETORIUS No, sir.  
174  
175 VILLEGAS Okay. And have you been trained in report writing during the academy and field  
176 training?

177  
178 PRETORIUS Yes, sir, I have.  
179  
180 VILLEGAS And are you familiar with what is expected of you when it comes to report  
181 writing?  
182  
183 PRETORIUS Yes, sir.  
184  
185 VILLEGAS Are you familiar with preliminary investigations and what's expected of you as  
186 an officer?  
187  
188 PRETORIUS Yes, sir.  
189  
190 VILLEGAS And are you a training officer?  
191  
192 PRETORIUS I am not, sir.  
193  
194 VILLEGAS How long have you been an officer?  
195  
196 PRETORIUS Two years sworn, sir, two years and one month sworn.  
197  
198 VILLEGAS Okay. I'm going to move on to the shift of December 6, 2020. Okay?  
199  
200 PRETORIUS Yes, sir.  
201  
202 VILLEGAS On that date, what was your assignment?  
203  
204 PRETORIUS I was graveyard shift, Team 36, sir.  
205  
206 VILLEGAS Do you recall what your unit identifier was?  
207  
208 PRETORIUS Can I refer to this?  
209  
210 VILLEGAS Absolutely.  
211  
212 PRETORIUS Sorry. I moved around a lot. I was the most junior on the team.  
213  
214 VILLEGAS That's okay.  
215  
216 PRETORIUS 1-Alpha-65, sir.  
217  
218 VILLEGAS Thank you. And were you a solo officer at that point, or were you with a partner?  
219  
220 PRETORIUS I was a solo officer in that vehicle, sir.

221  
222 VILLEGAS Okay. And can you tell me some of the officers' names that were on your shift  
223 that night that you can recall from your memory? Not from the report, but from  
224 your memory.  
225  
226 PRETORIUS On that call, or on that shift?  
227  
228 VILLEGAS On that shift.  
229  
230 PRETORIUS Mario Valenzuela, Balwant Jagur, Mark Roddy, Greg Takehara, Chai Vang, Raul  
231 Becerra, and then a slew of trainees, usually, sir.  
232  
233 VILLEGAS Okay. Can you tell me about a call that you were dispatched to at 2355 hours,  
234 the nature of the call?  
235  
236 PRETORIUS Yes, sir. I was dispatched to a welfare check on a possibly suicidal subject whose  
237 friend from [REDACTED], I believe, was calling in and saying that she was receiving  
238 concerning texts from the individual.  
239  
240 VILLEGAS And do you know who the complainant was?  
241  
242 PRETORIUS I think her name was [REDACTED].  
243  
244 VILLEGAS And was that a friend of the -  
245  
246 PRETORIUS A friend of the subject involved, yes, sir.  
247  
248 VILLEGAS And have you ever heard of either subject, the complainant or the subject that you  
249 were going to check on, prior to this call?  
250  
251 PRETORIUS No.  
252  
253 VILLEGAS And were you dispatched with any other officers?  
254  
255 PRETORIUS Yes, sir.  
256  
257 VILLEGAS Who was that?  
258  
259 PRETORIUS Ofc. Roddy, sir.  
260  
261 VILLEGAS Okay. And for the record, I provided you with the CAD call, 356582. Is this the  
262 call that you're referring to, that you went to that night?  
263  
264 PRETORIUS Yes, sir.

265  
266 VILLEGAS Okay. What I'd like you to do is I want you to walk through this call from the  
267 time that you were dispatched, all the way through the time that you left the call.  
268 And what I'm going to do is let you explain it, and then we're going to go back  
269 and touch on a few things. Okay?  
270  
271 PRETORIUS Yes, sir.  
272  
273 VILLEGAS All right.  
274  
275 PRETORIUS So, I did all the normal stuff coming up. I ran the house, looked for history. I  
276 was trying to figure out how I was going to approach because in my previous  
277 experiences like this, when it's a friend calling in, the person is not very amicable  
278 when you show up. And I was taken by surprise off the bat because it seemed as  
279 if she was waiting for us. When we knocked on the door, she opened pretty  
280 immediately. She was welcoming, welcomed us into her house. We went into  
281 the house. She also closed the door. Because it was a welfare check, I asked her  
282 permission for my partner to check the house to see if there was anyone else in  
283 the house, do a protective sweep. Don't know if she's got kids or someone else  
284 that could be in the house, especially with all the stuff she's done. And then she  
285 was very up front with admitting to me what medications she had taken. She told  
286 me she took [REDACTED], and that she had done cocaine, that the cocaine was  
287 still in the house, and she told me exactly where the cocaine was. So, because of  
288 all the drugs that she stated she had had in her system, I called for Fire to come  
289 take a look at her. She did not meet my criteria, at that point, for a 5150 hold,  
290 unless Fire could dictate that she needed to go to the hospital, because she was  
291 perfectly functioning. She could answer all my questions. She was in the safety  
292 of her own home, so she wasn't gravely disabled. And then, she had no articulated  
293 plan on how to kill herself or that she wanted to kill herself. She never stated  
294 either of those things, so she didn't meet my criteria.  
295  
296 Fire showed up to check on her, at which point I stepped outside with Ofc. Roddy  
297 and discussed her mentioning of the cocaine and where it is. I told Fire everything  
298 she had taken. Fire said that she was fine and her vitals checked okay. She  
299 refused to be transported by Fire. Fire left. It was just Ofc. Roddy and I there.  
300 We discussed with her about the cocaine and the resources available to her, and  
301 kind of implored her to go seek out counseling, even though she is a counselor.  
302 At that point, we brought up the cocaine. And throughout our discussion between  
303 her, myself, and Ofc. Roddy, she ended up disposing of the cocaine. And Ofc.  
304 Roddy and I left the house, sir.  
305  
306 VILLEGAS Okay. Thank you. That was a good description, but now what I need to do to  
307 complete this is go through it piece by piece. Okay?  
308

309 PRETORIUS Yes, sir.  
310  
311 VILLEGAS All right. When you arrived at the house, did Ofc. Roddy actually clear the house  
312 to make sure nobody else was there?  
313  
314 PRETORIUS I watched him leave towards the kitchen, and then I lost sight of him, so I believe  
315 so, yes.  
316  
317 VILLEGAS Okay. And when he was clearing the house, do you know if he noticed any  
318 violations of the law, any type of substance, through his walkthrough?  
319  
320 PRETORIUS He did not. When we stepped outside, I asked him if he saw the cocaine based  
321 off of where she told me it was, and he said he did not see it because he wasn't  
322 looking for it.  
323  
324 VILLEGAS Okay. Now, I'm going to play a portion of your body-worn camera. Just for the  
325 record, it's 2020-12-07 00:04:54-0800 Axon Body 3 X60312825. Is this your  
326 body-worn camera?  
327  
328 PRETORIUS Yes, sir.  
329  
330 VILLEGAS And what I'm going to do is start the video at 2 minutes, 17 seconds.  
331  
332 *[BODY CAMERA VIDEO PLAYING]*  
333  
334 Okay. I'm paused at 2 minutes, 36 seconds. It sounded like ██████ said  
335 something to the effect of "There is some cocaine out there." Would you agree?  
336  
337 PRETORIUS She said, "There is some cocaine out, though." Yes, sir.  
338  
339 VILLEGAS Okay. And when she said that, did that raise any red flags to you?  
340  
341 PRETORIUS Yes, sir, because now she's made me aware of the fact that there's drugs in the  
342 house.  
343  
344 VILLEGAS And when she said that, did you know where those drugs were?  
345  
346 PRETORIUS No. She goes on to explain it later.  
347  
348 VILLEGAS Okay. And did you tell Ofc. Roddy what she said at that point?  
349  
350 PRETORIUS At that point, no, I did not.  
351  
352 VILLEGAS Okay. I'm going to continue the video.



353  
354 [BODY CAMERA VIDEO PLAYING]  
355  
356 Okay. I'm paused at 3 minutes, 43 seconds. Did Ofc. Roddy re-enter the living  
357 room, where you were speaking with Ms. [REDACTED]?  
358  
359 PRETORIUS Yes, he did, sir.  
360  
361 VILLEGAS And what was Ms. [REDACTED] explaining to you at this point?  
362  
363 PRETORIUS That she did not meet 5150 criteria and what she had used, as far as substances,  
364 over the past two hours.  
365  
366 VILLEGAS Did she admit to you that she was taking cocaine?  
367  
368 PRETORIUS Yes, sir.  
369  
370 VILLEGAS And at this point in the call, what were your concerns?  
371  
372 PRETORIUS That with the mix of drugs in her system, that she might be at medical risk, sir.  
373  
374 VILLEGAS And -  
375  
376 PRETORIUS Because I know [REDACTED] puts you to sleep and cocaine is an upper, so I didn't  
377 know how the two would react together.  
378  
379 VILLEGAS And at this point did you have a feeling that there was more cocaine at this  
380 residence?  
381  
382 PRETORIUS Yes, sir, because she stated earlier that there was cocaine in the house.  
383  
384 VILLEGAS Okay.  
385  
386 PRETORIUS You can't see it from where I'm standing, but there is also wine on the table.  
387  
388 VILLEGAS Okay. So, she was using alcohol as well? Okay. I'm going start the video from  
389 5 minutes, 7 seconds, to 5 minutes, 30 seconds.  
390  
391 [BODY CAMERA VIDEO PLAYING]  
392  
393 Okay. I paused at 5 minutes, 30 seconds. You said, "Just to be honest, you took  
394 me by surprise with how open you are about the cocaine. So, that's why it took  
395 me a second." [REDACTED] responded while pointing towards the kitchen, "Well, hey,  
396 it's walking in there. Yeah, it's — it's there. So..." Would that sound accurate?

397  
398 PRETORIUS Yes, sir.  
399  
400 VILLEGAS When she directed her hand towards the kitchen and said, "Well, hey, it's walking  
401 in there. Yeah, it's — it's there. So...", did that raise any suspicions to you?  
402  
403 PRETORIUS Yes, sir, it did.  
404  
405 VILLEGAS And what were those suspicions?  
406  
407 PRETORIUS That she has a substantial amount of cocaine, at least more than a usable amount  
408 within the house right there, and she's in a compromised position right now.  
409 Yeah.  
410  
411 VILLEGAS Did you do anything about those suspicions?  
412  
413 PRETORIUS Yes, sir. When I had the opportunity, I went to the kitchen and looked exactly  
414 where it was.  
415  
416 VILLEGAS Okay. Okay. I'm going to play the video from 7 minutes, 9 seconds, to 7 minutes,  
417 27 seconds.  
418  
419 [BODY CAMERA VIDEO PLAYING]  
420  
421 Okay. I'm paused again at 7 minutes, 27 seconds. It appeared that you walked  
422 into the kitchen, stopped at the dish with a credit card and the white substance,  
423 and then returned into the living room with Ofc. Roddy and with Ms. [REDACTED]. Is  
424 that correct?  
425  
426 PRETORIUS Yes, sir.  
427  
428 VILLEGAS Did you see — when you went into the kitchen, did you see the cocaine or  
429 suspected cocaine on the dish with a credit card?  
430  
431 PRETORIUS Yes, sir. There is also, just above the dish, a clear plastic baggy with more cocaine  
432 inside of it, or a white, powdery substance inside of it.  
433  
434 VILLEGAS Okay.  
435  
436 PRETORIUS Like a sandwich bag.  
437  
438 VILLEGAS And at the time that you saw this substance, at that point, did you feel that this  
439 substance was cocaine, from what she was explaining?  
440

441 PRETORIUS Yes, sir.  
442  
443 VILLEGAS And what was going through your mind at this point?  
444  
445 PRETORIUS At that point it was a little bit of internal confusion because I was thinking of the  
446 circumstances for why I was there for the call. So, it's a 5150 hold. Well, I'm  
447 looking for a 5150 hold. It's a welfare check. Technically, she's a victim. I don't  
448 see how punishing her does any help at that point. So, I was trying to figure out,  
449 in my head — and then I have a conversation at one point with Ofc. Roddy —  
450 how to approach this without charging her for it. I didn't feel it was appropriate  
451 to charge her for possession of cocaine under the circumstances I met her in.  
452  
453 VILLEGAS So, you didn't feel like by charging for the cocaine at this point it would help her  
454 in any way?  
455  
456 PRETORIUS No. I thought it would do damage.  
457  
458 VILLEGAS Okay. Did you tell Ofc. Roddy that you noticed the substance?  
459  
460 PRETORIUS Yes, sir. Not at this point in the video, but I do tell him.  
461  
462 VILLEGAS Okay. And did you already explain to Ms. [REDACTED] that she did not meet your  
463 5150 requirements?  
464  
465 PRETORIUS I know I do tell her that, sir. I'm not sure at what point I tell her that.  
466  
467 VILLEGAS Okay. I'm going to go to Ofc. Roddy's body-worn camera.  
468  
469 FARIA Can I ask a quick question, Sgt. Villegas?  
470  
471 VILLEGAS Yes.  
472  
473 FARIA Just to confirm, you had consent to enter the house. Correct?  
474  
475 PRETORIUS Yes, sir. She allowed me entry into the house, and she told me exactly where it  
476 was. The kitchen is open, leading into the living room, so it's not a stand-alone  
477 room that I needed to hold.  
478  
479 FARIA So, she also gave you consent to search the house. Correct?  
480  
481 PRETORIUS Yes, she did, sir.  
482  
483 FARIA Okay. And were you in a legal place to seize those drugs if you chose to do so?  
484

485 PRETORIUS Yes, sir. It was in plain view.  
486  
487 FARIA Okay. Would you need any search warrant or anything else like that, to that  
488 extent, to seize those drugs if you wanted to?  
489  
490 PRETORIUS No, sir.  
491  
492 FARIA And just to reiterate on what you just said, it was in plain view?  
493  
494 PRETORIUS Yes, sir.  
495  
496 FARIA Okay. That's it.  
497  
498 VILLEGAS Thank you. Okay. For the record, this is Ofc. Roddy's body-worn camera 2020-  
499 12-07 00:14:00-0800 Axon Body 3 X60318880. And I'm going to start the video  
500 at 11 minutes, 8 seconds.  
501  
502 *[BODY CAMERA VIDEO PLAYING]*  
503  
504 Okay. I paused at 11 minutes, 38 seconds. While the Fire Department was inside  
505 the house, you and Ofc. Roddy had a discussion out on the porch. You said, "So,  
506 if we're taking her on a hold, that cocaine does not matter, that hold, but since she  
507 is not going on a hold, does that cocaine — now, does it matter?" Ofc. Roddy  
508 says, "It's in her own home." And you said, "Even if it's that amount?" And Ofc.  
509 Roddy said, "What amount?" And you said, "I mean, there's a couple" — and  
510 then I couldn't understand what you were saying. And then you said, "I'm not an  
511 expert."  
512  
513 PRETORIUS I said, "There's quite a lot, but I'm not an expert."  
514  
515 VILLEGAS Quite a lot?  
516  
517 PRETORIUS Yes, sir.  
518  
519 VILLEGAS Okay.  
520  
521 PRETORIUS Sorry. I have an accent.  
522  
523 VILLEGAS Thank you. That's all right. Thanks for clarifying. And then Ofc. Roddy said,  
524 "Did I miss something somewhere?" So, can you give me a better estimation of  
525 the amount that you saw in the kitchen? Obviously, you can only see a limited  
526 amount on the video. You said "a lot." What's a lot to you?  
527  
528 PRETORIUS I felt comfortable that there was more than a gram there.

529  
530 VILLEGAS Okay. More than a gram? Okay. I'm going to continue the video to 12 minutes,  
531 18 seconds.  
532  
533 [BODY CAMERA VIDEO PLAYING]  
534  
535 Okay. I paused at 12 minutes, 18 seconds. You said, "Yeah. It's in the kitchen,  
536 on the kitchen counter as you walk in. I mean, I don't — I don't see how taking  
537 enforcement action would help at all, and I'm not asking to. I'm just trying to  
538 educate myself on —" And then, Ofc. Roddy says, "Yeah. Well, I mean, if it's  
539 in plain view, yeah, you can take enforcement action, but..." You said, "She's a  
540 victim." You said, "It's in plain view, but..." And then it was — I couldn't  
541 understand what you were trying to say. And then Ofc. Roddy said, "I'd tell her  
542 to dump it. I wasn't looking for that stuff, so...I was looking for people when I  
543 did my..." And then he laughed. You said, "Yeah. No, the only reason I knew  
544 to look is because she told me where it was." Ofc. Roddy says, "If they don't take  
545 her, I say dump it." Does that sound accurate?  
546  
547 PRETORIUS Yes, sir.  
548  
549 VILLEGAS Okay. Is it a violation of the law for someone to have cocaine in their own home?  
550  
551 PRETORIUS It is a controlled substance, yes, sir.  
552  
553 VILLEGAS Do you know what that violation would be?  
554  
555 PRETORIUS It's a Health and Safety Code. It should be 11377 or 55.  
556  
557 VILLEGAS Yeah, okay. Got you. It is a violation of the Health and Safety Code.  
558  
559 PRETORIUS Okay.  
560  
561 VILLEGAS Correct? Is that what you're saying?  
562  
563 PRETORIUS Yes, sir.  
564  
565 VILLEGAS Okay. Thank you. What is the expectation of an officer when finding cocaine  
566 inside of a home of a person?  
567  
568 PRETORIUS I've seen it. I know it's there. I'm supposed to do something about it.  
569  
570 VILLEGAS Are you supposed to collect it?  
571  
572 PRETORIUS Yes, sir.

573  
574 VILLEGAS Preserve it?  
575  
576 PRETORIUS It depends if its as evidence or for destruction.  
577  
578 VILLEGAS Okay. No matter -  
579  
580 PRETORIUS I'm supposed to collect it.  
581  
582 VILLEGAS Okay. During this conversation, you were telling Ofc. Roddy that there was  
583 cocaine in the kitchen. Is that correct?  
584  
585 PRETORIUS Yes, sir.  
586  
587 VILLEGAS And what did Ofc. Roddy tell you to do with the cocaine?  
588  
589 PRETORIUS He told me to dump it, sir.  
590  
591 VILLEGAS Did he tell you to dump it, or did he tell you to have her dump it?  
592  
593 PRETORIUS I believe he said to have her dump it or have them dump it.  
594  
595 VILLEGAS And what do you think he meant by that?  
596  
597 PRETORIUS I think he meant to make her get rid of it, sir.  
598  
599 VILLEGAS And do you know why he told you this?  
600  
601 THORNE Only if you know. Don't guess, but if you know...  
602  
603 PRETORIUS No, sir. It was conflicting for me at that point.  
604  
605 VILLEGAS Did you feel that, by having her dump it, it was the right thing to do, or the wrong  
606 thing to do?  
607  
608 PRETORIUS I thought it was the incorrect thing to do, sir.  
609  
610 VILLEGAS And you said at that point you were kind of conflicted with what he was saying?  
611 Is that correct?  
612  
613 PRETORIUS Yes, sir.  
614  
615 VILLEGAS What was conflicting to you?  
616

617 PRETORIUS I'm allowed to give a long answer?  
618  
619 VILLEGAS I'm sorry?  
620  
621 PRETORIUS Am I allowed to give a long answer? A long answer?  
622  
623 VILLEGAS A long answer? Absolutely.  
624  
625 PRETORIUS Sorry, accent.  
626  
627 VILLEGAS No problem.  
628  
629 PRETORIUS I was the most junior person on the team by 14 years. I think he's been a cop  
630 since I was three. So, I'm used to being prime on all these calls because it's my  
631 place. I'm the new guy. I take prime. I make all the decisions. It's very rare for  
632 one of them to step in and take lead in the call. Usually, when they do, it's because  
633 I've made a mistake. So, when he starts moving in a — when I approached him  
634 with the discussion like that, I have two possible outcomes in my mind. And his  
635 response was neither of those outcomes, so I was confused. And it starts an  
636 internal debate of like "Am I wrong? Do I know what I'm doing?" because this  
637 dude has got way more experience than me. So, yeah, I was just confused at the  
638 time, sir.  
639  
640 VILLEGAS Okay. Go ahead.  
641  
642 FARIA Ofc. Pretorius, if you're confused based upon a conversation you're having with  
643 a peer, what are some options that you have to help you with your confusion?  
644  
645 PRETORIUS Clarify, sir.  
646  
647 FARIA Right. Do you have some people that you can contact in regards to clarification?  
648  
649 PRETORIUS Yes, sir, I do.  
650  
651 FARIA And who would some of those people be?  
652  
653 PRETORIUS My supervisor, sir.  
654  
655 VILLEGAS And when he was telling you this, did you feel that what he was saying was the  
656 right thing to do?  
657  
658 PRETORIUS I did not feel that way, no, sir.  
659

660 VILLEGAS So, if you know what's the right thing to do when observing cocaine in a house,  
661 why would you even confer with anybody if it's your call?  
662

663 PRETORIUS Because I wasn't 100 percent sure. I was — it was the first time someone in a  
664 situation like that had openly said, "Hey, I have cocaine," and then they happen  
665 to be a victim or are being looked at as a victim more than a suspect. So, I never  
666 encountered anything like that before.  
667

668 VILLEGAS So, in your mind, at this point you weren't going to arrest her for that cocaine?  
669

670 PRETORIUS No, sir. I didn't see any outcome where she gets in trouble for the cocaine.  
671

672 VILLEGAS But you were trying to figure out what to do with the cocaine?  
673

674 PRETORIUS Yes, sir.  
675

676 VILLEGAS Okay. Anything else on that? After Fire checked [REDACTED]'s vital signs, did she  
677 refuse to go with them for any type of treatment?  
678

679 PRETORIUS Yes, sir.  
680

681 VILLEGAS And from your opinion and from Ofc. Roddy's opinion, neither one of you felt  
682 that she met the 5150 criteria. Correct?  
683

684 PRETORIUS She did not, no, sir.  
685

686 VILLEGAS Okay. I'm going to go back to your body-worn camera. Okay. I'm going to start  
687 the video at 18 minutes, 14 seconds.  
688

689 [BODY CAMERA VIDEO PLAYING]  
690

691 Okay. I'm paused at 18 minutes, 23 seconds. At this point you pointed towards  
692 the kitchen and said, "I mean, the cocaine is right in the opening of the kitchen."  
693 Ofc. Roddy said, "And her friend told her that she was calling us, so she was —  
694 she knew we were coming." So, at this point, can I assume — from what I'm  
695 watching and hearing, can I assume that you and Ofc. Roddy knew that there was  
696 cocaine in the kitchen at this point?  
697

698 PRETORIUS Yes, sir.  
699

700 VILLEGAS Fire cleared the residence, and you and Ofc. Roddy had a conversation with Ms.  
701 [REDACTED]. Is that correct?  
702

703 PRETORIUS Yes, sir.



704  
705 VILLEGAS Okay. I'm going to use Ofc. Roddy's body-worn camera because it's a little bit  
706 more clear. It's basically the same as what's on your video. Okay?  
707  
708 PRETORIUS Yes, sir.  
709  
710 VILLEGAS Okay. I'm going to start the video at 19 minutes, 59 seconds, and play it to 24  
711 minutes, 59 seconds.  
712  
713 [BODY CAMERA VIDEO PLAYING]  
714  
715 Okay. I'm paused at 24 minutes, 59 seconds. I'm going to kind of go through  
716 some of what was said in the video and ask you questions throughout it. Okay?  
717  
718 PRETORIUS Yes, sir.  
719  
720 VILLEGAS At one point, Ofc. Roddy said, "Can you do us a favor? Can you get rid of the  
721 rest of the stuff?" And [REDACTED] says, "Yeah." What stuff is Ofc. Roddy referring  
722 to?  
723  
724 PRETORIUS The cocaine, sir.  
725  
726 VILLEGAS And do you know why he was asking her to do this?  
727  
728 PRETORIUS No, sir. No.  
729  
730 VILLEGAS Do you feel that he was trying to get her to get rid of the evidence, or the cocaine?  
731  
732 PRETORIUS Yes, sir.  
733  
734 VILLEGAS Okay. Ofc. Roddy said, "While we are here?" And Ms. [REDACTED] says, "No." Ofc.  
735 Roddy says, "No? Why? Because I don't want you using it. And if it's here,  
736 you're going to use it." And [REDACTED] says, "I'm — no, I'm not going to use it  
737 tonight." And Ofc. Roddy says, "Tomorrow night?" And [REDACTED] says, "Um,  
738 never. I generally flush my cocaine, but I paid \$120 for this because it's COVID  
739 season and I hadn't done it for a really long time. So, no, I don't feel comfortable.  
740 I don't want to." Ofc. Roddy says, "Do you want us to take it?" And [REDACTED]  
741 says, "No." And Ofc. Roddy says, "Because you know we can." So, at this point,  
742 can you tell me what you're thinking as this part of the conversation is going on?  
743  
744 PRETORIUS I felt like we were moving in the wrong direction. I should have done something  
745 more overt, but I tried to throw up a Code 4 a couple times to Roddy because I  
746 felt like we were moving in the wrong direction, sir.  
747

748 VILLEGAS And when you say you tried to throw up a Code 4, were you doing it with your  
749 hands?  
750  
751 PRETORIUS I showed a hand signal for Code 4 with my hands, sir.  
752  
753 VILLEGAS And that would mean?  
754  
755 PRETORIUS Stop.  
756  
757 VILLEGAS You felt like you were going in the wrong direction?  
758  
759 PRETORIUS Yes, sir.  
760  
761 VILLEGAS Okay. Did you feel uncomfortable with pulling him aside and saying, "Hey, we  
762 need to stop right here"?  
763  
764 PRETORIUS That's what I should have done.  
765  
766 VILLEGAS And at this point, why didn't you? Just curious.  
767  
768 PRETORIUS I don't know. I was a coward.  
769  
770 VILLEGAS At this point, did you feel the same way about how Ms. [REDACTED] would get rid of  
771 the cocaine?  
772  
773 PRETORIUS What do you mean?  
774  
775 VILLEGAS Did you agree with -  
776  
777 PRETORIUS I did not agree that she should flush it.  
778  
779 VILLEGAS You didn't agree at this point? Okay. Do you feel that it's appropriate for a citizen  
780 to get rid of drugs in their house?  
781  
782 PRETORIUS If we're aware of it?  
783  
784 VILLEGAS Yeah.  
785  
786 PRETORIUS No, sir.  
787  
788 VILLEGAS Okay. It continues after Roddy says, "Because you know we can." And [REDACTED]  
789 says, "No. I want it to stay here unless you're going to fucking charge me with  
790 something and..." Roddy says, "All right. Do you want us to charge you with  
791 something?" [REDACTED] says, "No." Roddy says, "I mean, we're trying to work with

792 you here." [REDACTED] says, "So, what are you saying?" Roddy says, "Flush it now."  
793 [REDACTED] says, "Or you'll charge me with something if I don't?" And Roddy says,  
794 "Well, I don't want you taking it and if..." and then he stops. It sounds like Ofc.  
795 Roddy is trying to get the point across to her that if she doesn't flush this cocaine,  
796 that she's going to get charged with something. Does that sound accurate?  
797  
798 PRETORIUS Yes, sir.  
799  
800 VILLEGAS And you had said it before, you tried to kind of Code 4 him, which is give him a  
801 signal of some sort to stop. Did you feel, at this point, that you wanted to  
802 intervene?  
803  
804 PRETORIUS Yes. I did tell her at that point that there's no way this ended with her going to  
805 jail because I felt like that's what she was under the impression was going to  
806 happen.  
807  
808 VILLEGAS Would this have been an appropriate time to say something to the effect of "Hey,  
809 I'll take the cocaine with me and book it. You're not going to get charged with  
810 this"?  
811  
812 PRETORIUS Very.  
813  
814 VILLEGAS Okay. I'm going to continue on with the conversation. [REDACTED] says, "I'm not  
815 going to." Roddy says, "Well, then, why can't we just dump it right now?" And  
816 [REDACTED] says, "I always dump it. I just don't want to dump it right now. I'm sorry.  
817 Unless you're trying to charge me with something..." Ofc. Roddy says, "Well, I  
818 don't want to charge you with anything, but if that's what's going to make it get  
819 out of this house while we're here..." And [REDACTED] says, "It — what are you going  
820 to charge me with?" Roddy says, "What do you think?" [REDACTED] says, "I don't  
821 know." Roddy says, "Possession of cocaine." [REDACTED] says, "Can you charge me  
822 with that?" And Roddy says, "Yeah. I mean, if you left it right out in the open..."  
823 And [REDACTED] says, "Well, yeah. This was not my call." And Roddy says, "And  
824 you told us where it was. I mean, we're just supposed to overlook it? And, kind  
825 of, we are if you can flush it now." This conversation goes on for several minutes.  
826 And at one point Ofc. Roddy says, "Can you flush it while we are here? Is it  
827 worth your job? Is it worth the risk of — I mean, doesn't matter how strong we  
828 are. We all — I mean, you went over a year without taking it, and you fell off  
829 the wagon tonight. Is it worth taking another chance? Especially since you have  
830 already taken some and it may be" — I couldn't understand what he said — "do  
831 it next time. All right?" And then, towards the end, [REDACTED] says, "I mean, but if  
832 nothing is going to happen, then, no, I don't want to flush it. If you are threatening  
833 me, to write me up for it, different story. So, you all have got to come clean with  
834 me." And then this is where Ofc. Roddy says, "Well, we are threatening you."  
835 What do you think Ofc. Roddy meant by "Well, we are threatening you"?

836  
837 PRETORIUS That she's going to get charged if she doesn't.  
838  
839 VILLEGAS So, she would get charged for the cocaine if she doesn't dump it?  
840  
841 PRETORIUS Yes, sir.  
842  
843 VILLEGAS Is this something appropriate that you would tell somebody on a call for service?  
844  
845 PRETORIUS I do not feel so, no, sir.  
846  
847 VILLEGAS Do you feel that she felt threatened at this point, that she was going to get charged  
848 with this cocaine if she didn't flush it?  
849  
850 PRETORIUS Yes, sir.  
851  
852 VILLEGAS And did you agree with the action that Ofc. Roddy was taking by stating this to  
853 her?  
854  
855 PRETORIUS No, sir.  
856  
857 VILLEGAS Is there a reason, at this point, that you didn't say something to Ofc. Roddy?  
858  
859 PRETORIUS I don't have a good answer for that, sir.  
860  
861 VILLEGAS After this point, you said to her, you said, "It's going to end up being a citation  
862 for possession of cocaine if you do not flush it." Is this a threat to her as well?  
863  
864 PRETORIUS No. I didn't recall saying that until I watched my body-worn camera footage. I  
865 didn't recall ever stating anything about her flushing it myself until I watched it.  
866 So, honestly, I don't know why I said that or why that came up.  
867  
868 VILLEGAS You're not sure why you said it at that point, after Ofc. Roddy basically just  
869 threatened to charge her with it?  
870  
871 PRETORIUS Yeah. I remember the confusion about her thinking she's going to get charged  
872 and trying to clarify that. I don't have a good reason for why I said she's going to  
873 flush it. I didn't recall saying it until I watched it.  
874  
875 VILLEGAS Do you feel that that was an appropriate thing to say to her?  
876  
877 PRETORIUS I do not think it was appropriate, no, sir.  
878  
879 VILLEGAS Do you feel that it was professional, or unprofessional?

880  
881 PRETORIUS Unprofessional, sir.  
882  
883 VILLEGAS Do you feel that, by you saying that, [REDACTED] felt threatened that she would  
884 receive a citation if she did not flush it?  
885  
886 PRETORIUS Yes, sir.  
887  
888 VILLEGAS It appeared that [REDACTED] started walking towards the kitchen and said, "Then, I  
889 will." And then I couldn't understand what she said. And you said, "Thank you  
890 very much." At this point, what did you feel was going to occur next?  
891  
892 PRETORIUS I thought she was going to go flush it, sir, the cocaine. When I say "it" ...  
893  
894 VILLEGAS And at this point did you have an opportunity to stop her from doing so?  
895  
896 PRETORIUS I did have an opportunity, yes, sir.  
897  
898 VILLEGAS Why didn't you do so?  
899  
900 PRETORIUS I don't know. I can't give a reason. I don't have a good reason. I just ...  
901  
902 VILLEGAS Do you feel that maybe you were just being lazy at this point and not wanting to  
903 do a report and book evidence?  
904  
905 PRETORIUS I am not lazy, sir.  
906  
907 VILLEGAS Okay. So, what would make you let this happen? You're not sure?  
908  
909 PRETORIUS I was still conflicted at the time. I was trying to figure out this — Roddy is a  
910 really good cop. So, this is going to sound like it's — someone with all this  
911 experience is taking this direction. Am I right, or am I wrong? He's very  
912 confident, and he's moving this direction. I'm the only one in the situation that's  
913 conflicted. So, am I in the wrong? I have strong feelings about a lot of stuff, so  
914 sometimes I get super passionate and it backfires on me. So, in my head, I was  
915 like, "Maybe you are wrong." This dude has been doing this for 22 years. Sorry,  
916 that's not very professional. This gentleman has been doing this for 22 years or  
917 however long. This is obviously not his first time encountering this. Maybe this  
918 is how you deal with this.  
919  
920 VILLEGAS Let me -  
921  
922 PRETORIUS That was 51 percent of me or 50 percent of me. I felt like I was doing the wrong  
923 thing either way.

924  
925 VILLEGAS Let me ask you this: After reviewing this, and knowing that you're going to come  
926 across situations where you are conflicted, if you come across something like this  
927 and you feel that there is a very veteran officer that has made a decision that you  
928 don't agree with, what's the right thing to do?  
929

930 PRETORIUS Step back from the situation, slow it down. There's no reason to speed this. I can  
931 just clarify with him. I can call a supervisor. Roddy and I could have hashed it  
932 out right there.  
933

934 VILLEGAS And you have an obligation to call out veteran officers, new officers. It doesn't  
935 matter. If something wrong is happening, you have a duty to stop that. Is that  
936 correct?  
937

938 PRETORIUS Yes, sir, I do.  
939

940 VILLEGAS Okay. Okay. I'm going to continue the video -  
941

942 FARIA Can I just...?  
943

944 VILLEGAS Sure.  
945

946 FARIA Were you afraid to call your supervisor because of any retribution, or  
947 embarrassment, or anything else that we should know about?  
948

949 PRETORIUS It's not a comment on my supervisor. He's a fantastic supervisor, but, yeah, I was  
950 worried because I'm the brand-new guy. And the most junior person after me has  
951 14 years on, so I could see the rest of that year being a pretty bad year. It's not a  
952 good excuse though. It doesn't...  
953

954 VILLEGAS I'm going to continue the video to 25 minutes, 18 seconds.  
955  
956 *[BODY CAMERA VIDEO PLAYING]*  
957

958 Okay. Paused at 25 minutes, 18 seconds. It appears that Ms. [REDACTED] walked into  
959 the kitchen, inserted the cocaine into a plastic bag. Does that appear accurate?  
960

961 PRETORIUS Yes, sir.  
962

963 VILLEGAS And just for the record, this is Ofc. Roddy's body-worn camera video. Were you  
964 standing in a position where you could see this as well?  
965

966 PRETORIUS I do not recall, sir.  
967

968 VILLEGAS Okay. But the bag that she's holding now, it appears to be the bag that was in the  
969 kitchen when you observed it?  
970  
971 PRETORIUS Yes, sir, yes.  
972  
973 VILLEGAS Okay. Would you agree that you could clearly see the substance inside this  
974 baggy?  
975  
976 PRETORIUS Yes, sir, I can.  
977  
978 VILLEGAS And do you believe that substance to be cocaine?  
979  
980 PRETORIUS Yes, sir, I do.  
981  
982 VILLEGAS Continuing the video.  
983  
984 *[BODY CAMERA VIDEO PLAYING]*  
985  
986 Okay. I paused it at 25 minutes, 30 seconds. While holding up the baggy to Ofc.  
987 Roddy, she says, "You want me to flush it? I don't really want to flush it. I guess  
988 I can." She turns and walks towards the bathroom. Ofc. Roddy says, "Unless  
989 you want us to take it. If you want us to take it and book it for destruction with  
990 no charges, we can do that." And this is all while she's entering into the bathroom.  
991 Would you agree?  
992  
993 PRETORIUS Yes, sir.  
994  
995 VILLEGAS Did you or Ofc. Roddy, at this point — after he said that, did you try to stop her  
996 from flushing the cocaine down the toilet?  
997  
998 PRETORIUS No, sir.  
999  
1000 VILLEGAS And at this point, when she's going to the bathroom to flush this cocaine, is she  
1001 doing what you and Ofc. Roddy were asking her to do?  
1002  
1003 PRETORIUS Yes, sir.  
1004  
1005 VILLEGAS Okay. I'm going to continue the video. I'll pause it in 6 seconds.  
1006  
1007 *[BODY CAMERA VIDEO PLAYING]*  
1008  
1009 What is — on the video, it appears that there's a bathroom and Ms. [REDACTED] bent  
1010 over towards something low. What does it appear that she's doing at this point?  
1011

1012 PRETORIUS It appears that she's dumping the cocaine down the toilet, sir.  
1013  
1014 VILLEGAS And why do you feel that she's doing this?  
1015  
1016 PRETORIUS Because of the conversation we had prior, leading up to it.  
1017  
1018 VILLEGAS Do you think she was cooperating with officers' commands?  
1019  
1020 PRETORIUS Yes, sir.  
1021  
1022 VILLEGAS Continuing the video.  
1023  
1024 [BODY CAMERA VIDEO PLAYING]  
1025  
1026 Okay. I paused at 25:58. Did you hear the toilet flush in the video?  
1027  
1028 PRETORIUS Yes, sir, I did.  
1029  
1030 VILLEGAS At this point, did you believe that the cocaine was flushed down the toilet?  
1031  
1032 PRETORIUS Yes, sir, I did.  
1033  
1034 VILLEGAS And after the toilet had flushed and you were walking back out to the living room,  
1035 did you feel that the right thing had been done?  
1036  
1037 PRETORIUS I was still conflicted at that point, sir.  
1038  
1039 VILLEGAS Still conflicted? Almost completed with the video. Going to continue to 27  
1040 minutes, 9 seconds.  
1041  
1042 [BODY CAMERA VIDEO PLAYING]  
1043  
1044 Okay. Completed the video at 27 minutes, 9 seconds. Why do you think Ofc.  
1045 Roddy was apologizing to her?  
1046  
1047 PRETORIUS It's good customer service. She seemed upset.  
1048  
1049 VILLEGAS Do you feel that — well, let me ask you this: Do you feel that you felt like you  
1050 did something wrong as you were walking out?  
1051  
1052 PRETORIUS Yes, sir. We had a discussion about it when we were outside the house.  
1053  
1054 VILLEGAS Was this after you turned the body-worn cameras off?  
1055



1056 PRETORIUS Yeah. You guys didn't give me access to the in-car camera, so I don't know if  
1057 one of the ICC's caught our conversation, but...  
1058

1059 VILLEGAS When you did go outside and have that conversation, what was that conversation?  
1060

1061 PRETORIUS I don't recall exactly what was said. It was a long time ago. But I know I asked  
1062 him, "Hey, I'm not" — I was trying to get clarification on what just occurred. I  
1063 was uncomfortable with what happened.  
1064

1065 VILLEGAS Did you explain that you were uncomfortable with the way that — with what  
1066 happened to the evidence?  
1067

1068 PRETORIUS I don't recall exactly what I said to him, but I know I had a conversation with him,  
1069 sir, about the situation in the house.  
1070

1071 VILLEGAS Did he explain anything to you?  
1072

1073 PRETORIUS I was still confused when we walked away from it because I disagreed.  
1074

1075 VILLEGAS You disagreed with what happened to the cocaine?  
1076

1077 PRETORIUS Yes, and with our conversation and the two different viewpoints we had on it.  
1078

1079 VILLEGAS Did you tell him that you disagreed with him?  
1080

1081 PRETORIUS I believe I did. I don't recall, sir, -  
1082

1083 VILLEGAS You don't recall?  
1084

1085 PRETORIUS - if I directly said it to him. Sorry. It's been eight months since the conversation,  
1086 sir.  
1087

1088 VILLEGAS Oh, I understand. I'm just trying to get a little bit more context on that  
1089 conversation that you had with Ofc. Roddy after you left the house. So, if you  
1090 can remember any details about that, it would be helpful to me in understanding  
1091 your mindset after you left that house.  
1092

1093 PRETORIUS I initiated — the only thing I remember is I initiated with picking back up with if  
1094 it's a victim, and the enforcement action, and what the appropriate thing to do  
1095 was. With her, the circumstances of the call and the cocaine, that's how I started  
1096 the conversation. And then, I don't recall too much after that about exactly what  
1097 was said.  
1098

1099 VILLEGAS How about after you and Ofc. Roddy talked? Did you feel — leaving that call,  
1100 leaving that area, did you feel that something had been done wrong?  
1101

1102 PRETORIUS Yes. I was still conflicted. I was still — part of me was thinking I was in the  
1103 wrong, like I'm confused about something like this, and maybe my morals and  
1104 ethics don't align with how certain things are supposed to be done, because there  
1105 are some stuff we do in police work where I don't agree, but I don't have a choice.  
1106 I did have a choice there. I'm not trying to make it sound like that. So, part of  
1107 me was still thinking that I was wrong, but I did feel like I had done something  
1108 wrong, yes, sir.  
1109

1110 VILLEGAS And you advised Ms. [REDACTED] that this would go down as a medical call. Is that  
1111 what happened?  
1112

1113 PRETORIUS I can't remember if I cleared it as a 981 or 5150 or a 945, but I know because she  
1114 didn't go on a hold, in my mind, I just cleared the call, sir.  
1115

1116 VILLEGAS Okay. So, you cleared the call?  
1117

1118 PRETORIUS I believe so. Can I — does this say?  
1119

1120 VILLEGAS Yeah, absolutely. If you want to refer to that, that would be great. And while  
1121 you are looking in there, can you tell me who cleared the call and how it was  
1122 cleared?  
1123

1124 PRETORIUS Roddy cleared the case. Founded: Yes. Report: No. See remarks: Checks  
1125 okay.  
1126

1127 VILLEGAS Okay.  
1128

1129 PRETORIUS Am I reading that wrong?  
1130

1131 VILLEGAS I know it's a long time ago and you can't remember, but as far as what the CAD  
1132 call says, it appears that Ofc. Roddy cleared the call.  
1133

1134 PRETORIUS Yes, sir. So, I made the remark. I just added a remark, "Subject does not meet  
1135 5150 criteria. Subject refused medical care." And then Ofc. Roddy cleared the  
1136 call. Yes, sir.  
1137

1138 VILLEGAS Okay. Thank you. Did you or Ofc. Roddy write a report on this call?  
1139

1140 PRETORIUS No, sir, no report was written.  
1141

1142 VILLEGAS Did Ofc. Roddy tell you that he was going to write a report?

1143  
1144 PRETORIUS No. I don't think we had that conversation, sir.  
1145  
1146 VILLEGAS Did you tell Ofc. Roddy that you were going to write a report?  
1147  
1148 PRETORIUS I did not, sir.  
1149  
1150 VILLEGAS And the only time that you talked about this call is after you walked out of the  
1151 house, your body-worn cameras were off, and you had a discussion that was a  
1152 long time ago. And you don't recall specifics about that?  
1153  
1154 PRETORIUS Yes, sir. I didn't think about this again until I got the notice from...  
1155  
1156 VILLEGAS Okay. Who was the senior officer on this call?  
1157  
1158 PRETORIUS Ofc. Roddy was, sir.  
1159  
1160 VILLEGAS And you value what he says as good information when you're speaking with a  
1161 senior officer?  
1162  
1163 PRETORIUS Yes, sir. I worked with him the whole year. I'd never seen him make a bad  
1164 decision, and he's probably forgot more about police work than I'll ever know.  
1165  
1166 VILLEGAS Okay. I'm going to finish this off with a couple questions. Did you neglect to  
1167 collect evidence, cocaine, and appropriately book it as evidence?  
1168  
1169 PRETORIUS Yes, sir, I did.  
1170  
1171 VILLEGAS Did you neglect to thoroughly investigate the crime of possession of cocaine?  
1172  
1173 PRETORIUS Yes, sir, I did.  
1174  
1175 VILLEGAS By letting [REDACTED] destroy the evidence, did you fail to do your job appropriately?  
1176  
1177 PRETORIUS Yes, sir, I did.  
1178  
1179 VILLEGAS By doing so, by neglecting to do your job appropriately and letting Ms. [REDACTED]  
1180 destroy evidence, could this bring discredit or embarrassment upon the  
1181 Sacramento Police Department?  
1182  
1183 PRETORIUS Yes, sir, it could.  
1184  
1185 VILLEGAS Do you feel that you made a bad choice this evening in guiding [REDACTED] to destroy  
1186 the evidence?

1187  
1188 PRETORIUS Yes, sir.  
1189  
1190 VILLEGAS Did you neglect to write a thorough and accurate report regarding the  
1191 circumstances of this case?  
1192  
1193 PRETORIUS Yes, sir, I did.  
1194  
1195 VILLEGAS And do you feel that even though a senior officer makes a decision, you still have  
1196 an obligation to do the right thing?  
1197  
1198 PRETORIUS Yes, sir, I do.  
1199  
1200 VILLEGAS If you had the opportunity to go back and do this call over, what would you  
1201 change?  
1202  
1203 PRETORIUS I would have just walked outside with Roddy and stopped it there because now  
1204 — well, I know Roddy really well now, so I know it's not going to offend him. I  
1205 mean, I take paper all the time. I don't care doing a little bit of extra paper just to  
1206 avoid a situation like this. I'm off probation now. I feel comfortable with my  
1207 spot in the department. Besides this, I feel like I have a pretty good jacket, so I  
1208 would feel comfortable confronting Roddy about it time of and doing it the right  
1209 way. I've had far more situations like this, and I know what I'm doing now. Not  
1210 that it's an excuse that I didn't know what I was doing there, but...  
1211  
1212 VILLEGAS Okay. Thank you. Anything else on that? Okay. We're going to go through  
1213 some general orders. Okay? Can you please go ahead and open your binder to  
1214 General Order 210.04 — it's General and Professional Conduct — and read aloud  
1215 the highlighted sections?  
1216  
1217 PRETORIUS "It shall be the policy of the Sacramento Police Department to ensure exemplary  
1218 conduct of Department employees, both on and off duty, and in keeping with the  
1219 standards of the City Charter, Civil Service Rules and Regulations, and  
1220 established labor agreements. Procedure: Professional Conduct (All  
1221 Employees): Employees on or off duty shall be governed by ordinary and  
1222 reasonable rules of good conduct and behavior; not commit any act, whether  
1223 negligent, intentional, criminal, or otherwise, that could bring discredit upon the  
1224 Department or the City; abide by all laws to include, but not limited to the Penal  
1225 Code, the Health and Safety Code, and the Welfare and Institutions Code. In  
1226 addition, employees shall ensure that their personal vehicles are compliant with  
1227 the California Vehicle Code. Employees shall: (a) Serve the public by direction,  
1228 counsel, and example that does not interfere with the discharge of their police  
1229 responsibilities. They shall respect and protect the rights of individuals and  
1230 perform their services with honesty and integrity. (d) Properly perform assigned

1231 police responsibilities during a scheduled shift. Note: Improper performance or  
1232 failure to perform assigned police responsibilities during a scheduled shift shall  
1233 be regarded as neglect or dereliction of duty and cause for disciplinary action. (k)  
1234 Not file false, inaccurate or improper information orally or in writing, either  
1235 personally or through another employee, for criminal prosecution, personal gain,  
1236 or for unearned recognition, including sick or injury reports, falsification of  
1237 public records, or for any other purpose. (i) Submit written reports as required  
1238 by Department orders or instructions from a superior."  
1239  
1240 VILLEGAS Thank you. Do you feel that by telling a subject to destroy evidence, that this  
1241 could bring discredit upon the department?  
1242  
1243 PRETORIUS Yes, sir.  
1244  
1245 VILLEGAS Do you feel that you violated this general order?  
1246  
1247 PRETORIUS Yes, sir, I did.  
1248  
1249 VILLEGAS Please turn to General Order 527.05, Preliminary Investigations, and read aloud  
1250 the highlighted sections.  
1251  
1252 PRETORIUS "That officers assigned to the Office of Operations continue" — oh, sorry.  
1253 Preliminary investigations?  
1254  
1255 VILLEGAS That's correct, yeah.  
1256  
1257 PRETORIUS Okay. Sorry.  
1258  
1259 VILLEGAS 527.05.  
1260  
1261 PRETORIUS "That officers assigned to the Office of Operations continue preliminary  
1262 investigations to the point where delaying the investigation would not materially  
1263 jeopardize the investigation. Officers shall conduct a thorough investigation to  
1264 include establishing the violation of law; thorough identification and interview of  
1265 all victims, witnesses, and responsible parties; collection and preservation of any  
1266 evidence; taking appropriate enforcement action. A report shall be accurate and  
1267 completed during the work shift, submitted for a supervisory review and  
1268 approval. Where a report is associated with an arrest, it shall be submitted to a  
1269 supervisor before going home."  
1270  
1271 VILLEGAS Thank you. By failing to conduct a thorough investigation, collecting and  
1272 preserving evidence, and completing a report, do you feel that you obeyed or  
1273 violated this general order?  
1274

1275 PRETORIUS I violated this general order, sir.  
1276  
1277 VILLEGAS Thank you. Please turn to General Order 340.01, Report Quality Control, and  
1278 read aloud the highlighted sections.  
1279  
1280 PRETORIUS "It shall be the policy of the Sacramento Police Department that police reports  
1281 meet the highest professional standards and reflect as thorough an investigation  
1282 as circumstances allow. Officers: Employees assigned reporting responsibilities  
1283 shall: (1) Conduct a thorough investigation into all incidents or events and  
1284 determine whether a report is necessary. (2) Prepare a complete and accurate  
1285 police report detailing the facts of their investigation. (3) Ensure the  
1286 thoroughness of the investigation and the accuracy of the police report."  
1287  
1288 VILLEGAS Thank you. By failing to conduct a thorough investigation into this event and  
1289 complete an accurate police report detailing the facts of the investigation, do you  
1290 feel that you violated or obeyed this general order?  
1291  
1292 PRETORIUS Violated, sir.  
1293  
1294 VILLEGAS Thank you. Please turn to General Order 525.01, Evidence and Property, and  
1295 read aloud the highlighted section.  
1296  
1297 PRETORIUS "It shall be the policy of the Sacramento Police Department to ensure evidence  
1298 and property is properly secured and stored and readily retrieved, and that  
1299 changes in possession are documented to maintain the integrity required for  
1300 successful prosecution or proper disposition. Collecting and Handling Evidence  
1301 or Property: All seized evidence, contraband, and property of value coming into  
1302 possession of an employee shall be safeguarded and retained for processing.  
1303 Property collected for booking shall be booked no later than the end of the work  
1304 shift during which it is acquired. Booking evidence or property requires a report  
1305 in the Versadex Records Management System. Reports shall be written to  
1306 document where evidence was located, who picked up the evidence, to whom it  
1307 was given, why it was given to someone else, and other pertinent information.  
1308 All property shall be entered into Versadex by the booking employee."  
1309  
1310 VILLEGAS Thank you. By not properly securing and maintaining the integrity of the cocaine  
1311 that was in the house on that evening, do you feel that you obeyed or violated this  
1312 general order?  
1313  
1314 PRETORIUS Violated, sir.  
1315  
1316 VILLEGAS Thank you. Do you have anything?  
1317  
1318 THORNE No, thank you.

1319  
1320 VILLEGAS Okay.  
1321  
1322 FARIA Is there anything else relating to this matter that we have not covered that needs  
1323 to be added, clarified, or changed? If so, I am ordering you to provide this  
1324 information now.  
1325  
1326 PRETORIUS No, sir.  
1327  
1328 FARIA After you leave this interview, should you remember anything that is different  
1329 from or in addition to the information that you've given today, I am ordering you  
1330 to contact Sgt. Villegas immediately. I am also ordering you not to discuss this  
1331 matter with any other department employees. Do you understand these orders?  
1332  
1333 PRETORIUS Yes, sir.  
1334  
1335 FARIA Okay. The interview will be concluded at 0911 hours.  
1336  
1337 **End of Recording**  
1338  
1339 The transcript has been reviewed with the audio recording submitted and it is an accurate transcription.  
1340 Signed *Ray Villegas*  
1341 Sgt. Ray Villegas

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**INTERVIEW WITH MARK RODDY**

**VILLEGAS=Sgt Ray Villegas**

[REDACTED]=Sgt [REDACTED]

**RODDY=Ofc Mark Roddy**

**THORNE=Scott Thorne**

[REDACTED] The date is August 2, 2021. The time is 2148 hours. Present in the Internal Affairs office are Mark Roddy, attorney Scott Thorne, Sgt. Ray Villegas, and myself, Sgt. [REDACTED]. The purpose of this meeting is to conduct an interview of Mark Roddy, who is an employee with the Sacramento Police Department in the capacity of officer. This is an administrative investigation on the charges of neglect of duty and improper search and seizure involving Mark Roddy. This is an administrative investigation only on these charges. Do you understand that?

RODDY Yes.

[REDACTED] However, since the allegations indicate that a crime may have been committed, I am advising you that you have the right to remain silent. Anything you say may be used against you in court. You have the right to the presence of an attorney before and during any questioning. If you cannot afford an attorney, one will be appointed for you free of charge before any questioning if you want. Do you understand each of these rights that I have explained to you?

RODDY Yes.

[REDACTED] Having these rights in mind, do you wish to talk to us now?

RODDY No.

[REDACTED] Although you have a right to remain silent and not to incriminate yourself, your silence can be deemed insubordination and result in administrative discipline. Do you understand that, based upon the authority vested in me by the Chief of Police, I am ordering you to answer all of our questions?

RODDY Yes.

[REDACTED] Any statement made under compulsion of a threat of discipline cannot be used against you in a later criminal proceeding. However, if you do not answer our questions truthfully and fully, a charge of insubordination may be imposed which could result in discipline up to and including termination. Do you understand that this is an administrative investigation?



45 RODDY Yes.  
46  
47 [REDACTED] Do you understand the allegations?  
48  
49 RODDY Yes.  
50  
51 [REDACTED] Do you understand that I am ordering you to answer our questions and that if you  
52 do not answer them truthfully and fully, it could result in disciplinary action up  
53 to and including termination?  
54  
55 RODDY Yes.  
56  
57 VILLEGAS Thank you. Prior to this interview, I provided you with a binder containing CAD  
58 call 20-356582; General Order 210.04, General and Professional Conduct,  
59 revised date of 07/12/17; General Order 525.01, Evidence and Property, revised  
60 date of 09/08/17; and General Order 340.01, Report Quality Control, revised date  
61 of 05/03/17. Have you had enough time to review this material?  
62  
63 RODDY Yes.  
64  
65 VILLEGAS I also provided you with your body-worn camera and the body-worn camera of  
66 Ofc. Pretorius. Have you had time to review that video?  
67  
68 RODDY Yes.  
69  
70 VILLEGAS Thank you. I'm going to start with a little bit of background with you. Can you  
71 please, for the record, spell and state your name, your full name?  
72  
73 RODDY Mark Roddy, M-A-R-K, R-O-D-D-Y.  
74  
75 VILLEGAS And did you graduate from the Sacramento Police Academy?  
76  
77 RODDY Yes.  
78  
79 VILLEGAS And what was your graduating class?  
80  
81 RODDY 98-BR3.  
82  
83 VILLEGAS And did you spend any time with Sac PD before the academy, as a student trainee  
84 or a CSO?  
85  
86 RODDY No.  
87  
88 VILLEGAS Have you had any prior law enforcement experience prior to Sac PD?

89  
90     RODDY             No.  
91  
92     VILLEGAS         And would you agree that all Sacramento Police employees are responsible for  
93                         being knowledgeable and familiar with their general orders, department manuals,  
94                         and training that they received at Sac PD?  
95  
96     RODDY             Yes.  
97  
98     VILLEGAS         While at the Sacramento Police Department, have you received any training on  
99                         procedural justice?  
100  
101    RODDY             Yes.  
102  
103    VILLEGAS         In the academy and during field training, were you given instruction in the  
104                         collection of evidence and booking of evidence?  
105  
106    RODDY             Yes.  
107  
108    VILLEGAS         And up to this point in your career, have you collected and booked controlled  
109                         substances, to include cocaine?  
110  
111    RODDY             Yes.  
112  
113    VILLEGAS         And as a seasoned officer, are you able to identify cocaine if you were to see it?  
114  
115    RODDY             Yes.  
116  
117    VILLEGAS         And can you explain what cocaine appears to look like in a powder form?  
118  
119    RODDY             Like a white powdered sugar.  
120  
121    VILLEGAS         Okay.  
122  
123    RODDY             White powder.  
124  
125    VILLEGAS         Okay. And from your training and experience, in what ways do people use  
126                         powdered cocaine?  
127  
128    RODDY             Usually snorting it.  
129  
130    VILLEGAS         Do they use any type of utensils, tools, or anything to ingest it?  
131  
132    RODDY             Well, you can use a straw.

133  
134 VILLEGAS A straw? Okay.  
135  
136 RODDY Yeah.  
137  
138 VILLEGAS Any other ways that people use cocaine?  
139  
140 RODDY I guess they could inject it.  
141  
142 VILLEGAS Okay. And from your training and experience, can you explain to me how people  
143 can prepare to snort cocaine on a plate, for example, on a flat surface?  
144  
145 RODDY Make it into lines.  
146  
147 VILLEGAS Mm-hmm. Do they use anything to put it into lines, or how would that happen?  
148  
149 RODDY They could use razor blades or anything with a flat edge.  
150  
151 VILLEGAS A flat surface or flat edge? Okay. And from your training and experience, would  
152 it be accurate to say that a usable amount of cocaine would be something that you  
153 can visually see, manipulate with your hands, and weigh?  
154  
155 RODDY Yes.  
156  
157 VILLEGAS And when officers locate drugs on a call for service or a proactive search, what  
158 is expected of the officer to do with that substance?  
159  
160 RODDY Either cite and release, arrest, or book for destruction and write a report.  
161  
162 VILLEGAS So, as an officer, are you expected to appropriately collect, handle, book, and  
163 report the drugs in a report of some sort?  
164  
165 RODDY Yes.  
166  
167 VILLEGAS And everything that you've learned in the academy, and training after the  
168 academy, you're responsible for understanding. Is that correct?  
169  
170 RODDY Wait. Can you say that again?  
171  
172 VILLEGAS Everything that you've learned inside the academy, while you were in the  
173 academy, and then after, the training you received, you're responsible for  
174 understanding and knowing. Correct?  
175  
176 RODDY Yes, yes.

177  
178 VILLEGAS Okay. Do you have any other specialized training when it comes to the  
179 recognition of drugs?  
180  
181 RODDY No.  
182  
183 VILLEGAS You never went to any classes outside of regular patrol? Okay.  
184  
185 RODDY No.  
186  
187 VILLEGAS Have you been trained in report writing during the academy and during field  
188 training?  
189  
190 RODDY Yes.  
191  
192 VILLEGAS And are you familiar with what's expected of you when you're writing a report?  
193  
194 RODDY Yes.  
195  
196 VILLEGAS And when you're writing a report when it has to do with finding evidence?  
197  
198 RODDY Yes.  
199  
200 VILLEGAS Are you familiar with preliminary investigations and what is expected of you as  
201 an officer?  
202  
203 RODDY Yes.  
204  
205 VILLEGAS And are you a training officer currently?  
206  
207 RODDY Yes.  
208  
209 VILLEGAS How long have you been a training officer for?  
210  
211 RODDY Nine months, but I've been doing it, covering, for a lot longer.  
212  
213 VILLEGAS Yeah. Well -  
214  
215 RODDY But officially...  
216  
217 VILLEGAS Prior to you becoming a training officer, were you a training officer prior to the  
218 start of this time? Were you — have you ever been a -  
219  
220 RODDY Not in a permanent capacity, but I covered a lot.

221  
222 VILLEGAS You covered other training officers when they needed somebody to take their  
223 trainee?  
224  
225 RODDY Right, right.  
226  
227 VILLEGAS And you've been doing that for how long?  
228  
229 RODDY I think the first time was in 2003.  
230  
231 VILLEGAS Okay. During the timeframe of December 6, 2020, what was your assignment?  
232  
233 RODDY I'm sorry, I missed that first part.  
234  
235 VILLEGAS During the timeframe of December 6th of 2020 -  
236  
237 RODDY Oh, police officer.  
238  
239 VILLEGAS And what was your assignment?  
240  
241 RODDY Patrol.  
242  
243 VILLEGAS Patrol? What area?  
244  
245 RODDY East.  
246  
247 VILLEGAS That specific day, were you assigned to patrol?  
248  
249 RODDY Yes.  
250  
251 VILLEGAS And do you remember what unit you were?  
252  
253 RODDY Well, Alpha-64.  
254  
255 VILLEGAS And were you partnered that evening, or were you a solo officer?  
256  
257 RODDY Solo.  
258  
259 VILLEGAS And during that timeframe, can you remember some of the other officers that  
260 worked around you?  
261  
262 RODDY Well, just because I know my team. I don't know if they were all working that  
263 night, but it was — well, Hendrik, Dahl, Becerra, Takehara, Jag, Valenzuela, Chai  
264 Vang. I don't know if I'm missing someone.

265  
266 VILLEGAS Okay. And were you on duty December 6, 2020, at approximately 2355 hours?  
267  
268 RODDY Yes.  
269  
270 VILLEGAS Can you tell me about a call that you were dispatched to at 2355 hours, what the  
271 nature of the call was, who the complainant was, that type of stuff?  
272  
273 RODDY It was a 5150. A friend called about the house we were — her friend at the house  
274 we were going to being 5150 and possibly doing cocaine. So, we went there on  
275 a welfare check.  
276  
277 VILLEGAS Okay. So, it was a welfare check?  
278  
279 RODDY It was a 5150, but welfare, yeah.  
280  
281 VILLEGAS And the complainant, did you recognize who the complainant was?  
282  
283 RODDY Well, reviewing the call, I obviously ran her on the way there and found out she  
284 was [REDACTED], but I didn't know who she was.  
285  
286 VILLEGAS The complainant, or the person you were going to?  
287  
288 RODDY I mean the person we were going to.  
289  
290 VILLEGAS Okay. Have you ever — prior to this evening, have you ever heard of who the  
291 complainant was? Have you ever heard that name?  
292  
293 RODDY No.  
294  
295 VILLEGAS How about the subject that you were going to do the check on? Have you ever  
296 heard her name in any way?  
297  
298 RODDY No.  
299  
300 VILLEGAS Okay.  
301  
302 RODDY If I had, I forgot, and I still don't remember if I had before.  
303  
304 VILLEGAS Okay. Were you ever familiar with the location that you were going to?  
305  
306 RODDY No. At least, I don't ever remember going there. If I went there before, I did not  
307 remember, and I still don't remember if I ever went there before.  
308

309 VILLEGAS You don't recall? Okay.  
310  
311 RODDY Yeah.  
312  
313 VILLEGAS And were there any other officers that were dispatched to that location with you?  
314  
315 RODDY I think it was just Pretorius.  
316  
317 VILLEGAS And what was that location, the address?  
318  
319 RODDY Can I look? Because I don't remember.  
320  
321 VILLEGAS Yes. Yeah, absolutely.  
322  
323 RODDY [REDACTED] 61st Street.  
324  
325 VILLEGAS Thank you. And for the record, I provided you with the CAD call, 20-356582.  
326 Is this the call that you're referring to?  
327  
328 RODDY Yes.  
329  
330 VILLEGAS So, what I'd like you to do is I want you to walk me through the call from the time  
331 that you were dispatched, all the way through the time that you left. Give me, in  
332 detail, kind of an overview of what you did. And then what I'm going to do is  
333 we're going to go back and re-visit a lot of those instances. Okay?  
334  
335 RODDY Okay. Well, basically, I guess we got dispatched on the call, responded. I  
336 obviously ran the subject we were checking on. We got there. Pretorius pretty  
337 much interviewed her. I did a walkthrough to make sure no one else was in the  
338 house. I think Pretorius asked for Fire. Fire came. Her vitals, everything was  
339 fine. We determined that she wasn't 5150. She admitted to doing coke. She  
340 advised that — well, evidently, through the walkthrough I didn't see anything.  
341 She told Pretorius it was in the kitchen. She admitted it. It was there. I ultimately  
342 gave her the option of throwing it away or us taking it, citing her or just booking  
343 it for destruction, and she ultimately flushed it.  
344  
345 VILLEGAS Okay. That was a brief overview of what happened, and I thank you, but what  
346 we're going to do is we're going to go back through it. And we're going to kind  
347 of watch some video, and I'll ask questions about the video. Okay?  
348  
349 RODDY Okay.  
350  
351 VILLEGAS All right. When you arrived, you said you cleared the house. You visually looked  
352 around the house to make sure nobody else was there. Right?

353  
354 RODDY Correct.  
355  
356 VILLEGAS Were you just — what were you looking for when you did that?  
357  
358 RODDY People.  
359  
360 VILLEGAS Okay. And while you were clearing the house, did you see anything suspicious  
361 or any violations of any laws while you were looking for people that were  
362 obvious?  
363  
364 RODDY Not when I walked around, no.  
365  
366 VILLEGAS Okay. Okay. I'm going to start your body-worn camera at 2 minutes and go to 2  
367 minutes, 17 seconds. For the record, this is 2020-12-07 00:04:51 0800 Axon  
368 Body 3 X60318880. Is this your body-worn camera for this evening?  
369  
370 RODDY Yes.  
371  
372 VILLEGAS Thank you. Staring the video at 2 minutes.  
373  
374 [BODY CAMERA VIDEO PLAYING]  
375  
376 Okay. I paused at 2 minutes, 17 seconds. You said during the walkthrough you  
377 didn't see anything obvious. And now that you have knowledge of what was  
378 actually in there, do you see anything suspicious right now on the screen that  
379 you're looking at?  
380  
381 RODDY Well, just because I know what happened now, I know that plate had some  
382 cocaine on it.  
383  
384 VILLEGAS Did that plate also have a credit card?  
385  
386 RODDY Well, I guess that's what that is. I did not recall a credit card, but just looking at  
387 that, it looks like the shape of one.  
388  
389 VILLEGAS Okay. And it wasn't until later that you actually saw the plate and recognized it  
390 to be the cocaine that was being talked about?  
391  
392 RODDY Correct.  
393  
394 VILLEGAS Okay. If you had noticed it, would that have changed the course of what you  
395 were doing at all? If during this walkthrough, during this looking for bodies, you



396 looked down and you saw this plate that's in the kitchen that had a white powdery  
397 substance on it, would that change what you did throughout the call at all?  
398

399 RODDY Well, I would have brought it up. I would have brought it up sooner. Now,  
400 because of the outcome, I'm not going to say yes or no whether it would have  
401 changed. I don't know. I don't know.  
402

403 VILLEGAS Okay. So, you would have brought it up to your partner?  
404

405 RODDY And her.  
406

407 VILLEGAS And her? Okay. After this, did you re-enter the living room with Ofc. Pretorius  
408 and [REDACTED] while they were talking?  
409

410 RODDY Yes.  
411

412 VILLEGAS And did [REDACTED] explain that she had taken any drugs?  
413

414 RODDY She said she took cocaine.  
415

416 VILLEGAS So, she admitted to taking cocaine? And did Ofc. Pretorius call Fire?  
417

418 RODDY Yes.  
419

420 VILLEGAS And why did he call Fire?  
421

422 RODDY I think it was precautionary. I'm assuming it was precautionary.  
423

424 VILLEGAS Did she admit to using — other than the cocaine, did she admit to using other  
425 drugs as well?  
426

427 RODDY Well, since you're asking me that, I do remember she said something. I don't  
428 remember what though.  
429

430 VILLEGAS Okay. No problem.  
431

432 RODDY I don't remember if it was prescribed medication or something else, but I think it  
433 was something. There was something.  
434

435 VILLEGAS Okay. Okay. I'm starting the video again at 4 minutes, 51 seconds.  
436

437 [BODY CAMERA VIDEO PLAYING]  
438

439 Okay. I paused at 5 minutes and 3 seconds. Ofc. Pretorius said, "I'll just be  
440 honest. You took me by surprise with how open you were about the cocaine. So,  
441 that's why it took me a second." [REDACTED] responded by pointing towards the  
442 kitchen and said, "Well, hey, it's walking in there. Yeah, it's — it's there. So..."  
443 When she directed her hand towards the kitchen and said, "Well, hey, it's walking  
444 in there. Yeah, it's — it's there. So..." did that raise any suspicions to you?  
445  
446 RODDY It may have. I don't remember.  
447  
448 VILLEGAS You don't -  
449  
450 RODDY I mean, I didn't walk back in there. Obviously, I didn't walk back in there right  
451 away, so I...  
452  
453 VILLEGAS So, you don't recall if you had any suspicions at that time?  
454  
455 RODDY Yeah.  
456  
457 VILLEGAS Okay.  
458  
459 RODDY I don't remember.  
460  
461 VILLEGAS I know this has been some time ago.  
462  
463 RODDY I just don't remember what I was thinking at that time.  
464  
465 VILLEGAS Okay. Now, watching it, do you have any suspicions?  
466  
467 RODDY Oh, yeah.  
468  
469 VILLEGAS What's that suspicion?  
470  
471 RODDY That there's probably cocaine in the kitchen.  
472  
473 VILLEGAS Okay. I'm going to be jumping back and forth between your video and Ofc.  
474 Pretorius's video. Okay?  
475  
476 RODDY Okay.  
477  
478 VILLEGAS Okay. I'm starting Ofc. Pretorius's video. It's 2020-12-07 00:09:45 0800 Axon  
479 Body 3 X60312825, for the record, and I'm going to start the video at 7 minutes,  
480 7 seconds.  
481  
482 [BODY CAMERA VIDEO PLAYING]

483  
484  
485  
486  
487  
488  
489     RODDY             Yes.  
490  
491     VILLEGAS            Did Ofc. Pretorius talk to you about what he saw?  
492  
493     RODDY             When we went outside.  
494  
495     VILLEGAS            Okay. So, is that a little bit later in the video?  
496  
497     RODDY             Oh, yeah. I don't know if it was a minute or five minutes, but it's after.  
498  
499     VILLEGAS            Okay. And did you and Ofc. Pretorius explain to [REDACTED] that she didn't meet the  
500     5150 requirements at that point, at this point in the call? Do you recall?  
501  
502     RODDY             At exactly this point? I don't -  
503  
504     VILLEGAS            I mean -  
505  
506     RODDY             I mean -  
507  
508     VILLEGAS            You had a conversation with her at some point. Is that correct?  
509  
510     RODDY             Yeah. I mean, I'm sure it's soon. Well, I don't know if Fire — has Fire responded  
511     yet?  
512  
513     VILLEGAS            I don't think so.  
514  
515     RODDY             Okay. Then -  
516  
517     VILLEGAS            So, let's just -  
518  
519     RODDY             I don't think so.  
520  
521     VILLEGAS            At some point, did you have a conversation with her?  
522  
523     RODDY             Yeah, at some point.  
524  
525     VILLEGAS            And what did you explain to her about her — as far as meeting the requirements  
526     of 5150?

527  
528 RODDY Well, I don't think I said anything. I think Pretorius explained to her that we didn't  
529 think that she met the criteria.  
530  
531 VILLEGAS And did you agree with his findings?  
532  
533 RODDY Yeah. I didn't have a problem with it.  
534  
535 VILLEGAS Okay. Going back to your body-worn camera. I'm starting your camera at 9  
536 minutes, 30 seconds.  
537  
538 [BODY CAMERA VIDEO PLAYING]  
539  
540 Okay. I paused at 9 minutes, 40 seconds. ██████ said, "To be quite honest with  
541 you, I really...Yeah. It's been a very long time, and I spent a shit-ton of fucking  
542 money on it. That's what's even more crazy." What is she talking about when  
543 she said she spent a shit-ton of money on it?  
544  
545 RODDY On the cocaine.  
546  
547 VILLEGAS At that point, did it raise any suspicions to you about the possibility of being  
548 cocaine in the house?  
549  
550 RODDY I'm sure it — probably.  
551  
552 VILLEGAS You just don't recall?  
553  
554 RODDY I just don't remember.  
555  
556 VILLEGAS So, you can't tell me if it made you feel like there was more cocaine in the house  
557 at this point? You just don't recall?  
558  
559 RODDY I don't remember.  
560  
561 VILLEGAS Okay. I'm continuing your video from 11 minutes, 9 seconds.  
562  
563 [BODY CAMERA VIDEO PLAYING]  
564  
565 I'm going to pause it and turn the volume up, if I can find it here.  
566  
567 [BODY CAMERA VIDEO PLAYING]  
568  
569 Okay. I paused at 12 minutes, 20 seconds. Pretorius said, "So, if we were taking  
570 her on a hold, that cocaine does not matter, that hold, but since she's not going on

571 a hold, does that cocaine — now, does it matter?" And you say, "It was in her  
572 own home." And Pretorius says, "Even if it's that amount?" And you say, "What  
573 amount?" Pretorius says, "I mean, there's a couple of" — I couldn't understand  
574 what he was saying. And then he says, "I'm not an expert." You said, "Did I miss  
575 something somewhere," or something to that effect. And Pretorius said, "Yeah.  
576 it's in the kitchen, on the kitchen counter as you walk in. I mean, I don't — I don't  
577 see how taking enforcement action here would help at all, and I'm not asking to.  
578 I'm just trying to educate myself on —" And then you say, "Yeah. Well, I mean,  
579 if it's in plain view, yeah, you can take enforcement action, but..." Ofc. Pretorius  
580 says, "She's a victim." And then he says, "It's in plain view, but..." I couldn't  
581 understand what he was saying. And then you say, "I'd tell her to dump it. I  
582 wasn't looking for that stuff, so...I was looking for people when I did my..." And  
583 then you laughed. Ofc. Pretorius said, "Yeah. No, the only reason I knew to look  
584 is because she told me where it was." And then you said, "If they don't take her,  
585 I'd say dump it." So, does it matter if someone has cocaine in their own home  
586 when it comes to the law?

587  
588 RODDY Does it matter whether they have cocaine when it comes to the law?

589  
590 VILLEGAS Yeah. Does it change anything? I mean, if it's in your private house or on the  
591 street, is it still a violation of the law?

592  
593 RODDY Yes.

594  
595 VILLEGAS And what is the expectation when cocaine is located in a home just like this?

596  
597 RODDY Either take enforcement action or book it for destruction and write the appropriate  
598 report.

599  
600 VILLEGAS And from this conversation, did you gain an understanding that he was basically  
601 telling you that there was cocaine in the kitchen?

602  
603 RODDY Yeah.

604  
605 VILLEGAS And what did you tell him to do with it?

606  
607 RODDY Well, I said we can take — I think he said enforcement action — or I said, "Or  
608 we can have her dump it."

609  
610 VILLEGAS And why did you tell him this?

611  
612 RODDY I don't know. I don't know if I just felt sorry for her. I didn't see it yet, so I don't  
613 know how much was there. So, I guess that's — I mean, what I did was wrong.  
614 I'm not going to deny that -

615  
616 VILLEGAS Yeah.  
617  
618 RODDY - but I don't know if I just had — she seemed like a good person, just maybe in a  
619 little trouble. I didn't want to further it. Hopefully she could snap out of it. I  
620 mean, that's what I'm guessing I was thinking.  
621  
622 VILLEGAS Okay. And other than telling him what you did, "I'd tell her to dump it," or  
623 something to that effect, is there something else you could have instructed him to  
624 do where it may not have affected her?  
625  
626 RODDY Book it for destruction, yeah.  
627  
628 VILLEGAS So, is that the right thing to do if you aren't going to book her or cite her out on  
629 it?  
630  
631 RODDY Yeah. I think I brought that up later, but it was a little later, a little too late.  
632  
633 VILLEGAS And he's a newer, young officer that obviously is listening to a veteran officer.  
634 Why didn't you tell him to do the right thing?  
635  
636 RODDY I don't know. I don't have a reason. I'm not going to make one up.  
637  
638 VILLEGAS Okay.  
639  
640 RODDY I don't know.  
641  
642 VILLEGAS You just — did you do the wrong thing that evening?  
643  
644 RODDY Yeah.  
645  
646 VILLEGAS Okay.  
647  
648 RODDY I admit that.  
649  
650 VILLEGAS After Fire went inside the house, checked her vital signs, did she refuse to go with  
651 them for any treatment?  
652  
653 RODDY Yeah.  
654  
655 VILLEGAS Okay. I'm going to start Ofc. Pretorius's video again at 18 minutes, 14 seconds.  
656  
657 [BODY CAMERA VIDEO PLAYING]  
658

659 Okay. I'm paused at 18:23. Ofc. Pretorius points towards the kitchen area and  
660 said, "I mean, the cocaine is right in the opening of the kitchen." And you said,  
661 "Her friend told her that she was calling us, so she was — she knew we were  
662 coming." At this point, can I assume from what I'm seeing on the video that you  
663 knew that there was cocaine in the kitchen?  
664  
665 RODDY Well, we already had the discussion, so yes.  
666  
667 VILLEGAS Okay. Okay. I'm back to your video, and I'm going to start the video at 19  
668 minutes, 9 seconds.  
669  
670 [BODY CAMERA VIDEO PLAYING]  
671  
672 I'm going to try to pause it at 19 minutes, 14 seconds.  
673  
674 [BODY CAMERA VIDEO PLAYING]  
675  
676 Okay. So, I'm paused at 19 minutes, 14 seconds. After hearing Ofc. Pretorius  
677 talk about the cocaine in the kitchen, you returned to the kitchen. Why did you  
678 go back into the kitchen?  
679  
680 RODDY Probably to look at it.  
681  
682 VILLEGAS Okay. And at this time, did you see the suspected cocaine?  
683  
684 RODDY Yes.  
685  
686 VILLEGAS Can you describe to me what you saw?  
687  
688 RODDY Well, just from the video, there's obviously the credit card, and possibly two lines.  
689 I don't know if that's the plate or — it looks like -  
690  
691 VILLEGAS And this is all just recollection from watching the video? Do you have any -  
692  
693 RODDY Well, this is from watching the video because I really don't remember from -  
694  
695 VILLEGAS So, you don't have an independent recollection of the actual — when you walked  
696 in there that day?  
697  
698 RODDY Yeah.  
699  
700 VILLEGAS Okay. So, only from what you're seeing on video?  
701  
702 RODDY Correct.

703  
704 VILLEGAS Do you recall about how much cocaine was on the plate? I know you have some  
705 experience with different various drugs and identification. Can you tell me the  
706 amount that you feel that she had? Do you remember?  
707  
708 RODDY Well, looking at that -  
709  
710 THORNE If you remember, your best estimate. So, don't guess, just your best estimate, if  
711 you remember. Just don't guess.  
712  
713 RODDY I'd be guessing. I don't remember.  
714  
715 VILLEGAS So, you don't recall? Was there enough that it could be manipulated, weighed?  
716  
717 RODDY Well, it looks usable.  
718  
719 VILLEGAS Okay.  
720  
721 RODDY And I'm basing it off the video right here.  
722  
723 VILLEGAS Okay.  
724  
725 RODDY I really don't remember -  
726  
727 VILLEGAS Okay.  
728  
729 RODDY - that night.  
730  
731 VILLEGAS I'm going to continue the video at 19 minutes, 14 seconds.  
732  
733 [BODY CAMERA VIDEO PLAYING]  
734  
735 Okay. I paused at 19 minutes, 22 seconds. It appeared that you stopped at the  
736 plate and returned into the living room. So, at this point you did recognize it, and  
737 now you're moving back into the living room, where Ofc. Pretorius and [REDACTED]  
738 was. Is that correct?  
739  
740 RODDY Correct.  
741  
742 VILLEGAS Okay. Okay. I'm starting your video at 19 minutes, 59 seconds.  
743  
744 [BODY CAMERA VIDEO PLAYING]  
745



746 Okay. I'm going to pause for a second at 22:34. I want to go back a couple  
747 seconds, and I'm going to pause. I'm at 22:19, and I'm going to pause this.  
748  
749 [BODY CAMERA VIDEO PLAYING]  
750  
751 Okay. I'm paused at 22 minutes, 22 seconds. Do you see Ofc. Pretorius and his  
752 right hand? Is he giving you any signals or signs at this point?  
753  
754 RODDY Honestly, I thought he was going for his mic.  
755  
756 VILLEGAS Does it look like he might be putting four fingers up? And I can rewind it and  
757 play it through to see if it looks like he's trying to give you a sign of some sort.  
758 Do you recall one at that time?  
759  
760 RODDY I don't.  
761  
762 VILLEGAS So, in the video, then? You're only going off what you're seeing in the video?  
763  
764 RODDY Yeah.  
765  
766 VILLEGAS Does it look like he's trying to give you a sign of some sort?  
767  
768 RODDY Well, since you're saying — in that shot right there, it looks like three fingers to  
769 me.  
770  
771 VILLEGAS Okay. I'm going to go back a little bit, and I'll play it. I'm back at 22:17, and I'm  
772 just going to play it through.  
773  
774 [BODY CAMERA VIDEO PLAYING]  
775  
776 RODDY Oh, yeah.  
777  
778 VILLEGAS Okay. I'm paused at 22:28. What does it appear that he's doing in this video?  
779  
780 RODDY It almost looked like a Code 4.  
781  
782 VILLEGAS Code 4? And what does that mean?  
783  
784 RODDY To cancel, stop.  
785  
786 VILLEGAS And you don't recall picking that up during this day, though?  
787  
788 RODDY No.  
789

790 VILLEGAS Just now that we're seeing this on video, that's kind of what you saw?  
791  
792 RODDY Yeah.  
793  
794 VILLEGAS Okay. Do you know why he would be doing this, why he'd be giving you the  
795 Code 4?  
796  
797 RODDY Well, I'm guessing because I brought up — or we were talking about being  
798 arrested.  
799  
800 VILLEGAS Okay.  
801  
802 RODDY That's what I'm guessing.  
803  
804 VILLEGAS Okay. I'm going to go ahead and continue the video from 22:28.  
805  
806 [BODY CAMERA VIDEO PLAYING]  
807  
808 Okay. I'm paused at 24 minutes, 59 seconds. I'm going to go through some of  
809 the things that were said during this conversation. Okay? You said — in the  
810 beginning you said, "Can you do us a favor? Can you get rid of the rest of your  
811 stuff?" And [REDACTED] said, "Yeah." What stuff were you referring to?  
812  
813 RODDY The cocaine.  
814  
815 VILLEGAS And why are you asking her to do this at this point?  
816  
817 RODDY I think part of the reason was I wanted to see what she would do. And, plus, I  
818 didn't think she was a heavy — I mean, she had, basically, a clean house. I don't  
819 think she's an everyday tweaker. If she is telling the truth, it's been a year. I don't  
820 want to screw with her — screw her life up if it's not necessary. If she's — it's  
821 kind of like a test, maybe. Is she willing to get rid of it herself? Because if she  
822 is, then she's somewhat responsible enough, like "Hey, maybe I did do the wrong  
823 thing," or she can learn from it. And just have it on her if she's going to do it or  
824 not.  
825  
826 VILLEGAS Okay. So, you -  
827  
828 RODDY And if she's not, if she wasn't going to do it, then we would have had to go another  
829 route.  
830  
831 VILLEGAS Okay. What was that other route?  
832  
833 RODDY Book it for destruction or cite her and do the report that way.

834  
835 VILLEGAS Which is the right thing to do?  
836  
837 RODDY That way.  
838  
839 VILLEGAS And then, after she says, "Yeah," you say, "While we are here?" And [REDACTED]  
840 says, "No." You say, "No? Why not? Because I don't want you using it. And if  
841 it's here, you are going to use it." [REDACTED] says, "I'm — no, I'm not going to use  
842 it tonight." You say, "Tomorrow night?" [REDACTED] says, "Um, never. I generally  
843 flush my cocaine, but I paid \$120 for that because it's COVID season and I hadn't  
844 done it for a really long time. So, no, I don't feel comfortable. I don't want to."  
845 And then you say, "Do you want us to take it?" And [REDACTED] says, "No." And  
846 you say, "Because you know we can." So, at this point, can you tell me what  
847 you're thinking? You're having this -  
848  
849 RODDY Basically, the same thing. I feel like I was trying to get her to see where she was  
850 at with her possible problem, if she was going to take responsibility for it and say,  
851 "Hey, this is a one-time thing. I'm done with it," or if she — if she was going to  
852 refuse to throw it away, then, obviously, I think she has a bigger problem than it's  
853 a one-time thing or a once-a-year thing. So, I still think I was kind of seeing what  
854 she was going to do.  
855  
856 VILLEGAS I mean, at this point you're -  
857  
858 RODDY If that makes sense.  
859  
860 VILLEGAS At this point you're going back and forth with her. Right? You're kind of almost  
861 having an argument about what is going — how she's going to get rid of the  
862 cocaine, and she doesn't want to get rid of the cocaine. But what are you thinking  
863 when it comes to the actual cocaine at this point? What are you thinking? Not  
864 necessarily what she's thinking, or her possible habits or future using it. What  
865 about the actual cocaine and the fact that it's cocaine inside of a residence and it  
866 needs to go somewhere? What are you thinking at this point?  
867  
868 RODDY I probably wasn't thinking of that -  
869  
870 VILLEGAS Okay.  
871  
872 RODDY - I mean, to be honest, because the conversation doesn't seem to be in that  
873 direction.  
874  
875 VILLEGAS By telling her at this point that you want her to dump it while you're there, is that  
876 doing the right thing?  
877

878 RODDY Well, at the time I probably thought so, because I didn't want her to keep it. I  
879 mean, whether she got rid of it or we took it -  
880  
881 VILLEGAS Let me ask -  
882  
883 RODDY - the one thing that wasn't going to happen was it being left there.  
884  
885 VILLEGAS Let me ask you this: Do you feel that it's appropriate to tell a citizen to destruct  
886 a drug or any type of evidence? Is that an appropriate thing to do?  
887  
888 RODDY No.  
889  
890 VILLEGAS And can you tell me why you were doing it?  
891  
892 RODDY Because I probably felt sorry for her and didn't want to ruin her life more than it  
893 could have been.  
894  
895 VILLEGAS But we did say before that you still could take the drugs and book it for  
896 destruction. Correct? And would that ruin her life?  
897  
898 RODDY No.  
899  
900 VILLEGAS So, why isn't that in your mind right now? What were you thinking?  
901  
902 RODDY I really don't remember what I was thinking at the exact time.  
903  
904 VILLEGAS Okay.  
905  
906 RODDY I'm just trying to remember what my thoughts were, but...  
907  
908 VILLEGAS Okay.  
909  
910 RODDY I'm just watching the video and surmising what I was possibly thinking. I mean,  
911 I know what I did was wrong. I don't know the exact reasons, what I was thinking  
912 at the time.  
913  
914 VILLEGAS Okay. At one point ██████ says, "No. I want it to stay here unless you're going  
915 to fucking charge me with something and..." You say, "All right. Do you want  
916 us to charge you with something?" And ██████ says, "No." You say, "I mean,  
917 we're trying to work with you here." ██████ says, "So, what are you saying?"  
918 And you say, "Flush it now." ██████ says, "Or you will charge me with  
919 something if I don't?" And you say, "Well, I don't want you taking any it if..."  
920 So, it sounds like you're trying to — I mean, you have some concern for her,

921 obviously, that you don't want her taking this stuff. Right? Am I on base with  
922 that? Is that what I'm -  
923

924 RODDY I think that was the biggest thing. We just didn't want her to — I think I said it in  
925 there, "We don't want you to fall back or fall off the wagon again. If it's here, it's  
926 going to be easier."  
927

928 VILLEGAS And it sounds to me that you're trying to get the point across to her that if she  
929 doesn't flush the cocaine down the toilet, that she's going to get charged with  
930 something. Would that be accurate?  
931

932 RODDY At that point, yeah.  
933

934 VILLEGAS ██████ says — after you say, "Well, I don't want you taking any it if...", she  
935 says, "I'm not going to." And you say, "Well, then, why can't you just dump it  
936 right now?" And ██████ says, "I always dump it. I just don't want to dump it  
937 right now. I'm sorry. Unless you're trying to charge me with something..." And  
938 you say, "Well, I don't want to charge you with anything, but if that's what's going  
939 to make it get out of this house while we're here..." And ██████ says, "It —  
940 what are you going to charge me with?" And you say, "What do you think?"  
941 ██████ says, "I don't know." You said, "Possession of cocaine." And ██████  
942 says, "Can you charge me with that?" And you say, "Yeah. I mean, if you left it  
943 right out in the open..." ██████ says, "Well, yeah. This was not my call." And  
944 then you said, "And you told us where it was. I mean, are we just supposed to  
945 look over it? And, kind of, we are if you can just flush it now." So, at that point  
946 you're admitting to her that you observed the cocaine. Is that correct?  
947

948 RODDY Yeah, because I hadn't at that time.  
949

950 VILLEGAS And what did you mean when you said "overlooking it"?  
951

952 RODDY By ignoring it.  
953

954 VILLEGAS So, basically saying that if you flush it now, I'll overlook that it was even here. Is  
955 that what I'm understanding?  
956

957 RODDY Yeah, I guess, in a sense, yeah.  
958

959 VILLEGAS Okay. So, this conversation goes on for several minutes. And at one point you  
960 say, "Can you flush it while we are here? Is it worth your job? Is it worth the  
961 risk of — I mean, doesn't matter how strong we are. We all — I mean, you went  
962 over a year without taking it, and you fell off the wagon tonight. Is it worth taking  
963 another chance? Especially since you have already taken some and it may be  
964 easier to do it next time. All right?" And then ██████ says something I couldn't

965 understand. And then she says, "I mean, but if nothing is going to happen, then,  
966 no, I don't want to flush it. If you are threatening to write me up for it, different  
967 story. So, you all got to come clean with me." And you said, "Well, we are  
968 threatening you." And then Pretorius says, "It's going to end up being a citation  
969 for possession of cocaine if you do not flush it." I need some explanation on what  
970 you meant by "We are threatening you." Explain what that means to her when  
971 you said it.  
972  
973 RODDY Basically, that there would be a report and there's going to be other consequences  
974 besides just losing it.  
975  
976 VILLEGAS Like what?  
977  
978 RODDY Like possibly going to court, possibly losing her job.  
979  
980 VILLEGAS Okay. And did you feel that that — let's say, retrospectively, now do you feel  
981 that that's an appropriate thing to say to somebody?  
982  
983 RODDY No.  
984  
985 VILLEGAS Is that providing a service? Is that quality customer service?  
986  
987 RODDY No.  
988  
989 VILLEGAS No? Do you feel that she felt threatened at this point that if she didn't flush that  
990 cocaine, that she was going to get a citation?  
991  
992 RODDY Well, I think her main thing was not having a report generated. So, I don't know  
993 if the citation was part of it, but I think the report part, yeah.  
994  
995 VILLEGAS Okay. After that, [REDACTED] says, "Then, I will." I couldn't understand what she  
996 says. And then Ofc. Pretorius says, "Thank you very much." At this point, what  
997 did you feel was going to occur?  
998  
999 RODDY That she was going to flush it.  
1000  
1001 VILLEGAS And did you have any opportunities to just say, "Hey, stop. We're just going to  
1002 collect it and take it with us"?  
1003  
1004 RODDY There was a short period of time that I could have.  
1005  
1006 VILLEGAS And why didn't you do that this night? Why didn't you just take the stuff and  
1007 book it? Why didn't you just say, "No, we're not going to let you flush it. We're

1008 taking this, and we're going to book it," and go whatever route you wanted other  
1009 than having her flush it?  
1010  
1011 RODDY I don't have an excuse.  
1012  
1013 VILLEGAS Were you just being lazy?  
1014  
1015 RODDY That could be part of it.  
1016  
1017 VILLEGAS Okay. I'm going to continue the video from 25 minutes, 18 seconds — I'm sorry,  
1018 to 25:18.  
1019  
1020 [BODY CAMERA VIDEO PLAYING]  
1021  
1022 Okay. I paused at 25 minutes, 18 seconds. And this is from your body-worn  
1023 camera. It appears that [REDACTED] walks into the kitchen. She takes a plastic bag  
1024 and inserts some more of the powder into that plastic bag. Would you agree?  
1025  
1026 RODDY Yes.  
1027  
1028 VILLEGAS And you can clearly see that there's substance inside that bag. Correct?  
1029  
1030 RODDY Yes.  
1031  
1032 VILLEGAS And what did you believe that substance to be at that time?  
1033  
1034 RODDY Most likely cocaine.  
1035  
1036 VILLEGAS Okay. Continuing with the video.  
1037  
1038 [BODY CAMERA VIDEO PLAYING]  
1039  
1040 Okay, 25 minutes, 29 seconds. [REDACTED] is holding up the bag, and she said, "You  
1041 want me to flush it? I don't really want to flush it. I guess I can." And then she  
1042 turns and walks towards the bathroom. Correct?  
1043  
1044 RODDY Correct.  
1045  
1046 VILLEGAS And you said, "Unless you want us to take — if you want us to take it and book  
1047 it for destruction with no charges, we can do that." And this is as she's entering  
1048 the bathroom. Correct?  
1049  
1050 RODDY Yes.  
1051

1052 VILLEGAS Did you try to stop her from flushing that cocaine down the toilet?  
1053  
1054 RODDY Physically? No. That was the closest I came to...  
1055  
1056 VILLEGAS Changing your mind?  
1057  
1058 RODDY Yeah.  
1059  
1060 VILLEGAS At this point is she doing what you asked her to do?  
1061  
1062 RODDY She's starting. She's in the process.  
1063  
1064 VILLEGAS Okay. I'm continuing the video from 25:29.  
1065  
1066 [BODY CAMERA VIDEO PLAYING]  
1067  
1068 Okay. I paused at 25:36. What does it appear that [REDACTED] is doing at this point?  
1069  
1070 RODDY Flushing the cocaine.  
1071  
1072 VILLEGAS Just for the record, she's bent over towards what appears to be a toilet in a  
1073 bathroom. Would you agree that that's a bathroom?  
1074  
1075 RODDY Yes.  
1076  
1077 VILLEGAS And why is she putting the cocaine in the toilet?  
1078  
1079 RODDY Because I asked her to.  
1080  
1081 VILLEGAS Okay. I'm unpausing to 25:58.  
1082  
1083 [BODY CAMERA VIDEO PLAYING]  
1084  
1085 Okay. I paused at 25 minutes, 58 seconds. Did you hear the toilet flush?  
1086  
1087 RODDY Yes.  
1088  
1089 VILLEGAS Do you believe that she flushed the cocaine down the toilet?  
1090  
1091 RODDY Yes.  
1092  
1093 VILLEGAS Continuing.  
1094  
1095 [BODY CAMERA VIDEO PLAYING]



1096  
1097 Okay. I'm paused at 27 minutes, 9 seconds. At the beginning of this portion of  
1098 the video, you are apologizing to her. Why were you apologizing to her? Do you  
1099 recall?  
1100  
1101 RODDY I don't know. It sounds kind of weird listening to it.  
1102  
1103 VILLEGAS Well, after watching the video, why do you feel that you were apologizing to her?  
1104  
1105 RODDY I don't know, maybe I made her do something she didn't want to do, but, I mean,  
1106 although it was wrong what we had her do, the purpose was for her not to take it  
1107 again. And that was accomplished by the wrong means, but, I mean, even if  
1108 someone does something wrong — I mean, I'm not talking about criminally, like  
1109 this, but if someone just — you make someone — I mean, you discipline  
1110 someone, your kid, and they're mad. As a parent, you still say sorry, but you  
1111 know you did the right thing. I mean, so, I don't think it was necessarily like —  
1112 I wasn't apologizing for being a bad person.  
1113  
1114 VILLEGAS Yeah.  
1115  
1116 RODDY I just think it was — maybe it was just an instinctual thing.  
1117  
1118 VILLEGAS And I'm not questioning your intention. I'm just asking: At this point, did you  
1119 feel that you did something wrong?  
1120  
1121 RODDY Well, honestly, I mean, listening to the whole conversation, like when I threw out  
1122 "We can just book it," I was like — I mean, obviously I knew something we did  
1123 was wrong.  
1124  
1125 VILLEGAS Okay. Did you feel that Ofc. Pretorius agreed with what you were requesting of  
1126 [REDACTED] to do with the cocaine?  
1127  
1128 RODDY Well, I mean, he went along with it. I don't know if it was because I was the  
1129 veteran officer, which might be the case.  
1130  
1131 VILLEGAS Did he try to stop you? Did he say — at any time did he say, "Time out. I'm  
1132 going to take that cocaine and book it for destruction"? Did he ever stop you and  
1133 say, "This is what I want to do," at any point?  
1134  
1135 RODDY I don't think so.  
1136  
1137 VILLEGAS Got anything? How did this call finish? How did — when you left their doors,  
1138 turned off your body-worn cameras, how did this call conclude?  
1139

1140 RODDY You mean...? You need to expand.  
1141  
1142 VILLEGAS Yeah. What happened next? Did you go out to the car, sit down, and clear the  
1143 call? What did you do?  
1144  
1145 RODDY I mean, I'm sure we talked about it. Most of the stuff I remember is because we  
1146 watched the video, so I don't remember. I mean, I guess I could look on here and  
1147 see how long we sat on it or if we cleared it right away.  
1148  
1149 VILLEGAS Do you recall having a — did you have a conversation with Ofc. Pretorius about  
1150 what happened in the house?  
1151  
1152 RODDY I'm sure we did.  
1153  
1154 VILLEGAS You just don't recall, or do you recall some of it?  
1155  
1156 RODDY I really don't recall. I'm sure — because we always talk after calls, so I'm sure  
1157 we talked. I just don't know.  
1158  
1159 VILLEGAS So, it's regular for you to debrief calls, but sometimes you don't recall what the  
1160 conversation was?  
1161  
1162 RODDY Yeah.  
1163  
1164 VILLEGAS Is that accurate?  
1165  
1166 RODDY Yeah.  
1167  
1168 VILLEGAS Okay. Did Ofc. Pretorius write a report on this?  
1169  
1170 RODDY I don't think so.  
1171  
1172 VILLEGAS Did he tell you that he was going to write a report?  
1173  
1174 RODDY I don't think so.  
1175  
1176 VILLEGAS Did you tell him that you were going to write a report?  
1177  
1178 RODDY No.  
1179  
1180 VILLEGAS Can you refer to the CAD call that I provided you in this report, and can you read  
1181 aloud the remarks on the call and tell me how the call was cleared?  
1182  
1183 RODDY Is it at the end, or where's it at?

1184  
1185 VILLEGAS There's also -  
1186  
1187 RODDY It says, "See remarks, check okay." Oh, "Subject does not meet 51 criteria.  
1188 Subject refused medical." I don't know if that's the end or if there's something  
1189 else somewhere else.  
1190  
1191 VILLEGAS Does it say on there how the call was cleared? I think you said it earlier. It said,  
1192 "Cleared okay. See remarks."  
1193  
1194 RODDY Yeah. It says, "See remarks, check okay. Cleared by" — this looks different  
1195 from on the screen.  
1196  
1197 VILLEGAS Okay.  
1198  
1199 RODDY So, that's why I'm...  
1200  
1201 VILLEGAS No problem.  
1202  
1203 RODDY Did I find it? Did I say the...?  
1204  
1205 VILLEGAS Yeah. I mean, is that the appropriate way that this call should have been cleared  
1206 this evening?  
1207  
1208 RODDY Well, not the cocaine, no.  
1209  
1210 VILLEGAS Okay. Tell me what -  
1211  
1212 RODDY He basically cleared it from the mental check.  
1213  
1214 VILLEGAS Okay. Tell me the appropriate way that this call should have been cleared and  
1215 what should have happened.  
1216  
1217 RODDY With an I-report with destruction of — booked for destruction.  
1218  
1219 VILLEGAS Okay. So, basically, evidence booking and an I-report explaining the details of  
1220 the case?  
1221  
1222 RODDY Correct.  
1223  
1224 VILLEGAS Okay. Did you neglect to collect evidence, which is cocaine, and appropriately  
1225 book it as evidence?  
1226  
1227 RODDY Yes.

1228  
1229 VILLEGAS Did you neglect to thoroughly investigate the crime of possession of cocaine?  
1230  
1231 RODDY As in the collecting, booking, and report? Yes.  
1232  
1233 VILLEGAS And by letting [REDACTED] destroy evidence, did you fail to do your job that night?  
1234  
1235 RODDY Yes.  
1236  
1237 VILLEGAS Do you feel that you made a bad choice this evening in guiding [REDACTED] to destroy  
1238 the cocaine?  
1239  
1240 RODDY Yes.  
1241  
1242 VILLEGAS Did you neglect to write a thorough and accurate report regarding the  
1243 circumstances of this case?  
1244  
1245 RODDY Yes.  
1246  
1247 VILLEGAS And do you feel that you have an obligation to provide guidance to the younger  
1248 officers in the department?  
1249  
1250 RODDY Yes.  
1251  
1252 VILLEGAS And do you feel that you provided Ofc. Pretorius with good guidance this  
1253 evening?  
1254  
1255 RODDY I failed that night.  
1256  
1257 VILLEGAS Okay. If you had a chance to go back and do this call all over again, what would  
1258 you change?  
1259  
1260 RODDY Well, a lot. At minimum, book it for destruction with a report. I mean — and  
1261 then up to the citation.  
1262  
1263 VILLEGAS Okay. I'm going to have you go through some general orders. Okay? Can you  
1264 turn to general order 210.04, General and Professional Conduct, and read aloud  
1265 the highlighted sections?  
1266  
1267 RODDY "It shall be the policy of the Sacramento Police Department to ensure exemplary  
1268 conduct of Department employees, both on and off duty, and in keeping with the  
1269 standards of the City Charter, Civil Service Rules and Regulations, and  
1270 established labor agreements. Professional Conduct: Employees on or off duty  
1271 shall be governed by ordinary and reasonable rules of good conduct and

1272 behavior;" — excuse me — "not commit any act, whether negligent, intentional,  
1273 criminal, or otherwise, that could bring discredit upon the Department or the City;  
1274 abide by all laws to include, but not limited to the Penal Code, the Health and  
1275 Safety Code, and the Welfare and Institutions Code. In addition, employees shall  
1276 ensure that their personal vehicles are compliant with the California Vehicle  
1277 Code. Employees shall: (a) Serve the public by direction, counsel, and example  
1278 that does not interfere with the discharge of their police responsibilities. They  
1279 shall respect and protect the rights of individuals and perform their services with  
1280 honesty and integrity. (d) Properly perform assigned police responsibilities  
1281 during a scheduled shift. Note: Improper performance or failure to perform  
1282 assigned police responsibilities during a scheduled shift shall be regarded as  
1283 neglect or dereliction of duty and cause for disciplinary action."  
1284  
1285 VILLEGAS Thank you. Do you believe that by telling a subject to destroy evidence, that this  
1286 could bring discredit or embarrassment upon the department?  
1287  
1288 RODDY Yes.  
1289  
1290 VILLEGAS And do you feel that you obeyed or violated this general order?  
1291  
1292 RODDY I violated it.  
1293  
1294 VILLEGAS Can you please turn to General Order 527.05, Preliminary Investigations, and  
1295 read aloud the highlighted sections.  
1296  
1297 RODDY "That officers assigned to the Office of Operations continue preliminary  
1298 investigations to the point where delay in the investigation would not materially  
1299 jeopardize the investigation. Officers shall conduct a thorough investigation to  
1300 include establishing the violation of law; thorough identification and interview of  
1301 all victims, witnesses, and responsible parties; collection and preservation of any  
1302 evidence; taking appropriate enforcement action. A report shall be accurate and  
1303 completed during the work shift, submitted for a supervisory review and  
1304 approval. Where a report is associated with an arrest, it shall be submitted to a  
1305 supervisor before going home."  
1306  
1307 VILLEGAS Thank you. By failing to conduct a thorough investigation, collecting and  
1308 preserving evidence, and completing a report, do you feel that you obeyed or  
1309 violated this general order?  
1310  
1311 RODDY Violated.  
1312  
1313 VILLEGAS Thank you. Please turn to General Order 340.01, Report Quality Control, and  
1314 read aloud the highlighted sections.  
1315

1316 RODDY "It shall be the policy of the Sacramento Police Department that police reports  
1317 meet the highest professional standards and reflect as thorough an investigation  
1318 as circumstances allow. Officers: Employees assigned reporting responsibilities  
1319 shall: (1) Conduct a thorough investigation into all incidents or events and  
1320 determine whether a report is necessary. (2) Prepare a complete and accurate  
1321 police report detailing the facts of their investigation. (3) Ensure the  
1322 thoroughness of the investigation and the accuracy of the police report."  
1323

1324 VILLEGAS Thank you. By failing to conduct a thorough investigation into this event and  
1325 complete an accurate report detailing the facts of the investigation, do you feel  
1326 that you obeyed or violated this general order?  
1327

1328 RODDY Violated.  
1329

1330 VILLEGAS The last general order is 525.01, Evidence and Property. Can you read aloud the  
1331 highlighted section?  
1332

1333 RODDY "It shall be the policy of the Sacramento Police Department to ensure  
1334 evidence/property is properly secured and stored and readily retrieved, and that  
1335 changes in possession are documented to maintain the integrity required for  
1336 successful prosecution or proper disposition. Collecting and Handling  
1337 Evidence/Property: All seized evidence, contraband, and property of value  
1338 coming into possession of an employee shall be safeguarded and retained for  
1339 processing. Property collected for booking shall be booked no later than the end  
1340 of the work shift during which it is acquired. Booking evidence or property  
1341 requires a report in the Versadex Records Management System. Reports shall be  
1342 written to document where evidence was located, who picked up the evidence, to  
1343 whom it was given, why it was given to someone else, and any other pertinent  
1344 information."  
1345

1346 VILLEGAS Thank you. By not — actually, go ahead and continue on the next page. I  
1347 apologize.  
1348

1349 RODDY "Booking Procedure: All property shall be entered into Versadex by the booking  
1350 employee."  
1351

1352 VILLEGAS Thank you. By not properly securing and maintaining the integrity of the cocaine  
1353 that was in the house that evening, do you feel that you obeyed or violated this  
1354 general order?  
1355

1356 RODDY Violated.  
1357

1358 VILLEGAS [REDACTED], do you have anything?  
1359

1360 [REDACTED] I do not.  
1361  
1362 VILLEGAS Scott, do you have anything?  
1363  
1364 THORNE No, thank you.  
1365  
1366 VILLEGAS Okay.  
1367  
1368 [REDACTED] All right. Is there anything else relating to this matter which we have not covered  
1369 that needs to be added, clarified, or changed? If so, I am ordering you to provide  
1370 that information now.  
1371  
1372 RODDY Not that I can recall.  
1373  
1374 [REDACTED] After you leave this interview, should you remember anything that is different  
1375 from or in addition to the information that you've given today, I am ordering you  
1376 to contact Sgt. Villegas immediately. I am also ordering you not to discuss this  
1377 matter with any other department employee. Do you understand these orders?  
1378  
1379 RODDY Yes.  
1380  
1381 [REDACTED] The time is 2300 hours on the dot. End of the interview.  
1382  
1383 **End of Recording**  
1384  
1385 The transcript has been reviewed with the audio recording submitted and it is an accurate transcription.  
1386 Signed Ray Villegas  
1387 Sgt. Ray Villegas

PHONE INTERVIEW WITH [REDACTED]

VILLEGAS=Sgt Ray Villegas

1  
2  
3  
4  
5  
6 VILLEGAS The date is July 27, 2021. The time is 1723 hours. I'm going to call [REDACTED]  
7 [REDACTED] at [REDACTED].  
8  
9 [REDACTED] [phone ringing] Hello?  
10  
11 VILLEGAS Hi, [REDACTED]. This is Sgt. Villegas. How are you?  
12  
13 [REDACTED] Hey. I'm doing all right.  
14  
15 VILLEGAS Yeah? You said you were out of town, huh?  
16  
17 [REDACTED] Yeah.  
18  
19 VILLEGAS Good. Well, I hope you're doing well. And I just wanted to let you know that,  
20 again, this is about — I'm staying away from the other case, and I'm just going to  
21 talk -  
22  
23 [REDACTED] Right.  
24  
25 VILLEGAS I'm just going to talk to you about the evening that the officers came out to the  
26 house. Okay?  
27  
28 [REDACTED] Okay.  
29  
30 VILLEGAS Because while I was reviewing some body-worn camera, I found some issues,  
31 and I just wanted to talk to you about those issues. Okay?  
32  
33 [REDACTED] Okay. I'm not in trouble, am I?  
34  
35 VILLEGAS No. This has nothing to do with you. It just has to do with -  
36  
37 [REDACTED] Okay, good.  
38  
39 VILLEGAS It just has to do with the officers that responded.  
40  
41 [REDACTED] Okay.  
42  
43 VILLEGAS Okay. So, did the officers come to your house on December 6, 2020?  
44



45 [REDACTED] Yes.  
46  
47 VILLEGAS And do you remember about what time they came out there?  
48  
49 [REDACTED] I, honestly, have no idea. Maybe around midnight-ish. I honestly don't  
50 remember.  
51  
52 VILLEGAS No problem. What was your address, again, that they came to?  
53  
54 [REDACTED] [REDACTED] 61st Street.  
55  
56 VILLEGAS Okay. And do you know how many officers came out to your house?  
57  
58 [REDACTED] I believe it was two.  
59  
60 VILLEGAS And do you recall their names, by chance?  
61  
62 [REDACTED] Not a clue.  
63  
64 VILLEGAS And do you recall what they came out to your house for? What were they  
65 responding to?  
66  
67 [REDACTED] They were responding to a welfare check call that a friend of mine had called in  
68 because — do I need to say why?  
69  
70 VILLEGAS If you can just give me an idea of why they came out to your house, it would be  
71 great.  
72  
73 [REDACTED] Okay. Because I was drinking and had taken some pills, so she was concerned.  
74  
75 VILLEGAS Okay. And while the officers were at your house, did they come inside?  
76  
77 [REDACTED] Yes.  
78  
79 VILLEGAS Had you ever met these officers prior to this day?  
80  
81 [REDACTED] No.  
82  
83 VILLEGAS Can you tell me if the officers did an evaluation for a 5150 just to make sure that  
84 you were suitable to be in your house by yourself?  
85  
86 [REDACTED] Yes.  
87  
88 VILLEGAS And did the fire department come out and evaluate you as well?

89 [REDACTED]  
90 [REDACTED] Yes.  
91 [REDACTED]  
92 VILLEGAS And did you tell the officers that you took some medication and drugs?  
93 [REDACTED]  
94 [REDACTED] Yes.  
95 [REDACTED]  
96 VILLEGAS Okay. And did you tell the officers that there was cocaine in your house?  
97 [REDACTED]  
98 [REDACTED] Yes.  
99 [REDACTED]  
100 VILLEGAS And where was that cocaine in your house?  
101 [REDACTED]  
102 [REDACTED] It was in the kitchen.  
103 [REDACTED]  
104 VILLEGAS Okay. And do you recall, was the cocaine on a — where was it in the kitchen?  
105 Was it on a plate, or was it on the counter? Do you recall?  
106 [REDACTED]  
107 [REDACTED] I think it was on a plate on the counter.  
108 [REDACTED]  
109 VILLEGAS Was there anything else on that plate with the cocaine, by chance?  
110 [REDACTED]  
111 [REDACTED] There may have been a straw.  
112 [REDACTED]  
113 VILLEGAS Okay. How about a credit card or some type of -  
114 [REDACTED]  
115 [REDACTED] Yeah, probably.  
116 [REDACTED]  
117 VILLEGAS Some type of plastic card of some sort?  
118 [REDACTED]  
119 [REDACTED] Yeah, probably.  
120 [REDACTED]  
121 VILLEGAS Okay. And just so you know, I'm only going by what I saw on body-worn camera,  
122 so I'm trying to get your depiction of what I saw. Okay?  
123 [REDACTED]  
124 [REDACTED] Okay.  
125 [REDACTED]  
126 VILLEGAS And did you tell the officers where the cocaine was?  
127 [REDACTED]  
128 [REDACTED] Yes.  
129 [REDACTED]  
130 VILLEGAS And was there -  
131 [REDACTED]  
132 [REDACTED] Because he had — oh.

133  
134 VILLEGAS Go ahead.  
135  
136 [REDACTED] Yeah. He had asked if he could look around, and that's when I told him that there  
137 was cocaine in the kitchen.  
138  
139 VILLEGAS Okay. And was there an additional amount inside of a baggy in the kitchen as  
140 well?  
141  
142 [REDACTED] Yes.  
143  
144 VILLEGAS Okay. And did the officers actually finally locate that cocaine in your house?  
145  
146 [REDACTED] Yes.  
147  
148 VILLEGAS And they located it in the kitchen. Correct?  
149  
150 [REDACTED] Yes.  
151  
152 VILLEGAS At some point before the officers left, did they have a discussion with you about  
153 what to do with the cocaine?  
154  
155 [REDACTED] Yeah.  
156  
157 VILLEGAS And what -  
158  
159 [REDACTED] He — oh, go ahead.  
160  
161 VILLEGAS Can you explain that discussion to me?  
162  
163 [REDACTED] Yeah. I was concerned that there was going to be a report and it would be in a  
164 report, and he said that I could flush it. And I asked what would happen if I didn't  
165 flush it, and he said there would be some citation and I would have to explain it  
166 to the judge. So, I decided to flush it.  
167  
168 VILLEGAS Okay. Did you feel that if you didn't flush it, you were going to be either cited or  
169 arrested?  
170  
171 [REDACTED] Yes.  
172  
173 VILLEGAS And what exactly did he instruct you to do with it?  
174  
175 [REDACTED] He instructed me to flush it in the toilet.  
176

177 VILLEGAS And do you recall which officer instructed you to do this?  
178  
179 [REDACTED] He was shorter than the other one.  
180  
181 VILLEGAS Okay.  
182  
183 [REDACTED] He was the one that was doing most of the talking.  
184  
185 VILLEGAS Okay. The other officer — there was a shorter one? Was the shorter one younger  
186 or older than the taller one? Do you recall?  
187  
188 [REDACTED] I honestly don't recall.  
189  
190 VILLEGAS Okay.  
191  
192 [REDACTED] I think maybe they were close in age, but I really don't remember.  
193  
194 VILLEGAS Okay. We'll stay with the shorter and taller one. So, the shorter one was -  
195  
196 [REDACTED] Okay.  
197  
198 VILLEGAS Yeah. The shorter one was doing most of the talking, and he's the one that  
199 instructed you to flush the cocaine?  
200  
201 [REDACTED] Yes.  
202  
203 VILLEGAS The taller one, did he make any reference to this as well?  
204  
205 [REDACTED] I don't really remember him saying anything about it. Like I said, the shorter  
206 officer was the one who was doing most of the talking. I don't recall anything of  
207 significance that the other one said.  
208  
209 VILLEGAS Okay. Do you recall the taller one saying something to the effect of "You'll be  
210 given a citation unless you flush it"?  
211  
212 [REDACTED] I thought it was the shorter one that said that.  
213  
214 VILLEGAS Okay.  
215  
216 [REDACTED] But I could be wrong. Like I said, I was under the influence.  
217  
218 VILLEGAS Yeah, I get it.  
219  
220 [REDACTED] And it's been, what, six or seven months ago now?

221  
222 VILLEGAS Yeah. It's definitely been some time, and I appreciate you being able to look back  
223 and give me the information I need. Do you feel that the officers were on the  
224 same page about you getting rid of the dope, the cocaine?  
225  
226 [REDACTED] I didn't get the sense that that was anything other than just ordinary. So, I didn't  
227 notice the other officer object or say "That's not right" or anything like that. So,  
228 it seemed like they were, but, like I said, there was the one main officer that was  
229 kind of the one that seemed to be more involved with the questioning and stuff.  
230  
231 VILLEGAS Sure. Did either officer appear to be more veteran than the other officer, like  
232 more experienced?  
233  
234 [REDACTED] I think the other one.  
235  
236 VILLEGAS Okay.  
237  
238 [REDACTED] But I'm not sure. I don't know. The one — I just really remember the short one  
239 -  
240  
241 VILLEGAS Okay.  
242  
243 [REDACTED] - because he was the one who was — and I remember he had dark brown hair. I  
244 don't really remember the other one doing much of anything.  
245  
246 VILLEGAS Okay. No problem. And so, what, eventually, did you end up doing with the  
247 cocaine?  
248  
249 [REDACTED] I ended up flushing it.  
250  
251 VILLEGAS And did either officer try to stop you from flushing it down the toilet?  
252  
253 [REDACTED] No. They walked — he walked in with me to the bathroom to make sure that I  
254 did flush it.  
255  
256 VILLEGAS And that substance that you were calling cocaine was, in fact, cocaine that you  
257 flushed down the toilet? Is that correct?  
258  
259 [REDACTED] That is correct.  
260  
261 VILLEGAS I think I might have asked this already, but did you feel that if you didn't dispose  
262 of the cocaine, that you would receive a citation for possession of cocaine?  
263

264 [REDACTED] Yeah, because that's what they — yeah, because that's what they told me would  
265 happen.  
266  
267 VILLEGAS And you also alluded to that this was — you felt that this might be kind of normal  
268 practice?  
269  
270 [REDACTED] No.  
271  
272 VILLEGAS No?  
273  
274 [REDACTED] I mean, I really don't know what normal practice is for that, but, I mean, it seemed  
275 like it was very generous of them to allow me to get rid of it rather than getting  
276 in trouble.  
277  
278 VILLEGAS Right. Did either one of them make mention to just being able to take it with  
279 them and not charging you with anything? Do you recall that?  
280  
281 [REDACTED] I do not recall that.  
282  
283 VILLEGAS Okay. Did you feel that they were, that evening, doing the right thing by letting  
284 you flush it down the toilet?  
285  
286 [REDACTED] I was appreciative that I was not going to get in trouble.  
287  
288 VILLEGAS Got it. Okay. Is there anything else you can tell me about your interaction with  
289 those officers that evening before we conclude this?  
290  
291 [REDACTED] No, no. There's not much more that I remember, other than me mentioning my  
292 ex-girlfriend and them trying to get her name. But other than that, I don't really  
293 remember much, just them questioning me to make sure that I was okay to stay  
294 in my home and not go to the hospital.  
295  
296 VILLEGAS Okay. And you brought up they asked the question of who your ex-girlfriend  
297 was, but did you ever give them that answer?  
298  
299 [REDACTED] No. I refused to give her name.  
300  
301 VILLEGAS Okay. Can you tell me how much cocaine there was? I know you said you —  
302 on the video, you said that you paid \$125 for it. How much was there in there?  
303  
304 [REDACTED] It was just a standard gram, I think.  
305  
306 VILLEGAS You think it was a standard gram?  
307

308 [REDACTED] Yeah.  
309  
310 VILLEGAS Okay. [REDACTED], I think that's all I have. I really appreciate you answering my  
311 questions. This will have nothing to do with you on your end, and I'm just going  
312 to write it up, and it's only for an internal investigation that we're having regarding  
313 the other officers. Okay?  
314  
315 [REDACTED] Okay.  
316  
317 VILLEGAS All right. Thank you, for now, and I'm sure I'll be speaking with you in the future.  
318  
319 [REDACTED] Great [laughs].  
320  
321 VILLEGAS [laughs] I know. Thanks, [REDACTED].  
322  
323 [REDACTED] Thanks. Bye.  
324  
325 VILLEGAS All right. Bye-bye.  
326  
327 End of Recording  
328  
329 The transcript has been reviewed with the audio recording submitted and it is an accurate transcription.  
330 Signed Ray Villegas  
331 Sgt. Ray Villegas

**Report Number: IAD2021-026**

Please note that the records provided in this release do not include records or portions of records that are exempt from disclosure pursuant to applicable law. Without limiting other arguments against disclosure that may exist, the following records or portions of records are specifically prohibited or exempted from disclosure:

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Records or information, the disclosure of which would constitute an unwarranted invasion of personal privacy (Cal. Gov. Code § 7927.700; see also *City of San Jose v. Superior Court* (1999) 74 Cal.App.4<sup>th</sup> 1008);

Records or information, the disclosure of which is exempted or prohibited pursuant to federal or state law (Cal. Gov. Code § 7927.705; see also Cal. Const. art. 1 § 1; Cal. Pen. Code § 832.7(a); Cal. Evid. Code § 1040);

Records or information, the disclosure of which would reveal personal identifying information, where, on the facts of the particular case, the public interest served by not disclosing the information clearly outweighs the public interest served by disclosure of the information (Cal. Pen. Code § 832.7(b)(7));

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