



**ADMINISTRATIVE INVESTIGATION  
RGC20-27**

**ADMINISTRATIVE INVESTIGATION**

INCIDENT TYPE: BADGE BENDING ALLEGATION	DATE REPORTED: July 28, 2020	DATE OF INCIDENT: 2003-2019	AGENCY CASE#: IA2020-13
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EMPLOYEE: Several See Report
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COMPLAINANT: CITY AND POLICE DEPT. OF VALLEJO	ADDRESS:	
CITY:	STATE:	ZIP CODE:
CONTACT TELEPHONE:	OTHER TELEPHONE:	

SUMMARY OF COMPLAINT: It is alleged that a group of Vallejo PD officers bent tips on badges to mark fatal shootings in the line of duty, referred to as a "Badge of Honor," and gathered to commemorate or celebrate such fatal shootings.
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INVESTIGATING AGENCY: R. Giordano Consulting and Investigations, LLC	DATE ASSIGNED: August 14, 2020	DATE COMPLETED: September 8, 2021
INVESTIGATOR: R. Giordano	SIGNATURE: <i>R. Giordano</i>	



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## ADMINISTRATIVE INVESTIGATION RGC20-27

### INTRODUCTION

On August 4, 2020, I had a Zoom meeting with Chief Shawny Williams, Deputy Chief Joe Allio, Assistant City Manager Anne Cardwell, and attorney/investigator Christine Maloney regarding this investigation. We agreed that I would serve as the primary investigator and co-investigator Christine Maloney would be available to assist me as I deemed appropriate.

During this meeting we discussed an article published on the website of [www.openvallejo.org](http://www.openvallejo.org) on July 28, 2020. This article alleged the existence of a “secretive clique” of Vallejo Police Department officers who have a “custom” or “tradition” of bending badge tips each time they kill someone in the line of duty, referred to as a “Badge of Honor,” and they “commemorate” these fatal shootings at get-togethers for barbeque or beers. The article alleged that at least 14 officers had bent badges to mark fatal shootings, seven (7) of whom had multiple badge bends to mark multiple fatal shootings.<sup>1</sup>

I was asked to investigate the foregoing allegations and determine whether they were supported by a preponderance of evidence and whether any member of the department engaged in misconduct under department policy as it related to “badge bending.”<sup>2</sup>

We discussed the fact that several potential witnesses were former employees and beyond the City’s ability to compel them to interviews and that some employee-witnesses were otherwise unavailable to be interviewed due to medical issues. This investigation proceeded with these anticipated limitations.

### SUMMARY OF FINDINGS

The investigation revealed occurrences of “badge bending” over a several year period. A preponderance of the evidence reflects that Kent Tribble (ret.) bent the badge tips of Matt Komoda and David McLaughlin in 2016 and his own in 2003. A preponderance of the evidence reflects that Terry Poyser (ret.) bent the badge tips of Jason Bahou in 2015 and Zach Jacobsen in 2017. A preponderance of the evidence also reflects that Zach Jacobsen bent the badge tip of

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<sup>1</sup> In the days and weeks that followed the Open Vallejo article, other media outlets published articles with the same or similar allegations. Witnesses interviewed in the course of this investigation were not always clear which “badge bending” article(s) they read. Therefore, in various portions of this report the “article” is referred to generically.

<sup>2</sup> News articles are not necessarily accurate. They are also written in a way that makes it difficult to determine who said what and the context of statements in this Open Vallejo article were confusing. All of the information in the article was considered for the investigation. However, it was not used to identify subjects of the investigation.



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Ryan McMahon in 2018. In addition, Kyle Wylie admitted that his badge tips were bent twice in 2009, but there was insufficient evidence to determine who bent his badge on these occasions.

The evidence reflects that “badge bending” was a manner of recognizing an officer involved in a shooting who did their job in a stressful situation, did not “run from the fight,” and survived. It was an act that Kent Tribble initiated on an individual basis after he joined Vallejo PD in 2003, and it was something that he experienced at his prior employer, Concord PD. There is no evidence that “badge bending” was a recognition of killing someone in the line of duty. Occurrences of badge bending related to the officer’s action of firing a weapon in a critical incident regardless of whether a suspect was hit, injured or killed.

There is insufficient evidence that badge bending was a “custom” or “tradition” of the department, or that bent badges were known as a “Badge of Honor,” or that officers who had their badges bent were part of an assembled, secretive group.

With regard to the allegation that fatal shootings were commemorated or celebrated at social gatherings of officers, there is insufficient evidence to support this. The evidence reflects that officers may gather after a critical incident or shooting as a means of supporting the officer(s) involved, and the gatherings may include coming together for a barbeque, pizza or beer. There is no evidence that these gatherings are formed to celebrate the killing of a human being as opposed to peer support following a critical incident.

Although the scandalous story portrayed in the Open Vallejo article was not substantiated by the evidence, the evidence nonetheless supports findings of misconduct. The badge is a symbol of public trust and the authority vested in law enforcement officers. It is to be used only for official purposes. Modifying the badge to mark an officer’s engagement and survival in a critical shooting incident is not an authorized use of the badge. Such an act can be misinterpreted or send the wrong message about Vallejo PD officers’ approach to use of force and the sanctity of human life, as it has here. The City and its police department have suffered a media firestorm and damage to their collective reputation as a result of these instances of badge misuse and how they have been interpreted. The persons who intentionally bent badge tips, their own or others’, have engaged in unauthorized use of the badge and conduct unbecoming a law enforcement officer.

In addition, it appears that one member of the command staff, Capt. Lee Horton, knew that one or more officers had a bent badge tip in the past (prior to 2019) and acted to stop the behavior. However, there is evidence that Capt. Horton failed to timely inform other members of the command staff, including the Chief, about these events so that decisions on investigations and potential discipline could be made. I was unable to interview Capt. Horton about these events because he is [REDACTED] and unavailable.



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The following chart summarizes policy violation final findings as they relate to individual subjects.

<b>Subject</b>	<b>Policy Violation</b>	<b>Finding</b>
Zach Jacobsen	Law Enforcement Code of Ethics, 1027.2 Policy -The uniform badge, 320 Standards of Conduct, 321.5.7 Conduct, (i) unauthorized damage to department property.	Sustained
	320 Standards of Conduct, 321.5.7 Conduct, (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.	Sustained
Kyle Wylie	Law Enforcement Code of Ethics, 1027.2 Policy -The uniform badge, 320 Standards of Conduct, 321.5.7 Conduct, (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.	Sustained
	320 Standards of Conduct, 321.5.7 Conduct, (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.	Sustained
	1011 Personnel Complaints, 1011.6.2 Administrative Investigation Procedures, (j) All members shall provide complete and truthful responses to questions posed during interviews.	Sustained
David McLaughlin	Law Enforcement Code of Ethics, 1027.2 Policy -The uniform badge, 320 Standards of Conduct, 321.5.7 Conduct, (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.	Exonerated
Matt Komoda	Law Enforcement Code of Ethics, 1027.2 Policy -The uniform badge, 320 Standards of Conduct, 321.5.7 Conduct, (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.	Exonerated



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<b>Subject</b>	<b>Policy Violation</b>	<b>Finding</b>
Jason Bahou	Law Enforcement Code of Ethics, 1027.2 Policy -The uniform badge, 320 Standards of Conduct, 321.5.7 Conduct, (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.	Exonerated
Jeremy Huff	1011 Personnel Complaints, 1011.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES Whether conducted by a supervisor or a member of the Internal Affairs Unit, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights Act (POBR) (Government Code § 3303): (j) All members shall provide complete and truthful responses to questions posed during interviews.	Exonerated
Mark Galios	Law Enforcement Code of Ethics, 1027.2 Policy -The uniform badge, 320 Standards of Conduct, 321.5.7 Conduct, (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.	Exonerated
Jason Scott	Law Enforcement Code of Ethics, 1027.2 Policy -The uniform badge, 320 Standards of Conduct, 321.5.7 Conduct, (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.	Exonerated
Jarrett Tonn	Law Enforcement Code of Ethics, 1027.2 Policy -The uniform badge, 320 Standards of Conduct, 321.5.7 Conduct, (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.	Exonerated
Lee Horton	320 Standards of Conduct, 321.5.7 Conduct, (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.	Sustained
Todd Tribble	320 Standards of Conduct, 321.5.7 Conduct, (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.	Exonerated



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<b>Subject</b>	<b>Policy Violation</b>	<b>Finding</b>
Terry Poyser	Law Enforcement Code of Ethics, 1027.2 Policy -The uniform badge, 320 Standards of Conduct, 321.5.7 Conduct, (i) unauthorized damage to department property.	Sustained
	320 Standards of Conduct, 321.5.7 Conduct, (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.	Sustained
Ryan McMahan	Law Enforcement Code of Ethics, 1027.2 Policy -The uniform badge, 320 Standards of Conduct, 321.5.7 Conduct, (i) unauthorized possession of or damage to department property.	Sustained
	320 Standards of Conduct, 321.5.7 Conduct, (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.	Sustained
Kent Tribble	Law Enforcement Code of Ethics, 1027.2 Policy -The uniform badge, 320 Standards of Conduct, 321.5.7 Conduct, (i) unauthorized damage to department property.	Sustained
	320 Standards of Conduct, 321.5.7 Conduct, (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.	Sustained
	320 Standards of Conduct, 321.3.2 Supervisor Responsibilities, (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.	Sustained



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**INVESTIGATIVE METHODOLOGY**

Best practices in investigative steps are to gather information from sources with the least amount of information working towards the sources with the most information. I approached this case with that philosophy but there were many exceptions due to unique circumstances in this investigation. Several witnesses were out on injury, some witnesses were pending retirement, some were approaching termination. Because of these and other exceptions some interviews were done out of logical order.

Notwithstanding the exceptions discussed above, the first interviewees were specific people with direct knowledge, who did not appear to be involved, who could help better define the next steps. Next were supervisors who may have been at the February 2019 staff meeting where badge bending was allegedly discussed. I have referred to this staff meeting throughout this investigation as the February 2019 staff meeting. Through the investigation I learned that it most likely occurred in March or April of 2019.

Next were officers currently working at the Vallejo Police Department who had been involved in shootings in the last ten years. During the investigation I learned that the first badge bending incident in Vallejo may have occurred in 2003 and this changed that timeline and opened up officers involved in shootings back to 2003. Almost every officer still employed by Vallejo PD who had been in a shooting between 2003 and 2020 was interviewed. There were two officers, currently employed, who were out [REDACTED] that I was not given permission to interview (Capt. Horton and [REDACTED]).

Next were officers who no longer worked at Vallejo PD who had specific knowledge or were involved in badge bending. There were approximately 10 identified, only two participated in interviews ([REDACTED] and Chief Bidou).

Another factor that weighed heavily on the scope of this investigation was financial responsibility. Thoroughness in this case was imperative but that had to be balanced against the cost to the taxpayers of Vallejo. As the investigation progressed there were areas that I may have initially examined but never followed up on as they were no longer relevant enough when considered against this balance.

During the course of the investigation, I interviewed 43 persons identified in the following table:

Name	Title	Category	Date of Interview
Greg Nyhoff	City Manager	Witness	10/2/2020
Bob Sampayan	Mayor	Witness	10/5/2020



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[REDACTED]	[REDACTED]	Witness	10/12/2020
Drew Ramsay	Lieutenant	Witness	10/29/2020
Bobby Knight	Lieutenant	Witness	11/17/2020
Ted Postolaki	Sergeant	Witness	11/24/2020
Shane Bower	Sergeant	Witness	11/24/2020
Jerome Bautista	Sergeant	Witness	12/3/2020
Sanjay Ramrakha	Sergeant	Witness	12/3/2020
[REDACTED]	[REDACTED]	Witness	12/11/2020
Jeremy Huff	Sergeant	Witness/Subject	12/17/2020, 6/24/2021
Kyle Wylie	Sergeant	Subject	12/17/2020
Jeff Tai	Sergeant	Witness	12/17/2020
Fabio Rodriguez	Lieutenant	Witness	12/17/2020
Richard Wanzie	Sergeant	Witness	12/21/2020
Herman Robinson	Lieutenant	Witness	1/8/2021
George Simpson	Sergeant	Witness	1/14/2021
Steve Darden	Lieutenant	Witness	2/15/2021
Stephanie McDonough	Officer	Witness	2/15/2021
Ritzie Tolentino	Corporal	Witness	2/15/2021
Mark Galios	Officer	Witness/Subject	2/16/2021, 6/24/2021
Jason Bauer	Sergeant	Witness	2/16/2021
Jason Potts	Captain	Witness	2/16/2021
Jarrett Tonn	Detective	Witness/Subject	2/16/2021, 6/24/21
Colin Eaton	Officer	Witness	2/16/2021
Christopher Hendrix	Officer	Witness	2/17/2021
Kent Tribble	Lieutenant	Subject	2/25/2021
Jared Jaksch	Sergeant	Witness	3/9/2021
Terry Schillinger	Detective	Witness	3/10/2021
Bryan Glick	Officer	Witness	3/12/2021
Waylon Boyce	Sergeant	Witness	3/10/2021
David McLaughlin	Officer	Subject	3/15/2021
Jason Bahou	Officer	Subject	3/15/2021
Matt Kamoda	Corporal	Subject	3/29/2021
Jordan Patzer	Officer	Witness	5/13/2021
Todd Tribble	Captain	Subject	5/13/2021
Mark Thompson	Officer	Witness	5/13/2021
Jason Scott	Detective	Subject	5/13/2021
Anthony Cano	Officer	Witness	5/15/2021
Ryan McLaughlin	Officer	Witness	5/28/2021



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Joseph Iacono	Captain	Witness	6/3/2021
Kevin Barreto	Detective	Witness	6/4/2021
Zach Jacobsen	Corporal	Subject	6/4/2021
Andrew Bidou	Chief (ret.)	Subject	6/10/2021
Brian Murphy	Detective	Witness	6/22/2021
Jodi Brown	Sergeant	Witness	6/24/2021

I attempted to schedule interviews with several former department employees but was unsuccessful in gaining their cooperation: Josh Coleman; [REDACTED]; [REDACTED]; Eric Jensen; [REDACTED]; Dustin Joseph; Joe McCarthy; Ryan McMahon; Jeremy Patzer; Terry Poyser; Brent Pucci; and John Whitney. I also attempted to schedule an interview with Dan Golinveaux from Concord PD but was unsuccessful in gaining his cooperation.

Deputy Chief Joe Allio was my initial departmental contact and, upon his retirement, was replaced by Deputy Chief Michael Kihmm. Most requests sent to them were handled by the Professional Standards Lieutenant Robert “Bobby” Knight.

In the course of the investigation, I reviewed a number of documents. Those upon which I relied are attached as exhibits and reflected in the following table.

Exhibit #	Description
1	Letter from [REDACTED]-case timed out
2	McMahons February 27, 2019, Admin leave notice
3	Dustin Joseph email
4	Audio recordings of all interviews
5	February 1, 2021, witness list of OIS officers
6	February 2019 schedule identifying supervisors
7	Page from McMahons back plate IA identifying the interview date
8	Jason Scott’s badge photos
9	Letters sent out requesting interviews and a response
10	McMahon’s badge photos November 2019
11	Nichua Bechea Email
12	Witness and Subject Notices
13	Open Vallejo Article July 28, 2021
14	Sample badge photos
15	Transcripts of all interviews
16	Vallejo PD Critical Incident Log 2003-2020
17	Email from [REDACTED] Whitney declined interview



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18	Cover email from [REDACTED] that accompanied Whitney's answers to questions
19	Whitney's memorandum response to questions
20	Whitney's Government Claim
21	Whitney's cover email and question list from Giordano
22	Whitney's lawsuit

**INVESTIGATIVE STEPS AND EVIDENCE**

**Briefing by Deputy Chief Joe Allio**

On August 14, 2020, at approximately 10:00 AM, Deputy Chief Joe Allio, Christine Maloney and I had a zoom meeting to discuss the case. Allio gave us background, the majority of which was assembled by him and not based on his personal knowledge.

Allio became the interim Chief of Vallejo on July 1, 2019. During August or September of 2019, Captain Lee Horton told Allio about a badge bending issue.

Horton told Allio that on Feb 27, 2019, Ryan McMahon was put on admin leave after a range master noticed his gun plate had an unauthorized engraving which may have been related to a movie about police vigilantes (Boondock Saints). When McMahon turned his badge in for administrative leave, to Horton, one of the tips of the badge was bent. One year earlier McMahon had shot and killed Ronell Foster. Horton thought there might be a problem with the badge. Horton brought the bent badge to Chief Bidou who, "blows his lid." Bidou says, "this wasn't supposed to be happening." Bidou told Horton he would take care of it. Horton said Bidou had a meeting with command staff where the civilians were taken out and this badge issue was discussed/resolved. Horton was not in the meeting.

Horton told Allio that IA sergeant, now lieutenant, Drew Ramsay, knew about the meeting. Allio asked Ramsay about McMahon's bent badge and he confirmed it happened. As Allio looked into this further to act, he learned Bidou told City Manager Nyhoff of it and that he would handle it. According to Allio, Nyhoff did not remember if it was true or false, but Bidou handled it. Allio later learned that there was no IA, it was never documented and handled administratively.

McMahon was cleared of any wrongdoing in the back plate IA. He told IA that he is very religious and it is a religious symbol on his gun and tattooed on his body. McMahon, through his attorney [REDACTED] also acknowledged his badge tip was bent by Corporal Zach Jacobsen. Chief Bidou had McMahon bend the badge back when it was discovered.



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Allio explained that on or about the day the Open Vallejo article came out, Chief Williams was preparing to comment and asked Allio to see if he could do a quick check to find out if there was any corroboration for badge bending. Allio asked Lt. Todd Tribble if he was aware of a history of badge bending in the department and Todd Tribble confirmed, yes, without elaboration.

Allio said on August 3, 2020, an anonymous email was sent to the mayor about Kent and Todd Tribble. A copy of the email is attached as Exhibit 11.

Allio explained that Captain Lee Horton and Captain John Whitney had a falling out. Horton [REDACTED] Whitney. [REDACTED] Whitney [REDACTED]. They did not get along and could not work together. Thus, a third Captain position was created and filled by Joe Iacono so business could carry on.

### Interview Attempt of Ryan McMahon

In August of 2020, when this investigation began, Ryan McMahon was out on administrative leave pending discipline on an unrelated matter. There was the potential he would be terminated for this unrelated matter. I requested the Vallejo Police Department serve Ryan McMahon with a subject notice of investigation to schedule an interview before this potential termination occurred. Knight served this notice on McMahon on August 26, 2020. On August 30, 2020, I received the following email from McMahon's attorney, [REDACTED].

*Good evening Rob and Christine:*

*I am contacting you on Officer McMahon's behalf to advise you that Officer McMahon has been [REDACTED]. I will be advising the department of such tomorrow. Should Officer McMahon's status change, I will contact your immediately to schedule his interview.*

*Sincerely,*

[REDACTED]

McMahon was terminated for the unrelated case on or about September 30, 2020.

### Interview of City Manager Greg Nyhoff

On October 1, 2020, at approximately 4:00 PM, Maloney and I interviewed City Manager Greg Nyhoff at his office. This interview was audio recorded with his knowledge and later



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transcribed. The recording and transcription accompany this investigation. The following is a summary of the interview relevant to this investigation.

Nyhoff has been the city manager since January of 2018. He first became aware of an issue of badge bending approximately a year and a half ago, shortly before Chief Bidou's retirement. (Bidou retired on July 1, 2019.)

According to Nyhoff, Mayor Bob Sampayan told him that Captain John Whitney informed Sampayan of badge bending activity in the police department. With this information from Sampayan, Nyhoff went to Bidou and asked him about this allegation. Bidou told him that it had occurred in the past and he had dealt with it. Nyhoff said that policy violations happen in police departments and he took Bidou at his word, that it had been handled. Nyhoff did not probe further about what the actual details of the badge bending allegation were or who was involved. At some point after this conversation, he followed up with Sampayan about Bidou's response. It was resolved to both of them at this point. Nyhoff did not recall if he knew what a bent badge signified at this time.

In an attempt to narrow down when Nyhoff talked to Sampayan about the badge bending, Maloney asked him the conversation's relationship to the McCoy shooting and the Foster shooting. Nyhoff believed that the conversation with Sampayan took place after the Foster shooting but before the McCoy shooting. (The Ronell Foster shooting took place on February 13, 2018, and the Willie McCoy shooting took place February 9, 2019.)

Next in the timeline, shortly after Bidou announced his retirement, but before he left, Nyhoff met with Captains Horton and Whitney to see if either was interested in being the interim chief. Whitney expressed interest to him and voiced several concerns about problems in the police department. Nyhoff's best recollection was that Whitney expressed a general lack of internal investigations and Bidou not holding people accountable. Nyhoff did not recall if Whitney brought up badge bending.

After this meeting with Whitney, Nyhoff went back to Bidou and told him of Whitney's concerns and Bidou dismissed it, saying Horton is an "asshole" and Whitney is an "idiot." Nyhoff explained that Bidou, Whitney, and Horton did not get along and the top command level of the department was dysfunctional. Bidou had come to Nyhoff and said he can't trust Horton and Whitney and he needed another captain which Nyhoff gave him, Joseph Iacono. All of these conversations occurred relatively close in time before Bidou's retirement.

The next time Nyhoff heard of badge bending was relatively recently, a couple of months ago, and learned that Ryan McMahan had a bent badge in the not-too-distant past. Nyhoff knew for sure at this point that badge bending allegedly signified being in a shooting or a fatal shooting.



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This was just prior to the inception of this investigation. This led Nyhoff to conclude that badge bending was not in the past, as McMahon was involved in the Foster shooting and the McCoy shooting while Nyhoff was the City Manager. When he learned of McMahon's bent badge, and the fact that a couple officers corroborated the occurrence of badge bending to Deputy Chief Allio, Nyhoff concluded the issue was not in the distant past and that an investigation needed to be done.

Nyhoff did not remember who confirmed for Allio that badge bending occurred but he did recall that Drew Ramsay, and one of the two Tribble's, Kent or Todd (both Tribble brothers' work for the department) were possibly involved.

Nyhoff has had many conversations with Sampayan during his tenure. Sampayan is a former police officer at Vallejo and it was Nyhoff's belief that Sampayan had many contacts within the department, including Whitney. Nyhoff felt, based on his conversations with Sampayan, that Whitney told Sampayan more information than was appropriate for a captain in the police department to share with the mayor, outside of his chain of command.

Nyhoff was adamant that he had no other knowledge about badge bending and in retrospect wished he had asked Bidou more questions about it, but he trusted Bidou.

Nyhoff was the appointing authority for the Chief but is not involved in discipline within the department. He did not review internal investigations and the entire discipline process was handled by the Chief of Police. He received occasional briefings on the more high-profile investigations from the Chief.

At this point in the interview, Nyhoff recalled additional information. At some point, he could not remember when, or who told him, he heard that Whitney allegedly went to Bidou to report the badge bending. They collected the bent badges in a box and Bidou told them to bend the badges back and return them to the officers.

Allegations were made in the Open Vallejo article that Bidou staying on as interim chief was impacted by the badge bending issue. Nyhoff did not recall this being the issue. When asked why he brought Allio on as interim and Bidou left, he said it had more to do with his push to have an outside agency review the department. Nyhoff explained that because of the use of force cases the police department had settled, and the pending allegations of civil rights violations, Nyhoff, and the community were concerned. Nyhoff watched the videos of the some of the recent shootings and was concerned that the incidents were handled appropriately. Nyhoff felt obligated to bring in an outside agency to review the police department's actions. Bidou was adamantly opposed to this and ultimately left and Allio replaced him.



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Nyhoff started asking the City Council for the outside assessment of the PD around March of 2019, it took him a couple of months to get the Council to adopt it, which they did in August of 2019. The OIR Group conducted this outside review and badge bending was not mentioned in it.

End of Nyhoff interview

### **Interview of Mayor Bob Sampayan**

Sampayan was the Mayor of Vallejo and, as discussed above, he reported badge bending activity to Nyhoff. He was a retired sergeant from Vallejo PD and the Open Vallejo article said Sampayan saw bent badges in his time at Vallejo PD.

On October 5, 2020, at approximately 10:30 AM, Maloney and I interviewed Vallejo Mayor Bob Sampayan at his office. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. The following is a summary of the interview relevant to this investigation.

Sampayan worked as a police officer for Vallejo PD from 1985 till 2006. At the time of this interview, he was the Mayor of Vallejo. He first heard about badge bending when Captain John Whitney told him in conversation of officers bending the tips of their badges when they were involved in a shooting. Sampayan said this conversation took place about a month or two before Whitney was terminated. (Whitney was placed on administrative leave on May 28, 2019 and terminated on August 26, 2019). Whitney told him there were officers who had several bent badge tips. Whitney did not come to specifically report this to Sampayan, it came up in conversation as they talked about other things. Whitney was not sure how to handle it and Sampayan told him to inform City Manager Nyhoff.

Sampayan said back when he was a patrol sergeant, many years ago, he estimated it was around 2002, he recalled seeing an officer with a bent badge. He could not recall who the officer was and he asked the officer about it and the officer told him it got bent in a scuffle. Sampayan now wondered if he had seen something else. Sampayan had never seen any other bent badges in his career. (This was the bent badge Sampayan referred to in the Open Vallejo article.)

According to Sampayan, Whitney told Nyhoff of badge bending and Nyhoff called Sampayan to compare notes about what Whitney told them. Nyhoff told Sampayan he was going to “confront” Chief Bidou over the issue. Later, Nyhoff spoke to Bidou and got back to Sampayan with what he learned. Bidou told Nyhoff he was aware of the badge bending issue and had



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taken care of it. This conversation chain, from when Sampayan and Whitney talked to when Nyhoff got back to Sampayan was within a month.

About a month or two after Whitney was fired, Sampayan invited him to come down to his office to talk. Whitney was coming in to talk to Sampayan to get a letter of recommendation. They have known each other for a long time and Sampayan trained Whitney when he was new cop. Sampayan wrote that recommendation letter for Whitney on November 7, 2019.

On this occasion, the meeting to get the reference letter, Whitney told Sampayan how Bidou handled the badge bending issue. Whitney told Sampayan they had done an inspection and collected all the bent badges in a box. Whitney took the badges to Bidou and when he saw the number of them, he was concerned that if they billed the city for them, it would raise suspicions, they would ask why so many bent badges. Whitney told Sampayan all these bent badges were the result of officers being in shootings. Bidou said to give the badges back and have the officers fix them themselves.

Whitney told Sampayan that they re-inspected badges after they were collected and presumably returned and there were no more bent badges. Sampayan believed Whitney handled this at a staff meeting with the other captains. Sampayan was not sure, but thought Whitney may have linked the badge bending to the Taco Bell Shooting during this conversation.

During this conversation, Whitney also told Sampayan that the Tribble brothers (Todd and Kent) brought badge bending to Vallejo from their former agency, Concord PD. Sampayan said Captain Horton and Captain Iacono may have known about this issue and how it was handled. This was his best recollection from this conversation with Whitney. Sampayan added that Horton and Iacono are very close to Bidou and Horton and Iacono despise Whitney.

After this second conversation with Whitney, Sampayan went back to Nyhoff to ask him about the issue again. Nyhoff assured him Bidou had handled it.

Later in this interview with Sampayan, he said that when Whitney first told him about the badge bending (the very first conversation where it came up and Whitney was still working for Vallejo PD), Whitney asked him about a letter of reference because he saw the "writing on the wall," that he was going to get fired. In both meetings with Sampayan, Whitney asked about a letter of recommendation.

Sampayan became concerned about the police department when he started to hear rumors about how certain use-of-force cases were being handled. For example, McMahon was one of the shooters in the Taco Bell shooting of Willie McCoy. Sampayan saw the body cam video of the Taco Bell shooting and observed that McMahon left cover and placed his gun around



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another officer to fire a couple of rounds. Sampayan talked to retirees, and they were all concerned about why officers were so quick to shoot in these current cases.

Sampayan talked about rumors, indicating he had heard other things. I asked him about this and he said everyone was being very tight lipped to protect Chief Bidou. Sampayan said he would not “burn” his source-so he would not identify who was giving him information. I asked Sampayan to tell me where I should look to investigate based on the information he had been given. He would not tell me that either, as it too would compromise his source.

Later in the interview, Sampayan said this source also told him about badge bending. The source told him the Tribble brothers brought it from Concord. Earlier in the interview he told us that the Tribble brothers’ information had come from Whitney.

Sampayan said off duty gatherings among officers occurred when he was a police officer. He understood how they could occur after someone was in a shooting, as in his day, they would gather after an officer got hurt, to support them. Sampayan hoped these events now were not the celebration of shooting someone.

Sampayan had not received any emails about badge bending before the article came out.

The Nichua Bechea email was addressed to Sampayan. He did not recall it so I showed it to him. (Exhibit 3). He did not recall seeing it and did not know who Nichua Bechea was but thought that name might have been a “pen” name used by one of three disgruntled City Manager’s office employees suing the city. Sampayan had no more information and said Nyhoff should be able to add information to this.

End of Sampayan interview.

### **Evidence Collection Activities**

On October 5, 2020, Chief Williams provided answers to some questions through a Human Resource (HR) analyst. According to the HR analyst, former Chief Bidou’s retirement date was July 1, 2019. There were discussions about him possibly coming back on contract, the analyst did not believe that ever occurred due to the issue of needing to be separated for 60 days before coming back, per CALPers policy. The HR analyst provided a start date for Joe Allio as the Interim Chief of July 1, 2019.

██████████ was John Whitney’s attorney in a government claim filed with the city. On October 7, 2020, I called her to arrange an interview with Whitney.



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**Interview Attempt of [REDACTED]**

[REDACTED] was the [REDACTED] to Chief Bidou. The Open Vallejo article alleged [REDACTED]. On October 7, 2020, at 2:30 PM, I had a phone conversation with [REDACTED] to try to arrange an interview. I told her I was interested in what she knew about badge bending and specifically the allegation that [REDACTED] box of bent badges at her desk. She commented that she saw that in the article but did not confirm it was true. She was not sure she wanted to talk to me about this issue and asked if she was compelled to talk or if it was voluntary. [REDACTED] agreed to call me back and schedule an interview. On October 8, 2020, at 9:00 AM, she called me back said she had no knowledge about the subject of this investigation and would not talk to me.

**Interview of [REDACTED]**

[REDACTED] was the [REDACTED] and was currently working for the [REDACTED]

On October 12, 2020, [REDACTED] returned my call and agreed to meet for an interview. At approximately 4:00 PM we met at a coffee shop where I conducted a recorded interview of [REDACTED] with his permission. The following is a summary of the interview relevant to this investigation.

[REDACTED] has been a police officer for 24 years, 22 of those years at Vallejo PD. He retired as a [REDACTED] in August of 2019.

In early 2019, [REDACTED] chain of command included his supervisor, Captain Lee Horton and one of his subordinates was [REDACTED]. In February of 2019 (February 9, 2019) Vallejo PD had an officer involved shooting of Willie McCoy at a Taco Bell. One of the officers involved in this shooting was Ryan McMahon. Ramsay and [REDACTED] came out to investigate the shooting from the [REDACTED] perspective.

During a subsequent equipment inspection, they (he was not sure who) found an Irish Catholic Cross engraving on McMahon's gun. This created some concern as one of their range masters, Kent Tribble, recognized that symbol as being associated with a vigilante justice movie "Boondock Saints." The concern was that McMahon may have the symbol from the movie as a reference to vigilante justice. At or near this same time, Horton noticed McMahon's badge had a bent tip. [REDACTED] never saw McMahon's bent badge. Horton told [REDACTED] that some officers bend a point on an officer's badge if that officer survived a critical incident. McMahon had been involved in a shooting prior to this current one they were investigating. Horton told



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██████████ he was aware of badge bending because it had come up before and he had to deal with it. ██████████, in his 21 plus years at Vallejo (at that time) had never heard of badge bending.

Bidou ordered an Internal Affairs Investigation into the engraving on McMahon's gun and McMahon was put on administrative leave. Ramsay ended up doing this investigation and ██████████ was present for McMahon's IA interview. McMahon said he was very religious and the symbol was a religious symbol to him. It had been on his gun when he first got hired and at that time the range masters had inspected the weapon.

Ramsay told ██████████ that he was instructed to talk to McMahon's attorney during the back plate IA and have a conversation of how McMahon's badge got bent. Ramsay learned that McMahon was at a barbecue, off duty, and another officer, Zach Jacobsen, bent McMahon's badge. Bidou told them to bring McMahon back to work and make sure he removed the emblem from all of his guns.

██████████ was confident in the information he was relaying to me although at times had difficulty remembering specifically who he learned what from).

Bidou ordered the badge bending issue be addressed informally. Bidou was concerned that this badge bending issue could be perceived as officers putting a "notch" on their belt after a shooting. Bidou said, "We're going to kibosh this right now, so you guys are going to go get a hold of all the officers-you're going to inspect all the badges." ██████████ believed he heard this directly from Bidou, but was not sure. ██████████ learned from Horton that Bidou told the captains they were going to fix this. At an upcoming staff meeting the captains were to tell all the sergeants to inspect their subordinates' badges and get them fixed. It was ██████████ understanding that fixing them meant bending them back. ██████████ was not at this staff meeting but he inspected his two subordinates' badges, Ramsay's and the ██████████, which were both fine.

██████████ understanding was that this staff meeting took place, the issue was discussed, and the badges were later inspected and repaired if needed. ██████████ never learned if any more bent badges were found. ██████████ did not hear anything else about badge bending before he retired. His understanding was that the Bidou handled it informally as he described and it was stopped.

The next time ██████████ heard about badge bending was just a few months ago when he read the article. In the article he learned that Whitney said he came back with a box of bent badges after the staff meeting but ██████████ never heard this internally.



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██████████ said his understanding of a bent badge was that it was symbol of having survived a critical incident, not of having killed or shot someone. But when management learned of this, they all understood how it could be perceived as having shot or killed someone and that either way it was inappropriate.

In discussing whether or not ██████████ would have known if an IA was done on this badge bending issue ██████████ explained that there were times Bidou went directly to Ramsay to have issues investigated and told Ramsay that he was only to discuss this with Bidou himself.

██████████ said on occasion Ramsay would do an IA for a different city agency at Bidou's direction. Bidou told ██████████ that there was no reason for ██████████ to be involved in that. There were times ██████████ would be discussing a matter with Ramsay and Ramsay would tell him that he was told by Bidou to only discuss that issue with him. For example, Whitney's IA that resulted in his termination was handled by Ramsay and Ramsay was told to go directly to Bidou with this matter. During the Whitney IA, ██████████ was getting ready to retire and leave Vallejo PD so that could also be why he was kept out of it. With that said, ██████████, did not think there was an IA in this matter as Bidou wanted to handle it informally.

██████████ had conversations with then Lieutenant Joe Iacono, a good friend of ██████████, and the investigations Lieutenant at the time, and also ██████████, the ██████████ at the time of the Taco Bell shooting and discovery of McMahon's bent badge. Neither of them had ever seen badge bending before.

In narrowing down the timeline, ██████████ said that from the time of the shooting and discovery of McMahon's engraving to the discovery of McMahon's bent badge point, through the staff meeting where the sergeants were told to inspect and repair them, it occurred over a matter of days. ██████████ said, "You want to know what the intent of this thing is. Being a manager at the Vallejo Police Department, I'd never heard of it before. It does send the wrong message. You know what I mean?" ██████████ followed this up by saying, "We're protectors of the community, not killers. The Chief wants to get a handle on it right now, and find out what it is. And I think he did. And he handled it informally, to get it fixed."

██████████ said that Bidou put the message out through the captains, that this is not tolerated and that you will be severely disciplined if you do this.

Describing how staff meetings were run, ██████████ said all supervisors and above, including civilians, were at the staff meetings initially. ██████████, ██████████, would run them. Once the general business was handled the civilians would be excused for a law enforcement only portion and then divisions would break out into smaller meetings to discuss their individual meeting issues.

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End of [REDACTED] interview

**Badge Analysis and Inspection**

There were several photos from the Open Vallejo article and several other media sources. Some alleged photos of bent badges, some implied photos of bent badges. I was not able to see the allegedly bent badges in these photos.

As I progressed in the investigation, I obtained a sample badge which I bent, as it had been described to me. It was easy to bend the badge point with my fingers and easy to bend back, leaving no trace of having been bent. It is difficult to show the bend in a photograph; it is slight. Below is a photo of the badge not bent and then a photo of the badge bent for the reader's reference.

Not Bent

(do not give any significance to the scratches and missing paint in this sample)



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This badge has the 4 o'clock point or the point between the "C" and "E" bent.



**Evidence Collection Activities**

On October 15, 2020, Knight sent a critical incident log covering all officer involved shootings for the last 10 years, 2010-2020. I used this document to identify specific shootings related to this case and also to identify witness officers who had been in shootings. (The complete critical incident log is Exhibit 16.)

On or about October 15, 2020, Maloney made the following requests of Vallejo PD:

1. We would like to obtain a list of command staff (corporals and above) who were employed by VPD as of February 29, 2019. We are seeking to ID persons who would have been in the weekly command staff meeting with Captain Whitney where badge-bending was allegedly discussed.
2. We would like to obtain a list of all sworn personnel who left or retired from VPD since January 2015, a one-word description of why they left (resigned, terminated, retired), and their last known contact information
3. We would like to have the following email searches conducted:



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- a. All emails (1) to or from any VPD personnel; (2) containing any of the following search terms (badge, badges, badge of honor, bent, bending, BBQ or barbeque), and (3) from January 1, 2015 – July 30, 2020
- b. All emails (1) to or from Mayor Sampayan or City Manager Nyhoff; (2) containing any of the following search terms (badge, badges, badge of honor, bent, bending, BBQ or barbeque), and (3) from January 1, 2015 – July 30, 2020

On October 20, 2020, I made my first attempt to Interview Lee Horton and Joe Iacono. I was unable to interview them at this time as they were out [REDACTED].

On October 23, 2020, Knight sent me the “2019 Schedule,” in answer to our request for the supervisors who may have been present at the February 2019 staff meeting. I learned that corporals did not attend staff meetings so they were removed from the list. I used the list to identify the supervisors still employed at Vallejo PD as potential witnesses. A copy of the 2019 Schedule is attached as Exhibit 4.

Dustin Joseph was a Vallejo Police Officer who left and went to the Fairfield Police Department. During my initial conversations with Vallejo PD officials, his name came up as possibly having a bent badge. I do not remember who said this and the context of the comment. At my request, on October 9, 2020, Chief Williams sent a letter to Chief Tibbet of Fairfield PD requesting he compel Joseph to participate in an interview for this matter. Tibbet responded that Joseph was out [REDACTED]. On October 26, 2020, Dustin Joseph sent me an email saying that he was out [REDACTED] and would contact me as soon as he returned to work. I had another conversation with Chief Deanna Cantrell when she took over at Fairfield PD and she too could not compel him based on [REDACTED]. As of the writing of this report Joseph has not contacted me.

### Interview of Lieutenant Drew Ramsay

Ramsay was the IA sergeant who conducted McMahon’s back plate IA and spoke to McMahon’s attorney, learning who bent McMahon’s badge.

On October 29, 2020, I interviewed Ramsay at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. The following is a summary of the interview relevant to this investigation.

Ramsay started with Vallejo PD as a reserve officer in 1994. He worked as a reserve officer from 1994 to 1996 and became a full-time officer in 1997. He has 23 years of full-time experience. At the end of 2017 or beginning of 2018, Ramsay went to Internal Affairs as a



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sergeant. He was promoted to lieutenant, while in IA, in August of 2019. He stayed in IA for 2 months as a lieutenant, in [REDACTED] spot right after [REDACTED] left.

Ramsay was assigned to a [REDACTED]. In 2005, he came back to the police department, and became friends with Kent Tribble. Tribble started at Vallejo PD while Ramsay was gone [REDACTED]. One night after work, they were with several officers at a bar called the Relay. He was sitting with Kent when Kent started talking about Ramsay's shooting. Ramsay was involved in a shooting when he was a reserve with Vallejo (1994-1996). He was off duty, in Sacramento, and shot at a car that had just run someone over. Ramsay did not hit the suspect.

Ramsay did not know how Kent learned of his shooting but Ramsay told Kent the story. Kent told Ramsay about badge bending. Kent told Ramsay that to signify that you made it through a critical incident and you weren't afraid to make the right decisions (shoot) one would bend a point on their badge. Kent took Ramsay's badge and wanted to bend it right there but Ramsay stopped him and politely told him, "No."

Ramsay said that the way Kent described this badge bending at the time, it did not sound as bad as it has been portrayed in the media. There was no discussion about it being something for shooting or killing a person and Ramsay noted that in his shooting he did not hit anyone. Kent did not mention if anyone else had a bent badge but talked about it as if others were doing it. Kent never talked about his badge being bent and Ramsay never saw his badge. Ramsay lived with Kent for 6 months during 2005 [REDACTED] but he couldn't remember if this badge bending conversation took place while he lived with Kent or before or after living with him.

When Ramsay was in training at Vallejo PD, a good Field Training Officer (FTO) talked to him about the "Richmond Cowboys" and the "Oakland Riders," and things like getting a tattoo related to your patrol team. He was told by this FTO not to do things like this, just to be himself. Because of that FTO, Ramsay had no interest in having his badge bent.

Kent and Ramsay never discussed this again and Ramsay never heard about badge bending again until 2019.

Ramsay noted that the article showed pictures of officers with their badges implying that the badge was bent in the picture. With his knowledge of what a bent badge looked like, none of the photographs in these articles depicted a bent badge.

In February of 2019, while he was the IA Sergeant, the Willie McCoy shooting at Taco Bell occurred (February 9, 2019). This shooting involved several officers, including Ryan McMahon.



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At that time, to process the weapons used by the officers in the shooting, they would be sent to the crime lab, test fired, pictures taken and the weapons were usually returned to the agency within a week or so. Vallejo PD range masters would inspect the weapon and return it to the officer for service.

Ramsay believed that McMahon worked weekends and the rangemaster was inspecting his gun on a weekend to return it to him when he found an engraving on the back plate of the gun. It was a Celtic cross and a Latin phrase. Although the symbol and phrase had a benign meaning, the concern at the time was that it was also a symbol from a vigilante justice movie called "Boondock Saints."

This was brought to Bidou's attention in a meeting and Bidou ordered McMahon be put on admin leave and an IA done over this back plate. Captain Horton was present when McMahon was put on admin leave, [REDACTED] was not there. Horton noticed McMahon's badge was bent. Horton pointed it out to Ramsay and asked him if he knew what this was and Ramsay said he did, because of his conversation with Kent back in 2005. Ramsay was surprised. He had been in many assignments and has many contacts throughout the agency and had never heard of this after his conversation with Kent. Ramsay had also been in another shooting and it never came up. Horton knew what it was because he told Ramsay he had admonished a group of officers before about doing it.

Ramsay did not believe this was a Vallejo-initiated activity based on his contacts and assumed that it came from Concord as Kent came from Concord. Ramsay noted that after the article about the badge bending came out, a lot of the older guys from VPD were making comments that they never heard of it in their career. Ramsay did not believe it was a Vallejo thing.

Ramsay described McMahon's badge as having the 5 o'clock point, or bottom right point, bent more curved than the curve all the points had; about a ¼ inch more. This bend was obvious because it was in a leather badge holder.

Horton called Bidou and Bidou later called Ramsay. Ramsay told Bidou about his experience with Kent Tribble and badge bending from 2005, Kent was a lieutenant now so there was concern that if a command member is doing this it could be a bigger problem.

They decided that when Ramsay interviewed McMahon for the IA over the engraving on his back plate, he would ask McMahon or his attorney if the badge was intentionally bent, to see if it was some sort of symbol.

After the IA interview, which Ramsay thought was within weeks of discovering the bent badge, (The interview was March 28, 2019.) he asked McMahon's attorney, [REDACTED], about



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McMahon's bent badge. [REDACTED] spoke briefly with McMahon and then told Ramsay that Zach Jacobsen bent McMahon's badge. They confirmed it was intentional.

Ramsay told [REDACTED] and Ramsay called Bidou. Ramsay's recollection was that it was late in the week (March 28, 2019, was a Thursday) and late in the day when he spoke with the Chief. Bidou said he wanted to think about how to handle it and would deal with it the following week.

The next week Ramsay learned the decision was made to address this at a monthly command staff meeting. They had one coming up that Wednesday. They would address it with the "department as a whole." Ramsay was told not go to that portion of the meeting so that he would not be tainted about any information that came out in the meeting as they were likely going to have him investigate it.

Ramsay later learned, from talking to another sergeant who was at the meeting, he could not remember who, that this issue was addressed in the staff meeting. He was told that it was after the civilians were excused and Bidou left, that Whitney and possibly Horton addressed the issue. No one in the meeting knew anything about it.

Ramsay never heard any more about this issue so he assumed that it was not a significant issue and they addressed and resolved it. The next time he heard about badge bending was when the article came out.

Ramsay said that the article alleged a box of bent badges had been collected. Ramsay did not believe this because he heard nothing about that at the time and felt that if that happened, he would have known. He believes Bidou would have had him conduct an investigation. Ramsay was surprised that the article alleged more bent badges.

Ramsay had never seen Bidou cover anything up. I asked Ramsay about the allegation that Bidou purposely had the badges fixed and didn't conduct an IA because he wanted to make sure he could still have the part time job after he retired. Ramsay had not heard anything about this.

We talked about the allegation of officers celebrating or commemorating killing someone. Ramsay said he had never heard anyone talk about celebrating a fatal shooting. There may be a get together after a shooting but it was to show support for the involved officers. It was never about celebrating the shooting of a person. Ramsay never heard the term "Badge of Honor" associated with bent badges.



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Ramsay said that when they discovered McMahon's bent badge and this issue was back on his mind, he recalled a time, in 2006, 2007 or 2008, when a lieutenant got up and looked at his badge on his uniform and asked him about it being bent. Ramsay looked at it and saw it had a twist on one of the upper points, more pulled out than pushed in. Ramsay did not know how it happened but assumed it was in a fight, or got hooked on a car door or something during the course of business. When the lieutenant got close he said, "Oh No," indicating it wasn't what he thought it was. At the time this didn't mean anything to Ramsay but after the McMahon bent badge discovery it reminded him of this and he thought the lieutenant might have thought it was an intentional bend.

I spoke to Ramsay about his direct line of communication to Bidou, sometimes leaving [REDACTED] out of the chain. Ramsay said this only happened in the IA involving John Whitney because Bidou was concerned about leaks generating Public Records Act (PRA) requests. The subject of Whitney's IA was the unauthorized release of department information generating these PRA's. Bidou was not trying to hide anything.

End of Ramsay's interview.

### **Interview of Lieutenant Bobby Knight**

On November 17, 2020, at 9:00 AM, I interviewed Bobby Knight at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. Knight was a witness in this case as he was a supervisor at the time of the February 2019 staff meeting. The recording and transcription accompany this investigation.

In October or November of 2019, Knight went into Internal Affairs as the lieutenant. He started in IA two weeks before Chief Williams came to the department. (Chief Williams start date was November 12, 2019.)

Knight first learned about badge bending in October of 2019, when he met with Drew Ramsay to discuss IA issues for his transition into the unit. They discussed several significant cases. In one of these conversations Ramsay said there was an issue of some officers bending badges. Knight thought it was at this time he equated badge bending with shootings, but he did not have a specific recollection of when he first made that link. Ramsay then said you probably don't want to know about it, as Chief Bidou already took care of it. They agreed that if it's been dealt with, he didn't need to know about it. Knight was surprised that in all the years he had been at Vallejo he had never heard of anything like this. Not only had he been a police officer for 21 years [REDACTED] before he became an officer, he had been working at the PD for 30 years. He was very surprised that if this happened, he had never heard of it.



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In the first half of November 2019, Interim Chief Allio called Knight and asked if McMahon's badge was bent. Knight had McMahon's badge and gun locked in his office because Knight, on his third day in the unit, put McMahon off on administrative leave for an unrelated case. Knight examined the badge; it did not look bent to him and he sent Allio photos of the badge. Knight had no idea what a bent badge looked like but did not see anything unusual on the badge.

Later, Knight could not remember when, Allio requested Knight bring the badge to him. On this occasion Knight had a conversation with Allio about McMahon being placed on administrative leave for the unauthorized back plate engraving and that was when they found McMahon's bent badge tip. (February 27, 2019).

The next time he heard about badge bending was sometime in the end of winter or beginning of spring of 2020. Chief Williams had been there for three or four months and Chief Williams asked Knight for the McMahon IA investigation of the unauthorized back plate on his gun. It had been handled before Knight took over but he was familiar with this case as Ramsay briefed him on it during their transition. Knight also familiarized himself with the case because it was significant enough for the agency to put McMahon on administrative leave. Knight gave the file to Chief Williams as he requested.

Later in a conversation with Chief Williams, they talked about Whitney's termination and potential litigation from him. Knight handled claims in his office so he knew Whitney had filed a government claim and maybe even the lawsuit at that point. In that conversation the Chief asked him if he knew about badge bending. Knight told the Chief about his conversation with Ramsay, discussed above. He also told Williams that in all his years there he had never heard of it. Knight inferred that the badge bending issue had something to do with Whitney's claim. Williams wasn't sharing information he was gathering information from Knight.

Knight and I discussed staff meetings. Knight said that mandatory staff meetings were supposed to be held once a month but they didn't always happen on schedule. Standard practice would be that everyone, sergeant and above, along with civilians in supervisory roles, would be at that meeting. When that main meeting adjourned, everyone but the Operations group was dismissed, so Patrol, Traffic, those people under the Operations Captain would stay for their own meeting while they had everyone from graveyard etc. there. For example, when Knight [REDACTED] he would not stay for the Operations meeting.

Knight did not recall a staff meeting where badges were discussed at all. He recalled a staff meeting where they discussed unauthorized back plates on guns. This meeting was either the Operations only group after the general staff meeting or it was some type of limited group other than the regular command staff group. What was different about this meeting was that



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Captains Iacono and Whitney were both present. If it had been the Operations group, in theory, there would have been only one of them, the Operations Captain. His best recollection was that this meeting occurred while he was a patrol lieutenant (July 2018 to October 2019), and likely in the latter half of this time period. Discussing this further, Knight agreed that it was probably after the Taco Bell Shooting of Willy McCoy as that was when the unauthorized back plate was found.

In this meeting, Whitney, in a stern manner, told them that they needed to make sure that officers don't have any after-market parts on their guns. At the time, Knight did not know what the issue was with the guns, he learned later it was McMahon's unauthorized back plate that precipitated this discussion. That night, in line up, Knight had his sergeant inspect the teams' guns. They found an American flag on one gun and told the officer to remove it. Knight did not remember any conversation in Whitney's meeting about bent badges and Knight would have remembered this. (At the time of this interview I did not know about the possibility that Whitney only asked them to turn in damaged badges-there may not have been a conversation about bent badges. Either way, Knight did not remember a badge conversation.)

Knight recalled reading in the article about a box of badges turned in during a badge inspection but he knew nothing about that as well.

After the article came out, the general conversation between coworkers was surprise; they were not aware of badge bending.

End of Knight interview.

### **McMahon's Bent Badge**

In March or April of 2019, McMahon was brought back to work after the back plate IA. His bent badge was returned to him, presumably it was straightened at this time. McMahon was put on admin leave again for an unrelated case in October of 2019. Knight still has McMahon's badge. I viewed the photos Knight took of the badge after he put him on administrative. It was not bent at that time.

### **Interview of Sergeant Ted Postolaki**

On November 24, 2020, at 9:00 AM, I interviewed Postolaki at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Postolaki was identified as a witness because he was a supervisor at the time of the February 2019 staff meeting where badge bending may have been discussed. The following is a summary of the interview relevant to this investigation.



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Postolaki has been a police officer for 26 years, 20 of those years with Vallejo PD. The first he ever heard of badge bending was when the article came out in the Chronicle. Postolaki has never heard of anyone doing this at all in law enforcement, especially at Vallejo PD. After the article came out, he took it to line up and read the article. He told the officers this was not true and he had never seen it in his career.

Lieutenant Ramsay came into this same line up and Postolaki asked him to comment, in essence asking Ramsay to affirm this allegation was untrue. Ramsay couldn't affirm it. He said that when he was in Internal Affairs, he learned badge bending occurred and they dealt with it. This was the only time someone ever said anything to Postolaki confirming badge bending actually occurred.

I asked Postolaki specifically about the February 2019 staff meeting. Postolaki has never been at a staff meeting where badge bending was discussed. He was never told by anyone else about a staff meeting where badge bending was discussed. [REDACTED]

Postolaki talked to retired officers from Vallejo PD after the article came out and none of them ever heard of this behavior. Postolaki had no knowledge of events or gatherings where the shooting of someone is celebrated.

End of Postolaki interview.

### **Interview of Sergeant Shane Bower**

On November 24, 2020, at 10:00 AM, I interviewed Shane Bower at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Bower was a witness because he was identified as a supervisor at the time of the February 2019 staff meeting where badge bending may have been discussed. The following is a summary of the interview relevant to this investigation.

Bower has been a police officer at Vallejo PD for 21 years. Bower's first understanding of badge bending was when the article came out; he had not heard of it before that. After the article came out, current and former officers he has relationships with asked him about it. None of them had heard of it.

Bower heard rumors of a staff meeting where badge bending was discussed but he was not at this staff meeting and was confident that he would recall this. He said that in his circle of co-



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workers no one recalled the staff meeting, so the rumor he heard could have been just from the reference in the article.

Bower knew about the engraving issue on McMahon's handgun. Bower was involved with the firearms program and was aware of a case out of another state where an officer in a shooting had an inappropriate engraving on the weapon he used in the shooting. Bower made that a teaching point for Vallejo officers in their training in late 2017 or early 2018. Later, after the Taco Bell shooting of Willy McCoy (February 9, 2019), Bower heard about McMahon having an unauthorized engraving on the backplate of his handgun.

Bower's best recollection was that sometime after learning of McMahon's back plate, Bower recalled an email that came out that told them to check their officers' guns for engravings and badges for damage; it was not about bent badges. He was 99% sure the email came from Captain Whitney. His best recollection was that after this email, his lieutenant at the time, Nichelini, came in and told him the same thing and he recalled saying he had already done it, his people did not have either issue. Bower understood the reason for the engraving inspection was based on McMahon's backplate. He did not know the reason for the damaged badge inspection.

Bower has had two of his badges bent over the years from physical altercations. Bower has never seen a bent badge related to this investigation.

We discussed off duty events or gatherings and Bower told me he has been to them on occasion and never heard any discussions of the celebration of shooting someone. Bower felt that if this occurred, he would have at least heard rumors of it.

I asked Bower if he had heard of anyone else with a bent badge (after the article). He had heard rumors that McMahon had a bent badge but no details, and he read in the article that Darden allegedly had a bent badge. Bower knows Darden well, they aren't friends outside of work, but he knows him well as a coworker and there is no way Darden has or had a bent badge. Additionally, Darden is extremely strict with uniform appearance, so he would never have a bent badge for that reason as well. Bower recently heard rumors that Dustin Joseph, a former Vallejo officer, who went to Fairfield PD, may have a bent badge as well. Bower worked with him closely and did not believe Joseph would have a bent badge either.

Bower was involved in a shooting with William Badour, who no longer works at Vallejo PD and Sanjay Ramrakha. No one ever talked to him about badge bending after his shooting and, to his knowledge, Bower and Ramrakha were never approached. Bower knew Ramrakha well enough to say he would never have a bent badge.



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Bower was wearing his metal badge in this interview and it was not bent.

During the interview, Bower searched his email archives to attempt to locate the email we discussed. He was not able to find it. After the interview, he sent me an email that said he went back to his office computer and searched further but could not find the email. In this follow up email he added that one of his officers confirmed for him that the backplate and badge inspection occurred after the engraving was found on McMahon's gun.

End of Bower's interview.

### **Evidence Collection Activities**

On December 3, 2020, I picked up a flash drive of outlook emails from Knight. This was the result of the search we had asked for earlier. This flash drive contained all emails to or from any VPD personnel and Greg Nyhoff and Bob Sampayan containing any of the following search terms (badge, badges, badge of honor, bent, bending, BBQ or barbeque), and from January 1, 2015 – July 30, 2020.

### **Interview of Sergeant Jerome Bautista**

On December 3, 2020, I interviewed Bautista at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. The following is a summary of the interview relevant to this investigation.

Bautista was a witness in this case because he was a sergeant at the time of the February 2019 staff meeting.

Bautista has been a police officer with Vallejo PD for 20 years. Bautista had never heard of badge bending in his career until the article came out in late summer of 2020. Bautista said the allegations were embarrassing. Since that article he has not learned anything else about badge bending from conversations around the office.

I asked about the staff meeting where bent badges were discussed. Bautista told me bent badges were not discussed but he recalled being at a staff meeting where they were told to inspect their subordinate's badges for damage and to inspect the back plates of their guns for modifications. Bautista was not sure, but his recollection was that this staff meeting occurred in 2019, as Captain Whitney was at the meeting and gave the order. Bautista's best recollection was that Bidou was at this particular staff meeting but Bautista was not sure if he left before



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Whitney gave the badge inspection order. He was not sure who else was at this staff meeting other than the typical supervisors and managers.

His understanding of the back plate issue was that McMahon was in an officer-involved shooting and had an unauthorized back plate on his gun. He did not recall if he knew about McMahon's back plate at the time they were asked to inspect the guns or learned about that later. He did not know why they were inspecting for damaged badges. His team had no damage and nothing on the backplates.

Bautista said that team barbecues were common in the office and he has attended them, as well as held his own. It is a form of teambuilding and camaraderie. In his experience, they did not talk about shootings at the barbecues and generally did not talk about work.

### **Interview of Sergeant Sanjay Ramrakha**

On December 3, 2020, at 11:00 AM, I interviewed Ramrakha at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. The following is a summary of the interview relevant to this investigation.

Ramrakha was a witness in this case as he was a supervisor at the time of the February 2019 staff meeting and had been in a shooting.

Ramrakha has 22 years of experience as a law enforcement officer, 18 years with Vallejo PD. Ramrakha had never heard of badge bending until the article came out in the late summer of 2020. In discussing the reported box of bent badges in the article, Ramrakha did not believe this allegation and thought it was ridiculous.

Ramrakha did not recall a staff meeting or an email where the discussion of bent badges came up. He did not recall a staff meeting or an email where inspecting for damaged badges was discussed.

There was an issue with engravings or symbols on guns. He said in 2018, while he was a graveyard supervisor, Lt. Kent Tribble came to his line up and inspected the officer's guns for engravings or symbols. This was a surprise inspection. It was Ramrakha's recollection that this occurred after McMahon's first shooting, the Ronell Foster shooting (February 13, 2018). Ramrakha never recalled any discussion about inspecting for bent badges or damaged badges.

Ramrakha described attending many barbecues with coworkers. Ramrakha described participating in these barbecues from 2002 to 2008 when he was in patrol. Back then he said



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the patrol teams were very close. His team regularly had outside of work events or gatherings. These events and or barbecues were about team building and camaraderie. They included some held after shootings as support for an officer who made it through a critical incident. They were also about reinforcing to those who had been through the event that they were all in this together. These were family events with officers bringing their families and children. None of these barbecues were about shooting someone or anything inappropriate like the alleged badge bending celebrations.

Ramrakha had been involved in a shooting in 2004 and had a barbecue with co-workers [REDACTED] [REDACTED] No one ever asked him to bend his badge and nothing inappropriate occurred.

End of Ramrakha's interview

### Evidence Collection Activities

On December 8, 2020, Knight told me that there had been a department wide email sent out from the association encouraging witnesses to get representation for their interviews in this case. Several brought association representatives or attorneys to the interviews.

### Interview of [REDACTED]

On December 11, 2020, at 2:00 PM, I interviewed [REDACTED] at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. [REDACTED] was witness in this case because he was a supervisor at the time of the February 2019 staff meeting. The following is a summary of the interview relevant to this investigation.

[REDACTED] has been a police officer for 26 years, 19 of those years at Vallejo PD. [REDACTED] first learned of badge bending when [REDACTED] and Chief Bidou called him into his office and asked him about it. [REDACTED] said he had never heard of it and he didn't believe it could be happening. [REDACTED] thought bending your badge was stupid. He has been in Vallejo for years and never heard anything like this. Bidou sent him to Ramsay because Ramsay was the IA sergeant at the time and had more information.

[REDACTED] went to Ramsay and Ramsay told him it was true; he was doing an investigation about it and Ramsay told him that he also had a personal experience with it. Although [REDACTED] did not recall what his specific knowledge of badge bending signified at that time, he believed he knew that it was related to being in a shooting. He said in Ramsay's shooting, Ramsay didn't hit anybody so it couldn't have been about killing people.



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█ started asking people in his circles if they knew anything about badge bending and no one did.

Shortly after his conversation with Bidou, █ was asked to do a badge inspection. He believed it was December of 2018 or January of 2019. He had been assigned █ in December of 2018 and that's where he was when he did the inspection. He also thought it happened after McMahon's shooting of Ronell Foster (February 13, 2018). █ surmised that McMahon was related to badge bending but that could be on knowledge he gained later, he could not recall if he knew that at the time he did the inspection. █ best time estimate of his conversation with Bidou was that it took place within the month before the inspection, maybe only a week before the inspection.

█ did not recall how he was told to do the inspection. He did not think it was an email and he had since heard about a staff meeting where this was supposed to have taken place. He didn't recall it being at a staff meeting, but it's possible. Captain John Whitney, who was his direct supervisor at the time, told him to inspect his people's badges for bent tips, and █, from his conversation with Bidou, knew why they were looking.

█ did the inspection and found █, Jason Scott, had a bent badge. █ did not remember which tip was bent. He took it from Scott without any conversation other than he was giving it to Whitney. Whitney came to him and asked him if he found any and he gave Whitney Scott's badge. Whitney took a photo of it and then took the badge. █ never saw the badge again and never knew what happened with it. He didn't know if Scott got it back.

█ remembered an inspection of back plates on guns as well but he thought that was done by range staff. He did not know where in time the badge inspection occurred, related to the gun inspection. He later learned it was █.

█, he thought there might have been rumors that it was over a bent badge but he had nothing to confirm that. He didn't know of anyone else who had a bent badge. The next time he heard about bent badges was when the article came out.

█ described how there are generations of cops that work together. And the people he worked with, the 40 plus year-olds, and the ones before them, had never heard of this. If it was around, it came after his generation. He had never been in a critical incident but he had investigated many of them.



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End of [REDACTED] interview.

### Interview of Sergeant Jeremy Huff

On December 17, 2020, at 12:00 PM, I interviewed Sgt. Jeremy Huff, with his attorney, [REDACTED], at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Huff was a witness in this investigation as he was a supervisor at the time of the February 2019 staff meeting. The following is a summary of the interview relevant to this investigation.

Huff has been a police officer for 17 years, all of that time at Vallejo PD. He has been a sergeant for the last 4 years. Huff brought me 4 metal badges, none of them were bent and none of them appeared to have been bent.

The first time Huff heard of badge bending was when it came up in a regular staff meeting about two years ago. Regular staff meetings consisted of supervisors and managers from all areas of the department, including civilian staff. Sometimes, after a portion of the meeting was done, they would dismiss the civilian staff and have a sworn only group where more issues were discussed and almost always, they dismissed everybody except patrol for the final part of the meeting. He did not know which portion of the meeting they were in when this issue came up but he was quite sure they did not discuss this issue in front of the civilians. He wasn't sure if it was all sworn or just patrol.

Huff said either Whitney or Bidou talked about a badge bending "scandal" and that they wanted the supervisors to inspect badges of everyone who worked for them and make sure they didn't have any bent tips. Their instructions were that any bent badges were to be turned in and they would get fixed or replaced, Huff did not recall which. Huff specifically asked about other damage, such as chipped paint and he was told that they would fix other damage as well. A short time after the meeting a retraction went out, essentially, they cancelled the inspection order and said they were not going to fix the badges. Huff did not remember how he learned of the retraction. It was not another meeting and he felt most likely was by phone. Huff thought either there were several damaged badges and it was too cost prohibitive to fix or there were so few there weren't enough to worry about.

Huff believed he started inspecting his peoples' badges and found no bent or damaged badges. He was not sure if he got to everyone before the retraction.

In trying to establish the time period when this happened, he added that Whitney was the Operations commander at the time.



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When asked about his understanding of what a bent badge signified, his best recollection from the staff meeting was that it had something to do with an officer involved fatality, not necessarily a shooting. He described it as a critical incident or use of force by an officer with a gun or something else, such as a vehicle that caused death. He gave the example of an officer using a patrol car as a deadly weapon.

Shortly after the staff meeting or later, when the article came out, he couldn't recall when, he learned badge bending was alleged to commemorate officer involved shootings or joining of a "secret society." Both of which he felt were hard to believe.

Huff recalled an inspection of guns but he did not think that was discussed at a staff meeting. He thought it might have been firearms training or something like that. The gun inspection order came before the badge inspection order. It was the result of McMahon having an unauthorized back plate on his Glock. He was not sure if it was found after his first shooting (Ronell Foster 2018) or after his second shooting (Willie McCoy at Taco Bell, 2019).

The next time he heard about badge bending was when the article came out. He did not believe the allegations in the article. The general consensus around the department was that it was not true. He has never heard of anyone with a bent badge and never seen a bent badge. He has been in a shooting and has never been asked to bend his badge. In all of his years at Vallejo PD he has not heard about badge bending other than what he has told me.

We discussed off duty events related to officer involved shootings. He said that there are sometimes off duty gatherings after a shooting, to support the officer who has been through the event and make sure they are not isolated. He believed there was a barbecue after his shooting. These are not celebrations of having shot someone. Huff felt that if this was happening at the department, he had been around long enough to have heard something.

End of Huff interview.

### **Interview of Sergeant Kyle Wylie**

On December 17, 2020, at 12:45 PM, I interviewed Wylie, with his attorney, [REDACTED], at Vallejo City Hall. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. Wylie was a witness in this case because he was a supervisor at the time of the February 2019 staff meeting. I learned during the interview that he had also been involved in a shooting at Vallejo PD before my 2010-2020 timeline.



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Shortly after the interview began, Wylie admitted being involved in badge bending. I stopped the interview at this point and served him with a subject notice. He had a private consultation with his attorney and they chose to continue the interview. The following is a summary of the interview relevant to this investigation.

Wylie has been a police officer for 20 years, 19 of those years at Vallejo PD. Wylie had his badge bent twice for two different officer involved shootings. Wylie was involved in a shooting in February of 2009, sometime after that, he did not recall when, a “person” came into the locker room and bent his badge. He said the person was either Eric Jensen or Jeremy Patzer. Based on his brief conversation with the bender, his understanding was that his badge was bent because he was involved in the most critical incident that you could be in as a police officer, involving life and death and he survived. Wylie said there was no discussion of it being related to shooting someone. Wylie was surprised when it was done as he had never heard of this but he did not ask any questions. This interaction in the locker room was less than a minute long.

Wylie was involved in another shooting in July of 2009. His badge was bent again, “probably” in the locker room and he did not remember who did it this time. A second point was bent. He did not recall the conversation with the person who bent it this second time but said if there was any, it was similar to the first one, that he survived not that he shot someone.

Wylie said the points bent were the bottom point, or 6 o’clock point and one of the points on either side of the bottom point, either the 4 or 8 o’clock point, he could not remember which.

Wylie said he bent his badge back, “not too long after it happened,” the second time. I tried to narrow down “not too long” by asking if he could tell me weeks, months, or years after the second shooting. He said he did not know. I asked him if he bent it back in 2019 (referring to when the badge inspections took place) and he said before that. I asked if it occurred within two years and he said probably within a year.

Besides the two experiences Wylie relayed above, he had never had a conversation with anyone else about badge bending. Wylie had been to off duty events with other Vallejo officers, such as barbecues, but had never heard badge bending discussed at one of these or the celebration of shooting someone.

Wylie was present at the staff meeting where badge bending was discussed. Wylie said it was March of 2019, after the Taco Bell shooting of Willie McCoy. The staff meeting had all the managers and supervisors, including civilian management initially. The meeting involving everyone concluded and several people left, including Chief Bidou, only sergeants, lieutenants, and Captain Whitney remained. Whitney was the highest-ranking person in the room and leading the discussion. Whitney said if any of your people have bent their badge have them



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turn it in to [REDACTED] or have them fix it themselves, no questions asked, no discipline, just get it fixed. Whitney did not talk about what a bent badge meant. Just that we have this issue, if you find it fix it. Wylie never inspected his peoples' badges; he gave them the instruction as it was given to him.

Wylie had no discussion with anyone about bent badges after that meeting. He did not know of any badges that were turned into [REDACTED] Wylie has never heard the term "Badge of Honor." Wylie has never bent someone's badge. Wylie has never been present when someone, other than him, had their badge bent.

End of Wylie interview.

### Interview of Sergeant Jeff Tai

On December 17, 2020, at 1:00 PM, I interviewed Tai at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Tai was a witness as he was a supervisor at the time of the February 2019 staff meeting. The following is a summary of the interview relevant to this investigation

Tai has been a police officer for 16 years, 15 of those years at Vallejo PD. [REDACTED]  
[REDACTED]

Tai first heard of badge bending when he heard rumors around the PD about inspecting uniforms or badges of your staff. He could not recall when this happened but thought it was before the article about badge bending. He didn't have any staff and didn't pay much attention to the rumors. Later he heard there was a staff meeting and they were told to inspect badges but he was never at a meeting where this came up. At that time, he did not know what this was about but when the article came out, he had a new understanding of why they may have been doing badge inspections.

Tai does not know of anyone with a bent badge and besides the rumors we discussed and the article he had no other information about this.

Tai said he would never allow his badge to be bent.

Tai acknowledged that there are off-duty gatherings at Vallejo PD but he had not been to any after shootings and he had never been to an off-duty event where there was a discussion of the celebration of shooting someone.



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End of Tai interview.

### **Interview of Lieutenant Fabio Rodriguez**

On December 17, 2020, at 3:00 PM, I interviewed Rodriguez at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Rodriguez was a supervisor at the time of the February 2019 staff meeting. He had also been involved in a shooting. The following is a summary of the interview relevant to this investigation

Rodriguez has been a police officer for 20 years, all of it with Vallejo PD. He has been a lieutenant for 2 years. The first he heard of badge bending was when the article came out. He was off work when this happened and as of the time of this interview [REDACTED]

Rodriguez recalled a staff meeting where they discussed inspecting their people's guns for unauthorized back plates. He estimated that this took place in early 2019. This came as a result of an engraving they found on McMahon's gun after he was involved in the Taco Bell shooting of Willie McCoy. He did not recall any conversation about bent or damaged badges at this staff meeting and he thought he would have remembered a conversation like that.

Rodriguez was involved in a shooting at Vallejo PD and no one bent his badge or discussed bending his badge. Rodriguez said he would not bend his badge.

Rodriguez acknowledged that off-duty events took place among Vallejo officers and they may even discuss an officer involved shooting, but never has he heard of a Vallejo officer talking about the celebration of shooting someone.

### **Interview of Sergeant Richard Wanzie**

On December 21, 2020, I interviewed Richard Wanzie at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Wanzie was a witness because he was a supervisor at the time of the February 2019 staff meeting. The following is a summary of the interview relevant to this investigation.

Wanzie has been a police officer for 24 years, 20 of those years at Vallejo PD. Wanzie first learned of badge bending when he was approached by Whitney, walking across the parking lot at the PD, sometime shortly before Whitney was put on administrative leave. Whitney told him about badge bending, that someone would bend the tip of their badge to signify they had been



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in a shooting. Wanzie inferred that it was about killing someone, he didn't recall if Whitney actually said that. Whitney asked him if he had ever heard of this. Wanzie had never heard of it before this conversation.

Wanzie thought during this same conversation they talked about the gun back plate issue as he remembered that being associated with the badge bending conversation. He did not know whose gun had the back plate problem but he recalled they inspected guns around this same time.

Wanzie recalled being told about badge inspections also around this same time. He did not think it was during the conversation with Whitney. He wasn't sure when he heard they were inspecting badges and complicating his memory was that he heard from others that Whitney, in a staff meeting, told them to inspect badges. Wanzie had no officers as subordinates so he didn't inspect anything.

Wanzie did not have any other information about bent badges. He said after the article came out, the general conversation was that it was wrong and if anyone was doing it, they would lose their job.

Wanzie acknowledged that there were off duty events with co-workers. He had never heard anyone talk about the celebration of shooting someone at one of these events. He had never heard of the term "Badge of Honor" related to this.

End of Wanzie interview.

### **Evidence Collection Activities**

On January 2, 2021, [REDACTED], Whitney's attorney, sent me an email saying that Whitney was declining to be interviewed.

### **Interview of Lieutenant Herman Robinson**

On January 8, 2021, at 9:30 AM, I interviewed Robinson with his attorney, [REDACTED], at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Robinson was a witness in this investigation because he was a supervisor at the time of the February 2019 staff meeting. The following is a summary of the interview relevant to this investigation.

Robinson has been a police officer for 48 years, 46 of those with Vallejo PD. The first he heard of badge bending was in Whitney's office when Whitney mentioned that he had heard about



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badge bending to mark shootings. Whitney told him he had discussed this with Chief Bidou. Whitney did not tell him of anyone who had done this and Robinson had never heard of it; surprising when you consider how long he has worked there.

Robinson never heard of the back plate inspection issue or the badge inspections. After the article came out, he heard “locker room talk” that McMahon had a bent badge.

Robinson had not been to off-duty events with other officers in many years, before the timeline of this badge bending investigation.

End of Robinson interview.

### **Interview of Sergeant George Simpson**

On January 14, 2021, I interviewed Simpson with his attorney, [REDACTED], at Vallejo City Hall. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. Simpson was a witness in this case because he was a supervisor at the time of the February 2019 staff meeting. The following is a summary of the interview relevant to this investigation.

Simpson has been a police officer at Vallejo PD for 22 years. The first time Simpson heard about badge bending was at a command staff meeting. Whitney told them they needed to inspect badges and guns. They were looking for after-market inscriptions on the guns and damage to the badges. Simpson did not remember if, at the staff meeting, he was told that the badge bending was related to shootings but he was pretty sure it was. If not at that meeting, he learned it later. He ultimately heard the allegation that someone would bend the tip of their badge if they were involved in a fatal shooting. When he first learned this, he was shocked. He has been at Vallejo PD for 22 years and never heard anything like this.

Simpson inspected his peoples badges and guns as requested and found nothing. He could not recall when this happened. He said sometime after 2015 when he was promoted to sergeant. I told him my understanding of the timeline was that the staff meeting took place in February of 2019, he thought this was possible but he thought it was longer ago than that.

Simpson was not aware of anyone else with a bent badge other than the allegations he read about in the article. He has never heard the term “Badge of Honor” related to this investigation.

Simpson acknowledged that coworkers get together for off-duty events. He was not aware of any of those events being related to a shooting. He had never heard anyone at these events talk about the celebration of shooting someone.



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End of Simpson interview.

### Evidence Collection Activities

Whitney was working as a police officer at El Cerrito Police Department at the time of this investigation. On January 25, 2021, Chief Williams, at my request, sent the El Cerrito Police Chief a letter asking him to compel Whitney to participate in an interview for this matter.

On or about February 1, 2021, working with Knight, I developed a list of officers who still worked at Vallejo PD and were on the 2010-2020 officer involved shooting list. These officers became the next group of witnesses. A copy of this list is attached as Exhibit 5.

When I got the list, I saw that Kent Tribble was to retire at the end of this month. I sent an email to Deputy Chief Kihmm and Knight asking that we serve him with a subject notice immediately. Knight got back to me and explained that Kent was still out [REDACTED]. Knight sent me language for a letter [REDACTED]. I added details to this and sent it back to Knight on February 9, 2021.

On February 9, 2021, at approximately 1245 PM, Chief Keith from El Cerrito PD called me about the letter requesting he compel John Whitney to provide an interview. Chief Keith recognized the importance of Whitney cooperating in this investigation but was not inclined to compel him, based on the lawsuit Whitney filed against the City of Vallejo and on advice of his city attorney. Keith spoke with Whitney's attorney, [REDACTED] and she has agreed to address written questions or interrogatories.

On February 9, 2021, using the list of officers involved in critical incidents, I asked Knight to begin serving that group. This round of witnesses had instructions in their notices to bring their metal badges to the interviews for inspection. (I did not have him serve those whom I had specific information that they may be involved in badge bending-again with goal of doing them later in the process.)

### Interview of Lieutenant Steve Darden

On February 15, 2021, at 9:00 AM, I interviewed Steve Darden at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Darden was interviewed as witness in this investigation as he was involved in several shootings at Vallejo PD and he was a supervisor at the time of the February 2019 staff meeting. The following is a summary of the interview relevant to this investigation.



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Darden has been a police officer for 28 years, 24 of those years with Vallejo PD. He has been in four shootings at Vallejo PD and doesn't like to talk about them. They were all very traumatic. One of them was more traumatic than the others and [REDACTED] Darden discussed some of the [REDACTED] he has had from being in these events.

Darden never had a bent badge. Darden found it disgusting that someone would bend their badge to mark the taking of another's life. He didn't understand how someone would not be traumatized by taking someone's life, how they could not have a conscience. He was quite frustrated that his name was tarnished in the article for something he never did.

The first he heard of badge bending was when Captain Whitney, in a staff meeting, said if your badge was damaged, turn it in and you can get a new badge. It was not about bent badges, it was damaged badges. There were officers saying that they dropped their badges and now wanted to get a new one. He heard that McMahon had a bent badge and a decal on his gun through rumors around the department.

Darden supervised McMahon on occasion and felt he was a poor performing officer. Darden heard that McMahon was acting like a "gunslinger" after his first shooting (Ronell Foster, February 13, 2018) and that really bothered Darden. Darden heard that McMahon overreacted to events and other officers did not want to work with him.

One night, when Darden was working, he saw a confrontation between McMahon and another officer because of something McMahon did. Darden pulled McMahon aside and was counseling him about his behavior. During this conversation, Darden told McMahon that he had an attitude about being involved in critical incidents (shootings) and Darden asked about the rumor he heard that McMahon had a bent badge. McMahon told Darden, according to his attorney, he wasn't supposed to talk about it.

Darden never had a bent badge and had never heard of it in his career until the rumor about McMahon. Then the article came out which included the comment by the mayor, Bob Sampayan, a former Vallejo officer, who said that he had seen a bent badge when he worked at the PD. Darden was surprised by Sampayan's comment as he had never seen a bent badge on an officer and in Sampayan's time at the PD, they wore metal badges regularly. (Today few officers wear metal badges as they have uniforms with patches.) Darden said if he ever saw a bent badge and knew what it meant, he would have made the officer take it off their chest. Even if it was another lieutenant, he would take it off their chest.



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Darden's understanding of what a bent badge signified comes only from the article; that you bend a point for each person you kill.

Darden understood some badge bending occurred when Chief Williams came out and confirmed it in a media comment after the article.

Darden has been to a few off-duty events with other Vallejo officers. He had been to some where it was, for example, just some drinks to show support for an officer who had been involved in a shooting. It was never about gloating or the celebration of taking someone's life; he would not stand for that.

Darden told me about an incident that may be related to this issue. Years ago, in 2013, when he first got promoted to sergeant, Eric Jensen, took his new badge and acted like he was going to bend it, in a somewhat joking fashion. This was also around the time of Darden's third shooting. Darden could not remember if it was right after the officer involved shooting or if he had just received his new sergeant badge from his promotion. Darden took his badge back and brushed Jensen off, thinking that Jensen was teasing him about how he should not have been promoted to sergeant. Today, in retrospect, he wondered if he missed the meaning at the time.

Darden brought in 7 metal badges. None of them were bent or had any indications of having been bent. He had never heard the term "Badge of Honor" associated with this issue.

I stopped the recorder and Darden mentioned something else relevant to this investigation. I re-started the recorder and Darden told me the following.

Shortly before the article came out, Darden [REDACTED] got a phone call from a reporter asking for Darden. He returned the reporter's call and the reporter told him that he was doing a story on Vallejo cops bending their badges to mark fatal shootings, implicating Darden. Darden told him that was a lie and he has never bent his badge.

When the article came out, he went to Chief Williams' office and told him face-to-face that he has never bent his badge; the article was wrong. Darden felt it was important with such a serious allegation to personally go tell the Chief whether he did it or not.

End of Darden interview.



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### Interview of Officer Stephanie McDonough

On February 15, 2021, at 10:00 AM, I interviewed McDonough at Vallejo City Hall. This interview was audio recorded with her knowledge and later transcribed. The recording and transcription accompany this investigation. McDonough was a witness in this case as she had been in a shooting at Vallejo PD. The following is a summary of the interview relevant to this investigation.

McDonough has been a police officer for 8 years, all of those years at Vallejo PD. She first heard of badge bending when she was in the FTO program about 8 years ago. A bent badge meant you survived something or overcame a serious event. It was done to you by another officer in recognition of having survived. It was not necessarily related to a shooting. She was not sure but thought she may have heard it from one of her FTO's, she had several and named the ones she could remember. Her best recollection of the context of that conversation was of the FTO sharing old stories. She did not have any further details.

McDonough was involved in a shooting in 2017 (the fatal shooting of Jeffrey Barboa) and no one said anything to her about badge bending. From the time she heard about it in FTO until the article came out in 2020, she heard nothing about badge bending. When the article came out, the description of what a bent badge signified was very different than what she was told in FTO. After the article came out, she discussed badge bending with others and learned more about it.

McDonough [REDACTED] David McLaughlin, another Vallejo Police Officer. David McLaughlin's brother, Ryan McLaughlin, is also a Vallejo Police officer. McDonough, the McLaughlin brothers, Matt Komoda and Jason Bahou are all close friends. After the article came out, [REDACTED] [REDACTED], David McLaughlin, came to her and told her his badge had been bent but it was not about killing; he told her it was about surviving. David McLaughlin told her that he was in a shooting and his supervisor, Kent Tribble, bent his badge to signify that he survived, nothing about killing someone or shooting someone. No one died in his shooting. (David and Komoda were involved in a shooting where they didn't hit the suspects.) David bent his badge back the next day. In this same conversation, David McLaughlin told McDonough that Bahou and Komoda had their badges bent as well. She did not have any details about Komoda's and Bahou's bending incident other than their understanding of the reason was the same as David's; it was about surviving.

After the article came out, she heard that people had to turn their bent badges in at some point prior. She never had her badge inspected, she never turned it in, and no one ever asked her about it.



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McDonough heard about the unauthorized back plate issue but did not recall a specific handgun inspection for that reason, she said their handguns are inspected yearly as a regular course of business.

McDonough associates with other Vallejo officers off-duty, including the friends she described above. They frequently talk about work, sometimes this may include a shooting but they have never talked about the celebration of shooting someone.

McDonough brought both of her metal badges and neither were bent and they did not show any signs of having been bent.

End of McDonough interview.

### **Interview of Corporal Ritzie Tolentino**

On February 15, 2021, at 11:20 AM, I interviewed Ritzie Tolentino at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Tolentino was interviewed because he was involved in a shooting at Vallejo PD. The following is a summary of the interview relevant to this investigation.

Tolentino has been a police officer for 19 years, 15 of those years at Vallejo PD. Tolentino first heard of badge bending when he came to Vallejo around 2006. He was in a bar with other, older officers, officers who were close to retirement and former military people, some from the Vietnam war. He vaguely recalled them talking about bending a badge if you survived an officer involved shooting. There was no talk of having killed someone. He did not recall them speaking about anyone in particular having a bent badge. The only person he could remember involved in that conversation was [REDACTED].

Tolentino did not hear about badge bending again until approximately 2017 or 2018 when Captain Whitney sent out an email or a memorandum asking for officers with bent badges to surrender them to be replaced, no questions asked. Word around the department was that someone had bent their badge after being in a shooting. Tolentino never had his badge inspected and did not turn his badge in because it was not bent. Tolentino thought the badge bending he heard about in 2006 was old and done. He did not think it was related to this more recent email/memo request. When Whitney sent out the email or memorandum, he thought someone was copying the old-time badge bending.

Tolentino was involved in two shootings at Vallejo PD. One a fatal and the other one he hit no one. No one ever discussed badge bending with him and his badge is not bent. Tolentino felt



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that bending your badge was “idiotic.” He does not need to display something that signified he survived.

The next time he heard about badge bending was when the article came out.

Tolentino was aware that McMahan had an unauthorized back plate on his handgun and that he got in trouble for it. Tolentino said this was the second time McMahan modified a firearm against policy. Tolentino was part of the firearms program and he found a modified trigger on McMahan’s rifle. He reported this to his lieutenant, Kent Tribble. When I asked Tolentino about the time for these weapons modifications, he thought the back plate issue was discovered after McMahan’s Ronell Foster shooting (February 13, 2018) and the rifle was discovered last year. This was in conflict with what Tolentino just said that the back plate issue was the second time McMahan modified a weapon.

Tolentino brought 2 metal badges. Neither was bent and neither had any indication of having been bent.

Tolentino has been to off-duty gatherings with other Vallejo officers but has never heard anyone talk about the celebration of shooting someone.

End of Tolentino interview.

### **Interview of Officer Mark Galios**

On February 16, 2021, at 7:30 AM I interviewed Mark Galios at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Galios was a witness in this investigation because he had been involved in a shooting at Vallejo PD. The following is a summary of the interview relevant to this investigation.

Galios has 15 years’ experience as a law enforcement officer with about 4 of those years at Vallejo PD. He started in Vallejo in 2014, left in 2017 [REDACTED] and returned to Vallejo in 2020. When he first came to Vallejo, 2014 or 2015, he recalled a conversation with other officers about badge bending as something that occurred in past times at Vallejo PD. During this conversation no one said what badge bending meant or signified. It was an insignificant conversation. Galios had the impression this was something from the 1990’s. He did not recall who was involved in this conversation or where it took place.

In April of 2020, when he returned and other officers were catching him up on things that happened, they told him about Ryan McMahan. The conversation consisted of the other



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officers telling Galios the many faults they had with McMahon. McMahon was not well-liked. Among the faults discussed was that McMahon had bent his badge as a “Badge of Honor,” for being involved in a shooting. It was during this conversation that he learned that badge bending was tied to a shooting event.

Galios has been involved in a shooting at Vallejo PD and no one asked him to bend his badge, he has never bent his badge, and does not agree with doing that. I inspected the 2 badges Galios brought to our interview and they were not bent and had no signs of having been bent.

End of Galios interview

### **Interview of Sergeant Jason Bauer**

On February 16, 2021, at 8:50 AM, I interviewed Jason Bauer at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Bauer was a witness in this investigation because he had been involved in a shooting at Vallejo PD. The following is a summary of the interview relevant to this investigation.

Bauer has been a police officer with Vallejo PD for 16 years. He brought 3 metal badges with him for inspection. None of them were bent and none of them had any indication of having been bent.

Bauer first heard about badge bending when McMahon was out on administrative leave after the Taco Bell shooting. There were various rumors as to why he was out and one of them was that his badge was bent related to a shooting. He did not know at that time what a bent badge signified. The next he heard of it was when the article came out. No one ever asked him to bend his badge from his shooting. He felt badge bending was inappropriate. He noted that in the article there were pictures of allegedly bent badges and he couldn't see bends in the photos, so he was not sure what a bent badge looked like. After the article came out Bauer did not learn of anyone who had a bent badge.

I asked Bauer about the staff meeting. He had recently been promoted and was not a supervisor at the time of the February 2019 staff meeting. He had not heard of a badge inspection or a meeting where bent badges were discussed.

Bauer has associated with other Vallejo officers off-duty. He said it was common for them to help each other build fences, replace roofs, help each other with large projects and gather for food and drinks on occasion. He was not aware of off-duty events associated with a shooting



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and he never heard a Vallejo officer talk about the celebration of shooting someone. He had never heard the term “Badge of Honor” associated with this issue.

End of Bauer interview.

Jason Bauer called me on February 23, 2021, as he had found his reserve badge, he did not have it at the time of the interview and badge inspection. He sent me pictures of it after our phone call and did not appear to be bent.

### Interview of Captain Jason Potts

On February 16, 2021, at 10:45 AM, I interviewed Jason Potts at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Potts was a witness in this investigation because he was a supervisor at the time of the February 2019 staff meeting. The following is a summary of the interview relevant to this investigation.

Potts has been a police officer for 22 years and 20 of those years at Vallejo PD. Potts had a vague recollection of seeing a bent badge in the earlier part of his career but had no other details about this and could not add any significance to it.

Potts said he has never been in a shooting and he had never heard of badge bending in his 20 years at Vallejo PD, until sometime in 2019, when he heard about McMahon’s unauthorized back plate coming up at a staff meeting. He was not at the staff meeting but heard about it from someone else. At this same time, he had a recollection of Whitney saying something to him about bent badges but he did not recall any details, such as what it was about. He was not aware of any badge inspections in 2019 and he was a lieutenant at the time. In retrospect, Potts wondered why the back plate issue was so significant at the time and the badge bending wasn’t.

Since this issue has become public with the article, he had some conversations and learned more about badge bending. He became aware of an allegation that there was a staff meeting where badge bending was discussed. He was surprised that as a lieutenant he did not know about it. Potts was in the [REDACTED] and was away occasionally [REDACTED], he thought it was possible that he was away at the time of that particular staff meeting. Potts had a conversation with Drew Ramsay about this. Ramsay told him he was working a case involving badge bending and Kent Tribble was involved. Potts asked Todd Tribble about it as well and Todd had heard of it too, but it was from some time ago, they did not discuss any details.



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Deputy Chief Allio and Chief Williams asked Potts about it and he told them he had not heard of it in his 20 years at Vallejo (he was not referring to what he had heard in recent times but that in his career he knew nothing about it). He also had a conversation with Lieutenant Bobby Knight, and Knight had never heard of it in his career.

Potts has been to off-duty events with other Vallejo officers. He has been to these events when the purpose was to show support for an officer who had been in a traumatic event, like a shooting. These events were never about the celebration of shooting someone.

Potts has never heard the term “Badge of Honor” associated with this issue.

End of Potts interview.

### **Interview of Detective Jarrett Tonn**

On February 16, 2021, at 11:30 AM, I interviewed Jarrett Tonn at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Tonn was a witness in this investigation because he was involved shootings at Vallejo PD. The following is a summary of the interview relevant to this investigation.

Tonn has been a police officer for 14 or 15 years, 7 or 8 of those years at Vallejo PD. Tonn heard about badge bending for the first time in 2018 or 2019 from his sergeant, Bautista. Bautista came from a staff meeting and told them if their badge had been damaged, they were to turn it in and get it fixed. At that time, he had no idea what the reason was for this. He did not associate this at all with badge bending related to shootings. He believed this took place sometime after the Taco Bell shooting (February 9, 2019).

After this staff meeting asking for damaged badges to be turned in, he heard rumors that McMahan had an unauthorized back plate on his gun and that he bent his badge as a result of a fatal shooting. McMahan went out on admin leave and Tonn felt this helped drive the rumors about him having a bent badge.

After the article came out, he did not learn of anyone else who had a bent badge.

Tonn acknowledged that officers do associate off-duty and may talk about an officer involved shooting, critiquing themselves and discussing their different takes on the situation. He has never heard any Vallejo officer discuss a shooting in the context of a celebration. Tonn felt that the allegation that officers were celebrating an officer involved shooting was, “stupid.” He said



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an officer involved shooting was a very difficult thing to go through and no one wanted to be in a shooting. No one's life was better after being involved in a shooting.

Tonn has worked with a lot of senior officers and after the article came out they were discussing how they had never heard of this behavior. They doubted it, as things like this are usually known throughout an agency if it was happening.

Tonn has never bent his badge and never had anyone ask him to bend his badge. He has never heard anything other than what he told me about badge bending. Tonn would not bend his badge. Tonn brought his badge to the interview and there was no evidence of it being bent.

End of Tonn interview.

### **Interview of Officer Colin Eaton**

On February 16, 2021, at 12:00 PM, I interviewed Colin Eaton at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Eaton was a witness in this investigation because he had been involved in a shooting at Vallejo PD. The following is a summary of the interview relevant to this investigation.

Eaton has been a police officer for 3 years, all at Vallejo PD. Eaton brought 2 metal badges to the interview. Neither of them was bent and neither had any indication of ever being bent.

Eaton had never heard of badge bending before the article came out in the media. Eaton had been involved in a shooting and no one asked him to bend his badge.

Eaton had not heard of badge inspections. He had never heard the term "Badge of Honor" related to badge bending. All he knew about badge bending was what he read in the article. Most of Eaton's peer group are new cops and none of them knew anything about it other than what was in the article. Eaton has never heard of a Vallejo officer talking about the celebration of shooting someone. To the contrary, he said many of them are combat veterans and understand the seriousness of that kind of action.

End of Eaton interview.

### **Evidence Collection Activities**

Officers Komoda, Bahou, and David McLaughlin had been served as witnesses in the last round of service notices. However, McDonough told me in her interview that the three of them had



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bent badges. Based on this, on February 16, 2021, I sent updated notices to Knight for service on Komoda, Bahou, and David McLaughlin. These updated notices changed them to subjects of this investigation based on the new information.

On February 10, 2021, Kent Tribble was served as a subject in this investigation. On February 16, 2021, he sent a letter written to Chief Williams, to Knight, reiterating his intent to retire on February 27, 2021. It appeared that he had no intention of being interviewed. During this entire investigation he has been out [REDACTED]

### Interview of Officer Christopher Hendrix

On February 17, 2021, at 2:00 PM, I interviewed Hendrix at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Hendrix was a witness in this investigation because he had been involved in a shooting at Vallejo PD. The following is a summary of the interview relevant to this investigation.

Hendrix brought his metal badge in for inspection and it was not bent and had no sign of having been bent. Hendrix has been a police officer for 3 years, all at Vallejo PD. [REDACTED]

Hendrix said he had never heard of badge bending until the article came out. He noted that [REDACTED], he knew a lot of the older generation officers as they were the ones training him and he never heard anything about it from them.

After the article came out, he had conversations with other officers about it but the general consensus was that no one had heard of it.

Hendrix knew nothing about a badge inspection but did recall having his gun inspected along with his entire team. The gun inspection he thought was roughly in 2019 but he wasn't sure and he thought they were inspecting the bullets to make sure they were carrying authorized ammunition.

Hendrix acknowledged that there are off-duty gatherings of police officers but he has never heard anyone at Vallejo PD talk about the celebration of shooting someone.

End of Hendrix interview.



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### Evidence Collection Activities

On February 18, 2021, I spoke with Deanna Cantrell, the new Chief of Fairfield PD. Cantrell and I discussed the ordering of Dustin Joseph to participate in an interview for this case. She said he was still out [REDACTED]

On February 22, 2021, I spoke to [REDACTED], Kent Tribble's attorney. [REDACTED] explained that Tribble was retiring on Friday the 26<sup>th</sup> and having [REDACTED]. Tribble only had a short period of time available for any interview on Thursday. I was out of town. We discussed the option of him talking to me much later, but he would no longer be employed by VPD and therefore not subject to a compelled interview-eliminating the protections of a compelled interview in the criminal arena. I offered an option of a zoom or phone call interview on Thursday for Tribble to consider.

### Interview of Lieutenant Michael "Kent" Tribble

On February 25, 2021, at 11:00 AM, I interviewed Michael "Kent" Tribble. (He will be referred to as Kent as his brother, Robert "Todd" Tribble, also works at Vallejo PD. Todd Tribble will be referred to as Todd in this report for the same reason.) Kent Tribble was retiring the next day and due to scheduling difficulties, we were unable to meet in person. I interviewed him over the phone. Kent Tribble was with his attorney, [REDACTED]. This interview was audio recorded with his knowledge and later transcribed. Kent had been identified as involved in badge bending by statements from Ramsay and McDonough.

Throughout his interview Kent qualified a lot of his statements with memory issues. For example, he said statements like these ones or similar, frequently.

"I may have bent his badge"

"In fact, I would like to add that, if my memory serves correctly, because again, some of these were done after having a beer or two"

"If my recollection serves me correctly"

"I don't mean to sound evasive but my recollection, is pretty fuzzy, back through the mid 2000's."

Kent began his law enforcement career at the Concord Police Department in [REDACTED]. He came to Vallejo PD in 2003. He was promoted to sergeant in early 2013 and Lieutenant in late 2016. He has been out of work [REDACTED]. His last day at work, in July or



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August of 2020, he was working [REDACTED] because he had to act in full duty because of riots; he was defending the police department. His last day at Vallejo PD is February 26, 2021.

Kent Tribble was first involved in badge bending at Concord PD around May of 2000. Kent was having a hard time with his first shooting because there were several areas where he thought he failed to do his job correctly. One of which, was that he was initially told he missed the suspect at 7 yards with an AR-15. A coworker, Dan Golinveaux, introduced him to badge bending, telling him that it was a form of recognition for an officer being willing to do their job. It had nothing to do with whether or not you hit the target or if the suspect was killed. It was only to show appreciation for doing your job, firing your weapon when it needed to be done.

Golinveaux bent Kent's badge at the Peppermill Restaurant in Concord while they were off duty. Kent believed this was the first time badge bending ever happened at Concord and Golinveaux started it then with him and this incident. They agreed that if they were going to bend badges in the future it had to be kept entirely secret, known only to the people who received the same recognition because they did not want anyone to try and earn it by firing their weapon.

They also agreed, that if they were going to do it for someone else, they had to make sure that they were the type of person who would not be offended and would not talk about it. He described that someone who was a strict uniform person, always maintained their shoes and uniform with great detail, was the type of person who may be offended by the bending of a badge. The concern with someone who talked about it, was if this knowledge of badge bending got to someone without a bent badge, it might motivate them to shoot to get the bend.

Kent bent multiple Vallejo PD badges. Kent described generally how he bent badges. The bending of a badge occurred in private, there may be others with bent badges present or another person getting their badge bent but it was not a public thing. Occasionally they would be at a bar with other team members but if any badge bending occurred, it occurred relatively privately by pulling the officer aside from the group.

When he bent someone's badge, he did not tell them what he was doing. He would ask them to see their badge, bend it and hand it back to them and then explain why he bent it. He did not give the officer a choice. He said he felt bad about this and now realized how reckless this was. Kent said badge bending was never about killing someone.



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Kent made very clear efforts to explain that this had nothing to do with taking a life. This had to do with being willing to do your job and know that somebody out there supports you. But it directly related to pulling the trigger in a shooting. It was only given to people that pulled the trigger, in recognition for them not running from the fight.

Kent has had three shootings in Vallejo. He bent his own badge after the first one but never bent it again after the others. A badge only gets one bent point no matter how many shootings. Kent said that he has bent more than one of his badges but not because of additional shootings. For example, since his badge was bent as a patrol officer, when he got promoted to sergeant and got a new badge, he bent the point on the sergeant's badge to match the patrol officer badge.

Kent always bent the 7 o'clock point or left of center point if you are looking at the badge. He chose this one as it is the same point a mourning band is placed over when an officer dies in the line of duty. Kent never told the officers whose badges he bent, why he bent that point.

Kent bent the badge easily by using only his fingers to bend the one point in further. The badge and the points have a natural curve in towards the chest. Kent would bend the one point slightly deeper than the others. Only a couple of millimeters more in, "pretty imperceptible," to people unless they were looking for it. It's not a sharp bend of just the tip of the point but rather a large bend of the whole radius of the triangle of the point, causing the tip to be in slightly more than the others.

The first time Kent bent a badge in Vallejo occurred in March of 2003, shortly after he first got hired there. Officer Joe McCarthy and Officer Eric Jensen were involved in a traffic stop where the suspect got out of the car and started shooting at them. McCarthy fired his taser and Jensen fired his handgun, to the best of Kent's recollection, Jensen hit the suspect but did not stop him. The suspect was able to flee. Officer Coburn found the suspect and got into a physical struggle, where the suspect tried to take Coburn's gun from him. During the struggle over Coburn's gun, the suspect was able to fire it in Coburn's holster. [REDACTED] and Kent both shot the suspect killing him.

Kent said Jensen was upset that he didn't stop the suspect and Coburn almost got hurt. Kent bent Jensen's badge and told him, "he did his job the best he could," and this was the recognition. It was not a matter of whether he hit or killed the suspect. Kent did this in private and thought he, "might have bent," [REDACTED] later, also in private. McCarthy's badge was not bent because he fired his taser. Kent bent his own badge in his own recognition from this shooting.



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In discussing the next time Kent bent a badge, he told me that he didn't mean to sound evasive but his recollection, "is pretty fuzzy," back through the mid 2000's. [REDACTED]

[REDACTED] Kent said, "I don't know whose badges I may have bent from that crew. But likely it would have been the shooters, which I believe were Jeremy Patzer and Sanjay Ramrakha."

Kent thought it was in 2005, 2006 or 2007 that members of his patrol team got into an off duty shooting. He was not present for this shooting but heard about it later and later bent the officers' badges. Kent described this shooting as occurring at the "Relay," a bar the officers would frequent after work. His team was working graveyard and went to the bar to "decompress." The officers were off-duty and some of them got into a verbal altercation with a civilian. A few minutes later the civilian came back to the bar with a gun and Sanjay Ramrakha and Jeremy Patzer shot him; he did not die. Kent did not remember if Ramrakha and Jeremy were both present when he bent their badges or if he did it individually with them.

He described the next time he was involved in badge bending occurring after he was promoted to sergeant. He did not remember what year this bending occurred but he was promoted to sergeant in 2013. He began this description with, "If my recollection serves me correctly," David McLaughlin and Matt Komoda got into a shooting that involved them shooting at a moving vehicle. The bullets did not penetrate the car as well as the officers expected. Although they hit the car, he did not believe they ever hit the suspect.

The officers were beating themselves up because they didn't do their job right; they were being super critical. Although he regrets it now, as a supervisor he wanted to buoy them up by bending their badges and giving them that support or recognition. He bent their badges to support them in their decision to do their job, fire their weapons when they needed to. He realized today that he exposed them to long term consequences by doing it. He believed, but was not sure, that he bent their badges with both Komoda and McLaughlin together.

**Investigators note:** I was under the impression that McLaughlin, Komoda and Bahou had bent badges from the same shooting, so I asked Kent if he bent Bahou's as well. He responded with, "You know I may have. Honestly, sir, I don't recall." I confused this issue and later learned that Bahou was involved in a different shooting and his badge was bent by Terry Poyser.

The next time Kent "may" have bent a badge was a shooting involving [REDACTED] and Jarrett Tonn. Kent was on this call with them but was not involved in the shooting. This shooting involved a guy who ran from a hotel room, got into a car to flee and tried to run one or both



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Tonn and [REDACTED] over. Tonn and [REDACTED] fired at the car and the suspect got away. Kent said they may have superficially hit the suspect but they never caught him. In describing the bending of their badges, he said, "And again, guys are questioning themselves and I probably bent both of their badges at some point, privately, with maybe me and them too." Later when I asked him more about this, Kent thought Tonn and [REDACTED] were together at the Relay bar, with the team after work, when he bent their badges. He thought it was just the three of them when he bent their badges but he was not sure.

The next time Kent remembered bending a badge was a shooting involving Mark Galios and Josh Coleman. Kent was a sergeant at the time. Galios and Coleman were at a Starbucks in south Vallejo. The suspect came up and tried to ambush them with an AR-15. The AR-15 jammed and he ran. The officers chased him and shot him. The suspect survived. These two officers were, "really, really, shook up," because if his rifle had not jammed, they would be dead. These officers were very tactically minded so they were being very critical of the situation they found themselves in. Additionally, the suspect ended up getting acquitted in this case which also impacted the officers. He took them both aside and bent their badges.

Kent was a Sergeant in the last two bendings he described. He said he never bent a badge as a Lieutenant. I asked him if he had bent a badge since the Galios/Coleman shooting and he replied, "I don't think so."

Later in our conversation he recalled bending more badges. Kent described another occasion where he bent a badge. Dustin Joseph and Officer Kenney (Sean Kenney) were involved in the Mario Romero shooting. There was a lot of criticism about their tactics and they were feeling bad. They had a lot of, "persecution on Facebook," and one of them had to move. Kent bent Dustin Joseph's badge but did not bend Kenney's badge because Kenney talked about everything and Kent did not think Kenney would keep this secret. Kent noted that he was pretty foolish for thinking he could keep badge bending a secret at all.

In 2005, when Kent was [REDACTED], Drew Ramsay was living with him while he, Ramsay, was [REDACTED]. It was at this time he may have bent Ramsay's badge. He explained that Ramsay had been involved in an off-duty shooting at a store when he was a cadet. Kent didn't think Ramsay hit the suspect. Kent told Ramsay about badge bending but did not recall if he actually bent Ramsay's badge or any specific reaction Ramsay had about the conversation. Kent said [REDACTED] and his recollection of that time was not good.

Kent recalled another badge he bent, [REDACTED]. [REDACTED] worked at [REDACTED] before she came to Vallejo PD. While she was at [REDACTED] she got involved in a shooting [REDACTED]. After she came to [REDACTED].



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work for Vallejo PD, Kent learned about her shooting. He bent her badge while she was at Vallejo PD and told her the meaning of it. He believed they were at the Relay bar when he bent her badge. [REDACTED] no longer works at Vallejo. Kent thought this bending occurred in 2011, 2012, or 2013. He based this on the fact that he was [REDACTED]

When Kent was promoted to lieutenant in late 2016, he did not bend his lieutenant's badge and never bent anyone else's badge again. He felt he had gained some perspective and was no longer going to bend badges. Captain Horton was his supervisor when he became a lieutenant. Sometime after his promotion but before 2018, Horton came into his office and told him to fix his badge. Kent described the following conversation:

*"I had not bent my Lieutenant badge. So, I said, I don't know what you're talking about. And then he said, I don't ever want to see that again, fix it, and left, but I hadn't bent my lieutenant badge. So, then I was really apprehensive and I also was trying to be more responsible as a Lieutenant."*

Some point after that conversation with Horton, Kent was on duty working late one night, when then Corporal Coleman asked Kent to meet him and Zach Jacobsen across the street. Kent met them and Coleman bent Jacobsen's badge in front of Kent. Kent was shocked and felt he failed as a leader because he didn't know what to do. He had bent Coleman's badge in their younger days, but he thought it was really inappropriate to be doing it now while he was on duty, in uniform, and he didn't know what to do. Kent believed that the shooting for which Coleman was bending Jacobsen's badge resulted in the death of the suspect.

Based on Kent's statement that he had gained some perspective I asked him to describe what he meant. Kent said that in the beginning, he thought he was helping the officers by relating to their experience and trying to point out the good they did in their often over critical thoughts. But he wasn't paying attention to the long term consequences of what this could do to his career and the officers' careers, such as the consequences of this investigation and the consequences to the agency.

Kent said,

*"And now that I think that the fact that I was foolish enough to believe that they'd keep it quiet so nobody would try to earn the recognition, if I caused someone to be shot when they didn't have to be, because somebody wanted, that makes me sick to my stomach."*



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I asked Kent if he was aware of anyone being motivated to shoot because of badge bending and he said he was not.

In January of 2019, Kent went out [REDACTED]. When he came back [REDACTED], he had a conversation with Mark Thompson, a K9 officer. He and Thompson were talking about K9 training, when Thompson, who had recently been involved in the Taco Bell shooting, mentioned a conversation involving Ryan McMahon, who had also been involved in the Taco Bell shooting. Thompson told Kent when they, (he and McMahon and maybe others involved in that shooting) met after their interviews from this shooting, McMahon walked in and said, "So we going to bend our badges?" Thompson told Kent that he shut this down by telling McMahon that they did not want to do that.

Kent had no knowledge of Thompson having a bent badge. Kent did not know if Thompson knew of Kent's involvement in badge bending. Kent was concerned that investigations about badge bending would be coming and he did not want to discuss his involvement or influence Thompson in any way. Kent thanked Thompson for shutting McMahon down and told Thompson that if anybody asked any questions about this, he was to tell the truth. Among other concerns Kent had about what was happening was that if Thompson knew about Kent's involvement, he did not want Thompson to try and protect him in an investigation. Kent never asked Thompson more about this, anticipating the coming investigation. Kent said:

*"When my badge bent, I was like, okay, here's the deal, in my own brain. I am responsible for all of this, if anybody is getting jammed in any way, I don't want them taking responsibility, it's on me, it's all on me."*

That was all Kent heard about McMahon's badge being bent. Kent was not aware if any of the shooters from the Taco Bell shooting had bent badges.

Close in time to his conversation with Thompson, at a staff meeting, they discussed badges having marks on them and the administration wanted everyone with any defect on their badge to turn it in. Kent recognized this as the department looking for the bent badges even though they did not say that specifically. There was no specific discussion of badge bending and its relationship to shootings. This directive came from Captain John Whitney. Although Whitney gave the directive, he said it was coming from the Chief, everything Whitney said was always prefaced with, it was coming from the Chief. The badges were to be turned into the [REDACTED], there would be no questions asked and they would get a new badge.

Kent said the Chief was in this meeting but had left prior to Whitney discussing this issue. He said sometimes there were civilians in these meetings, such as [REDACTED], the



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finance person and the records supervisor but he did not recall if they were there for the badge discussion.

Kent did not have any knowledge of badges being turned in other than what he read in the media.

Kent did not inspect badges but his sergeant Jeremy Huff did, including looking at Kent's and he did not report any damaged badges. Kent's badge was not bent at this time.

Kent never told anyone where to wear the bent badge but when his perspective changed and when Horton accused him, he tried to make sure people were not displaying them. For example, when he saw Jacobsen get his badge bent, he told Jacobsen to make sure he was not seen wearing it. He noted that as a leader he should have stopped it there and told them not to do it. But he did not; he considered this one of his failures.

Kent described a second time Horton confronted him about badge bending. This occurred sometime in, "2018-ish." Horton seemed irritated and said, "No bullshit. I know what that badge bend is for. I don't want to see it ever again and don't give any bullshit of what's it all about." Kent explained it to him, briefly, telling him it was not about killing people because Horton thought it was about killing.

Horton said to Kent, "Well, you know, what's going to happen if the Chief finds out." Kent told Horton he would go into the Chief's office right now and explain it all to him because he knew the whole story. Horton told him not to do that, and to just fix it. Horton told him to make sure this never got out again and told him if this gets out to the public, "Heads are going to roll." Kent wanted to tell the Chief then, but Horton told him not to.

(Based on the timeline this would have been Chief Bidou, but Kent never named the Chief.)

This second time Horton confronted him; his badge was not bent. He did not know if Horton saw something on the badge or knew from another source. Kent explained that although he earlier said he did not bend his lieutenant's badge, there was a time, before this conversation with Horton, he bent his lieutenant's badge for a night. Kent felt that he was being targeted by the department for unfounded misconduct. One night, when he had been drinking and was angry about these accusations, he bent his lieutenant's badge out of frustration, if they were going to accuse him of wrongdoing why not do something wrong.

He woke up in the morning and bent it back. Sometimes, when the badge is bent it cracks the enamel paint on the "P." He also noted that depending on how the badge is used, if it is your belt badge that gets thrown in a gym bag all the time, it can have cracked paint and scratches



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all over. Kent did not know if Horton saw a crack or just knew from another source. Kent asked him how he knew. Kent described Horton as a military guy, an honor guard guy, and that he has a sharp eye for details on uniforms. Horton told him, "You know how I am, I can tell when it's not in regulation." Kent did not argue with that.

Based on Horton's order to fix this, Kent went to the most recent people he had bent, McLaughlin and Komoda and told them to fix their badges and make sure anybody else who had them did the same. He forgot about Jacobsen. He also told Huff to make sure anybody out there who had bent badges were to fix them. McLaughlin and Komoda did not have any discussion with him about this request or order but just said, "yes sir." He had no reason to doubt that they would do it. He later confirmed with them that they fixed their badges. He told Huff this because he could not remember if he bent Huff's badge and he knew Huff was very connected socially around the department and he could get the word out.

I asked Kent about any supervisors other than Horton he discussed badge bending with. He told me at the time of the badge inspection he asked then [REDACTED], "What's going on with all those badges thing?" [REDACTED] just said, "Apparently the guys are fucking with their badges." After the article came out, he spoke to his brother Todd about it as well. These were the only supervisors his rank or above he spoke with other than Horton.

I asked Kent about barbecues or off-duty celebrations of shootings. Kent said he was never present for any badge bending in a public setting like that. He reiterated that when he did it to someone who had a fatal shooting, he was very clear and specific about its meaning, that it had absolutely nothing to do with taking a life. If it was not done in a one-on-one setting it was done only in front of others with a bent badge or others getting a bent badge. Even if it occurred at the Relay bar after work, with the whole team, the person getting bent was pulled aside so it was not done in front of everyone.

Kent has never been at an off-duty event where the discussion of celebrating shooting someone took place among Vallejo officers. He reiterated that the badge bending he did was not about the celebration of shooting someone.

Kent did not know if an internal investigation other than this one ever took place for this issue.

I asked Kent about the email sent by Nichua Bechea that stated the following:

*"The intimidation not to talk about badge bending has begun. The investigation should start with Kent Tribble and Todd Tribble. Kent should be asked who was the first person he bent a*



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*badge for. The bothers brought badge bending back from Concord PD. Ryan McMahon did not bend his own badge, Zach Jacobsen did it for him.*

*“No one will come forward with Darden having the ability to affect our lives and referring to people as rats.”*

Kent had no idea who sent this. I asked Kent about the reference to Darden in this email. Kent had no knowledge of Darden having a bent badge. Kent said Darden was the last person who would call someone a “rat” and the last person who would intimidate anyone for coming forward to report this. Darden has been in several shootings and taken a lot of abuse from the media. Kent has never bent Darden’s badge because he was an [REDACTED] and his boots were always shined perfectly. Darden would have been greatly offended if Kent tried to bend his badge.

To show support for Darden, after a particular shooting, Kent gave him a San Francisco Police Department SWAT shirt. Kent respects Darden and Darden would not approve of Kent’s badge bending. Kent has been embarrassed to talk to Darden since this issue has gone public.

Kent knew nothing about Kyle Wylie’s badge being bent. I asked Kent about Jordan Patzer having a bent badge as [REDACTED], had his badge bent. Kent was not aware of Jordan having a bent badge. Besides the time Coleman bent Jacobsen’s badge, Kent was not aware of anyone other than him bending badges.

I asked Kent about the statement in the Open Vallejo article that says current and former employees describe a department where bullies thrive, whistleblowers are dealt with harshly, and the pressure to shoot and kill civilians is strong. Kent did not think this was true. He was not aware of Vallejo PD or Vallejo Officers encouraging anyone to shoot people.

Kent offered an opinion about the unknown email and the information Open Vallejo published (not already attributed to John Whitney). Kent was adamant that this is not fact but opinion and then explained to me why he has this opinion.

Kent believes Whitney is behind all of the information and accusations in the email and public sphere.

Kent said that in 2018 or 2019, Dan Golinveaux contacted him and wanted to meet for a beer. Kent had not talked to Golinveaux in 10 years. They met at the Mare Island Brewing Company. Golinveaux told Kent that he was at a multi-agency training session where several agencies had their command staff in attendance. At this training session, a Concord Officer, [REDACTED], brought up Kent Tribble and said that Kent had started a badge bending



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tradition for killing people. Kent thought it odd that Golinveaux came to him to tell him this. Golinveaux said he did not say anything about what they started at this meeting but he wanted to give Kent a heads up that this was out. Kent felt Whitney may have been at this training as [REDACTED] around this same time.

Kent said that around 2016, Vallejo had some issues with payroll records and concerns about mismanagement of payroll. They brought in a third party to examine the police department payroll records. Kent and his brother Todd were working to get Vallejo's SWAT team to compete in the Urban Shield Competition. Whitney gave them permission to run the team through some training on a limited overtime budget. The third party auditor accused Kent and Todd of mismanaging the overtime and there was a possibility they would face discipline. Kent kept all the documents to prove that they did not mismanage the overtime but he felt like they were being targeted.

Then there was an incident where Todd had [REDACTED] and an anonymous message was sent to City management that Todd was unfit for duty. Kent felt like there was pressure from Whitney, who was the [REDACTED], to get he and Todd off the team, and perhaps out of the agency altogether. In frustration about this, Kent made the comment to others that Whitney should stop targeting he and Todd because Kent knew enough about Whitney to get him in trouble. This included Whitney getting overtime as a captain when he was not supposed to.

Kent described another issue where he was working with a rifle sling company that he had personal ties to. Kent had permission from Whitney to do business with this company and he shared his concerns about doing business with this company to Whitney. Whitney told him not to worry. But last year, after Whitney was terminated, he got a PRA request about the sling company and its arrangement with the City.

Kent said an anonymous person leaked information to Open Vallejo about bullies. Kent explained that Whitney used to call Kent, [REDACTED], Iacono, and Darden all bullies because they are large, former college football players and Whitney is not. Whitney is of smaller stature and Kent thought Whitney took offense to their size difference.

Kent described the FBI agent, Andy McCabe, who was in the news for being fired two weeks before his retirement. Kent thought he was being targeted that way by Whitney so Whitney could claim to be a "whistleblower."

Regarding his brother Todd, Kent said that when he came to Vallejo, and bent badges he told people that he and Todd brought it there. He did this because Todd had good credibility and Kent wanted Todd's credibility to support what he was doing. Kent said, "I know it's weaselly



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and... I mean, I dragged him into this thing.” When Kent bent badges in Vallejo Todd never had anything to do with it. Kent had bent Todd’s badge in Concord but he did not remember if he ever bent it in Vallejo.

Recently, when all of this came out in the media and Kent’s name was tied to it, Kent and Todd talked about it. Kent told Todd that he had used his name as being involved to gain that credibility and Kent apologized to Todd for this.

I asked Kent about the unauthorized back plate issue that has come up in this case. Kent told me that he was a lieutenant on light duty when Ryan McMahon’s gun came back from the Department of Justice lab after the Taco Bell shooting. He thought it was in March or April (the Taco Bell shooting occurred in February of 2019). He was inspecting the gun, to put it back into service, when he noticed that the back plate had a cross on it which he recognized from the movie, Boondock Saints. This movie is about vigilante justice.

This concerned Kent, as he was also aware of a case where an officer got in a shooting with an M4 rifle and on the inside of the rifle’s dust cover he had engraved, “You’re Fucked.” This engraving became a big issue in that case. (This M4 engraving case is not a Vallejo or a local case.)

Kent felt that McMahon’s back plate related to the Boondock Saints movie could be misconstrued to mean McMahon wants to go out and kill people. Kent had the back plate switched back to stock and reported this through the chain of command. He also instructed the sergeants to inspect guns for any issues like this. Kent felt this was a break down in their system and his failure as they had not caught this with inspections. Kent was not aware of the IA done over this backplate issue.

In closing the interview, Kent apologized for his actions and the harm it caused to the policing profession.

End of Kent Tribble interview.

### **Interview of Sergeant Jared Jaksch**

On March 9, 2021, at 7:30 AM, I interviewed Jaksch at Vallejo City Hall. He brought [REDACTED] another Vallejo officer, as his representative. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. Jaksch was a witness in this investigation because he had been involved in a shooting at Vallejo PD and he was a supervisor in February of 2019. The following is a summary of the interview relevant to this investigation.





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### **Interview of Detective Terry Schillinger**

On March 10, 2021, at 11:10 AM, I interviewed Schillinger at Vallejo City Hall. He brought [REDACTED] as his representative. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. Schillinger was a witness in this investigation because he had been involved in a shooting at Vallejo PD. The following is a summary of the interview relevant to this investigation.

Schillinger has been a police officer for 13 years, 7 of those years at Vallejo PD. Schillinger had not heard of badge bending until the article came out. He recalled a time about 2 years ago when someone came into investigations, it may have been Captain John Whitney, and he was looking at badges. Schillinger did not remember if his was checked. He had no idea why they were checking badges but after the article he linked this event with badge bending.

Schillinger has been involved in a shooting at Vallejo PD and no one has bent his badge.

Schillinger has been to off-duty events involving other Vallejo officers. On occasion, at these events, they have discussed officer involved shootings. He described it as a coping mechanism to deal with the traumatic event that the officer had been through. The officers support each other, they are their own support network, because no one else understands how hard it is to go through an event like that. He has never heard a Vallejo officer talk about the celebration of shooting someone.

Schillinger was not aware of a firearm inspection related to an unauthorized back plate.

After the article came out, what he generally heard around the department was that officers did not know about badge bending. He did not learn of anyone who may have had a bent badge.

Schillinger brought 2 metal badges. Neither of them was bent and there was no indication they had ever been bent.

### **Evidence Collection Activities**

On March 10, 2021, Chief Keith sent a letter following up our conversation that he would not compel Whitney to participate in an interview for this investigation. The letter accompanies this investigation as a supporting document, Exhibit 9.



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### **Interview of Officer Bryan Glick**

On March 12, 2021, at 8:00 AM, I interviewed Bryan Glick at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Glick was a witness in this investigation because he had been involved in a shooting at Vallejo PD. The following is a summary of the interview relevant to this investigation.

Glick has been a police officer for 9 years, 6 of those years at Vallejo PD. Glick had never heard anything about badge bending until the article came out. After the article came out, the general discussion around the PD was that it was not true. Glick did not believe it was true today.

Glick acknowledged there are off-duty get-togethers and sometimes they occur after a shooting, he described it as a decompression type of thing. He has never heard anyone talking about the celebration of shooting someone at these events.

Glick had no knowledge of a badge inspection or a firearms inspection but did hear something about a back plate being switched. He had no other information about this.

Glick was involved in the Taco Bell shooting of Willy McCoy. He did not hear any discussions about badge bending after that shooting.

End of Glick interview.

### **Interview of Sergeant Waylon Boyce**

On March 10, 2021, at 1:45 PM I interviewed Waylon Boyce at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Waylon Boyce was a witness in this case as he had been involved in a shooting at Vallejo PD. The following is a summary of the interview relevant to this investigation.

Boyce brought 4 metal badges for inspection. None of them were bent and none of them had any indication of having been bent. Boyce has been a police officer for 20 years, 15 of those years at Vallejo PD.

Boyce first became aware of badge bending in 2017, he was in the traffic unit and the traffic lieutenant, Nichelini, said at a staff meeting that they were told if anybody has a bent badge,



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they were to turn it in and the department would fix it. Boyce was curious and asked him what this was about. Nichelini said that people were bending their badges to commemorate shootings. Boyce was surprised, as he had been at 2 different agencies and had 17 years in law enforcement and had never heard of anything like this. He didn't believe it.

Boyce identified 2017 as the year this happened because he and Melville as the only officers in the traffic unit at the time. Melville was present for the conversation. (Vallejo PD records show Boyce and Melville were the only two officers in traffic from August of 2017 to May of 2018.)

Boyce recalled McMahon having an unauthorized back plate on his gun. He thought this occurred sometime in 2017 or 2018 as well, most likely before the Nichelini badge conversation he described above. He was not aware of an inspection because of the back plate issue.

Boyce had never bent his badge, has never been asked to bend his badge, and has never seen a bent badge.

After the article came out, he did not learn of anyone with a bent badge.

Boyce was aware of officers associating off-duty. He was also aware that sometimes these gatherings are after a shooting to show support for the officer who has been involved in the event. He had never heard of anyone talking about the celebration of shooting someone.

End of Boyce interview.

### **Interview of Officer David McLaughlin**

On March 15, 2021, at 11:00 AM, I interviewed David McLaughlin at Vallejo City Hall. McLaughlin was accompanied by his attorney, [REDACTED]. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. McLaughlin was served as a witness in this investigation because he had been involved in a shooting at Vallejo PD. He was served as a subject, days later, when Stephanie McDonough told me his badge was bent. The following is a summary of the interview relevant to this investigation.

David McLaughlin has a brother, Ryan McLaughlin, who is also a Vallejo police officer. I will refer to David by his first name because of this. David has been a police officer for 9 years, 7 of those years at Vallejo PD.

David had not heard of badge bending until he was in a shooting and had a personal experience with it. On August 31, 2016, he was involved in a shooting with Officer Matt Komoda. They



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were in a short pursuit that ended with them shooting but no one was hit and the suspects were taken into custody.

The day after or a couple days later their sergeant, Kent Tribble, told them to meet him for a beer at the Relay bar across the street from the PD. Tribble told them to bring their badges. He did not remember if he and Komoda were invited together or separately but they were both invited to the same event and went together.

They went to the Relay bar where they met Kent and another officer, Josh Coleman. Kent said, referring to the shooting, something to the effect of, "I know that was a very hairy situation and how you guys handled yourself professionally, and you guys did a great job." Kent was his supervisor, he was well respected, he was an older officer, he was good at getting guns off the street, someone you would aspire to be. Kent took David's badge and bent a tip. David understood the bend to symbolize that they did a good job. Kent bent the top right point or the next point down, the 2 o'clock or 3 o'clock point, also described as the one closest to the "E" or the one closest to the "O" in Vallejo; David did not remember which one of the two.

I had a sample badge with me and we worked through a demonstration of how it was bent. Through his description and my demonstration, the bent point was the entire triangle of the point, bent a little further in, the same direction it was already curved. Just a couple millimeters more in. It was barely noticeable, but David said if you look at it on a table, as a reference to the point positions, you could see the bend.

There was no discussion of killing or even hitting the suspect and in their case, they didn't hit anyone.

David thought it was a "weird" experience, but it was a sergeant he respected who just did it and told them they did a good job in a stressful situation. He didn't know any better and based on what Kent described there was nothing unethical about it.

As he and Komoda walked away from the bar, they both commented that what happened was "weird." David said he was going to bend his badge back. He thought Komoda was going to do the same thing. He didn't think anything was wrong with it, but he liked to look sharp in his uniform. That day or the next day, before he wore it again, he bent it back.

After his badge was bent, he had heard people in the locker room talk about bent badges but never keyed in on it and couldn't describe more about this. It wasn't significant to him. Even if someone had asked him about it, he would not have said anything because he thought it was "weird."



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David's brother, Ryan McLaughlin, is a Vallejo Police Officer as well. After this badge bending incident he told his brother, who also thought it was "weird." He did not tell anyone else until after the article came out.

David said if he ever thought it was about shooting or killing someone, or if Kent had said that to him, he would have gone to another supervisor. He never thought of that possibility at the time. When the article came out it really "freaked" him out. It was never about what the article said and it upset him that he had anything to do with it.

David got into police work to help people. He loves catching bad guys and getting guns off the street. He did not get into police work to shoot people.

About a year after this shooting David got into another shooting involving 5 Vallejo officers. That suspect died. David did not think anything about badge bending and no one brought it up.

David said two or three months after his second shooting, a sergeant or lieutenant said they wanted to inspect everybody's badges. They didn't use the word bent. David thought that they must want everyone to look good and there may be more people with bent badges but it didn't mean much to him as his badge was not bent. He did not recall if they actually looked at his badge.

When the article came out David was upset because it said that the bending was about "celebrating murdering someone." He contacted a union representative and then a lawyer and asked if he should come forward. He was told not to at this time as he did nothing wrong and there was an investigation taking place.

I asked David if he talked to anyone else after the article came out. He talked to Komoda about their shared experience and how the article did not portray it the way they were told. David also talked to Jason Bahou about it. Bahou and David were talking about the article and one of them, he did not remember which one of them, asked the other if they knew about it. They both disclosed that it happened to them. Bahou had been in a fatal shooting and told David that Terry Poyser bent his badge and in essence told him the same thing, it was about doing a good job.

David talked to his brother Ryan again, briefly, commenting on how what happened to him was wrong. This was done to him. Ryan agreed and Ryan also told David not to tell him anymore as he did not want to be a witness in this investigation.

David said the Vallejo Police Department is like a family and they do a lot of off-duty things with other officers. He has never heard any Vallejo officer talk about the celebration of shooting



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someone. He said after his second shooting, when the day was over, they had a couple of drinks together and was the furthest thing from a celebration, it was like, "that was a crappy day at work."

Besides what he told me, and the allegations he read in the article, David did not know of anyone else who had a bent badge and had not talked to anyone else about this. He had never heard the term "Badge of Honor" associated with this.

Because Kent tribble told me that he told David and Komoda to fix their badges I asked David about this. Kent never came to him and told him to fix his badge.

David made a closing statement, in summary, if he had ever known what Kent did was related to shooting someone or killing someone, he would have reported it. He loves this job and it's all he ever wanted to do. He did not get into this job to get into shootings.

David brought 2 metal badges to the interview, neither were bent and neither had any signs of having been bent.

During the interview I forgot to ask David about his conversation with McDonough, she reported their conversation in her interview. After the interview, off the recording, I asked him about this conversation. After the article came out, he told her how it happened to him and what he was told it meant. ( [REDACTED] at the time of this interview.)

### **Interview of Officer Jason Bahou**

On March 15, 2021, at 11:50 AM, I interviewed Jason Bahou at Vallejo City Hall. Bahou was accompanied by his attorney, [REDACTED]. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. Bahou was served as a witness in this investigation because he had been involved in a shooting at Vallejo PD. He was served as a subject, days later, when Stephanie McDonough told me his badge was bent. The following is a summary of the interview relevant to this investigation.

Bahou has been a police officer for 7 years, all of which were at Vallejo PD. Bahou first learned of badge bending 6 years ago when he was in a shooting. Right after his shooting an older detective, Terry Poyser, came up to him and told him he survived, he did the right thing, he did what he had to do, and not to feel bad about it.

Poyser bent his badge while it was on the uniform he was wearing. Bahou described the point Poyser bent as being one of the two upper points, the 1 o'clock or 11 o'clock points, he did not



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remember which. Bahou said it was short, there wasn't much to the conversation, he basically came up to him and said, "Hey, new guy, I'm proud of how you took care of it. You did what you had to do and that was it."

Bahou said Poyser was an "old salty" cop, a war buff, and a [REDACTED]. When Bahou was new at Vallejo, Poyser trained him in shooting. Poyser talked about a lot of new cops resigning because Vallejo was a difficult place to work, you had to be able to work under pressure. Bahou thought it was from this perspective Poyser bent his badge, in essence telling him he did a good job under pressure.

Bahou was in uniform when this happened and as he wasn't off probation, he wore the uniform, with the metal badge, while on probation as a sign of respect. He only wore the uniform for court or on duty but said it didn't happen at court or at work, and it did not happen at an off-duty gathering, he could not remember where it happened. He didn't think anyone else was there but he couldn't remember. Bahou said his memory around the shooting was like that. The "movie" of the shooting kept playing in his head but things around it are "hazy." [REDACTED]

Bahou did not tell anyone what happened initially. He did not think this was a "thing." He thought it was an isolated incident of the "old salty" detective telling the new kid that he survived.

Some of his closest friends are David and Ryan McLaughlin and Matt Komoda. After the article came out, he told them it happened to him. Then Komoda and David said it happened to them too. David and Komoda had a similar understanding of what the bend signified, it was about doing their job, it was not about killing. They all felt like victims of circumstance as they didn't choose to have their badges bent. The article and the investigation have brought back negative [REDACTED] for Bahou surrounding his shooting. The only other person he told was [REDACTED]

Bahou did not know of anyone else with a bent badge, other than what he just told me, and has never seen a bent badge.

Bahou bent his badge back about a week or two after it happened. He did not like the way it sat on his chest and it was a visible scar, reminding him of the shooting, a negative event. I bent a point on a sample badge for Bahou and he confirmed that it was the triangle of a point, bent slightly back, further curving it than it already was, about 2 millimeters or less.



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Bahou did not know anything about badge inspections until after the article. He was trying to get representation and learned that there had been an investigation and prior badge inspection by the former Chief but no one talked to him then.

Bahou has never heard any Vallejo officer talk about a celebration of shooting someone.

Bahou brought his metal badge, the one that had been bent, to the interview. It was not bent and had no indication of ever having been bent.

Through questions asked by his attorney Bahou said his shooting was a fatal shooting and Poyser never said anything about celebrating when they kill people. Had he said this, Bahou would have reported it. Bahou did not see anything ethically wrong with the reason Poyser gave for bending his badge.

In closing, Bahou said that this shooting impacted him heavily. [REDACTED]

End of Bahou interview.

### Interview of Corporal Matt Komoda

On March 29, 2020, at approximately 5:20 PM, I interviewed Matt Komoda with his attorney, [REDACTED], present. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. Komoda was served as a witness in this investigation because he had been involved in a shooting at Vallejo PD. He was served as a subject days later after as Stephanie McDonough told me his badge was bent. The following is a summary of the interview relevant to this investigation.

Komoda has been a police officer for 15 years, 7 of those years at Vallejo PD. Komoda had never heard of badge bending until it happened to him. Komoda and David McLaughlin fired their guns at a vehicle that tried to run them over. They did not hit anyone. A couple days later, then Sergeant Kent Tribble, invited the two of them to the Relay bar and told them to bring their badges. Komoda thought this request was odd.

Komoda went to the bar with his badge and David McLaughlin was there as well. He had a beer or two with Kent and another officer who was there when they got there. He did not remember who the other officer was. Kent took his and David's badges, and as he bent one of the points on each badge, he told them, *"This is just to signify that you guys were in a critical*



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*incident where you were forced to make hard decisions and you handled it professionally and you came out of it okay."*

The badge point Kent bent was one of the side bottom two points, Komoda could not remember which. The 5 or 7 o'clock points. The point had been bent in, more curved than normal, by a few millimeters. Kent Tribble never told them where they could wear the badge and never said anything about killing or shooting someone.

Afterwards, he and McLaughlin talked about what happened and both felt it was weird. They didn't like the bent badge and bent them back. Komoda bent his back within days. He didn't think there was anything unethical about it because of what Kent described it was for. He was not aware of anyone else with a bent badge and up until the article came out had not told anyone of this badge bending event.

When the article came out, he and Bahou, talked about badge bending and told each other it happened to them. Bahou gave the same reason Komoda was told for why his badge was bent. Bahou also bent his badge back at the time it occurred and didn't want any part of it. They had no idea it meant something other than that they handled themselves professionally in a critical incident. The allegations in the article were completely different than what they were told.

Komoda associates with other Vallejo officers off-duty. He was aware that sometimes off duty gatherings occur to support an officer who had been through a shooting, he described it like this:

*"I don't think anybody wants to go through their career having to shoot at somebody let alone shoot, hit somebody. And it can adversely affect your life for the rest of your life just mentally, physically. And sometimes people need to know that they need a little support and hey, if something's going on, we're here for you, man."*

Komoda has never heard a Vallejo officer talk about the celebration of shooting someone.

Komoda had his badge inspected in line up but had no idea what it was for. He could not remember when this happened but it was after his shooting and badge bending incident. He remembered a gun inspection but he didn't carry his issued handgun, he didn't remember if they looked at his or not. He did not recall it being close in time to the badge inspection.

Komoda has been involved in three shootings at Vallejo PD and badge bending never came up in the other two. In the other two the suspect was hit and one died.



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Kent Tribble told me that after Horton confronted him about badge bending a second time, he told Komoda and McLaughlin to fix their badges and make sure anybody else who had them did the same. I asked Komoda about this and he said it did not happen.

Komoda had not heard the term “Badge of Honor” associated with badge bending.

After the article came out he did not learn of anyone else (other than David McLaughlin and Bahou) who had bent badges. The general discussion around the department was that no one had heard of it.

Komoda brought his metal badge to the interview. It was not bent and had no indication of having been bent.

End of Komoda interview.

### **Evidence Collection Activities**

On May 5, 2021, Knight responded to another series of requests I made a few days earlier. Through this response I learned the following:

He provided another set of critical incident logs for 2003-2009. These were compiled with the 2010-2020 log into one critical incident log for 2003-2020, see Exhibit 16.

Melville and Boyce were the only two in Traffic from August 2017 to May 2018.

Kent Tribble told me he came back from [REDACTED] sometime around January of 2019. There were no records showing Kent was [REDACTED] around January of 2019. However, he was [REDACTED] from December 28, 2018, through January 28, 2019. His first date back to work was February 1, 2019.

As explained before, my original timeline for this investigation was 10 years, 2010-2020. After learning that badge bending occurred long before 2010, I asked Knight for another critical incident log covering 2003 to 2009- for a 17 year total. Knight provided me with these documents.

On May 5, 2021, I had a zoom meeting with Knight and Kihmm regarding employees out [REDACTED]. It has been my experience that different jurisdictions deal with this issue in different ways. Ordering an employee in for an interview who is [REDACTED] can be difficult, involving the Human Resource people and sometimes city attorneys. I had previously tried to interview Iacono and Horton, who were [REDACTED], unsuccessfully. I had not received any



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follow up about why or what the nature of the attempts were. In this meeting I asked Knight and Kihmm about this. My goal was to push this issue and find out what steps the city took to move this issue forward and if I could reach out to them personally for contact if the city could not. I needed this done for Iacono and Horton and now also for Zach Jacobsen, [REDACTED] and Kevin Barreto.

A few days later, in response to that request, I was told I would be able to interview, Barreto, Jacobsen, and Iacono, but not to contact Horton or [REDACTED] because of their [REDACTED].

Also, during my meeting with Knight and Kihmm, I asked Knight about one of the shootings Kent Tribble told me about. Kent told me that he bent Ramrakha's and Jeremy Patzer's badges because of a shooting that occurred at the Relay bar. Kent said they were at the bar off-duty and got into an argument with a subject who later came back with a gun. I could not find this shooting in my critical incident log. Knight told me that this shooting involved Jeremy Patzer and Brent Pucci, not Ramrakha.

On May 5, 2021, I sent another list of officers to be served as subjects based on their potential involvement in badge bending from what I had learned to date. They were Eric Jensen, Zach Jacobsen, Jordon Patzer, Jason Scott, and Todd Tribble. After sending this list I learned that Eric Jensen retired several years ago.

On May 13, 2021, I sent a list of written questions drafted by Maloney, to John Whitney, via his attorney, [REDACTED].

### Interview of Officer Jordon Patzer

On May 13, 2021, 12:45 PM, I interviewed Jordon Patzer with his attorney, [REDACTED], present. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. Jordon Patzer was served as a subject in this investigation, primarily because of the information gathered thus far that [REDACTED], [REDACTED], was involved in badge bending and Jordon had been involved in a shooting at Vallejo PD. The following is a summary of the interview relevant to this investigation.

Jordon had been a police officer for 3 years, all of those years at Vallejo PD. Jordon knew nothing about badge bending before the article came out. He had been involved in a shooting but no one has asked him to bend his badge and no one tried to bend his badge. He's never seen a bent badge. After the article came out, he did not learn of anyone with a bent badge.

Jordon has been to off-duty gatherings with other Vallejo officers. He has been to these events



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when it was to support an officer who had been in a shooting. He has never heard a Vallejo officer talk about a celebration of shooting someone.

[REDACTED], has been mentioned in this investigation several times, so I asked Jordon if [REDACTED] ever talked with him about badge bending. Jordon told me [REDACTED] has never said anything to him about badge bending. He added that he [REDACTED]

Jordon was served as a subject out of an abundance of caution because of [REDACTED] potential involvement in badge bending, based on what I know in the case now, he will be listed as a witness.

Jordon Patzer brought his metal badge for me to inspect. It was not bent and there was no indication of it having been bent.

End of Jordon Patzer interview.

### Interview of Captain Todd Tribble

On May 13, 2021, 2:00 PM, I interviewed Todd Tribble with his attorney, [REDACTED], present. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. Todd was served as a subject in this investigation because Kent Tribble said he bent Todd's badge at Concord PD; he might be involved in it at Vallejo. Todd was also a supervisor at the time of the February 2019 staff meeting and had been involved in a shooting at Vallejo PD. The following is a summary of the interview relevant to this investigation.

Todd Tribble has been a police officer for 24 years, 18 of those years with Vallejo PD. His first experience with badge bending was at Concord PD when he was involved in a shooting in September of 2002. Todd and his brother Kent Tribble, both police officers at Vallejo PD now, were both police officers at Concord PD then. In this 2002 shooting, several officers did not engage the armed suspect who ultimately shot at them. Todd and another officer ended up shooting and killing the suspect.

Later, [REDACTED], Todd believed it was that same month, September of 2002, or it could have been as late as Thanksgiving that year, Kent Tribble bent his badge. He and Kent were alone and Kent took his badge and bent one point of the star in, towards his chest (if he was wearing the badge). Not the tip of the point but the whole triangle shaped point. The Concord badges were flat stars, not curved in like the Vallejo badges. He bent the lower left, or



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7 o'clock point. Kent said, "This is because you did your job." Kent told Todd it was not for killing, it was for not running away and staying engaged.

Todd did not see the value in bending the badge like his brother did. Todd had the bent badge for days, maybe a week, and he bent it back. He understood how the public could perceive this act as a slap in the face and disenfranchise law enforcement from the community.

Todd went on to explain that there was some context at Concord PD to explain what Kent just did. There was an earlier shooting at Concord PD, the Tribbles were not involved, where an officer ran from the event and hid. That officer got the same department award as the other officers who stayed and engaged the suspect. In essence, Kent's bending of Todd's badge was for staying and doing his job regardless of what awards the agency was going to give out.

Todd left Concord PD along with Kent and went to Vallejo PD. Todd never really thought about badge bending again until February of 2019 when Captain John Whitney brought it up at a staff meeting. Todd said there was 20-25 people in the room, sergeants, lieutenants, managers of non-sworn employees. Todd believed Chief Bidou was there. Whitney told them that an officer who had been involved in a shooting had some kind of personal non-essential equipment on his handgun. Whitney also told them about allegations of badge bending going on at the PD as well. Whitney told them if anybody had marks on their badges, they should turn them in. Todd understood this to mean they were looking for bent badges based on the conversation. Todd did not inspect any of his peoples' badges and no one turned any badges into him. Todd said that Whitney in essence said, *"We're not looking ... we're just looking to make sure that people are being appropriate and fixing things. We don't need this to turn into something different."* (The quote above was from Todd's transcript but he said it was not a quote of what Whitney said.)

Todd was angry. He went to his brother Kent and asked him about this. Kent said that he had made some bad decisions.

Later, the day of the staff meeting, or within a couple days, Todd and Kent were in one of their offices. Captain Horton came in and said that he saw Kent wearing a bent badge. Todd's memory of this conversation was not good but to the best of his recollection Horton told Todd that he confronted Kent as he knew what that bent badge meant. Todd said he did not know what was, "going on with that." Kent told Horton that it was not what he thought and Horton told him to get it fixed.

That same week, Todd was talking to Whitney when Whitney brought it up again. Todd showed him his lieutenant badge to establish that he did not have a bent badge and in essence said he didn't know about it.



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Todd said after April 2020, before the article came out, Kent was [REDACTED] He came to Todd, upset, and apologized for the badge bending “thing” and told Todd he may get dragged into it. They did not discuss details. Todd said Kent shielded him from this intentionally and that is why they had such little conversation about it.

During the Christmas season of 2020, Kent talked to him about badge bending again. Todd said Kent was very upset. Todd had never seen him this upset as an adult and Todd was worried about him. Kent started apologizing to Todd profusely and told Todd that in a conversation with Horton, when Todd was not present, he told Horton that, “we,” Kent and Todd, brought badge bending from Concord to Vallejo. Todd was upset and realized that he would be in this IA interview because of Kent’s comment.

Todd said the morning the article went public he got a phone call from a reporter. The reporter asked him if he would comment on the “Badge of Honor.” Todd had never heard this term and thought maybe it was related to a positive presentation the Chief was doing that he didn’t know about. He had no idea the reporter was talking about badge bending. He referred the reporter to their Press Information Officer.

Later that same day, when he got to work, he mentioned to the PIO that he sent a reporter her about the “Badge of Honor,” question and she said they were trying to find out about, badge bending. That was when Todd realized this issue was now public. The article came out that day. Later, Todd read about the term “Badge of Honor” in the article but he had never heard that term associated with this issue.

That afternoon Todd was talking to Captain Potts about it. They didn’t talk in detail and he thought Potts had never heard of badge bending. Deputy Chief Allio came into his office while Potts was there, Allio asked Todd if there was any truth to the badge bending story in the article. Todd said there was but he hadn’t heard of it for a long time.

Todd has never bent anyone’s badge and had never seen anyone bend a badge besides his brother in his Concord shooting. None of his Vallejo badges have ever been bent. Todd was not aware of anyone at Vallejo PD who has a bent badge.

Todd has been to the occasional off-duty gathering with other Vallejo officers. He was aware that sometimes these gatherings are held after a shooting to support the officer who had been through the event. Todd has never been to an after shooting event. He has never heard a Vallejo officer ever talk about a celebration of shooting someone.



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I showed Todd the email from Nichua Bechea that has been discussed earlier in this investigation. Italicized below is the narrative of that email for reference.

*“The intimidation not to talk about badge bending has begun. The investigation should start with Kent Tribble and Todd Tribble. Kent should be asked who was the first person he bent a badge for. The bothers brought badge bending back from Concord PD. Ryan McMahon did not bend his own badge, Zach Jacobsen did it for him.*

*“No one will come forward with Darden having the ability to affect our lives and referring to people as rats.”*

I asked Todd about this email. He said it was not true. He did not know the person who sent it. The comments about Darden had no meaning to Todd. Todd said that when the article came out Darden was angry about being vilified. Darden was a [REDACTED] and Todd could never see Darden having a bent badge. Darden was angry as the article implied his badge was bent four different times for his shootings. Todd noted that from his original conversation with Kent, when Kent first bent his badge in 2002, at Concord PD, it was bent once for doing your job, not every time you were in a shooting.

Todd brought 4 metal badges 3 of which were not bent and no indication of being bent. The fourth, his loaner captain badge, had one point that was a little straightened. This is not the kind of bend from this investigation and it appeared to be normal wear.

End of Todd Tribble interview.

### **Interview of Officer Mark Thompson**

On May 13, 2021, at 3:45 PM, I interviewed Mark Thompson with his attorney, [REDACTED], present. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. Thompson was served as a subject in this investigation, in an abundance of caution, because he was involved in a shooting at Vallejo PD and Kent Tribble said he had information about McMahon asking if they were going to bend their badges after the Taco Bell shooting of Willy McCoy. The following is a summary of the interview relevant to this investigation.

Thompson has been a Vallejo Police Officer for 15 years. He's never seen a bent badge, never had a bent badge, and nobody's ever asked him to bend his badge. Thompson was involved in the Taco Bell shooting of Willie McCoy. The next morning, after they had done their interviews and were off duty, he met the others who were involved and some other Vallejo officers at the association hall for some drinks to “de-stress.” At one point, he was sitting near McMahon,



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who was also involved in the shooting, and McMahon said, "Hey, when are we bending our badges?" Thompson did not know what McMahon was talking about and told him that, and just brushed him off. Thompson tried to avoid McMahon because of things he has seen and heard about McMahon. Thompson said the best way to describe his relationship with McMahon was, "I (Thompson) don't want to get wrapped up into his bullshit." Thompson did not know who else heard it and did not recall anyone else saying anything related to McMahon's comment.

Thompson said Kent Tribble was at this event but he was not near them when McMahon said this. [REDACTED] was sitting right next to him and he thought [REDACTED] was there too and maybe Bryan Glick (I had previously interviewed Glick and he had not mentioned hearing this.) but he could not remember who if anyone else was in earshot of McMahon's statement.

About a month after this, Sergeant Jodi Brown talked to him about badge bending. Brown said Thompson had been around for a long time, since '06, and she asked him if he'd heard anything about badge bending. He told her he had not. She told him McMahon had a bent badge and had been bragging about it. Thompson told her he didn't know what badge bending was. But now he was starting to link McMahon's statement after the shooting to Brown's conversation.

Shortly after that conversation his lieutenant, Kent Tribble, came into lineup and inspected the backs of their Glocks for unauthorized back plates. At the same time, Kent said, if they had bent or damaged badges, they were to turn them in-no questions asked. The rumor was that they were doing the back plate inspection because McMahon had some kind of a symbol on the back of his gun.

Thompson, because of what he heard about badge bending, felt the need to report it to his lieutenant, Kent Tribble. Shortly after the inspection, Thompson called Kent and told him the story about what McMahon said after the Taco Bell shooting and that McMahon may have bent his badge. Kent is a friend at work to him. They don't associate off-duty, Kent is also his patrol team lieutenant. Kent told Thompson he would take care of it and that was the end of the conversation.

I asked Thompson specifically if Kent Tribble ever told him how to handle this badge bending event if somebody asked him about it. He said, "No." I asked him if Kent Tribble ever told him to tell the truth or say anything about telling him to tell the truth if anybody ever asked him. Thompson said they never had that conversation. Thompson reported it to Tribble. Tribble said he'd take care of it and that was it. Thompson did not know if Kent knew anything about badge bending.

I asked him if there was any celebration of the shooting of Willie McCoy. He said there was not.



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He said he's never been to any event where a Vallejo officer has discussed a celebration of shooting someone.

Around this same time McMahon went out on administrative leave and the rumor was this happened because he bent his badge.

Thompson did not know of anyone else who may have a bent badge. Thompson has never bent his badge and besides McMahon's comment, no one has ever asked him to bend a badge.

After the article came out, Thompson did not learn of anyone else who could be involved in badge bending.

Thompson brought his metal badge for me to inspect. It was not bent and no indication of having been bent.

Thompson was another officer served as a subject out of an abundance of caution, but there is no evidence he ever had any involvement so he will be a witness in this case.

End of Thompson interview.

### **Interview of Detective Jason Scott**

On May 13, 2021, 4:30 PM, I interviewed Jason Scott with his attorney, [REDACTED], at Vallejo City Hall. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. Scott was served as a subject in this investigation as [REDACTED] told me that his badge was collected during the inspection for bent badges. The following is a summary of the interview relevant to this investigation.

Scott has been at the Vallejo Police Department for 15 years. I asked him what he knew about badge bending and he told me up until about a year and a half ago, he knew nothing. He said around that time, he received an email, he believed it was from Captain John Whitney, that said to turn in any damaged badges and the department would fix them.

Scott took this email to mean the department was fixing badges because they didn't look good or there were problems with them. Scott's original badge had a broken clasp. Because the clasp was broken, he had it in a circular leather belt holder because it didn't need the clasp to stay in the holder. The bottom tips of the points had been bent around the bottom of the holder from day to day wear.

He went to his supervisor, [REDACTED], and turned the badge into him. About a

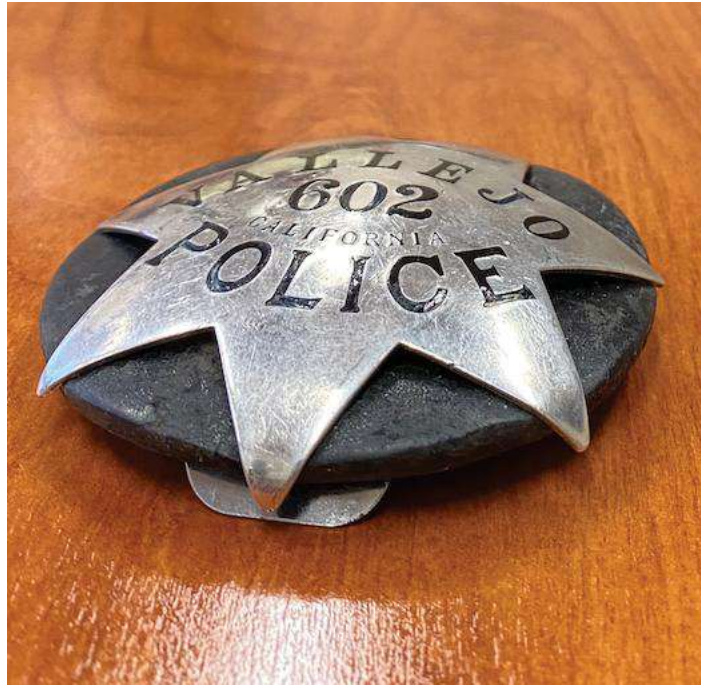
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month later, [REDACTED] brought the badge back to him in a paper bag and told him that he had to fix it himself. The clasp was still broken but the bent tips had been fixed and it was polished. Scott didn't understand what the purpose of taking the badge was or why it came back with the tips of the badge fixed. He did not know about badge bending and had no idea this was related to that.

Scott brought this same badge with him to this interview. The badge had several bent tips. The tips were bent around the edge of the badge holder. I took two photographs as shown below.



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**Investigators Note:**

The way these tips were bent was not how badges were bent when intentionally done for a shooting as I had learned through this investigation. I attempted to bend my sample badge point tips like this one but could not. The surface area of the tip was too small to make these bends with my fingers. These bends were consistent with having been pushed against a surface such as the badge holder and backpack as Scott described.

Scott said the bent tips I was looking at today were very similar to the bent tips when he turned it in to get repaired. Although, the badge had come back from [REDACTED] with the tips fixed, because the clasp was still broken, Scott put it back on the same leather badge holder and put it in his backpack for everyday carry. Over time, in his pack, the tips bent around the holder again, through normal wear. That is why they were bent again today.

Some weeks after the badge was returned to him, he heard a rumor that someone had bent their badge to commemorate a shooting. Scott didn't believe this and didn't believe an officer would really do this. He was also a little concerned, as now he thought that this bending could be related to the email that prompted him to turn in his damaged badge. He felt the email was written poorly and captured innocent people's badges like his, as they didn't ask for bent



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badges but damaged badges.

Scott said another six months passed and the article came out about badge bending. Scott did not believe this was happening at Vallejo PD. Scott was speaking to Officer Murphy, telling him that this badge bending was not true and that he didn't believe it and Murphy told him it was true. Murphy told Scott that Jacobsen's badge was bent. Murphy told Scott that another officer took Jacobson's badge from him, bent the point and handed it back to him. Scott's understanding of why this was done was a "welcome to the club" thing. Scott said Jacobsen was not happy about the badge being bent.

In trying to clarify the timeline when Scott gave the badge to [REDACTED], I told him that I believed it was February or March 2019, although he said this could be right, to him it seemed like it was 2017 or 2018.

I asked Scott if he thought Murphy had a bent badge; Scott said he did not. The context of their conversation was that this was not appropriate, they were both surprised that it actually happened. Scott said nobody was okay with bending a badge to commemorate a shooting. He was quite strong in this opinion.

Scott did not know of anyone else with a bent badge, he has never seen a bent badge and no one's ever asked him to bend his badge.

Scott said after the article about badge bending came out there were lots of general conversations but nothing specific where he learned of others involved, like the Murphy conversation. The Murphy conversation was significant to him and he didn't forget it.

I asked Scott about off-duty associations with other officers to support an officer that has been in a shooting. Scott, although aware of that, has not been to one of those. He said he has a small core group of friends at the department. Scott has never heard of a Vallejo officer ever talking about a celebration of shooting somebody.

Scott brought a total of five badges with him. The original one I discussed with the bent tips, and four other badges that had no indication of ever being bent.

### **Interview of Officer Anthony Cano**

On May 15, 2021, at 7:45 AM, I interviewed Anthony Cano at Vallejo City Hall. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Cano was a witness because he was involved in a shooting at Vallejo PD. The following is a summary of the interview relevant to this investigation.



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Prior to the article, Cano had never heard of badge bending. When the article came out, he thought it either was not true or something that happened long before his time. After the article, he did not learn anything more about badge bending at the department. The people he worked with did not know anything about it.

Cano has never heard of a Vallejo officer talking about a celebration of shooting someone.

Cano did not have any knowledge of badge inspections but did recall a firearms inspection for a back plate issue. He did not recall if the firearms inspection was before or after the Taco Bell shooting.

Cano was involved in the Taco Bell shooting. Thompson described the gathering at the association hall after the Taco bell Shooting, in which McMahon asked if they were going to bend their badges. According to Thompson, Cano was at this gathering. I asked Cano about this and he was present at the event but never heard McMahon make this statement.

Cano brought me his metal badge to be inspected. It was not bent and did not show any indication of having been bent.

End of Anthony Cano interview.

**Evidence Collection Activities**

On May 17, 2021, I asked Chief Williams to send several letters to witnesses that no longer worked at Vallejo PD. This list of retirees were people with direct knowledge or involved in badge bending. They are Andrew Bidou, Jeremy Patzer, Eric Jensen, Brent Pucci, Terry Poyser, and [REDACTED].

In addition to these retirees, I asked Chief Williams to send a letter to Napa County Sheriff Robertson asking him to compel two of his deputies, former Vallejo Officers, to participate in an interview in this case. These two deputies are Josh Coleman and [REDACTED].

I asked Chief Williams to send a letter to Concord PD asking for the correct spelling of Dan Golinveaux and asking them to forward a letter from Chief Williams to Golinveaux to request that he contact me for an interview in this case.

On May 20, 2021, [REDACTED] sent me an email with a letter from John Whitney attached, answering the questions I sent to them days before. [REDACTED] wrote the following statement in her email.



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*Mr. Whitney's answers are provided in good faith in an effort to balance the competing interests at play. To that end, he did not answer the questions he thought you meant to ask, but instead answered simply the question posed. This is especially significant to the answer provided in Question 4. His narrow focus is the result of my client's continued concerns about the City's effort to circumvent the discovery process in his lawsuit, its misrepresentations concerning events and facts, and whether his participation in this investigation will result in more retaliation, harassment, and intimidation by those who oppose his efforts to bring transparency to the plague of problems that existed at the Vallejo Police Department during his tenure.*

I did not understand the sentence, "To that end, he did not answer the questions he thought you meant to ask, but instead answered simply the question posed." Several weeks later I spoke to [REDACTED] about this. She told me we misquoted the news article in question #4. Our question #4 is listed below:

4. *According to an article published by Open Vallejo on or about July 28, 2020 (Vallejo Police Bend Badges to Mark Fatal Shootings) you ordered subordinates to conduct a uniform inspection and collect bent, damaged and/or defective badges from officers. - This statement is not correct.*

Whitney's answer to this question, "This statement is not correct," was because our question misquoted the Open Vallejo article. I researched the Open Vallejo article and pasted the relevant section below:

*Whitney told Open Vallejo that he addressed the badge-bending with those in attendance, which included all officers above the rank of corporal. Whitney then ordered the officers to inspect their subordinates' uniforms and collect any bent badges.*

It appeared that because our question said, in addition to bent badges, "damaged and/or defective badges", Whitney chose not to answer the question and the follow up questions; just giving a statement that he did not give that order.

Copied on the next few pages is Whitney's memorandum.



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**TO:** R. Giordano Consulting & Investigations LLC  
**From:** John Whitney  
**Date:** May 19, 2021  
**RE:** Questions Regarding Vallejo "Badge Bending" Investigation

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In your memorandum dated May 13, 2021, you requested that I provide responses to a series of questions related to the investigation you have been hired to perform for the City of Vallejo.

On January 2, 2021, through my counsel I declined to provide a statement given my pending civil lawsuit against the City of Vallejo and its Police Department which presents claims based, in part, on the "badge bending" controversy.

On March 1, 2021, I received a memorandum from my current Police Chief advising that in January 2021 he "received a letter from Chief Shawny Williams, of the Vallejo Police Department" that "requested [he] compel [me] to cooperated with an interview" related to "an internal police department investigation in Vallejo related to 'badge bending.'" It further stated:

I am writing this memorandum to inform you that I authorize and encourage you to participate in the Vallejo Police investigation. Chief Williams and I discussed this matter and we both agree that full understanding of the conduct of "badge bending" is important not just the Vallejo Police Department, but all agencies in our area.

As I have been encouraged by my current Police Chief to respond and requested by him to consider the importance of the investigation to the law enforcement profession, I am submitting this memorandum. I provide the following information to the best of my recollection at the present time based on the information presently available to me and without access to various materials in the possession of the City of Vallejo and its Police Department that could aid in refreshing my recollection concerning the specifics of the events.

I give these responses in good faith, and reserve the right to amend or supplement my responses at a later time and/or in subsequent proceedings.



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### Questions and Responses

1. How did you first learn that any current or former Vallejo police officer had a bent badge to signify a fatal shooting in the line of duty?

I first learned about a bent badge from Officer Joe McCarthy on the date he was promoted to the rank of corporal. I was a lieutenant at the time.

- a. From whom did you learn this? – Officer Joseph McCarthy
  - b. Who was the police officer(s) with the bent badge? – Officer Joseph McCarthy
  - c. What was the date you learned this? The day Officer Joseph McCarthy was promoted to Corporal.
  - d. Who was present when you learned this? Captain Lee Horton and Chief Andrew Bidou
2. To whom did you report the information you learned as reflected in the previous question? – I was a lieutenant at the time and the information was provided to me in the presence of two command staff members, Captain Lee Horton and Chief Andrew Bidou, who said they would handle it.
- a. To the best of your ability, describe what you reported. – See above answer
  - b. What was the date of that report(s)? – See above answer
  - c. Who was present? – See above answer
  - d. How did the person who you report this information respond? – See above answer
3. What instructions, if any were you given on how to address the “bent badge” issue described in question 1? – I was not given any direction. Captain Lee Horton and Chief Andrew Bidou said they would handle it.
- a. Who gave you those instructions? N/A
4. According to an article published by Open Vallejo on or about July 28, 2020 (Vallejo Police Bend Badges to Mark Fatal Shootings) you ordered subordinates to conduct a uniform inspection and collect bent, damaged and/or defective badges from officers. – This statement is not correct.



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- a. What was the date of this order? – N/A. I did not give the order described in question 4.
  - b. To the best of your ability, state the specific order given by you in regard to badges. – N/A. I did not give the order described in question 4.
  - c. Identify the person to who you gave this order. – N/A. I did not give the order described in question 4.
  - d. Whose badges were turned into you? - None
  - e. Did you take photos of the badges turned into you? – See answer to 4d
  - f. What, if anything, did you do to determine why or how the badges turned in were bent, damaged, or otherwise defective? – See answer to 4d
  - g. What did you do with the badges turned into you? – See answer to 4d
5. Provide any and all photographs or videos of bent Vallejo police badges taken by you or in your possession or control.

I respectfully decline answer this question because I have been the subject of intimidation and harassment by members of the Vallejo Police Department and the City of Vallejo who have called me a liar, are intent on destroying my reputation and ending my law enforcement career, as well as causing me financial harm. I further decline in order to protect [REDACTED] as I received a letter in the aftermath of the badge bending incident becoming public that listed a return address purportedly for [REDACTED] that contained false, hurtful and defamatory allegations about [REDACTED]

6. Identify all current and former Vallejo police officers who had badges bent to mark a fatal shooting. – I respectfully decline to answer this question for the same reasons stated in response to question 5.
- a. State the date and location each such badge was bent.
  - b. Identify the person who bent the badge of each officer.
  - c. Identify the person who was fatally shot by each officer.
  - d. Describe the basis of your knowledge that each officer's badge was bent to mark a fatal shooting.
7. Identify every person who told you that a bent badge signified a fatal shooting in the line of duty. – I respectfully decline to answer this question for the same reasons stated in response to question 5.
- a. Identify the date you were told this information.
  - b. Identify who was present when you were told this information.
  - c. To the best of your ability, state specifically what you were told.



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8. Did you ever observe someone bending a Vallejo police badge to signify a fatal shooting in the line of duty? – No
- a. Who did you observed bending the badge? – N/A
  - b. Whose badge was bent? – N/A
  - c. Who else was present? – N/A
  - d. What was the date and location you observed this? – N/A
  - e. Identify the person fatally shot. – N/A
9. Did you ever attend or observe a barbeque, celebration, “beers” or other gathering where a fatal shooting was commemorated with badge bending? – No
- a. What was the date and location of this event(s)? – N/A
  - b. Who was present? – N/A
  - c. Identify whose badge was bent. – N/A
  - d. Identify the person fatally shot. – N/A
  - e. Even if you did not attend or observe such an occasion, describe any and all knowledge you have that such an occasion(s) occurred. – I respectfully decline to answer this question for the same reasons stated in response to question 5.
10. Did you ever hear the term “badge of Honor” used in relation to an act of badge bending to mark a fatal shooting? – Yes
- a. If so, identify the person(s) you heard use this term. – Officer Joseph McCarthy.
  - b. Identify the dates(s) you heard this term used by such person(s). On the day he was promoted to Corporal.
  - c. To the best of your ability, state specifically what this person(s) said. I offered to repair Officer McCarthy's bent badge and he said the bends marked his fatal shootings he was in and his badge was a badge of honor. First time I had heard the term or knew what the bends meant.
11. Did you ever complain to internal affairs regarding alleged badge bending to mark fatal shootings by any Vallejo police personnel? – No. It was unnecessary. The information as reported to the Police Chief. I was further advised by Sgt. Drew Ramsay (internal affairs) that he was told about this practice during his interview of Officer Ryan McMahon. I also brought my concerns about badge bending to Vallejo City Manager Greg Nyhoff, Mayor Bob Sampayan, and then-City Attorney Claudia Quintana.
- a. If so, what was the date of your complaint? – N/A



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- b. What form was your complaint (verbal or written)? -N/A
- c. Did you complete a complaint form for a personnel investigation? If not, why not? - No such form exists. Further, it was reported up the chain of command.
- d. To whom in internal affairs did you submit your complaint? -N/A.

12. Provide a copy of any written complaint mentioned in your answer to Question 11. -N/A

I, John Whitney, agree and represent that the responses attached hereto are my own and are truthful to the best of my knowledge.

Dated this 17 day of May, 2021.

  
\_\_\_\_\_  
John Whitney



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### Whitney's Claim Against Vallejo March 24, 2020

I reviewed this claim looking for information related to this badge bending investigation- there was no mention of badge bending in the claim. A copy is attached as Exhibit 9.

### Whitney's Legal Complaint Against The City Of Vallejo Filed December 22, 2020

I reviewed the complaint in this lawsuit for any further details about badge bending. Italicized below is the relevant section copied from the lawsuit. A copy is attached as Exhibit 10.

*28. The officer who had the end-plate inscription was later placed on administrative leave, and was required to surrender his badge. The badge that was turned in had two corners bent, which the officer explained signified the two people he had killed in the line of duty while serving as a Vallejo police officer. Captain Whitney insisted the Chief conduct an internal investigation into whether members of the Vallejo Police Department were engaged in the unauthorized practice of badge bending. Chief Bidou refused.*

*29. Captain Whitney ordered all supervisors to inspect their subordinates' uniforms and collect any bent badges. Approximately ten bent badges were produced. Concerned that the damage to so many badges could cost him his position as Interim Chief, Bidou ordered the badges returned to the officers, who were instructed to fix them. Captain Whitney disagreed with that instruction, as it would destroy evidence and cover-up serious misconduct. Consequently, Captain Whitney brought his concerns about the badges to Vallejo City Manager Greg Nyhoff and Mayor Bob Sampayan, as well as then-City Attorney Claudia Quintana. No investigation was initiated despite those reports.*

### Evidence Collection Activities

On May 21, 2021, I received a phone call from former Chief Andrew Bidou. He had received the request for interview letter from Chief Williams and discussed it with me. He had questions about the scope and purpose of the investigation and some concerns as to how this would impact the pending civil suits. He said he would call me back with his final decision. We spoke a few days later and ultimately scheduled an interview for June 10, 2021.

Whitney said, in response to our questions, that he first learned of badge bending the day Corporal Joseph McCarthy was promoted to corporal. Following up on this, I found the following Facebook post:



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*Chief Andrew Bidou felt that it was very important to recognize several recent promotions and new additions to the Vallejo Police Department staff this week. On January 17, 2017 in front of family, friends and a host of police staff, Chief Bidou and Captain John Whitney recognized and swore in members new to our staff and promoted several others among the ranks.*

*Communications Supervisor Dana Koutnik  
Communications Operator Maegan Quatman  
Communications Operator Janell Winston  
Senior Police Assistant Stephanie Boursaw  
Lieutenant Kent Tribble  
Sergeant Jerome Bautista  
Corporal Josh Coleman*

*Not pictured:*

*Corporal Sean Kinney and Corporal Joe McCarthy*

*We congratulate all of our recent promotion recipients and welcome our new employees. Congratulations!!!*

I later asked Knight what date they had for McCarthy's promotion date and he gave me November 14, 2015.

McCarthy was retired from Vallejo PD. I asked Chief Williams to send a letter to McCarthy to contact me for an interview.

On May 23, 2021, Napa Sheriff, John Robertson called me as he had received the letter requesting the interviews but not the attached notices for the deputies. I sent him the notices under my name and signature by email this afternoon. Within days, Robertson texted me that he had given them the notices.

On May 26, 2021, I received an email from [REDACTED] of Concord PD's IA unit. They had received the request letter for Dan Golinveaux. [REDACTED] provided the correct spelling of his name and forwarded our request to Golinveaux.

On May 27, 2021, [REDACTED] called me regarding Josh Coleman and [REDACTED]. He told me Napa Sheriff Robertson was not going to compel them to be interviewed and they were not going to voluntarily participate. I called Robertson and discussed this with him. Before compelling them, he wanted to consult with legal counsel. I did not hear back from Robertson for several weeks and reached out to him again on June 23, 2021. Robertson was retiring in days, and told me he would discuss it with appointed Sheriff Oritz.



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### Interview of Officer Ryan McLaughlin

On May 28, 2021, 9:00 AM, I interviewed Ryan McLaughlin using a Zoom connection. Based on his [REDACTED] the city requested that I offer him the option of a Zoom interview. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Ryan McLaughlin was a witness in this case because David McLaughlin told him about his badge getting bent by Kent Tribble. The following is a summary of the interview relevant to this investigation.

Ryan has been a police officer for 9 years, 7 of those years at Vallejo PD. The first time Ryan heard of badge bending was when his brother David told him what happened to his badge after his first shooting at Vallejo PD. Ryan did not remember when David told him this story, it could have been a couple of weeks or months after the shooting. David's first shooting was with Matt Komoda and suspects who fled in a car, Komoda and David shot at the car but hit no one. David told Ryan that after the shooting he and Komoda were brought in by their sergeant, Kent Tribble, and Josh Coleman was there as well. Kent told them that they "handled themselves well under pressure" and bent their badges. Ryan thought this may have happened in the back parking lot of the PD or across the street in the parking lot of the Relay bar. Ryan wasn't sure if it was Kent or Coleman who bent the badge. Neither of the brothers had ever heard of anything like this. David bent his badge back shortly after this happened.

Ryan's [REDACTED] is a [REDACTED] and a few weeks after he heard this from David, he asked [REDACTED] if he knew anything about this. [REDACTED] had never heard of it either but told Ryan to have David bend it back, as the uniform should be kept in good condition. They did not recognize any ethical significance to this as it was about how they, "handled themselves well under pressure."

David was in a second shooting and in this shooting the suspect came at several officers with a machete and they shot and killed him. No one tried to bend his badge or talked to him about badge bending after this second shooting. The officers involved in this shooting were on Ryan's team and he heard nothing about badge bending from any of them after this shooting.

The next time Ryan heard about badge bending was about two and a half years ago when he heard rumors that they were inspecting badges at the police department. He did not hear this from a supervisor and his badge was never inspected. Ryan assumed this was about the badge bending and that it was handled and resolved back then.

The next time Ryan heard about badge bending was about a year ago, when the article came out and the Chief said there would be an investigation. Ryan was surprised, as he thought they resolved the badge bending issue back when he heard the rumors about badge inspections.



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After the article came out, Ryan was riding with Jason Bahou and made a comment to Bahou that this new investigation would be unfortunate for those involved. Bahou told Ryan he was involved and they did not talk about it anymore. He did not learn of anyone other than David, Komoda and Bahou who had bent badges. As for the article's "murder squad" allegation Ryan thought it was ridiculous. He had never heard of a Vallejo officer ever talking about the celebration of shooting someone. He said there were times after a shooting when officers get together to show support for those involved but never for celebrating the shooting of someone.

Ryan said that if the badge bending he heard about from David had been described as it was in the article a year ago, he would have found a new career or left Vallejo PD as he would not tolerate that and he doesn't know any officers who would.

I asked Ryan about the unauthorized back plate issue. He was part of the firearms range staff and remembered that after one of McMahan's shootings, he thought it was the first shooting, (Ronell Foster, February of 2018) McMahan had an unauthorized back plate on his Glock and they had to check officers' weapons for this. He did not associate this back plate issue with the badge inspection timeframe.

End of Ryan McLaughlin interview

### Interview of Captain Joseph Iacono

On June 3, 2021, 10:00 AM, I interviewed Joe Iacono using a Zoom connection. Based on his [REDACTED], the city requested that I offer him the option of a Zoom interview. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Iacono was a witness in this investigation as he was a captain at the time of the February 2019 staff. The following is a summary of the interview relevant to this investigation.

Iacono has been a police officer for 31 years, 21 of those years at Vallejo PD. He became an Acting Captain at Vallejo PD around January of 2019 and was promoted to Captain in March of 2019. Prior to his role as Acting Captain, he was the Lieutenant in investigations.

Around February or March of 2019, he heard rumors of badge bending and that it was related to officers who had been in a shooting. He did not know if it was related to deaths or just shootings. He heard that Whitney brought it up at a staff meeting and that Whitney was going to look for them and take care of it. Iacono was never at a staff meeting where this was discussed. He said it was rare for Whitney to speak at a staff meeting.



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Iacono said staff meetings began with everyone, civilian and sworn supervisors and managers, and then ended generally as a patrol only staff meeting. To the best of his recollection, he was the patrol captain at this time but was never present for a meeting where Whitney discussed damaged or bent badges. He found it surprising that he was a captain in the chain of command and no one ever brought him or told him of damaged or bent badges. Another rumor he heard was that [REDACTED] collected a badge that was bent. Iacono did not know who the bent badge belonged to. Iacono did not remember who he heard the rumors from.

Iacono was aware of McMahon's unauthorized back plate IA and did not recall if the badge bending rumor was at that same time.

In my interview of [REDACTED] he described a conversation with Iacono after they learned about McMahon's bent badge and Iacono told them he had never heard of badge bending. I asked Iacono about this and said he never had that conversation. He heard about it in the rumors he described earlier and then when it went public.

Iacono said Whitney had aspirations to be police chief and he theorized that Whitney may have found this bent badge issue and wanted to handle it himself, telling no one, so he could get the credit. Iacono speculated that was why he did not have any official knowledge of this issue. Iacono also said that Horton was overseeing the internal affairs unit at the time and he thought it odd that Whitney was handling this badge bending issue when he was not the internal affairs manager.

Iacono was aware that officers may get together off-duty for many reasons, including to support those who had been involved in a shooting. He has never heard a Vallejo Police Officer talk about a celebration of shooting someone.

Iacono was not aware of anyone who had a bent badge and no one in his chain of command ever discussed a bent badge with him. He has never seen a bent badge. Iacono never discussed this bent badge issue with Chief Bidou.

The next time Iacono heard about bent badges was when the article came out. He said several retired officers reached out to him and were surprised to hear about this. They had never heard of it and some of them had been in shootings. Iacono had not learned of anyone with a bent badge after the article came out.

Iacono's experience was that there are not many secrets around a police department and it surprised him that he had not heard about badge bending if it was an issue. Iacono said had he heard about this he would have taken action to stop it.



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Iacono read about the alleged box of badges on [REDACTED] desk in the article. He said his office was right across from her desk and he spoke to her as much as 10 times a day. He never saw a box of badges on her desk.

Iacono felt it odd that in the article they alleged Darden's badge was bent and McMahon's badge was bent. He said McMahon and Darden are different generations, different personalities, and have different circles of relationships. He could not see them associating as part of a badge bending group.

End of Iacono interview

### Interview of Detective Kevin Barreto

On June 4, 2021, at 9:00 AM, I interviewed Kevin Barreto at his home. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Barreto was a witness in this case as he had been involved in a shooting at Vallejo PD. The following is a summary of the interview relevant to this investigation.

Barreto has been a police Officer for 18 years, 5 of those years at Vallejo PD. The first time he heard of badge bending was roughly two years ago when his sergeant, either Jerome Bautista or Bob Knight, told [REDACTED], that he needed to inspect their badges for bends. The supervisor looked at all of their badges together, no one had a bent badge. At this same time, he heard rumors that someone had a bent badge to mark a fatal shooting. He did not know who.

I asked him about other events that took place around this same time that would help pin down a timeline and he told me around the same time there were rumors about McMahon having an unauthorized back plate on his gun. He believed they may have inspected his gun as well. He did not recall how close in time the gun issue was to the badge issue but they were around the same time.

He did not hear about badge bending again until the article came out. He assumed whatever it was, had been resolved at the time of the inspection. When the article came out, he and his teammates generally discussed not having any knowledge of badge bending.

Barreto has been in one shooting at Vallejo PD. No one has ever bent his badge and no one ever asked to bend his badge



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Barreto acknowledged that officers do get together off-duty and that they may get together after a shooting but it is to support those who have been involved. He has never heard a Vallejo officer talk about a celebration of shooting someone.

Barreto showed me his metal badge, it was not bent and had no sign of having been bent.

End of Barreto interview

### Interview of Corporal Zach Jacobsen

On June 4, 2021, at 1:10 PM, I interviewed Zach Jacobsen at Vallejo City Hall. He was accompanied by his attorney [REDACTED]. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. Jacobsen was a subject in this investigation based on Kent Tribble's statement that he witnessed Josh Coleman bending Jacobsen's badge and based on McMahon's attorney's statement that McMahon's badge was bent by Jacobsen. The following is a summary of the interview relevant to this investigation.

Jacobsen has been a police officer for 13 years, 8 of those years at Vallejo PD. He has been a Corporal for a little over 3 years. I asked Jacobsen to describe when he first learned of badge bending. Jacobsen was in a shooting in February of 2017, the fatal shooting of Angel Ramos. (As he described this, tears came to his eyes and we had to stop several times in the interview. Jacobsen said it was still hard for him to talk about the shooting.) Jacobsen was having a difficult time with having taken someone's life even though he saved a kid's life in the same action. Soon after he returned to work, Officer Terry Poyser came into the locker room and could tell it was bothering him. Poyser told him that he had experienced something most cops never do, and that he handled himself well, doing what he had to do in that situation. Although he killed someone, he also saved someone.

Poyser let him know that there was someone to talk to and this wasn't a "macho" thing of being a cop. Others had been through it too. Poyser asked him if he had his badge. He gave his badge to Poyser and Poyser bent one of the points, slightly. Poyser said it was to signify that he had handled himself well and did what he had to do. It had nothing to do with killing someone. It had to do with doing what cops think they may have to do someday, but never knowing if they're capable of doing it, pulling that trigger.

Jacobsen said the gesture brought back memories from when he was in the army and some of what he experienced when he was deployed. It was a camaraderie thing and knowing someone else understood what you were going through. Jacobsen said the gesture struck a chord with him and he felt better after that. Poyser and Jacobsen were not friends, Poyser was a senior



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officer whom Jacobsen looked up to. Poyser provided advice and tips to Jacobsen. Jacobsen said Poyser knew Jacobsen was in the Army. Poyser was all about [REDACTED]

Poyser did not say anything about keeping this a secret and did not say if this had happened to anyone else.

When the allegation of badge bending came out in the media, Jacobsen said his experience was not how the article characterized it. The article twisted what it was about and it sickened him. There has never been a day in his life that he has felt proud to have shot and killed someone even though he felt good about saving the other person's life.

I have a sample badge and I asked Jacobsen to bend it for me showing how Poyser bent his. Jacobsen bent the right or 3 o'clock point, by the "O" in Vallejo, back towards the uniform side. In essence, giving the triangle point slightly more rearward curve than it already had. This was a barely visible change. It is only visible from the side compared to the plain of the other points.

Jacobsen was in another fatal shooting that same year in August, Jeffrey Barboa. No one approached him about bending his badge in this shooting.

The next time badge bending came up for Jacobsen was in February of 2018. Ryan McMahon had been involved in the fatal shooting of Ronell Foster. Jacobsen explained that he and McMahon were not friends but they had both come from Marin County law enforcement agencies before Vallejo and had that in common. Jacobsen was established at Vallejo when McMahon came and McMahon sought Jacobsen out for his opinion and at times confided in him. Jacobsen felt McMahon trusted him.

In McMahon's shooting, he heard that Foster had taken McMahon's flashlight and was going to hit him in the head when McMahon shot him in self-defense. When McMahon came back to work, Jacobsen talked to him about what happened. One thing similar in their experiences was that it happened so fast there was no time to think about what you were doing, you just reacted to a deadly situation. McMahon was having difficulty with the fact he took someone's life.

They were in the locker room alone and Jacobsen asked McMahon for his badge. Jacobsen took his badge and bent it just like Poyser did for him. Jacobsen gave the badge back to McMahon and told him that he, Jacobsen, was here for McMahon, to talk, to lean on or just to confide in, if he ever needed it. Jacobsen said it was his job to help McMahon through this.



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The next time badge bending came up for Jacobsen was, he believed, in 2019. They were in line up and a supervisor shared a comment to all of the patrol team. The supervisor said there was an allegation of badge bending by officers after a fatal shooting. Jacobsen characterized the supervisor's comment as coming from skepticism. Jacobsen was surprised to hear this, it wasn't about fatal shootings, this was the first he had heard of that connection. Shortly after this line up incident, he heard rumors around the department that if you had a bent badge, you better fix it. He did not recall where this came from. Jacobsen bent his badge back.

Jacobsen's badge was never inspected but he heard, sometime after the supervisor's comments, that badges were inspected around the department. He heard that 10 or 12 badges were collected as bent and 8 of those people had not been in shootings, they were just bent from wear and tear. His best recollection of the timeline for this was in 2019.

I asked about the unauthorized back plate on the handgun issue, to try and pin the time down. Jacobsen told me he had heard about McMahon's backplate issue but he thought the back plate issue was well after the badge inspection and after the Taco Bell shooting of Willy McCoy.

The next time badge bending came up for Jacobsen was when the article was published.

Jacobsen never told anyone other than McMahon he had a bent badge. Jacobsen was not aware of anyone with a bent badge other than McMahon. He heard rumors around the department that McMahon had a bent badge but did not hear this about anyone else. Jacobsen did not know if McMahon's badge was bent in the Taco Bell shooting.

Jacobsen acknowledged that officers would get together off-duty, sometimes after a shooting to support those involved. He said he has never heard a Vallejo officer talk about a celebration of shooting someone.

Kent Tribble told me in his interview that Josh Coleman bent Jacobsen's badge in front of him across the street from the PD. I asked Jacobsen about this and he said it did not happen. I explained the entire allegation to him and he said it was "100%" false. He had never even talked about badge bending in front of Kent Tribble. It happened as he told me. Jacobsen had never talked to any supervisor about badge bending.

Jacobsen never heard the term "Badge of Honor" associated with badge bending until the article.

Through questions asked by his attorney, Jacobsen explained that he served in the Army and was deployed to Iraq. Jacobsen was fortunate enough to have never had to pull his trigger in Iraq. But he received a combat action award along with two other soldiers from his unit for



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what they did in a firefight. Jacobsen said there was something special about being able to share that [REDACTED] with the other two because only the three of them understood what it was like to go through what they did; something the majority had not experienced. He felt Poyser's bending of his badge in the locker room was very much like this feeling.

I asked Jacobsen if he felt badge bending was a violation of policy and he said he did not. It was such a slight bend and not noticeable that it wasn't violating the uniform policy. As for the ethical issue, he said it had nothing to do with anything that went against their ethical values, so he didn't see an ethical issue.

Jacobsen gave a closing statement, saying in summary, that he cares about this profession and he has tried his best to better the department and people in Vallejo. It disgusted him how badge bending had been portrayed in the media.

Jacobsen brought two metal badges for me to inspect, neither were bent and neither showed signs of having been bent.

End of Jacobsen interview

### **Interview of Former Chief Andrew Bidou**

On June 10, 2021, at 10:00 AM, I interviewed former Chief Andrew Bidou at a coffee shop in Vacaville. This interview was audio recorded with his knowledge and later transcribed. The recording and transcription accompany this investigation. Bidou was interviewed as a subject in this investigation to determine what he knew about badge bending and what if any action he took in response. The following is a summary of the interview relevant to this investigation.

Bidou had been a police officer for 30 years. The last 5 years of his career was at Vallejo PD as the Chief. He retired in June of 2019.

Bidou first learned of badge bending in 2019, shortly before he retired. Bidou did not have the best recollection of the events but would tell me what happened to the best of his ability. The series of events he was about to describe to me took place over a short period of time, a period of days, and he prefaced it by saying that even with his best recollection he may get the order of the events wrong. He also noted that there were a lot of significant events going on in the City of Vallejo at that time.

His knowledge of badge bending began with an IA involving an unauthorized back plate on McMahon's handgun. It was an engraving that may have been associated with a vigilante



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justice movie. When Bidou was first told of this and the movie it may be linked to, they were very concerned. They began an IA.

At the same time of this IA, Bidou was told McMahon's badge had a bent tip and it was his understanding that this may have been done to signify that he was in a shooting, but they did not know for sure. Bidou met with his three Captains, Horton, Iacono and Whitney. They were shocked, none of them had ever heard of badge bending at all but especially to signify a shooting. Bidou said the three Captains had not been Captains for a long time, they were not far from the lower ranks and were in touch enough with the general staff that they should know if this was happening. He also felt they were honest and he trusted them. This gave him some confidence that it wasn't occurring or if it was, it could not be widespread.

Bidou spoke to Sergeant Drew Ramsay, the IA Sergeant at the time and asked him to find out what the issue was with McMahon's bent badge. Ramsay did and told Bidou what he learned. Ramsay gave a long explanation of what he learned about badge bending. Bidou did not feel he could articulate it as well today, several years later but told me the following.

According to Ramsay, the bent badge had nothing to do with someone being killed in a shooting. It was about the officer being in a life and death situation and surviving. Bidou equated it to more of a military thing. Ramsay got this explanation from Lieutenant Kent Tribble, as it was Bidou's understanding that Ramsay talked to Kent because Kent bent McMahon's badge. Ramsay also said this wasn't a Vallejo PD thing, meaning it wasn't widespread at Vallejo, it had come from somewhere else, which fit in with the Captains' lack of knowledge about it.

Based on the Captains' lack of knowledge and Ramsay's explanation, Bidou felt the badge bending issue was not as serious as he initially thought. At this point, in the back plate IA he had learned that the symbol was not related to the movie and it had an innocent reference. That IA would resolve with no negative consequences. This was on his mind as he decided how to handle the badge bending issue. Based on what he had learned, he did not see an IA in the badge bending issue resulting in anything more than a finding of damaging city property, as there did not seem to be an ethical issue. He was concerned that if he started an IA, it would take quite some time to go through the process, they would focus on one person and maybe not be able to reach everyone. He felt that handling it immediately, without the IA process, would be better. If he had any information that it was in fact about shooting people, he would have gone through the IA process, as he did in the back plate matter.

He spoke to Whitney about how to deal with this as Whitney was the patrol captain, responsible for most of the officers. He suggested Whitney speak with all the supervisors, have them inspect their people's badges, see who was involved and rectify it, possibly through a staff



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meeting. His most important message to Whitney was to make sure everybody knew it was not an acceptable behavior.

Bidou did not recall how Whitney handled it, but thought he did it through a staff meeting. Whitney brought a shoe box sized box to Bidou, that contained badges that needed to be repaired. Bidou did not see the badges, but based on the size of the box, he realized there were not very many. Whitney wanted to send them out to get fixed. Bidou told him to have the officers fix the badges themselves. Bidou did not remember talking about bent badges again and assumed Whitney had the officers fix their badges and it was resolved. Bidou never learned who had the bent badges or anymore about Kent bending badges than what Ramsay told him in the beginning.

I asked Bidou about the allegation that he told Whitney he wanted to come back as a retired annuitant, and if he spent the money on the badges, this might jeopardize his ability to do that. Bidou did not remember that.

Bidou said in November of 2019, he told the City Manager, Greg Nyhoff, that he planned on retiring on April 1, 2019, as he would be “maxed out” in the retirement system. Nyhoff wanted him to stay on past that for the transition to a new Chief. The council voted to allow him to come back in this part time capacity after that date.

A short time later Bidou learned that because of his early time as a police aide, he fell into a retirement system that had a 55-year-old minimum retirement age. He was going to retire at 50, which would classify his retirement as an early retirement. If he retired under that classification, the rule was he needed a 180-day break in service and there could be no prearranged commitment to hire him after the break in service. He would not be able to come back part-time as an annuitant.

Bidou did not want to “abandon ship” but he did not want to keep working; he was not worried about coming back as a retired annuitant. At Nyhoff’s request, he pushed his retirement date back for a couple months and retired as soon as Allio started as the Interim Chief, July 1, 2019. Bidou thought this issue, that he could not return as an annuitant, was all understood and decided before the badge bending issue came to light. Thus, this was not the reason he told Whitney to have the officers fix the badges themselves.

I asked him about the statement that he did not want the badges repaired outside because the cost of the repairs would raise suspicion. Bidou had a concern about money along the line that everything you do outside could result in the issue becoming, “common knowledge.” Although it was informally handled, he still had privacy concerns to manage, and keep the peace officer personnel records private.



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I asked Bidou if he was at the staff meeting where Whitney discussed the bent badges. He was not and said he did not remember why he was not but noted that people, even the supervisors and managers, would not always speak candidly in front of the Chief. There were occasions when Bidou would purposely let the Captains handle something and not be in the room so that people would speak more freely. This may have been why he was not there.

I asked Bidou if Whitney ever told him that he, Whitney, felt they should do an IA and Bidou said Whitney never suggested that. Whitney did not object to Bidou's resolution to this issue. Bidou added that Whitney was not one to object or push back generally. He went with whatever the decision was.

Bidou told Nyhoff about badge bending at or near the same time he was dealing with it; a period of a few days. He did not recall the specific details of their conversation, just that he told Nyhoff as he always told his boss about significant issues.

I asked him about some specific quotes others said about Bidou in this investigation. One of them was Allio reporting that Horton told him, when Bidou learned about McMahon's bent badge, that Bidou "blew his lid" and said "this wasn't supposed to be happening." Then Bidou told Horton he would fix it. Bidou did not remember this conversation at all. Bidou only talked to Horton about this the one time, when Horton said he did not know anything about it.

Bidou never heard anything about Vallejo officers celebrating the shooting of someone.

Bidou never considered covering up this issue. His choice to not do a formal IA was for the reasons he stated, including how small it appeared to be. He would not have asked for a conversation with leadership throughout the department if covering it up was his intent. Toward the end of the interview in talking about how he chose to resolve this issue he said, "At the time, with the circumstances, I tried to handle it the best way that I thought was best for the organization and the community."

In his answers to written questions, Whitney wrote that he first learned of badge bending on the day Joe McCarthy was promoted to corporal. I found a Facebook post that identified this date as January of 2017 and records from Vallejo PD identified this date as November of 2015. Whitney said that when he learned about McCarthy's bent badge, Bidou and Horton were present and learned with him. Whitney said McCarthy referred to it as a "Badge of Honor." Bidou said this never happened. The first time he learned about it was as he told me above. He added that Horton and Whitney told him in 2019 they had never heard of badge bending; so that allegation was wrong.



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End of Bidou interview

### Evidence Collection Activities

Kent Tribble told me that he bent Jarrett Tonn's, Mark Galios' and Sanjay Ramrakha's badges after their shootings. I had already interviewed them as witnesses and they denied this. This meant that these three may have been dishonest in their first interview. However, Kent described Ramrakha's shooting as being the off duty shooting at the Relay bar with Jeremy Patzer, but Ramrakha was not involved in that shooting, Brent Pucci was.

Kent also said that he told Jeremy Huff if there were any bent badges out there to have people fix them. I had already interviewed Jeremy Huff and he never mentioned this-another potential dishonesty issue. Because of these conflicts, I asked Kihmm and Knight to serve Galios, Tonn and Huff with new subject notices that included dishonesty, for second interviews. I did not follow up on Ramrakha as he was not involved in the shooting Kent described bending his badge for. Knight served these notices on or about June 15, 2021.

At about this same time Knight served Brian Murphy and Jodi Brown with witness interview notices. Brown because of her conversation with Thompson and Murphy because of his conversation with Scott. Knight could not serve [REDACTED] and [REDACTED] as they both left Vallejo PD. [REDACTED] and [REDACTED] were potential witnesses to McMahon's statement about badge bending at the association hall after the Taco Bell shooting of Willie McCoy.

### Interview of Detective Brian Murphy

On June 22, 2021, at 8:00 AM, I interviewed Brian Murphy at Vallejo City Hall. He was accompanied by an association representative, [REDACTED]. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. Murphy was a witness in this case based on Scott's report that Murphy told him Jacobsen had a bent badge. The following is a summary of the interview relevant to this investigation.

Murphy has been a police officer for 13 years, 7 of those years at Vallejo PD. Murphy first learned of badge bending during a request for an inspection of badges and guns in patrol line up. He was on vacation at the time and learned of it while on vacation from another officer or it came in an email. He was surprised and no idea what this was about. He had worked there for years and never had an inspection of badges. He started asking questions and was told that Ryan McMahon bent his badge because of being in a shooting (he did not know if it was specifically about killing or just a shooting). McMahon had apparently told someone outside the police department and this person told Whitney. From that report to Whitney, the



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department was inspecting badges. Murphy believed they were looking for damaged badges and not specifically bent badges. Murphy did not recall his badge being inspected. His badge has never been bent.

Murphy also learned that McMahon had a problem with the back plate on this Glock, which was why they were inspecting guns as well. This inspection event took place after the Taco Bell shooting of Willie McCoy, Murphy recalled that shooting was where the back plate issue was discovered.

Murphy did not remember who told him the McMahon story, it was general department conversation.

Murphy did not hear about badge bending again until the article came out.

I asked him about what he knew about Jacobsen having a bent badge and Murphy said he recently heard rumors Jacobsen may be implicated in this. The conversation Scott reported was that Murphy told him Jacobsen's badge was taken from him and bent as a "welcome to the club" thing. Murphy said he never heard that story about Jacobsen and has never talked to Jacobsen about this.

When Murphy read the article, he felt it was ridiculous. As an example, he said that the article implicated Steve Darden as having a bent badge. Murphy said Darden would never have a bent badge. Darden was extremely strict about uniform standards and would not do that or allow someone to do that.

Murphy had never heard the term "Badge of Honor" associated with this issue. He had not heard of anyone else who may have a bent badge.

Murphy acknowledged that officers may get together after a shooting or may have drinks at the association hall after a shooting to support the officer. Murphy has never been to one of those events. He has never heard a Vallejo officer talk about the celebration of shooting someone.

End of Murphy interview

Although Scott reported a conversation with Murphy that Murphy said never happened, I found them both credible. It is likely Scott attributed what he learned about Jacobsen to the wrong person.



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### Interview of Sergeant Jodi Brown

On June 24, 2021, at 10:30 AM, I interviewed Jodi Brown at Vallejo City Hall. This interview was audio recorded with her knowledge and later transcribed. The recording and transcription accompany this investigation. Brown was a witness in this case based on a conversation Thompson had with her about McMahon's badge being bent. She told Thompson that McMahon had a bent badge and had been bragging about it. The following is a summary of the interview relevant to this investigation.

Brown has been a police officer for 14 years, 7 or 8 of those years at Vallejo PD. She has been a sergeant for 6 months. Brown first heard of badge bending in late 2018 or early 2019. She was [REDACTED] and having a conversation with a coworker, possibly Travis Aspegren, and she heard that McMahon had bent his badge as a result of the Taco Bell shooting. Initially she had no idea what this meant and had never heard of it but from this conversation she learned people were bending their badge after being in a shooting.

Aspegren told her that McMahon was at the association hall after the Taco Bell shooting talking about how he has "two bodies on his gun." She did not know if Aspegren was at the association hall or just heard this from someone else.

Around this same time Aspegren called her again and told her Kent Tribble was tasked by Captain Whitney to inspect for bent badges. She heard, in this conversation or another one, that there was an inspection of guns too. McMahon had an engraving associated with a movie on his gun. This too took place around the time of the Taco Bell shooting but she did not know if it was associated with the badge inspection.

In the summer of 2020, after the article came out, she was having a conversation with Terry Poyser, a retired officer and good friend, about badge bending. Poyser told her that it had happened to him when he was younger and it wasn't about shooting people, killing people or keeping score. He told her it was because you did not get recognized by the agency for having been in a shooting and it was a symbol of respect for having been through that event and comradery with other officers who had been through a similar experience.

Brown did not agree with doing this and thought it was a bad idea. Poyser told her he bent David McLaughlin's badge and David did not know Poyser was doing it, he just grabbed it and did it. Brown heard rumor that Kent Tribble brought badge bending from Concord PD, where he used to work, and he recently retired from Vallejo PD because of the badge bending investigation. In one of her conversations with Poyser, she told Poyser that Kent Tribble was retiring over badge bending, Poyser said that may be true but did not elaborate. Brown did not



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expect him to say anymore as Kent Tribble and Poyser were good friends and Poyser was not going to tell her anything about what Kent may have done.

Among the rumors she heard was that McMahan bent his own badge but based on her conversations about this issue, the badge was generally bent by someone else.

A few months after the Poyser conversation, she was engaged in a text message thread among K9 officers where badge bending was discussed. She added to the thread that it was happening, confirming for those that didn't know or didn't believe and then commented that it was "stupid." Another officer on the thread, Joey Coelho, said it was not what the media was making of it. Brown and Coelho started their own thread to discuss this.

Brown thought it was stupid, Coelho was defending it and she wanted to debate him. Coelho's [REDACTED] worked at Vallejo PD in the past so she thought some of Coelho's information may have been coming from [REDACTED] perspective. Coelho said it was done in solidarity, saving another officers life and/or being in a "firefight." Brown said that was not something you do in solidarity, things like this always end up coming out and they are always looked at in a negative light no matter what the meaning. Brown recognized that regardless of the reasons given people will think it is about killing. Brown also said as long as she has been in Vallejo there have not been any "firefights." Those are rare in law enforcement in general and much more of a military thing in combat. Brown said Coelho's badge is not bent and he has never been in a shooting. She no longer had this thread of text messages.

In talking about McMahan being at the association hall the morning after the shooting, Brown said there was a tradition at Vallejo PD of going out for drinks and or pizza to talk about the shooting right after it occurred. Before they had an association hall, they would do these events at the Relay bar. She thought it was unusual and had no desire to "celebrate" after an event like that. I asked her if she had ever been to one of these events. She didn't recall ever going and said she had only been at work during a shooting on two occasions. One was Darden's shooting and he doesn't have drinks after a shooting. She said he is very religious and doesn't believe you should celebrate after a shooting-you should go home and be with your family. The other one was Coleman, having shot a guy with a beer can (mistaken for a gun).

She remembered officers inviting other officers for drinks after the Coleman shooting. She may have gone to this but did not think so as she was living in [REDACTED] at the time and would not have drinks and drive home from Vallejo. Brown said in that event, when the invitations were going out related to Coleman's shooting, no one was acting in a celebratory way. It was more a matter of fact that they were going to the association hall to have a couple drinks. Most of Browns understanding of these events is from department rumors.



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She used the word “celebration” to describe these events so I asked her to explain this. Brown had been in a shooting at another agency when she was only a police officer for a few weeks. It was more of a somber event. She said no one was “high fiving,” after. She said at Vallejo there was pizza and drinks after shootings. While she understood the importance of getting someone food after an event like that and trying to relax them, she just found the events odd.

Brown said the word “celebration” was her word to describe this because the officers were just supporting the involved shooters. They weren’t celebrating having shot someone. She didn’t understand it, as if she just shot someone with a beer can that she thought was a gun, she would not want drinks and pizza, she would be worried about getting prosecuted. Conversely, if she had been through a harrowing shooting where she barely survived, she would be up for drinks; this made more sense to her. Brown has never heard a Vallejo officer talk about a celebration for having shot someone.

Because of Brown’s earlier statement about “high fives,” I asked her if she had ever seen officers “high five” after a shooting. She said she has seen some fist bumps, accompanied by “good job” comments in the hallway at the PD. She took that to mean that they were telling the officer who had been in the shooting, they were glad the officer was ok, it was about giving them support-it wasn’t a “good job” for having just shot someone. She said her word “celebration” and her description of these events as being “weird” were just her take on it. She reiterated that she never thought officers were celebrating the taking of another’s life.

When McMahon made his comment about having “two bodies on his gun” she felt he was feeding into a negative culture of this behavior because he wasn’t competent enough to understand that it wasn’t really about that.

Brown has never had her badge bent. No one has ever asked her to bent her badge, and she doesn’t know what a bent badge looks like. She has never heard the term “Badge of Honor” associated with this issue.

### **Second Interview of Sergeant Jeremey Huff**

On June 24, 2021, at 12:00 PM, I interviewed Jeremy Huff at Vallejo City Hall. He was accompanied by his attorney, [REDACTED]. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. This was Huff’s second interview in this case. He was originally interviewed as a witness but now was being interviewed as a subject. According to Kent Tribble, Kent told Huff if there were any bent badges out there to have people fix them. Huff did not mention this specific conversation in our first interview. The following is summary of this second interview relevant to this investigation.



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Huff had a chance to review the transcript of his prior interview. He had nothing new to add based on my line of questioning.

I asked Huff about the conversation Kent Tribble alleged. Huff, in his first interview, reported being at the staff meeting where they were told to inspect badges for damage and turn them in to get replaced. Before he finished, they retracted their original decision to replace the damaged badges. Huff said he may have had that conversation with Kent in the context of that staff meeting order/inspection event but he did not recall that specific conversation.

I asked Huff if he had a specific private conversation with Kent, in which the context was they both were aware of officers having bent badges and Kent told Huff to go find those officers and have them fix their badges. Huff said this conversation did not happen.

End of Huff second interview.

### **Second Interview of Detective Jarrett Tonn**

On June 24, 2021, at 2:00 PM, I interviewed Jarrett Tonn at Vallejo City Hall. He was accompanied by his attorney, [REDACTED]. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. This was Tonn's second interview in this case. He was originally interviewed as a witness but now was being interviewed as a subject. According to Kent Tribble, Kent "probably" bent Tonn's badge as the result of a particular shooting.

Kent described the shooting as involving a guy who ran from a hotel room, got into a car to flee and tried to run one or both, Tonn and [REDACTED] over. Kent was working and at this call with them, but was not present for the shooting. Tonn and [REDACTED] fired at the car and the suspect got away. Kent said they may have superficially hit the suspect but they never caught him. In describing the bending of their badges, Kent said, "And again, guys are questioning themselves and I probably bent both of their badges at some point, privately, with maybe me and them too." Later when I asked him more about this, Kent thought Tonn and [REDACTED] were together at the Relay bar, with the team after work, when he bent their badges.

Tonn, in his first interview, denied having a bent badge and had very little knowledge of badge bending. The following is summary of the second interview relevant to this investigation.

Tonn brought two additional metal badges to this interview for me to inspect. They were not bent and had no indication of having been bent. Tonn had the opportunity to review his



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transcript and/or audio of the first interview and nothing is different today from what he told me then.

Tonn reiterated that his badge has never been bent and no one has ever tried to bend his badge. I asked Tonn if he had been involved in a shooting with [REDACTED]. Tonn described two shootings he was involved in with [REDACTED].

The first one, he and [REDACTED] were partnered in the same vehicle. [REDACTED] shot at a carjacking suspect vehicle after the car hit him, trying to run him over. Tonn did not fire his weapon in this shooting. The suspect fled and was not captured. There was some blood in the car when they found it, so they assumed [REDACTED] hit the suspect. (This appeared to be the shooting Kent Tribble described, but Tonn did not fire.)

The second shooting Tonn was in with [REDACTED] was a pursuit that ended after the suspect rammed their patrol car. They both fired, hit the suspect injuring him and he was taken into custody.

I had a Critical Incident Log that lists all the officer involved shootings in Vallejo from 2003 to 2020. I used this to give Tonn some details to accurately identify these two shootings. Tonn's information was consistent with the records. Kent Tribble's description was not. These two shootings occurred in 2015.

Tonn said he generally doesn't go to the off-duty gatherings after a shooting. I asked him more about this. I told him it was my understanding that it was not uncommon for officers to have drinks at the association hall or the Relay bar after a shooting. Tonn said he has only been to one. [REDACTED] and Matt Komoda had been in a pursuit to Oakland. During this pursuit, the suspect shot at their vehicle hitting their car, barely missing each of them. [REDACTED], Komoda and other officers had drinks after this event. Tonn stopped by, while he was on duty, to give them a hug and tell them he was glad they were ok. [REDACTED] did not shoot back in this case and Komoda shot at the suspect at the termination of the pursuit. Tonn reiterated that he has never heard of anyone talking about the celebration of shooting someone. These gatherings about supporting the officer who had been in a serious event.

Tonn said if Kent Tribble told me that he bent Tonn's badge he was lying. No one has ever bent his badge. Tonn never talked to Kent about badge bending. He reiterated that he had not heard of badge bending until 2019 or 2020 when the first rumblings came out around the department. Tonn had no idea why Kent would lie about this, but did offer some information that might be relevant.



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Tonn said a mutual friend of his and Kent's ran into Kent in Petaluma earlier this year. This friend is a law enforcement officer at another agency. This friend called Tonn because he was concerned about Kent's [REDACTED]. Kent was [REDACTED] and acting paranoid. The friend's agency provides [REDACTED] help to officers from other agencies and he wanted to let Tonn know they would help [REDACTED].

A co-worker of Kent's and Tonn's told Tonn a story of an odd exchange that he had with Kent. The coworker said that they were having a phone conversation with Kent, when Kent said he needed to call him back on a different line as his phone may be being tapped. Kent also told this coworker he was talking to him on a "burner" phone.

Tonn said a few other people< that both Kent and Tonn know, ran into Kent at the Las Vegas Shot Show and Kent was talking about Chinese people following Delta soldiers and Navy Seals around trying to spread COVID. This group also felt Kent was paranoid.

Tonn said it was common knowledge at the PD that Kent has [REDACTED]

End of Tonn's second interview

### **Second Interview of Officer Mark Galios**

On June 24, 2021, at 3:15 PM, I interviewed Mark Galios at Vallejo City Hall. He was accompanied by his attorney, [REDACTED]. This interview was audio recorded with their knowledge and later transcribed. The recording and transcription accompany this investigation. This was Galios' second interview in this case. He was originally interviewed as a witness but now was being interviewed as a subject because of statements Kent Tribble made in his interview.

According to Kent Tribble, Galios and Coleman were at a Starbucks in south Vallejo when a suspect tried to ambush them with an AR-15. The AR-15 jammed, the suspect ran, and Galios and Coleman chased him, shot him, and took him into custody. The suspect lived. Kent said Coleman and Galios were, "really, really, shook up," because if his rifle had not jammed, they would be dead. He took them both aside and bent their badges.

When I first interviewed Galios, he said his badge had never been bent and no one ever tried to bend his badge.

The following is a summary of Galios' second interview relevant to this investigation.



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Galios had the opportunity to review his audio and transcript of the first interview and nothing has changed since he gave that statement. Galios reiterated that his badge has never been bent and no one ever asked him to bend his badge. If someone told me his badge was bent, they would be lying.

Galios was involved in a shooting with Coleman. He described this shooting and it was consistent with Kent's description of the Starbucks ambush. No one ever bent his badge for that shooting and no one talked to him about bending his badge for that shooting. What he told me, his limited knowledge about badge bending, in the first interview was accurate.

Galios did not know if anyone bent Coleman's badge for this shooting. Coleman never talked to Galios about badge bending.

Galios had no idea why Kent Tribble would have said he bent Galios' badge. Kent was lying.

Galios provided some information that may be relevant to this investigation. He has known Kent since 2014. Kent has always had [REDACTED]

The last time Galios saw Kent was May 29 or June 1, 2020, when they were dealing with riots in Vallejo because of the George Floyd killing. Kent was at the PD that night wearing a Hawaiian T-shirt with a rifle slung over his shoulder, sweating profusely, talking about how he was going to shoot anybody that came through the front door. Kent's behavior was very odd and scared Galios, he thought Kent might actually shoot someone if they came through the front door. Galios did not see the situation as dire as Kent did. Shortly after that Kent went off on leave and eventually retired.

Investigators Note: Kent talked about this same event during his interview. He said he was at [REDACTED] and basically described how the PD was almost taken over so he had to, in essence, violate his [REDACTED] work agreement to defend the PD. Kent described a harrowing event. Galios described the event somewhat differently above.

End of Galios interview

### Comparison of Witness Statements and Shooting Histories

Vallejo PD provided logs of their critical incidents (officer involved shootings) first for 2010-2020 and then when I realized the timeline went back further, they provided logs for 2003-2009. All of this data was compiled into a document titled "Vallejo PD Critical Incident Log.xlsx" which



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accompanies this investigation. Along with this log, I used historical press releases, to document and compare relevant shootings to the witness statements about the shootings. The next several pages document and discuss these comparisons.

Kyle Wylie described his badge bending event as follows:

Wylie had his badge bent twice for two different officer involved shootings. Wylie was involved in a shooting in February of 2009, when a “person” came into the locker room and bent his badge. He said the person was either Eric Jensen or Jeremy Patzer. In July of 2009 Wylie was involved in another shooting. His badge was bent again, “probably” in the locker room and he did not remember who did it this time. A second point was bent. Wylie’s first shooting was fatal, the second one was not.

Wylie’s two shootings are listed below.

Information from the Critical Incident Log:

(The log shows officers involved, date and who was shot. If it says “shooting” the suspect lived if it says fatal shooting the suspect died.)

Jensen, Eric	2/8/2009	09-1915 Walters, Eric - Fatal Shooting
Scott, Jason		
Greenberg, Robert		
Wylie, Kyle		
Poyser, Terry		

Description of event from the press release:

Officers responded to a call of a distraught male shooting a gun off outside of his house. While officers were nearby, they heard the suspect fire off another round from a rifle. The suspect’s neighbor called and stated he was upset and wanted to shoot it out with the police. Dispatch spoke to the suspect on the phone to negotiate a peaceful surrender, but the suspect disconnected. Officers contained the residence and the suspect emerged from the garage holding a rifle. The suspect leveled the rifle at officers across the street and several officers opened fire. One of the officers who fired was Wylie who had deployed his AR-15 patrol rifle. The suspect died.

Information from the Critical Incident Log:

Basset, Jeff	6/14/2009	09-8652 Lindsey, Richard - Shooting
Wylie, Kyle		
Greenberg, Robert		



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Description of event from the press release:

Several police officers from Benicia and Vallejo PD surround a house of a murder suspect wanted by Benicia PD. The suspect exited the house and paced on the porch while refusing to follow commands to show his hands while concealing something in his waistband. The suspect ultimately produced a silver revolver and several officers opened fire striking the suspect. One of the officers who fired was Wylie who had deployed his AR-15 patrol rifle. The suspect lived.

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Kent described the first time he bent a badge in Vallejo as follows:

In March of 2003 Officer Joe McCarthy and Officer Eric Jensen were involved in a traffic stop where the suspect got out of the car and started shooting at them. McCarthy fired his taser and Jensen fired his handgun, to the best of Kent's recollection Jensen hit the suspect but did not stop him. The suspect was able to flee and Officer Coburn found the suspect and got into a physical struggle where the suspect tried to take Coburn's gun from him. During the struggle over Coburn's gun, the suspect was able to fire it in Coburn's holster. [REDACTED] and Kent both shot the suspect killing him.

Information from the Critical Incident Log:

Jensen, Eric	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
Tribble, Kent	[REDACTED]	[REDACTED]

Description of event from the press release:

On [REDACTED], at approximately 4 AM, officers from the Vallejo Police Department made a traffic stop on a 27 year-old man in the 1200 block of Capitol St. The suspect resisted being taken into custody and struggled with the officers. The suspect was shot with a TASER device, but he still managed to pull a gun on the officers and fire multiple shots at the officers. The officers returned fire but the suspect ran through residential back yards toward a nearby park.

Officers chased the suspect into a nearby park, Children's Wonderland, located in the 400 block of Amador St. Officers searched the park and found the suspect. As they were attempting to take the suspect into custody, the suspect grabbed the service weapon of one of the arresting officers and tried to remove the weapon from the officer's holster. During the struggle, one round was discharged from the officer's weapon. Other responding officers then shot the



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suspect and took him into custody. The suspect was pronounced dead at the scene by paramedics.

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Kent described another badge bending event as follows:

In 2005, 2006 or 2007, members of his patrol team got into an off-duty shooting. He was not present for this shooting but heard about it later. Kent described this shooting as occurring at the Relay bar. His team was working graveyard and went to the bar after work. Some of the officers got into a verbal altercation with a civilian. A few minutes later the civilian came back to the bar with a gun. Sanjay Ramrakha and Jeremy Patzer shot him; he lived. Kent did not remember if Ramrakha and Jeremy Patzer were both present when he bent their badges or if he did it individually with them.

Information from the Critical Incident Log:

Patzer, Jeremy	12/10/2005	05-24743 Adam, Eric - Non-Fatal Shooting
Pucci, Brent		

Description of event from the press release:

Two off-duty officers were walking into the Village Bar located at 732 Tuolumne St. in the morning after getting off of their graveyard shift. The officers had not yet had any alcohol. 18-year-old Eric Lee Adams approached the two off-duty officers on a bicycle and had some type of verbal exchange. Adams reportedly pulled out a small caliber handgun and the officers drew their concealed guns and shot him. It is not believed Adams knew the two were police officers when he brandished his gun. Adams was found to have crack cocaine concealed in his mouth packaged for sale when he was arrested.

Kent's description of this event was wrong. Ramrakha was not involved and it was not at the Relay bar.

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Kent described another badge bending event as follows:

In 2013 Kent was promoted to sergeant. Sometime after his promotion, David McLaughlin and Matt Komoda shot at a moving vehicle. They hit the car but not the suspect. He bent their badges.



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Information from the Critical Incident Log:

McLaughlin, David Komoda, Mathew	8/31/2016	16-11527 - Shooting at vehicle
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Description of event from the press release:

On Aug 31<sup>st</sup>, 2016, shortly after 11 pm, Vallejo Police Officers attempted a traffic enforcement stop of an Audi SUV in the area of Alhambra @ Laurel Street in Vallejo. The driver, later identified as Marcus Anigilaje, led the officers on a vehicle pursuit violating numerous traffic code violations through residential streets and eventually drove into the cul-de sac of Mesa @ Alhambra Street. Instead of surrendering, the driver rapidly accelerated the vehicle towards the officers causing the officers to fear for their safety and discharge their duty weapons at the suspect. The suspect vehicle crashed into a parked vehicle and the patrol vehicle causing significant damage. Officers located a loaded firearm in plain view in the vehicle. There were no injuries and both suspects were arrested.

David McLaughlin and Matt Komoda both corroborated Kent’s statement in their interviews as they too said he bent their badges for this shooting. Kent bent these badges in front of Josh Coleman.

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Kent described another badge bending event as follows:

██████████ and Jarrett Tonn had a suspect flee from a hotel room, get into a car and try to run one or both Tonn and ██████████ over. Tonn and ██████████ fired at the car and the suspect got away. They may have superficially hit the suspect but they never caught him. Kent thought Tonn and ██████████ were together at the Relay bar, with the team after work, when he bent their badges.

Kent’s description matched the shooting listed below but Tonn did not fire his weapon, that’s why he is not listed with ██████████ in the Critical Incident Log entry below. Tonn explained that he was with ██████████ in this shooting, riding in the same car but did not fire his weapon. Kent did not have these facts correct and said he bent Tonn’s badge in a shooting in which Tonn did not fire his gun.

Information from the Critical Incident Log-First Shooting:

██████████	██████████	████████████████████████████████████████
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Description of event from the press release:

On [REDACTED], at approximately 7:29 pm, Vallejo Police received a report of two men fighting in the parking lot of Motel 6 located at 1455 Enterprise Street. One of the men said he was going to get a gun and was seen going into a second story motel room. Upon arrival, uniformed officers observed the man exiting the room. From the parking lot, officers called out to the man but he ignored officers and walked away along the second story walkway. As officers tried to follow the man, he jumped from the second story walkway and nearly landed on a police officer. The police officer tried to detain the subject but a struggle ensued and he managed to escape from the officer.

The suspect began running through the parking lot and into a KIA auto dealership located at 4325 Sonoma Blvd. The suspect forcibly stole a vehicle from an unsuspecting victim and attempted to run over an officer with the car, causing the officer to discharge his service weapon. The suspect drove out of the parking lot at a high rate of speed and crashed through a locked security gate. Police received a call from a witness, that a car was parked on Sacramento near Redwood Street and that a subject carrying a handgun, was seen running from the area. Officers quickly converged on the area and located the abandoned vehicle which had crashed into several parked cars. Officers conducted an extensive search but were unable to locate the suspect. (They later identified the suspect as Stacy Hawthorne.)

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Kent described another badge bending event as follows:

Kent was a sergeant at the time of this incident. Mark Galios and Josh Coleman were at a Starbucks in south Vallejo. The suspect came up and tried to ambush them with an AR-15. The AR-15 jammed and the suspect ran. The officers chased him, shot him, wounding him and took him into custody. Kent said he took them both aside and bent their badges. Galios confirmed that he was in this shooting but adamantly denied that Kent ever bent his badge.

Information from the Critical Incident Log:

Coleman, Josh	10/16/2016	16-13829 Powell, Adam - Shooting
Galios, Mark		

Description of event from the press release:

On October 16, 2016, at approximately 8:50 PM two Vallejo police officers were inside the Starbucks coffee house at 199 Lincoln Rd. West. Officers observed a black male adult open the door to the business and point an assault style weapon with a high capacity drum magazine in



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their direction. The suspect appeared to be attempting to manipulate the gun as if it had malfunctioned. The two officers drew their weapons in an attempt to protect themselves. The suspect fled through the parking lot, westbound on Magazine Street. The officers pursued the suspect on foot. The officers engaged the suspect near the intersection of Magazine and Sheridan Streets as he continued to manipulate the weapon and presented himself as a lethal threat to the officers. The suspect was struck three times by gunfire before falling. The suspect was taken into custody and was found to be carrying an additional loaded handgun and wearing body-armor.

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Kent described another badge bending event as follows:

In the Mario Romero shooting, Kent said he bent Dustin Joseph’s badge but not Sean Kenney’s badge because Kenney talked about everything and Kent did not think Kenney would keep this confidential.

Information from the Critical Incident Log:

Kenney, Sean	9/2/2012	12-11085 Romero, Mario - Fatal Shooting Injured Johnson, Joseph
Joseph, Dustin		

Description of event from the press release:

On September 2, 2012, at 4:33 AM the Vallejo Police Department was involved in an officer involved shooting which resulted in the death of one of the suspects. A two man patrol vehicle was near the intersection of Pepper Drive and Lofas Place when the patrol officers saw a vehicle parked in the 100 block of Pepper Drive occupied by two subjects. The patrol officers wished to make contact with the occupants of the vehicle to determine their business in the area.

The driver of the vehicle immediately exited the driver’s side of the vehicle partially concealed behind the door. The butt of a handgun could be seen in his waistband area. The driver reached for the weapon as he crouched and turned away from officers behind the door of the vehicle. He then began to stand up with the weapon in his hand as he continued his turning motion back toward the officers who were in front of him. Both officers drew their weapons and shot at the driver. The 23 year-old driver was transported by ground to Vallejo Kaiser where he was soon after pronounced deceased. The 21 year-old front passenger was struck by a bullet or shrapnel in the buttocks. He survived the event.



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Another badge bending event described as follows:

According to Kent Tribble, Corporal Coleman bent Zach Jacobsen’s badge in front of Kent sometime after Kent was promoted to lieutenant in 2016. Kent believed that the shooting for which Coleman was bending Jacobsen’s badge resulted in the death of the suspect.

Jacobsen has been involved in two shootings, both fatal and both in 2017. Jacobsen, in his interview, said that Terry Poyser bent his badge for his first shooting of Angel Ramos (January 2017). Jacobsen said Kent Tribble never bent his badge and he never talked about badge bending with Kent Tribble. No one mentioned badge bending to Jacobsen after his second shooting in August of 2017.

Jacobsen’s first shooting is described below.

Information from the Critical Incident Log:

Jacobsen, Zachary	1/23/2017	17-970 Ramos, Angel - Fatal Shooting
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Description of event from the press release:

On January 23, 2017, at 12:38 AM the Vallejo Police Department dispatch center received numerous calls from neighbors of a large party. Several subjects were reported to be fighting with weapons in the 1700 block of Sacramento Street. Officers arrived on scene two minutes later and encountered two subjects involved in a physical fight outside the residence. One of the subjects, a 21 year-old man from Vallejo, was observed attacking a victim who was down on his back. The 21 year-old male was holding a knife and presented himself as an immediate and lethal threat to the victim down on his back. One of the officers recognized the threat to the victim and fired his duty weapon at the suspect to stop the threat. The suspect was struck multiple times and was later pronounced deceased at the scene.

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Jason Bahou described his badge bending event as follows:

Bahou was involved in a fatal shooting in 2015. Right after his shooting Terry Poyser bent his badge.

Information from the Critical Incident Log:

Bahou, Jason	3/21/2015	15-3740 Conley, Phillip - Fatal Shooting
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### Description of event from the press release:

On March 21, 2015, at 5:47 pm, the Vallejo Police Department received a 911 call from a citizen who was driving through the parking lot of the Target Center near Sleep Train when his car was struck by a beer bottle. The citizen immediately noticed a man armed with a large knife standing next to a dark colored truck appearing extremely agitated. Minutes later, a uniformed officer arrived on scene and located the dark colored truck and the agitated male suspect who was holding the large knife and had a firearm stuck in his waistband. The officer ordered the suspect to drop the knife several times, but the suspect refused to comply and advanced on the officer. The officer discharged his firearm striking the suspect. The suspect died. The firearm was a replica. Officers located a note inside the suspect's vehicle. The note was a letter of apology for the trouble the suspect caused; in addition, he apologized to the police that were forced to end his life.

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### Zach Jacobsen described bending Ryan McMahon's badge as follows:

Jacobsen bent McMahon's badge after he shot Ronell Foster. Jacobsen said Foster took McMahon's flashlight and was going to hit McMahon in the head. McMahon shot Foster in self-defense and killed him. McMahon and Jacobsen were in the locker room, alone, when Jacobsen took McMahon's badge and bent it just like Poyser did for him.

### Information from the Critical Incident Log:

McMahon, Ryan	2/13/2018	18-1786 Foster, Ronnell - Fatal Shooting
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### Description of event from the press release:

On February 13th 2018, at approximately 7:40 pm, a Vallejo patrol officer attempted to conduct an investigative stop of a subject in the area of Marin at Florida Street. The subject fled from the officer prompting a foot pursuit, followed by a violent physical struggle between the officer and the subject. During the altercation, the officer discharged his duty firearm in self-defense striking the subject.

### **Badge Company Records**

Early in the investigation, Maloney, working with Vallejo PD, sent a request to the Ed Jones Company, the company that provides Vallejo PD's badges, for records of badges Vallejo officers individually purchased under the theory that we may locate bent badges being replaced by officers. Ed Jones sent back a letter without any records, saying basically there had been a change of ownership at the badge company and Vallejo had their own copy of the invoices.



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Maloney followed up on this request and Ed Jones produced a spreadsheet of records that were not specific enough to identify individual badge purchases and to be relevant in this case. Additionally, as we understood better the badge bending and repairing process, we did not follow up on this lead any further as it was highly unlikely anyone bought a new badge to replace a bent badge. It was very easy to bend the badge back with no damage or indication of having been bent.

### **Email Search**

Vallejo PD provided a flash drive with 5 years of emails that in theory met the criteria of our search request which was all emails to or from any VPD personnel and Bob Sampayan and Greg Nyhoff containing any of the following search terms: badge, badges, badge of honor, bent, bending, BBQ or barbeque. The date range was from January 1, 2015 – July 30, 2020.

Many of these emails had none of the search criteria listed. A review and secondary search of the emails identified only one possible related email. It was a Facebook notification to Kent Tribble's email with a message from Brian Crutcher that said, "Prove it is you. Name a very liberating action involving a bent star." Brian Crutcher is a retired Vallejo Police Officer.

### **Unavailable or Uncooperative Witnesses**

Unfortunately, there are many missing details in this investigation mostly because employees that have retired or been terminated would not participate in an interview. In addition, some officers out on medical leave were unavailable for interview. Attempts were made to interview all of these subjects, but in the end they did not participate.

Captain Lee Horton appears to have significant knowledge about this matter but is unavailable due to [REDACTED] and the City of Vallejo cannot order him to participate. There was sufficient evidence to discuss his involvement in the conclusions and findings.

Former Captain John Whitney has significant information about what happened and what was done in early 2019 when a badge bending incident involving McMahon was discovered. Unfortunately, he has refused to be interviewed. Although, he agreed to answer written questions, his responses were vague or non-responsive. This will be discussed in the conclusions and findings.

Ryan McMahon had a bent badge tip discovered when he was put on administrative leave for the unauthorized back plate in February of 2019. Zach Jacobsen said he bent McMahon's badge following the Ronell Foster shooting. McMahon was also heard talking about badge bending the morning after the Taco Bell shooting of Willie McCoy at the association hall.



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Dustin Joseph is a former Vallejo Officer who now works for Fairfield PD and was unavailable due to [REDACTED]. Kent Tribble said he bent Joseph's badge.

[REDACTED] - according to Kent Tribble, Kent bent his badge back in 2003.

Joe McCarthy was named by Whitney as the first-person Whitney learned about badge bending from in the answers to his written questions. This information was contradicted by other witnesses' statements.

Terry Poyser was a good friend of Kent Tribble's, bent Jason Bahou's and Zach Jacobsen's badges and told Jodi Brown he bent David McLaughlin's badge-but David McLaughlin, Komoda and Kent Tribble said Kent bent David McLaughlin's badge.

Jeremy Patzer- Kyle Wylie said either Jeremy Patzer or Eric Jensen bent his badge for his first shooting. Kent Tribble said he bent Jeremy's badge for the off-duty bar shooting.

Eric Jensen- Kyle Wylie said Jensen or Jeremy Patzer bent his badge for his first shooting. Kent Tribble said he bent Jensen's badge in 2003 with [REDACTED].

Brent Pucci- Kent said he bent both officers' badges involved in the off duty bar shooting. Kent said it was Jeremy Patzer and Sanjay Ramrakha, but Ramrakha was not in that shooting, Pucci was.

Dan Golinveaux Concord PD Officer who allegedly started badge bending with Kent Tribble in Concord and could possibly corroborate Kent's explanation of what it meant and why it was done.

[REDACTED] There was no indication [REDACTED] was involved in badge bending. He was involved in a shooting at Vallejo PD and still works there. He is on the witness list because of that alone. [REDACTED] is out [REDACTED] and unavailable for interview.

### **Potential Follow-Up Investigation**

Josh Coleman Kent said he bent Coleman's badge due to the Starbucks shooting. Kent said Coleman bent Jacobsen's badge in front of Kent. This was wrong. Jacobsen said Poyser bent his badge. According to Kent and David McLaughlin, Coleman was present when Kent bent David McLaughlin's badge. I am waiting for Napa County Sheriff to compel him to cooperate in an interview.



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██████████ Kent Tribble said he bent ██████████ and Tonn's badges after a shooting. I am waiting for Napa County Sheriff to compel him to cooperate in an interview.

Travis Aspegren told Jodi Brown about McMahon's statements at the association hall after the Taco Bell shooting.

End of Investigation

### SIGNIFICANT EVENTS TIMELINE

August 2003	According to Kent Tribble, he bent his first badges at Vallejo PD.
2005	Kent Tribble and Drew Ramsay said that Kent tried to bend Ramsay's badge.
February 2009	Kyle Wylie said his badge was bent for the first time by Eric Jensen or Jeremy Patzer, for the fatal shooting of Eric Walters.
June 2009	Kyle Wylie said his badge was bent for a second time, he did not recall who did it, for the non-fatal shooting of Richard Lindsey.
March 2015	Jason Bahou said Terry Poyser bent his badge for the fatal shooting of Phillip Conley.
September 2016	Kent Tribble said he bent David McLaughlin's and Matt Komoda's badges for shooting at a vehicle but hitting no one. Komoda and McLaughlin corroborated this.
2016-2018	At some point during this time frame, Kent Tribble said that Lee Horton confronted him about his, Kent's, badge being bent. Horton told him to fix it, he didn't want to see it again.
January 2017	Zach Jacobsen said Terry Poyser bent his badge for the fatal shooting of Angel Ramos.
February 13, 2018	Fatal shooting of Ronell Foster by Ryan McMahon.
February/March of 2018	Zach Jacobson bent Ryan McMahon's badge for the fatal shooting of Ronell Foster.



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2018-“Ish” According to Kent Tribble, Lee Horton confronted him a second time about badge bending.

February 9, 2019 Fatal shooting of Willie McCoy at Taco Bell, Ryan McMahon was one of the involved officers.

February 2019 Inspection of McMahon’s gun that revealed the unauthorized symbol on the back plate.

February 27, 2019 McMahon was put on admin leave for the IA based on the symbol on his back plate. His badge was taken by Lee Horton who found a bent point and showed it to Ramsay. Horton told Ramsay he had seen this before and had taken action to stop it. Horton told former Chief Bidou.

Ramsay had a conversation with former Chief Bidou about McMahon’s bent badge and Ramsay also told Bidou about his experience with Kent Tribble trying to bend Ramsay’s badge in 2005.

March 28, 2019 McMahon was interviewed in the back plate IA. After the interview, Ramsay asked McMahon’s attorney about the bent badge they collected. McMahon’s attorney told Ramsay that the badge was intentionally bent by Zach Jacobsen. Ramsay called former Chief Bidou and told him Zach Jacobsen bent McMahon’s badge intentionally.

Bidou’s recollection of these conversations was that Ramsay told him Kent Tribble bent McMahon’s badge.

April 2019 Bidou tasked John Whitney to deal with the badge bending issue without an IA investigation. At a staff meeting, Whitney ordered badge inspections and ultimately collected at least one badge, Jason Scotts badge, and possibly more.

April - June 2019 At some point during this time frame, Whitney told Mayor Bob Sampayan of badge bending. Sampayan told City Manager Greg Nyhoff about badge bending. Nyhoff spoke to Bidou and learned Bidou had handled it.



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May 28, 2019	Whitney was placed on admin leave for an unrelated IA.
July 1, 2019	Bidou retired.
July 1, 2019	Allio's start date as Interim Chief.
August 26, 2019	Whitney was terminated for the above IA.
September 2019	Allio was told about badge bending by Horton. Allio inquired further and learned that it was handled by Bidou.
November 12, 2019	Chief Williams' start date.
July 28, 2020	Open Vallejo Badge Bending article posted.

### FINDINGS OF FACT

The following factual findings are based on my review of all the evidence in this case, my training and experience, and an evaluation of the witnesses' credibility.

The credibility of each witness was assessed by me. In evaluating witness credibility many factors were considered including possible bias or motivation to lie, the ability of the witness to recall information, the specificity of the information provided, whether information provided was consistent with prior statements of the witness or others, and the inherent plausibility of the information provided.

I applied a "preponderance of the evidence" standard in making the following findings and conclusions, as is standard in police misconduct investigations.

The following are some initial observations about "badge bending." First, a bent badge is barely perceptible unless someone looks closely and knows what they are looking for. A badge tip is pushed slightly inward by 2-4 millimeters, and it can easily be bent back. Second, "badge bending" was not typically done by the owner of the badge. It was done by another officer as a show of support and without asking the owner of the badge. Third, applying multiple bends to a badge to reflect multiple critical shooting incidents was not typical. According to Kent Tribble, the initiator of this activity, a badge would only be bent once and was not a method of keeping score.



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### **FINDING NO. 1:       There have been discrete occurrences of “badge bending” among Vallejo PD officers over a several year period**

The evidence substantiated the following instances of badge bending at Vallejo P.D.: Kent Tribble bent his own badge in 2003 and bent the badges of David McLaughlin and Matt Komoda in 2016; Terry Poyser bent the badge of Jason Bahou in 2015 and Zach Jacobsen in 2017; and Zach Jacobsen bent the badge of Ryan McMahan in 2018. In addition, Kyle Wylie had his badge bent twice in 2009, but there was insufficient evidence to determine who bent his badge on those occasions as he stated he could not remember.

Most of the bent badges referenced above did not last long. David McLaughlin bent his back the next day. Matt Komoda bent his back within days. Jason Bahou bent his back a week or two later. Kent Tribble said he did not have a bent badge after he was promoted to Lieutenant. Zach Jacobsen bent his badge back around the time the 2019 badge inspections. Kyle Wylie said he bent his badge back within a year of his July 2009 shooting.

The investigation confirmed that “badge bending” was an act initiated by and primarily carried out by Kent Tribble and Terry Poyser. Kent stated that when he worked as an officer for Concord PD he had his badge bent by a coworker. Following Kent’s first shooting incident at Concord, in or about 2000, he was having a hard time over how he handled the situation and the indication that he missed the suspect with his AR 15 rifle from a short distance. A coworker took his badge and bent a tip, stating that it was recognition of him being willing to do his job and not “run from the fight.” Kent said this act helped him through the incident. He bent badges of others at Concord, including that of his brother Todd Tribble, who had been involved in a critical shooting incident.

When Kent Tribble moved to Vallejo PD in 2003, he continued to bend badge tips of himself and others on occasion. In or about March 2003, Kent was involved in a fatal shooting and bent his own badge. He believes he bent the badge of Eric Jensen and, possibly, ██████████ in connection with this incident. He also indicated that he may or “might have” bent the badges of others on subsequent occasions including ██████████, Jeremy Patzer, Sanjay Ramrakha, Eric Jensen, Mark Galios, Josh Coleman, Jarrett Tonn, ██████████, Dustin Joseph, and ██████████ ██████████

Kent’s testimony proved to be unreliable in several respects. He admitted his memory was poor and it may have been impaired by ██████████. Aside from the 2003 incident, he could not identify dates, years, or accurate circumstances of the critical incidents. He claimed he bent badge tips of officers for shootings in which, it turns out, they were not involved or in which they did not shoot. He claimed that the only other person who bent badges besides himself was Josh Coleman. However, I did not uncover any badge bent by Coleman but did uncover two



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badges bent by Terry Poyser, a friend of Kent's. While I believe Kent was the initiator of "badge bending" and the primary perpetrator of this conduct, I found his credibility poor.

The sustained occurrences of badge bending listed above were corroborated by other, more credible witnesses. It should be noted that I was unable to interview [REDACTED], Jeremy Patzer, Eric Jensen, Josh Coleman, [REDACTED] and Dustin Joseph and could not determine their involvement, if any, in badge bending. I did, however, interview numerous witnesses involved in critical shooting incidents who never bent their own badge, had it bent by another, or who knew of any badge bending incidents.

**FINDING NO. 2:           The last known occurrence of "badge bending" occurred in 2018 and that badge tip was restored (bent back) in 2019**

On or about February 27, 2019, Officer Ryan McMahon was placed on administrative leave pending an IA investigation into an engraving found on his gun plate following the shooting of Willie McCoy. Captain Horton and Sergeant Ramsay were present when McMahon was placed on leave. During this process, they collected McMahon's badge. Afterwards, Captain Horton observed that one badge tip was bent and brought it to Ramsey's attention and the attention of Chief Bidou.

When McMahon came back in for his interview regarding the gun plate engraving, Ramsay was instructed to ask McMahon about the bent badge tip and whether it was intentional. On March 28, 2019, when the interview concluded, Ramsay asked McMahon and his attorney about the bent tip. After conferencing, McMahon's attorney affirmed to Ramsay that the bent tip was intentional and had been bent by Zach Jacobsen.

During this investigation, Jacobsen admitted that he bent McMahon's badge tip shortly after the shooting of Ronell Foster in February 2018. McMahon's badge tip was bent back and returned to him after he was cleared of the gun plate investigation. No bent badge tips were observed on McMahon's badge after February 2019.

McMahon's bent badge tip was brought to the attention of Chief Bidou following the administrative leave interaction in February 2019. It was suggested that it may have been done to signify a shooting. Bidou was concerned. He was informed that Sergeant Ramsay may have information on the meaning of a badge bend. Ramsay explained to Chief Bidou an interaction he had with Kent Tribble and his understanding that a badge bend was meant to be a show of support for an officer who was involved in a critical shooting incident and survived. In Ramsey's case, Kent Tribble wanted to bend his badge for having been involved in a shooting at a car, in which no one was hit. Ramsay declined. However, he explained to Chief Bidou that he did not believe that a bent badge was meant to reflect a fatal shooting. Chief Bidou was less concerned



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after hearing Ramsay's explanation, but he still did not approve of unauthorized badge modification and wanted to know if this conduct extended beyond McMahon. Bidou directed Patrol Captain John Whitney to oversee a badge inspection and repair process and to send the message that badge modifications were not permitted. Given that the meaning of a bent badge was less offensive than he initially feared, Bidou elected not to do another IA and to handle it administratively, which appears to have been an acceptable choice.

John Whitney is believed to have information relevant to this investigation, but he refused to be interviewed. He agreed to answer a set of interrogatories, but the responses he submitted were largely evasive or non-responsive. No evidence was uncovered which indicated that Whitney discovered McMahon's bent badge or brought that information forward to Chief Bidou.

We know that a box of approximately 10 bent or damaged badges was collected in the inspection process overseen by Whitney. We don't know what, if anything, he learned about why they were bent or damaged. Jason Scott's badge was the only one we know of that should have been in that box. He said no one ever asked him about it. Scott's badge did not appear to have been bent related to a shooting. Zach Jacobsen, in his interview, said he heard 10 or 12 badges were collected in the inspection and 8 of those from people who had not been in shootings, they were just bent from wear and tear. That was consistent with Scott's story. It's also unlikely anyone with a bent badge from a shooting would turn it in. That badge would have to be found by a surprise inspection. The owners of the 10 badges turned in and the source of their damage or bends remains a mystery.

This investigation uncovered no other "bent badges" after McMahon's. The badges of witnesses who were involved in fatal shootings were inspected during the course of the interviews. No evidence of bends was observed other than Jason Scott's badge which was determined to be unrelated to this investigation.

**FINDING NO. 3:        A bent badge denotes having been in a critical shooting incident, not "running from the fight," and surviving. It does not symbolize fatally shooting someone in the line of duty**

Kent Tribble adamantly maintained that badge bending was never a symbol of having engaged in a fatal shooting or killing people. The act was to show support for an officer who was willing to pull the trigger, "stay in the fight," and survive a critical incident. Each of the witnesses in this investigation who discussed bending another's badge (Tribble and Jacobsen) or having their badge bent (Ramsay, Wylie, Bahou, McLaughlin, Komoda, and Jacobsen) stated a similar explanation, i.e. they made a difficult decision, did their job, and survived. No one interviewed described it as a "notch" or symbol of having killed someone.



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The circumstances of badge bends verified in this investigation corroborate that the act was not about killing people. In 2005, when Kent Tribble *attempted* to bend the badge of Drew Ramsey, it related to an incident when Ramsay was a reserve officer and fired his weapon at a suspect vehicle which had just run over a person, but he hit no one. In 2016, when Kent Tribble bent McLaughlin's and Komoda's badges, it followed an incident in which they shot at a suspect vehicle, hitting no one. In 2009, on one of the occasions that an unidentified person bent the badge of Kyle Wylie, it followed a non-fatal shooting. While some of the badge bending incidents followed a fatal shooting, they also followed non-fatal shootings and no contact shootings.

**FINDING NO. 4:**        **"Badge bending" is not a custom or tradition within the Vallejo PD. It was an act initiated and primarily conducted by Kent Tribble (ret.) and a few others**

The overwhelming majority of the 43 witnesses interviewed in this investigation had never heard of the conduct of "badge bending" until – at the earliest – Ryan McMahan's bent badge tip was discovered in February/March 2019 and badge inspections were ordered. These witnesses include [REDACTED], Bobby Knight, Ted Postolaki, Sanjay Ramrakha, Jerome Bautista, Shane Bauer, Richard Wanzie, Fabio Rodriguez, Jeff Tai, Jeremy Huff, [REDACTED], Steve Darden, George Simpson, Colin Eaton, Christopher Hendrix, Jared Jaksch, Terry Schillinger, Jason Bauer, Bryan Glick, Waylon Boyce, Jordan Patzer, Mark Thompson, Jason Scott, Anthony Cano, Joe Iacono, Kevin Barreto, Brian Murphy, Jodi Brown, Jarrett Tonn, Jason Potts, Andrew Bidou, Bob Sampayan, and Greg Nyhoff.

Some of these witnesses did not even hear of alleged "badge bending" conduct until the Open Vallejo article was published in July 2020.

Several witnesses expressed the view that it was implausible that "badge bending" could be a widespread practice in the department without more people knowing about it. Police officers are known for engaging in "water cooler" talk and Vallejo P.D. is no exception.

Several persons who had been involved in shooting incidents were interviewed in the course of this investigation. A clear majority of them never experienced "badge bending" at Vallejo PD. These witnesses include Kevin Barreto, Jason Bauer, Shane Bower, Waylon Boyce, Anthony Cano, Steve Darden, Colin Eaton, Mark Galios, Bryan Glick, Christopher Hendrix, Jeremy Huff, Jared Jaksch, Bobby Knight, Stephanie McDonough, Jordan Patzer, Sanjay Ramrakha, Fabio Rodriguez, Terry Schillinger, Jason Scott, George Simpson, Mark Thompson, Ritzie Tolentino, Jarrett Tonn, and Todd Tribble.



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Even the witnesses who acknowledged having had their badges bent by someone, bent them back after a period of time.

**FINDING NO. 5:        There is insufficient evidence that bent badges were commonly referred to as a “Badge of Honor” by Vallejo PD personnel**

Kent Tribble denied ever referring to a bent badge as a “badge of honor” and did not hear others refer to them in this way. None of the officers interviewed who bent a badge or had their badge bent for them had ever heard the term “Badge of Honor” associated with it.

Of the 46 persons interviewed in this investigation, only one believes he heard that term used at all before publication of the Open Vallejo article. Mark Galios returned to Vallejo PD in approximately April 2020. He said that other officers were catching him up on everything he missed while he was gone. Someone, he cannot remember who, told him that McMahan bent his own badge as a “badge of honor.” This allegation could not be further explored or corroborated because the identity of the speaker was unknown and McMahan refused to be interviewed.

John Whitney, in his written responses to interrogatories, stated that he heard Joe McCarthy use the term “Badge of Honor” on the day he was promoted to corporal. I was unable to determine whether the promotion occurred in 2015 or 2017. Regardless, on the day of the promotion, Whitney states that he observed McCarthy’s bent badge and offered to fix it for him. McCarthy allegedly declined and responded that the bends reflect his “fatal shootings” and it was a “badge of honor.” See Exhibit 8, Question 10. As Whitney refused to be interviewed for this investigation, I was unable to ask follow-up questions. McCarthy, who is retired, also refused to participate in this investigation and I could not obtain his response to this allegation.

There is insufficient evidence that persons who had been involved in “badge bending” routinely referred to is as a “Badge of Honor.” There may have been isolated usage of this term which I could not verify.

**FINDING NO. 6:        There is no evidence of the existence of “secretive clique” of officers within the Vallejo PD who formed an association involving bent badges**

Kent Tribble said that he wanted to keep his “badge bending” activities “secret,” but there is no evidence that a secret association or group of officers with bent badges was formed.

Kent said that he bent badges of others privately or semi-privately, with only one or two people present. It was not an open activity. He worried that if it became known, someone might be



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motivated to shoot to earn a badge bend. Kent did not bend the badge of everyone involved in a shooting, only those he felt could use the support, would not be offended by it, and would not talk about it.

This was corroborated by David McLaughlin and Matt Komoda who stated that, after shooting at a suspect vehicle, Kent called each of them over to the Relay bar and had a private conversation with them there. Kent did not tell them they were part of a “group” or that there were other officers with bent badges. He did not ask them if they wanted him to bend their badges, he just did it. They both thought it was “weird” and bent their own badges back promptly after.

When Zach Jacobsen bent Ryan McMahan’s badge, he was having a conversation with McMahan in the locker room about the Ronell Foster shooting and McMahan was expressing stress over the incident and having to make a split-second decision to use his weapon. Jacobsen tried to show support for McMahan, i.e., that he did what he had to and survived. He took McMahan’s badge and bent a tip. No one else was part of this conversation; it was not done in a group setting. Jacobsen did not believe badge bending was intended to be a “secret.”

When Terry Poyser bent the badges of Jason Bahou and Zach Jacobsen, they both described the circumstances as one-on-one conversations with Poyser. It was not done in a group setting and they were not told about others who had bent badges.

The investigation revealed no evidence of an assembled group of officers with bent badges.

**FINDING NO. 7:        There is no evidence that Vallejo police officers gather for barbeques, beers, or other off-duty social events to celebrate fatal shootings**

There was no evidence found that substantiated this allegation. Everyone interviewed about this issue said they have never heard of a Vallejo officer celebrating the shooting of someone. There are varying reports of officers gathering off-duty after a shooting, but they don’t all do it and it doesn’t always happen. All the witnesses asked about this said it was to support the officer. Most of the witnesses expressed strong opinions that a “celebration” would never happen. A shooting is a negative event, not a reason for celebration.

Some Vallejo officers gather immediately after a shooting, immediately being at the end of the shift the shooting occurred and after the shooting interviews are done. This may be for drinks and one witness said pizza. The reason was to “decompress” and support the officer(s).

Matt Komoda described the reason like this:



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*"I don't think anybody wants to go through their career having to shoot at somebody let alone shoot, hit somebody. And it can adversely affect your life for the rest of your life just mentally, physically. And sometimes people need to know that they need a little support and hey, if something's going on, we're here for you, man."*

David McLaughlin said after his second shooting, when the day was over, some officers had a couple of drinks together and was the furthest thing from a celebration, it was like, "that was a crappy day at work."

Although Jodi Brown agreed that these events were about support, she wasn't as comfortable with them. Brown said there was a tradition at Vallejo PD of going out for drinks and or pizza to talk about the shooting right after it occurred. She thought it was unusual and had no desire to "celebrate" after an event like that. Brown said the word celebration was her word to describe this, but the officers were just supporting the involved shooters. They weren't celebrating having shot someone. She didn't recall ever attending one of these events.

Officers meeting with another officer after he or she has been in a shooting is rather common in the industry. Typically, the officer involved has been through a traumatic event and then put off work for a few days to a few weeks at a minimum, right after the shooting. Advanced officer wellness trainings advocate keeping connected with officers in this position. One of the reasons for this contact is to support them and make sure they don't get isolated and have someone to talk to. It is good human behavior. There are many mental health issues that can arise for an officer who has been involved in a shooting. The majority of officers never want to come close to taking a life.

### **APPLICABLE STANDARDS OF CONDUCT**

#### **VALLEJO POLICE DEPARTMENT POLICY MANUAL**

##### **Law Enforcement Code of Ethics**

###### **104.1 PURPOSE AND SCOPE**

The purpose of this policy is to ensure that all peace officers are aware of their individual responsibilities to maintain their integrity and that of their department at all times.

###### **104.2 POLICY**

The Law Enforcement Code of Ethics shall be administered to all peace officer trainees during the Basic Academy course and to all other persons at the time of appointment (11 CCR 1013).



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### **104.3 LAW ENFORCEMENT CODE OF ETHICS**

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against abuse or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before god to my chosen profession... law enforcement.

### **300 Use of Force**

#### **300.1 PURPOSE AND SCOPE**

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Government Code § 7286).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Techniques and Conducted Energy Device policies.

#### **300.2 VALUES AND PRACTICE**

**Sanctity of Human Life** - The Vallejo Police Department respects the sanctity of human life. In



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all aspects of their conduct, Department members will act judiciously with respect to human rights and the regard for the preservation of human life and the safety of all persons involved.

**Public Cooperation** - A strong partnership with the public is essential for effective law enforcement. Excessive uses of force damage that partnership and diminish the public trust that is a cornerstone of policing in a free society.

**Core Principle** - The Vallejo Police Department seeks to gain the voluntary compliance of subjects, when consistent with personal safety, to eliminate the need for use of force or reduce the force that is needed.

### **300.3 POLICY**

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

### **300.4 USE OF FORCE**

Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

## **320 Standards of Conduct**

### **321.1 PURPOSE AND SCOPE**

This policy establishes standards of conduct that are consistent with the values and mission of the Vallejo Police Department and are expected of all department members. The standards



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contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

### **321.2 POLICY**

The continued employment or appointment of every member of the Vallejo Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

#### **321.3.2 SUPERVISOR RESPONSIBILITIES**

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.

#### **321.5.6 EFFICIENCY**

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

#### **321.5.7 CONDUCT**

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.



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- (c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the City.
- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

### **1011 Personnel Complaints**

#### 1011.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Internal Affairs Unit, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights Act (POBR) (Government Code § 3303):

- (j) All members shall provide complete and truthful responses to questions posed during interviews.

### **1027 Department Badges**

#### **1027.1 PURPOSE AND SCOPE**

The Vallejo Police Department badge and uniform patch as well as the likeness of these items and the name of the Vallejo Police Department are property of the Department and their use shall be restricted as set forth in this policy.

#### **1027.2 POLICY**

The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity.



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### **1027.3 UNAUTHORIZED USE**

Department badges are issued to all sworn employees and non-sworn uniformed employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Chief of Police.

### **CONCLUSIONS REGARDING MISCONDUCT**

The following conclusions are not a legal opinion but rather a judgment of whether or not a Police Department policy was violated.

It is important for the reviewer to consider the culture and practice of the agency in their review of this investigation. These are recommendations and the ultimate decision is that of the department head or designee. It is common in these investigations for the reviewers to have different opinions as to the findings.

### **KENT TRIBBLE, SUBJECT**

Kent Tribble started badge bending at Vallejo PD. Kent described generally how he bent badges. The bending of a badge was a form of recognition for an officer being willing to do their job. It had nothing to do with whether or not they hit a person or if the suspect was killed. It was only to show appreciation for the officer doing their job, firing their weapon when it needed to be done. It was not about killing.

It was done in private, or in very small groups with others who had bent badges. Occasionally it would be done at a bar with other team members present but if badge bending occurred, the officer was pulled aside from the group.

Kent did not tell them what he was doing when he bent their badge. He would ask to see their badge, bend it and hand it back to them. Then explain why he bent it. He did not give the officers a choice. Kent made very clear efforts to explain that this had nothing to do with taking a life. This had to do with being willing to do your job and know that somebody out there supports you. But it directly related to pulling the trigger in a shooting. It was only given to people that pulled the trigger, in recognition for them not running from the fight.



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Kent said he would not bend the badge of someone who would be offended or could not keep it secret. He described offended as someone who was a strict uniform person, always maintained their shoes and uniform with great detail, was the type of person who may be offended. The concern with someone who talked about it, was that he did not want to risk the information getting to someone who had not been in a shooting and potentially motivating them to shoot, to earn the bent badge.

Kent Tribble prefaced many of his statements with memory problems and sometimes with a statement that he had been [REDACTED]. Some of Kent's statements have been corroborated and some have been disproven. Kent was wrong with some of his information and one could argue it was memory or errors, but not in this case. Kent Tribble and Terry Poyser are friends. Kent said he bent Jason Bahou's badge and Bahou said Poyser bent his badge. Kent said Josh Coleman bent Zach Jacobsen's badge in front of Kent, and Jacobsen said Poyser bent his badge. Kent said he was not aware of anyone else other than him and Coleman bending badges. Kent never mentioned his friend, Terry Poyser, had bent badges. Kent absolutely knew Poyser was bending badges and was protecting Poyser. Jacobsen and Bahou were much more credible than Kent.

Kent said he bent Jarrett Tonn's badge but described the shooting he bent it for and Tonn did not shoot. Tonn adamantly denied this. Kent said he bent Mark Galios' badge with Josh Coleman for the Starbucks shooting. Mark Galios adamantly denied this and Josh Coleman has not participated in an interview. Tonn and Galios were more credible than Kent.

Kent said he bent Jeremy Patzer's and Sanjay Ramrakha's badges after the off-duty bar shooting. Kent got the bar wrong and Ramrakha was not involved in the shooting. Ramrakha denied ever having a bent badge or knowledge of badge bending. Ramrakha was a more credible witness than Kent.

Kent said he told David McLaughlin and Matt Komoda to fix their badges after Horton confronted him. Komoda and McLaughlin denied this and they were much more credible than Kent.

Kent said he told Jeremy Huff to find those with bent badges and have them fix their badges. Huff denied this and he was much more credible than Kent.

Kent may have made some mistakes and had some memory issues but he was dishonest in his interview with me.



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According to Kent, the first time he bent a badge in Vallejo occurred in March of 2003. Officer Joe McCarthy and Officer Eric Jensen were involved in a traffic stop where the suspect got out of the car and started shooting at them. McCarthy fired his taser and Jensen fired his handgun, to the best of Kent's recollection Jensen hit the suspect but did not stop him. The suspect was able to flee and Officer Coburn found the suspect and got into a physical struggle where the suspect tried to take Coburn's gun from him. During the struggle over Coburn's gun, the suspect was able to fire it in Coburn's holster. [REDACTED] and Kent both shot the suspect killing him.

Kent said Jensen was upset that he didn't stop the suspect and Coburn almost got hurt. Kent bent Jensen's badge and told him, "he did his job the best he could," and this was the recognition. It was not a matter of whether he hit or killed the suspect. Kent did this in private and thought he, "might have bent," [REDACTED] later, also in private. We don't know if this happened as Kent is an unreliable witness and there was no corroborating witness statements. McCarthy's badge was not bent because he fired his taser. Kent bent his own badge in his own recognition from this shooting.

Kent thought it was in 2005, 2006 or 2007 that members of his patrol team got into an off-duty shooting. Kent described this shooting as occurring at the "Relay," a bar the officers would frequent after work. His team was working graveyard and went to the bar to, "decompress." The officers were off duty and some of them got into a verbal altercation with a civilian. A few minutes later the civilian came back to the bar with a gun and Sanjay Ramrakha and Jeremy Patzer shot him; he did not die. Sanjay Ramrakha denied ever being involved in badge bending. A shooting similar to this one occurred at a different bar and Ramrakha was not the other officer, Pucci was. We don't know if Kent bent Pucci's and Patzer's badges, they would not participate in an interview and Kent's statements are unreliable.

In 2013, when Kent was a sergeant, he bent David McLaughlin and Matt Komoda's badges in front of Josh Coleman. He did this for a shooting in which Komoda and David McLaughlin shot a car and did not hit the suspects. This was corroborated by Komoda and McLaughlin who were very credible witnesses. Kent bent these badges.

Kent said he bent Dustin Joseph's badge for Mario Romero shooting. This was not corroborated as Joseph has not participated in an interview as he is out [REDACTED] from Fairfield PD.

Kent said he tried to bend Drew Ramsay's badge in 2005 for a shooting that occurred years earlier. Ramsay corroborated this. Their versions of the event were quite similar.



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Kent said he bent, [REDACTED] badge for a shooting she got in at her prior agency, before she was a Vallejo PD officer. She no longer works for Vallejo PD and this badge bending has not been corroborated.

Despite the fact that there was no evidence tying badge bending to fatal shootings, it was reported to be about supporting the officer involved in the event, it was still capable of misinterpretation, unethical and wrong. The badge is a symbol of public trust and the authority vested in law enforcement officers. It is to be used only for official purposes. Modifying the badge to mark an officer's engagement and survival in a critical shooting incident is not an authorized use of the badge. Such an act can be misinterpreted or send the wrong message about Vallejo PD officers' approach to use of force and the sanctity of human life, as it has here. The City and its police department have suffered a media firestorm and damage to their collective reputation as a result of these instances of badge misuse and how they have been interpreted. Kent Tribble engaged in an unauthorized use of the badge, conduct unbecoming a law enforcement officer, and dishonesty in this investigation. He also caused subordinates to violate policy.

### **DAVID MCGLAUGHLIN, SUBJECT**

In 2016, David McLaughlin and Matt Komoda were involved in shooting at a vehicle but missed the suspects. The day after, or a couple days after, their sergeant, Kent Tribble asked them to meet him at the Relay bar and to bring their badges. McLaughlin and Komoda met Kent at the bar and Josh Coleman was there. Tribble told them, referring to the shooting, something to the effect of, "I know that was a very hairy situation and how you guys handled yourself professionally, and you guys did a great job." Kent was his supervisor, he was well respected, he was an older officer, he was good at getting guns off the street, someone you would aspire to be. Kent took his badge and bent it.

McLaughlin did not see anything unethical with this based on how Kent described it. McLaughlin thought it was "weird" and bent his badge back the next day. Komoda corroborated McLaughlin's version of this event.

McLaughlin said if he ever thought it was about shooting or killing someone, or if Kent had said that to him, he would have reported it to another supervisor. He never thought of that possibility at the time. When the article came out, he "freaked" out. It was never about what the article portrayed and it upset him that he had anything to do with it. McLaughlin was a victim of badge bending and did nothing wrong.



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### **MATT KOMODA, SUBJECT**

In 2016, Matt Komoda and David McLaughlin were involved in shooting at a vehicle but missed the suspects. A couple days later, then Sergeant Kent Tribble, invited the two of them to the Relay bar and told them to bring their badges. Komoda thought this request was odd. Komoda went to the bar and met Kent, McLaughlin, and another officer, Komoda did not remember who. Kent took Komoda's and McLaughlin's badges, and as he bent one of the points on each badge, he told them, *"This is just to signify that you guys were in a critical incident where you were forced to make hard decisions and you handled it professionally and you came out of it okay."*

Afterwards, Komoda and McLaughlin talked about the event and both thought it was "weird." They didn't like the bent badge and both bent their badges back. Komoda did not think there was anything unethical about it based on what Kent described it meant. Komoda was a victim of badge bending and did nothing wrong.

### **JASON BAHOU, SUBJECT**

Jason Bahou was new officer in 2015 when he was involved in a fatal shooting. Right after his shooting an older detective, Terry Poyser, came up to him and told him he survived, he did the right thing, he did what he had to do, and don't feel bad about it. Poyser bent his badge. Bahou said it was short, there wasn't much to the conversation, he basically came up to him and said, "Hey, new guy, I'm proud of how you took care of it. You did what you had to do and that was it." Bahou bent his badge back about a week or two after it happened. He did not like the way it sat on his chest and it was a visible scar, reminding him of the shooting, a negative event.

Bahou said Poyser's reason for bending the badge was not unethical, but Bahou did not like it. Had Poyser said it was anything about killing people he would have reported it. He thought it was an isolated gesture and disregarded it after he fixed the badge. Bahou was a victim of badge bending and did nothing wrong.

### **ZACH JACOBSEN, SUBJECT**

According to Zach Jacobsen, Terry Poyser bent Jacobsen's badge for the fatal shooting of Angel Ramos in 2017. Poyser said it was to signify that Jacobsen had handled himself well and did what he had to do. It had nothing to do with killing someone. It had to do with doing what cops think they may have to do someday, but never knowing if they're capable of doing it, pulling that trigger. Jacobsen maintained this bent badge for some time, bending it back in 2019 when it became widely known around the department that bent badges needed to be fixed.



## ADMINISTRATIVE INVESTIGATION RGC20-27

Jacobsen bent McMahon's badge in 2018 for the fatal shooting of Ronell Foster. He did it alone in the locker room just like Poyser did to him. He told McMahon that this was to signify that Jacobsen was there for him.

Despite the fact that there was no evidence tying badge bending to fatal shootings, it was reported to be about supporting the officer involved in the event, it was still capable of misinterpretation, unethical and wrong. The badge is a symbol of public trust and the authority vested in law enforcement officers. It is to be used only for official purposes. Modifying the badge to mark an officer's engagement and survival in a critical shooting incident is not an authorized use of the badge. Such an act can be misinterpreted or send the wrong message about Vallejo PD officers' approach to use of force and the sanctity of human life, as it has here. The City and its police department have suffered a media firestorm and damage to their collective reputation as a result of these instances of badge misuse and how they have been interpreted. Jacobsen engaged in an unauthorized use of the badge and conduct unbecoming a law enforcement officer when he bent McMahon's badge. Further, Jacobsen bought into this behavior when he maintained his own bent badge until there was a possibility of getting caught in 2019.

### **KYLE WYLIE, SUBJECT**

Wylie's badge was bent in 2009 from the fatal shooting of Eric Walters. Wylie said a "person" came into the locker room and bent his badge. He said the person was either Eric Jensen or Jeremy Patzer. Wylie's understanding was that his badge was bent because he was involved in the most critical incident that you could be in as a police officer, involving life and death and he survived. Wylie's badge was bent again, a second point, in July of 2009. This "probably" occurred in the locker room and he did not remember who did it this time.

I have interviewed hundreds of law enforcement officers in emotionally intense situations. Wylie was unusually nervous and not forthcoming with his answers in the interview. He provided vague answers on the relative issues generating the need for more questions. When describing who bent his badge the first time, he said a "person." This is not a forthcoming answer, especially for a law enforcement officer. When asked further about the person he said it was either Eric Jensen or Jeremy Patzer. Wylie said he was surprised when it was done as he had never heard of this but he did not ask any questions. As for the second bend he said it, "probably" occurred in the locker room as well and he could not name anyone when asked who bent it this time. Having your badge bent under these circumstances was, at a minimum, highly unusual. Wylie himself said he was surprised someone bent his badge. It was significant to him and it should be. This is not something that normally happens in law enforcement. Wylie did not forget who bent his badge. Wylie was protecting who bent his badge by not



## ADMINISTRATIVE INVESTIGATION RGC20-27

disclosing the names. It's significant to note that Jensen and Patzer were both retired at the time of this interview.

Wylie said he bent his badge back, "not too long after it happened," the second time. I tried to narrow down "not too long" by asking if he could tell me weeks, months, or years after the second shooting. He said he did not know. This was not a forthcoming answer and an unusual answer for a law enforcement officer. The weeks, months, years, question is a common interview tactic to get some kind of timeline for an event. The fact that he responded to it with he didn't know was highly suspect. The only motive I can attribute to this is that he maintained the bent badge for many years and did not want to admit that.

My evaluation of his statement and credibility on this issue led me to the conclusion he was not being honest. Wylie failed to report who bent his badge at the time of this interview and was therefore not honest when he said he didn't remember if it was Jensen or Jeremy Patzer the first time and didn't remember who bent it the second time. The failure to report and the dishonesty are both violations of policy.

Despite the fact that there was no evidence tying badge bending to fatal shootings, it was reported to be about supporting the officer involved in the event, it was still capable of misinterpretation, unethical and wrong. The badge is a symbol of public trust and the authority vested in law enforcement officers. It is to be used only for official purposes. Modifying the badge to mark an officer's engagement and survival in a critical shooting incident is not an authorized use of the badge. Such an act can be misinterpreted or send the wrong message about Vallejo PD officers' approach to use of force and the sanctity of human life, as it has here. The City and its police department have suffered a media firestorm and damage to their collective reputation as a result of these instances of badge misuse and how they have been interpreted. Wylie engaged in an unauthorized use of the badge and conduct unbecoming a law enforcement officer when he maintained his bent badge for a year after it was last bent. Wylie should have known better. Wylie failed to report who bent his badge on both occasions and therefore lied in his internal affairs interview when he said he did not remember who bent his badge.

### **JASON SCOTT, SUBJECT**

Sergeant [REDACTED] inspected his subordinates' badges and found Jason Scott had a bent badge. [REDACTED] did not remember which tip was bent. He took it from Scott without any conversation other than he was giving it to Whitney. [REDACTED] never got the badge back and did not know what happened with it or if Scott ever got it back.



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Around 2017 or 2018, Scott received an email, he believed it was from Captain John Whitney, that said to turn in any damaged badges and the department would fix them. Scott's original badge had a broken clasp. Because the clasp was broken, he had it in a circular leather belt holder, the holder did not need the clasp to hold the badge. The bottom tips of the points had been bent around the bottom of the holder from day-to-day wear.

He went to his supervisor, [REDACTED], and turned the badge into him. About a month later, [REDACTED] brought the badge back to him in a paper bag and told him that he had to fix it himself. The clasp was still broken but the bent tips had been fixed and it was polished.

Scott brought this same badge with him to this interview. The tips were bent around the edge of the badge holder again and Scott explained it happened the same way as before, from being in the badge holder in his backpack.

[REDACTED] and Scott have different versions of this event. Scott's was much more detailed and probably more significant to him than [REDACTED] finding Scott's badge, Scott probably has a better memory. Scott's bent tips were not the bent points associated with this investigation. Scott denied ever being involved in badge bending as discussed in this investigation. There was no evidence Scott did anything wrong.

### **JEREMY HUFF, SUBJECT**

Kent Tribble said he told Huff to make sure anybody out there who had bent badges were to fix them. Huff had already been interviewed and never mentioned this conversation with Kent. I reinterviewed Huff and he denied this conversation ever happened.

Kent has been shown to be an unreliable witness and Huff was credible. Huff did not lie in his interview.

### **MARK GALIOS, SUBJECT**

Kent Tribble said he bent Galios' badge for the Starbucks ambush shooting. When I first interviewed Galios he said his badge had never been bent and no one ever tried to bend his badge. I reinterviewed Galios and he adamantly denied ever having his badge bent.

Kent has been shown to be an unreliable witness and Galios was credible. Galios did not lie in his interview and there is no evidence that his badge was ever bent.



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### JARRETT TONN, SUBJECT

Kent Tribble said he “probably” bent Tonn’s badge as the result of a particular shooting. Kent described the shooting as involving a guy who ran from a hotel room, got into a car to flee and tried to run one or both, Tonn and [REDACTED] over. Tonn and [REDACTED] fired at the car and the suspect got away. Kent said they may have superficially hit the suspect but they never caught him. Tonn, in his first interview, denied having a bent badge and had very little knowledge of badge bending.

Tonn described the shooting Kent described. Tonn and [REDACTED] were partnered in the same vehicle. [REDACTED] shot at a carjacking suspect vehicle after the car hit him, trying to run him over. Tonn did not fire his weapon in this shooting. The suspect fled and was not captured. There was some blood in the car when they found it, so they assumed [REDACTED] hit the suspect.

Tonn did not fire his weapon in the shooting Kent said he bent his badge for. Kent has been shown to be an unreliable witness and Tonn was credible. Tonn did not lie in his interview and there is no evidence that his badge was ever bent.

### TODD TRIBBLE, SUBJECT

Todd Tribble had his badge bent by his brother, Kent Tribble in 2002 while they both worked at Concord PD. Todd did not see the value in bending the badge like his brother did. Todd had the bent badge for days, maybe a week, and he bent it back. He understood how the public could perceive this act as a slap in the face and disenfranchise law enforcement from the community.

Kent said when he bent badges in Vallejo, Todd never had anything to do with it. Kent had bent Todd’s badge in Concord but he did not remember if he ever bent it in Vallejo. According to Todd he had nothing to do with badge bending after the Concord 2002 event until February of 2019, when Captain John Whitney brought it up at a staff meeting.

Whitney told them about allegations of badge bending going on at the PD. Whitney told them if anybody had marks on their badges they should turn them in. Todd understood this to mean they were looking for bent badges based on the conversation. Todd said that Whitney, in essence said, *"We're not looking ... we're just looking to make sure that people are being appropriate and fixing things. We don't need this to turn into something different."* (The quote above was from Todd’s transcript but he said it was not a quote of what Whitney said.)

Todd was angry. He went to his brother Kent and asked him about this. Kent said that he had made some bad decisions.



## **ADMINISTRATIVE INVESTIGATION RGC20-27**

According to Todd, later that day or within a few days of the staff meeting, Captain Lee Horton came into his or Kent's office while Todd and Kent were both present. Horton said he saw Kent wearing a bent badge. Horton told Todd that he confronted Kent as he knew what that bent badge meant. Todd said he did not know what was "going on with that." Kent told Horton that it was not what he thought. Horton told him to get it fixed.

There was no evidence that Todd was involved in badge bending after Concord PD. According to Todd, he learned Kent was bending badges at Vallejo in or about February of 2019, at the staff meeting in which many others at Vallejo PD learned about the behavior. Todd was a Lieutenant at this time. Captains Whitney and Horton were already aware of this activity. Todd had no obligation to report this any further as it was clearly known by executive management by that time.

### **RYAN MCMAHON, FORMER EMPLOYEE**

Zach Jacobsen bent McMahon's badge for, and shortly after, the Ronell Foster shooting that occurred in February of 2018. McMahon's badge had one bent point when it was taken from him days after the Taco Bell shooting of Willie McCoy. It was discovered by Horton and pointed out to Ramsay. Ramsay confirmed, through McMahon's attorney, this was an intentional bend, presumably related to a shooting. Mark Thompson described McMahon asking the morning after the Taco Bell shooting, if they were going to bend their badges. Clearly McMahon bought into this behavior. He was wrong.

Despite the fact that there was no evidence tying badge bending to fatal shootings, it was reported to be about supporting the officer involved in the event, it was still capable of misinterpretation, unethical and wrong. The badge is a symbol of public trust and the authority vested in law enforcement officers. It is to be used only for official purposes. Modifying the badge to mark an officer's engagement and survival in a critical shooting incident is not an authorized use of the badge. Such an act can be misinterpreted or send the wrong message about Vallejo PD officers' approach to use of force and the sanctity of human life, as it has here. The City and its police department have suffered a media firestorm and damage to their collective reputation as a result of these instances of badge misuse and how they have been interpreted. McMahon engaged in an unauthorized use of the badge and conduct unbecoming a law enforcement officer when he maintained his bent badge for a year after it was last bent. McMahon should have known better. Additionally, there is some information that McMahon's perspective on shootings was callous and offensive if he made a statement about having "two bodies on his gun." There is just not enough evidence to prove McMahon made this statement.



## **ADMINISTRATIVE INVESTIGATION RGC20-27**

### **TERRY POYSER, FORMER EMPLOYEE**

Terry Poyser bent Jason Bahou's badge and Zach Jacobsen's badge. It was reported to be as support or recognition for the officer having been through a difficult event. It was still inappropriate.

Despite the fact that there was no evidence tying badge bending to fatal shootings, it was reported to be about supporting the officer involved in the event, it was still capable of misinterpretation, unethical and wrong. The badge is a symbol of public trust and the authority vested in law enforcement officers. It is to be used only for official purposes. Modifying the badge to mark an officer's engagement and survival in a critical shooting incident is not an authorized use of the badge. Such an act can be misinterpreted or send the wrong message about Vallejo PD officers' approach to use of force and the sanctity of human life, as it has here. The City and its police department have suffered a media firestorm and damage to their collective reputation as a result of these instances of badge misuse and how they have been interpreted. Poyser engaged in an unauthorized use of the badge and conduct unbecoming a law enforcement officer.

### **ANDREW BIDOU, FORMER CHIEF**

Bidou said he first learned of badge bending in 2019, shortly before he retired. It began with an IA involving an unauthorized back plate on McMahon's handgun. It was an engraving that may have been associated with a vigilante justice movie. They began an IA.

At the same time of this IA, Bidou was told McMahon's badge had been bent and it was his understanding that this may have been done to signify that he was in a shooting but they did not know for sure. Bidou met with his three captains, Horton, Iacono and Whitney. They were shocked, none of them had ever heard of badge bending at all but especially under for this alleged reason. Because his captains had not been captains long, they still had connections with supervisors and line level officers, Bidou took some solace that badge bending wasn't occurring or if it was, it could not be widespread.

Bidou asked Sergeant Drew Ramsay to find out more about McMahon's bent badge. According to Ramsay, the bent badge had nothing to do with someone being killed in a shooting. It was about the officer being in a life and death situation and surviving. Bidou equated it to more of a military thing. Ramsay got this explanation from Lieutenant Kent Tribble, as it was Bidou's understanding that Ramsay talked Kent because Kent bent McMahon's badge. Ramsay also said this wasn't a Vallejo PD thing, meaning it wasn't widespread at Vallejo, it had come from somewhere else, which fit in with the captains' lack of knowledge about it.



## ADMINISTRATIVE INVESTIGATION RGC20-27

Bidou said, at this point in the back plate IA, he had learned that the symbol was not related to the movie, it had an innocent reference. That IA would resolve with no negative consequences. This was on his mind as he decided how to handle the badge bending issue. Based on what he had learned, he did not see an IA in the badge bending issue resulting in anything more than a finding of damaging city property at best, as there did not seem to be an ethical issue. He was concerned that if he started an IA it would take quite some time to go through the process, they would focus on one person and maybe not be able to reach everyone. He felt that handling it immediately, without the IA process, would be better. If he had any information that it was in fact about shooting people, he would have gone through the IA process, as he did in the back plate matter.

According to [REDACTED] in February of 2019, Bidou ordered the badge bending issue be handled informally. Bidou was concerned that this badge bending issue could be perceived as officers putting a “notch” on their belt after a shooting. Bidou said, "We're going to kibosh this right now, so you guys are going to go get ahold of all the officers. You're going to inspect all the badges." [REDACTED] learned from Horton that Bidou told the captains they were going to fix this. At an upcoming staff meeting the captains were to tell all the sergeants to inspect their subordinates' badges and get them fixed. It was [REDACTED] understanding that fixing them meant bending them back.

According to Drew Ramsay, the IA sergeant at the time, when they discovered McMahon's bent badge Ramsay told Bidou about his experience with Kent Tribble and badge bending from 2005. Ramsay was told that when he interviewed McMahon, for the IA over the symbol on his back plate, he would ask McMahon or his attorney, if the badge was intentionally bent, to see if in fact it was what they suspected. Ramsay did this and learned that it was intentional and what they thought.

Ramsay spoke with Bidou and he wanted to think about how to handle this, they would deal with it next week. That next week Ramsay learned the decision was made to address this at a monthly command staff meeting, they had one coming up that Wednesday. They would address it with the whole department then. Ramsay was told not to go to that portion of the meeting so that he would not be tainted about any information that came out in the meeting as they were likely going to have him investigate it.

Ramsay later learned, from talking to another sergeant who was at the meeting, that this issue was addressed in the staff meeting. He was told that it was after the civilians were excused and Bidou left, that Whitney or Whitney and Horton addressed the issue. No one in the meeting knew anything about it.



## **ADMINISTRATIVE INVESTIGATION RGC20-27**

Ramsay never heard any more about this issue, he assumed that it was not a significant issue and they addressed whatever they needed to address and it was taken care of.

Ramsay said that written in the article was the allegation that a box of badges had been collected. Ramsay did not believe this because he heard nothing about that at the time and felt that if that happened, he would have known, Bidou would have had him conduct an investigation. Ramsay was surprised that the article alleged more bent badges. He had never seen Bidou cover anything up.

In the end, Bidou said he decided to have Whitney, the patrol captain, resolve the issue informally, no IA investigation. He suggested Whitney speak with all the supervisors, have them inspect their people, see who was involved and rectify it, possibly through a staff meeting. His most important message to Whitney was to make sure everybody knew it was not an acceptable behavior. As we learned above, Whitney did this but there was not a clear indication that the message that it was unacceptable was delivered. Regardless, making it well known throughout the agency seemed to end it.

Resolving this issue without an IA, informally, was not a good decision. Had an IA been done at the time it would have eliminated most of the controversy in the summer of 2020, and it would have negated the need for this extensive investigation to determine what happened. However, the chief of police has a wide range of latitude in decisions such as this one. The fact is, Bidou didn't cover it up and he addressed it through Whitney and Whitney's actions appeared to have stopped the behavior.

### **LEE HORTON, SUBJECT**

The evidence in this case showed the Horton was not ok with badge bending and took actions to stop it. The problem was, that in his position of authority, he should have reported it when he first learned of it to other members of the command staff, especially the chief. Theoretically, had it been exposed more publicly then, it could have been ended earlier. According to Kent Tribble, Horton confronted him about it in 2016. As discussed, Kent was not the most reliable witness, but Ramsay confirmed that Horton was aware of this behavior before they found McMahon's badge in February of 2019. Horton told Ramsay that he had seen this before and dealt with it. Horton should have reported this and not kept it to himself.

The command chain at Vallejo PD was broken in February of 2019. The fact that so many supervisors and managers did not have a clear understanding of the badge bending problem when it was discovered and dealt with is surprising. At a minimum, captains and lieutenants needed to know all the details. There were other indications of command chain problems in this investigation but this issue confirmed it.



**ADMINISTRATIVE INVESTIGATION  
RGC20-27**

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**FINDINGS-POLICY VIOLATIONS**

I prepared findings for those who still work at the City of Vallejo as they have the potential to face discipline and three who no longer work there but the evidence was clear that they have culpability in this matter.

**In regard to: Zach Jacobsen**

**LAW ENFORCEMENT CODE OF ETHICS**

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before god to my chosen profession... law enforcement.

**1027.2 POLICY**

The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity

**320 STANDARDS OF CONDUCT**

**321.5.7 CONDUCT**

- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.

**FINDING-SUSTAINED**

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

**FINDING-SUSTAINED**

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**ADMINISTRATIVE INVESTIGATION  
RGC20-27**

**In regard to: Kyle Wylie**

LAW ENFORCEMENT CODE OF ETHICS

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320 STANDARDS OF CONDUCT

321.5.7 CONDUCT

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

**FINDING-SUSTAINED**

320 STANDARDS OF CONDUCT

321.5.7 CONDUCT

(a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

**FINDING-SUSTAINED**



**ADMINISTRATIVE INVESTIGATION  
RGC20-27**

1011 PERSONNEL COMPLAINTS

1011.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Internal Affairs Unit, the following applies to members covered by the Public Safety Officers Procedural Bill of Rights Act (POBR) (Government Code § 3303):

(j) All members shall provide complete and truthful responses to questions posed during interviews.

**FINDING-SUSTAINED**

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**In regard to: David McLaughlin**

LAW ENFORCEMENT CODE OF ETHICS

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before god to my chosen profession... law enforcement.

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**FINDING-EXONERATED**



**ADMINISTRATIVE INVESTIGATION  
RGC20-27**

**In regard to: Matt Komoda**

LAW ENFORCEMENT CODE OF ETHICS

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**FINDING-EXONERATED**

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**In regard to: Jason Bahou**

LAW ENFORCEMENT CODE OF ETHICS

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1027.2 POLICY



**ADMINISTRATIVE INVESTIGATION  
RGC20-27**

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**320 STANDARDS OF CONDUCT**

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**FINDING-EXONERATED**

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**In regard to: Jeremy Huff**

**1011 PERSONNEL COMPLAINTS**

**1011.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES**

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(j) All members shall provide complete and truthful responses to questions posed during interviews.

**FINDING-EXONERATED**

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**In regard to: Mark Galios**

**LAW ENFORCEMENT CODE OF ETHICS**

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**ADMINISTRATIVE INVESTIGATION  
RGC20-27**

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**FINDING-EXONERATED**

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**In regard to: Jason Scott**

LAW ENFORCEMENT CODE OF ETHICS

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**ADMINISTRATIVE INVESTIGATION  
RGC20-27**

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**FINDING-EXONERATED**

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**In regard to: Jarrett Tonn**

LAW ENFORCEMENT CODE OF ETHICS

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320 STANDARDS OF CONDUCT

321.5.7 CONDUCT

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

**FINDING-EXONERATED**

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**In regard to: Lee Horton**

320 STANDARDS OF CONDUCT

321.5.7 CONDUCT



**ADMINISTRATIVE INVESTIGATION  
RGC20-27**

(a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

**FINDING-SUSTAINED**

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**In regard to: Todd Tribble**

320 STANDARDS OF CONDUCT

321.5.7 CONDUCT

(a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

**FINDING-EXONERATED**

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**In regard to: Terry Poyser**

LAW ENFORCEMENT CODE OF ETHICS

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before god to my chosen profession... law enforcement.

1027.2 POLICY

The uniform badge shall be issued to department members as a symbol of authority and the use and display of departmental badges shall be in strict compliance with this policy. Only authorized badges issued by this department shall be displayed, carried or worn by members while on duty or otherwise acting in an official or authorized capacity

320 STANDARDS OF CONDUCT



**ADMINISTRATIVE INVESTIGATION  
RGC20-27**

321.5.7 CONDUCT

(i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.

**FINDING-SUSTAINED**

321.5.7 CONDUCT

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

**FINDING-SUSTAINED**

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**In regard to: Ryan McMahon**

LAW ENFORCEMENT CODE OF ETHICS

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before god to my chosen profession... law enforcement.

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**FINDING-SUSTAINED**



**ADMINISTRATIVE INVESTIGATION  
RGC20-27**

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

**FINDING-SUSTAINED**

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**In regard to: Kent Tribble**

LAW ENFORCEMENT CODE OF ETHICS

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before god to my chosen profession... law enforcement.

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(i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.

**FINDING-SUSTAINED**

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

**FINDING-SUSTAINED**

321.3.2 SUPERVISOR RESPONSIBILITIES

(c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.



**ADMINISTRATIVE INVESTIGATION  
RGC20-27**

**FINDING-SUSTAINED**

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