TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: Deputy Rodney Hobbs

From: Lt. David L. Vasquez

Date: 3/12/2019

Subject: Notice of Investigation/ Notice of Interview/ Confidentiality Order

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

The investigation has been assigned to **(Lt. David Vasquez)**, should you have any issues or questions you may contact the investigator at **(209-533-5977).** The date, time and location of your interview will be **(Friday, 4/5/2019, at 1000 hours, Tuolumne County Human Resources Conference Center, bottom floor, 2 S. Green St, Sonora, CA 95370).** The date and time of this interview may be adjusted by your representation based on their availability.

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

Tuolumne County Sheriff's Office Policies:

TCSO Policy 340.2 Standards of Conduct

The continued employment or appointment of every member of the Tuolumne County Sheriff's Office shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

TCSO Policy 340.3.1 Ethics

(a) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
(g) Any other failure to abide by the standards of ethical conduct.

TCSO Policy 340.3.7 Performance

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

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

TCSO Policy 340.3.8 Conduct

(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 office or the county.
(h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this office.
(m) Any other on or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this office, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this office or its members.

County of Tuolumne Personnel Rules and Regulations:

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

(4) Willful or negligent disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order.
(13) Discourteous treatment of the public or other employees.
(16) Violation of a department rule.

Tuolumne County DSA Memorandum of Understanding:

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

(3) Willful disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order;
(5) Inefficiency
(12) Discourteous treatment of the public or other employees.
(16) Other failure of good behavior either during or outside of duty hours which is of such a nature that it causes discredit to the county.

An internal affairs investigation has been initiated regarding your alleged involvement in the use of; unprofessional behavior, unethical conduct and the abuse of your authority as a peace officer. This investigation is supplemented by multiple complaints from [redacted] The complaint alleges you knowingly and maliciously used your authority as a peace officer and professional relationships to manipulate the judicial system in Tuolumne County. The complainant claims your actions have deprived him of the custodial rights to his children and his constitutional right to be free from unreasonable search and seizure.

This is a confidential investigation. You are ordered not to discuss any aspect of this investigation with any other county employee, volunteer, contractor, or witness to the incident, with the exception of your designated employee representative, or the designated investigator. You will not contact [redacted] You will not access any Sheriff's Office records, reports or databases for the purposes of contacting; [redacted] his associates, family members or friends. All previous orders or directives are still in effect. Failure to abide by this confidentiality order may result in disciplinary action up to and including termination.

I have received a copy of this notice.

[redacted] 3-12-15

Employee Name Date

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: All Sheriff's Personnel

From: Lt. David L. Vasquez

Date: 3/12/2019

Subject: Order of Restricted Access

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

Deputy Rodney Hobbs shall have unrestricted access to all services the Sheriff's Office provides to the public. For personnel not familiar with Deputy Rodney Hobbs, a photo has been placed on the [redacted] drive under employee photos.

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

Respectfully,

Lt. David L. Vasquez

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

ADMINISTRATIVE ADMONISHMENTS
Constitutional rights

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

- You have the right to remain silent.
- Anything you say may be used against you in court.
- You have the right to an attorney before and during questioning.

Miranda Waiver

Do you understand each of these rights that I have explained to you? YES RW NO ___

With these rights in mind, would you like to speak to me now? YES ___ NO RW

Lybarger Admonishment

- While you have the right to remain silent with regard to any criminal investigation, you do not have the right to refuse to answer my questions administratively.
- This is an administrative investigation. I am, therefore, now ordering you to answer all of my questions fully and honestly.
- If you refuse to answer my questions, your silence can be deemed insubordination and result in administrative discipline, up to and including termination.
- Any statement you make under compulsion of the threat of such discipline is for administrative purposes only and cannot be used against you criminally.

I understand my rights as described in the ***Lybarger*** **Admonishment** and **WILL** / **WILL NOT** discuss this matter with you administratively.

Weingarten Admonishment

You have the right to have a representative present with you at this meeting. You have the right to meet with your representative prior to being questioned and you can request a recess at any time during this interview to speak privately with your representative. Your representative can ask clarifying questions but cannot interfere with the investigation in any manner. Your representative cannot instruct you not to answer any of my/our questions. Any refusal to answer any of my/our questions under the direction of your representative will be deemed to be insubordination to which you can be disciplined up to and including termination.

I understand my rights as described in this **Admonishment**. YES RW NO ___

Is there any reason this interview cannot continue at this time? YES _____ NO RW

☐ _____ I waive my right to a representative.

Signature _____ **Date** 4-5-19

Witness _____ 4/5/19

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

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ADMINISTRATIVE ADMONISHMENTS
Constitutional rights

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- You have the right to remain silent.
- Anything you say may be used against you in court.
- You have the right to an attorney before and during questioning.

Miranda Waiver

Do you understand each of these rights that I have explained to you? YES [redacted] NO [redacted]

With these rights in mind, would you like to speak to me now? YES [redacted] NO [redacted]

Lybarger Admonishment

- While you have the right to remain silent with regard to any criminal investigation, you do not have the right to refuse to answer my questions administratively.
- This is an administrative investigation. I am, therefore, now ordering you to answer all of my questions fully and honestly.
- If you refuse to answer my questions, your silence can be deemed insubordination and result in administrative discipline, up to and including termination.
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I understand my rights as described in this **Admonishment**. YES [redacted] NO [redacted]

Is there any reason this interview cannot continue at this time? YES [redacted] NO [redacted]

☑ [redacted] I waive my right to a representative.

Signature [redacted] **Date** 6/4/19

Witness [redacted] 6/4/19

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: **Sgt.** [redacted]

From: **Lt. David L. Vasquez**

Subject: **Confidentiality Order**

Date: **6/08/19**

You have been identified as a possible WITNESS to an issue that is currently being investigated by the department. YOU ARE NOT THE SUBJECT OF THIS INVESTIGATION. This administrative investigation is confidential.

I am ordering you at this time not to discuss this investigation directly or indirectly with any other County employee, volunteer or contractor to protect the confidentiality and personal rights of the individual(s) being investigated. Failure to adhere to this order is considered insubordination and can lead to disciplinary action up to and including termination.

Should you have any issues or questions regarding this matter at any time, you are ordered to bring these matters directly to me for review. You are to answer all of my questions fully and honestly at the time of your interview.

I have received a copy of this notice.

[redacted] 06/08/19
Date

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

ADMINISTRATIVE ADMONISHMENTS
Constitutional rights

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

- You have the right to remain silent.
- Anything you say may be used against you in court.
- You have the right to an attorney before and during questioning.

Miranda Waiver

Do you understand each of these rights that I have explained to you? YES [redacted] NO ___

With these rights in mind, would you like to speak to me now? YES [redacted] NO ____

Lybarger Admonishment

- While you have the right to remain silent with regard to any criminal investigation, you do not have the right to refuse to answer my questions administratively.
- This is an administrative investigation. I am, therefore, now ordering you to answer all of my questions fully and honestly.
- If you refuse to answer my questions, your silence can be deemed insubordination and result in administrative discipline, up to and including termination.
- Any statement you make under compulsion of the threat of such discipline is for administrative purposes only and cannot be used against you criminally.

I understand my rights as described in the ***Lybarger*** **Admonishment** and **WILL / WILL NOT** discuss this matter with you administratively.

Weingarten Admonishment

You have the right to have a representative present with you at this meeting. You have the right to meet with your representative prior to being questioned and you can request a recess at any time during this interview to speak privately with your representative. Your representative can ask clarifying questions but cannot interfere with the investigation in any manner. Your representative cannot instruct you not to answer any of my/our questions. Any refusal to answer any of my/our questions under the direction of your representative will be deemed to be insubordination to which you can be disciplined up to and including termination.

I understand my rights as described in this **Admonishment**. YES [redacted] NO [redacted]

Is there any reason this interview cannot continue at this time? YES [redacted] NO [redacted]

☑ [redacted] I waive my right to a representative.

Signature [redacted] **Date** 06/08/19

Witness [redacted] #1585 6/8/19

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: **Sgt.** [redacted]

From: **Lt. David L. Vasquez**

Subject: **Confidentiality Order**

Date: **06/04/19**

You have been identified as a possible WITNESS to an issue that is currently being investigated by the department. YOU ARE NOT THE SUBJECT OF THIS INVESTIGATION. This administrative investigation is confidential.

I am ordering you at this time not to discuss this investigation directly or indirectly with any other County employee, volunteer or contractor to protect the confidentiality and personal rights of the individual(s) being investigated. Failure to adhere to this order is considered insubordination and can lead to disciplinary action up to and including termination.

Should you have any issues or questions regarding this matter at any time, you are ordered to bring these matters directly to me for review. You are to answer all of my questions fully and honestly at the time of your interview.

I have received a copy of this notice.

[redacted] 6/4/19
Date

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: **Deputy** [redacted]

From: **Lt. David L. Vasquez**

Subject: **Confidentiality Order**

Date: **03/27/19**

You have been identified as a possible WITNESS to an issue that is currently being investigated by the department. YOU ARE NOT THE SUBJECT OF THIS INVESTIGATION. This administrative investigation is confidential.

I am ordering you at this time not to discuss this investigation directly or indirectly with any other County employee, volunteer or contractor to protect the confidentiality and personal rights of the individual(s) being investigated. Failure to adhere to this order is considered insubordination and can lead to disciplinary action up to and including termination.

Should you have any issues or questions regarding this matter at any time, you are ordered to bring these matters directly to me for review. You are to answer all of my questions fully and honestly at the time of your interview.

I have received a copy of this notice.

[redacted] 3/27/19
Date

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

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ADMINISTRATIVE ADMONISHMENTS
Constitutional rights

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

- You have the right to remain silent.
- Anything you say may be used against you in court.
- You have the right to an attorney before and during questioning.

***Miranda* Waiver**

Do you understand each of these rights that I have explained to you? YES [redacted] NO ___

With these rights in mind, would you like to speak to me now? YES [redacted] NO ___

Lybarger Admonishment

- While you have the right to remain silent with regard to any criminal investigation, you do not have the right to refuse to answer my questions administratively.
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I understand my rights as described in the ***Lybarger* Admonishment** and **WILL / WILL NOT** discuss this matter with you administratively.

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I understand my rights as described in this **Admonishment**. [redacted] NO ___

Is there any reason this interview cannot continue at this time? YES ___ NO [redacted]

[redacted] I waive my right to a representative.

Signature [redacted] **Date** 3/27/19

Witness [redacted] 3/27/19

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: **Sgt.** [redacted]

From: **Lt. David L. Vasquez**

Subject: **Confidentiality Order**

Date: **03/20/19**

You have been identified as a possible WITNESS to an issue that is currently being investigated by the department. YOU ARE NOT THE SUBJECT OF THIS INVESTIGATION. This administrative investigation is confidential.

I am ordering you at this time not to discuss this investigation directly or indirectly with any other County employee, volunteer or contractor to protect the confidentiality and personal rights of the individual(s) being investigated. Failure to adhere to this order is considered insubordination and can lead to disciplinary action up to and including termination.

Should you have any issues or questions regarding this matter at any time, you are ordered to bring these matters directly to me for review. You are to answer all of my questions fully and honestly at the time of your interview.

I have received a copy of this notice.

[redacted] 3/20/2019
Date

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ADMINISTRATIVE ADMONISHMENTS
Constitutional rights

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- You have the right to remain silent.
- Anything you say may be used against you in court.
- You have the right to an attorney before and during questioni[redacted]

***Miranda* Waiver**

Do you understand each of these rights that I have explained to you? YES[redacted]O ___

With these rights in mind, would you like to speak to me now? YES[redacted]O ____

Lybarger Admonishment

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- Any statement you make under compulsion of the threat of such discipline is for administrative purposes only and cannot be used against you criminally.

I understand my rights as described in the ***Lybarger* Admonishment** and [redacted] **WILL NOT** discuss this matter with you administratively.

Weingarten Admonishment

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I understand my rights as described in this **Admonishment**. YES[redacted]

Is [redacted] time? YES[redacted]

X [redacted]

Si _____ **Date** 3/20/2019

Witness _____ 3/20/2019

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: **Sgt.** [redacted]

From: **Lt. David L. Vasquez**

Subject: Confidentiality Order

Date: **3/18/2019**

You have been identified as a possible WITNESS to an issue that is currently being investigated by the department. YOU ARE NOT THE SUBJECT OF THIS INVESTIGATION. This administrative investigation is confidential.

I am ordering you at this time not to discuss this investigation directly or indirectly with any other County employee, volunteer or contractor to protect the confidentiality and personal rights of the individual(s) being investigated. Failure to adhere to this order is considered insubordination and can lead to disciplinary action up to and including termination.

Should you have any issues or questions regarding this matter at any time, you are ordered to bring these matters directly to me for review. You are to answer all of my questions fully and honestly at the time of your interview.

I have received a copy of this notice.

[redacted]

3-18-19
Date

28 N. Lower Sunset Drive, Sonora, CA 95370
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ADMINISTRATIVE ADMONISHMENTS
Constitutional rights

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- You have the right to remain silent.
- Anything you say may be used against you in court.
- You have the right to an attorney before and during questioning.

***Miranda* Waiver**

Do you understand each of these rights that I have explained to you? YE[redacted] N[redacted]

With these rights in mind, would you like to speak to me now? YE[redacted] N[redacted]

Lybarger Admonishment

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I understand my rights as described in the ***Lybarger*** **Admonishment** and **WILL / WILL NOT** discuss this matter with you administratively.

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I understand my rights as described in this **Admonishment**. [redacted]

Is there any reason this interview cannot continue at this time?

[redacted] waive my right to a representative.

Signature [redacted] **Date** 3-18-19

Witness 3/18-19

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: **Sgt.** [redacted]

From: **Lt. David L. Vasquez**

Subject: Confidentiality Order

Date: **3/11/2019**

You have been identified as a possible WITNESS to an issue that is currently being investigated by the department. YOU ARE NOT THE SUBJECT OF THIS INVESTIGATION. This administrative investigation is confidential.

I am ordering you at this time not to discuss this investigation directly or indirectly with any other County employee, volunteer or contractor to protect the confidentiality and personal rights of the individual(s) being investigated. Failure to adhere to this order is considered insubordination and can lead to disciplinary action up to and including termination.

Should you have any issues or questions regarding this matter at any time, you are ordered to bring these matters directly to me for review. You are to answer all of my questions fully and honestly at the time of your interview.

I have received a copy of this notice.

[redacted] 03/14/19
Date

28 N. Lower Sunset Drive, Sonora, CA 95370
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ADMINISTRATIVE ADMONISHMENTS
Constitutional rights

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- You have the right to an attorney before and during questioning.

Miranda Waiver

Do you understand each of these rights that I have explained to you? Y[redacted]NO ___

With these rights in mind, would you like to speak to me now? Y[redacted]NO ____

Lybarger Admonishment

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- Any statement you make under compulsion of the threat of such discipline is for administrative purposes only and cannot be used against you criminally.

I understand my rights as described in the ***Lybarger*** **Admonishment** and (**WILL** / **WILL NOT**) discuss this matter with you administratively.

Weingarten Admonishment

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I understand my rights as described in this **Admonishment**. Y[redacted]

Is there any reason this interview cannot continue at this time? Y[redacted]

☑ I waive my right to a representative.

Signature [redacted] **Date** 03/14/19

Witness 3/14/19

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: **Sgt.** [redacted]

From: **Lt. David L. Vasquez**

Subject: **Confidentiality Order**

Date: **3/11/2019**

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Should you have any issues or questions regarding this matter at any time, you are ordered to bring these matters directly to me for review. You are to answer all of my questions fully and honestly at the time of your interview.

[redacted] **of this notice.**

3/11/19
Date

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

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ADMINISTRATIVE ADMONISHMENTS
Constitutional rights

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- You have the right to remain silent.
- Anything you say may be used against you in court.
- You have the right to an attorney before and during questioning.

Miranda Waiver

Do you understand each of these rights that I have explained to you? YES [redacted] NO [redacted]

With these rights in mind, would you like to speak to me now? YES [redacted] NO [redacted]

Lybarger Admonishment

- While you have the right to remain silent with regard to any criminal investigation, you do not have the right to refuse to answer my questions administratively.
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I understand my rights as described in the ***Lybarger*** **Admonishment** and **WILL / WILL NOT** discuss this matter with you administratively.

Weingarten Admonishment

You have the right to have a representative present with you at this meeting. You have the right to meet with your representative prior to being questioned and you can request a recess at any time during this interview to speak privately with your representative. Your representative can ask clarifying questions but cannot interfere with the investigation in any manner. Your representative cannot instruct you not to answer any of my/our questions. Any refusal to answer any of my/our questions under the direction of your representative will be deemed to be insubordination to which you can be disciplined up to and including termination.

I understand my rights as described in this **Admonishment**. YES [redacted] NO [redacted]

Is there any reas[redacted] YES _____ NO [redacted]

X [redacted]

Signature [redacted] **Date** 3/11/19

Witness [redacted] 3/11/19

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: [redacted]

From: Lt. David L. Vasquez

Subject: Confidentiality Order

Date: 3/11/2019

You have been identified as a possible WITNESS to an issue that is currently being investigated by the department. YOU ARE NOT THE SUBJECT OF THIS INVESTIGATION. This administrative investigation is confidential.

I am ordering you at this time not to discuss this investigation directly or indirectly with any other County employee, volunteer or contractor to protect the confidentiality and personal rights of the individual(s) being investigated. Failure to adhere to this order is considered insubordination and can lead to disciplinary action up to and including termination.

Should you have any issues or questions regarding this matter at any time, you are ordered to bring these matters directly to me for review. You are to answer all of my questions fully and honestly at the time of your interview.

I have received a copy of this notice.

[redacted] 3-11-19

Si [redacted] **Date**

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TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

ADMINISTRATIVE ADMONISHMENTS
Constitutional rights

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

- You have the right to remain silent.
- Anything you say may be used against you in court.
- You have the right to an attorney before and during questioning.

***Miranda* Waiver**

Do you understand each of these rights that I have explained to you? YES [redacted] NO ___

With these rights in mind, would you like to speak to me now? YES ___ NO [redacted]

Lybarger Admonishment

- While you have the right to remain silent with regard to any criminal investigation, you do not have the right to refuse to answer my questions administratively.
- This is an administrative investigation. I am, therefore, now ordering you to answer all of my questions fully and honestly.
- If you refuse to answer my questions, your silence can be deemed insubordination and result in administrative discipline, up to and including termination.
- Any statement you make under compulsion of the threat of such discipline is for administrative purposes only and cannot be used against you criminally.

I understand my rights as described in the ***Lybarger*** **Admonishment** and **WILL / WILL NOT** discuss this matter with you administratively.

Weingarten Admonishment

You have the right to have a representative present with you at this meeting. You have the right to meet with your representative prior to being questioned and you can request a recess at any time during this interview to speak privately with your representative. Your representative can ask clarifying questions but cannot interfere with the investigation in any manner. Your representative cannot instruct you not to answer any of my/our questions. Any refusal to answer any of my/our questions under the direction of your representative will be deemed to be insubordination to which you can be disciplined up to and including termination.

I understand my rights as described in this **Admonishment**. YES [redacted] NO ___

Is there any reason this interview cannot continue at this time? YES [redacted] NO [redacted]

[redacted] I waive my [redacted]

Signature _____ **Date** 3-11-19

Witness _____ 3-11-19

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

TUOLUMNE COUNTY SHERIFF

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

INFORMATION REPORT

Case 19000928

OFFENSES

Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #
SCAR REPORT	Suspected Child Abuse Report		03/21/19-03/22/19	1713	1903210097

Date Reported	Time Reported
03/21/2019	1713

Related Cases

Date Printed	Time Printed	Printed By
04/05/2019	01:47:55	[redacted]

Latitude	Longitude
[redacted]	[redacted]

Location	Beat	Area	Disposition	Dispo Date
[redacted]	3	03070	Information Only	03/21/2019

Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)
Ho use,townhouses,duplexes,etc					

Reporting Party	Drivers License	Cell Phone	Email
[redacted]	[redacted]	[redacted]	

Residence Address	Notified of Victim Rights	Residence Phone	DOB	Age	Sex	Race
[redacted]			[redacted]	[redacted]	M	[redacted]

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	HAZ

Assistance Rendered/Victim Disposition	Transporting Agency	Means of Attack (Assaults)

Description of Injuries	Other Information

Confidential Person	Drivers License	Cell Phone	Email
(No information printed)			

Residence Address	Residence Phone	DOB	Age	Sex	Race

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes

Suspect Name	Action Taken	Charges

Residence Address	Residence Phone	DOB	Age	Sex	Race

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes

Identifying Features	Cell Phone	Drivers License	Arrest Number

Aliases

VEHICLES

Status	Vehicle Make and Model	License/State	VIN

DEPUTIES

Prepared By	Date	Assisted By	Approved By	Date
[redacted] - [redacted]	03/21/2019		[redacted] - [redacted]	03/25/2019

Routed To	Date	Routed To	Date	Notes
Cws By PDF	04/03/2019			

Summary:

Reporting Party (R/P) [redacted] contacted TCSO to report allegations that [redacted] and [redacted] had been and are being abused by his ex-wife [redacted] (Hereafter referred to as [redacted] (Hereafter referred to [redacted] said the incident was reported to [redacted] and [redacted] at [redacted]. [redacted] said [redacted] reported this to him second hand after his court hearing today 03/21/2019. I contacted [redacted] who told me her daughter [redacted] told her about the incident and it was reported to the school staff. According to [redacted] daughter [redacted] did not have any visible injuries on him and she felt [redacted] was talking about incidents, which had already occurred. Based on this information, I followed up on this incident on 03/22/2019 at [redacted] School so I could contact all involved parties. I called [redacted] back to give him a case number; however, he did not answer the phone. I left a voice mail for [redacted] to include the case number of this investigation.

I followed up with [redacted] and [redacted] on 03/22/2019 at [redacted]. Social Worker [redacted] who works for Child Welfare Service attended the interviews. Through the interviews it was determined this incident had already been reported and documented under TCSO case [redacted]. SW [redacted] and I determined [redacted] and [redacted] were not at risk and were in a safe living condition at this time. I contacted [redacted] and informed her of the situation. I also provided her with the case number.

I re-contacted [redacted] was upset with me when I called and asked me why I went to the school to interview his children and why he was not informed. I explained to the [redacted] I was investigating a crime, which he had reported to me. [redacted] became upset and told me I had violated his rights and I would be hearing from his lawyer. [redacted] ended his conversation with me by hanging up the phone.

Investigation:

On 03/21/2019 at 17:13hrs, Reporting Party (R/P) [redacted] contacted the Tuolumne County Sheriff's Office (TCSO) to report allegations that [redacted] and [redacted] had been and are being abused by his ex-wife [redacted] For the purposes of this report [redacted] (Hereafter referred to as [redacted] (Hereafter referred to [redacted] I contacted [redacted] via the phone. [redacted] made the following statement to me in summary. [redacted] said he was at court today, 03/21/2019; however, he did not say what court was over. [redacted] said he got out of court around 1500hrs and was talking to one of his character witnesses who was later identified as [redacted] During there conversation [redacted] told him her daughter was talking to [redacted] today and [redacted] told her he was slapped and choked by his mother. [redacted] asked what I was going to do to keep his children safe. I asked [redacted] if he notified the court or the court bailiff of the situation because he was at the courthouse. [redacted] stated, "No because I had other things going on." I asked [redacted] why he waited so long to report the incident to us. [redacted] would not answer the question.

I asked [redacted] for the phone number of [redacted] stated, "You don't need

that. Why do you want to talk to her?" I told [redacted] he just reported allegations of child abuse to me and she was a witness in the investigation per his statement. I told him I needed to talk with her and I asked [redacted] for [redacted] phone number again. [redacted] hesitantly gave the [redacted] cell phone number. I asked [redacted] if there was anything else he wanted to tell. [redacted] stated, "No." I told [redacted] I would call him back after I talked with [redacted] I attempted to contact [redacted] three times via her phone; however, the number was busy. On my fourth attempt, I contacted [redacted] via the phone. I identified myself to [redacted] and told her why I was calling her. I asked [redacted] if she could tell me what her daughter told her [redacted] and what she told [redacted] made the following statement to me in summary:

[redacted] identified her daughter as [redacted] said on 03/21/2019 her daughter came home from school and told her that [redacted] told her he was choked and slapped by his mother. [redacted] asked her daughter if she and [redacted] reported the incident to a schoolteacher. Her daughter told her they had reported the incident to [redacted] and [redacted] said according to her daughter, [redacted] did not have and injuries that she could see. I asked [redacted] if [redacted] was available for me to talk too. [redacted] told me her daughter was currently in the shower but I could call back in 30 minutes. I told [redacted] that would not be necessary and I asked her if it would be okay if I talked to [redacted] tomorrow at her school in the presence of [redacted]. [redacted] said she had no issues with that.

I asked [redacted] what her relationship was with [redacted] told me her son who she identified as [redacted] are best friends with [redacted] and [redacted] told me she has known the [redacted] family for some time. [redacted] said [redacted] asked her to be a character witness in his upcoming child custody hearing. I asked [redacted] if there was anything else she wanted to tell me about what her daughter said. [redacted] said it sounded like what her daughter told her, is what her son told her several weeks ago. [redacted] believed this was old information but she felt it was necessary to tell [redacted] after his custody hearing. I asked [redacted] if she told [redacted] she felt the information was old. [redacted] could not remember. [redacted] had nothing more to say. I ended my call with [redacted]

I called [redacted] back via the phone number provided. [redacted] did not answer the phone. I left a voicemail with [redacted] telling him I would be conducting more follow up on the investigation and I left him a case number. I cleared the call for service.

On 03/22/2019 at 0852hrs, I reopened the investigation. I contacted Child Welfare Services and talked to Social Worker (SW) [redacted]. SW [redacted] told me [redacted] with regards to [redacted] and [redacted] had filed a Suspected Child Abuse Report (SCAR). I informed SW [redacted] of my investigation and asked if she wanted to be present during the interviews. SW [redacted] told me she wanted to be present as she had questions to ask [redacted] and [redacted] At approximately 1033hrs, I meet with SW [redacted] at the [redacted] office. Upon our arrival I spoke with [redacted]. [redacted] told me the following in summary.

[redacted] said the school staff has been dealing with [redacted] for some time now and

her staff has been directed to forward any communication from [redacted] directly to her due to several emails [redacted] sent to a [redacted], that included photos of marks on the children and long narratives about the abuse [redacted] believed his children were suffering. [redacted] told me [redacted] has never been [redacted] or [redacted] and would not know them if he saw them. [redacted] told me she forwarded the emails to CWS and the School Districts lawyer. [redacted] reported [redacted] is no longer allowed on the school property unless he is meeting with the principal. [redacted] said she would only meet with [redacted] at the district office from this point on because of his behavior with her and school staff. [redacted] said [redacted] only wants to argue and discuss the same allegations of abuse.

[redacted] said on 03/21/2019 she was contacted by [redacted]. [redacted] told her [redacted] and [redacted] told her he was choked at home. [redacted] told her she did not allow the [redacted] or [redacted] to go into detail about the incident, as she was already aware of the child custody dispute between [redacted] and his ex-wife. [redacted] said [redacted] told her something that was interesting in that [redacted] was adamant she not to tell or get [redacted] involved. [redacted] told [redacted] that [redacted] was in charge and she had to report it to her.

I asked [redacted] if a SCAR report was filled with CWS to which she replied, "Yes." I asked [redacted] if she ever talked to [redacted] or [redacted] about the allegations she said no. I asked [redacted] If she knew [redacted] and if she knew what her relationship is with [redacted] said she knew [redacted] kids were friends with the [redacted] boys and She knew [redacted] and [redacted] were friends. [redacted] said she knew through other contacts that [redacted] was testifying on [redacted] behalf at his custody hearing. [redacted] told me there had been some issues with [redacted] with regard to the [redacted] children. [redacted] said [redacted] had gone to the Bridges club, where children can go when they arrive to school early, under the guise of wanting to speak with her children, [redacted] and [redacted] and she would end up speaking with [redacted] and/or [redacted] said that [redacted] was seen by another teacher, [redacted], giving [redacted] a cellphone to speak with his father on March 20, 2019. [redacted] said [redacted] nearly missed the school bus due to being on the phone.

I asked if she was sure [redacted] was talking to his father on the phone that day. [redacted] said she was not sure but given the situation she believed it was [redacted] said she told [redacted] about the situation and [redacted] requested [redacted] tell [redacted] she was no longer allowed to have contact with her sons. [redacted] told me she has not made that notification to [redacted] because she has not seen her yet.

I asked [redacted] how [redacted] and [redacted] school performance was and if she has seen any positive or negative behaviors in the boys. [redacted] told me since [redacted] and [redacted] have been with there mother, [redacted] and [redacted] appear to be," happier, healthier, and more focused during class time and sport activities." [redacted] said she is a little more concerned about [redacted] because at times he becomes closed off and does not engage with other children. [redacted] told me [redacted] has told her how close he is to his father and at times he does not what to think of what is going on. [redacted] had nothing more to add. I asked [redacted] if she could have [redacted] come to the office.

Upon [redacted] arrival, I had [redacted] and CWS worker [redacted] present during the interview. I asked [redacted] if she knew why she was talking with me. [redacted] stated, "Yes, my mother told me we were going to talk today about [redacted] then made the following statement to me in summary.

[redacted] said she was at [redacted] when her brother told her [redacted] and [redacted] had been choked by his mom and were being abused by her boyfriend. After hearing this [redacted] said she went strait to [redacted] and asked him if he was being abused. [redacted] then changed her story and said on Monday her brother [redacted] told her [redacted] little brother [redacted] had been choked and slapped by his mother. [redacted] said she felt bad for [redacted] and [redacted] so she wanted to help. [redacted] said she initially forgot about what her brother told her as the week went on, but when she saw [redacted] on Thursday, March 21st, 2019 at [redacted] she remembered what her brother told her, so she walked up to [redacted] and told him he needed to tell a teacher about what had happened to [redacted]

[redacted] said they walked up to [redacted] and started to tell what had happened and [redacted] told her and [redacted] to stop. [redacted] said [redacted] told them they needed to talk to [redacted]

I asked [redacted] if she ever told [redacted] not to tell [redacted] about what happened to [redacted] and if she did, why would she say that. [redacted] stated, "Well that is his private information. I did not say that. I mean I don't think I said that." I asked [redacted] if she had been told about these allegations of abuse before. [redacted] stated, "No this was the first time I heard about this from my brother." I asked [redacted] about the relationship between her mother, [redacted] and [redacted] She stated they were friends because her brother was friends with [redacted] and [redacted] stated her mother and [redacted] were really good friends and that her mother was trying to help [redacted] because his sons were being abused. [redacted] stated her mother is not allowed to see the [redacted] and [redacted] anymore because, "she let [redacted] use her phone to talk to his dad." I asked [redacted] if her mother and [redacted] were ever or were currently in a dating relationship. [redacted] state, "No." I asked [redacted] if her mother had ever discussed [redacted] and [redacted] being abused in their home. She her mother had told her [redacted] was going to Court to obtain custody of [redacted] and [redacted] [redacted] said she did not know they were being abused until Monday, March 18, 2019, when her brother told her about it. I asked why she took [redacted] to [redacted] when [redacted] told her he was being abused; [redacted] said it was because [redacted] felt comfortable with [redacted]. It should be noted that [redacted] is [redacted] teacher. At this time I told [redacted] is any issues with [redacted] or [redacted] happen she needs to talk to [redacted] said she understood. [redacted] had nothing more to add to her statement and went back to class.

I asked [redacted] if [redacted] was available to talk to. [redacted] had [redacted] report to the main office.

Upon contact with [redacted] I informed her of me reason for talking with her. [redacted] said she understood and made the following statement to me in summary.

[redacted] she is aware of the child custody dispute between [redacted] and [redacted] however, she has never seen or meet either of the [redacted] boys. [redacted] said she only knows about the situation through the school administrator's office. [redacted] said on Thursday, March 21st, 2019 she was at [redacted] when [redacted] approached her. [redacted] said [redacted] told her, "This is a matter of life or death with my brothers friend and our parents don't want us to talk to [redacted]." [redacted] said she initially told [redacted] she would take with her in her classroom and she believed [redacted] wanted to talk with her over, "Boy drama." [redacted] said she walked to her classroom and saw [redacted] standing with a boy. [redacted] opened her classroom and they walked inside. [redacted] asked them what was happening. At that time [redacted] made a gesture of wrapping his hands around his neck and told [redacted] "My mom and someone put his hands around my younger brothers." [redacted] said as [redacted] was talking she immediately stopped him because she realized this was not about boy drama and she was talking with one of the [redacted] boys.

[redacted] said she told [redacted] and [redacted] they had to talk with [redacted] because that was the rules. [redacted] sent the kids back to play and she told [redacted] of the situation. [redacted] had nothing more to add and went back to her classroom.

I then had [redacted] brought to the office. At this time SW [redacted] assisted me in talking with [redacted] because of her active and open CWS case.

When [redacted] arrived he appeared to be energetic and happy. I introduce SW [redacted] and myself to [redacted] stated, "I remember you, you were nice." As I was talking to [redacted] I did not see any marks on his neck or face that was indicative of him being choked or slapped. I asked [redacted] if he knew why he was talking with use. [redacted] stated, "No." At this time SW [redacted] and I asked [redacted] the following questions. SW [redacted] asked [redacted] to describe what safe meant, [redacted] stated that "you feel safe when you feel secure, you don't feel scared, you have trust it is safe, and you like the place." SW [redacted] asked [redacted] where he felt safe. [redacted] said, "I feel safe at my dad's house, at my mom's house, and at school." We asked [redacted] why he feels safe at his father's house. [redacted] stated, "I feel safe at my dad's house because he plays catch with me and I likes that, and because he will let me stay up late." We asked [redacted] why he feels safe at his mother's house. [redacted] stated, "Because my mom's boyfriend, Rod, is a cop." [redacted] stated, "I feel safe at my mom's house because I am with my mom and I love my mom." [redacted] stated he felt safe at school because he has really good friends. We asked [redacted] to describe a time when he didn't feel safe. [redacted] stated, "I didn't feel safe the day my dad came to pick me and [redacted] up from school and we went to a station." We asked [redacted] what about the incident made him feel unsafe. [redacted] stated, "I was supposed to be with my mom but my dad picked us up and I know we were supposed to be with mom." I asked [redacted] how long ago that happened. [redacted] stated, "one or two weeks ago." I asked [redacted] if he ever felt unsafe at his father's home. [redacted] stated, "No I feel safe at my dads. It was just that time he picked us up and he was not supposed to that made me feel unsafe."

We then asked [redacted] what happens when he gets in trouble at his father's house, [redacted] stated, "I gets timeouts or spanked on my bottom. My dad uses his hand." We then asked what happens when he gets in trouble at his mother's house. [redacted] stated, " I get tapped on my should and sent to my room for time out." SW [redacted] asked [redacted] to explain what tapped meant; [redacted] demonstrated

a tapping on his shoulder or his chest lightly. We then asked [redacted] if anybody had ever hurt him with hands. [redacted] said he does not get hit and he has not been physically hurt by anybody in either his father or his mother's house. We asked [redacted] if his brother had ever hit. [redacted] stated he did not believe that his brother had been hit or hurt by anybody's hands in either his dad or his mom's house. SW [redacted] explained that sometimes social workers would talk to a child when someone is worried about them. We then asked [redacted] if he knew why someone would be worried about him. [redacted] stated he did not know why someone would be worried about him. We asked [redacted] if he knew anything about being choked or strangled, [redacted] denied having any knowledge of anybody being choked or strangled. We then asked [redacted] if his mom's boyfriend, Rod, ever disciplined him. [redacted] stated, " Rod just puts me on time out. He never hits me." [redacted] said if his brother gets in trouble then Rod put him on a longer time because he is older.

SW [redacted] asked [redacted] if he had any pets at home. [redacted] said they have dogs at home. When asked if the dogs had bit him, [redacted] stated, "My dog bit me and [redacted] but is was an accident. We were playing with a rope and the dog and the dog bit me and [redacted] It was not a bad bit, but [redacted] did get some stiches." SW [redacted] asked [redacted] if he was afraid of the dog. [redacted] stated he was not.

We asked [redacted] if he talked with his father recently. [redacted] stated that he and his brother talk to their father on the phone every night. I asked [redacted] if anybody told him that he was going to talk to the police or people today. [redacted] stated that his father told him while he was on the phone with him that he was going to talk to someone. SW [redacted] asked [redacted] if he was ever told that he shouldn't say something to law enforcement or to a social worker, [redacted] said that he had never been told not to say something to anyone. We then ended our interview with [redacted] and he went back to his lunch break.

I then had [redacted] brought to the office. At this time SW [redacted] assisted me in talking with [redacted] because of her active and open CWS case.

When [redacted] arrived he appeared to be energetic and happy. I introduce SW [redacted] and myself to [redacted] stated, "I remember you, how are you." As I was talking to [redacted] I did not see any marks on his neck or face that was indicative of him being choked or slapped. I asked [redacted] if he knew why he was talking with use. [redacted] stated, "Yes. Its about [redacted] At this time SW [redacted] and I asked [redacted] the following questions. We asked [redacted] to describe what safe meant, [redacted] stated it was, "being in a safe environment with good people." We then asked [redacted] to describe a safe environment. [redacted] stated, "home" however, [redacted] could not elaborate further on what a safe environment included or what safe meant to him. SW [redacted] asked [redacted] who taught him the phrase "safe environment," [redacted] stated, "I just know it." We then asked [redacted] where he felt a safe environment was. [redacted] stated, "I am only safe when I am with my dad." We asked [redacted] if he felt safe anywhere besides with his dad. [redacted] said he felt okay with his friends. SW [redacted] asked for him to give an example of his friends. [redacted] indicated he felt safe with his friend [redacted] did not mention any other friends. When asked if he ever felt safe without his dad, [redacted] initially stated he did not. SW [redacted] and I asked [redacted] if he felt safe at school. [redacted] said he did feel safe at school sometimes because he had friends there who helped him. We then asked [redacted] to describe specific places that he did not feel safe. [redacted] stated that if he is with his father and his father doesn't know the person, he doesn't feel

safe. I asked [redacted] if he felt safe with his mother or in his mother's home. [redacted] said he did not feel safe and he wanted to go live with his father. [redacted] stated, "My Mom's house is not a good or healthy environment." [redacted] would not tell us why it was not a good environment. We asked [redacted] who lived in his mom's house. [redacted] said he lives with his mom, his mom's boyfriend, Rodney Hobbs, and his brother. [redacted] "Rod's son also lives with us sometimes." SW [redacted] and I asked [redacted] if he felt safe with Rod. [redacted] stated he did not. When we asked [redacted] to explain why he did not feel safe with Rod, [redacted] stated, "I don't know."

SW [redacted] then asked [redacted] what fun things he did with his dad. [redacted] said he and his father would go fishing, camping, and play baseball. SW [redacted] asked [redacted] what fun things he did with his mom, [redacted] stated, "when she can find the time, sometimes we go to the movies or we watch TV." We then asked [redacted] what fun things he did with Rod. [redacted] stated," Nothing really." SW [redacted] stated, "there's nothing fun you do with Mr. Hobbs?" [redacted] then stated, "well sometimes he takes us to baseball games and gets us treats."

SW [redacted] and I then asked [redacted] what happens when he and [redacted] get in trouble at their dad's house. [redacted] stated, " My dad puts on time out or spanks us on the tush." [redacted] said his dad only spanks them with his hand. SW [redacted] and I asked [redacted] what happens when he gets in trouble at his mom's house. [redacted] stated, " My mom mostly puts us on timeouts. My mom does spank us but mostly she puts us on time out." SW [redacted] and I asked [redacted] what happens when he or his brother gets in trouble and his mother is not home and Rod disciplines them. [redacted] stated, "The other day I got a time out and then had to pick up dog poops with the shovel." I asked [redacted] if Rod ever spanks him. [redacted] stated, "Rod wacked [redacted] on the side once." [redacted] demonstrated what whacked meant by lightly smacking the side of his own rib cage.

SW [redacted] asked [redacted] if he knew that he was going to talk to law enforcement today. [redacted] stated, "I did not know but my dad to me I might talk to the police soon." When asked if he was ever told not to tell the police or somebody about things, [redacted] stated, "My Mom once told me not to tell my dad where we were because he would show up." [redacted] denied anybody else ever telling him not to tell somebody something. [redacted] denied anybody ever telling him that he should tell the police or somebody things.

SW [redacted] explained to [redacted] that sometimes social workers came to talk to children when somebody is worried about a child. [redacted] was asked if he knew why somebody would be worried about him, [redacted] stated that his dad would say he was worried about him and his brother and where they are. [redacted] denied knowing why anybody else would be worried about him.

SW [redacted] asked [redacted] about his father picking him up from [redacted] recently [redacted] stated his father picked him and his brother up and told him that they were going to the DMV office to sign paperwork so that [redacted] and his brother [redacted] could stay with him. I asked [redacted] if he was scared. [redacted] stated, "No I feel safe with my dad."

SW [redacted] and I asked [redacted] if he knew anything about somebody being strangled or choked and [redacted] stated that he did. [redacted] said his mother strangled his brother. [redacted]

[redacted] said [redacted] was in trouble and had a, "Smirk on his face when he was walking away from my mom and my mom put her hands around [redacted] neck." SW [redacted] asked [redacted] why he hadn't disclosed the incident when they were talking about getting into trouble and physical discipline earlier in our conversation. [redacted] stated, "I did not understand what you meant." When asked again if he had been told by anybody to tell somebody that this incident had happened, [redacted] stated that he had not and that his dad only told him to stand up for himself and tell the truth about the things that were happening. [redacted] was then asked if he was told not to talk to [redacted] stated, " My dad told me not to talk to [redacted] said instead of talking to [redacted] he talked to [redacted] about what was going on.

We then asked [redacted] if he had seen the incident occur between [redacted] and his mom. [redacted] initially stated that he had because, "I was standing right there when it happened." We asked [redacted] where he was, he stated, "I was lying on the top bunk of our bunk bed in our room." [redacted] stated that his brother was on the bottom bunk. We asked [redacted] where his mother was during the incident; [redacted] stated his mother was on top of [redacted] SW [redacted] asked [redacted] to clarify whether or not he had seen the incident occur and [redacted] then stated, "I did see it but I heard it, I head choking sounds and I know it was my mom."

SW [redacted] asked [redacted] if he knew the difference between a truth and a lie, and the social worker and [redacted] went through an example of what the truth was and what a lie was. [redacted] demonstrated that he understood the difference between a truth and a lie. SW [redacted] and I explained to [redacted] that there were some differences in his story about the choking incident and that we were concerned he was not being fully honest. [redacted] began to cry and stated that he was sad because the SW [redacted] thought he was a liar. SW [redacted] apologized to [redacted] for making him sad and explained that she did not think that he was a liar, and was only concerned about his safety. Due to [redacted] behavior we ended the interview. Prior to [redacted] Leaving I asked [redacted] if he knew whom he could talk to if something else happened. [redacted] stated, "No." I told [redacted] he could talk to [redacted] SW [redacted] or me if he had any concerns about his or his brother's safety. [redacted] stated he understood. [redacted] went back to his lunch break.

Prior to leaving the School [redacted] hand me a number of email documents which were sent to her by [redacted] told me the emails contained statement and photographs from [redacted] alleging child abuse against [redacted] I took the copies provided to me and attached them to this report. Furthermore I reviewed the previous instigations and found that all of the photographs and statements had already been documented under TCSO case 18003968.

Based on this investigation, I found the allegations alleged by [redacted] had already been reported and documented under TCSO case 19000799. Furthermore between my investigation and Social Worker [redacted] Investigation it was determined [redacted] and [redacted] were in a safe location at this time. This report will be forwarded to Child Welfare Services and the District Attorneys Office for review.

TUOLUMNE COUNTY SHERIFF

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

MISDEMEANOR REPORT

Case 19000799

OFFENSES

Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #
273(A)(B) PC	Willful Cruelty to Child - misd	Misd	02/27/19-03/08/19	Unknown	[redacted]

Date Reported	Time Reported
03/09/2019	1704

Related Cases

Date Printed	Time Printed	Printed By
04/03/2019	18:26:38	[redacted]

Latitude	Longitude
[redacted]	[redacted]

Location	Beat	Area	Disposition	Dispo Date
[redacted]		03240	Refer for Criminal Complaint	03/09/2019

Location Type (use, townhouses, duplexes, etc)	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)
Ho					

Victim	Drivers License	Cell Phone	Email			
[redacted]						
Residence Address	**Notified of Victim Rights**	**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
[redacted]	No		[redacted]	[redacted]	[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	
Assistance Rendered/Victim Disposition		**Transporting Agency**	**Means of Attack (Assaults)**			
Other						
Description of Injuries		**Other Information**				
None						

Reporting Party	Drivers License	Cell Phone	Email			
[redacted]	[redacted]	[redacted]				
Residence Address		**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
[redacted]			[redacted]	[redacted]	[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Suspect	Action Taken	Charges			
[redacted]		273(A)(B) PC			
Residence Address	**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Business Name and Address	**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]
Identifying Features	**Cell Phone**	**Drivers License**	**Arrest Number**		
[redacted]		[redacted]			
Aliases			**Val Damaged**		
[redacted]					

VEHICLES

Status	Vehicle Make and Model	License/State	VIN

DEPUTIES

Prepared By	Date	Assisted By	Approved By	Date
[redacted]	03/09/2019		[redacted]	03/10/2019

Routed To	Date	Routed To	Date	Notes
DA By PDF	03/11/2019			
DA w/Orig pdf	03/11/2019			

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
1	Evidence	1 - DISC CONTAINING AUDIO FILE PROVIDED BY [redacted]			

Summary:

[redacted] brought in audio recordings of conversations with his sons, [redacted] and [redacted] talking about how [redacted] chocked and hit them.

Investigation:

On 03-09-19, at 1851 hrs I met with [redacted] in the lobby of the Sheriff's Office. [redacted] began to tell me about how his children had been abused by their mother. [redacted] laid out an extensive history of issues between himself, his ex-wife [redacted] and her current boyfriend Rodney Hobbs. I explained to [redacted] that the issues he was discussing had already been investigated.

[redacted] explained that there was a current court order allowing him supervised visitation but [redacted] had not been allowing him those visits. The only contact [redacted] has had with his sons was court ordered phone calls from 1800-1900 hour. [redacted] continued to express his concern for the safety of his children and that [redacted] was the source of the abuse. [redacted] eventually played a couple of audio recording, off of his cell phone, of a conversation between him and his sons.

The first recording was dated 02-27-19 and was of his son [redacted] Steven [redacted] explaining how [redacted] was "Whacking" [redacted] The following is a short summary:

[redacted] could be heard asking [redacted] to tell [redacted] "About last night." [redacted] started to talk and was cut off by [redacted] began to tell his father, [redacted] how [redacted] "Whacked" [redacted] because of a smirk on his face. [redacted] asked if [redacted] got carried away. [redacted] replied with an affirmative answer. [redacted] asked if they told [redacted] to stop. [redacted] said, yes. [redacted] told them not to say anything and he would call them back.

The second recording was dated 03-08-19 and is of [redacted] talking about how [redacted] "Chocked" him. The following is a short summary:

[redacted] is talking about how [redacted] chocked him. [redacted] asked [redacted] what happened. [redacted] said he was being naughty and annoying [redacted] comes in and [redacted] gets into trouble. [redacted] has a smirk on his face and [redacted] puts her hand around his neck and chocks him. [redacted] stops chocking him, but he was crying.

[redacted] explains to me that he wants his children protected and would rather see them in foster care than stay in [redacted] custody. [redacted] does not know if he can trust Child Welfare because he has made reports to them and nothing happened. [redacted] feels that someone is giving [redacted] inside information. I explained that the Sheriff's Office had nothing to do with the Child Welfare Office of the Courts custody decisions.

I told [redacted] I would meet with his children and talk with them about the listed allegation.

On 03-09-19, at 2124 hrs. I met with Rodney Hobb and [redacted] in the living room of their home. I spoke with [redacted] who told me the following:

I explained the allegation of abuse and how I had listed to the recordings of the phone conversations. I asked [redacted] if she had ever "Smacked" either of her children. [redacted] said she had never slapped either of her children. [redacted] said she would never be physical with her children. [redacted] believed in spanking if the child deserved it, but had not even tried because of the situation with [redacted]

I asked [redacted] if she had ever chocked either of the boys. [redacted] said, "No." [redacted] said the boys like to wrestle with each other and they can get carried away. [redacted] said she has to push the boys apart from time to time to get them to stop wrestling.

I asked [redacted] how she disciplines the boys. [redacted] said she only gives the boys a "Time out." She sends one or both boys to their room or sits them on the couch.

I asked [redacted] if she recorded or listened to the phone conversations between the boys and [redacted] said she does not interfere with the phone conversations and has not recorded or listened in. [redacted] said she gives her phone to the boys and they talk with their dad in the privacy of their bedroom.

On 03-09-19, at about 2215 hrs, [redacted] woke [redacted] up and escorted him into the living room. [redacted] and Hobbs went to the back of the house and left [redacted] to talk with me.

I asked [redacted] if he knew the difference between the truth and a lie. [redacted] said he did. I asked [redacted] if I said my Sheriff Green pants were pink in color, was the truth or a lie. [redacted] smiled and said that was a lie. I asked [redacted] if he could give me an example of something that was either the truth or a lie. [redacted] said it would be a lie if he said my black boots were a different color. I asked [redacted] if he was going to tell me the truth. [redacted] said yes.

I asked [redacted] if he remembered the date February 27, 2019 and explained it was a Wednesday. [redacted] said no. I asked [redacted] if he remembered talking with his dad about being smacked by his mom. [redacted] said he doesn't get smacked he gets time outs. I asked [redacted] to explain what he thought smacked meant. [redacted] opened his hand and extended his fingers and moved his hand in a slapping motion through the air. I asked [redacted] if his mom had ever hit him that way. [redacted] said no.

I asked [redacted] if he remembered talking with his dad on 03-08-19. [redacted] said he remembered talking with his dad, but didn't know dates. I asked [redacted] if he remembered talking to his dad about being chocked by his mom. [redacted] said his mom didn't choke him. [redacted] said he and his brother wrestle a lot. [redacted] said he was in his bedroom wrestling with [redacted] when his mom came in the room and told them they need to stop. [redacted] said he was usually the last one to do something or be bad. His mom separated them and put her hand on his chest and held him still. I asked [redacted] if [redacted] hand got near his neck. [redacted] said no, it was on his chest. I asked [redacted] if he was hurt by [redacted] holding him down. [redacted] said no.

I asked [redacted] to get [redacted] so I could speak with [redacted] woke [redacted] up and escorted him into the living room. [redacted] again left the living room so I could speak with [redacted] alone.

I asked [redacted] if he knew the difference between a truth and a lie. [redacted] said yes. I asked [redacted] if I said my Sheriff Green pants were pink in color, was the truth or a lie. [redacted] said it was a lie. I asked [redacted] if it was the truth or a lie that he was wearing a blue Tee shirt. [redacted] said it was the truth.

I asked [redacted] if he remembered talking with his dad on February 27, 2019. I asked [redacted] If he remembered talking with his dad about [redacted] being "Smacked" by his mom. [redacted] seemed reluctant to answer. I asked [redacted] if he was going to tell me the truth. [redacted] said yes. I asked again. [redacted] said he did not remember. I asked [redacted] to describe what he thought "Smacked" meant. [redacted] opened his hand and extended his fingers and moved his hand through the air in a slapping motion. I asked [redacted] if [redacted] had ever hit him or his brother that way. [redacted] said no.

I asked [redacted] if he remembered talking with his dad about [redacted] being chocked by his mom. [redacted] said he and [redacted] were in their room. [redacted] was annoying [redacted] when [redacted] came into the room and asked them to get ready for bed. [redacted] was still messing around and annoying [redacted] was lying on his bed when [redacted] put her hand on [redacted] chest and smacked him on the butt. I asked [redacted] if he thought [redacted] was trying to hurt [redacted] said no, it wasn't hard or soft it was "like, hey pay attention." I asked [redacted] if [redacted] ever put her hand on [redacted] neck. [redacted] said he didn't see her do that.

I asked [redacted] to get [redacted] so I could speak with her. [redacted] put [redacted] back in his bedroom and came to the living room.

I asked [redacted] if she remembered holding [redacted] down with her hand on his chest. [redacted] said she did and described holding him down to stop him from messing around and trying to swat him on the butt to get his attention. [redacted] said [redacted] was wiggling around so much she missed his butt and hit the bed.

[redacted] and Hobbs added extensive history with the situation. [redacted] mentioned receiving six to eight text messages from [redacted] on a daily basis. [redacted] said this was in violation of the court order. [redacted] had not reported it to law enforcement because the judge told her not to.

I requested [redacted] email the referenced audio files to my Department email address. I will review the files and place them on a disc for evidence as soon as I receive them.

Physical Condition:

I did not see any signs of injury or abuse on either [redacted] or [redacted] Neither of the boys made any statements of pain or injury while I interviewed them.

Supplemental report

On 03-10-19, I reviewed my department emails and received a audio file from [redacted] I reviewed the audio file and it was one of the recordings I listened to the previous night. I copied the file to a disc and booked the disc into evidence.

****

ADDITIONAL PERSONS

Reporting Party - [redacted] DOB: [redacted]
Sex: [redacted], Race: [redacted], Height: [redacted], Weight [redacted] Hair: [redacted], Eyes: [redacted]
Address: [redacted]
Cell: [redacted]
Business Name/Adrs: [redacted]

Suspect - [redacted] DOB: [redacted]
Sex: [redacted], Race: [redacted], Height: [redacted], Weight [redacted], Hair: [redacted] Eyes: [redacted]
Address: [redacted]
Business Name/Adrs: [redacted]
Identifying Features:; Speech: [redacted] ; Build: [redacted] ; Complexion: [redacted] ; Facial Hair: [redacted]
Drivers License: [redacted] SSN [redacted]
Offenses: [redacted]

Mentioned - HOBBS, RODNEY DANIEL
Sex: M, Race: White, Hair: Black, Eyes: Brown
Address: 28 N Lower Sunset Dr, Sonora, CA 95370 - 209-533-5815
Business Name/Adrs: Tuolumne Co Sheriffs Dept, 28 N Lower Sunset Dr, Sonora, CA 95370 - 209 533-5815

Victim - [redacted] DOB: [redacted]
Sex: [redacted], Race: [redacted], Height: [redacted], Weight [redacted], Hair: [redacted]
Address [redacted]
Business Name/Adrs: [redacted]
Assistance Rendered / Victim Disposition: Other
Transport Agency:
Injuries: None Other Info:

Victim - [redacted] DOB [redacted]
Sex [redacted] Race: [redacted], Height: [redacted] Weight [redacted], Hair: [redacted], Eyes: [redacted]
Address: [redacted]
Business Name/Adrs: [redacted]
Assistance Rendered / Victim Disposition: Other
Transport Agency:

Injuries: None Other Info:

****

ADDITIONAL PROPERTY

Item #1, Status: Evidence

1 Disc Containing Audio File Provided By [redacted]

TUOLUMNE COUNTY SHERIFF

28 N LOWER SUNSET DR SONORA, CA 95370 [redacted]-533-5815

MISDEMEANOR REPORT

Case 19000015

OFFENSES

Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #
166(A)(4) PC	Contempt:disobey Crt Ordr	Misd	12/28/18-12/28/18	0730 - 0820	

Date Reported	Time Reported
01/02/2019	0955

Related Cases:

Date Printed	Time Printed	Printed By
05/16/2019	17:34:27	[redacted]

Latitude	Longitude
[redacted]	[redacted]

Location	Beat	Area	Disposition	Dispo Date
Tuolumne County Jail, 175 Yaney Av, Sonora City, CA 95370	07	07000	Refer for Criminal Complaint	01/02/2019

Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)
Jail					

VICTIM

Victim	Drivers License	Cell Phone	Email			
State Of California						
Residence Address	**Notified of Victim Rights**	**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
	No					
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
Assistance Rendered/Victim Disposition		**Transporting Agency**	**Means of Attack (Assaults)**			
Other						
Description of Injuries		**Other Information**				
None						

MENTIONED

Mentioned	Drivers License	Cell Phone	Email			
[redacted]						
Residence Address		**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
			[redacted]	[redacted]	[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
[redacted]		[redacted]				

SUSPECT

Suspect		Action Taken	Charges			
[redacted]			166(A)(4) PC			
Residence Address		**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Identifying Features		**Cell Phone**	**Drivers License**			**Arrest Number**
Speech [redacted] Build: [redacted] Complexion [redacted] Facial Hair: [redacted]			[redacted]			
Aliases						
[redacted]						

VEHICLES

Status	Vehicle Make and Model	License/State	VIN

DEPUTIES

Prepared By	Date	Assisted By	Approved By	Date
[redacted]	01/02/2019		[redacted] - [redacted]	1/3/2019

Routed To	Date
DA By PDF	
DA By PDF	
DA By PDF	01/16/2019
DA w/Orig pdf	01/16/2019

Routed To	Date
DA orig sent	01/29/2019

Notes:

Summary:

On 12/28/2018, [redacted] failed to turn himself into the county jail as ordered by Judge Kate Powell Segerstrom.

Investigation:

On 12/27/18, a hearing was held in Department 3 of the Tuolumne County Superior Court, FL13163. The Respondent, [redacted] who was present, was ordered to turn himself into the county jail on 12/28/18 to serve 12 days for contempt; the turn in time is 0800.

On 12/28/18, at 0820 hours, I called the county jail to confirm that [redacted] had turned himself in to serve his sentence. I was told [redacted] appeared, advised he was present, then walked out of the jail and did not turn himself in as ordered. I checked the population of the jail to see if the population was too high to accept [redacted] the population was 128, well below maximum. I advised Judge Segerstrom of [redacted] failure to comply with the court order.

On 01/02/19, Judge Segerstrom and I discussed the situation, and it was decided to file a criminal complaint with the District Attorney for [redacted] failure to obey a court order. I placed a copy of the minute order in the Sgt's box to be attached to the report. The minute order shows the turn in order on the bottom half of page one.

I have contacted the jail staff who will provide me with a copy of the log for that morning. When I receive the copy I will attach it to the report.

Forward to the District Attorney for review.

Supplemental Report

On 01/03/19, at approximately 1620 hours, I picked up a copy of the Tuolumne County Jail Floor Note log from Sgt. [redacted] On the log it showed [redacted] came to the jail lobby at 0755 hours 12/28/18 and advised he was there to turn himself in. (See Pg. 2) The last entry was made at 0857 noting [redacted] walked away from commitment.(See Pg. 1)

Sgt. [redacted] also told me she had reviewed the video from the camera system at the county jail. She noted at 0750 [redacted] appeared at check in, 0800 [redacted] drove away, 0816 the vehicle [redacted] was in returned, but [redacted] remained in the vehicle. The vehicle drove away at 0827. Jail staff conducted an area check for [redacted] but he was not located.

While picking up the log, Sgt. [redacted] told me Sheriff's clerk [redacted] spoke with [redacted] when he was to turn himself in. I will contact [redacted] when I return from my days off and attempt to get a statement.

I will attempt to contact [redacted] to get a statement from him.

Prepared By:	Date:	Approved By:	Date:
[redacted]	01/03/2019	[redacted]	01/04/2019

Supplemental Report

On 01/09/19, at approximately 1210 hours, I met with [redacted] in Department 3, Tuolumne County superior court, to get a statement from him. Before I started the interview, I told [redacted] he was not under arrest or being detained. I also told him he was free to leave at anytime.

I asked [redacted] why he failed to turn himself into the jail as ordered. [redacted] told me he was in fear for his children. I asked [redacted] what he meant, he told me if anything happened to him while he was in jail, he was afraid what would happen to his children.

[redacted] told me he received a phone call during the first week of December. The call was an unidentified male voice that stated " I work for the Sheriff's Department, you have cross hairs on your back, don't go in." I asked [redacted] if he had a record of the call on his call log, he was not sure. [redacted] showed me an app on his phone where he records all incoming calls. [redacted] records the calls for his safety; this call was not recorded, nor could he find it on his call log. [redacted] told me he could not record it as he did not have enough time to activate the app. [redacted] was not sentenced until December 13th.

I asked [redacted] about the morning he was to turn himself in, I told him I was aware he arrived to the lobby and contacted jail staff. [redacted] told me he wanted to call his lawyer before turning himself in. He told me his lawyer told him if he felt he was in danger he should not turn himself in; [redacted] decided to leave.

[redacted] felt since he was involved in a civil dispute involving a member of the Sheriff's Office he might be hurt while in custody. I explained to [redacted] that the classification process would protect him during his time in custody. The interview was concluded and [redacted] left the courthouse.

TUOLUMNE COUNTY SHERIFF

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

MISDEMEANOR REPORT

Case 18003968

OFFENSES

Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #
273A(B) PC	Willful Cruelty To Child	Misd	01/01/16-11/19/10	Unknown	[redacted]

Date Reported	Time Reported
11/19/2018	1122

Related Cases

Date Printed	Time Printed	Printed By
04/03/2019	18:28:40	[redacted]

Latitude	Longitude
[redacted]	[redacted]

Location	Beat	Area	Disposition	Dispo Date
[redacted]	4	03240	Unfounded	11/21/2018

Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)
Ho [redacted]					

Victim	Drivers License	Cell Phone	Email			
(Confidential Victim)						
Residence Address	**Notified of Victim Rights**	**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
Assistance Rendered/Victim Disposition		**Transporting Agency**	**Means of Attack (Assaults)**			
Description of Injuries		**Other Information**				

Reporting Party	Drivers License	Cell Phone	Email			
[redacted]	[redacted]					
Residence Address		**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Suspect Name		Action Taken	Charges			
Residence Address		**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
Identifying Features		**Cell Phone**	**Drivers License**		**Arrest Number**	
						Val Damaged
Aliases						

VEHICLES

Status	Vehicle Make and Model	License/State	VIN

DEPUTIES

Prepared By	Date	Assisted By	Approved By	Date
[redacted] - [redacted]	11/20/2018		[redacted] - [redacted]	11/21/2018

Routed To	Date	Routed To	Date	Notes
Cws By PDF	11/27/2018			

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
1	Other/RIMS	6 - PHOTOS OF CV AND INJURIES			
2	Evidence	1 Silver Verbatim Cd-R - DISK CONTAINING INTERVIEWS			

Summary:

[redacted] reported several incidents of abuse to his children, CV1 and CV2, by their mother, [redacted]

Investigation:

On 11-20-18, I arrived at the residence of [redacted] located at [redacted]. for an interview. [redacted] and I had previously agreed to meet at his residence, [redacted]., but [redacted] was not there when I arrived. I contacted [redacted] over the phone and he advised he had left and gone to the [redacted].

On 11-20-18, at about 0900 hours, I spoke with [redacted] at the [redacted] on [redacted] in Sonora. I sat with [redacted] at the table he had been sitting at. I advised [redacted] that I was meeting with him to inquire about any reports of child abuse where his children would be the victims. I started by asking him about the call he had made on 11-19-18, alleging that a parent had witnessed and had video of his children being abused by their mother, [redacted] advised there was no video of the incident. In regards to this phone call, [redacted] told me the following: He received a phone call on 11-17-18 from a friend who ended up stopping by his residence. The friend spoke with him and his roommate, [redacted], about some abuse she had heard about. [redacted] said he was unable to listen to the friend's complete story because it was so hard for him but [redacted] had listened to it all. All he could recall hearing about was that [redacted] had been holding down his son CV1 and she had CV2 kick CV1 in the face. CV1 also recalled that the friend had recalled hearing this has happened a couple of times. I asked [redacted] for the friends name and contact information and he refused to provide them. [redacted] ended up calling the friend and received permission to provide me with her name and contact information. The friend was identified as [redacted] explained that her son and CV1 are best friends and talk often. [redacted] was advised I would contact her later for a statement and I continued to speak with [redacted] said the last time CV1 spent the night at [redacted] residence was on 10-31-18.

I asked [redacted] if there were any incidents of abuse over about the last year that he would like to tell me about. [redacted] said he felt that the situation with "Rodney" (referring to Rodney Hobbs) was abuse, because his child had been bitten by Hobbs' dogs. I asked him to tell me about the dog bites as I had previously heard that both children had been bitten. CV2 had disclosed to [redacted] that he had been bitten on the leg by Hobbs' dogs around the time of early July 2018. CV2 said he had been on a swing and the dog bit, but did not draw blood, only gave him a red mark. As a result of the dog bite, CV2 had cried and told his mother about the incident. [redacted] did not feel this was abuse as these things happen sometimes and the child was not seriously injured. [redacted] added that CV1 had also been bitten by Hobbs' dog. [redacted] said he received a phone call from CV2 on 08-26-18. CV2 told him that CV1 had been taken to the emergency room due Hobbs' dog biting CV1. [redacted] responded to the emergency room and did not locate Hobbs, [redacted] CV 1 or CV2. He sent [redacted] a text message inquiring about CV1 because he was concerned and [redacted] did not respond to him. He received another phone call from CV2 stating that [redacted] and Hobbs were at AutoZone and [redacted] responded there. He said [redacted] and Hobbs were in the parking lot and tried to speak with [redacted] but he and Hobbs spoke. He was unable to find out information and eventually left. [redacted] believed that this second incident of Hobbs' dog biting his children was child abuse as more should have been done by [redacted] and Hobbs after the first dog bite.

[redacted] expressed that he was very concerned over Hobbs's dogs and even went and flew a drone over Hobbs property a few weeks ago. He said that he saw from the pictures that the same dogs

are on the property and that the fence going around the trailer is used to fence in the dogs. This fence keeps the dogs in an area that contain the entrances to the residence preventing the children from going outside without being exposed to the dogs, that have bit them. He said that his children are stuck inside while at [redacted] residence and when they ask to go outside they are told no and yelled at. He claimed that Hobbs or [redacted] take CV1 and CV2's phones and do not allow them outside.

I asked about any other incidents of abuse and [redacted] told me that CV2 had a burn mark on his foot in 2017. [redacted] had told him that while wrestling around, CV2 had hit his foot on a humidifier and that caused the burn. When he asked CV2 how the burned happened, he said that CV2 hunkered down and did not say anything. He had noticed that CV2 had been limping when he returned from visiting with [redacted] [redacted] canceled a planned camping trip due to CV2 limping and being unable to hike while camping.

[redacted] also stated that in July of 2016, he had seen CV2 at Wal-Mart with a bruise under his left eye. CV2 did not tell him what happened at that time but he suspected it was caused in some way by [redacted] [redacted] stated it was said in court that this bruise was caused by a ball at school.

When asked if he had any other allegations or inklings of physical abuse within the last year, [redacted] said "no".

I asked [redacted] to tell me more about a kicking incident he had earlier mentioned. [redacted] said about two months ago, he and CV1 and CV2 had been sitting on the couch. He had CV1 sit on one side of the couch and CV2 sit on the other side. He grabbed a picture of CV1 where there was an injury to his face ([redacted] was unable to locate the picture on his phone). He held the picture so that only CV2 could see it and walked between both CV's. [redacted] said that CV2 started uncontrollably crying and he sat down and held CV2. He spoke with both CV1 and CV2 about the incident and he was told that [redacted] had been happy and CV2 was stepping on CV1's face while wearing cleats. He was unsure which child said what other than he could remember that CV1 said [redacted] was watching and CV2 said that he thought it was more than watching. He did not feel that either child would do this on their own as CV2 did not want to hurt his brother and that CV2 felt guilty and was feeling pain over hurting his brother. I asked when this incident actually occurred and he was unsure and tried to find a photograph of the injury to see if there was a date connected to it. [redacted] was unable to find the photograph but believed the incident happened in March or April of 2016.

I asked if there were any other incident of physical abuse he would like to tell me and he said there was nothing else. I then asked him about any reports of emotional abuse. [redacted] said that [redacted] continuously tells her children that they are not going to live with their dad and that she is going to take them away. [redacted] tells CV1 and CV2 about the court decisions and that [redacted] is a bad person. He feels that Hobbs emotionally abuses the children by telling them that [redacted] is a criminal and will be arrested. [redacted] feels that the children are being emotionally abused because they cannot speak with him despite the fact he has provided them with phones. He believes it is mental abuse that CV1 and CV2 are living in a home where the dogs that bit them are living outside. He also believed that the fact that the Department of Justice came to his house regarding a false restraining order while CV1 and CV2 were there caused emotional trauma.

I advised [redacted] that I would be looking into any alleged criminal incidents of child abuse. [redacted] emailed me multiple photos of injuries to the children, the drone flight photo of Hobbs's house and a screen shot of messages to [redacted] I later added these photos to this case (see photos) I was unable to load one photo that was a near duplicate of photo number 2.

On 11-21-18, at about 1400 hours, I spoke with the friend that had advised [redacted] about the

cleat kicking incident. This friend was [redacted] told me the following over the phone: She is not friends with [redacted] or [redacted] but has met [redacted] on a few occasions. She has met [redacted] because CV1 and her son, [redacted] are best friends. On 10-31-18, CV1 had stayed at her residence. She overheard small parts of two conversations that CV1 was having with her children. In one conversation, she heard CV1 say that he does not like going to his mothers and while there [redacted] will encourage him to fight with CV2. During another conversation between her children and CV1, she overheard CV1 say that he had been kicked in the face by CV2 while CV2 was wearing cleats. She believed this was to have happened a few months ago as CV1 had a bruise on his face a few months ago. The next day she spoke with her children and they filled in the blanks of the story. She told me the whole story was that when CV1 and CV2 are with their mother, they are encouraged to fight with each other. If CV2 does not at least half way win, [redacted] will hold CV1 down and let CV2 kick him in the face. The last time this happened, CV2 was wearing cleats.

I later contacted [redacted] over the phone and requested to meet with her and the children for interviews on 11-21-18. [redacted] stated she would speak with her attorney and arrange a time. A short while later I spoke [redacted] we agreed to meet at her attorney's ([redacted]) office on 11-21-18 at 1000 hours.

I spoke with Hobbs regarding interviewing him as he was a potential witness to the alleged abuse incident. Hobbs stated he would consult counsel and arrange a time for an interview.

On 11-21-18, I spoke with [redacted] at the office of her attorney, [redacted], who was present for my interview with her. [redacted] told me the following in summary:

In regards to the alleged burn to CV2's foot-

The children, CV1 and CV2, get bloody noses during the winter time and their pediatrician recommended getting a dehumidifier to help alleviate the bloody noses. As CV1 and CV2 were in the same room as the dehumidifier, they started wrestling around. She told them to stop and they restarted wrestling a few minutes later. While wrestling, she believed that CV2 had kicked off the cover to the heating element and burnt his foot. She saw it start to blister and put some cream and a band aid on it. She said the burn did not affect CV2 when putting on his shoes, walking, running or going up stairs. She added that she had notified [redacted] of the burn. I asked specifically if CV2 was limping after the burn and she said "no".

In regards to the dog bite-

She said that CV1 had been bitten on the foot by a female dog named [redacted] while playing on a swing near the pond. CV1 was immediately taken to prompt care and received four stitches and had no broken bones. Later, [redacted] had text her stating that both children had been bitten by the dog and she replied no. At her next visit with the children, she spoke with CV2 regarding a dog bite. She asked about it and CV2 replied something like 'yeah remember that time' and she replied that she did not remember him being bitten by the dog. CV2 never disclosed to her when he was bitten by the dog. After CV1 being bitten by the dog, she had notified Animal Control and the dog had been quarantined.

When asked how often CV1 and CV2 rough house or wrestle while with her, [redacted] stated every day and she generally separates them after a few minutes. I asked if she has ever encouraged them to wrestle and she said "never, I don't like… I'm not a wrestler". I asked if she ever wrestled with CV1 and CV2 and she said "she will separate them but I do not wrestle with the kids". When she said she will separate she said she will have them sit in different seats.

I asked her about CV1 being kicked with a cleat and she did not recall the incident.

In regards to the bruise to CV1's face-

[redacted] said that she did not remember how it occurred. She had picked up the children from school and she noticed a red mark on CV1's cheek. She asked him how he got it and he said he had been hit with a ball. The next day they went to Wal-Mart. While at Wal-Mart, [redacted] had entered the store and was being loud to get the kids' attention. When CV1 approached [redacted] he took a picture.
In regard to the bruise 3-4 months ago (that [redacted] mentioned)-

[redacted] said she was unsure as she did not have custody of the children at that time. She explained she went some time without seeing the children as [redacted] would not let her. After that she had partial custody and [redacted] only allowed her approximately half of her visits.
In regards to her holding CV1 down-

I asked if she had ever held CV1 down while the children were rough housing and she said "no". I asked if she ever encouraged either child to kick another child in the face and she said "never, never in my life". She added that she was not aware of CV1 ever being kicked in the face. I asked if she had known of CV1 ever being kicked in the face with cleats and she said "last time they had cleats on at my house was two years ago. I would never allow, encourage or condone it".

[redacted] and [redacted] left the room and had CV1 enter the room to speak with me. I started by speaking with CV1 about truth and lies. When asked what a truth was, CV1 said something you can tell and not have to think about. When asked what a lie was, CV1 replied something that you think about and you mumble when you're speaking. I was in full T.C.S.O. uniform (tan shirt and green pants). I asked CV1 that if I said my shirt was purple would that be a truth or a lie. CV1 said "that would have been a lie". I asked if I said he had blond hair, would that be a truth or a lie. CV1 said "the truth" (CV1 Does in fact have blond hair).

I asked him about his relationship with CV2 and he said they sometimes fight but get along most of the time. I asked if he had ever been kicked in the face by CV2 and he said once when they lived at the apartments. CV2 had cleats on after baseball practice and kicked me right here (referring to his left cheek and side of his jaw). He said they had been fighting a lot and he was then resting on the couch. CV2 pulled and bumped him onto the floor and then put his cleat on his face. He said CV2 did not really kick him, but more of stepped on his face. CV1 said [redacted] was in the kitchen cooking at the time. He said he told [redacted] about the incident and she gave him some ice for his cheek. [redacted] asked if he was ok and he replied he was fine. When asked when this happened he said around 2015 or 2016.

I asked him if [redacted] had ever held him down and encouraged his brother to hurt him. He said that's opposite, and explained how [redacted] is supportive of them and how she supports them differently at different times. He said like at his baseball games she will be more supportive of him than of his brother. And sometimes she will be more supportive of his brother than him. I asked if [redacted] ever encourages them to fight and he said when she supports one of the children more than the other it can cause him and his brother to fight to get more support.

As CV1 was the child more victimized in the allegations of abuse, I repeated some of my questions. When asked if [redacted] ever rough housed with him or his brother, he said "no". When asked if [redacted] ever held him down and told CV2 to kick him, he said, "uh huh." To clarify I asked if he meant no and he said "no". When asked about the bruise on his face that his father took a picture of, he did not remember how he got it. I asked if it could have been caused by either of his parents and he said "I don't know I didn't realize I had a bruise on my face". I asked if he was being honest with me and he said "yeah". I asked if [redacted] ever hits him and he said "no". I asked if there was any abuse from his mother that he felt I should know about and he said he did not know how to explain it. And that [redacted] "only supports one person and it's CV2, but in baseball it's mostly him". I asked if there was any physical

abuse from [redacted] and he said "no". When asked if he would tell me he said "yeah". I then ended my interview.

I then spoke with CV2. I asked if he could tell me the difference between the truth and a lie and he seemed confused and said no. I asked what a lie was and he said if someone broke a vase and said they didn't. I asked what the truth was and he said "not wrong". I pointed to a blue plastic and metal swing line stapler and asked if I said it was green would that be the truth or a lie. CV2 responded it was a lie, because the stapler was blue and gray and no green. I was in full T.C.S.O. uniform (tan shirt and green pants) and pointed to my shirt and asked if I said my shirt was tan would that be the truth or a lie. CV2 said it would be the truth. I advised him I would like to ask him some questions and asked if he could be honest with me and he said, "uh huh" and nodded his head up and down.

I asked how he burnt his foot and he said that there was a steam and hot water machine that he and CV1 were breathing the steam from. I asked if it was a dehumidifier and he said "yeah'. He said he took the lid off of it to see the water in it. When he removed the lid, some water rolled off the lid and burnt his foot.

I asked if he had kicked or stepped on his brother with his cleat and he said that he knew it happened but did not remember it. I asked about him being bite by a dog and he said it happened about two months ago on a Saturday or Sunday. He said [redacted] was watching him play and he was on a hill by the rope swing. He was going for the swing and the dog Dutches jumped up and got his leg. He said he did not bleed from the bite. He said [redacted] put the dog into the kennel and he and CV1 continued to play. When asked if [redacted] ever rough houses with him or CV1, he said "sometimes she tickles us" and added that she tells them to stop sometimes. I asked if [redacted] ever encourages them to fight or beat each other up and he said "no". I asked if she tells them to stop wrestling and he said uh huh and nodded his head up and down. He said that he and CV1 wrestle for about ten minutes and she tells them to stop. I asked if they wrestle or try to hurt each other and he said "no, wrestle". I asked if [redacted] ever physically hurt him and he said "no". I asked if she spanks them and he said "no". I asked if she ever punched him and he said "no". I asked if he would tell me if she did and he said "yeah".

At this time, I ended my interview with the [redacted]. CV2 and I walked out of the room and I thanked [redacted] for speaking with me and allowing her children to speak with me.

I later completed this report and when I return to work, I will copy the audio recording of these interviews to a disk and book it into evidence.

I did not interview Hobbs as there were no allegations of child abuse in his presence according to CV1 and CV2's statements.

Supplemental Report:

On 02-01-19, I booked the disk containing audio recordings of my interviews with the [redacted] and both CV's into T.C.S.O. evidence.

****

ADDITIONAL PROPERTY

Item #2, Status: Evidence
1 Verbatim Cd-R. DISK CONTAINING INTERVIEWS

Prepared By:	Date:	Approved By:	Date:
[redacted]	02/01/2019	[redacted]	02/02/2019

$3- Cash

TUOLUMNE COUNTY SHERIFF'S OFFICE
APPLICATION FOR RELEASE OF INFORMATION

DATE/TIME OF OCCURRENCE: 8/24/17

CASE#: [redacted]

TYPE OF REPORT (CRIME): [redacted]

LOCATION OF INCIDENT: [redacted]

NAME OF SUSPECT: [redacted]

NAME OF VICTIM: [redacted]

NAME OF APPLICANT: [redacted]

REASON FOR REQUEST: PERSONAL

PARTY OF INTEREST: (PLEASE CHECK)

*Call when ready

_____SUSPECT (PERSONALLY INVOLVED) Ineligible
__✓__VICTIM (PERSONALLY INVOLVED)
_____PROPERTY OWNER
_____ATTORNEY
_____REPRESENTATIVE OF INSURANCE/INSURANCE ADJUSTING AGENCY
_____PARENT/GUARDIAN OF JUVENILE PARTY
_____OTHER PARTY OF INTEREST SPECIFY: _____

I DECLARE UNDER PENALTY OF PERJURY THAT:

__✓__I am the party of interest identified in the report indicated hereon.
_____I represent said party of interest in the report indicated hereon.
_____I am an attorney representing said party of interest in the report indicated hereon.

My daytime phone number is ( ) [redacted] or ( ) ____ - _____

My mailing address is: [redacted]

I understand that it may take up to ten (10) working days for this application to be processed.
I also understand that I may not be entitled to information and my application may be denied.

I understand there is a fee for obtaining a copy of a report – minimum charge Is $15.25 for 1-4 pages and each additional page is $3.00. Incidents are $3.00

Contact our Records Division for further information at (209) 533-5836

MAIL APPLICATION TO: **TUOLUMNE COUNTY SHERIFF'S OFFICE**
28 N. LOWER SUNSET DRIVE
SONORA, CA 95370

[redacted]
SIGNATURE

9/7/17
DATE

9/15/17 Public inc only per [redacted]
9/21/17 VM Public Version only $3-

Controlled Document
Released To: [redacted]

TUOLUMNE COUNTY SHERIFF

CAD INCIDENT REPORT
1708240099

09/21/2017

Location	Cross Streets	City
[redacted]	[redacted]	SONORA

Incident Type	Call Taker	Dispatcher
SUSC - SUSPICIOUS CIRC	[redacted]	[redacted]

Date	Priority	Primary Unit	Beat	Fire Zone	Area	Map	Source
08/24/2017		MX			03070	TCA07	TELEPHONE CALL

Caller Name	Caller Address	Caller Phone

Dispositions	Weapon	Alm Level	Case Number
Report Taken, Report Taken			

Vehicles	Associated Incidents

Incident Times

Received	16:35:09
Created	16:35:34
Dispatched	16:37:06
En Route	
On Scene	16:50:03
Closed	18:05:16
Rcvd-Closed	1:30:07

Special Circumstances

Persons	Sex	DOB	Race	DL

Unit Times	Deputies	Dispatched	Enroute	On Scene	Clear	Disp-On Scene	Enrt-On Scene	On Scene-Clear	Disp-Clear
MX	[redacted]	16:37:06		16:50:03	18:05:16	12:57	N/A	1:15:13	1:28:10
D2	[redacted]	16:37:30		16:50:03	18:05:16	12:33	N/A	1:15:13	1:27:46
D3	[redacted]	16:41:32			16:44:19	N/A	N/A	N/A	02:47
M3	[redacted]	17:16:19		17:28:53	18:05:16	12:34	N/A	36:23	48:57

Incident Comments

Rp rpts went to the residence for custody exchange and left the phone line open took the phone and female was screaming for rp to call the cops

Duplication for Reissuance Controlled by Law

#1644 C Navarro Sent 9/21/2017

TUOLUMNE COUNTY SHERIFF

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

INFORMATION REPORT

Case 17003026

OFFENSES

Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #
Information	Information Only		08/24/2017	[redacted]	[redacted]

Date Reported	Time Reported
08/24/2017	[redacted]

Related Cases

Date Printed	Time Printed	Printed By
05/24/2019	12:41:26	1585

Latitude	Longitude
[redacted]	[redacted]

Location	Beat	Area	Disposition	Dispo Date
[redacted]	3	03070	Information Only	08/24/2017

Location Type Ho use,townhouses,duplexes,etc	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)

MENTIONED

Victim	Drivers License	Cell Phone	Email			
[redacted]	[redacted]					

Residence Address	Notified of Victim Rights	Residence Phone	DOB	Age	Sex	Race
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Assistance Rendered/Victim Disposition	Transporting Agency	Means of Attack (Assaults)

Description of Injuries	Other Information

WITNESS

Witness	Drivers License	Cell Phone	Email			
[redacted]						

[redacted]	Residence Phone	DOB	Age	Sex	Race
	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes

Suspect Name	Action Taken	Charges			

Residence Address	Residence Phone	DOB	Age	Sex	Race

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes

Identifying Features	Cell Phone	Drivers License	Arrest Number

Val Damaged

Aliases

VEHICLES

Status	Vehicle Make and Model	License/State	VIN

DEPUTIES

Prepared By	Date	Assisted By	Approved By	Date
[redacted] - [redacted]	08/24/2017	[redacted] - [redacted]	[redacted] - [redacted]	08/25/2017

Routed To	Date	Routed To	Date	Notes

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
1	Evidence	1 Items Flash Drive - FLASH DRIVE CONTAINING RECORDINGS			
2	Evidence	1 White & Blue Lexar Flash Drive - LEXAR FLASH DRIVE CONTAINING A DIGITAL RECORDING AND 4 SCREENSHOTS FROM RECORDING			

SUMMARY:

[redacted] knocked [redacted] cell phone from his hand. [redacted] grabbed [redacted] cellphone from her hands.

INVESTIGATION:

On 08/24/2017, at approximately 1637 hours, Deputy [redacted] and I responded to A&B Mini Mart located at 14280 Mono Way for a report of a suspicious circumstance. We arrived at approximately 1650 hours and met with Rodney Hobbs and [redacted] I asked Hobbs what happened. Hobbs told me the following in summary.

Hobbs was in his office and received a phone call from [redacted] told Hobbs that she was on her way to her ex-husbands residence [redacted] to pick up her two children, [redacted] Matthias [redacted] and [redacted] Steven [redacted] for a custody visitation. [redacted] asked Hobbs if he could track her by GPS while she picked up the children. [redacted] drove to [redacted] s residence and spoke with Hobbs on speaker phone.

For [redacted] safety, Hobbs was on speaker phone with [redacted] so she could inform him of [redacted] s actions during the exchange. Hobbs stated that [redacted] was afraid of [redacted] due to an extensive history between the two. [redacted] lived at [redacted]. There was a long driveway leading uphill to a gate in front of the property. [redacted] drove up the long driveway to the gate. Hobbs told [redacted] to remain in the car and to not get out. [redacted] told Hobbs that [redacted] was walking out of the residence with the kids and started to walk toward the gate. Hobbs told [redacted] to back down the driveway to remain a safe distance away from [redacted]

[redacted] called out to [redacted] and told him to come down to the car. Hobbs stated he could faintly hear [redacted] in the background yelling at [redacted] and the kids started to walk back toward the residence. Hobbs told [redacted] to pull forward toward the gate. As [redacted] began to pull forward she told Hobbs, "He's coming down, I'm backing out."

Hobbs could hear [redacted] yelling at [redacted] and his voice was getting louder. Hobbs could tell that [redacted] was close to Cherie's vehicle. While Hobbs was listening to [redacted] yell at [redacted] at one point he could hear [redacted] as if he was talking on the phone. [redacted] began to yell, "He's got my phone! Call the cops!" Hobbs knew at this time that [redacted] had [redacted] phone due to the fact that [redacted] voice was sounding farther away from the phone and [redacted] s voice was louder and more distinct. Hobbs heard [redacted] yell, "Rod, call the cops! He just took my phone!"

Hobbs stated at this time the phone call dropped. Hobbs called the Sheriff's Office Dispatch to report the incident. A few seconds later [redacted] called Hobbs and told him she left the property. [redacted] drove to the A&B Mini Mart to meet with Hobbs. I asked [redacted] what happened. [redacted] told me the following in summary.

[redacted] scheduled a visitation with her kids with [redacted] [redacted] and [redacted] agreed that

that she would pick up the kids at his residence for the visitation. [redacted] was scared of [redacted] due to an extensive history between them. For [redacted] safety, she called Hobbs and asked him to track her phone using the GPS. [redacted] and Hobbs decided it would be best if Hobbs remained on speaker phone while the custody exchange took place.

When [redacted] arrived at [redacted]s residence she advised Hobbs that she was driving up the driveway. Hobbs told [redacted] to remain in her vehicle and to not get out. When [redacted] pulled up to the gate she saw [redacted] walking down toward the gate with the kids. [redacted] had his cellphone out recording the exchange. [redacted] stated that [redacted] records everything with his cellphone and will record every encounter they have. [redacted] told Hobbs what was happening. Hobbs told [redacted] to back down the driveway to remain a safe distance from [redacted]

[redacted] stopped at the gate with the kids. [redacted] began to yell at [redacted] called out to [redacted] and told him to walk to the car. [redacted] and the kids started to walk back toward the residence. Hobbs told [redacted] to pull her vehicle forward toward the gate. As [redacted] approached the gate she stated that [redacted] began to walk fast toward her vehicle yelling. [redacted] told Hobbs that [redacted] was coming and she was backing out.

[redacted] stated [redacted] approached her car so fast that she was unable to react in time to back down the driveway. [redacted] stated, "It all happened so fast." [redacted] was yelling at [redacted] and recording the incident with his cellphone. [redacted] stated that [redacted] approached the driver's side window and shoved his cellphone in her face. [redacted] pushed [redacted]s hand and cellphone out of her face. [redacted] stated that [redacted]s cellphone dropped onto the ground.

After [redacted]s cellphone dropped on the ground, [redacted] reached inside [redacted] vehicle and took her cellphone. [redacted] stated she had both hands on her cellphone and the cellphone was located in her lap. I asked [redacted] if [redacted] yanked or forcefully took her cellphone from her. [redacted] stated [redacted] just "pulled it out" because she was not expecting him to grab it.

After [redacted] took [redacted] cellphone, she yelled to Hobbs to call the cops and "He took my phone!" [redacted] stated at this point [redacted] appeared to have realized that she was on the phone with someone. [redacted] yelled, "Rod, call the cops! He just took my phone!" [redacted] then gave the phone back to [redacted] The kids were outside of the vehicle when the incident took place. [redacted] retrieved [redacted]s phone and gave it back to him. [redacted] and [redacted] got into [redacted] vehicle and she left his residence. After [redacted] left the residence she realized the phone call to Hobbs had been disconnected. [redacted] called Hobbs to tell him that she had the kids and she was leaving the residence. [redacted] drove to the A&B Mini Mart to meet with Hobbs. After [redacted] got her cellphone back, she did not call 911.

Deputy [redacted] arrived to assist. I asked [redacted] if Deputy [redacted] and I could speak with [redacted] and [redacted] about what happened. [redacted] gave Deputy [redacted] and myself permission to speak with [redacted] and [redacted] Deputy [redacted] spoke with [redacted] See Deputy [redacted] supplemental

report for further details.

I asked [redacted] if he would speak to me about what happened. [redacted] stated, "Yeah, sure." [redacted] was wearing a tie dyed t-shirt, blue plaid shorts, and cowboy boots. I walked with [redacted] to a shaded area and asked his name and birthday. [redacted] told me his name and stated his birthday was [redacted]. I asked [redacted] who his mom and dad were. [redacted] said that [redacted] was his dad and [redacted] was his mom. [redacted] also told me that [redacted] was his brother and has the same name as [redacted] I asked [redacted] if he saw what happened between his mom and dad. [redacted] said yes.

I asked [redacted] if he knew the difference between a truth and lie. [redacted] said, "Yes." I asked [redacted] "If I told you that the sky is purple, is that a truth or a lie?" [redacted] replied, "A lie." I asked [redacted] "If I told you that you're wearing cowboy boots, is that a truth or a lie?" [redacted] replied, "Truth!" I asked [redacted] what happened today between his mom and dad. [redacted] told me the following in summary.

[redacted] stated that he was going to see his mom and his mom was going to pick him up from his dad's house. When [redacted] got to the gate, [redacted] told [redacted] he was not going to let him go to his mom's today. I asked [redacted] if his dad took his mom's phone. [redacted] replied, "Yes." I asked [redacted] to describe how his dad took his mom's phone. [redacted] stated that dad just "took it" and mom said, "Give my phone back." [redacted] then stated that his dad gave the phone back to his mom. [redacted] stated he was outside of his mom's car when the incident took place. [redacted] said that [redacted] found his dads phone on the ground and gave it back to his dad.

After Deputy [redacted] and I spoke with the kids, we spoke with Deputy [redacted] to inform him of the incident. Deputy [redacted] had prior contact with [redacted] and told us he knew where he lived. Hobbs informed Deputy [redacted] Deputy [redacted] and myself about some prior history involving [redacted]

At approximately 1743 hours, Deputy [redacted] Deputy [redacted] and I left the A&B Mini Mart and drove to [redacted]'s residence. Prior to our arrival, Deputy [redacted] asked dispatch to contact [redacted] by telephone to ask him to meet us at the gate. We arrived at approximately 1745 hours and dispatch advised they were unable to get ahold of [redacted] While standing at the gate, I saw a white, female adult walk out from behind the residence. Deputy [redacted] asked if [redacted] was home. The female said yes and stated she would go get him.

A few minutes later [redacted] walked out from the residence with his cellphone and paperwork in hand. I informed [redacted] that I was at his residence because I was trying to determine what happened between him and [redacted] during the custody exchange of the kids. I asked [redacted] what happened. [redacted] told me the following in summary.

On 08/24/2017, [redacted] planned to pick up the kids due to a mutual custody visitation agreement established between [redacted] and [redacted] stated that he always records his encounters

with [redacted] due to a prior history between them. When [redacted] saw that [redacted] arrived at his gate, he started to walk [redacted] and [redacted] down to the gate to say goodbye. As [redacted] approached the gate, [redacted] began to back her vehicle down the driveway. [redacted] did not know what [redacted] was doing. [redacted] saw that [redacted] was talking to someone on her phone.

[redacted] did not want his kids to walk down the driveway and told his kids to remain at the gate. [redacted] stated in the past, [redacted] has always picked up the kids from the gate and he did not know what she was doing. [redacted] did not know if [redacted] was leaving or if she changed her mind. [redacted] stopped her vehicle approximately halfway down the driveway and sat there.

[redacted] yelled out to [redacted] and told her to stop playing games and to come pick up her kids. Since [redacted] did not know what [redacted] was doing, he told the kids to go back into the house. As [redacted] and the kids began to walk back toward the house, [redacted] began to drive forward toward his gate. [redacted] became upset and thought [redacted] was playing games with him.

[redacted] walked through an opening in the gate and walked towards [redacted] vehicle. [redacted] stated he began to yell at [redacted] and told her to stop playing games. [redacted] stood in front of her vehicle and was trying to figure out what she was doing. [redacted] then approached the driver's side window. [redacted] was recording the incident on his cellphone. As [redacted] got up to the driver's side window, [redacted] slapped [redacted] s cellphone out of his hand. [redacted] stated when [redacted] slapped his cellphone, the cellphone hit him in the face. [redacted] was stunned by the phone hitting his face and his immediate reaction was to swing his arms in a flailing manner.

[redacted] stated he was taken off guard by blow to his face from his cellphone. The next thing [redacted] remembered was [redacted] yelling at him to give her phone back to her. [redacted] remembered [redacted] yelling, "Call the cops!" and "He has my phone!" When [redacted] looked in his hand, he realized he had [redacted] cellphone. [redacted] gave [redacted] her phone back. [redacted] then gave [redacted] his cellphone. [redacted] and [redacted] got into [redacted] vehicle and left his residence.

I asked [redacted] if I could see the videos that he recorded from the incident. [redacted] stated, "Absolutely." [redacted] had two different videos of the incident. The first video I saw was [redacted] walking with the kids toward the gate to his driveway. As [redacted] approached the gate he stated that [redacted] was backing up. [redacted] told his kids to wait at the gate. [redacted] yelled down to [redacted] and told her she always picks the kids up at the gate and to stop playing games. [redacted] told his kids that their mom was talking to someone on the phone. After a few seconds, [redacted] told the kids to go inside of the residence and they would not be seeing their mom today. The first video ended.

The second video contained [redacted] walking past his gate and approaching [redacted] vehicle. [redacted] was yelling and screaming at [redacted] [redacted] s speech was rapid and loud. I was unable to determine if [redacted] was speaking to [redacted] at all during the incident. While [redacted]

was yelling at [redacted] he was standing next to the front of her vehicle on the driver's side. The driver's window was rolled down. In the video I could see [redacted] holding up her cellphone in what appeared to be a manner that she was recording [redacted] cellphone was directly behind the driver's side mirror and at the edge of the window sill.

[redacted] approached the driver's window. [redacted]'s phone never crossed the plain of the window sill and never entered [redacted] vehicle. As [redacted] was bringing his cellphone closer to [redacted] window, [redacted] reached out and hit [redacted]'s cellphone. [redacted] kept her cellphone in the same position when she hit [redacted]'s cellphone out of his hand. After [redacted] hit [redacted]'s cellphone, the video stopped recording.

I asked [redacted] if he could send me the video footage to my email. [redacted] stated yes and I provided him with my department email address. Later at patrol I opened my email and had two emails from [redacted] The emails contained the videos but I was unable to watch them. Later in the evening I met with [redacted] at his residence and informed him I was unable to access the videos. [redacted] told me he would put the videos onto a thumb drive and drop it off at the Sheriff's Office Lobby.

Based on the fact that I was unable to determine if [redacted] purposefully took [redacted] cellphone and kept it from her in order to call 911, and based on the fact that [redacted] returned [redacted] cellphone to her, this report is informational at this time.

Supplemental Report

On 8/25/17, at approximately 1637 hrs., Dep. [redacted] and I were dispatched to the A/B Mini Mart in Sonora to meet with [redacted] regarding an incident that occurred during a custody exchange. Upon arrival, Dep. [redacted] contacted [redacted] Please refer to his report for further details.

Shortly after, Dep. [redacted] asked that I get a statement from [redacted] child, [redacted] I contacted [redacted] in the back seat of [redacted] vehicle and asked if he would be willing to speak with me. [redacted] said, "Yes." [redacted] exited the vehicle and walked to some shade under a tree nearby. I asked [redacted] what his full name was and he replied, "[redacted] I asked [redacted] what his date of birth was and he said, [redacted] I asked [redacted] what happened today and he provided me with the following statement in summary:

[redacted] pulled up the driveway at his father's house located at [redacted] described the driveway as very long with a gate in front. [redacted] brother, [redacted] started walking down the driveway towards [redacted] vehicle. [redacted] father told [redacted] "Come back here." [redacted] walked back to his father. [redacted] said his father walked down the driveway and contacted [redacted] While [redacted] father was talking to [redacted] noticed his father pointing his cell phone at [redacted] saw [redacted] hit the cell phone out of his father's hand. [redacted] saw his father take [redacted] cell phone from her hand. [redacted] began searching the area for his father's cell phone. [redacted] asked [redacted] if he wanted to go with her and [redacted] said, "Yes." [redacted] got in [redacted] vehicle and left the residence.

Please refer to Dep. [redacted] report for further details regarding the incident.

Prepared By:	Date:	Approved By:	Date:
[redacted]	08/25/2017	[redacted]	08/25/2017

Supplemental Report

On 09/07/2017, at approximately 1015 hrs, I was dispatched to the Sheriff's Office lobby for the report of an assault. While en route I was advised by Dispatch that the report was going to be related to an incident that occurred on 08/24/2017. I contacted the reporting party, [redacted] and he told me the following:

On 08/24/2017, [redacted] and his ex-wife [redacted] arranged a custody exchange of their children. When [redacted] arrived, [redacted] walked his children to the gate of his driveway where [redacted] normally picks them up. As [redacted] and the children walked down to the gate [redacted] began to back her vehicle away from the gate and stopped approximately halfway down the driveway. [redacted] observed [redacted] talking on the phone. [redacted] began recording video on his cell phone. He yelled down to [redacted] asking her why she was so far away and if she was done talking on the phone. [redacted] refused to approach the gate so [redacted] told his children to go back inside his residence. He approached [redacted] vehicle and the two became involved in a verbal argument. At two separate points [redacted] walked away and turned back around and continued arguing. When he approached [redacted] vehicle the third time [redacted] reached out of her window with her right hand and hit [redacted] cell phone out of his hand. The phone hit him in the face and fell on the ground. [redacted] began yelling into her own phone that [redacted] had taken her phone from her. [redacted] did not know who she was talking to but believed it was her boyfriend, Rodney Hobbs. [redacted] backed away from [redacted] picked up his phone and walked back to his residence.

[redacted] told me that at no point did he touch [redacted] or her phone. He never attempted to take her phone from her or touch her in any way. [redacted] advised me that he had spoken to Lt. [redacted] on 09/05/2017 and provided him with a flash drive containing video recordings and text messages of the incident. [redacted] then provided me a flash drive and advised me that it contained the video recordings from the incident. I provided [redacted] with the case number.

Later, I opened the flash drive and viewed the recordings on a computer in the patrol office. On the recordings I observed [redacted] approach the vehicle and become involved in a verbal argument with [redacted] On the third recording, I had to slow down the video to clearly observe what takes place. I observed [redacted] approach [redacted] vehicle and [redacted] reach out of her window towards [redacted] phone. The screen goes dark as the camera goes out of focus, the phone appears to light back up then goes dark again, attempting to focus. When the movement stops it appears the phone is on the ground and [redacted] silhouette is seen outside of the vehicle. The recording then stops.

I booked the flash drive into evidence.

Supplemental Report

On 07/30/2018, at approximately 1855 hours, I met with [redacted] [redacted] in the Sheriff's Office lobby who provided me with a flash drive. The flash drive contained the cellphone video recording of the incident that occurred at his residence. The flash drive also contained four screenshots from the cellphone video footage. [redacted] requested to have the flash drive booked into evidence.

Back at patrol I submitted the flash drive into evidence and added it to the property page on RIMS (See property page).

Prepared By:	Date:	Approved By:	Date:
[redacted] [redacted]	07/30/2018	[redacted] [redacted]	07/31/2018

On 11-20-18, at 1830 hrs, I spoke with [redacted] by phone. [redacted] requested this report be forwarded to the District Attorney's Office for review.

Prepared By:	Date:	Approved By:	Date:
[redacted]	11/20/2018	[redacted]	11/20/2018

TUOLUMNE COUNTY SHERIFF

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

FELONY REPORT

Page 1

Case 16001143

OFFENSES

Offenses	Description	Fel/Misd
530.5 (A) PC	Get Credit/Etc Other's ID	Felony
496(A) PC	Rec known stolen prop $950+	Felony

Date Occurred	Time Occurred	Incident #
11/25/15-12/12/15	Unknown	1602170076

Date Reported	Time Reported
04/13/2016	1037

Related Cases

Date Printed	Time Printed	Printed By
05/24/2019	12:22:45	[redacted]

Latitude	Longitude
[redacted]	[redacted]

Location	Beat	Area	Disposition	Dispo Date
[redacted]	3	03070	Clred By Adult Arrest	05/30/2017

Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)
Other					

RP VIC

Victim and RP	Drivers License	Cell Phone	Email
[redacted]	[redacted]		

Residence Address	Notified of Victim Rights	Residence Phone	DOB	Age	Sex	Race
[redacted]	No	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]

Assistance Rendered/Victim Disposition	Transporting Agency	Means of Attack (Assaults)

Description of Injuries	Other Information

Name	Drivers License	Cell Phone	Email

Residence Address	Residence Phone	DOB	Age	Sex	Race

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes

ARRESTED

Suspect Arrested	Action Taken	Charges
[redacted]	BOOKING	530.5 (A) PC, 496(A) PC

Residence Address	Residence Phone	DOB	Age	Sex	Race
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Identifying Features	Cell Phone	Drivers License	Arrest Number
Speech: [redacted] Build: [redacted] Complexion: [redacted] Facial Hair: [redacted]	[redacted]	[redacted]	7699 Val Damaged

Aliases: [redacted]

VEHICLES

Status	Vehicle Make and Model	License/State	VIN

DEPUTIES

Prepared By	Date	Assisted By	Approved By	Date
[redacted]	04/13/2016		[redacted]	04/13/2016

Routed To	Date
DA By PDF	
Inv by RIMS	04/14/2016
DA By PDF	01/24/2017
DA w/Orig pdf	01/24/2017

Routed To	Date
DA w/Orig pdf	01/24/2017
DA w/Orig pdf	01/24/2017

Notes

Summary:

[redacted] reported that a Paypal credit card was opened in her name on 11-25-15. She did not open the account and did not allow anyone else to open the account. There was over $1800.00 in charges made to the card.

Investigation:

On 02-17-16, at about 1657 hours, I spoke with [redacted] regarding a fraudulent credit card being opened in her name.

[redacted] told me the following: This morning she checked her mail and found she had received two envelopes from Paypal. The envelopes were addressed to [redacted], which is her name from a previous marriage. She contacted Paypal and inquired about the charges made to the credit card and to inform them the credit account was opened fraudulently. She was informed that many of the charges were items for a [redacted], a television, and some belt buckles. She remembers that her children stated they received a television from their father, [redacted] for Christmas. She also knows that [redacted] has a [redacted]. She and [redacted] are divorced and have not lived together in over a year and a half.

I asked if she had made copies of the credit card statements and she said she had not. I asked if she was able to obtain any copies of the credit card transactions and she said she had not. [redacted] said she would make copies of the credit card statements and try to obtain transaction information.

On 02-25-16, at about 1149 hours, I spoke with [redacted] She said she had contacted PayPal and requested a copy of itemized transactions.

I spoke with [redacted] and she told me that PayPal would not send her a list of the transactions, and they had determined them not to be fraudulent. She said that PayPal said if I sent a fax requesting the information to PayPal, they would provide me with the transaction information. I sent PayPal a fax requesting any and all information about the transaction made to the account in [redacted] name.

On 03-13-16, I received a fax from PayPal Credit. The fax included a list of transactions to the credit account [redacted] under the name of [redacted] This list included thirteen transactions that were made between 11-25-15 and 12-12-15, four of which were denied. All of the transactions were billed and shipped to [redacted] with an address of [redacted] (which is [redacted] address in RIMS). Of the nine transactions that were approved, two were to PayPal, one was to eBay and six were to Mobile XO, on eBay. Of the nine approved transactions, four were made to [redacted] All of the transactions had the email address [redacted]

associated with them.

Contained in the fax, four order numbers were provided and all were order numbers for Mobile XO, On eBay.

I contacted [redacted] and informed her I had received the response from PayPal. I asked if she knew [redacted] email address. [redacted] told me the when she was married to [redacted] he used the email address [redacted] whenever he was at home. If [redacted] was at work, he would use his work email address, which she believed was [redacted]. She asked what address the items were shipped to and I told her they were shipped to an address on [redacted], she said that is Matthew's address and she has not lived there in over a year.

In an attempt to obtain a copy of transactions, I got on eBay and attempted to locate the store or sales person titled Mobile XO but was unable to. I have attempted multiple times over the past few weeks to locate Mobile XO but have been unsuccessful.

The fax from PayPal Credit was scanned and attached to this report.

This report is being forwarded to investigations for follow up.

Supplemental Report:

On 05-06-16, I received an envelope in my folder at the T.C.S.O. There was a note on the envelope that stated it was from [redacted]

I opened the envelope and found it contained the affidavit of fraud and two credit account summaries for the account number [redacted]. I scanned and attached these documents to this case.

Supplemental Report:

On 09/13/16, at approx. 1445 hours, I met with [redacted] to speak with her more about the identity theft. I confirmed [redacted] identity and information. I asked about [redacted] previous married name. [redacted] said her previous married name was [redacted]. [redacted] said some of her credit cards are still in the [redacted] name. [redacted] said her maiden name was [redacted]. I asked [redacted] about her relationship with [redacted] [redacted] said she is currently in the process of divorce with [redacted] [redacted] said the divorce had been in the process for approx. 1.5 years. [redacted] said it was the "divorce from hell."

I asked [redacted] if she had any children with [redacted] [redacted] said they had 2 boys in common, [redacted] and [redacted] I spoke with [redacted] briefly about custody issues with [redacted] I confirmed [redacted] information was what we had on file. I asked [redacted] about the PayPal account. [redacted] said she received a bill from PayPal. She thought it was an advertisement, but she saw that the envelope said 'statement enclosed.' [redacted] thought that was strange because she did not have a PayPal account. She contacted PayPal and saw that the majority of the charges were for a [redacted] and they were delivered to [redacted] address.

I asked [redacted] more about the divorce. [redacted] said [redacted] filed for divorce in November of 2014. I asked [redacted] how long they had been separated. [redacted] said, "Two years ago this month." She then confirmed it was September 21, 2014. I confirmed [redacted] address and information was the same on file in RIMS.

I spoke with [redacted] about the items bought on the account. The original report spoke of a television, but there were no specifics. I asked [redacted] about the television. [redacted] told me the television was a small television that mounts in the vehicle. The other items purchased were two belt buckles which were gifted to her children and the remaining items were parts for a [redacted]. [redacted] said the television was the $139 charge on the card. [redacted] said she found out about the television through her children.

I asked [redacted] about the [redacted] [redacted] said the truck was not in [redacted] name. She said [redacted] took over payments on the truck when his friend went into the military. [redacted] said the previous owner of the truck was named [redacted]. [redacted] said [redacted] and [redacted] made the agreement that [redacted] would make the payments on the vehicle and take possession of it.

I asked [redacted] about the statements I had received with the report. [redacted] and I went over the Statements of Fraud. [redacted] said she received two envelopes in one day, one inside the other. [redacted] said the card account was first opened in her name, [redacted] but associated with [redacted] address. The outside envelope had [redacted] current Post Office box address, which she got after separating from [redacted] [redacted] said [redacted] had the address associated with the account changed after he received the first statement. [redacted] said the account was opened in November of 2015. [redacted]

said [redacted] waited until he had received several statements that did not have any fresh purchases, then changed the address associated with the account to [redacted] current PO Box. [redacted] said [redacted] had her PO Box because of the divorce paperwork.

I asked about the dates of the purchases. [redacted] said the purchases were all made in November and December of 2015. She said the last purchase was made on December 8th and that purchase 'maxed out' the card. I showed the statements and PayPal fax to [redacted] and asked her if she knew why there were differences. [redacted] said she contacted PayPal and asked about the purchases. PayPal told [redacted] she was not allowed to know the details of the purchases. PayPal told [redacted] the sheriff's department would have to fax a request to PayPal for that information. I showed the fax to [redacted] that Corporal [redacted] received from PayPal. [redacted] looked at the fax and immediately recognized [redacted] email on the account and identified it as such.

I asked [redacted] if there were any purchases on the account that she had made. [redacted] said the account was opened after she and [redacted] separated. [redacted] said she did not have any access to the card nor had she ever seen the card. [redacted] said all the charges were, referring to [redacted] "Solely him." I reviewed the charges with [redacted] confirmed she did not have any control over the card nor did she make any of the purchases. [redacted] said she did not know about the account until January of 2016 and she confirmed there was no joint ownership of the account.

I asked [redacted] when she was last at [redacted] residence. [redacted] said the last time she visited the [redacted] address was Thanksgiving of 2014. [redacted] said [redacted] had threatened people at her work which caused [redacted] to seek a restraining order against [redacted] said she also got a restraining order because she feared for her safety. [redacted] said [redacted] had since dropped the restraining order. [redacted] said she believed she had been receiving harassing text messages from [redacted] for the past few weeks, but all the messages come from different phone numbers. When she tried to call the phone numbers, they are not real phone numbers. [redacted] said she believed [redacted] was using an application that generates random phone numbers to send the text messages. [redacted] allowed me to make a Cellebrite report of her cell phone in case we were able to identify [redacted] as the sender. [redacted] signed a consent to search form for her cell phone and Detective [redacted] made a complete Cellebrite report.

On 09/15/16, I authored a search warrant for the email address of [redacted]. The proposed scope of the search warrant was for the account holder name and address along with all the content sent or received, to include recipient or sender email addresses. I reviewed the search warrant with DDA Witry, who approved of the language of the warrant. I presented the warrant to the Honorable Judge Kate Segerstrom, who approved and signed the search warrant.

On 09/21/16, at approx. 1450 hours, I met with [redacted] to speak with him about the incident. Prior to speaking with [redacted] I faxed the warrant to AT&T Legal Compliance. I confirmed [redacted] basic information with him and it was the same as the information currently in RIMS. I

asked [redacted] if he knew why I asked him to come and talk with me. [redacted] said he thought it was because of the fraud [redacted] committed during their marriage. [redacted] said [redacted] continued to use her previous married name of [redacted] for a few years after they got married. He said it was because she was still collecting money from her ex-husband.

I told [redacted] he was not there to talk about that, but about a credit card account opened in [redacted] name that she was not aware of. [redacted] said, "I had nothing to do with it." I asked [redacted] if he knew who opened the account. [redacted] said, "I didn't even know there was a card opened up 'till right now." I asked [redacted] if he had any suspicions as to who might have opened the account. [redacted] said, "Not at all. Nobody."

I asked [redacted] who he would eliminate as the suspect if he were to investigate such a case. [redacted] did not understand the question so I explained it further. [redacted] said, "Obviously the first suspect would be me. I'm not naive to that. Um. I don't know anyone else out there who would… Her business is her business. We don't communicate at all." [redacted] said he did not personally know anyone who would fraudulently open an account in her name. I asked [redacted] to tell me why he would be the one who did not do it. [redacted] said, "Because I know I didn't do it. I have no reason to. I mean, she owes me tons of money. But I have no reason to do it, whatever card you said it is. I have no reason to do something like that for her. You know, I don't know how I'd go about doing that in the first place." [redacted] said he did not need her cards or her money.

I asked [redacted] if he were the type of person who could do something like that. [redacted] said, "Yeah, I possibly, yeah. I mean, if I wanted to really be vengeful to somebody and try to screw them over, I mean, yeah. I mean, I think anybody can." I asked [redacted] if he had ever thought of doing something like that to [redacted] said, "Not at all. It didn't even cross my mind. Not once. I get sick when I see her. I don't want to be around her." I asked [redacted] if he thought it happened. [redacted] said he did not know if it happened, but he believed it did because he was sitting in the chair talking to me about it.

I asked [redacted] if he talked to anyone about what he would say if questioned by the police about the incident. [redacted] said, "I didn't know anything about it, so it's an impossibility." I asked [redacted] what he thought should happen to the person who did open the account. [redacted] said, "Pay it back. Whatever the situation was." I asked [redacted] if he told anyone he did do it. [redacted] said, "I didn't do anything. It's the first I've heard of it." I asked [redacted] if he would be willing to take a polygraph. [redacted] said, "Yes. I'm not involved in anything so I don't have any problem taking a polygraph." I asked him what he thought the results would be. [redacted] said, "Good. You know, I didn't do anything wrong."

[redacted] said he and [redacted] had a PayPal account set up together. He said he used that account whenever he ordered anything. [redacted] said they had that account since they were married. He said the account had been open for 7-8 years. I told him the account in question was opened approx. November of 2015. I asked [redacted] why there was a new account opened in the name of [redacted] with a billing and shipping address associated with his address. [redacted] said he used a PayPal account, but it was not a new account. [redacted] said they both paid on the account and it was a mutual account. I asked [redacted] if he knew the account number. [redacted] said, "No, it was just on PayPal, it was on eBay." He did not know any cards or account numbers.

I asked [redacted] whose name was on the PayPal account. [redacted] said he did not know whose name the account was in. He said they bought some stuff and set up the account, but he did not remember whose name was on the account. [redacted] said they had multiple credit cards together while

they were married. I asked him about the account that was specifically linked to EBay. I asked [redacted] which account it was. [redacted] said, "It's a mutual account. It's both our accounts. I don't know if there was a specific name on it or not." I asked when that account was opened. [redacted] said, "I'm guessing 2008, 2009?" I asked when they were married. [redacted] said they were married in 2008. I asked [redacted] if he knew the account number. [redacted] said he did not. I asked [redacted] if he could provide any paperwork for the account. [redacted] said, "No, I don't…I don't have any paperwork. It was all linked to eBay." [redacted] said he would look on the items he had purchased, but he did not have any other paperwork.

I asked [redacted] when the last time someone ordered something using that account. [redacted] said, "I ordered something…I don't know if I used…it was my bank card, or credit card…I'm guessing six months ago." I asked [redacted] what was ordered. [redacted] said, "I believe it was a light, some lights I needed." I asked what the lights were for. [redacted] said it was for his [redacted]. He then said, "I've bought quite a few things for that truck." I asked him what else he ordered. [redacted] said, "I don't recall. Not off the top of my head."

I asked [redacted] how the account worked. [redacted] said EBay automatically charges the PayPal account when something is ordered off EBay. I asked how that account gets paid. [redacted] said, "It comes off my bank account. Off my… Either Mother Lode Bank account or BBVA." I asked if his personal bank account was linked to the PayPal account. [redacted] said, "Yes." I asked [redacted] if his last purchases were paid for through his bank account. [redacted] said, "I don't know if it got paid or not. I don't keep track of my…I haven't kept a check book in, I couldn't tell you how long… 10 years." [redacted] said he pays his mortgage payment and that was it.

I asked [redacted] if he normally checks his bank account. He said, "Nope, never." I asked [redacted] if he knew how much money he had in his bank account. [redacted] said, "I don't know. I can't guess. And that's the honest to God truth." I asked [redacted] if he frequently overdrew his account. [redacted] said, "Yes, I do." [redacted] said he does not keep track of his money. He said he had approx. 20 bank statements sitting at his residence unopened.

I told [redacted] it was curious that [redacted] received statements in the mail for items she did not purchase that were sent to [redacted] address. I told him the name on the account was [redacted]. [redacted] said, "It should have been addressed to me. That's my address." I told [redacted] some of the items had his name and the rest were to [redacted] [redacted] said it was a joint account so it may have had her name too. I told [redacted] that the first statement addressed to [redacted] went to his address. The second statement went to [redacted] new address, then the account was closed. [redacted] said, "That's odd." I told [redacted] it appeared the account was opened November of 2015. [redacted] said it was a mutual account they had opened when they were married.

I told [redacted] the only transactions on the account were on November 25th and December 4th 2015. [redacted] said, "I've ordered stuff this year." I asked if there were any reason [redacted] would not know about the orders. [redacted] said, "Yeah, we don't talk. I mean we have no communication. I don't tell her what I order, what I don't order. We don't speak at all and I have no reason to tell her. What I do is my business and what she does is her business."

I asked [redacted] why no payments were made when the statements were shipped to his address, then they were shipped to her address. [redacted] asked what got shipped to [redacted] address. I told him the statements for the PayPal account were. [redacted] said, "I don't know why they didn't ship them to my house so you could take them out of the bank account like they normally do." I told him the first statement was sent to his house and it was not paid. Then the second was sent to her house, which

contained the first as well. [redacted] said, "I have like 2 or 3 cards on there, or I did. I don't know about anymore. Due to the fact that she has put me in credit issues."

I asked [redacted] why the statement would show the account was opened in November of 2015. [redacted] said, "I have no problem going home and getting you the information that you need and show you that it has been open the whole time. I have order slips that we both have placed through this whole period of time." I asked [redacted] if it would have the same account number. [redacted] said, "Yes. Well, I don't know what that account number is so I can't give you a yes on that."

I told [redacted] I would like to see the statements proving the account was opened before November of 2015. I told [redacted] most of the charges were for items for a [redacted]. [redacted] said, "That's stuff I ordered. I'm not going to deny that." I asked [redacted] why the account was in her name. [redacted] said, "I couldn't tell you why that, I mean… It's obviously been the same associated one. I don't know what, I mean, you said stuff is coming out for my name and her name." I told him items were being shipped to him in his name, but also in the name of [redacted] and none of the items were purchased by her. [redacted] said, "I don't pay attention to that, to be honest with you." He then said, "I've been under the perception since 2007-2008, that it was a joint account." [redacted] said all the items should have been in his name, but he did not look at that when he ordered items.

I asked [redacted] if [redacted] paperwork was all still at his house after she left in 2014. [redacted] said, "Yeah." I asked about the social security card and other documents. [redacted] said, "I don't know." [redacted] said she once came to the house with a mutual friend. She made him a list of things she wanted and he packed it up and gave it to her. [redacted] said he had that exchange on video. [redacted] said he did not know what she had, but he had not seen anything personal of hers at the house since.

I told [redacted] that [redacted] told me there was no joint PayPal account. [redacted] said, "Ok. I have no problem showing you all the stuff she ordered and the stuff I ordered at the same time." [redacted] said he had boxes of stuff that she had ordered downstairs and in a storage unit down below the upstairs." I asked [redacted] if he knew what email address was connected to the account. [redacted] said it was [redacted] or [redacted] I asked if it were a joint email address. [redacted] said it was his, but she had used it in the past. [redacted] said he never checks his email account. I asked if he received order confirmations to one of those emails. [redacted] said, "I'm sure they send them, but I don't check it."

I reviewed the information to [redacted] briefly, telling him that the case was a fraud case, listing him as the suspect and [redacted] as the victim. The account was opened in November of 2015 and multiple items were ordered and sent to his address. Then a statement showed up at [redacted] address for an account she did not know of. [redacted] said, "She could've called me and told me and I would've paid for it." I told [redacted] the account was opened unbeknownst to her in her previous name of [redacted] I told [redacted] that the address on the account was changed from his address on [redacted] to her current address. [redacted] said, "It wasn't me."

I asked [redacted] if he knew the cumulative total of the items he ordered. [redacted] said, "$1000 bucks, $1500 bucks, I don't know." [redacted] said, "Why couldn't she have just told me and I would've paid for my debt." [redacted] told me that today was the first he had heard about the account and he said if she would have called him and told him he would have been able to pay the account. I told [redacted] that she was frustrated because it was affecting her credit. [redacted] said, "You want to talk about credit?" Then he told me that she would charge things to his credit cards and intentionally make late

payments to ruin his credit.

I told [redacted] that I had authored a search warrant for his email address and I served him with a copy of the warrant. [redacted] said he had no problem with the search warrant and he would have willingly given me the information anyway. I asked [redacted] if he had any of the information on his phone. [redacted] said he only used his computer at home to make orders. [redacted] said I could check his phone for the information. I told [redacted] what the Cellebrite process was. [redacted] said he did not want to allow me to make a Cellebrite report of the phone, but he would allow me to look at his computer for the email.

[redacted] told me that he believed he had statements at home that could prove the account was opened prior to November 2015. I told [redacted] that if he could provide me a copy of any statement dating prior to November 2015 for that account it would be very helpful. [redacted] then asked me if it were possible she opened the account and bought items and then placed the blame on him. I told him that was a possibility, but the items ordered were for his truck. I gave [redacted] my business card and told him to contact me when he found any paperwork that could prove the account was opened prior to November 2015.

On 9/21/16, at approx. 1627 hours, I received multiple text messages from [redacted] told me that he sent me multiple photographs of items [redacted] had purchased on EBay, but left at the house. He said one of the items had his name as the recipient. He also told me he would find the paperwork for the account. I looked at the photograph of the items received. There were multiple items in boxes on a shelf, but there was no identifying information on the boxes except one. The one box with a receiving slip was listed [redacted] as the recipient, but the address listed was [redacted]. It had a shipping date of 10/06/11. However, it did not have any account information on it and was therefore did not contain any relevant information for the case.

I did not receive any more information from [redacted] until I contacted him again via text to ask about the statements on 10/17/16. [redacted] responded and told me he sent me a paper that showed an order placed on their account in 2012. [redacted] told me it was the only account they had ever used. I told [redacted] that I had not received said paper and asked him to send it again. [redacted] responded and said he would send it to me again. On 10/18/16, I received a text from [redacted] telling me he would be back in town the following day and that he would send me the paperwork as soon as he arrived in town. I took 'screenshots' of the text conversation and uploaded them to the report.

On 9/22/16, I received an email return from an agent at AT&T Legal Compliance, [redacted]. I was informed he was unable to find any information responsive to my request regarding the email account [redacted] The return also contained a note from [redacted] at Yahoo! Legal Compliance stating the requested information are now officially owned and maintained by Yahoo! and any legal requests should be issued directly to Yahoo!

On 10/19/16, I contacted PayPal Credit to ask for the origination date of the account. I was informed that I needed to make that inquiry via fax with official department letterhead. I created the fax and sent it to PayPal Credit.

On 10/20/16, I received a fax from PayPal Credit responding to my request. The fax was very concise and said: "Please find that the PayPal Credit account in the name of [redacted] was opened on 11-25-2015." I scanned the document and attached it to the RIMS report.

On 10/20/16, at approx. 1741 hours, I received another text from [redacted] which stated: "Det. [redacted] thing have been hectic and I apologize for not resending and finding that paperwork. I'm

going to go through paperwork tonight and will get [break] it to u asap. Thanks".

On 10/21/16, at approx. 1145 hours, I received multiple text messages from [redacted] He told me that he was sending a total of three photographs with the texts. The text told me he was sending a photograph of a statement he had from 2012. [redacted] told me it was the same account he had always used and continues to use to this day. He listed some of the user account names that had changed over the years and asked if he could speak with me again the following week. I looked at the photographs he sent and saw that two were repeats from earlier text conversations.

He sent an order receipt from 2012, but it did not include the account number, the "buyer" name was different and the shipping address was different from the account [redacted] reported. There was no way to associate the statement [redacted] sent with the account [redacted] was reporting as fraudulent. Again I took photographs of the conversations and added them to the report.

On 10/25/16, I updated the search warrant for [redacted]. The search warrant was reviewed and signed by the Honorable Judge Kate Segerstrom. I attempted to fax the warrant to the number provided by [redacted] four times without success. I scanned the warrant and sent it via email to the Yahoo! Legal Compliance group. I received an email confirmation of the reception of the warrant on 10/27/16.

On 11/17/16, I received an email from [redacted] at Yahoo! Inc. Legal Department. [redacted] told me there was an error in the search warrant that once remedied; she would be able to process the warrant. On 11/23/16, I completed the correction to the warrant and it was signed again by the Honorable Judge Kate Segerstrom. I sent [redacted] the revised copy of the warrant.

On 12/15/16, I contacted [redacted] again to ask for a status update on the warrant. On 12/16/16, I received an email from [redacted]. [redacted] had the title of Paralegal at the Yahoo! U.S. Law Enforcement Response Team. The email from [redacted] was as follows:

"Dear Detective [redacted]

Please re-send your revised search warrant to me and I will expedite the response. Since [redacted] is out, I can't tell for sure what happened with it.

Thank you."

In response, on 12/19/16, I sent the search warrant to [redacted]. On 1/16/17, I sent [redacted] another email to inquire about the status of the warrant. Within three hours, [redacted] responded with the results of the search warrant. On 1/23/17, I scanned a copy of the search warrant results to RIMS as an attachment (A6). The results were very limited and did not contain any content from any emails. The results did confirm that [redacted] with an address of [redacted], was the owner of the account. The account was created on 1/30/09. A RIMS history of [redacted] showed an address of [redacted].

I updated the report and sent it to the DA for filing.

ATTORNEY OR PARTY WITHOUT ATTORNEY [redacted]	FILED JAN 24 2018 Superior Court of California County of Tuolumne by: [redacted] Clerk
ATTORNEY FOR:	
SUPERIOR COURT OF THE STATE OF CALIFORNIA	
PLAINTIFF: [redacted]	
DEFENDANT: [redacted]	
DECLARATION RE DILIGENCE	CASE NUMBER: FL-13163

LATE FILING

I, [redacted], declare:

I am a Registered Process Server and was retained to serve process in the above-referenced matter on the following person or entity: [redacted]

I was on the dates herein mentioned over the age of eighteen years and not a party to the above-entitled action. I am authorized to serve legal process in the State of California. The following facts are within my personal knowledge and if sworn as a witness I can and will truthfully and competently testify thereto.

I attempted personal service on the following dates and times with the following results:

Residence Address:	**Dates and Times**	**Result**
[redacted]	01/19/2018 4:45pm	No one home. Asked neighbors. They said they did not know her.
	01/19/2018 5:45pm	Current tennant said she moved
	01/22/2018	No one there by this name according to resident Rodney
Business Address: ☐ Unknown [redacted]	01/22/2018	Unable to locate her car in parking lot.
	01/23/2018	Unable to located her car in parking lot.

☑ This declaration is made based upon business records maintained in the normal course of business.

I declare under penalty of perjury under the laws of the State of California that the forgoing is true and correct and this declaration is executed on 01/24/2018 at Sonora, California.

[redacted]

RPS:

DV-116 Order on Request to Continue Hearing

Clerk stamps date here when form is filed.

FILED

JAN 25 2018

Superior Court of California

[redacted] Clerk

Complete items (1), (2), and (3).

(1) [redacted]

(2) R[redacted]

(3) **Party Seeking Continuance**

I am the ☑ Protected Party ☐ Restrained Party

Your Lawyer *(if you have one for this case)*:

Name: _____ State Bar No.: _____

Firm Name: _____

Your Address *(If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to*

[redacted]

Fax: _____ E-Mail Address: [redacted]

Fill in court name and street address:

Superior Court of California, County of
Superior Court of California
County of Tuolumne
41 West Yaney Avenue
Sonora, CA 95370

The court will complete the rest of this form.

(4) **Order on Request for Continuance**

a. The hearing in this matter is currently scheduled for *(date)*: ~~2/15/2018~~ 1/25/2018 930AM.

b. ☐ The request for a continuance is DENIED for the reasons set forth ☐ below ☐ on Attachment 4b.

_____

_____

_____

The hearing shall be held as currently scheduled above. The *Temporary Restraining Order* (form DV-110) issued on *(date)*: 1/11/2018 remains in full force and effect until the hearing date.

c. ☐ The request for a continuance is GRANTED as set forth below.

(5) **Order Granting Continuance and Notice of New Hearing**

The court hearing on the *Request for Domestic Violence Restraining Order* (form DV-100) is continued to the date, time, and location shown below:

New Hearing Date → Date: 2/15/2018 Time: 9:30A Name and address of court, if different from above: Dept. 3

Dept.: _____ Room: _____

_____

_____

The extended *Temporary Restraining Order* (form DV-110) expires at the end of this hearing.

This is a Court Order.

Not attempted by TCSO

6 Reason for the Continuance

a. The continuance is needed because:

(1) ☑ The person in 2 was not served before the current hearing date.

(2) ☐ The parties were referred to child custody mediation or child custody recommending counseling.

(3) ☐ The person in 2 asked for a first continuance of the hearing.

(4) ☐ The person in 3 asked for more time to hire a lawyer or prepare for the hearing or trial.

(5) ☐ Other good cause as stated ☐ below ☐ on Attachment 6a(5).

b. ☐ The court finds good cause and orders a continuance in its discretion.

7 Extension of Temporary Restraining Order

a. ☐ No temporary restraining orders were issued in this case.

b. ☑ By granting the request to continue the hearing, the orders listed in *Temporary Restraining Order* (form DV-110), issued on *(date):* 1/11/18, remain in effect until the end of the hearing in 5.

c. ☐ The Temporary Restraining Order is MODIFIED. A new *Temporary Restraining Order* (form DV-110) is issued as of this date. The orders remain in effect until the end of the hearing in 5.

d. ☐ The Temporary Restraining Order is TERMINATED for the reasons stated ☐ below ☐ on Attachment 7d.

e. ☐ Other *(specify):*

Warning and Notice to the Party in 2

If 7 b or c is checked, you must continue to obey the Temporary Restraining Order until it expires at the end of the hearing scheduled in 5.

8 ☐ Other Orders *(specify):*

☐ Additional orders are included at the end of this order on Attachment 8.

This is a Court Order.

Number:

(9) Service of Order

a. ☐ No further service of this order is required because both parties were present at the hearing when the new hearing date was ordered.

b. ☐ The court granted the protected party's request to continue the hearing date. A copy of this order must be served on the restrained party at least 5 days before the hearing in (5).

(1) ☐ All other documents requesting domestic violence restraining orders as shown in form DV-109, *Notice of Court Hearing* (at item (5)) must also be personally served on the restrained party.

(2) ☐ The *Temporary Restraining Order* (Form DV-110) has been modified and must be personally served on the restrained party.

(3) ☐ A copy of the *Temporary Restraining Order* must NOT be served because the order was terminated in 7d.

c. ☐ The court granted the restrained party's request to continue the hearing date. A copy of this order must be served on the protected party at least ____ days before the hearing in (5). A copy of the *Temporary Restraining Order* (form DV-110) must be served if it was modified by the court in item (7).

d. ☐ All documents must be personally served unless otherwise specified below.

e. ☐ Other *(specify)*:

(10) No Fee to Serve

If the sheriff or marshal serves this order, he or she will do it for free.

(11) CLETS Entry

If the hearing is continued, the court or its designee will transmit this form within one business day to law enforcement personnel for entry into the California Restraining and Protective Order System (CARPOS) via the California Law Enforcement Telecommunications System (CLE[redacted]

Date: 1/25/18

Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms.htm for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate

[seal]

I certify that this *Order On Request to Continue Hearing (Temporary Restraining Order)* (CLETS-TRO) is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by: [redacted], Deputy

This is a Court Order.

For your protection and privacy, please press the Clear This Form button after you have printed the form. [redacted] Save this form [redacted]

)OLUMNE COUNTY JAIL

Inmate # : [redacted]

Person

Inmate Name	*DOB*	*Age*	*Gender*	*Race*	*Marital Status*	
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	**SEPARATED**	[redacted]

Hair	*Eyes*	*Height*	*Weight*	*DL#*	*SSN*
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Tattoos	*Other Char*	*Classification*
[redacted]		

Site Inmate #	*FBI Number*	*CII*	*Housing*	*Bin #*	*Place of Birth*	*Illegal Alien*
[redacted]	[redacted]	[redacted]			[redacted]	

Home Address	*Home Phone*	*Business Address*	*Business Phone*
[redacted]	[redacted]	[redacted]	
[redacted]		[redacted]	

Employer	*Occupation*
UNEMPOLYED	**TECH**

Contact Name	*Relationship*	*Contact Address*	*Phone*
[redacted]	**FRIEND**		[redacted]

AKA			
[redacted]			

Booking #: B0112371 - released

Booking

Booking Type	*Booking Date/Time*	*Booking Officer*	*Booking Agency*
CIVIL	**03/04/2019 15:53:56**	[redacted]	**TUOLUMNE COUNTY JAIL**
	Arrest Date/Time	*Arresting Officer*	*Arresting Agency*
	03/04/2019 13:05:00	[redacted]	**TUOLUMNE COUNTY JAIL**
Location		*Case # / Site Booking #*	*Billing Agency*
REMAND DEPT 1			**TUOLUMNE COUNTY JAIL**
	Court Date	*Court*	
FL13163	**03/04/2019**	**TUOLUMNE SUPERIOR DEPT 3**	

Sentence

Type	Findings	Description	Start Date	Release Date
COUNTY	GUILTY	12 DAYS JAIL W/CTS O DAYS CIVIL COMMIT ON CASE FL1	03/05/2019	03/08/2019
Sentence Days	*Credit Served*	*GT WT*	*Disciplinary*	*Actual Days*
12	0	6 (1/4)	0	5

Release

Release Reason	Release Date/Time	Releasing Officer	
TIME SERVED - OVERCROWDING	03/08/2019 12:08:07	[redacted]	
Release Notes	*Release Information*		*Release to Agency*
T/S DUE TO JAIL POPULATION	TO APPEAR 03/21/19 AT 1330 DEPT 3		

Prior Release Information

Arrest Date	Release Date	Days in Custody
	03/08/2019	0

Inmate's Signature: _____ Date: _____

Officer's Signature: _____ Date: _____

3. Floor Note Date: 10/17/2005 20:26:20 Narrative: [redacted]
4. Floor Note Date: 05/31/2017 05:44:56 Narrative: [redacted]

5. Floor Note Date: 10/12/2017 21:36:42 Narrative: [redacted]

6. Floor Note Date: 03/04/2019 22:21:27 Narrative: MOVED TO SC#2 GIVEN ONE WOOL BLANKET & MATTRESS 1657/1664

7. Floor Note Date: 03/06/2019 22:32:40 Narrative: CHECK OUT INMATE [redacted] TO SHOWER REFUSED

8. Floor Note Date: 03/06/2019 22:32:42 Narrative: CHECK IN INMATE [redacted]
9. Floor Note Date: 03/07/2019 19:14:17 Narrative: MED PASS, ONE REFUSAL, [redacted]
10. Floor Note Date: 03/08/2019 12:06:32 Narrative: [redacted] ESCORTING [redacted] OUT OF JAIL TIME SERVED OVERCROWDING

11. Floor Note Date: 03/12/2019 19:45:54 Narrative: [redacted] ESCORTING [redacted] FROM THE JAIL BAILED TO [redacted]

****

INCIDENT: 1

1. Incident Number: 0009915 Date: 03/05/2019 17:10:00

****

HOUSING HISTORY: 10

1. Date: 03/12/2019 19:46:50 Reason: Release From: HOLDING HC 01 To: <none> Officer: [redacted]
2. Date: 03/12/2019 17:38:49 Reason: Initial Assignment From: <none> To: HOLDING HC 01 Officer: [redacted]

3. Date: 03/08/2019 12:08:06 Reason: Release From: HOLDING HC 06 To: <none> Officer: [redacted]
4. Date: 03/08/2019 11:25:34 Reason: PRE RELEASE From: TUOLUMNE E 01 To: HOLDING HC 06 Officer: [redacted]

5. Date: 03/05/2019 00:29:29 Reason: INITIAL HOUSING From: HOLDING HC 01 To: TUOLUMNE E 01 Officer: [redacted]

6. Date: 03/04/2019 16:13:26 Reason: Initial Assignment From: <none> To: HOLDING HC 01 Officer: [redacted]

7. Date: 10/12/2017 21:39:53 Reason: Release From: HOLDING HC 05 To: <none> Officer: [redacted]
8. Date: 10/12/2017 16:27:17 Reason: Initial Assignment From: <none> To: HOLDING HC 05 Officer: [redacted]

9. Date: 05/31/2017 05:46:44 Reason: Release From: HOLDING HC 05 To: <none> Officer: [redacted]
10. Date: 05/31/2017 03:12:30 Reason: Initial Assignment From: <none> To: HOLDING HC 05 Officer: [redacted]

****

KEEP SEPARATE: [redacted] Has No Keep Separate Records

ATTORNEY OR PARTY WITHOUT ATTORNEY [redacted]	FILED JAN 24 2018 Superior Court of California County of Tuolumne by: [redacted] Clerk
ATTORNEY FOR:	
SUPERIOR COURT OF THE STATE OF CALIFORNIA LATE FILING	
PLAINTIFF: [redacted]	
DEFENDANT: [redacted]	
DECLARATION RE DILIGENCE	CASE NUMBER: FL-13163

I, [redacted], declare:

I am a Registered Process Server and was retained to serve process in the above-referenced matter on the following person or entity:

[redacted]

I was on the dates herein mentioned over the age of eighteen years and not a party to the above-entitled action. I am authorized to serve legal process in the State of California. The following facts are within my personal knowledge and if sworn as a witness I can and will truthfully and competently testify thereto.

I attempted personal service on the following dates and times with the following results:

Residence Address:	**Dates and Times**	**Result**
[redacted]	01/19/2018 4:45pm	No one home. Asked neighbors. They said they did not know her.
	01/19/2018 5:45pm	Current tennant said she moved
	01/22/2018	No one there by this name according to resident Rodney
Business Address:		
☐ Unknown [redacted]	01/22/2018	Unable to locate her car in parking lot.
	01/23/2018	Unable to located her car in parking lot.

☑ This declaration is made based upon business records maintained in the normal course of business.

I declare under penalty of perjury under the laws of the State of California that the forgoing is true and correct and this declaration is executed on 01/24/2018 at Sonora, California.

[redacted]

RPS:

DV-110 Temporary Restraining Order

Person in (1) must complete items (1), (2), and (3) only.

Clerk stamps date here when form is filed.

FILED

JAN 11 2018

Superior Court of California
County of Tuolumne
by: _____ Clerk

(1) [redacted]

Your lawyer in this case *(if you have one)*:
Name: _____ State Bar No.: _____
Firm Name: _____

Address *(If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.)*:
Address: [redacted]
City: [redacted] State: [redacted] Zip: [redacted]
Telephone: [redacted] Fax: [redacted]
E-mail Address: [redacted]

Fill in court name and street address:

Superior Court of California, County of
TUOLUMNE
41 W. Yaney Ave.
Sonora, CA 95370

Court fills in case number when form is filed.

Case Number:
FL-13163

(2) **Name of Restrained Person:** [redacted]

Description of restrained person:

Sex: ☐ M ☒ F Height: [redacted] Weight: [redacted] Hair Color: [redacted] Color: [redacted]
Race: [redacted] Age: _____ Date of Birth: _____
Address *(if known)*: [redacted]
City: [redacted] State: [redacted] Zip: [redacted]
Relationship to protected person: [redacted]

(3) ☐ **Additional Protected Persons**

In addition to the person named in (1), the following persons are protected by temporary orders as indicated in items (6) and (7) *(family or household members)*:

Full name	Relationship to person in (1)	Sex	Age

☐ *Check here if there are additional protected persons. List them on an attached sheet of paper and write, "DV-110, Additional Protected Persons" as a title.*

The court will complete the rest of this form.

(4) **Court Hearing**

This order expires at the end of the hearing stated below:

Hearing Date: 1/25/18 Time: 9:30 AM ☒ a.m. ☐ p.m.

Dept. 3

This is a Court Order.

Not attempted by TCSO

Case Number:

(5) ☐ Criminal Protective Order

a. ☐ A criminal protective order on form CR-160, *Criminal Protective Order—Domestic Violence*, is in effect.
Case Number: _____ County: _____ Expiration Date: _____

b. ☐ No information has been provided to the judge about a criminal protective order.

To the person in (2)

The court has granted the temporary orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to $1,000, or both.

(6) Personal Conduct Orders ☐ Not requested ☐ Denied until the hearing ☒ Granted as follows:

a. You must not do the following things to the person in (1) and ☐ persons in (3):

☒ Harass, attack, strike, threaten, assault *(sexually or otherwise)*, hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate *(on the Internet, electronically or otherwise)*, or block movements

☐ Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail, e-mail or other electronic means

☐ Take any action, directly or through others, to obtain the addresses or locations of the persons in (1) *and* (3). *(If this item is not checked, the court has found good cause not to make this order.)*

b. Peaceful written contact through a lawyer or process server or another person for service of Form DV-120 *(Response to Request for Domestic Violence Restraining Order)* or other legal papers related to a court case is allowed and does not violate this order.

c. ☒ Exceptions: Brief and peaceful contact with the person in (1), and peaceful contact with children in (3), as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

(7) Stay-Away Order ☐ Not requested ☐ Denied until the hearing ☒ Granted as follows:

a. You must stay at least *(specify)*: 10 yards away from *(check all that apply)*:

☒ The person in (1)
☒ Home of person in (1)
☒ The job or workplace of person in (1)
☒ Vehicle of person in (1)
☐ School of person in (1)
☐ The persons in (3)
☐ The child(ren)'s school or child care
☒ Other *(specify)*: Person in (2) may drive up driveway of person in (1) for peaceful exchange of children only

b. ☐ Exceptions: Brief and peaceful contact with the person in (1), and peaceful contact with children in (3), as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

(8) Move-Out Order ☒ Not requested ☐ Denied until the hearing ☐ Granted as follows:

You must take only personal clothing and belongings needed until the hearing and move out immediately from *(address)*: _____

This is a Court Order.

Case Number:

(9) No Guns or Other Firearms or Ammunition

a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.

b. You must:

- Sell to, or store with, a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms within your immediate possession or control. Do so within 24 hours of being served with this order.
- Within 48 hours of receiving this order, file with the court a receipt that proves guns have been turned in, stored, or sold. (You may use Form DV-800, *Proof of Firearms Turned In, Sold, or Stored,* for the receipt.) Bring a court filed copy to the hearing.

c. ☒ The court has received information that you own or possess a firearm.

(10) Record Unlawful Communications

☐ **Not requested** ☐ **Denied until the hearing** ☒ **Granted as follows:**

The person in (1) can record communications made by you that violate the judge's orders.

(11) Care of Animals

☒ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

The person in (1) is given the sole possession, care, and control of the animals listed below. The person in (2) must stay at least yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals:

(12) Child Custody and Visitation

☐ **Not requested** ☐ **Denied until the hearing** ☒ **Granted as follows:**

Child custody and visitation are ordered on the attached form DV-140, *Child Custody and Visitation Order* or *(specify other form)*: 5/11/17. The parent with temporary custody of the child must not remove the child from California unless the court allows it after a noticed hearing (Fam. Code, § 3063).

(13) Child Support

Not ordered now but may be ordered after a noticed hearing.

(14) Property Control

☒ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

Until the hearing, ***only*** the person in (1) can use, control, and possess the following property:

(15) Debt Payment

☒ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

The person in (2) must make these payments until this order ends:

Pay to: _____ For: _____ Amount: $ _____ Due date: _____

Pay to: _____ For: _____ Amount: $ _____ Due date: _____

(16) Property Restraint

☒ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

If the people in (1) and (2) are married to each other or are registered domestic partners, ☐ the person in (1) ☐ the person in (2) must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court. *(The person in (2) cannot contact the person in (1) if the court has made a "no contact" order.)*

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

This is a Court Order.

Case Number:

(17) Spousal Support

Not ordered now but may be ordered after a noticed hearing.

(18) Rights to Mobile Device and Wireless Phone Account

a. **Property control of mobile device and wireless phone account**

☒ Not requested ☐ Denied until the hearing ☐ Granted as follows:

Until the hearing, only the person in (1) can use, control, and possess the following property:

Mobile device *(describe)* _____ and account *(phone number)*: _____

Mobile device *(describe)* _____ and account *(phone number)*: _____

Mobile device *(describe)* _____ and account *(phone number)*: _____

☐ *Check here if you need more space. Attach a sheet of paper and write "DV-110 Rights to Mobile Device and Wireless Phone Account" as a title.*

b. **Debt Payment** ☒ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in (2) must make these payments until this order ends:

Pay to *(wireless service provider)*: _____ Amount: $_____ Due date: _____

c. **Transfer of Wireless Phone Account**

Not ordered now but may be ordered after a noticed hearing.

(19) Insurance

☐ The person in (1) ☐ the person in (2) is ordered NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties, or their child(ren), if any, for whom support may be ordered, or both.

(20) Lawyer's Fees and Costs

Not ordered now but may be ordered after a noticed hearing.

(21) Payments for Costs and Services

Not ordered now but may be ordered after a noticed hearing.

(22) Batterer Intervention Program

Not ordered now but may be ordered after a noticed hearing.

(23) Other Orders ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

_____

_____

_____

_____

_____

_____

☐ *Check here if there are additional orders. List them on an attached sheet of paper and write "DV-110, Other Orders" as a title.*

(24) No Fee to Serve (Notify) Restrained Person

If the sheriff serves this order, he or she will do so for free.

Date: 1/11/18

Kate Powell Sgn

Judge (or Judicial Officer)

This is a Court Order.

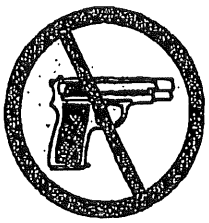
Case Number:

Warnings and Notices to the Restrained Person in ②

If You Do Not Obey This Order, You Can Be Arrested And Charged With a Crime.

- If you do not obey this order, you can go to jail or prison and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.

You Cannot Have Guns, Firearms, And/Or Ammunition.



You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, and/or ammunition while the order is in effect. If you do, you can go to jail and pay a $1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect.

Service of Order by Mail

If the judge makes a restraining order at the hearing, which has the same orders as in this form, you will get a copy of that order by mail at your last known address, which is written in ②. If this address is incorrect, or to find out if the orders were made permanent, contact the court.

Child Custody, Visitation, and Support

- **Child custody and visitation:** If you do not go to the hearing, the judge can make custody and visitation orders for your children without hearing from you.
- **Child support:** The judge can order child support based on the income of both parents. The judge can also have that support taken directly from a parent's paycheck. Child support can be a lot of money, and usually you have to pay until the child is age 18. File and serve a *Financial Statement (Simplified)* (form FL-155) or an *Income and Expense Declaration* (form FL-150) if you want the judge to have information about your finances. Otherwise, the court may make support orders without hearing from you.
- **Spousal support:** File and serve an *Income and Expense Declaration* (form FL-150) so the judge will have information about your finances. Otherwise, the court may make support orders without hearing from you.

Instructions for Law Enforcement

This order is effective when made. It is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this order are subject to criminal penalties.

Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

This is a Court Order.

Case Number:

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, §13710(b).)

Conflicting Orders–Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced according to the following priorities (see Pen. Code, § 136.2, and Fam. Code, §§ 6383(h), 6405(b)):

1. *EPO:* If one of the orders is an *Emergency Protective Order* (form EPO-001), and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No-Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. *Criminal Order:* If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order:* If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Child Custody and Visitation

- The custody and visitation orders are on form DV-140, items (3) and (4) They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.
- **Forms DV-100 and DV-105 are not orders. Do not enforce them.**

Certificate of Compliance With VAWA

This temporary protective order meets all "full faith and credit" requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA), upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.**

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate [seal]

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

[redacted]

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

To: **Sheriff Bill J. Pooley**

From: **Lt. David L. Vasquez**

Date: **6/26/19**

Subject: Internal Affairs Investigation 19-001

Sir,

I completed the investigation regarding allegations of misconduct made against Deputy Rodney Hobbs.

SUMMARY OF COMPLAINT:

Between 2/20/19 and 2/26/19, [redacted] filed two complaints against Deputy Rod Hobbs; one complaint in person, and the other via email to Deputy [redacted] alleges Hobbs is abusing his power as a peace officer in order to deprive [redacted] of his children. [redacted] accused Hobbs of manipulating the court system by filing false restraining orders and other official documents. [redacted] feels the abuse of power has escalated to the point [redacted] fears for his life, specifically, "justifiable homicide." [redacted] alleges the Sheriff's Office is not investigating his complaints with the same due-diligence as Hobbs' or [redacted] complaints. Deputy Hobbs has also made complaints that the Sheriff's Office is not taking appropriate action to help him and [redacted]

BACKGROUND:

On 2/20/19 at approximately 1100 hours, I met with [redacted] ([redacted] at his request. [redacted] requested to speak with me regarding an ongoing issue with Deputy Rod Hobbs. [redacted] did not file a specific complaint on this day; however, he re-iterated several of the past incidences involving him, Hobbs and his estranged wife, [redacted] [redacted] accused [redacted] of child abuse and stated Hobbs was abusing his powers as a peace officer to deprive [redacted] of his children, [redacted] and [redacted] by obtaining false restraining orders and other reports.

[redacted] told me he felt Tuolumne County Sheriff's deputies were not investigating his allegations of child abuse fairly and impartially because of [redacted] relationship with Hobbs. [redacted] told me he fears for his safety and thinks that Hobbs would abuse his power as a peace officer to facilitate violence against him. Most of the allegations [redacted] spoke about were already investigated by deputies, or investigated internally, with the exception of [redacted] allegation that

Hobbs will abuse his power as a peace officer to cause [redacted] harm, or death. [redacted] could not provide any information to support his allegations.

At this time, I noted [redacted]s concerns, but did not find sufficient information to open an internal affairs investigation. I am familiar with the several criminal complaints, internal complaints and family/civil court orders surrounding the incidences involving [redacted] and Hobbs.

On 2/26/19 at approximately 0928 hours, I received an email from Deputy [redacted] Deputy [redacted] is the bailiff for family law and is familiar with [redacted] and Hobbs. Deputy [redacted] informed me he had received several emails from [redacted] but one specifically caught his attention. [redacted] forwarded me the email with a paragraph highlighted. The email alleges [redacted] ([redacted] attorney), and Hobbs are setting [redacted] up by filing false court documents for the purposes of, ***"taking [redacted] out of the picture and without a doubt, justifiable homicide."*** [redacted]s email to [redacted] was dated Sunday, 2/24/19.

I met with [redacted] on 2/26/19 at approximately 1500 hours. I asked [redacted] about the email and his conversations with [redacted] [redacted] told me [redacted] alleges he is afraid to turn himself into the jail because he fears, "something," will happen to him, due to Hobbs being a deputy sheriff. [redacted] told me [redacted] said he was in fear for his safety. [redacted] provided [redacted] information to request protective custody at the jail. I instructed [redacted] to keep the emails he received from [redacted] and to remain vigilant of the situation.

At this time, I noted [redacted]s concerns. Based on the numerous criminal complaints, internal complaints and family/civil court orders involving [redacted] and Hobbs, I did not find any information to support [redacted]'s allegations, or warrant an internal affairs investigation at this time.

On 3/8/19 at approximately 1320 hours, I received a message from Lt. [redacted] informing me of an encounter between Hobbs and [redacted] Lt. [redacted] message was followed by two cell phone videos. The first video shows what appears to be Hobbs approaching [redacted] from behind. [redacted] is a pedestrian and Hobbs is a passenger in a vehicle. Hobbs can be heard laughing in the recording. Hobbs' vehicle passes [redacted] and the recording ends. The second recording begins with the vehicle traveling at speed. At one point Hobbs retrieves a pistol and cycles the action, making the pistol ready to fire. [redacted] appears to be jogging on the sidewalk, parallel Hobbs' vehicle. Hobbs' engages in a verbal confrontation with [redacted] Lt. [redacted] drafted an email officially requesting a review of the cell phone videos for internal affairs review.

The alleged policy violations are as follows:

<u>Tuolumne County Sheriff's Office Policies:</u>

TCSO Policy 340.2 Standards of Conduct

The continued employment or appointment of every member of the Tuolumne County Sheriff's Office shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

TCSO Policy 340.3.1 Ethics

(a) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.

(g) Any other failure to abide by the standards of ethical conduct.

TCSO Policy 340.3.7 Performance

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

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

TCSO Policy 340.3.8 Conduct

(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 office or the county.

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

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

County of Tuolumne Personnel Rules and Regulations:

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

(4) Willful or negligent disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order.

(13) Discourteous treatment of the public or other employees.

(16) Violation of a department rule.

Tuolumne County DSA Memorandum of Understanding:

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

(3) Willful disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order;

(5) Inefficiency

(12) Discourteous treatment of the public or other employees.

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

INVESTIGATION

Associated Cases: (TCSO 19000843, 19000580, 19000303, 18004139, 19000928, 19000799, 18003968, 19000015 and SPD 19-305, 18-1111)

I familiarized myself with the history between Deputy Rod Hobbs, [redacted] and [redacted] up to the current date of this investigation. I confirmed that Deputy Rodney Hobbs is currently engaged to [redacted] was married to [redacted] and they have two children together, [redacted] and [redacted] and [redacted] are in the process of getting divorced and currently involved in a lengthily child custody battle.

Throughout the time span of approximately two years, there have been in excess of (60) documented incidences involving Hobbs, [redacted] and [redacted] Not all of the incidences involve all three parties together; however, the nature of the incidences is related to; civil disputes, child custody disputes, restraining orders, court orders, criminal complaints, informational reports, advice calls, welfare checks and internal affairs investigations, which are associated with all three parties.

Several of the (60) incidences are calls from [redacted] repeating allegations with little, or no information to support elements of a crime. [redacted] has been denied reports for prosecution and welfare checks, due to lack of evidence, or duplicative reporting.

In 2017 and 2018, Hobbs was the subject of two internal affairs investigations manifesting from three different complaints. Hobbs received discipline at the conclusion of both internal affairs investigations. The sustained policy violations from Hobbs' behavior in both investigations are similar and consistent with Hobbs' behavior in this current investigation.

Internal Affairs Investigation #17-004 (Summary)

In November of 2017, Deputy Rod Hobbs was the subject of Internal Affairs Investigation #17-004. This investigation was comprised of (2) complaints made by [redacted] The first complaint was submitted on 8/28/17. [redacted] alleged Hobbs was interfering with his and [redacted] custody issues.

It was determined Hobbs was on duty when he interjected himself into [redacted] and [redacted] civil custody dispute. Hobbs was coaching [redacted] what to do and say during a child custody dispute. The custody dispute was investigated as a potential disturbance by sheriff's deputies. Hobbs was ordered by his supervisor, Sgt. [redacted] to remove himself from [redacted] and [redacted] child custody issues.

The second complaint was submitted by [redacted] on 10/19/17. [redacted] alleged Hobbs used and released confidential information which was gained through Hobbs' authority as a peace officer, while on duty. [redacted] believed Hobbs provided the information to [redacted] for the purposes of influencing their ongoing custody proceedings and to deprive [redacted] of his custodial rights.

It was determined that [redacted] was arrested on 10/12/17 for violating a court order. During [redacted] arrest, Hobbs accessed protected information multiple times, while on duty and with county equipment. Hobbs obtained this information and provided it to [redacted] for her personal gain, which deprived [redacted] of his custodial right to the children. Hobbs disobeyed a direct order from his supervisor, Sgt. [redacted] by interjecting himself into [redacted] and [redacted] custody matters for a second time.

Discipline was proposed for the following policy violations in IA# 17-004:

TCSO Policy 340.3.5 Unauthorized access, disclosure or use

(a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained as a result of the member's position with this office.
(b) Disclosing to any unauthorized person any active investigation information.

(e) Using office resources in association with any portion of an independent civil action. These resources include, duty are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

TCSO Policy 340.3.8 Conduct

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

TCSO Policy 810.4 Access to Protected Information

Unauthorized access, including access for other than a legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/ or criminal prosecution.

County of Tuolumne Personnel Rules and Regulations:

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

(4) Willful or negligent disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order.

Tuolumne County DSA Memorandum of Understanding:

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

(3) Willful disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order;

(7) Insubordination

(15) Violation of Department Rule

Temporary Restraining Order #FL-13163

On 1/11/2018, [redacted] filed for a temporary restraining order (TRO) against [redacted] Judge Kate Powell-Segerstrom (JKS) granted [redacted] restraining order against [redacted] JKS is the judge who presides over all [redacted] and [redacted] child custody hearings. [redacted] filed the TRO with the following restrictions:

- Shall not harass, attack, strike, threaten, assault, hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate or block movements.
- Stay away (10 yards) from protected person, home, job and vehicle, **with the exception of [redacted] may use the driveway for peaceful exchange of children.**

TRO #FL-13163 was never served to [redacted] however, an order to continue the hearing was filed on 1/25/18, continuing the hearing to, 2/15/19.

Temporary Restraining Order #CV61434

On 3/12/18, Deputy Rod Hobbs filed for a TRO against [redacted] Commissioner Philip Pimental granted Hobbs' restraining order against [redacted]. Hobbs added [redacted] as an additional protected person to section (3) of the TRO. Hobbs also added his son, [redacted]. Hobbs filed for the TRO with the following restrictions:

- Shall not harass, attack, strike, threaten, assault, hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate or block movements.
- Stay away (100 yards) from protected person(s), home, job and vehicle.
- Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, email, text message, fax or other electronic means.
- **There were no exceptions to child custody exchanges between [redacted] or [redacted] to include, school or sports activities of [redacted] and [redacted]**

Internal Affairs Investigation #18-002 (Summary)

In May of 2018, Deputy Rod Hobbs was the subject of Internal Affairs Investigation #18-002. [redacted], the courts supervisor, submitted a memo alleging Hobbs was ordered out of Judge Kate Segerstrom's (JKS) courtroom, due to disrespectful behavior and misconduct.

It was determined that Hobbs became agitated after being admonished by JKS for obtaining a restraining order and adding [redacted] to the additional protected person section, with no exceptions for custody exchange. [redacted] had recently been denied a restraining order by JKS. The restraining order conflicted with JKS's standing child custody orders between [redacted] and [redacted] JKS felt it was unacceptable that the only reason she was dealing with a custody

issue, with "these two poor kids," is because Dep. Hobbs felt it necessary to take out a civil harassment restraining order against his girlfriend's ex-husband.

JKS said that technically [redacted] is correct. A restraining order mandating him to remain 100 yards away would affect the custody exchange. JKS said Dep. Hobbs' behavior escalated after hearing this discussion. Hobbs started yelling at JKS and threatened to tell the media JKS doesn't protect victims. Hobbs failed to obey the orders of JKS to leave the courtroom, to include the direct orders of Sgt. [redacted] Sgt. [redacted] was forced to physically back Hobbs out of the courtroom. Hobbs' actions were a violation of several policies and the direct orders from his supervisor, Sgt. [redacted] from the previous internal affairs investigation.

JKS thought the civil harassment restraining order obtained by Dep. Hobbs was a tactic to interfere with the custody exchange. JKS said, "My comment of, are you kidding me, was because that was my first thought." JKS said the civil harassment restraining order clearly has modification options for custody exchange. JKS stated concerns about the bigger picture of the incident.

[redacted] and [redacted] case has been lengthily; JKS noted several continuances due [redacted] failed service of [redacted] while living at the Hobbs' residence. JKS has noted at least two failed services of [redacted] by sheriff's deputies, since [redacted] has lived at Hobbs' residence. JKS stated, ***"It gives the appearance of a lack of due-diligence, or maybe they are just never home. I hope I'm wrong."***

<u>Discipline was ordered for the following policy violations in IA# 18-002:</u>

TCSO Policy 340.2: Standards of Conduct

The continued employment or appointment of every member of Tuolumne County Sheriff's Office shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on, or off-duty, may be cause for disciplinary action.

TCSO Policy 340.3.1: Ethics

(g) Any failure to abide by the standards of ethical conduct.

TCSO Policy 340.7: Performance

(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this office or subverts the good order, efficiency and discipline of this office or that would tend to discredit any of its members.

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

TCSO Policy 340.3.8 Conduct

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

(h) Disgraceful conduct, whether on or off duty, that adversely affects the member's relationship with this office.

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

County of Tuolumne Personnel Rules and Regulations:

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

(4) Willful or negligent disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order.

(13) Discourteous treatment of the public or other employees.

(16) Violation of a department rule.

Tuolumne County DSA Memorandum of Understanding:

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

(3) Willful disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order;

(7) Insubordination

(12) Discourteous treatment of the public or other employees.

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

Temporary Restraining Order #CV61434 (Amended)

On 6/27/18 Hobbs' civil harassment order was amended by Commissioner Philip Pimental. [redacted] was removed as an additional protected person. Hobbs' son, [redacted] remained an additional protected person. All prior orders remained the same; however, the following exceptions were listed on the amended order:

- [redacted] may be within 100 yards during child exchanges
- [redacted] may be within 100 yards during activities, games and school functions
- [redacted] shall not communicate with Hobbs at anytime

[redacted] was present in court and aware of the restrictions listed in the amended restraining order.

On 3/8/19 at about 1320 hours, I received a text message from Lt. [redacted] informing me that Hobbs had an encounter with [redacted]. [redacted] is the Division Commander of the Investigations Division, which includes the Civil/Coroner Unit. [redacted] is assisted by Sgt. [redacted] who is the supervisor of the Civil/Coroner Unit. [redacted] is Hobbs' immediate supervisor. [redacted] sent

me two video clips, via text message and asked me to view them. [redacted] told me the videos clips were recorded by Hobbs and sent to [redacted] forwarded the videos to [redacted] after receiving them from Hobbs at approximately 1245 hours.

I viewed both clips, which contain video and audio. I told [redacted] I had concerns about the content of the video clips and explained the type of complaints [redacted] recently made about Hobbs, specifically outlining, "Justifiable homicide." [redacted] told me he spoke with [redacted] about Hobbs' encounter with [redacted] According to [redacted] Hobbs received a phone call from someone at TCSO Jail while driving to a medical appointment; they informed Hobbs that [redacted] was being released from custody and, "***may have been acting belligerently***." [redacted] drafted an email detailing his knowledge of the incident and formally requested an administrative review of the video footage. [redacted] sent his email to me on 3/8/19, at 1609 hours.

[redacted] told me he instructed Sgt. [redacted] to draft a memo of his conversation with Hobbs. Sgt. [redacted] memo was consistent with [redacted] memo; however, [redacted] memo added, "***Hobbs logged off and was being driven to a doctor's appointment by his fiancée, [redacted] Hobbs received a phone call from the jail and the caller told Hobbs that [redacted] was released from custody and was making threats regarding him and [redacted]***

It should be noted that when I interviewed Hobbs on, 4/5/19, I read from Sgt. [redacted] memo and asked Hobbs why he told Sgt. [redacted] that [redacted] was making threats in the jail. Hobbs made a statement to the effect of, "***In my mind I assumed [redacted] was making threats because it isn't standard protocol for someone to get notifications.***" Hobbs stated he was never actually told [redacted] was making threats or acting belligerently, he just thought it was a possibility and that is why he made the statement to Sgt. [redacted]

I called the jail and spoke to the officer-in-charge, Cpl. [redacted] I asked [redacted] if [redacted] was recently released from custody. [redacted] confirmed that [redacted] was released from custody earlier in the day. I asked [redacted] if [redacted] was making comments or acting belligerently. [redacted] told me [redacted] "***didn't say anything.***" [redacted] also told me he asked Dep. [redacted] about [redacted] demeanor when preparing for release. [redacted] said, "[redacted] ***said, he didn't make a peep the whole time.***" I asked [redacted] if anyone from the jail called Deputy Rodney Hobbs to inform him of [redacted] s release. [redacted] told me he was not sure, but thought he remembered the booking clerk, [redacted], say she called dispatch.

At approximately 1700 hours, I walked into the communications center and spoke to Lead Dispatcher [redacted] Lead Dispatchers are supervisors with permissions to access the phone recording system. I informed [redacted] of the possible phone call from the jail to the dispatch center and provided her the corresponding timeframe. I asked [redacted] to pull the call from the record database. I also told [redacted] the recording was for a potential internal affairs investigation and confidentiality rules apply. [redacted] told me she understood and would place the CD in my office folder.

At approximately 1800 hours, I retrieved the disc from my folder and listened to the recordings. The first call was time stamped with an incident as **1206** hours and was from [redacted], a booking clerk. [redacted] spoke to Dispatcher [redacted] as summary of their conversation is as follows:

Analysis and Summary of phone calls:

[redacted] greets [redacted] and tells her, "***We are releasing*** [redacted] ***Rodney's*** [redacted]." [redacted] confirms she understands who [redacted] is by saying, "[redacted] ***Yeah,*** [redacted] [redacted] replies, "***Yeah, just so you know. We just let him go. Apparently he has been kind of a problem for Rodney and his girlfriend.***" [redacted] acknowledges that Hobbs, [redacted] and [redacted] have been in disputes over the last couple years. [redacted] says, "***Ok, I'll let him know.***"

The second call was time stamped with an incident as **1207** hours. The call was from [redacted] to Hobbs. A summary of their conversation is as follows:

[redacted] greets Hobbs by identifying herself, Hobbs acknowledges [redacted] [redacted] tells Hobbs, "***The jail wanted me to call you and let you know*** [redacted] ***was released from his commitment.***" Hobbs replies, "***Ohh, I appreciated that, actually when was that?***" [redacted] answers, "***Just now so… heads up.***" Hobbs said, "***Oh, good to know. I appreciate that.***" [redacted] ends the conversation.

The third call was time stamped with an incident as 1214 hours. The call was from Hobbs to dispatch. A summary of their conversation is as follows:

Hobbs calls dispatch and [redacted] answers. Hobbs asks for [redacted]. [redacted] answers the line and Hobbs says, [redacted] ***your timing is crazy when you called to tell me that. I was already passing through downtown to go to the surgery center for myself and he was walking through the park, then he started running and we got into it right in downtown Sonora. I got it all on film.***" Hobbs asks if Sgt. [redacted] is on duty and asks for his cell phone. The conversation ends with Hobbs saying the incident would, "***probably be a Sonora P.D. thing.***" Hobbs appears to be in calm while talking to [redacted] based on his tone of voice.

The recorded conversations from the jail, dispatch and Hobbs confirm Hobbs received official information from the Sheriff's Office regarding [redacted]'s release from custody and a general location. Hobbs received this information prior to his encounter with [redacted] on South Washington Street. The information Hobbs received is similar to the information provided by the VINE Link network.

The Victims Information Notification Everyday Link is a free database that requires registration and provides information to victims of crime, or concerned citizens. The purpose of VINE Link is to provide real-time information of; offender booking, offender release and court dates to enhance public safety and reduce the risk of violent encounters. It should be noted that [redacted] was in custody for a civil court remand and not a criminal offense against Hobbs, or [redacted]

On 3/8/19 at approximately 1800 hours, I called Sgt. [redacted] and asked him if Hobbs reached out to him. [redacted] confirmed Hobbs reached out via text regarding evidence for prior cases. Hobbs also told [redacted] about the incident that took place on S. Washington St. I told [redacted]

this would possibly be an internal investigation and ordered him not to discuss our conversation, or the details of his conversation with Hobbs. I told [redacted] I would contact him with a date and time for an interview.

On 3/11/19 at approximately 0900 hours, I attempted to retrieve video footage from the Investigations Division surveillance camera. The surveillance footage would've provided a time stamp for Hobbs' departure from the Civil/Coroner office. Unfortunately the Investigation Division's surveillance camera was not functioning and required maintenance. I was unable to retrieve any video. At approximately 1000 hours, I arrived at Sonora High School and contacted [redacted]. [redacted] assisted me by providing the security video from a camera on the south-facing wall of the auditorium. The camera faces the Investigations Division office.

Analysis and Summary of Sonora Highschool video surveillance:

The surveillance footage from Sonora High School shows Hobbs in a black and white long sleeve shirt, similar to a flannel. A [redacted], [redacted] consistent with [redacted] vehicle arrives at the office and Hobbs enters [redacted] vehicle. The surveillance footage time stamps Hobbs and [redacted] departure from the investigations parking lot as **12:06:43** seconds. Hobbs' departure time stamp and the time stamp from [redacted] call are consistent and approximately one minute apart. Based on the flow of traffic and the time stamp information, I estimated Hobbs received the phone call from [redacted] while traveling between High School Road, in Sonora and the Red (St. James Episcopal Church), in Sonora.

The distance between Elkin Street and Courthouse Park is approximately 1/10 of one mile. Between Elkin St. and Courthouse Park there are two alternate routes to bypass downtown Sonora; one of the alternate streets is Yaney Ave, which leads to the Sheriff's Office. The distance between Elkin Street and Bradford Street is just under 2/10 of one mile. There are two alternate routes to the Surgery Center between Courthouse Park and Bradford St; they are East Jackson St. and Bradford St. The intersection of Bradford St. and S. Washington St. is the point where Hobbs and [redacted] pass [redacted] while recording him.

Analysis and summary of surveillance video of Washington St:

Surveillance footage from the Washington Street Courthouse shows [redacted] SUV passing the courthouse at approximately 12:08:23 hours.

Analysis and summary of surveillance video of Courthouse Park:

Surveillance from Courthouse Park, titled, (**North Courthouse Park 2019-03-08**) shows [redacted] and Hobbs stopped adjacent to Yaney Ave. as [redacted] walks through the middle of Courthouse Park. [redacted] is seen pointing at [redacted] through the windshield of her vehicle. [redacted] continues through the park, crosses Jackson St. and continues southbound on S. Washington St. This footage is 7 minutes and 23 seconds into the recording.

Hobbs and [redacted] are stopped adjacent to Yaney Ave, for approximately 6 seconds before passing it as an alternate route to avoid a potential encounter with [redacted] By this time [redacted] is almost one Sonora city block past [redacted] and Hobbs. Hobbs and [redacted] slowly continue

southbound on S. Washington St; however, they are stopped in traffic as they approach West Jackson Street. W. Jackson St is a common street used to bypass downtown Sonora and also serves as an alternate route to the surgery center.

Based on the surveillance footage timer, it took [redacted] and Hobbs 20 seconds to travel the length of Courthouse Park from Yaney Ave. A white truck traveling in front of [redacted] and Hobbs turned west onto W. Jackson St, providing ample time for [redacted] and Hobbs to use the same route. By this time, [redacted] has been out of the view of this surveillance camera for approximately 15 seconds. [redacted] continued southbound on S. Washington St. and is in front of [redacted] and Hobbs.

Hobbs and [redacted] continued through the intersection of W. Jackson towards [redacted]'s location. Hobbs locates [redacted] near Bradford St. and records the encounter with his cell phone.

I analyzed the first video and noted the following details:

The first video clip titled, "Hobbs Cell Phone Video 1," is 34 seconds in length. The beginning of the video shows the interior of [redacted] vehicle, a portion of Hobbs' leg and a portion of what appears to be Hobbs' right shoe. The camera is lifted and pointed out of the passenger side window; Hobbs is sitting in the passenger seat and [redacted] is driving. [redacted] vehicle is approaching the green antique store as the camera is lifted to the window. The green antique store (Antiques Etcetera) is two buildings away from Courthouse Park on South Washington Street. Hobbs' black and white shirt and his right hand can be seen in the passenger side mirror.

Five seconds into the video [redacted] is seen walking Southbound on South Washington Street; [redacted] is on the sidewalk. [redacted] back is facing Hobbs' camera. [redacted] vehicle is approaching [redacted] from the rear, as [redacted] and Hobbs drive South on South Washington Street. [redacted] does not appear to know Hobbs is behind him, or he is being recorded. 10 seconds into the video Hobbs asks, "***Is that his buddy, maybe?***" At 15 seconds Hobbs can be heard laughing as the vehicle approaches and parallels [redacted] As [redacted] vehicle approaches [redacted] field-of-view and [redacted] head turns toward [redacted] vehicle. At this time Hobbs and cell phone camera are in the passenger side of the window. Hobbs is heard laughing again and asks, "***Does he see you***?"

[redacted] vehicle passes [redacted] and [redacted] replies, "***Yeah, he does.***" The traffic is still moving slow. At 25 seconds, Hobbs asks, "***Did I hear something?***" and rolls the passenger side window down, approximately 8 inches. [redacted] vehicle increases speed and the video ends six seconds after Hobbs rolls the window down with no further footage of [redacted].

I analyzed the second video and noted the following details:

The second video clip titled, "Hobbs Cell Phone Video 2," is one minute and twenty-eight seconds in length. The footage begins with camera movement from inside the [redacted] vehicle. At one second into the video a, "***Whooo…***" sound echoing from outside of the vehicle can be heard; it sounds like [redacted] voice. At 12 seconds, [redacted] says, "***He's running,***" and Hobbs responds, "***Is he?***" Hobbs appears to set the phone on his lap. At 16 seconds, Hobbs retrieves a firearm and uses two hands to cycle the action, making the pistol ready to fire. [redacted] asks, "***Got your camera ready?***" At 18 seconds, [redacted] car is stopped at the intersection of Stockton

Road and South Washington Street. Hobbs asks, "Is he coming?" [redacted] responds, "***He's running***." Hobbs' window is still rolled down at this time.

12 seconds pass before [redacted] is parallel with [redacted] vehicle; [redacted] and Hobbs wait the 12 seconds and continue recording. [redacted] continues to walk toward the crosswalk and in a loud tone says, "***Yep, guess who's out. Record all you want, record all you want." Hobbs responds with, "Keep your ass walking.***" By 35 seconds, [redacted] passed [redacted] vehicle and is at the crosswalk, which changes the view of the camera. [redacted] is still stopped at the red light and the crosswalk markings are now visible. The reflection of the Sonora Inn windows show there are no cars in front of [redacted] and the right turn-lane to Stockton Road remains empty throughout the entire video.

[redacted] looks at Hobbs and says, "***You gotta break the law. You gotta break the law to do what you gotta do to my kids. Don't worry its coming. Don't worry its coming***." [redacted] continues to yell what sounds like, "***Not on my kids anymore, Not on my kids anymore. Yeah, you understand now, don't you? You understand now.***" Hobbs repeats three times, "***Don't talk to me***." through the partially down window. Hobbs responds with, "***Keep going, keep going, P.O.S. keep going.***" [redacted] says, "***I'm going. You held my kids and you abused them and you're gonna pay for it, you got it? You're gonna pay for abusing my kids.***" Hobbs continues to engage with [redacted] stating, "***You're a liar. You are a liar. You're a liar. Keep walking.***" [redacted] says, "***We'll see. I got it recorded. I got it recorded, abuser; child abuser Rodney Hobbs and*** [redacted]

At one minute and 13 seconds, a pedestrian crosses in front of [redacted] vehicle during Hobbs and [redacted] dialogue. [redacted] continues to yell from the sidewalk, "***You tell my kids lies that I smoke marijuana and that you pray for me. It's all recorded Rodney. Go ahead and file your fake restraining order, go- ahead Rodney!***" The light turns green and [redacted] proceeds through the intersection. As the vehicle passes [redacted] Hobbs says, "***Bye buddy.***"

After reviewing both cell phone videos, I did not see Hobbs point his firearm, motion toward his firearm, or threaten [redacted] with his firearm.

SPD Case 19-305

On 3/11/19, I went to the Sonora Police Department and obtained a copy of SPD Case# 19-305, from the 3/8/19 incident. The case listed the investigating officer as, Ofc. [redacted] I noticed the property page listed (1) as being logged for evidence. I read through the narrative was brief and lacked detail however, it was consistent with the information provided by Hobbs in Hobbs cell phone video 2.

It should be noted that [redacted] did not have any videos at the time of this investigation, or the date of the incident. There is a text message exchange between [redacted] and Hobbs outlining technical difficulties regarding the size of the video files. [redacted] drafted her report based on the phone interviews of Hobbs and [redacted] [redacted] attempted to contact [redacted] however, he did not answer the phone.

In [redacted] report she outlines Hobbs and [redacted] driving on S. Washington Street and encountering [redacted] with a sense of spontaneity. I noted the following line from [redacted] s

report, "***Rod told me he took his cell phone out because [redacted] is always causing incidents and issues but, was hoping that [redacted] would not see them. Rod said they passed [redacted] but, traffic then began to slow and [redacted] saw them.***" [redacted] summarizes the remainder of the incident with Hobbs and [redacted] being stopped at the intersection of Stockton Road and S. Washington. [redacted] writes about [redacted] and Hobbs' exchange of words.

Per Carrasco's report, Hobbs does not mention receiving prior information from dispatch regarding [redacted] release or following [redacted] and recording him prior to [redacted] having knowledge of Hobbs and [redacted] whereabouts. I noted a statement Hobbs made to [redacted] per her report, "***Rod said he feels [redacted] will try to do something to [redacted] or himself at some point, and that he took the situation seriously.***"

[redacted] contacted [redacted] via telephone and interviewed her. [redacted] explained to [redacted] that she picked Hobbs up for an appointment. While driving on S. Washington St. Hobbs received a call from the Sheriff's Office informing them of [redacted]s release. I noted the following statement in [redacted] report, "[redacted] ***said as they were driving down Washington St. they saw [redacted] walking through Courthouse Park. [redacted] said [redacted] recognized their car and started running.***" ***"We were right downtown and it was so embarrassing, he yelled, Rodney Hobbs is a child abuser."*** [redacted] asked [redacted] if she had a restraining order. [redacted] said, ***"I do not. The judge said because he does not threaten to physically harm me, she would not allow me to have one."*** The remaining portion of [redacted]s narrative is consistent with the video footage from Hobbs cell phone video 2.

[redacted] received Hobbs cell phone video 2 and viewed it on 3/9/19. [redacted] does not mention any details about receiving Hobbs cell phone video 1 in her report. [redacted] received Hobbs cell phone video 2 and viewed it on 3/9/19. [redacted] does not mention any details about receiving Hobbs cell phone video 1 in her report, nor does she described any footage from Hobbs cell phone video 1. [redacted] wrote in her report Hobbs was having technical difficulty sending the videos on 3/8/19.

Administrative Leave

On 3/12/19 at approximately 0822 hours, I called Hobbs and asked him to meet me in my office to discuss some administrative affairs. I contacted Sgt. [redacted] and asked him to sit-in on Hobbs notification. Sgt. [redacted] is the Deputy Sheriff's Association President; he asked if he could see Hobbs' notification letter.

I allowed Sgt. [redacted] to review the letter and explained the notification process. [redacted] and [redacted] were both present when Hobbs arrived. I told Hobbs he was being placed on administrative leave and allowed him to review the notification letter. In the last paragraph, it specifically states, "***You will not contact*** [redacted] The letter warns that violation of any of the enclosed orders could result in discipline, up to and including termination. Hobbs signed and dated the letter.

I told Hobbs administrative leave required he surrender his department issued firearms and badge. I explained to Hobbs that he will keep his identification card for the purposes of carrying a concealed weapon only. I told Hobbs his ***powers as a peace officer were suspended and he is***

not to use peace officer powers in any official capacity, not just with the Sheriff's Office, but the DA's office and probation. I told Hobbs he will have the same access to records as the public, and he would need to utilize the same process to obtain documents. Hobbs told me he understood after asking a clarifying question about obtaining records. I provided Hobbs a copy of his notification letter and turned him over to [redacted] and [redacted]

On 3/12/19, I spoke with Jason Jasmin on the phone. Jasmine asked me for some details regarding the factual basis of Hobbs' notice of investigation. I provided Jasmine with a brief summary of what I had discovered as of that day and associated complaints. Jasmine has represented Hobbs in the previous internal affairs investigations. I told Jasmine I was only two days into fact finding and there could be more information.

Jasmine told me he was going to consult with his client, Hobbs, with the information I provided. Jasmine told me he would contact me if Hobbs possessed any exculpatory information regarding my investigation. On 3/13/19, I received an email from Jasmine with five screenshot photos attached. Jasmine's email explained each photo attached to the email.

The first picture was a screenshot of an iMessage with Ofc. [redacted]s email attached. The text message shows two video attachments which appear to be Hobbs cell phone video 1 and 2. The message is dated Friday, 1303 hours, which would've been 3/8/19. The remaining photos show a text dialogue between [redacted] and Hobbs. In one of the message snapshots, [redacted] confirms she received both videos, but was having difficulty sending them to her email.

STATEMENTS (Summary)

Summary of Statement from [redacted]

On 3/11/19 at about 1506 hours, I spoke with Booking Clerk, [redacted], of the Tuolumne County Sheriff's Office. I recorded our conversation. I explained to [redacted] the nature of my investigation. I explained to [redacted] the witness and confidentiality letter and had her sign it. I explained and read the administrative admonishments verbatim to her. [redacted] signed and initialed the appropriate portions. It should be noted when I initiated the interview I stated the IA# was 18-006, the correct IA# is 19-001. The following is a summary of our conversation.

[redacted] has been employed with the sheriff's office since 2007. [redacted] is familiar with [redacted] [redacted] from his booking on 3/4/19 and his release from 3/8/19. [redacted] does not remember anything significant about [redacted]'s behavior. [redacted] did not appear to be agitated, he was not yelling. After completing [redacted] paperwork he was released from the jail. [redacted] called dispatch and told them [redacted] was being released. [redacted] said she notified dispatch because she thought Hobbs should know about [redacted] release for safety reasons. [redacted] said [redacted] was not acting violent in the jail; however, she has heard about the ongoing issues between Hobbs and [redacted] [redacted] told me she knew about Hobbs' restraining order against [redacted] and that [redacted] may have violated Hobbs' restraining order.

[redacted] said she spoke to [redacted] regarding [redacted]'s release. [redacted] said she asked [redacted] to notify Hobbs. [redacted] said she knew [redacted] was serving time for a civil remand and possibly a restraining order violation. [redacted] said she wasn't sure of all of [redacted]'s charges. [redacted] said it is not standard procedure to notify people of inmate releases. [redacted] referred to the VINE Link

system and stated she doesn't call everyone. [redacted] said, "I guess it was just special for Rodney." [redacted] told me she was unaware if Stacy contacted Hobbs. [redacted] has not had any further contact with [redacted] According to [redacted] she did not receive any phone calls regarding [redacted] after he was released from custody.

Summary of Statement from Sgt. [redacted]

On 3/11/19 at about 1429 hours, I spoke with Sgt. [redacted] of the Tuolumne County Sheriff's Office. I recorded our conversation. I explained to [redacted] the nature of my investigation. I explained to [redacted] the witness and confidentiality letter and had him sign it. I explained and read the administrative admonishments verbatim to him. [redacted] signed and initialed the appropriate portions.

[redacted] has been employed with the Sheriff's Office for three years and currently serves as a patrol sergeant. [redacted] knows Hobbs as a Civil/Coroner deputy professionally, and personally from little league baseball in which [redacted] plays on. [redacted] also stated he plays on the Deputy Sheriff's Association softball team. [redacted] stated his personal relationship with Hobbs has no bearing on how [redacted] performs his duties as a peace officer, or a supervisor. [redacted] received a text message from Hobbs on Friday, 3/8/19.

[redacted] said Hobbs' text message contained information about the 3/8/19, downtown incident and the timeliness of entering evidence for similar pending cases. Hobbs' pending cases against [redacted] are for alleged restraining order violations with evidentiary video. According to [redacted] Hobbs emailed Sgt. [redacted] two videos for restraining order cases; however, the videos were not viewed due to issues associated with email and viewer software.

[redacted] suggested Hobbs email the videos, or save the videos on the disc. Both options failed when [redacted] tried to view Hobbs' video. Hobbs suggested text messaging the videos to [redacted] for timing purposes. In a text message Hobbs said to [redacted] ***"Damn! I was able to send to [redacted] email, it said it finally went through. I can send to your cell. I'm worried it's not going to get to the DA soon enough as other cases are happening."*** [redacted] stated Hobbs had an upcoming court date with [redacted]

Hobbs text messaged two videos from the 3/8/19 incident and two additional videos to [redacted] Hobbs suggested text messaging the videos to [redacted] for timing purposes. The additional videos were the videos Hobbs' originally sent to [redacted] via email. Hobbs requested the videos be attached to the pending cases and clarified the 3/8/19 incident would be reported to the Sonora Police Department. [redacted] forwarded me the text messages and videos he received from Hobbs.

[redacted] is familiar with the extensive history between Hobbs, [redacted] and [redacted] [redacted] has reviewed multiple reports and assisted in preparing documentation for both [redacted] and Hobbs. Due to the extensive history and multiple complaints from both Hobbs and [redacted] supervisors have been directed to ensure appropriate documentation is taken for both Hobbs and [redacted] Both Hobbs and [redacted] have been directed to contact supervisors when making reports, or submitting supplemental documents.

[redacted] described the videos of the downtown incident sent to him by Hobbs, which were consistent with the video footage identified as Hobbs cell phone video 1.

I asked [redacted] if Hobbs appeared to be in fear for his safety based on his observations of video 1. [redacted] said, "***It didn't appear that he was in fear.***" [redacted] also said he remembered hearing laughing, but couldn't remember if it was in the first or second video. [redacted] watched Hobbs' videos once since he had received them. I asked [redacted] if it appeared [redacted] knew Hobbs and [redacted] were approaching him on Washington Street. [redacted] said, ***"The way it appeared to me and I haven't watched it since it was sent, was maybe Hobbs was surprised, like oh hey, there's [redacted] walking on the road."*** [redacted] did not remember seeing [redacted] in video 1 and stated he remembered video 1 showing the sidewalk and Hobbs and [redacted] mentioning [redacted]

[redacted] described video 2 as being on Washington Street, possibly from a different direction. [redacted] remembers hearing [redacted] say, ***"He's running, he's running at us, but it wasn't like she was in fear."*** [redacted] imitated a laughing tone and said, ***"He's running at us,"*** to describe [redacted] tone of voice. [redacted] said he remembered a voice say, ***"Start recording,"*** [redacted] wasn't sure of the exact verbiage. [redacted] described [redacted] as running on the sidewalk, not at [redacted] car. [redacted] remembers [redacted] and Hobbs arguing. Hobbs calls [redacted], ***"A piece of shit, or a POS, and [redacted] says, I'll take your badge, your abusing my children. Hobbs told [redacted] to move along."*** [redacted] stated neither [redacted] nor Hobbs appeared to be in any fear; however, both seemed frustrated. [redacted] said it was clear that Hobbs and [redacted] don't like each other.

I asked [redacted] if he saw any opportunity in the videos to avoid the situation, by not engaging. [redacted] said, "Yes sir." I asked [redacted] to elaborate on potential alternatives to avoid the confrontation. [redacted] acknowledged [redacted] and Hobbs stopped at the red light at the Stockton intersection; however, [redacted] stated, ***"Maybe if Mr. Hobbs would've just rolled his window up the situation would have taken care of itself. It wasn't like [redacted] was coming at the vehicle; he pushed the crosswalk button and was waiting there. Didn't seem like either one of them were going to start fighting each other."***

I asked [redacted] if the video illustrated a restraining order violation, based on his training and experience. [redacted] sighed and chuckled then stated, ***"Hypothetically, if I was investigating this case I wouldn't charge Mr. [redacted] with a violation of a restraining order. Obviously Hobbs is driving on the road and [redacted] is walking on the road. They both engaged in the conversation."*** Hobbs did not ask [redacted] to take a report regarding the downtown incident with [redacted]

I asked [redacted] if he saw anything in Hobbs' videos that appeared alarming. [redacted] sighed and said, ***"Yes sir."*** I asked [redacted] to elaborate on his answer. [redacted] said, ***"The first video appears that he's passing by and observes that he is there and the second video appears that he turned around to record the interaction. Kind of creating his own... (mumbles),"*** clarified later as, exigency.

[redacted] has been involved with at least two cases associated with [redacted] and Hobbs. [redacted] has not observed any favoritism or special treatment for Hobbs or [redacted]. [redacted] interpreted Hobbs' concern for the time of entering videos into evidence as being due to an upcoming court date, as written in the text message.

I asked [redacted] if there was anything he wished to add to this statement. [redacted] said, ***"Yeah, one thing. Baseball try-outs,*** (TCSO Case #19-303) ***I didn't know he, Dep. Hobbs, was recording the whole thing. Initially I saw a drone flying overhead; I associated that with [redacted] based on***

previous reports I've read. I saw [redacted] there with the kids, but Hobbs wasn't there yet. Then I saw [redacted] in the middle of the baseball field, probably less than 100 yards from [redacted] I stood nearby in case there was an incident and documented that in my report, but then I saw Hobbs' video of what happened and it struck me as, Dep. Hobbs was holding the camera and handed it to [redacted] while stating, here make sure you get me in the video. Then you see Hobbs step back so it has Hobbs and [redacted] in the video. It just seemed like childish games, it annoyed the crap out of me; here we are trying to do everything we can… just remove yourself from the situation, I was frustrated by that.

I asked [redacted] if he felt Hobbs was manipulating the process. [redacted] said, ***"That's the way I felt, yes sir."*** I asked [redacted] if he thought the same type of manipulation applied to any other situations, or incidences. [redacted] said, ***"Just this one, the second video, the same childish games."*** [redacted] was referring to Hobbs cell phone video #2. [redacted] clarified the type of manipulation he was referring to was, when a person takes out a restraining order, but puts themselves in situations that doesn't reflect a righteous fear of the restrained person.

* It should be noted the only court date confirmed around the timeframe of the 3/8/19 incident is a family law court date of, 4/18/19, ([redacted] vs. [redacted] for child custody matters.

<u>Summary of Statement from Sgt. [redacted]</u>

On 3/14/19 at about 1630 hours, I spoke with Sgt. [redacted] of the Tuolumne County Sheriff's Office. I recorded our conversation. I explained to [redacted] the nature of my investigation. I explained to [redacted] the witness and confidentiality letter and had him sign it. I explained and read the administrative admonishments verbatim to him. [redacted] signed and initialed the appropriate portions.

Sgt. [redacted] has been a peace officer for over 25 years and is currently the Civil/Coroner supervisor. [redacted] is Hobbs' immediate supervisor. [redacted] received a text message from Hobbs on 3/8/19. The message stated Hobbs was involved in an altercation with [redacted] Hobbs text messaged [redacted] the two videos associated with the incident and asked [redacted] to call him after viewing the videos. [redacted] viewed both videos, but was unclear as to what happened between Hobbs and [redacted] [redacted] stated the video was brief and appeared to show [redacted] at the corner of Stockton Road and S. Washington St. confronting Hobbs. [redacted] said, ***"I called Hobbs to find out exactly what happened and he relayed the events to me."*** [redacted] said, Hobbs described logging off from the investigations office and was picked up by [redacted] was driving Hobbs to an appointment on Washington St. when Hobbs received a phone call from the jail. [redacted] told me Hobbs didn't say who called him but stated, ***"[redacted] had just been released from the jail and was being very vocally belligerent and making threats. Unknown if they were veiled threats, or direct, but they were bad enough that the jail thought Hobbs should know."***

[redacted] didn't ask Hobbs when the phone call from the jail took place, but he got the feeling it was recent. Hobbs told [redacted] ***"He looked up as they were passing the park and saw [redacted] walking toward Washington St. They continued driving and heard a yell; they thought it was [redacted] or a friend. [redacted] told Hobbs [redacted] was running and they continued down Washington St. [redacted] and Hobbs stopped for a red light at Stockton Rd. [redacted] ran up to the***

corner and started being verbally abusive. [redacted] called Hobbs a child abuser. The light turned green and Hobbs and [redacted] drove away." [redacted] said Hobbs closed the conversation by stating he was going to report the incident to Sonora Police Department.

Sgt. [redacted] told Hobbs that he would forward the videos and Hobbs' statement to Lt. [redacted] I asked [redacted] if Hobbs was specific about jail staff reporting threats. [redacted] said, ***"Rod didn't say if [redacted] was making threats at him or [redacted] he just said [redacted] was making threats."*** I asked [redacted] if Hobbs specifically stated the information about threats stemmed from the phone call he received from the jail. [redacted] said, ***"Yes, apparently they felt Rod should be aware because they felt he might be in some kind of danger."*** [redacted] said he hasn't had any contact with Hobbs since his phone conversation about the incident.

[redacted] was told by Lt. [redacted] there were issues with the video that could warrant an internal affairs investigation. [redacted] is familiar with the internal affairs process and said, ***"Even though I haven't been formally… I know any additional contact regarding the incident would not be good. I also know Rod well enough that he would try and draw you into a conversation like that and I didn't want to get involved."*** Hobbs never asked [redacted] to conceal the cell phone videos and asked [redacted] to forward them to Lt. [redacted] Hobbs told [redacted] he had troubles sending the video to SPD, due to the file sizes.

I asked [redacted] if he felt Hobbs was being deceitful about the videos or other information regarding what happened on 3/8/19. [redacted] said, ***"I didn't get the feeling he was being deceitful, when I first spoke with Hobbs he sounded distraught. I know from past conversations he dreads these types of confrontations because of the trouble he has gotten into in the past from them. I got the feeling he was… his own impression of what happened, which is a lot of times is a little different from what happened in reality, I've noticed with him, but he believes things the way he sees them and I believe he believes what he told me."***

[redacted] has supervised Hobbs since the spring of 2016. [redacted] is aware of the on-going issues between Hobbs, [redacted] and [redacted] [redacted] is aware of Hobbs' past internal affairs investigations, charges associated with those investigations and imposed discipline. I asked [redacted] if he has ever admonished Hobbs, or given order as a supervisor to remove himself from issues or confrontations involving [redacted] and [redacted] [redacted] said, ***"Yes. In his first IA, I met with him in the junction and we talked. I told him he needed to back off and let the issues take there course and not get involved; that's the short version, Hobbs is very verbose. I've had to tell him on multiple occasions to stay out of it since the first time."*** [redacted] confirmed his admonishments to Hobbs have included standards of conduct, behavior on-and-off duty, to include conduct reflecting poorly on the Sheriff's Office.

I asked [redacted] if he was familiar with the IA involving Hobbs disrespecting Judge K. Segerstrom. I asked [redacted] if this was another time he admonished Hobbs. [redacted] said, he had conversations with Hobbs about the incident, but didn't admonish Hobbs because [redacted] believed Hobbs showed remorse and knew he made a mistake. [redacted] also stated he wasn't present for the courtroom incident and received most of the information third-party.

I asked [redacted] if he has seen both of Hobbs' cell phone videos. [redacted] said he has seen both videos and stated, video 1 is confusing, but he believes he can hear muffled dialogue. [redacted]

said he could hear laughter, he didn't know if it was nervous laughter, or laughter to calm down. [redacted] stated he doesn't know Hobbs or [redacted] that well to make the determination. I asked [redacted] if Hobbs has ever voiced concern about [redacted] being a danger to Hobbs, or Hobbs' family. [redacted] said, ***"Yes. Hobbs has said so many things over the years. One time Hobbs mentioned [redacted] was a sniper in the military and had a sniper rifle. Hobbs has also stated that [redacted] has made veiled threats. Hobbs has never mentioned specific threats, or direct threats."***

I asked [redacted] if Hobbs has ever mentioned the need to use force based on his perceived threat of MHS. [redacted] said, "***Yes. He has said if he was working on his property and [redacted] approached him through the brush, and if he had gun, there would be a confrontation. Another was that [redacted] will come after [redacted] while she is at the store and [redacted] has an uncanny way of knowing where she is. They have had several issues in the past that took place in public. Hobbs told me from now on he is always going to video when around [redacted] for his own protection. I told him that video was probably a good idea, but the best thing to do is to avoid any confrontation, even if it means swallowing your pride and walking away, that's what you do, and you can't get involved."***

[redacted] said, ***"Hobbs seems, I'll come out and say it, frightened. He is very stressed that this guy is out there. Hobbs believes [redacted] is crazy, insane and capable of almost anything."*** [redacted] told me he is basing his statement on conversations he has had with Hobbs. I asked [redacted] if Hobbs has ever voiced concern about always needing to be armed. [redacted] said, "I don't remember him ever saying that, but my impression is he always keeps a firearm on him based on the situation with [redacted]

I asked [redacted] if Hobbs ever mentioned instigating a confrontation with [redacted] [redacted] said, ***"No."***

I asked [redacted] if Hobbs ever mentioned using his peace officer powers to manipulate the court system in order to benefit himself, or [redacted] [redacted] said, ***"No."*** Hobbs has not reached out to [redacted] since the date of the incident. I asked [redacted] if he was in the similar situation as Hobbs and given the circumstances, would he have the same fear as Hobbs does of [redacted] [redacted] said, ***"No. I don't think so. I would be wary, because Mr. [redacted] does seem like he could be a problem, but I have felt and I think a lot of people have felt that Rodney has been blowing this up possibly a lot bigger than it really is for some reason, I don't really know. Mr. [redacted] has always seemed to be more bark than bite and I think the history has shown that. I've never relayed that to Hobbs because I don't think it would do any good."***

[redacted] said Hobbs' ***"Mindset appears to be one that doesn't go looking for confrontation with [redacted] but he also is of the mindset that he has rights as an American where he can walk down the street, or go to a store with his fiancée without being harassed."*** [redacted] said his opinion is based on previous conversations with Hobbs. [redacted] has never had contact with [redacted] and is not aware if [redacted] has attempted to contact [redacted]

I asked [redacted] if there was anything he would like to add to his statement. [redacted] said, ***"Just from what I know about Mr. [redacted] his demeanor in court, these videos; it does seem he is very confrontational. I do believe [redacted] is more threat than action and I don't see that***

changing at all. I don't understand why Rod is so threatened by this. I don't think there is call for that much concern."

I asked [redacted] if there is a protocol for Hobbs to use and best protect Hobbs when reporting incidences. [redacted] said, ***"Yes."*** [redacted] confirmed the protocol includes notifying supervisors, and using the communications center regarding all incidents involving [redacted]. [redacted] said he believes Hobbs and [redacted] have filed several restraining order violations against [redacted]. I asked [redacted] if Hobbs ever complained about not receiving adequate service from the sheriff's office. [redacted] said, ***"Hobbs on multiple occasions felt he and [redacted] were not being taken seriously and that is why Hobbs takes video of everything."***

[redacted] closed his comments by saying, ***"This is a difficult situation. We all feel for him, but none of us have all the facts so we are all taking a hands-off approach."***

<u>Summary of Statement from Officer</u> [redacted]

On 3/15/19 at approximately 1100 hours, I contacted Officer [redacted] of the Sonora Police Department. I recorded our conversation. [redacted] is a newly hired police officer. [redacted] has completed a basic police academy and a field training program. [redacted] has been a peace officer for five months. [redacted] told me she was familiar with the restraining order case on 3/8/19. [redacted] was dispatched to the call by her communications center. She responded to the main office of the Sonora Police Department and began her investigation.

[redacted] contacted Hobbs who told her he had a valid restraining order against [redacted] [redacted] noted that Hobbs' and [redacted] are in a dating relationship and [redacted] is [redacted] ex-husband. [redacted] provided a brief narrative of the encounter between [redacted] and Hobbs. [redacted]s summary of the incident lacked detail regarding intent, but provided basic information useful for comparing and contrasting statements to the video seen in Hobbs cell phone video #2. [redacted] said Hobbs stated he received a phone call from the jail, notifying him of [redacted]s release.

I asked [redacted] if Hobbs mentioned [redacted] conduct in the jail. [redacted] said, ***"No."*** I asked [redacted] if Hobbs mentioned any threats made by [redacted] while in jail, or reports of [redacted] being belligerent. [redacted] said, ***"No."*** Hobbs reported this incident to [redacted] within one hour of notifying Sgt. [redacted] Hobbs told [redacted] "he started recording with his cell phone because [redacted] is always causing incidences and issues, but Hobbs was hoping [redacted] would not see them. Hobbs and [redacted] passed [redacted] but then traffic started to slow and [redacted] saw them." [redacted] statement was consistent with what Hobbs told her when he reported the incident and with what she documented in her report.

I asked [redacted] if there was anything else that she remembered from the incident that seemed important. [redacted] said, ***"Yes. At one point Hobbs takes out his firearm and racks it between his legs, loading a round into the chamber. I didn't see him point the firearm."*** [redacted] said Hobbs justified the retrieval of his firearm by saying, ***"[redacted] might try to do something."*** I asked [redacted] how many restraining order investigations she has conducted in her five months of experience. [redacted] replied, ***"Two, including this one."***

I asked [redacted] what type of advice is given to protected persons who experience restraining order violations, based on her training and experience. [redacted] told me, ***"I tell them not to engage with the other person. Definitely call law enforcement, don't take part in an argument and get out of the situation."*** I asked [redacted] if there would ever be a time she would advise a protected person to put themselves in a situation to confront a restrained person. [redacted] said, ***"Definitely not."***

I asked [redacted] if she would ever tell a protected person to leave the safety of a dwelling to confront a restrained person. [redacted] said, ***"No."***

I asked [redacted] if she would ever tell a protected person, who was in a public place to confront a restrained person. [redacted] said, ***"No."***

I asked [redacted] if she would ever tell a protected person in a vehicle to roll down a window and confront a restrained person. [redacted] said, ***"No."***

I asked [redacted] if her guidance to a protected person would be to call 911 if there was an emergency, or report the incident after the protected person has removed themselves from the situation. [redacted] said, ***"Yes."***

I asked [redacted] if a protected person has the opportunity to completely avoid a confrontation with a restrained person, would it be her guidance to a protected person to take that course of action. [redacted] said, ***"Yes."***

I asked [redacted] is she spoke with [redacted] said, ***"Yes, but [redacted] statement was consistent with Hobbs' statement."*** [redacted] said she viewed both cell phone videos to their entirety; however, video 1, ***"Didn't really show anything. The phone appeared to be in someone's lap. I could see a little bit of the window, but I couldn't see [redacted] in the first video. The first video was glitchey, it would play a little and then stop."*** [redacted] said none of the videos appeared to have been altered. [redacted] confirmed Hobbs sent both videos to her on 3/8/19, but had technical difficulties.

I asked [redacted] to access the videos Hobbs sent to her for the purposes of comparing the content. Video 1 was extremely pixelated and appeared choppy. The video stopped multiple times and gapped while [redacted] played it. The quality of the video appeared to be a technical issue with the email server, or possibly cell phone coverage. The quality of video did not appear to be an issue with the footage being altered. [redacted] said video 1 continued to freeze and was poor quality, and described the video as lacking of content for the crime. [redacted] said video 2 shows more content indicative of Hobbs' report.

I asked [redacted] if she made an arrest based on Hobbs' report. [redacted] said, ***"I did not."*** [redacted] said she attempted to contact [redacted] however, he did not answer his phone. [redacted] said [redacted] returned her call, but she was off duty. I asked [redacted] if she thought any of the statements collected from her investigation were dishonest. [redacted] said, ***"No, it didn't seem dishonest to me."*** [redacted] disposition of this case was routed to District Attorney for complaint.

I asked [redacted] if she heard laughing in cell phone video #1. [redacted] said, ***"Yes, I did."*** I asked [redacted] if the laughing meant anything to her regarding the investigation. [redacted] said, ***"Initially when I heard the laughing I thought of someone making fun, or not necessarily taking the situation seriously, that stuck out to me."*** I asked [redacted] if Hobbs told her he believes [redacted] will try to do something to him or [redacted] and that he takes the situation seriously. [redacted] confirmed that statement by saying, ***"Correct."*** I asked [redacted] if she believes Hobbs' video #1 contradicts his statement to her. [redacted] said, ***"I don't believe he took the situation as seriously as he said, because they were laughing in the video, so it kinda contradicts being in fear."***

I asked [redacted] if there was anything in video #2 regarding Hobbs' conduct that caused her to question his level of seriousness regarding the incident. [redacted] said, ***"Just him telling Mr. [redacted] to keep his ass walking and keep going, keep going, it was almost like a little bit of bickering. Instead of just rolling up the window and ignoring it, that stuck out to me a little. If you are in such fear, why are you antagonizing it a little, I guess?"*** I asked [redacted] if Hobbs' actions were contrary to the advice she would give to protected persons. [redacted] said, ***"Yes, Yes."***

Hobbs has not been in contact with [redacted] since he sent her an email on 3/12/19 asking to be notified when her report is complete. [redacted] had nothing further to add. I obtained [redacted] recorded interview with Hobbs and will attach it to this investigation. The recorded interview is consistent with [redacted]s written report.

Summary of Statement from Sgt. [redacted]

On 3/18/19 at about 1450 hours, I spoke with Sgt. [redacted] of the Tuolumne County Sheriff's Office. I recorded our conversation. I explained to [redacted] the nature of my investigation. I explained to [redacted] the witness and confidentiality letter and had him sign it. I explained and read the administrative admonishments verbatim to him. [redacted] signed and initialed the appropriate portions.

Sgt. [redacted] has been a peace officer for 24 years and employed with the sheriff's office for 22 years. [redacted] has served in the Civil/Coroner Division, Special Weapons and Tactics Commander, Head Department Firearms Instructor and the Field Training Supervisor. [redacted] estimates he has been involved in over 100 investigations regarding restraining order violations. [redacted] is a sheriff's sergeant and is currently assigned to the patrol division. I asked [redacted] if he is familiar with the ongoing incidences with [redacted] Hobbs and [redacted] [redacted] told me he has been in contact with both [redacted] and Hobbs multiple times over the last year and a half. [redacted] has been contacted by both [redacted] and Hobbs regarding court order violations and other investigations. [redacted] estimates he has been contacted by [redacted] six times. [redacted] has met once in-person with [redacted] and had multiple contacts over the phone.

[redacted] estimates Hobbs has contacted him once regarding a child custody issue between [redacted] and [redacted]. According to [redacted] about one year ago, patrol deputies responded to a custody dispute and it was determined that [redacted] was entitled to the custody of the children. [redacted] said

the investigation was handled appropriately; however, Hobbs didn't agree with the decision and contacted [redacted] Hobbs complained to [redacted] and stated the deputies made the wrong decision by returning custody to [redacted] I asked [redacted] if the deputies followed the court's orders. [redacted] said, ***"Correct. They followed the existing orders."***

I asked [redacted] if Hobbs elaborated on why he thought the deputies made the wrong decision. [redacted] said, ***"Hobbs said Mr. [redacted] was dangerous and [redacted] shouldn't have to be in contact with [redacted] The children were being placed in a bad environment, Hobbs didn't agree with the court's order and Hobbs was going to complain to the sheriff."*** [redacted] has had several phone conversations with [redacted] Hobbs, and [redacted] regarding continuous changes to custody orders.

[redacted] said, ***"We have had to adjust how we interpret the court's order based on the changes over the years."*** [redacted] has conducted welfare checks over the phone, due to restraining orders conflicting with custody orders and [redacted] complaining. [redacted] said, ***"I have to determine how to investigate the allegations based on the court's orders and the law."*** [redacted] was calling for a welfare check, because he is claiming his hasn't seen his children; however, Hobbs took out a restraining order against [redacted] which changes the decision making process. [redacted] said, ***"Each call was evaluated based on the allegation and supporting evidence."*** [redacted] has been denied reports and welfare checks based on repeat allegations, but he has also made calls that were thoroughly investigated. [redacted] estimated that five of the six contacts he had with [redacted] were regarding welfare checks that [redacted] believed were not righteous. For the purposes of protecting Hobbs' rights, [redacted] denied welfare checks without supporting evidence.

[redacted] said the service provided to Hobbs, [redacted] and [redacted] is no different than any service the sheriff's office would provide to the average citizen in similar circumstances. I asked [redacted] if Sheriff's deputies have an obligation to deter frivolous allegations for the purposes of protecting people's rights. [redacted] said, ***"Yes."*** I asked [redacted] if it was common for people involved in civil disputes and custody disputes to not like each other. [redacted] said, ***"Yes."*** I asked [redacted] if it was very common. [redacted] said, ***"Yes."*** I asked [redacted] if it is common for involved parties to manipulate the legal system and the court system to accomplish an agenda. [redacted] said, ***"Yes, absolutely"*** and described a high sense of awareness to ensure he provides fair treatment to [redacted] [redacted] and Hobbs, who in Oliver's opinion all have specific legal and court agendas.

I asked [redacted] if he has seen any reports, or been made aware of any deputies who have provided preferential treatment to Hobbs, [redacted] or [redacted] [redacted] said, ***"No, absolutely not. In fact deputies have come to me for guidance and ask what they should do, because Hobbs is an employee. My guidance to them is to investigate the complaint for what it is and let the investigation reveal what happened."***

I asked [redacted] if any deputies have ever come to him because they felt uncomfortable dealing with a situation, or felt pressured by Hobbs to take inappropriate action. [redacted] said, ***"No, not that I am aware of. The discomfort stems from wanting to do the right thing and not look bad, or favor either party."*** I asked [redacted] if he thought any of the deputies have shown preferential treatment to [redacted] [redacted] said, ***"No. In fact I believe the deputies are extra cautious regarding these incidences and ensure they follow the court's orders."***

I asked [redacted] to use his vast experience and explain the type of guidance he would give to a protected person regarding a restraining order violation. [redacted] said, ***"Generally protect themselves by having people with them during custody exchanges, use technology or recording devices to document what is happening."***

I asked [redacted] specifically about the relationship between Hobbs and [redacted] and what advice he would give to Hobbs as protected person who is being confronted by [redacted] [redacted] said, ***"Stay as far away as possible. Do everything you can to stay as far away as possible from*** [redacted] ***Turn around and go the other way or hang up the phone, anything you have to do to avoid the confrontation."***

I asked [redacted] if he would ever tell the protected person to engage in verbal arguments with a restrained person. [redacted] said, ***"No."***

I asked [redacted] if he would ever tell the protected person to leave a dwelling to confront a restrained person. [redacted] said, ***"No."***

I asked [redacted] if he would ever tell the protected person to confront a restrained person in public. [redacted] said, ***"No."***

I asked [redacted] if it would be his guidance to a protected person in a public place, who was confronted by a restrained person to call law enforcement. [redacted] said, ***"Correct. Lock the doors, stay inside and call law enforcement."***

I asked [redacted] if he would ever tell a protected person to retrieve a firearm for the purposes of confronting a restrained person. [redacted] said, ***"No, not at all. It would escalate the situations more than likely."***

I asked [redacted] if he conducted a child abuse investigation based on allegations from [redacted] [redacted] confirmed on 3/9/19 he received a call via dispatch regarding [redacted] reporting child abuse. [redacted] requested to meet [redacted] in-person; [redacted] agreed and met with [redacted] in the sheriff's lobby. [redacted] arrived at the lobby with a large file of documents, notes, photos and a recording device. [redacted] started to give [redacted] the entire history of the legal issues between him, [redacted] and Hobbs. [redacted] recognized the majority of allegations [redacted] was reporting were already investigated by Sgt. [redacted] in (TCSO Case #18-3968) in what [redacted] describes as a, ***"lengthily report."*** [redacted] was familiar with [redacted] report and stated he may have approved portions of it, but he was sure the allegations were investigated.

[redacted] said, ***"Finally, he had a couple of allegations of abuse that occurred in the home and*** [redacted] ***was the suspect. I was not aware of these allegations and he had audio recordings of the children saying they had been slapped and choked."*** I asked [redacted] if he felt [redacted] allegations were new and warranted an investigation based on the evidence [redacted] provided. [redacted] said, ***"Yes, absolutely."*** I asked [redacted] if [redacted] has a history of attempting to report the same allegations multiple times. [redacted] said, ***"Yes, he has come in and made similar statements in the past of the same description."***

I asked [redacted] if there was any way to authenticate the audio of the children's allegations. [redacted] said, ***"I have no way of knowing when the recording started, or stopped, or whether it was***

edited." I asked if there was anything suspicious about the quality of the audio, i.e. choppy, gaps, or signs of dubbing. [redacted] didn't recall anything suspicious about the audio; however, [redacted] said, ***"I have no way of knowing what was said before the recording started."*** I asked [redacted] if the children appeared to have been coached into making the allegations. [redacted] said, ***"He wouldn't say coached, but [redacted] was saying, tell the truth in an elevated, stern tone of voice. I would say he was urging them to tell him something. The children were hesitant to respond."*** [redacted] described the older child, [redacted], as urging the younger child, [redacted] by saying, ***"Its ok, tell dad, tell him what happened."***

Based on the new allegations and evidence [redacted] presented to [redacted] opened an official investigation, (TCSO Case #19-0799). At about 2130 hours, [redacted] drove to Hobbs' residence on [redacted] was at Hobbs' residence for the purpose of investigating [redacted] allegations of child abuse. Hobbs answered the door for [redacted] and stated the boys were asleep. [redacted] said the house appeared dark and consistent with Hobbs statement. [redacted] informed Hobbs of the allegations and asked to interview the children. Hobbs cooperated with the investigation and invited [redacted] into his home.

[redacted] offered to come back the following day, but Hobbs agreed to move forward with the investigation. [redacted] interviewed [redacted] first; she stated sometimes she is physical with the boys to get control. "[redacted] ***described them as two rambunctious boys."*** [redacted] denied the allegations that she choked, or slapped the boys. [redacted] told [redacted] she typically puts the boys in time-out as a form of punishment. [redacted] spoke to both [redacted] and [redacted] separately. [redacted] did not have any injuries or marks consistent with the allegation of being choked, or slapped. [redacted] said he remembered talking to [redacted] but doesn't remember making the allegations. [redacted] was the alleged victim. [redacted] described the incident to [redacted] as, ***"[redacted] and [redacted] were wrestling and [redacted] separated them by holding [redacted] down because he likes to get the last hit in on [redacted]***

[redacted] spoke with [redacted] who also denied the allegation and described a similar scenario as [redacted] said [redacted] doesn't hit him or [redacted] confirmed the wrestling story with [redacted] admitted to holding [redacted] down because he doesn't stop when he and [redacted] are fighting. I asked [redacted] if he found any evidence to support the allegations of child abuse. [redacted] said, in his opinion the allegation was unfounded. [redacted] said, ***"Yes, there is a recording of the children saying they were slapped and choked, but the investigation tells me the children are not in any danger and that they are safe in Hobbs' home."***

I asked [redacted] if it was typical for parties involved in civil/custody disputes to use the legal system and make allegations that may be untruthful. [redacted] said, "Yes," and confirmed the vetting process for which allegations are investigated. [redacted] said he thoroughly investigated [redacted]s allegation and forwarded the case to the District Attorney for review.

I asked [redacted] if he remembered the case written by Sgt. [redacted] regarding [redacted] flying a drone over Hobbs' house, allegedly violating Hobbs' restraining order, (TCSO Case #18-4139). [redacted] said, ***"Yes, I remember that case."*** [redacted] approved the case and routed it to the District Attorney's office for review. [redacted] said the drone case was thoroughly investigated in the same manner as any other case, for any other citizen.

I asked [redacted] if there was anything he wanted to add to this investigation. [redacted] said, ***"I would say [redacted] was hesitant to answer my questions. He seemed like he was trying to protect both his mother and father. He didn't want to say anything that would get either one in trouble. [redacted] was more truthful; he put all the information out there."*** I asked [redacted] if that was typical behavior of children who bear witness to parents in a toxic custody/civil disputes. [redacted] said, ***"Yes, absolutely. It is very common."***

I asked [redacted] if Hobbs has ever made any specific statements about having to defend himself, or his family from [redacted] [redacted] said, ***"Nothing specific, but he has made generic comments about being worried that [redacted] might try to do something."*** According to [redacted] after investigating the child abuse allegation on 3/9/19, Hobbs told him a summary of the incident between him and [redacted] on 3/8/19. [redacted] said he was aware at the time that Hobbs had sent a video to the department, but didn't have details. [redacted] described the conversation briefly stating that, ***"Hobbs and [redacted] were driving downtown when [redacted] recognized the car. They tried to do everything to avoid him but he chased their car. Hobbs motioned with his hands that he retrieved a pistol and then got into an argument."***

I asked [redacted] if Hobbs used the words, ***"we tried everything to avoid him,"*** or if that was just Oliver's recollection. [redacted] said, ***"That was my recollection, he may have said he hoped [redacted] hadn't seen them."*** The conversation between Hobbs and [redacted] turned to the general history between Hobbs, [redacted] and [redacted] I asked [redacted] if Hobbs mentioned any patterns of behavior from [redacted] [redacted] said, ***"Hobbs said [redacted] would show up at baseball games and act intimidating by stopping and staring at Hobbs from afar. Hobbs never said there were specific motions or gestures, but Hobbs said he felt like [redacted] was trying to intimidate him."***

I asked [redacted] for his opinion based on his training and experience, regarding Hobbs' conduct as it was described to him by Hobbs. I specifically asked [redacted] about Hobbs confronting [redacted] after retrieving a firearm. [redacted] said, ***"My opinion is that I would avoid that person as much as possible. My guidance would be to roll your window up, lock your doors, not engage with the person. Beyond that, no I don't think there is a need to display a firearm, or grab it at that point. From my brief interactions with that conversation, I don't see a need for a firearm."***

I asked [redacted] if it was appropriate for a protected person to retrieve a firearm and antagonize a restrained person verbally, or engage in a profane argument with a restrained person. [redacted] said, ***"No."*** [redacted] confirmed that bringing any type of weapon likely to cause great bodily death or injury should only be considered as a last resort to protect themselves or their family.

<u>Summary of Statement from Sgt.</u> [redacted]

On 3/20/19 at about 1605 hours, I spoke with Sgt. [redacted] of the Tuolumne County Sheriff's Office. I recorded our conversation. I explained to [redacted] the nature of my investigation. I explained to [redacted] the witness and confidentiality letter and had him sign it. I explained and read the administrative admonishments verbatim to him. [redacted] signed and initialed the appropriate portions.

Sgt. [redacted] has been a peace officer for approximately 20 years. Sgt. [redacted] has been employed with the Tuolumne County Sheriff's Office for five years. Prior to TCSO, Sgt. [redacted] was

employed with Modesto Police Department. [redacted] has conducted, participated, reviewed and approved no less than 100 restraining order violation cases. [redacted] is currently assigned to the patrol division, as a Sheriff's Sergeant. [redacted] is the head firearms instructor for the Special Weapons and Tactics (SWAT) team, an assistant SWAT leader and the supervisor of the defensive tactics team.

I asked [redacted] if a defensive tactics instructor teaches verbal skills and de-escalation. [redacted] confirmed, and I asked him to explain verbal skills and de-escalation. [redacted] said verbal skills and de-escalation is learning how to speak to subjects in a manner that maximizes the chance for a peaceful resolution. I asked [redacted] if aggressive language or profanity were tactics taught to de-escalate situations. [redacted] said, ***"No."*** I asked [redacted] if he was familiar with "chilling phrases," he said, ***"Yes."*** I asked him if chilling phrases included the use of profanity. [redacted] said, ***"No,"*** and explained that chilling phrases are used to calm subjects down.

[redacted] confirmed that defensive tactics and verbal skills are used to de-escalate situations and reduce the likelihood using physical force. I asked [redacted] if peace officers have an obligation to de-escalate situations whether on or off duty. [redacted] said, ***"We do. When we are on duty we have an obligation, but if you are off duty, if its 100% unavoidable, or we can't prevent the encounter, then yes, we teach de-escalation. Talking your way out of a situation and creating distance to separate yourself from it, if at all possible. Be a better witness by not getting involved."*** I asked [redacted] if de-escalation applied when elements of situation can be controlled and or avoiding. [redacted] said, ***"Yes."***

I clarified with [redacted] if a situation is absolutely unavoidable and a person cannot control any of the elements, there is no obligation to de-escalate, or avoid the situation. [redacted] said, ***"Yes."*** I asked [redacted] if peace officers regardless of being on, or off duty are mandated by law and policy to utilize the least amount of force necessary, unless an exigent circumstance exists. [redacted] said, ***"Yes."***

I asked [redacted] if it was common for parties involved in restraining order violations, or disputes to not get along. [redacted] said, ***"Yes."*** I asked [redacted] if mistakes are sometimes made when interpreting restraining orders. [redacted] said, "Yes, sometimes mistakes are made and we tell both parties. Technically a crime is committed, but if the parties don't understand the order we will explain the order to both parties." [redacted] clarified even if a misunderstanding of the order exists, a case would still be drafted to explain what happened during the incident. The case would still be listed as a restraining order violation and forwarded to the District Attorney for review.

I asked [redacted] if he has ever given advice to a person protected by a restraining order to confront a restrained person. [redacted] said, ***"No."***

I asked [redacted] if he would ever tell a protected person to leave the safety of a dwelling to confront a restrained person. [redacted] said, ***"No."***

I asked [redacted] if he would ever tell a protected person to retrieve a weapon for the purposes of confronting a restrained person. [redacted] said, ***"No."***

I asked [redacted] what advice he would give to a protected person facing a potential confrontation with a restrained person. [redacted] said, ***"Immediately call law enforcement and lock their doors to protect themselves."*** I asked [redacted] if the same principle would apply to a protected person in a vehicle, or in public. [redacted] said, ***"Absolutely, I would tell them to separate themselves from the situation."***

I asked [redacted] if the purpose of a restraining order is to protect a person from potential danger based on a reasonable fear articulated to the court. [redacted] said, ***"Yes."***

I asked [redacted] if all his expertise and guidance restraining orders would apply to peace officers. [redacted] said, ***"It would."*** I asked [redacted] if his expertise and guidance would apply to off-duty peace officers. [redacted] said, ***"It would."***

I asked [redacted] if the TCSO policy regarding Standards of Conduct applied to the type of advice given by peace officers and the action taken by peace officers during restraining order incidences. [redacted] said, ***"Yes."*** I asked [redacted] if it applied to off-duty peace officers. [redacted] said, ***"Yes."***

I asked [redacted] if peace officers would be held to a higher standard than laymen regarding their actions during a restraining order incident. [redacted] said, ***"Yes."*** [redacted] confirmed that peace officers, whether on or off duty, are subject matter experts of restraining orders. [redacted] based this on the training and experience of a peace officer, which includes, but is not limited to; verbal skills, de-escalation, use of force and firearms skills.

I asked [redacted] about (TCSO Case #19-0843). [redacted] told me on 3/13/19 at about 1845 hours, he was on duty as the patrol supervisor. [redacted] was dispatched to 14301 Mono Way Suite B, Taco Shop El Ray for a restraining order violation; Hobbs was the reporting party and victim. [redacted] knows Hobbs as a deputy sheriff. [redacted] and her children, [redacted] and [redacted] were present during [redacted]s investigation. [redacted] is familiar with the extensive history regarding [redacted] Hobbs and [redacted] [redacted] has read, reviewed and participated in other incidences, similar in nature, involving [redacted] Hobbs and [redacted]

I asked [redacted] if there was a particular reason why he was the investigating officer of this incident, specifically, because [redacted] is a supervisor. [redacted] confirmed there was a particular reason and referenced the on-going internal affairs investigation. [redacted] received the restricted access memo regarding Hobbs and knew that was indicative of administrative leave. Due to the nature of the situation, [redacted] instructed his deputies to refer all incidences, except emergencies, to a supervisor if the incident involved Hobbs, [redacted] or [redacted]

[redacted] said the purpose of supervisors taking these specific calls also stems from a history of both [redacted] and Hobbs complaining about receiving a lack of service from the Sheriff's Office. [redacted] has spoken to [redacted] approximately 5-6 times regarding complaints about Hobbs. [redacted] complaints consist of allegations of child abuse, both mentally and physically. [redacted] also complains about Hobbs abusing his power as a peace officer. [redacted] said, ***"[redacted] told me certain crimes that are violations end up not being violations because Hobbs is a deputy sheriff."*** [redacted] interpreted [redacted]'s allegation as [redacted] felt Hobbs was receiving preferential treatment.

I asked [redacted] what the reporting procedure for Hobbs is if he has a complaint. [redacted] said, ***"He is to call 911 or dispatch."*** [redacted] confirmed Hobbs' reporting procedure is no different than the average citizen who calls with a report. [redacted]s conversations with [redacted] are often repetitive and lengthily. [redacted] is very difficult to understand because he mumbles and speaks fast. I asked [redacted] if [redacted] ever reported any allegations of misconduct or crimes that warranted follow-up or an official investigation. [redacted] said, ***"No."*** [redacted] confirmed any legitimate allegations supported by evidence would've been forwarded to the Professional Standards Division for review.

[redacted] said the incidences [redacted] calls to complain about have already been investigated, or documented in the RIMs database and forwarded to the appropriate departments. I asked [redacted] how he knew [redacted]s complaints were documented. [redacted] told me, on multiple occasions he asked [redacted] for case numbers regarding his complaints. [redacted] would provide [redacted] an existing case number and [redacted] confirmed the documentation.

I asked [redacted] if confirming documentation and the report taking system were the same for both [redacted] and Hobbs. [redacted] said, ***"Yes."***

I asked [redacted] if he would conduct follow-up on any information provided by [redacted] or Hobbs, if the information was credible. [redacted] said, ***"Yes."***

Circling back [redacted]s arrival at the Taco Shop, I asked him to explain what happened. [redacted] arrived on scene and Hobbs met him outside. Hobbs gave [redacted] an overview of what happened. Hobbs said [redacted] and [redacted] have an existing court order that states [redacted] is allowed phone visits with his children between the hours of 6:00 pm and 7:00 pm. Hobbs said he received a call from [redacted] asking to meet at Taco Shop El Ray for dinner. During dinner, Hobbs and [redacted] allowed [redacted] to go outside and call [redacted] [redacted] has not viewed the court order, but thought it sounded reasonable based on his knowledge and Hobbs' statement.

I asked [redacted] if he thought there was anything significant about the location where Hobbs and [redacted] decided to have dinner. [redacted] said, ***"Yes. In prior incidences I have been to [redacted] house; on one occasion I arrested him. [redacted] lives on [redacted], which intersects with Mono Way. Taco Shop El Ray is less than a quarter mile away. In fact, you can probably see the business from his house."*** [redacted] said he was concerned about the significance of the location before he arrived on scene. ***"My question is, why? Given the circumstances they are in, they would consider going to a restaurant that close to his house."*** I asked [redacted] if Hobbs had the right to go to that restaurant. [redacted] said, ***"Absolutely."***

[redacted] clarified his concern of the location Hobbs and [redacted] chose to eat was based on the total circumstances at that time; the close proximity to [redacted]s house and during the hours of court ordered phone visitation. Hobbs told [redacted] he felt [redacted] violated the court order by showing up at Taco Shop El Ray. [redacted] asked Hobbs, ***"Is it a coincident that [redacted] showed up at the Taco Shop."*** Hobbs responded, ***"No, [redacted] told him we were here."***

I asked [redacted] if he had any particular feeling about the investigation given the facts and Hobbs' statement. [redacted] said, ***"I'll say the whole situation was odd. I found it very odd and how it all transpired; almost as if some aspects were intentional that, they were there."*** I clarified

with [redacted] that he didn't know any aspects of the incident were intentional. However, [redacted]s investigative skills led him to think that based on the close proximity of the restaurant, the specific hours between 6:00 and 7:00 and the fact Hobbs anticipated [redacted] arriving, illustrated a deliberate intent.

I asked [redacted] if he was aware of previous complaints from Hobbs regarding [redacted] showing up at places based on [redacted] and [redacted] telling [redacted] their location. [redacted] said he thought he was aware of one other incident, but could not remember. [redacted] said possibly at [redacted], but he didn't read the report.

Hobbs described the taco shop incident as him having an exchange of words with [redacted] and [redacted] recorded it. Hobbs saw [redacted] arrive and heard yelling, but couldn't understand what was being said because [redacted] was inside his vehicle. [redacted] went inside the restaurant when [redacted] arrived and told [redacted] Hobbs told [redacted] to record the incident as Hobbs motioned to [redacted] to leave. [redacted] went to the front door of the restaurant and told [redacted] several times to leave. [redacted] never exited his vehicle, but he did not leave when [redacted] told him to.

Hobbs went outside and confronted [redacted] and Hobbs had an exchange of words and eventually [redacted] drove away. [redacted] spoke to [redacted] he admitted to telling [redacted] where they were eating dinner. [redacted] said Hobbs and [redacted] were yelling at each other. [redacted] doesn't remember what they said, but it sounded bad. [redacted] asked [redacted] if he typically tells [redacted] where he is. [redacted] said, ***"Yes."*** [redacted] didn't ask [redacted] any further questions because he was becoming visibly upset.

[redacted] spoke with [redacted] who confirmed [redacted] statement. [redacted] told [redacted] Hobbs told her to start recording and she went outside to confront [redacted] [redacted] told [redacted] he was in violation of a restraining order and he needed to leave. [redacted] told [redacted] that [redacted] said he was driving by and he saw his kids so he pulled into the parking lot. When [redacted] refused to leave Hobbs went outside to confront [redacted] and Hobbs argued and [redacted] drove away shortly after.

[redacted] said [redacted] is not restrained from [redacted] or [redacted] [redacted] is supposed to have supervised visits when both parties can agree on location and time. [redacted] reviewed the video footage from [redacted] I asked [redacted] if [redacted] appeared to be in fear for her safety while she was telling [redacted] to leave. [redacted] said, ***"No."*** I asked [redacted] if Hobbs appeared to be in fear for his safety in the video. [redacted] said, ***"No."*** [redacted] confirmed he was not assuming what [redacted] and Hobbs' mindsets were, but based on his training and experience neither [redacted] nor Hobbs exhibited behavior that appeared to be fear.

[redacted] described [redacted] as being very stern with an elevated tone when she was telling [redacted] to leave. [redacted] described [redacted] as yelling, but unintelligible. [redacted] said the incident was confrontational in nature. [redacted] said calling law enforcement, staying inside the building and creating distance from the restrained are some indicators of fear. [redacted] did not know if Hobbs was armed at the time of the incident.

Hobbs asked [redacted] if [redacted] would be arrested, based on the fact the misdemeanor occurred in Hobbs' presence. Hobbs didn't ask [redacted] specifically to arrest [redacted] however, his inquiry to

[redacted] inferred Hobbs wanted [redacted] arrested for the alleged violation. [redacted] told Hobbs, ***"Being respectful of his situation, I told him an arrest would not be made, but a report would be sent to the district attorney's office, like any other case, for review."*** Hobbs was respectful during Cuellar's investigation; however, he appeared frustrated. Hobbs told [redacted] that he wanted to schedule a meeting with the Lieutenant in charge of his IA. [redacted] told Hobbs it was in his best interest not to discuss the IA for reasons related to the Peace Officer's Bill of Rights and his administrative status.

[redacted] attempted to contact [redacted] however, nobody was home and his gate was locked. [redacted] never received a return call from [redacted] [redacted] collected [redacted] video footage and booked it into evidence.

I asked [redacted] if there was anything else he wanted to add, or anything we hadn't discussed that he thought pertained to this investigation. [redacted] said, ***"The thing I found odd, was the video only shows [redacted] and [redacted]'s interaction, then there is a gap and the next video shows Hobbs exiting the business, but there is no footage of what they are saying to each other."*** [redacted] said the video quickly ends. [redacted] confirmed there was no footage of Hobbs confronting [redacted] The only footage submitted to [redacted] was the footage of [redacted] confronting [redacted] and a short clip of Hobbs exiting the restaurant to confront [redacted] [redacted] received the cell phone footage while he was on scene.

I asked [redacted] if Hobbs confronting [redacted] for the purposes of engaging in an argument is consisted with de-escalation. [redacted] said, ***"No, that would be escalating the situation."*** [redacted] confirmed the appropriate action would have been to stay inside the restaurant and call law enforcement. I asked [redacted] if there was anything about the case that he felt was contrary to the standards of conduct for peace officers. [redacted] answered no, but had a puzzled look on his face. It appeared to me that he didn't understand the question I asked the following follow-up questions:

Are peace officers obligated to follow standards of conduct, on and off duty? [redacted] said, ***"Yes."***

If a peace officer were to engage in antagonizing behavior that escalated a situation, would that be good conduct or bad conduct? [redacted] said, ***"Bad conduct."***

<u>Summary of statement from Deputy</u> [redacted]

On 3/27/19 at about 1123 hours, I spoke with Deputy [redacted] of the Tuolumne County Sheriff's Office. I recorded our conversation. I explained to [redacted] the nature of my investigation. I explained to [redacted] the witness and confidentiality letter and had him sign it. I explained and read the administrative admonishments verbatim to him. [redacted] signed and initialed the appropriate portions.

[redacted] has been a peace officer for 28 years. [redacted] has been employed with TCSO for approximately 3 and one half years. [redacted] is assigned to the courts division as a bailiff for Judge Kate Powell-Segerstrom (JKS). [redacted] has worked with Alameda, Marin and Contra Costa Sheriff's Offices. [redacted] also worked for Maraga Police Department. [redacted] has

served as a; Patrolman, Custody Officer, Traffic enforcement, Bailiff, Supervisor, Field Training Officer and an Investigator.

I asked [redacted] if he knew [redacted] and Hobbs. [redacted] is familiar with all three parties from court appearances and calls for service. [redacted] recalled taking a call for service regarding a restraining order violation on one of [redacted] ex-girlfriends, not [redacted] estimated the call was approximately two years ago and involved [redacted] going to [redacted] and contacting a [redacted], which was a violation of a restraining order.

[redacted] said the last time he saw [redacted] was when [redacted] was physically remanded to custody by JKS, on 3/4/19. According to [redacted] JKS ordered [redacted] to turn himself into the jail in December of 2018. [redacted] failed to turn himself in; therefore, JKS ordered [redacted] to investigate the situation. [redacted] opened (TCSO Case #19-0015) and contacted [redacted] and explained the investigation. [redacted] told me he wanted to get [redacted]s side of the story for the purposes of ruling out any mitigating circumstances. [redacted] agreed to meet with [redacted] on 01/09/19; they met at the courthouse and spoke through the lunch hour.

[redacted] told [redacted] he was not under arrest and free to leave at any-time. [redacted] said he clarified that with [redacted] because [redacted] was weary of meeting [redacted] out of fear of being arrested. [redacted] asked [redacted] why he didn't turn himself in. [redacted] told [redacted] ***"I'm afraid to turn myself in."*** [redacted] said he was also afraid for his children. [redacted] asked [redacted] why he was afraid for his children. [redacted] responded, ***"I'm afraid something might happen to me."*** I asked [redacted] if [redacted] specified a specific fear. [redacted] said, ***"Yes, he did."***

[redacted] told [redacted] in December of 2018 he received an anonymous call saying there was a, ***"target on his back."*** According to [redacted] [redacted] said his attorney told him not to turn himself in if he felt he was in danger. I asked [redacted] if any of [redacted]'s statements were supported by evidence. [redacted] said, ***"No. This is just what he said."***

I asked [redacted] if [redacted] made any statements regarding a specific fear of turning himself into the jail. [redacted] said, ***"He did. As you know, he's had some difficulty with Dep. Hobbs. His fear was that Hobbs had someone on the inside that would hurt him."*** I asked [redacted] if [redacted] provided any supporting information to support his alleged fear. [redacted] said, ***"He did not. The feeling I got from the conversation was that he felt someone would have an inmate do something. That was the inference."*** [redacted] specifically said his fear stemmed from his civil disputes with Hobbs.

[redacted] told [redacted] ***"Since the relationship with his estranged wife and Hobbs began, there has been a lot of friction. The friction is between Hobbs and [redacted] regarding [redacted] and [redacted] children. [redacted] feels Hobbs has interjected himself in the child custody issues, which causes conflict. Hobbs has filed reports on the conflict and [redacted] feels threatened by it."*** [redacted] didn't use the words Hobbs was abusing his power as a peace officer. [redacted] told [redacted] ***"Because of Hobbs' position with the Sheriff's Office, I am not taken seriously and my complaints are not followed up on. Hobbs receives favoritism."***

I asked [redacted] if [redacted] has increasingly lost child custody privileges as result of the incidences with Hobbs. [redacted] said, ***"I'm coming in late in the game. From what I***

understand they are supposed to have supervised visitation, but they can't agree on a supervisor. They both throw out names and they never agree. They were ordered to mediation, but who knows; it never worked for them in the past. There are several motions still pending in the court."

I clarified with [redacted] that [redacted] specifically said he has a problem with Hobbs interjecting himself with his and [redacted] custody/legal issues. [redacted] said, ***"Yes, he is difficult to keep on track. He wants to keep reporting abuse, which has already been reported. I had to keep bringing him back to what I was trying to find out. He keeps going back and forth between his issues abuse and Hobbs. Honestly Lieutenant, when I looked at this thing and I started to hear his allegations, I took this seriously. I don't like people selling the badge and if there was something wrong, which I felt there was something, that's why I came to you. I got to a point where I felt I was in over my head and forwarded this to you."***

[redacted] has received multiple emails from [redacted] The emails started out very short, but then became more lengthily and more detailed. [redacted] noticed, ***"As the court date started to approach they began to get very voluminous and he was attaching things to them. Some of the statements threw up red flags for me. I came and saw you that day."*** [redacted] said, ***"The biggest red flag for me was the email when he said he thought he may be the victim of a justifiable homicide. I believe that is the line I highlighted for you."***

I confirmed the email date and time with [redacted] as, Tuesday, 2/26/19 at 9:28 am. [redacted] confirmed the email and confirmed the following language from the email. ***"Rodney, [redacted] and [redacted] set me up from the day Rodney filed this fraudulent R/O on me. They all had this planned so I would be taken out of the picture and without a doubt by justifiable homicide."*** [redacted] said when he was arresting [redacted] for his remand; he told [redacted] that he forwarded the emails up the Sheriff's Office chain of command. [redacted] called the jail to transport [redacted] to jail. I asked [redacted] what [redacted]s demeanor was prior to being turned over to custody staff. ***"He was very up tight. I couldn't tell if he was crying or his nose was running, but there was fluid dripping onto the table; he appeared very nervous. I could feel how tense he was when I put on his handcuffs."***

I asked [redacted] how [redacted] demeanor was throughout the previous court proceedings. [redacted] said, ***"His demeanor is good, but he keeps bringing things up out of order. He keeps wanting to bring up the same allegations of abuse, and the dog bite and the judge has to tell him, we have already been through this and he needs to report new information to the Sheriff's Office."***

I asked [redacted] if [redacted] has made the reports to the Sheriff's Office. [redacted] said, ***"Several times."***

I asked [redacted] if the Sheriff's Office takes his reports. [redacted] said, "***Every time, but most of the time, when I read them, it's the same violations over and over."***

I asked [redacted] if it is his opinion that the Sheriff's Office is unwilling to serve [redacted] [redacted] said, ***"Absolutely not. I also explained to him that if he doesn't think he is getting***

service from the sheriff, he can go to the district attorney, if he doesn't like that he can go to the state attorney general. I gave him options if he felt like he was being slided."

I asked [redacted] if [redacted] was ever violent in the courtroom. [redacted] said, ***"Not my courtroom."*** [redacted] said, there was one incident where [redacted] and [redacted] argued in front of the court house, but the witnesses [redacted] spoke to said [redacted] initiated the argument. As of 3/8/19 Hobbs has not been seen in court by [redacted] I asked [redacted] the following questions:

Are peace officers held to a higher standard of conduct? [redacted] answered, ***"Yes."***

Are peace officers governed by a standard of conduct when they are off duty? [redacted] said, ***"They are."***

Are peace officers considered laymen regarding the law and the policy? [redacted] answered, ***"No."***

Are peace officers held to a higher standard to de-escalate a situation? [redacted] said, ***"De-escalate or withdraw."***

Are peace officers required to avoid situations that could lead to exigencies? [redacted] said, ***"Yes,"*** but clarified, ***"there may be a time where you would have to interject yourself to keep the peace, but when you are personally involved that is never a good policy. Even in an exigency, you still have to act accordingly."***

I asked [redacted] if there was anything he wanted to add to this investigation, or anything he thought was relevant that I may have overlooked. [redacted] said, ***"You know so much has gone on, I can't think of anything that hasn't been covered. I feel this whole incident should never have happened. When I was a supervisor, I investigated complaints."*** I asked [redacted] if children being involved in this situation added to the level of desperation of the involved parties. [redacted] said, ***"Yes, absolutely. It's like a volcano starting with earthquakes, then little eruptions, until it turns into a big eruption; that's how I see this. Something is going to happen and I am really worried that it may be an extreme statement on his part, but it could happen."***

[redacted] told me he really contemplated forwarding the complaint, but realized it was too important. [redacted] said he apologized for jumping the chain of command by coming to me as the Lieutenant of Professional Standards, but he felt the allegation warranted immediate action. [redacted] ended the interview by stating, ***"Lieutenant, I've seen a lot of deputies do stupid things, but this is in the top 10."***

I asked [redacted] if anyone else besides me has contacted him regarding this investigation. [redacted] said, ***"No, but guys who are taking cases regarding Hobbs and [redacted] will call me to find out what happened in court for the purposes of making a decision, or interpreting a court order, but they don't share the specifics of their investigation and I don't ask, its none of my business."***

<u>Summary of statement from</u> [redacted]

On 4/3/19 at about 1137 hours, I interview [redacted] It should be noted [redacted] is difficult to interview, due to the fact that he doesn't always speak clearly and his speech is rapid. [redacted] also repeats himself and can be difficult to keep on track with a line of questioning. For that reason, this summary will highlight key facts of [redacted]s statement; however, the full recording will be available for later review. I admonished [redacted] that my statement was for administrative purposes and would not be used to incriminate him in criminal court.

[redacted] told me he understood and said he would be happy to speak with me. [redacted] told me his first complaint is on Officer Rodney Hobbs filing a false restraining order on 3/12/18. [redacted] said the restraining order protected Hobbs, [redacted] and Hobbs' son, [redacted]. [redacted] said the order was amended in July of 2018, removing [redacted] as a protected person. According to [redacted] the order was amended to allow for visitation and custody exchange.

[redacted] told me about an incident that was documented in IA investigation #17-004. [redacted] described an incident involving an alleged battery between [redacted] and [redacted] During that investigation deputies arrived on scene and determined no crime was committed (TCSO Case #17-3026). Both parties were released from the scene. [redacted] described the incident as being hit in the face by [redacted] [redacted] believes [redacted] was not taken to jail because of her relationship with Hobbs.

[redacted] told me he has never formally met Hobbs or shaken hands, man to man. [redacted] said he has asked Hobbs to come over and talk with him. [redacted] told me, ***"I don't know what the problem is, her boyfriends in the past have come talked to me. I don't have an issue with Rodney, I have an issue when it involves my children. Everybody has their perception on how the situation should be handled, but my children aren't his business. His children aren't my business; I don't get involved in that. And for one, as an officer he should try and diffuse the situation, not magnify it. I have no problem with Rodney."***

On 4/9/18 [redacted] said he was served with an Ex Parte to grant emergency custody to [redacted] based on Hobbs' restraining order. [redacted] said the first Ex Parte was denied, but the second Ex Parte was granted, which gave custody to [redacted]

On 4/15/18 [redacted] reported [redacted] not meeting her for a court ordered custody exchange. Cpl. [redacted] arrived at [redacted] residence and told [redacted] he needed to turn over the children. [redacted] disagreed with Cpl [redacted] citing Hobbs' restraining order prohibits him from contacting [redacted] [redacted] requested a supervisor and Sgt. [redacted] arrived on scene. Sgt. [redacted] informed [redacted] he needed to comply with the active custody order and the children were turned over to [redacted] for visitation. [redacted] said he was frustrated that the deputies took his children to [redacted] based on the custody order.

[redacted] estimates on 8/26/18, he received a phone call from [redacted] stating [redacted] was in the emergency room. [redacted] said, ***"He sounded like he had to go, like he was going to be in trouble. He said it quickly. [redacted] is hurt he is in the emergency room."*** [redacted] got in his car and rushed to the hospital; he was unable to locate [redacted] or [redacted] [redacted] received another call from [redacted] [redacted] asked where they were and [redacted] told him they were at Auto Zone, in Sonora. [redacted] went to Auto Zone and saw [redacted] in the parking lot. I asked [redacted] if the boys typically tell [redacted] where they are at. [redacted] said, "I don't get to talk to them," however, if [redacted]

asks the boys where they are, they will tell [redacted] said he was not restrained from [redacted] at this time.

[redacted] said he contacted [redacted] asking to see [redacted] and Hobbs interjected himself by confronting [redacted] said Hobbs told him, ***"I'm here with her."*** [redacted] said he and Hobbs had a few words. [redacted] walked around and in front of [redacted] car trying to see and talk to [redacted] [redacted] said he was concerned for [redacted] well-being and that was the reason he was there. I asked [redacted] if Hobbs said anything disrespectful. [redacted] said, ***"No. I don't think he was disrespectful. Immoral maybe because he went and filed a restraining order violation on me with Sonora PD when I'm just trying to see my son."*** I asked [redacted] the following questions:

Did Hobbs threaten you during this incident? [redacted] replied, ***"No. Not on that day."***

Did Hobbs brandish a firearm? [redacted] replied, ***"No he did not."***

Did Hobbs identify himself as a Deputy Sheriff? [redacted] replied, ***"No he did not."***

[redacted] said he received a phone call later that evening from Officer [redacted] regarding a restraining order violation. [redacted] said he cooperated with [redacted]s investigation, but he hasn't heard anything further.

[redacted] said he is always worried about Hobbs' dogs because [redacted] has been bit on his thigh and [redacted] being bit on the foot. [redacted] feels his children are abused by purposely being exposed to Hobbs' aggressive dogs. According to [redacted] the children complain about Hobbs' dogs and the manner in which the dogs are confined. [redacted] said he used a drone to take an aerial photo of how the dogs are caged. [redacted] said the dogs' pin wraps around Hobbs' trailer, which exposes the children to the dogs if they exit the home (TCSO Case #18-4139).

[redacted] said, ***"I need to backtrack a little bit."*** [redacted] said he was granted a restraining order and the order was signed by Judge Kate Segerstrom. [redacted] said he has attempted to have [redacted] served on multiple occasions; once by the Sheriff's Office, which resulted in a failed service. The second attempt service was conducted by a private process server company. [redacted] said he paid $110 to LM Process Service, but they were unable to serve Hobbs. [redacted] showed me an attempt service notice that showed three different attempts of service.

The third attempt shows a location of [redacted] and is dated for 1/22/18. Under the results description there is a note stating, ***"No one there by this name according to resident Rodney."*** I asked [redacted] for a hard copy of the notice.

[redacted] explained another incident where he felt Sgt. [redacted] lied to him. Sgt. [redacted] told [redacted] he needed to conduct a welfare check on [redacted] and [redacted] due to [redacted] reporting concern for the [redacted] children. The report was based on an argument between [redacted] and [redacted] at the school campus. While conducting the welfare check on the [redacted] children at [redacted] residence, Sgt. [redacted] was informed of an Ex Parte order that gave [redacted] custody of [redacted] and [redacted] Sgt. [redacted] served the Ex Parte after conducting the welfare check.

[redacted] told me the Ex Parte allows for phone calls from 1800 hours to 1900 hours every day, including supervised visitation.

[redacted] says he gets in arguments with Hobbs over the phone, because Hobbs answers the phone and hangs up. On one occasion [redacted] said, ***"I wasn't very polite when I talk to him. He picked up the phone and magnified the situation. I told him to stay the fuck out of my business."*** [redacted] described several situations where he felt he was being set up by Hobbs. [redacted] showed me a YouTube video he posted titled, ***"Trying to set me up again."*** [redacted] showed me the video as an example of how Hobbs instigates conflict and interjects himself into [redacted] and [redacted] child affairs. [redacted] says Hobbs always interferes with phone visitation, by hanging up on [redacted] or taking the phone away from the children (TCSO Case # 19-0303).

[redacted] re-iterated that ***"One time I was unprofessional and I went off on Hobbs and told him, fuck you."*** I asked [redacted] how Hobbs responded. [redacted] said, ***"Basically instigating, I would say in my opinion, that's my perception."*** [redacted] says Hobbs will say things similar to, ***"We'll see, We'll see."*** [redacted] says he interprets the antagonizing as, ***"you don't know what you got coming."*** [redacted] says Hobbs tries to turn things around to make it look like [redacted] is threatening Hobbs. [redacted] repeated several times throughout the interview that Hobbs lies and files false reports and restraining orders on him.

[redacted] said Hobbs drafted a two page lie alleging [redacted] stalked him around downtown and that [redacted] was mentally and physically abusive. [redacted] said, ***"but I already proved that was a lie, so oh well."*** I asked [redacted] to explain the meaning of his video, ***"Trying to set me up again."*** [redacted] said, ***"It's constant, I'm not stupid. Whether it's on my property, McDonalds, I know it's a set-up. I can't prove that, but when he calls and makes false reports and he works for you guys. My kids being taken from me, officers threatening to throw me in jail. I have false charges on me right now. That are totally false, I paid $4,000 for a paypal, detective [redacted] didn't even investigate. I've been arrested twice for it. Hobbs is good buddies with [redacted] I'm not stupid. My kids had to see all of that."*** [redacted] gave an example of when [redacted] was bit by Hobbs' dog, ***"Instead of being a man and saying, hey my dog bit your kid. He's ok, this is what happened… he goes to the Sonora Police and files a restraining order violation. It's always something, it's always something."***

I asked [redacted] if he felt that he was constantly being set-up by Hobbs. [redacted] said, ***"Yes, I feel like I have to live life through a video camera. My safety is in jeopardy where ever I go. When there is no truth behind what he says and no accountability, plus he has a badge. For Hobbs to say I'm abusive… I've never laid a finger on [redacted] It is what it is, I just want what is best for my kids."***

I asked [redacted] the following questions:

Have you ever been in a physical confrontation with Rodney Hobbs? [redacted] said, ***"No, never."***

Is there anything that would stop you from getting into a physical confrontation with Hobbs? [redacted] said, ***"My love for my sons, yeah."***

Has Hobbs ever threatened you? [redacted] said, ***"I believe he has."***

How has Hobbs threatened you? [redacted] said, ***"I believe he has. He's not dumb, he knows how to record. I can't prove it."***

On 3/4/19, [redacted] was remanded to jail by Judge Kate Segerstrom. I asked [redacted] why he was remanded to jail. MHS described an incident approximately three years ago involving the children not being properly restrained in [redacted] car. In a text message [redacted] used the word, ***"fuck,"*** which was a violation of his and [redacted] be-good order. The be-good order specified no derogatory language. [redacted] said he was initially ordered to do community service for the violation, but due to an oversight, his community service wasn't accepted and he was remanded to jail.

I asked [redacted] if his remand had anything to do with Hobbs. [redacted] said, ***"No, this was before any of that."*** [redacted] said he was originally ordered to turn himself into jail on approximately 12/28/19, but he received an anonymous call saying, ***"Don't turn yourself in."*** [redacted] did not have any documentation of the anonymous call. I asked [redacted] if he turned himself in to jail. [redacted] said, ***"No, I did not,"*** [redacted] stated he was in fear for his safety. I asked why he was in fear for his safety. [redacted] said, ***"Rodney Hobbs. Nothing I can prove, but I have heard he's been in trouble, promoted and demoted. Nobody would look twice if something happen to me."***

I asked [redacted] if he has ever reached out to a deputy sheriff for help. [redacted] said, ***"Yes,"*** and described the deputy as working at the courthouse. I asked [redacted] if he was referring to Deputy [redacted] [redacted] said, ***"Yes. I told him everything. I told him I was scared"***

I asked [redacted] if he was in fear that Hobbs would have you assaulted. [redacted] said, ***"Yes."***

I asked [redacted] if he was in fear that Hobbs would kill him [redacted] said, ***"Yes, for sure, without a doubt."***

I asked [redacted] if there was anything we hadn't talked about that made him feel Hobbs would kill him. [redacted] said, ***"Yes. [redacted] behavior and I don't correlate that to Rodney, but because I know [redacted] personality. [redacted] is unable to love, she don't have empathy. She would want me dead; her first husband is dead because of her. She would want me dead more than Rodney. Rodney is smart enough to know the repercussions if he gets caught, but [redacted] doesn't have a heart."***

I asked [redacted] if [redacted] told him about the complaint he would be filing on behalf of [redacted] [redacted] said, ***"He may have. I don't remember, I was going through a lot that day."*** I confirmed with [redacted] that the email [redacted] sent me was the email [redacted] wrote. I read verbatim the paragraph containing the allegation of justifiable homicide. I asked [redacted] if he wrote the email. [redacted] said, ***"Yes sir."***

[redacted] said, ***"I'd like to note… Just something that caught my attention… while I was in custody. Right when I got there, a deputy came up to me and brought a form. He asked me to sign it. I don't know why but I guess because I was concerned for my safety, I looked at it. It said it was a form to house me in general population. The deputy explained it was a waiver and I didn't sign it, because I was in fear for my safety. Fifteen minutes alter a female officer came in and asked me to sign it and said it would make her job a lot easier. I didn't sign it because I wanted them to be responsible for me.***"

I asked [redacted] how he was treated by [redacted] [redacted] said, ***"I think he is an outstanding officer, very professional."*** [redacted] said he was not housed in general population and he did not

experience any mistreatment while in custody. I asked [redacted] if he made any comments to any of the jail staff. [redacted] said when he was being booked they asked if he had any issues with anyone. [redacted] said, ***"Yes. Mr. Rodney Hobbs."*** [redacted] was referring to the initial booking questions the clerks ask prior to being housed. [redacted] said he finished his booking process without further comments. [redacted] said he never made any comments about [redacted] and Hobbs. [redacted] said he didn't speak to anyone because he was in his cell the whole time.

On 3/8/19 [redacted] was released from jail. [redacted] exited the jail and walked up Yaney Avenue and past the courthouse. [redacted] described himself as being happy to be out and, ***"jogging a little bit."*** [redacted] said, ***"I hit the sidewalk on Washington Street. I cut through the park; I was jogging and walking briskly."***

I asked [redacted] if he saw anyone he knew while walking through the park. [redacted] said he didn't remember seeing anyone in the park.

I asked [redacted] if he saw Hobbs or [redacted] while he was in the courthouse park. [redacted] said, ***"Not that I remember. Not at all."***

I asked if he saw Hobbs and [redacted] vehicle. [redacted] said, ***"Not while I was in the park, no."***

[redacted] passed through the park and continued to walk and jog, south on Washington Street. [redacted] said, ***"I heard voices behind me… a guy and girl, it caught my attention. I looked over and there is [redacted] and Rod sitting in the car stuck in traffic. I said something out loud as they passed me, a few more comments, I don't remember. I was jogging and they got stuck at a stop sign, or actually the corner. Rodney and I exchanged words, I don't remember what was said."***

I asked [redacted] what was happening in the vehicle when Hobbs and [redacted] passed him on Washington Street. [redacted] said, ***"I said something, vice versa, back and forth."***

I asked [redacted] if he saw anything inside the vehicle. [redacted] replied, ***"No. Rod and [redacted]***

I asked if Hobbs or [redacted] were holding anything. [redacted] said, ***"I noticed the light, they were holding a cell phone."***

I asked [redacted] if it appeared Hobbs was talking on the phone, or recording. [redacted] said, ***"Recording, that's my opinion."***

I asked if Hobbs said anything as the vehicle passed. [redacted] said, ***"Yes, but I don't remember. I was just excited to get home."*** I asked [redacted] if he could describe what he heard. [redacted] said, ***"I didn't pay no attention to it. I was frustrated."*** [redacted] said he caught up to Hobbs and [redacted] at the light of Stockton Road. [redacted] said, ***"We had a conversation. I said some things I shouldn't have."*** [redacted] said he didn't remember the details of what he said to Hobbs, or what Hobbs said to him.

I asked [redacted] if Hobbs was holding anything in his hands at the time they were exchanging words. [redacted] said, ***"Not that I recall."***

I asked [redacted] if he ever saw Hobbs holding a firearm. [redacted] said, ***"Not that I recall, I didn't see any."***

I asked [redacted] if Hobbs threatened him with a firearm. [redacted] said, ***"Not that I am aware of, no."***

I asked [redacted] if Hobbs identified himself as a peace officer and used his authority. [redacted] said, ***"No sir. Not that I am aware of. I was fired up and I said some things I probably shouldn't have, but I've been worried about my kids getting abused. I have no contact with my kids."***

I asked [redacted] if his custody remand was linked to the restraining order Hobbs filed against him. [redacted] said, ***"No sir."***

I asked [redacted] if he had any encounters with Hobbs after the downtown incident. [redacted] described the incident at Taco Shop El Ray, in Sonora (TCSO Case #19-0843). [redacted] told me he lives on [redacted], which is close proximity to the taco shop. Shortly after 6:00 PM, during court ordered phone visitation, [redacted] was talking to [redacted] [redacted] said, ***"I had to go to NAPA, I was running several errands in that vicinity. I happen to see my son outside on the blacktop area; he told me he was by the house, so I assumed it was him."***

I asked [redacted] if [redacted] told him where he was. [redacted] confirmed that [redacted] told him, ***"We are eating tacos by the house."*** [redacted] clarified [redacted] never said, ***"Taco Shop El Ray,"*** and further stated he wouldn't have known the name of the taco shop. [redacted] pulled into the parking lot of the taco shop and [redacted] went inside the restaurant. [redacted] was parked outside the restaurant and could see Hobbs motioning with his hand for [redacted] to leave. [redacted] did not leave the parking lot of the taco shop. [redacted] said he rolled his rear passenger window down so his children could see the new puppy he bought for them. [redacted] said he didn't remember any conversation taking place; however, Hobbs exited the restaurant. [redacted] said, ***"He opened the doors and came out. He was on his phone like he was making a call. I left after 30-45 seconds; I was focused on my sons. I didn't talk to anyone."***

I asked [redacted] if the taco shop incident took place during his phone visitation. [redacted] said, ***"I believe it was. This was our private time and I think that's why… well once again, I don't get private time with the boys. There is always an excuse, were driving, were out to eat, were somewhere. I try to talk to them in the car."*** [redacted] told me he had video footage of the taco shop incident and would provide a copy for this investigation.

I asked [redacted] if he has filed complaints against Hobbs in the past and what the specific complaints were for. [redacted] said, ***"Yes, for all of the above. Everything we have been talking about. He keeps showing up… and has a restraining order on my visitation. He shows up on the exchanges, for what? It's not your visitation stay out of it."***

I asked [redacted] if there was any single incident that has caused him to feel fear for his safety, or if it is all the incidences combined. [redacted] said, ***"It is everything combined. On top of it all, I was told yesterday Rodney is abusing my kids. We all have our morals, but the easiest way to get to someone is their children. If you're abusing my kids, it's an easy way to get me to snap, but the love for my kids is saving me. If and this is alleged, but several parents have told me about the abuse… to get someone to snap, hurt their kids, that way I react. I don't want to react, I***

know I'm gonna lose, I'm not stupid, my kids would lose. I would never act that way and jeopardize what I have with my children."

I asked [redacted] if these feelings reflect his complaint that Hobbs and [redacted] are trying to set him up. [redacted] said, ***"Abuse my kids and set me up. How can you set me up anymore? He puts a restraining order on me, I come up, he puts a hole in me and I'm dead."***

I asked [redacted] why he felt [redacted] wanted him dead more than Hobbs. [redacted] said, ***"This might sound weird, but [redacted] and I had a good marriage, but [redacted] doesn't have the ability to love. [redacted] replaces everything that has to do with love, with money."*** [redacted] said that their counselor said [redacted] had narcissistic personality disorder. This information was not supported by any documentation. I did not ask for documentation due to HIPPA protections. I did not ask any questions regarding [redacted] medical history due to HIPPA protections. [redacted] was articulating why he felt [redacted] wanted him dead, which added to the fear for his safety.

[redacted] provided several video clips that he feels illustrates behavior that Hobbs and [redacted] filed **false claims of fear to obtain a restraining order** against him and **false reports of restraining order violations.** [redacted] feels the videos support his claims that he is being set-up by Hobbs and [redacted] The video footage provided by [redacted] will be attached to this investigation and titled:

- [redacted] violating court orders at football (5/9/2018)
- Child Custody Exchange with Hobbs (2/3/2017)
- All she does is manipulate the boys and violates court orders (5/6/2018)
- Dysfunctional (12/8/17)
- Lying about baseball (5/5/2016) x2
- Trying to see my son and be there for him "AutoZone Incident" (8/26/18)

[redacted] articulated several allegations of child abuse against [redacted] [redacted]'s allegations have been investigated and documented in the following cases:

- (TCSO Case #18-3968)
- (TCSO Case #19-0799)
- (TCSO Case #19-0928)

[redacted] said he spoke to Sgt. [redacted] about abuse of his children. [redacted] said he has been worried because he hasn't had visitation with his children in 189 days. [redacted] documented [redacted] allegations in (TCSO Case #19-0799). [redacted] said, ***"This is the first time in four and a half years where I don't know if my kids are dead or alive. And being a law enforcement officer, are you apart of the abuse? I mean you're smart, shoot that dog, or if my kids are coming to your house, put them in a cage."***

"It's not all his fault, [redacted] instigates this, and she just found the right partner. Don't get me wrong, Rodney is responsible for his own actions, but [redacted] is the leader. He just has the ability to impact my life with tremendous pain."

I asked [redacted] to specify what ability Hobbs had to impact [redacted] life with pain. [redacted] said, ***"Being in law enforcement. If he didn't have a badge she would've been charged and this***

would've never have happened. [redacted] ***wouldn't have hit me if he wasn't involved."*** [redacted] was referring to the incident in (TCSO Case #17-3026).

[redacted] said he feels the District Attorney, CWS and the Sheriff's Office haven't helped him. [redacted] said a deputy sheriff called his son a liar regarding alleged abuse. [redacted] was referring to Sgt. Cuellar's report, (TCSO Case #19-0928).

I asked [redacted] if the Sheriff's Office has taken reports for him. [redacted] said, ***"I think so, I've never seen them."***

I asked [redacted] if he has ever requested copies of his reports. [redacted] said, ***"No sir, I have not."***

I asked [redacted] if he knew he could request copies of his reports. [redacted] said, ***"Yes sir."***

I asked [redacted] if he felt the Sheriff's Office had given him preferential treatment. [redacted] said, ***"No."***

I asked [redacted] if he felt Hobbs was given preferential treatment from the Sheriff's Office. [redacted] said, ***"Sheriff's Office themselves, no. I can't say for Hobbs, but*** [redacted] ***has definitely received special treatment. How many times have I called for a welfare check on my kids? I talked to Sgt.*** [redacted] ***and he denied me a welfare check on my kids."*** [redacted] said Sgt. [redacted] told him there would be no welfare check without the appropriate supporting facts. Sgt. [redacted] explained to [redacted] that frivolous welfare checks could be a form of violating a restraining order and for that reason; no welfare check would be conducted. I explained to [redacted] how third party restraining order violations work and the perception of manipulating the welfare check process.

[redacted] said he felt that Sgt. [redacted] and Sgt. [redacted] lied, because [redacted] spoke to his children after they had been interviewed by [redacted] and [redacted] According to [redacted] his children said they told [redacted] and [redacted] everything. I told [redacted] that the reports I have reviewed show classic signs of mental manipulation, which is typical for children who are forced into custody battles. I further explained to [redacted] that it is abundantly clear [redacted] is hesitant to say anything that will reflect negatively on either parent.

[redacted] said he never gave [redacted] or [redacted] permission to speak to his children. I explained to [redacted] that [redacted] or [redacted] did not need permission to speak to the children based on the scope of their investigation. [redacted] said, ***"Fair enough, I just wish it was another officer other than Sgt.*** [redacted] ***Actually, I take that back, I can't put that on him. My son didn't have anything bad to say about Sgt.*** [redacted] ***it was*** [redacted] ***from CWS that called my son a liar."***

[redacted] said he feels there are no options and that is why he took his kids from school and went to the DA's office. [redacted] said, ***"I've lost integrity in CWS and the Sheriff's Office, because nobody will protect my kids. I'm not saying the whole office, but there are some problem employees. If*** [redacted] ***would've been arrested for hitting me, the judge would've never signed off on this. If she would have been charged for the dog situation, my kids wouldn't be there. If she was served with my restraining order, I wouldn't be sitting here right now. The judge would've never let the kids go."***

During [redacted] interview, [redacted] spoke of several incidences requiring additional review of the following cases:

TCSO Case #17-3026 (Summary)

[redacted] claimed to have been assaulted by [redacted] on 8/24/17, during a child custody exchange. [redacted] stated if [redacted] was arrested, or charged during that investigation, the outcome of the Ex Parte orders would have been different, or Hobbs wouldn't have been allowed to obtain a restraining order on him on 3/12/18.

Deputy Jeff [redacted] arrived on scene to investigate; he was assisted by Deputy [redacted] They met [redacted] and Hobbs at the A&B gas station in Sonora. This is approximately one-quarter mile from [redacted] house. [redacted] was able to determine through statements that [redacted] took [redacted] cell phone from her during an argument. Hobbs was on speakerphone with [redacted] during the custody exchange and argument. [redacted] determined through [redacted] statements that, [redacted] did not yank or forcefully take [redacted] cell phone; however it was determined he took [redacted] phone out of her hand. [redacted] was quoted in the report, ***"He just took it out. I wasn't expecting him to grab it."*** [redacted] gave [redacted] phone back to her. Both [redacted] and [redacted] witnessed the incident.

[redacted] made contact with [redacted] at his residence. [redacted] told [redacted] he had the full encounter recorded on his cell phone. [redacted] told [redacted] he was arguing with [redacted] about picking up [redacted] and [redacted] when she slapped his phone out of his hand. [redacted] claimed the phone hit him in the face. [redacted] reviewed [redacted] video footage. From the report [redacted] wrote, ***"[redacted] was standing by [redacted] driver side window yelling. [redacted] was holding her phone by the driver side mirror and appeared to be recording. [redacted]'s phone never crossed the plain of the window and never entered the car. As [redacted] approached [redacted] window, she reached out and hit [redacted]'s cellphone. [redacted] phone remained in the same position when she hit [redacted]'s phone out of his hand."*** Nothing in the report supports [redacted]'s claim that the phone hit him in the face.

[redacted] said in an interview he saw [redacted] hit [redacted]'s phone out of his hand and that [redacted] grabbed [redacted] phone. [redacted] concluded his investigation by completing an informational report. The report was not submitted to the district attorney upon completion. [redacted] and [redacted] were listed as (mentioned) person(s); no victim or suspect was declared. Hobbs was listed as the Reporting Party (RP).

Approximately two weeks later, on 09/07/17 at about 1015 hours, [redacted] arrived at the Sheriff's lobby. [redacted] wanted to report he was the victim of assault based on the 8/24/17 incident. Dep. [redacted] spoke with [redacted] provided a flash drive with video footage. [redacted] viewed the footage and observed the same footage as [redacted] [redacted] wrote his observations in Supplement #2. [redacted] observations were similar to [redacted]. The flash drive was booked into evidence. [redacted]s supplemental was not forwarded to the district attorney and the person(s) status was unchanged. This information was submitted as Supplement 2.

The same day, 09/07/17, [redacted] submitted a records request for the case; however, the report was submitted as informational. [redacted] was denied a copy of the report because he was not listed as a

victim. [redacted] was provided with the incident only, which was listed as a suspicious circumstance, with no investigative summary. The decision to release only the incident was made by the records supervisor at the time, [redacted]. A copy of the records denial is attached to this investigation.

On 07/30/18 at approximately 1855 hours, [redacted] arrived at the Sheriff's lobby with a flash drive. [redacted] spoke with [redacted] and requested he book the flash drive into evidence. The flash drive contained video footage and screenshots of the original incident. [redacted] booked the flash drive into evidence. No other changes were made to the case. This information was submitted as Supplement 3.

On 11/20/18 at approximately 1830 hours, [redacted] spoke with Sgt. [redacted] on the phone. [redacted] requested this case be forwarded to the District Attorney for review. This was submitted as Supplement 4 of the existing case. No further changes were made to this case. This report was not forwarded to the District Attorney for review.

[redacted] was not restrained from [redacted] or Hobbs at the time of the initial incident.

Failed Due-Dilligence To Serve Restraining Order

[redacted] alleges he was granted a restraining order against [redacted] in January of 2018, based on [redacted] inappropriate behavior. [redacted] said the Sheriff's Office did not do their due-diligence to serve the restraining order to [redacted] I researched [redacted]s allegation and learned that he was denied a restraining order in January of 2018, by Judge Kate Segerstrom; however, shortly after Judge Kate Segerstrom granted [redacted]s restraining order after a correction was made.

[redacted] received a failed service notice from TCSO; however, it wasn't the service of the restraining order, it was the failed service of the denial. The denial form showed three attempts made by Deputy [redacted]. I researched these documents via the TCSO Civil Clerk [redacted] The second restraining order was valid and signed by Judge Kate Segerstrom in January of 2018. [redacted] hired [redacted], which is owned by [redacted]. [redacted] is also employed as court security for Tuolumne County Superior Court.

[redacted] gave me a copy of the failed service by [redacted]. The failed service showed two attempts at Hobbs' residence and one attempt at [redacted] former residence. [redacted] former residence was occupied, the new tenant said [redacted] moved. The first attempt at Hobbs' residence stated, ***"Nobody home."*** The second attempt at Hobbs' residence showed Hobbs' told the Process Server, ***"Nobody by that name at the residence."***

I contacted [redacted] who told me his son, [redacted] was the person who attempted to serve [redacted] I contacted [redacted] over the phone. [redacted] was not a certified process server at the time, but told me he remembered the attempted service. [redacted] said he arrived at Hobbs' residence and saw Hobbs' red truck and [redacted] in the driveway. [redacted] knocked on the door and heard someone say, ***"Shhhh, be quiet."*** Hobbs answered the door and [redacted] attempted service; however, Chris made a mistake and said the wrong name. Hobbs told [redacted] ***"There is nobody here by that name."*** [redacted] questioned Hobbs and said, ***"That's her car,"*** pointing at [redacted] Hobbs said, ***"That's my girlfriend's car."*** [redacted] corrected himself

after he realized he said the wrong name. Hobbs then said, ***"That's not the name you said…"*** Hobbs asked [redacted] what he wanted with [redacted] When [redacted] responded with, ***"I need to give*** [redacted] ***some papers,"*** Hobbs said [redacted] wasn't there. Hobbs asked [redacted] if he wanted him to give [redacted] the papers. [redacted] declined and said he needed to give them to her personally. [redacted] told me he thought he heard a female voice in the residence, but couldn't be positive. [redacted] agreed to draft a memo of his recollection for this investigation.

SPD Case #18-1111 (Summary)

[redacted] made several allegations that Hobbs filed false restraining order violations. [redacted] said Hobbs should've known [redacted] was going to be there based on the care for his son, [redacted] [redacted] specifically mentioned Hobbs was immoral for filing a restraining order violation on 08/26/18. Officer [redacted] of the Sonora Police Department completed this case based on a report she received from Hobbs. I retrieved a copy of [redacted] report, to include the associated recorded statements.

[redacted] report confirmed [redacted] received a dog bite from Hobbs' dog and was treated at prompt care. [redacted] recorded interview with [redacted] confirmed [redacted] was not restrained from [redacted] or [redacted] told [redacted] she did not notify [redacted] of [redacted] injury because she didn't want [redacted] to, ***"Cause a scene or to bring drama. Anytime he is around there is a scene."*** [redacted] said another reason she didn't notify [redacted] of the [redacted] injury was because her phone died.

[redacted] said [redacted] called [redacted] and told him they were at the hospital and then called [redacted] again and told him they were at AutoZone. Hobbs arrived at the hospital and accompanied [redacted] to AutoZone, due to her car having a dead battery.

[redacted] arrived at AutoZone and wanted to see [redacted] [redacted] said [redacted] was yelling and walked in front of her vehicle. [redacted] was able to drive around [redacted] and leave the parking lot. [redacted] confirmed Hobbs was the only person protected on the restraining order from [redacted] on this day.

[redacted] spoke with [redacted] regarding the investigation. [redacted] admitted to going to AutoZone based on [redacted] having injury. [redacted] said he was never notified about [redacted] injury. [redacted] said when he arrived, Hobbs confronted him and [redacted] admitted to telling Hobbs to stay out of his business and that [redacted] was there for his son. [redacted] said Hobbs stayed and continued to confront [redacted]. [redacted] provided [redacted] with a screenshot of the text message showing he was never notified of [redacted] injury. See attached photos of this investigation.

Hobbs spoke to [redacted] and confirmed most of [redacted] statement. Hobbs told [redacted] he met [redacted] at AutoZone to get her a new car battery. [redacted] showed up and yelled at Hobbs to get back inside his car. Hobbs described his and [redacted] dialogue as back and forth. Hobbs said [redacted] is, ***"Scared to death of*** [redacted] Hobbs described [redacted] as being animated and recording the confrontation with his cell phone. Hobbs said he told [redacted] he needed to leave because of the restraining order. Hobbs said [redacted] was avoiding notifying [redacted] until she got home because she didn't want [redacted] ***"Scream at her."***

[redacted] asked Hobbs if he wanted to press charges. Hobbs said, ***"Oh for sure. Yeah, that's the only reason I got an order. Because this kind of stuff is gonna happen towards her again. I mean, I get she has to let him know and she did send a text. But because of his demeanor she didn't want to deal with him in public."*** Hobbs also told [redacted] and [redacted] having phones has been a problem because they call and text [redacted] where they are. [redacted] told Hobbs she was preparing a report to be sent to the District Attorney for complaint. Hobbs said, ***"I appreciate that."***

Hobbs closed the conversation by saying, ***"I appreciate it Officer [redacted] and like I said this is unfortunately why I got the order the way I did, because I know there is going to be more incidences like this."***

During [redacted] interview with [redacted] there were no claims of being "scared to death" of [redacted] did not state she was in fear for her safety; however, she described [redacted] as embarrassing because he is dramatic.

TCSO Case #18-3968 (Summary)

[redacted] alleged [redacted] and [redacted] have been subjected to physical and emotional abuse. [redacted] specifically said [redacted] and [redacted] are encouraged to fight by [redacted] which resulted in physical injuries. [redacted] said both boys are purposely exposed to Hobbs' aggressive dogs, which resulted in both boys receiving dog bites. [redacted] admitted flying a drone over Hobbs' residence for the purposes of collecting photographs regarding the safety of [redacted] children. [redacted] alleged Sheriff's deputies did not investigate his child abuse complaints.

On 11/19/18 at approximately 0900 hours, Sgt. [redacted] met with [redacted] at the My Garden Café, in Sonora. [redacted] reported to [redacted] that [redacted] held [redacted] down and encouraged [redacted] to kick him in the face. [redacted] received the information third party from his friend. [redacted] reported dog bites to both [redacted] and [redacted] [redacted] reported concern about Hobbs' fence after a drone flight over Hobbs' residence. [redacted] said the fence confines the entrance to the residence as well as the dogs, which means in order for the boys to go outside they are exposed to the dogs. [redacted] also reported a burn to [redacted] foot and a bruise to [redacted] face. [redacted] gave [redacted] the third party person, [redacted] information.

[redacted] conducted follow-up with [redacted] and both [redacted] and [redacted] [redacted] told [redacted] she has overheard the kids talking about wrestling and fighting. She has also heard comments about [redacted] letting both boys fight each other. [redacted] contacted both Hobbs and [redacted] regarding the investigation. Both Hobbs and [redacted] cooperated with Stuart's investigation. [redacted] was able to provide answers to the allegations of abuse and denied any actions associated with physical or emotional abuse. [redacted] interviewed [redacted] in the presence of her attorney, [redacted]. [redacted] said [redacted] and [redacted] fight and in most circumstances wrestle. [redacted] said she normally separates them, but they fight. [redacted] acknowledged [redacted] as being bitten by one of the dogs, but denied that [redacted] was ever bitten.

[redacted] interviewed both [redacted] and [redacted] they both denied physical abuse. Both boys said they wrestle with each other and said [redacted] does not hit them. Both boys understood the difference between a lie and the truth. Both boys said they would tell [redacted] if they had been

abused, or scared. [redacted] collected all necessary information and evidence associated with this investigation and forwarded the case to Child Welfare Services for review on 11/27/18. This case was not forwarded to the District Attorney.

TCSO Case #19-0799 (Summary)

[redacted] alleges his complaints of child abuse have not been investigated. Sgt. [redacted] completed the above listed report based on allegations made by [redacted] produced a recording of his children upset and claiming physical abuse from [redacted] Based on [redacted]'s recording, [redacted] conducted a full investigation. [redacted] provided a statement in this internal investigation regarding the details of the investigation.

On 3/9/19 at about 1851 hours, [redacted] met with [redacted] in the Sheriff's lobby. [redacted] initiated an investigation based on [redacted]'s allegation of abuse and an audio recording supporting the allegation. [redacted] arrived at Hobbs' residence at approximately 2124 hours. Hobbs, [redacted] and the boys were in bed. [redacted] explained the nature of the investigation to Hobbs. Hobbs cooperated with the investigation and invited [redacted] inside his residence. [redacted] interviewed both [redacted] and [redacted] [redacted] did not observe any injuries to support the allegations. Both boys were wearing pajama style pants with no shirts. [redacted] had a clear view of their torsos and necks. Both [redacted] and [redacted] denied the allegations of abuse, but admitted they wrestle together and sometimes [redacted] has to separate them.

[redacted] denied physically abusing the children and described them as carried away with wrestling; however, her method of discipline is Time-Out. [redacted] concluded the boys were not in any danger being in Hobbs and [redacted] custody. [redacted] noted in his report the boys were reluctant to speak about the recording. [redacted] had no way to validate [redacted]'s recording. [redacted] forwarded his investigation to CWS and the District Attorney for review.

TCSO Case #19-0928 (Summary)

[redacted] has alleged on several occasions his allegations of child abuse have not been investigated. On 3/21/19, Sgt. [redacted] contacted [redacted] regarding allegations of child abuse. According to [redacted] allegations were documented in TCSO Case 19-0799; however, [redacted] claimed more allegations were made at the boys' school, [redacted].

On 3/22/19, [redacted] arrived at [redacted] with Social Worker [redacted], who is an employee of Child Welfares Service. SW [redacted] and [redacted] sat in on [redacted]s interviews with both [redacted] and [redacted] [redacted] interviewed [redacted], multiple school staff and witnesses provided by [redacted] [redacted] determined [redacted] and [redacted] were not in danger, or victims of abuse.

[redacted] noted in his report [redacted] observations of [redacted] and [redacted] as; happier, healthier and more focused in class and school activities. Both [redacted] and [redacted] denied physical abuse and described being disciplined with typical forms of being spanked, or placed in Time-Out. Both [redacted] and [redacted] said they feel safe with their father, [redacted] and their mother, [redacted] It was noted that both children illustrated signs of stress stemming from the toxic child custody process between [redacted] and Hobbs. [redacted] documented concerns regarding truthfulness with [redacted] but not from [redacted] [redacted] concluded his

investigation by referencing associated case TCSO Case #19-0799. [redacted] forwarded this case to CWS and the District Attorney's office for review.

Custody Housing Refusal

[redacted] stated he is in fear for his safety based on the information listed in his statement. [redacted] explained he refused to turn himself in to jail, based on fear that he would be injured, or killed. [redacted] stated he was afraid that Hobbs would have him hurt or killed while in custody. I retrieved a copy of [redacted] housing history from the TCSO Jail. [redacted] housing document showed [redacted] refused to sign the waiver for general population housing. [redacted] was housed by himself in Holding Cell 1, Holding 6 and Tuolumne E 1. No incidences, disturbances or injuries were reported by jail staff, or [redacted] during his time in custody.

Summary of Statement from Rodney Hobbs:

On 6/05/19, at 1030 hours, I spoke with Dep. Rodney Hobbs of the Tuolumne County Sheriff's Office in the presence of his legal representation, Jason Jasmine. I recorded our conversation. I explained to Dep. Hobbs the nature of my investigation. I explained and read the admonishments verbatim to him. Dep. Hobbs signed and initialed the appropriate portions. The following is a summary of our conversation.

Hobbs asked me if he would be afforded the opportunity to discuss certain incidences that took place in the past with [redacted] Hobbs said he felt the incidences were important in telling the complete story of how his relationship with [redacted] developed to current day. I told Hobbs after I completed the training and experience portion of his interview I would give him the floor to discuss whatever incidences he felt necessary for the investigation.

Hobbs has been a peace officer with TCSO for twenty-three years. Hobbs has experience in the following areas; Jail Deputy, Patrol Deputy, Bailiff, Narcotics Detective, Special Weapons and Tactics Operator and Civil/Coroner deputy. Hobbs has received defensive tactics training and verbal skills training. Hobbs' current role is Civil/Coroner. Hobbs described his duties as:

- Coroner death investigations
- Serving Restraining Orders
- Serving Civil Papers
- Custody orders
- Serving Evictions
- Monitoring Sex Registrants

Hobbs completed a civil school and is a subject matter expert in process serving, restraining orders and civil orders. Hobbs has been a Civil/Coroner deputy for approximately 5.5 years. Hobbs served 18 months as a family law bailiff where he observed court proceedings related to restraining orders and custody orders.

I asked Hobbs if the parties involved in Family Law and Civil Law proceedings are usually amicable. Hobbs said, ***"No, as a matter of fact, as courtroom security the family and civil law are the courts we were most concerned with."*** I asked Hobbs if safety was the factor for concern. Hobbs said, ***"It is. As Judge Polly used to say, the average good citizen looks their***

worst in civil court and the bad guy looks their best as a defendant in criminal court. I believe that to be true."

I asked Hobbs if restraining orders can be used to manipulate court processes. Hobbs told me he didn't understand the question. I asked the question again and he responded, ***"They can be."*** I asked Hobbs to explain how restraining orders can be used to manipulate the court process. ***"Um, I've seen people make false domestic violence reports to get an emergency protective order, which is good for five days and then follow-up with a TRO and sometimes those cases are completely false, but the TRO is still in effect until the case is done and the person loses their kids. I've seen that."*** I asked Hobbs if that can be a strategy. Hobbs said, ***"Sure."***

I asked Hobbs if manipulation strategy adds to the challenge of assessing restraining order violations, based on the involved person(s) motivations. Hobbs said, ***"Yes,"*** and described the importance of ***"verbal judo,"*** when talking to people and explaining the court process. Hobbs recognizes that the involvement of children makes the incident ***"very emotional."*** Hobbs said he is effective with his verbal skills, but on occasion has needed to seek assistance from a partner. I asked Hobbs about his experience as a patrol deputy and assessing restraining order violations. Hobbs said, ***"It's a complicated incident, always has been. Sometimes the orders aren't specific enough. Sometimes vague orders from the court make it tough. One side says something and the other says something else. Sometimes you need witnesses to figure out. Not easy calls by any means."***

I asked Hobbs, What is the purpose of a restraining order? Hobbs said they were for protection and a deterrent to dealing with law enforcement.

Hobbs explained in detail the procedure for investigating and interpreting standard restraining orders and multiple protected party restraining orders. I asked Hobbs if restraining orders allowed for exceptions for contact between protected person(s) and restrained person(s). Hobbs said, ***"Yes,"*** and provided the following example, ***"Child custody. If the female is protected, but yet the male still has custody time."*** I asked Hobbs if he had experience investigating these types of restraining orders and what the goal is while determining a disposition. Hobbs said, ***"To get it right based on the court orders."*** I asked Hobbs what the goal was for behavior of involved parties. Hobbs said, ***"Try to calm the situation so it doesn't go from civil to an assault type situation. That way people aren't worried for their safety."***

I asked Hobbs if calming the situation was consistent with de-escalation and if he was trained in de-escalation. Hobbs said, ***"Yes. We were trained on that in the academy."*** Hobbs has received update training on de-escalation, verbal skills throughout his career with the Sheriff's Office.

I asked Hobbs if peace officers are entrusted to consider the totality of the circumstances when determining if a restraining has been violated. Hobbs said, ***"Yes."*** Hobbs has investigated situations where he has determined no restraining order violation existed, based on the total circumstances. I asked Hobbs to describe an investigation where a restraining order hadn't been violated. Hobbs said, ***"A restrained person is shopping in the junction and the protected person shows up at the same store and calls for a restraining order violation. This is an example I have had, but the person has a right to go shopping; they were there first. I would not take that case as a violation."*** Hobbs would not make an arrest based on the example he

provided and when asked if he would file complaint to the DA, Hobbs said, ***"I would clarify with a supervisor."***

Hobbs said, ***"I've had conversations with both sides. I've told restrained people they need to get their shopping done and leave. I've told protected people they shouldn't be calling this in because that person has the right to shop, they were there first."*** I asked Hobbs if the examples he provided regarding non-RO violations were consistent with methods used to manipulate the court system. Hobbs replied, ***"Sure."*** Hobb described his example of a non-restraining order as an incident where there was no intent and further stated he would not file charges after consulting a supervisor. Hobbs said an incident can change based on the restrained person's behavior. Hobbs described decision making as being important to determining legitimacy of restraining order violations. Hobbs acknowledged that sending a report to the DA for review can subject an individual to criminal prosecution. Hobbs stated, ***"That would apply to all crimes."***

I asked Hobbs if he has ever used his peace officer experience to interfere with any civil, criminal or other court process, to include process serving. Hobbs asked me to repeat the question. After repeating the question, Hobbs said, ***"Well there was an IA previously, when I called my fiancé and told her [redacted] was arrested. I was reprimanded for that."***

I asked Hobbs if he has ever omitted or misrepresented facts to interfere with the outcome of any civil, criminal or other court process. Hobbs said, ***"No."*** I asked Hobb specifically if he knew omitting referred to not providing exculpatory information for both criminal and civil matters. I also described omitting as not just the act of lying, but also not providing information, or describing acts different than how they actually occurred. Hobbs responded, "***For me because this is a personal question, not as a deputy is how I understand it."*** I told Hobbs the question applied to him both personally and professionally. Hobbs responded, ***"Ok both. I have always tried to report the facts as they have been told to me, or as how I've seen it."*** I asked Hobbs if he was mandated to maintain the same standard conduct on and off duty. Hobbs said, ***"Yes."***

I clarified with Hobbs for the record that he understands there is no differentiation between Hobbs personally and Hobbs as a deputy when referring to dishonesty, omitting, or misrepresenting facts in any of the previous mentioned court processes. Hobbs said, ***"Well let me try to answer this the way I understand the question. I have called in as a citizen and used the term, I don't want preferential treatment. "***

I asked Hobbs if he understood that when he calls in to report an incident as a citizen that he is still subject to the same standard of conduct of a deputy sheriff when referring to omitting, dishonesty or misrepresenting facts. Hobbs said, ***"Yes."***

I asked Hobbs to describe a scenario that would be considered a restraining order violation. Hobbs said, ***"Take the same store scenario, the restrained sees the protected person and instead of leaving or going the other way they confront the protected and start yelling and arguing. That's a violation; the restrained person could've gone the other way."*** Hobbs estimated he has been involved in at least 25-50 restraining order violation cases.

I asked Hobbs to describe what advice he would give to a protected person reporting a restraining order violation. ***"Well the first thing I would tell them is get to a safe location. Get***

the facts to determine if there is a legitimate violation. Who was there first, is this going to be a log note or a case sent to the DA for prosecution." Hobbs continued with, ***"My advice is always to call everything in. Call it in and let the deputy who is trained to make the determination. Even though it's a piece of paper, it can add more time to them later or it will be a deterrent if they get tired of dealing with law enforcement."*** Hobbs acknowledged that restraining orders could subject a person to prosecution and jail time, to include multiple jail sentences.

Hobbs said, ***"The restraining order process in my opinion is supposed to be a deterrent to keep incidences from happening and to protect people."***

I asked Hobbs if he has ever told protected persons to call 911. Hobbs said, ***"Yes. If someone is coming after them physically, or weapons are involved. Bottom line is if they are in fear for their family or someone they're with."*** Hobbs said legitimate restraining orders are 100% based on fear of the protected person. I asked Hobbs if he has ever told a protected person to confront a restrained person. Hobbs said he wouldn't advise a confrontation, but stated confrontations do happen. Hobbs said, ***"I'll put it to you this way. On the streets when we are working as a deputy and dealing with a really bad parolee, we don't talk to a parolee the same way we talk to a juror. I would say in a situation when a restrained person and protected person are in a situation and the protected person was defenseless… I would tell that person to protect themselves."***

I sought clarification from Hobbs that he was describing an exigent circumstance regarding his answer. Hobbs said, ***"Exigent circumstance. Get out of there if you can, unless you are boxed-in for whatever reason."***

I asked Hobbs again if he would ever tell a protected person to confront a restrained person. Hobbs said, ***"Normally, not."***

I asked Hobbs if he would advise a protected person to leave the safety of their home to confront a restrained person. Hobbs described circumstances associated with night hours, poor visibility, private property, weapons, to include issues with every situation being different. Eventually Hobbs said the advice would always be stay inside where it is safe.

Hobbs said he would not advise a protected person to leave a safe place for the purposes of confronting a restrained person.

I asked Hobbs if he would tell a protected person to frequent a location where the restrained person is likely to be for the purposes of confronting them. Hobbs said, ***"No."***

I asked Hobbs why he wouldn't advise protected persons to confront restrained persons regarding my previous questions. Hobbs said, ***"Similar to the store example, or a baseball park, if you know the restrained person plays on a Thursday night and you don't… don't go there."***

Hobbs said the situations could become unsafe, but he also tells people they can still live there normal lives and they shouldn't feel like a prisoner in their own county.

I asked Hobbs if confronting a restrained person could escalate a situation involving a restraining order. Hobbs said, ***"Yes."*** I asked Hobbs if escalating a restraining order violation is dangerous. Hobbs said, ***"Yes."*** I asked Hobbs if the emotional aspect of restraining order violations increases the danger of the situation. Hobbs said, ***"Yes. Because the parties have already been down that road and a judgment has been made. It's not like this is the first time the people are interacting with each other. There is already a heightened situation."*** I asked Hobbs if these types of restraining order violations required a strategic response. Hobbs said, ***"Strategic… as much as possible yes."***

I asked Hobbs if restrained people typically violate orders habitually and if the consequences increase with more offenses. Hobbs said, ***"Yes. I only know of one case where I heard the person got additional time for multiple violations."*** Hobbs said he understands the concept of progressive discipline as it applies to managing personnel and consequences in the legal system. Hobbs understands that the more criminal cases a person has the more consequences they are subjected to via prosecution.

Hobbs understands Peace Officers are held to a higher standard than civilians based on their training and experience. Hobbs specified Peace Officer training related to, verbal skills, use of force and conflict resolution. Hobbs said Peace Officers usually remain calm in situations and added, ***"You are also aware of your surroundings and you are also aware of what could happen depending on the individual. You are more aware than the average citizen and you are trained for that, there are things you have to do in anticipation to protect yourself."***

I asked Hobbs the following based on his previous statement listed above:

- Is that to protect yourself? Hobbs said, ***"100%"***
- Is that to escape danger? Hobbs said, ***"De-escalate, escape, whatever the scenario is."***
- Does the heightened level of awareness based on your training and experience hold you to the higher standard as a peace officer, to include planning for what is going to happen? Is that what you are saying? Hobbs said, ***"Yes. That's totally what I am saying, but having that experience is two-fold. You're supposed to be able to de-escalate, but depending on the individual you are supposed to have your officer safety skills at a heightened level. If somebody is larger, more aggressive you have to have options, who is with you all of those things are going through your mind during that time. Those are things that the average deputy has, that civilians don't."***
- Do you possess those skills? Hobbs said, ***"Yes I do."***
- What are some other considerations? Hobbs said, ***"The general public. The location where you are at. Possibility for back-up and your physical ability at that time too."***
- How about information? Hobbs said, ***"Information on the subject? Every situation is different depending on who you're dealing with."***
- How about risk assessment? Hobbs said, ***"That's what I've been saying,"*** and stated all of the things he has highlighted he considers part of the total circumstance of risk assessment.
- Have you been trained in risk assessment? Hobbs said, ***"I'm not sure if it was called that."*** Hobbs told me he received specialized training in mission planning.

I asked Hobbs about his time as a Narcotics agent. I asked Hobbs if he received specialized training regarding operating in plain clothes. Hobbs said, ***"Yes."*** I asked Hobbs if he had to utilize all of his training tools and experience, continuously while working narcotics. Hobbs said, ***"Yes."***

I asked Hobbs if working narcotics is considered extremely dangerous. Hobbs said, ***"Yes."*** I asked Hobbs to explain. ***"You're dealing with subjects that are addicts, they are not thinking straight. You are in plain clothes and the public doesn't know you are law enforcement at least you don't look like law enforcement. So, all those skills have to be utilized and you have to think ahead about how the situation can change quickly and what you what do to de-escalate it quickly, or adjust, or escape."***

I asked Hobbs if his specialized training and skills were put to the test as a narcotics agent more than any other assignment, based on his 23 years of experience. Hobbs said, ***"Yes, in the narcotics unit."*** I asked Hobbs the following questions about serving in the narcotics unit:

- Did you receive formal training in narcotics investigations? Hobbs said, ***"Yes."***
- Two weeks in San Diego? Hobbs said, ***"Yes."***
- Did they teach you about the skills we have discussed? Hobbs said, ***"Yes."***
- Driving unmarked vehicles? Hobbs said, ***"Yes."***
- Following and conducting surveillance on people? Hobbs said, ***"Yes."***
- Avenues of escape? Hobbs said, ***"Yes."***
- Detection avoidance? Hobbs said ***"Yes."*** After I clarified that detection avoidance consisted of conducting surveillance on people whether on foot or in vehicles for the purposes of going undetected. Hobbs said, ***"You attempt to do that."***

I asked Hobbs if his training and experience included avoiding or removing himself unnecessary risk or liability. Hobbs said, ***"That's the goal, yes."*** Does that include subjecting the Sheriff's Office to unnecessary liability and risk? ***Hobbs said, "Yes."***

I asked Hobbs if his training and experience subjects him to a higher standard of conduct than a civilian. Hobbs said, ***"Yes."***

I asked Hobbs if the peace officer higher standard of conducted applied to omissions and untruthfulness. Hobbs said, ***"Yes."***

I asked Hobbs how many IA investigations he had been the subject of related to [redacted] and [redacted] Hobbs said, ***"Two."*** I asked Hobbs if [redacted] has filed complaints against him. Hobbs said, he knew [redacted] filed a complaint against him for the first IA, but he wasn't sure about the second IA. Hobbs said, ***"I called my Lieutenant after the court incident, so I don't know how that came out."***

I asked Hobbs if he had an opinion why [redacted] had filed complaints against him. Hobbs said, ***"I believe 100% that he is a pathological liar based on narcissistic personality."***

I asked Hobbs about the sustained findings in both of his prior IA investigations. Hobbs admitted to remembering some of the findings, but disputed multiple findings that were believed to have been removed after Hobbs' Skelly. I allowed both Jason Jasmine and Hobbs to review

both notices of discipline. Neither Jasmine nor Hobbs stipulated the findings on the notices were accurate, but concurred that the policy violations were documented during the IA investigations. Jasmine and Hobbs believed multiple charges were to be removed from both investigations. Jasmine said their intent is not to deny that the notices of discipline were accurate; however, they can't be positive the documents are accurate without reviewing the copies they received at the time of the skelly hearing.

I explained I was mentioning the previous IA's to illustrate a pattern of behavior and continued with the interview.

I told Hobbs I was giving him the floor to speak, as we previously discussed.

I asked Hobbs how long he has been dealing with [redacted] Hobbs said, ***"Four years… let me retract that. Initial contact with him was over a dozen years ago, maybe longer."***

Hobbs told me over 12 years ago he was playing softball on an upper league. Hobbs hit a double and [redacted] was playing third base. Hobbs described [redacted] as a big guy and described [redacted] softball team as "rowdy guys." Hobbs took a step toward third base and wasn't paying attention. [redacted] threw the ball to second base and hit Hobbs in the ankle. According to Hobbs, his leg went numb. When Hobbs got to third base he asked [redacted], ***"What was that about?"*** [redacted] responded, ***"That's how I play."*** Concluded the story as the first time he met [redacted].

Hobbs told me about another incident approximately 13 years ago when his daughter was 18 years old. According to Hobbs, [redacted] was telling people that he was dating Hobbs' daughter. [redacted] was going through a divorce and casually hanging out with the same group of people as Hobbs' daughter. Hobbs described [redacted] behavior as spreading rumors about his daughter.

Hobbs said the next experience he had with [redacted] was regarding a restraining order that was brought to the Civil/Coroner division for service. The restraining order was protecting [redacted] from [redacted]. Hobbs said he had been introduced to [redacted] in the Sheriff's Office lobby by a mutual friend prior to receiving the restraining order for service.

Hobbs said he went to serve [redacted] at [redacted] residence. Hobbs was accompanied by Deputy [redacted]. Hobbs described [redacted] as crying and angry. Hobbs described him as a ***"big guy crying."*** Hobbs said they served the order to [redacted] and left the residence.

Hobbs stated approximately two years later he started dating [redacted] Hobbs said he never experienced any physical violence with [redacted]; however, [redacted] told Hobbs that [redacted] made threats to her previous boyfriends. Hobbs described an incident several years ago where an unknown person was "banging" [redacted] door. Hobbs said this event caused him to fear for his safety.

I asked Hobbs to describe what [redacted] typical behavior and conduct is like. Hobbs said, "[redacted] ***wanted to meet with me. I wanted to give him that meeting and we started with a phone call.*** [redacted] ***told me exactly how the conversation would go and she nailed it. He was trying to get me on Team*** [redacted] [redacted] ***wanted to have a face to face meeting at his house. During that time he was making threats to*** [redacted] ***and throwing my name into it. I recommended to*** [redacted]

that we meet at the Sheriff's Office and I wanted to have a supervisor present, due to his conduct."

I asked Hobbs to explain the type of threats [redacted] says to [redacted] Hobbs said, ***"Child abuse threats, horrible mom threats, gonna get full custody threats. Mentioning me, he hasn't met me face to face; he's not a real man."*** Hobbs canceled the face to face meeting based on [redacted]s conduct and statements. Hobbs did not describe any threats of physical violence from [redacted]

I asked Hobbs if he took precautions because he is held to a higher standard of conduct. Hobbs said, ***"Yes."***

I asked Hobbs if he feared a physical confrontation from [redacted] Hobbs said, ***"100% Yes."***

I asked Hobbs if he felt [redacted] would try to hurt him with a weapon. Hobbs said, ***"100% Yes."***

I asked Hobbs if there was any other incidences or behavior that reflects Hobbs' fear. Hobbs said, ***"Yes. She has texts from him that say, if anyone ever took his kids they would be in his crosshairs. People say he is a good shot and a sharpshooter in the Marines. We both take that as a threat towards us."***

Hobbs said he felt [redacted] behavior was consistently getting worse and as a result, Hobbs had a meeting with Sheriff Jim Mele. Hobbs wanted to display to the Sheriff that the whole situation was more than just drama stemming from the guy who was dating [redacted] ex-wife. Hobbs printed official documents to plead his case to Sheriff Mele. I asked Hobbs how he felt at this time. Hobbs said, ***"I was very frustrated, I didn't know what else to do, I was looking for help, I was looking for a game plan. The meeting ended with the Sheriff taking all my paperwork. I told the Sheriff that the principal of [redacted] is at wits end and doesn't call anymore. The hospital had a restraining order on him, I was not the only person who had a problem with this guy and I told the Sheriff. I'm concerned that this guy will make constant allegations against me. I was told there would be a game plan put in place."***

I asked Hobbs who told him there would be a game plan in place. Hobbs said, ***"The Sheriff told me that. Jim Mele."***

I asked Hobbs the following questions:

Do you feel you have been treated fairly in dealing with [redacted] regarding support, reports and restraining orders? Hobbs said, ***"I do not and I am lumping [redacted] into that, we are a couple. I told [redacted] she has grounds for a restraining order. [redacted] didn't want to call in threats because she felt the deputies lumped her in with [redacted] like maybe they thought she was crazy. [redacted] didn't think that of all deputies, some were very helpful. [redacted] used to have a restraining order but it either got taken away, or [redacted] agreed to have it lifted, like trying to be nice, I'm not sure."***

I asked Hobbs if he felt he had received preferential treatment from the Sheriff's Office. Hobbs said, ***"No. I just want to get the same treatment as every other citizen that calls in."***

I asked Hobbs if he felt he has been given less service than every other citizen that calls in. Hobbs said, ***"As we sit here today, Yes."***

Hobbs said he based his opinion on a lack of follow-up by deputies and a lack of investigating by deputies. I asked Hobbs if the Sheriff's Office has taken reports of his complaints and sent them to the district attorney for prosecution. Hobbs said, ***"There have and I have no idea where we are at with that and I will tell you why. I am afraid to contact anyone. I don't want to cross that line, or get told I'm seeking preferential treatment. I work 40 hours a week it's difficult to get my documentation. "***

I asked Hobbs if he knew he could request any reports that he was listed as a victim in, as a matter of public record. Hobbs said, ***"I am aware I can get those reports. I did have an incident that I reported to Sonora PD and I was told to go to the DA's office. I don't want to go to the DA's office, I know people at the DA's."*** I asked Hobbs if he had attempted to conduct status checks with the DA's office regarding his pending cases. Hobbs told me he hadn't and feels that even when he follows the rules he is subjected to discipline. Hobbs said, ***"I feel like the incident I am here about today is because I followed the rules."***

I asked Hobbs if he thought he was being targeted with discipline, or if the same rules applied to all deputy sheriffs. Hobbs said, ***"I think it applies to Rodney Hobbs and the totality of this situation because everyone from admin down, and not everyone, is tired of dealing with [redacted] and now Rodney Hobbs. And let me also add that I had a conversation with you and you told me to lean on your Sergeant and your Lieutenant."*** I told Hobbs I remembered the conversation about utilizing his chain of command.

Hobbs told me there are so many incidences associated with conflict between [redacted] and Hobbs. Hobbs mentioned the incident with the baseball try-outs. (TCSO Case #19-0303) Hobbs said he didn't go to the baseball try-outs because he didn't want to cause issues, or put himself in a bad situation, Hobbs referenced the restraining order. [redacted] told Hobbs there was a drone flying over the field they believed was [redacted] but [redacted] told Hobbs [redacted] was not at the ball field. Hobbs said he wanted to see the baseball try outs and so did [redacted] so they went.

According to Hobbs, 15 minutes later [redacted] arrives at the field. Hobbs described [redacted]'s demeanor as, ***"He does this walk when he is angry, which is most of the time, the same walk I saw downtown that day, on the 8th. He goes into the dugout, disrupts the dugout looking for [redacted] who was off playing catch. Then he goes to find [redacted] who is playing basketball behind me. And then goes and stands well within the 100 hundred yards of my restraining order, maybe 20-40 yards. He starts the whole intimidation thing with the arms crossed, staring at me and yells what I thought was, punk. I'm not filming anything yet, but then he moves a little further and does the intimidation. At that time I thought, you know what, get your camera out and make sure you get me in this."***

I asked Hobbs if [redacted] was restrained from the sports events. Hobbs hesitated and replied, ***"He was restrained the previous year from the league because of numerous parent complaints, but this is a new year now."***

I repeated and rephrased my question. Is there a restraining order granted by the judge that restrains him form those types of events? Hobbs said, ***"Not right now."*** I asked Hobbs, how about at the time of this event? Hobbs said, ***"No. The restraining order violation I'm talking about was me being there as the protected person."***

I asked Hobbs, are you the only factor at this event that is protected at the time of the event. Hobbs said, ***"Yes and No. There is an order in place. [redacted] was given full custody with only supervised visitation. This was actually the first time he had seen the boys since the order was in place; were talking several months now. It was the first time… uh, it's their dad. There wouldn't have even been an incident if he would have seen them, talked to them, hugged them, whatever went and stood far away. I wouldn't have even called it in, but because he chooses to stand close to me, everyone is feeling it and knowing it. What is he going to do next, I don't know. This is why I need a restraining order."***

I sought clarification by asking the following question:

- Are there stipulations in the restraining order that say [redacted] can be at school activities and sporting events? Hobbs said, ***"I do not know, that's between [redacted] and him, there may be. I don't go through her paperwork, I'm only guessing. We talked about that and she told me that a judge would probably say, Rod don't go to sporting events, their dad is going to go to the sporting events. That's what [redacted] thinks is going to happen based on previous battles."***

I asked Hobbs the following questions:

- Is there ever a time when you're in a place with [redacted] and he is cordial or a gentleman, where you don't have this fear of him? Hobbs said, ***"There has not been…the only time was the initial phone conversation in the truck."*** Hobbs confirmed the initial conversation was when [redacted] was trying to befriend him.
- Any other time you're experiencing threatening, intimidating, the posture, the walk and maybe even verbal threats? Hobbs said, ***"Lots of threats, yes."***
- The totality of everything you've explained that lead you to believe that this is the behavior consistent with [redacted] Hobbs said, ***"Yes. And this is important, very important; I want to get this in… December 30th of 2018, the judge granted [redacted] one hour of phone conversation, between 6-7 pm with the boys. Three days in a row, 6:00 pm rolls around and we are out in the car for my son's basketball game. We are in the car and [redacted] asks them where you at, where's your mom, where's Rod and they tell him right away. On the second night, we are at the house and the boys put him on speaker phone in the room. He is always asking what they are doing and if they are hurt? He tries to make allegations of child abuse."***
- Do you think [redacted] coerces [redacted] and [redacted] to make false accusations of child abuse? Hobbs said, ***"Oh 100% and I will back that up beyond this date. So on the date of December 30th, that date [redacted] opened the door and popped the phone out on speaker phone. [redacted] was yelling at me. I reported the speakerphone incident after the baseball incident; I lumped them together. [redacted] disconnected the phone while he was yelling. Another call came in I thought it might be [redacted] so I had my phone ready***

and hit record. Bottom line is he was yelling at me to put the boys on the phone. I told him I have a restraining order don't yell at me on speaker phone. I don't remember if the boys were present, but it was such a violent type conversation. He said where do you want to meet cowboy? At the end he threatened to take my badge. I called him a horrible father and told him not to be yelling at me on speaker phone." Hobbs took [redacted]s comments as, where do you want to meet and fight, or worse.

- Do you feel you would be terminated from employment based on frivolous complaints from [redacted] Hobbs said, ***"As I sit here today, yes based on this incident we are here for. I always thought he was capable, but hearing him say he would take my badge made it real."***

<u>Break</u>

We returned from break and picked up where Hobbs was describing the lengthily process dealing with [redacted] and several experiences he has had with [redacted] Hobbs said, ***"I was talking about the incident on the phone."*** I asked Hobbs why he waited until the baseball incident to report the speakerphone incident. Hobbs said, ***"Cause at that point, I'm feeling how [redacted] was feeling when I first met her about reporting things. Not to put it on any one deputy or administration, but I felt like a nuisance and it's embarrassing. I totally get how she felt and I can back that up later, but I won't throw those deputies under the bus. There were some things brought up by deputies who dealt with them."***

I stopped Hobbs and clarified with him, that if he has experienced misconduct from deputies that has contributed to this situation, or experienced behavior that constitutes policy violations he may bring them up at any time and I will investigate the issues. Hobbs said, ***"Right."*** I told Hobbs I would highly encourage him to bring forth any information he had regarding misconduct. Hobbs said, ***"We can come back to that."***

Hobbs told me, ***"I realized during the break there are two more incidences I'm sorry I got scrambled for a minute."***

Hobbs began to explain a court date with JKS in May or June of 2018. <u>(Hobbs'Restraining Order Incident)</u> At this time Hobbs has been to multiple court dates with [redacted] Hobbs described a yell that [redacted] does when he leaves the courthouse; Hobbs described the yell as a loud hoot, similar to an owl, but louder. Hobbs said he noticed [redacted] would hoot when he was around [redacted] and now [redacted] would do it around Hobbs. I asked Hobbs if there was some significance with the hoot that [redacted] does. Hobbs said it was just something that [redacted] does that he recognized. Hobbs said he feels like [redacted] does it when he or [redacted] is around [redacted] That day they all left the courthouse and went their separate ways.

During a court incident on 12/7/17, (Hobbs'Restraining Order Incident). Hobbs dropped [redacted] off at the Yaney courthouse and saw [redacted] in the adjacent area. Hobbs drove around the building and described making multiple turns, which indicated to Hobbs that [redacted] was following him. Hobbs thought about driving to the Sheriff's Office upper parking lot because there are cameras and it is a safe area. Hobbs observed [redacted] continue to follow him and described his mindset as, ***"Now for sure I am going to the Sheriff's Office."***

Hobbs parked in the upper lot of the Sheriff's Office. Hobbs said, "***I pulled in and there is a couple openings, so I pulled in parallel.*** [redacted] ***pulled in and was parallel with me. The problem was, the way I positioned myself there was some vehicles, but I don't think I was completely butted in. I may have been able to zoom out. I just remember thinking; maybe I blocked myself in, but not completely."*** Hobbs said as soon as he parked, [redacted] began to text him, because she was finished at the courthouse. Hobbs told me, ***"I'm not responding at this point because I'm in safety mode right now… I'm in fear."*** I asked Hobbs if he always goes into that mode whenever dealing with [redacted]. Hobbs said, ***"Probably every time based on his demeanor and tone and things he has said to me. I haven't had many contacts with him, but the contacts I do have are elevated to an angry volatile state."***

I asked Hobbs if his fear was based on all the previous elements of fear we discussed; physical violence, threat of weapons. Hobbs said, ***"Yes.*** [redacted] ***once told me he had a hidden gun compartment in that car.*** [redacted] ***described in the center console area. At this time I didn't have a restraining order on him."*** Hobbs said [redacted] statements added to his fear, ***"100%."***

I asked Hobbs what [redacted] did next. Hobbs said, ***"He rolled his window down and I rolled my window down. I spend four to five minutes telling him he needed to leave. He was right next to me and I was trying to get my phone to record. I know he is probably recording, so I want to record for my records.*** [redacted] ***wanted to talk and wanted to know why I thought he was lying. I told him I thought he was a pathological liar. He had one hand were I could not see, I think he was recording, but I don't know if he has a gun sitting there. I got firm with him and told him he needed to leave. What I didn't want to happen is me get out, if I could have, and have him follow me."***

Hobbs said, "[redacted] ***is scared to death of this man. I'm afraid of him; she's scared to death of him; based on the total circumstances, the crosshairs threats. If a judge and law enforcement would look at the threats he has made to her, it would be an open and shut case for 422 pc threats and stalking. She is scared to death of him and I don't want to take him to her."***

Hobbs described the "crosshairs," threat as the most fearful because [redacted] has an arm that is tattooed with gun makers. Hobbs said his fear was driving his actions throughout the incident. Hobbs typically carries a firearm off duty and remembers being disappointed during the incident because he didn't have his pistol ready in his lap. Hobbs described his tactical mindset as, ***"If I reached for my small-of-the-back holster that could escalate the situation. If I reach back am I going to provoke a shooting, I don't know."*** According to Hobbs, [redacted] drove away without further incident.

Hobbs said there is another incident he wanted bring up. Hobbs described the dog bite incident, which leads up to the AutoZone incident (SPD Case # 18-1111). Hobbs said, ***"Long story short my dog nipped him on the foot.*** [redacted] ***took*** [redacted] ***to the ER. I purposely did not go to the ER with them because I know at some point*** [redacted] ***will get notified and he is going to show up and cause a scene."*** I asked Hobbs how [redacted] would have been notified. Hobbs said, "[redacted] ***would have notified at some time because it's kind of her responsibility when or when not to. I thought it was best if I stayed home."***

I asked Hobbs if his decision to stay home was for the purpose of removing himself from the situation. Hobbs said, ***"Removing myself from the situation of dealing with [redacted]. Even though I felt I should be there for [redacted] and the boy. That was the big reason I didn't go. I had a bad feeling at some point he is going to get notified, and we didn't even discuss it because it was a fluid situation."*** Hobbs based his decision to stay home on safety and his perception of prior experiences with [redacted].

Hobbs said [redacted] was sent to prompt care and then to the emergency room. [redacted] hadn't notified [redacted] of [redacted] dog bite, ***"For the exact same reason why I was thinking, because she knows he would have come down there and caused a big scene. He's done that to her before."***

I asked Hobbs the following questions based on his prior statement:

- Is that typical behavior? ***"Yes, very much so."***
- Will he typically show up at areas where [redacted] and the boys are at? ***"Has done it nonstop."***
- How does he find out where she's at? ***"Well he had two trackers on her car. Cell phones is another way, he was tracking the boys on their cell phones."***
- Do the boys typically tell him where they are at? ***"The boys have what I call Stockholm syndrome. They are scared to death of their dad, they love him, but they are scared to death of him. They know at some point they will be spending time with him again, so they will always lean on the side of dad. The younger one is more honest, which doesn't help [redacted] but the [redacted] will say whatever he can to help his dad."***
- Is it typical for children exposed to toxic custody battles to feel shame, or sadness when talking about one parent or the other? Hobbs said, ***"100% constant mental abuse these boys have been through."***
- Is it typical and predictable that [redacted] will show up at places based on tracking devices, GPS on phones and asking the boys their location? Have you heard him ask the boys? Hobbs said, ***"I've heard that multiple times since the court order. It's the first thing he asks who are you with and where are you at?"***

So [redacted] behavior is common and that is one of the factors why you removed yourself from the dog bite incident, or going, because you know that behavior is predictable and you removed yourself from the situation? Hobbs said, ***"I did. That was the main reason I didn't go."***

Hobbs said [redacted] plan was to send [redacted] a text when they left so she wouldn't have to deal with him in public. [redacted] attempted to leave, but her car was dead, most likely the battery. Hospital security attempted to jump the battery with no success, AAA would've taken too long, so Hobbs decided to drive to the hospital.

I asked Hobbs if he thought it was likely that [redacted] would show up based on his concern for his child. Hobbs said, ***"I understand and respect all that and if he were a normal mental health well-being, it wouldn't be an issue."*** Hobbs was halfway to the hospital when AAA showed up and jumped the car. Hobbs told [redacted] to meet at AutoZone for the purposes of buying a new battery. Hobbs said he was unaware if [redacted] had been notified at this time. Hobbs said, ***"Unfortunately the boys love video games and are always on [redacted] phone."***

[redacted] and Hobbs arrive at AutoZone and enter the store. After they buy a battery they exit the store and Hobbs asks [redacted] where her phone is. Hobbs said, ***"I had this bad feeling, I'm not stupid. One of them probably told him."*** Hobbs confirmed it was typical behavior that the boys wanted to let [redacted] know what was going on because it was a significant event. Hobbs said, "Yeah, what was interesting in this case, normally [redacted] who is more loyal to dad would've let him know, but it was [redacted] Hobbs said he was shocked that [redacted] was the one who told [redacted]

Hobbs said they were about to leave the parking lot when he heard [redacted] exhaust system. [redacted] was approaching AutoZone from Staples. Hobbs said, ***"[redacted] goes to get in the car and [redacted] freezes. She has told me before when she sees him she freezes. I had one foot in the truck and we were about to leave. He is now at the side of her car screaming."*** I asked Hobbs what [redacted] was saying. Hobbs said, ***"What happened? Why didn't you call me? Where's the dog? That dog better be quarantined Rod."*** Hobbs described [redacted] as volatile and said he thought [redacted] tried to open the front passenger door. [redacted] was screaming. Hobbs said, ***"At this point I am worried for the safety of all of them. I wasn't all the way in my truck. I walk over to the front of the car. I don't confront him super close. I told [redacted] to leave them alone. I told [redacted] to leave and she finally backed up, but she froze again. I keep telling her to go forward."*** Hobbs described [redacted] as blocking [redacted] car and restricting her ability to leave.

I asked Hobbs the following questions:

- At this point is [redacted] restrained from [redacted] Hobbs said, ***"No."***
- Is [redacted] restrained from the boys? Hobbs said, ***"No."***
- At this point the only person he is restrained from is you? Hobbs said, ***"Yes. I had just got the restraining order."*** Hobbs said he experienced two other incidences where [redacted] showed up unannounced and that pushed him over the edge to seek a restraining order. Hobbs said, ***"First time I'm dealing with him and I tried that day to not be there, but circumstances happened."***

Hobbs said [redacted] drove away and Hobbs is concerned that [redacted] is going to follow her. Hobbs said his goal was to keep talking to [redacted] so [redacted] could get away. Hobbs said, ***"Now it's just me and him and he is filming. He is extremely aggressive. I was 90% sure we were gonna get physical. Not because I'm going to, because that's how he is approaching me. We are literally doing a little dance out there."*** [redacted] had already left the parking lot at this time.

I asked Hobbs if he ever called 911 during the incident. Hobbs said, ***"No."*** I asked Hobbs if he called the jurisdictional law enforcement. Hobbs said, "***I did after. Let me put it this way, he was so close to me at some points grabbing my phone would not have been a smart thing… I thought he was going to come at me and get physical with me."***

I asked Hobbs the following questions:

- Did you report the incident? Hobbs said, ***"Yes. I did."***
- Was the case sent to the DA for prosecution? Hobbs said, ***"It was."***
- Was [redacted] prosecuted for the incident? Hobbs said, ***"No. I was told by the DA that they don't typically prosecute on the first restraining order violation."***

- Were you told that is a general principle, or a common practice? Did they not prosecute because they felt the elements of the crime didn't exist? Hobbs said, ***"His first name is Abe. He told me they round tabled it and he said… it wasn't that the element wasn't met. He said this was the first violation and we wouldn't normally prosecute on this… and we wouldn't win in a jury trial because it's obvious he is there for the boy who has an injury. I said fair enough, I was upset. I wouldn't want to go to a jury with that either."***

I clarified with Hobbs the language "Abe," used. I asked Hobbs, **did he say that to you?** Hobbs said, ***"Well I don't know if he said those words… He said you have a situation with a dad trying to check on the welfare of his son who got bit by a dog. We're not gonna…"***

I asked Hobbs, was that your same outlook? Hobbs said, ***"When he said that, I got it. I had no issues with them not prosecuting based on the totality of the circumstance."***

I asked Hobbs, if the information he received from Abe changed the way he looked at the restraining order process. Hobbs said, ***"Sure did."*** I clarified with Hobbs that the DDA, "Abe" explained there would be no charges filed based on the fact that [redacted] was there for [redacted] and had a reason to be at the location. Hobbs concurred and said he understood Abe's reasoning. Hobbs said he felt as though he wasn't being protected.

Hobbs said, ***"I want to get this on record, because I'm sure this will come up at some point, but [redacted] had a relationship with [redacted] in the past, per [redacted] I don't know if that is true, but I have heard that [redacted] and his ex-wife used to hang out with [redacted] and his wife, who is [redacted] brother. I don't know if it is true."*** Hobbs described feelings of suspicion regarding his cases that go to the DA for review. Hobbs said he doesn't know if any of the information is true, but if it was, he would be concerned.

Hobbs told me, ***"I have reached a point of frustration at times when I don't know where to turn. I've had people tell me they were wrong with the issues between [redacted] and [redacted] I feel [redacted] hasn't been treated right by the Sheriff's Office, even before she met me and I can back that up, but I won't go to that. I think the Sheriff's administration is frustrated with how to handle this situation and they are probably frustrated because they think I should handle this differently. They don't know what it is like to walk in mine or [redacted] shoes and it's a long walk. We are trying to raise two boys who have suffered mental abuse. We try to keep our heads up."***

I asked Hobbs if before he was on admin leave if he felt he was unable to protect his family. Hobbs said he has always felt that he could protect his family as long as he is with them. Hobbs said his biggest fear is [redacted] will try to ambush [redacted]

I asked Hobbs if he was confident he has articulated [redacted] typical conduct while in his presence. Hobbs said, ***"Yes."*** I asked Hobbs if there were any other incidences he felt needed to be discussed. Hobbs started talking about his restraining order hearing with Commissioner Pimental. Hobbs wanted to add [redacted] on his restraining order and the judge was hesitant to grant the order. Lt. [redacted] told Hobbs he needed to have a judge order the footage because it would be preferential treatment. Commissioner Pimental would not let Lt. [redacted] testify or draft an affidavit regarding Hobbs restraining order hearing. Comissioner Pimental granted the Hobbs' restraining order for me, [redacted] and [redacted].

Hobbs said, ***"I'm almost done with incidences but I want to bring this up. JKS scolded [redacted] and I in court because we got the restraining order. JKS agreed with [redacted] that Hobbs restraining order interfered with the existing child custody orders. JKS was mad that I put [redacted] on a restraining order after JKS previously took one away, or there was an agreement not to have it. JKS told me I was manipulating the process to override custody orders and to get [redacted] in trouble. JKS agreed with [redacted] that my restraining order was a tool to interfere. This was all talked about in court, while I was in the gallery."***

I asked Hobbs if JKS revoked Hobbs restraining order, or altered it. Hobbs said, ***"She disagreed with [redacted] being on the restraining order. She disagreed with me being involved in the pick-ups or custody exchanges. She agreed with [redacted] that he had a valid point about not dropping off the kids because of my restraining order. [redacted] used my restraining as a tool to violate the custody and he was able to convince JKS that he was right."***

I asked Hobbs if [redacted] was removed from the restraining order. Hobbs said, ***"She was. Myself and [redacted] are on the restraining order."*** I asked Hobbs if there were any exceptions on his restraining order regarding children's events, or custody exchanges or school functions. Hobbs said, ***"I didn't ask for anything with the boys."*** Hobbs described [redacted] as having full custody of the boys with no exceptions for school events, sporting events and exchanges. Hobbs said [redacted] is supposed to have supervised visitation, but [redacted] and [redacted] can't agree.

I asked Hobbs if the Sheriff's office has taken reports for Hobbs and forwarded them to the DA. Hobbs said he thinks cases have been taken. I asked Hobbs if he has ever made a standard records request. Hobbs said, ***"No."***

I asked Hobbs if he used the same strategy in the AutoZone incident as the baseball try-outs incident, specifically regarding Hobbs removing himself from the situation. Hobbs said that is exactly the strategy I used, because Hobbs knew [redacted] was likely to be at the baseball field. Especially since [redacted] hadn't seen the boys in several months. I asked Hobbs if [redacted] was allowed to be at sporting events. Hobbs said, ***"I don't know."*** I asked Hobbs if he ever thought of just leaving the ball field if he felt uncomfortable. Hobbs said, "***At that point he was blocking my path. We both came in the same way. I could have walked around, but I'm there. He wasn't there, I was there first. Why do I have to leave? Now if there is something on paper and as of right now I don't know of there to be, and neither does [redacted] Talking about this sports stuff, if a judge said Rod don't be there, I won't be there. That's an easy fix."***

I asked Hobbs if there was anything else he felt he needed to get on record, based on his previous request and if the opportunity I gave him was sufficient in capturing what he intended. Jason Jasmine said, ***"I think that is a good sampling."*** Hobbs said, ***"Well except the fact that he did it again after I was put on administrative leave."*** Hobbs described an arrest the TCSO deputies made on [redacted] based on a child custody order violation. Hobbs then began to describe an incident that took place at Taco Shop El Ray, in Sonora (TCSO Case #19-0843). I stopped Hobbs and asked him if this was the last incident he wanted to put on record. This incident took place five days after the downtown incident and one day after Hobbs was placed on administrative leave. Hobbs said, ***"Yes. This is the last incident and we will be up to speed."*** I stopped my recorder for break.

Break

We returned from break and picked up with Hobbs describing the incident at Taco Shop El Ray. Hobbs said, ***"I was at prompt care, she was at little league. We decided to eat there, I like it and I recently turned her onto it she likes it too. So we went there and unfortunately it was during that phone call time 1800-1900 hours. I asked*** [redacted] ***if they talked,*** [redacted] ***said yes. We just got our food and he called.*** [redacted] ***went outside to take the call. He came back in about five minutes later, we were almost done eating. Seconds after*** [redacted] ***came in and said, Dad's here."*** Hobbs described [redacted] as pulling up close to the building. Hobbs can see [redacted] mouthing something Hobbs is unable to ignore [redacted]

Hobbs said, ***"I have a*** [redacted]***. I don't know what is going to happen. I don't know if he's going to come inside. Cop took over I wanted to get the plate in case he took off. I go there a lot, I've never seen him there and besides we go home that way. If I knew he went there all the time I wouldn't go."*** I asked Hobbs how far away [redacted] house is from the taco shop. Hobbs said, "***Bird's fly about*** [redacted]***."*** Hobbs explained that is how [redacted] was able to arrive quickly. Hobbs believes [redacted] was given information by [redacted] about his location. I asked Hobbs if that is consistent with the behavior we have been discussing. Hobbs said, "***Yes. Law enforcement was called and he lied and said he didn't tell his dad."***

Hobbs told [redacted] to get her phone and start recording in case [redacted] starts to do something. Hobbs said, ***"I got up to go get the license plate and*** [redacted] ***pulled me back and said no don't."*** [redacted] pulled forward our view of the other patrons. Hobbs described [redacted] body language as flipping him off and motioning for him to come outside. Hobbs called the sheriff's office. I asked Hobbs if he was worried about a confrontation by going outside. Hobbs said, ***"I was worried he was out there pointing a gun at us."***

I asked Hobbs if he was anticipating [redacted] having a gun, why would he want to go outside. Hobbs said, **"Cause I'm sitting down and I want to take that fight outside away from the other people."** I asked Hobbs if his actions were contrary to what he would tell a protected person in similar circumstances. Hobbs said, ***"Yes, if they are not law enforcement."*** I asked Hobbs if his training and experience required him to limit his exposure to risk and liability. Hobbs said, ***"And exposing other people to the risk. My thought process was if he has a weapon I want to be outside away from everyone, and I wanted to get the plate and I wanted him to see I was on the phone so he would leave."*** Hobbs told [redacted] to leave several times. Hobbs told me based on his training and experience he felt going outside and letting [redacted] see him on his phone de-escalated the situation. Hobbs said he never closed the gap and confronted [redacted] but he felt safer outside from a tactical standpoint.

Jason Jasmine asked if [redacted] left seeing Hobbs and suggested that Hobbs' tactic was successful in making [redacted] leave. Hobbs stated [redacted] wouldn't have left if he didn't go outside.

I asked Hobbs the following questions:

- Assuming your actions are the reason [redacted] left, your goal was to let him see you calling 911? Hobbs said, ***"Yes."***
- Does [redacted] ever hang out long enough to be arrested in any of these situations? "Hobbs said, ***"No."***

- So then he typically always leaves? Hobbs said, ***"Yes. The situations we've had, yes."***
- Because his behavior is fairly predictable, he shows up, wants to record? Hobbs concurred by saying, ***"Right."***
- [redacted] causes disturbances, then he leaves before getting arrested… is that typical? Hobbs said, ***"Pretty much, yeah."***
- Is that why it is difficult to catch these incidences in the presence of a peace officer? Hobbs said, ***"Yes."***
- I asked Hobbs if he knows [redacted] typical behavior is to leave shortly after an incident. Hobbs said, ***"That's his behavior up to this point, yes."***
- Knowing [redacted] typical behavior, why expose yourself to undue risk and liability, if he never got out of his car? Hobbs said, ***"He wouldn't have left if we stayed in the restaurant. 100% he would've stayed out there."***
- He would've stayed out there to get arrested? Hobbs said, ***"He wasn't going to leave."***
- How can you tell me he wasn't going to leave? Hobbs said, ***"He was going to have the boys go out there and [redacted] was telling them not to go out there. He brought the dog. He had just taken those boys based on a custody 278PC, some people might call it kidnapping. [redacted] was scared to death he was going to do it again."***

I questioned Hobbs' judgment to confront [redacted] based on his articulation of [redacted] typical behavior and Hobbs' perceived fear of [redacted]. Hobbs said, ***"Monday morning quarterbacking that and trying to look at it from an impartial point that was the right way to approach it; he left sooner. Had I not went out there and did what I did, I believe he would've pulled forward, I believe it would've been a tug-o-war with the boys."***

I asked Hobbs, Not if they don't go outside, correct? Hobbs said, ***"Yeah, but sure… I don't know, he pulled forward when I got up to go out there."***

Jason Jasmine asked for clarification and suggested in fairness to the line of questioning that it could be inferred that [redacted] leaves because he is always confronted by Hobbs. Jasmine characterized it as guessing what [redacted] would've done based on Hobbs' tactics that day. I understood Jasmins' point and clarified that my intent was not to guess about what [redacted] would've done based on Hobbs' actions, my point was to the question of what was the safest action based on Hobbs' training and experience.

I followed up with the following question:

- Based on all of your training and experience is confronting [redacted] the safest thing to do? Hobbs said, ***"Yes, but I disagree with the word confront."***
- What would be the term you would agree with? Hobbs said, ***"I went outside and he went forward. I got on the phone and he left. I respectfully disagree that these incidences are the same."***

I told Hobbs, nobody is saying the incidences are the same. I clarified for Hobbs the point is [redacted]'s behavior is similar. I agreed with Hobbs the incidences are not the same. Hobbs said, ***"One point I want to make and I will make this over and over. Dealing with [redacted] from a passive standpoint would not work. If I tried dealing with [redacted] from a passive standpoint worse things would've happened. I believe his type, just like in my training and experience, when you're dealing with a***

parolee and a badass guy, you better be ready to be a badass yourself. Otherwise you're gonna get stuck, you are setting yourself up to be harmed or be taken advantage of.

That's how I feel about [redacted] If [redacted] was a different person, without these volatile threats incidences, I wouldn't have needed to go out there. I don't know what he's going to do. I don't know if he's gonna get out with one of his mini-long range guns that I still believe he has access to and come up on me. Now had I gone out there and pulled my gun out, bad on me. I wouldn't have done that unless he showed a weapon."

I asked Hobbs to explain what he meant by having a line on the guy. Hobbs said, ***"Well it's a combination of standing up and being outside…"***

I asked Hobbs if he was telling me he was anticipating a gunfight with [redacted] Hobbs said, ***"I anticipate a gunfight possibly with him at any time, because of the threats he's made and he has never turned weapons in. We don't know where they are at, so if I do not think that could happen, I don't want to be on the wrong end of that."*** Is that a fear that developed on this day or is that a fear you have always had? Hobbs said, ***"I've had that fear since the Sheriff's parking lot for sure. Does he have a gun in there, could be. I don't know where he is at mentally, when is he going to snap and say [redacted] had the kids too long."***

Is there anything you could've done to prevent the encounter with [redacted] at the taco shop? Hobbs said, ***"Not eaten there. Violated the court order and not let [redacted] answer. Told [redacted] not to tell [redacted] where we were, but the problem with that, until that day, you might want to talk to him. Another thing we are going to talk about is the incident on the 3/8/19 where he says, It's coming, It's coming. I take that as a threat."***

I asked Hobbs how long he has been living with his perceived fear of [redacted]? Hobbs said, ***"Since the day he found out I was dating her and someone pounded on my door."***

I asked Hobbs if he has ever heard of the phrase, create your own exigency. Hobbs said he thought he has heard of it before and explained an exigent circumstance as something related to an emergency and acting right away. Hobbs understands that exigencies can be life or death situations and is a common term used in law enforcement.

I asked Hobbs if exigent circumstances are closely related to use of force and conflict resolution. Hobbs said, ***"Yes, they both go hand in hand. When you get to the situation you try to find out what exigency you are dealing with, then it is a fluid situation. You might have to do something you weren't planning to do, but you have to be prepared."***

I asked Hobbs if Sheriff's deputies have conducted investigations regarding allegations made by [redacted] Hobbs said, ***"Yes. [redacted] has investigated. Another one was Sgt. [redacted] There have been welfare checks, school incidences."***

I asked Hobbs if he thought [redacted] has received preferential treatment from the Sheriff's Office. Hobbs said, ***"I think the false allegations of child abuse have gone too far. I understand the deputies have a job to do, so I'm not saying that, but at what point has it gone too far where [redacted] is using the SO as a vehicle for harassment."***

Hobbs confirmed Sgt. [redacted] arrived at his residence to conduct an investigation of child abuse (TCSO Case #19-0799). I asked Hobbs if an arrest was made at the conclusion of the investigation, Hobbs said, ***"No."*** I asked Hobbs if the children were allowed to stay in the home with him and [redacted] Hobbs said, ***"Yes."*** I asked Hobbs if that is indicative that the children were safe in the home. Hobbs said, ***"Yes."***

I asked Hobbs if Sgt. [redacted] conducted an investigation regarding child abuse (TCSO Case #19-0928), while the boys were attending school. Hobbs said he was told about the investigation and the boys were allowed to return home after school. The case was forwarded to CWS however no follow up was conducted; indicating no elements of child abuse was identified during the investigation.

Break

I asked Hobbs the following questions:

- Is your house a safe environment for [redacted] and [redacted] Hobbs said, ***"Yes."***
- Are you or [redacted] a danger to [redacted] or [redacted] Hobbs said, ***"No."***
- Have there been any complaints you have made that the Sheriff's Office has refused to investigate? Hobbs said, ***"I don't think so. Well I did have one case. We've been down this road, the driveway incident. I disagreed with Sgt.*** [redacted]

After discussing and clarifying the incidences Hobbs requested to enter in the record, we transitioned to the downtown Sonora incident.

I asked Hobbs if the date, 3/8/19 meant anything to him. Hobbs said, ***"Yes. I was working a four hour shift and had*** [redacted] ***that day."***

Hobbs' appointment had been scheduled weeks prior to the date of 3/8/19. Hobbs appointment was at the [redacted] on [redacted]. Hobbs said he had [redacted] Hobbs described mild domestic issues and errands he needed to complete prior to his appointment.

Hobbs was armed with his usual off-duty firearm; however, he put his firearm in the glove box opposed to his usual small of the back carry. Hobbs estimated leaving the detective's building shortly after the noon hour. Hobbs remembers receiving a call from dispatch around the time he is traveling southbound on Washington Street, near the red church. Hobbs said he answered a phone call from dispatch stating, [redacted] was just released from the jail. Hobbs hung up the phone as he continued traveling on South on Washington Street. Hobbs described the traffic as stop and go, based on the lunch hour.

Hobbs was the passenger in [redacted] was driving. Hobbs and [redacted] approached the Washington Street courthouse when [redacted] sees and points to [redacted] walking through Courthouse Park. Hobbs told [redacted] ***"Stop pointing."*** Hobbs described his physical condition as being diminished, due to his medical issues and stated, "***I am in no condition to deal with him in a physical matter. When I see him I get heightened, I get concerned that he's gonna do something based on all this other stuff. We passed Yaney, and he's got that walk, he's pissed. His head is on a swivel so he's looking around. My thought is he just got out of jail and he's looking for a ride.***

So we are passed Yaney now and it is stop and go traffic; it looks like we are going to meet at the shoe store on the corner. It looks to me like were going to get to be where we are together because of the

traffic. Unfortunately I am conditioned now to record everything with my phone in case he tries to do something. I'm thinking if he sees us, is he gonna do something? Somewhere around the shoe store I start recording just in case he does see us and he causes a scene. As we are moving along we kind of lose him in the traffic."

I asked Hobbs if [redacted] was forward of him and [redacted] Hobbs said, ***"It was like this,"*** Hobbs used his hands to show a parallel position. Hobbs continued to say, ***"If traffic stopped he would have continued in front of us. There was truck parked in the street, I thought it was his buddy, but he didn't get in the truck."*** Hobbs and [redacted] caught up to [redacted] by Bradford Street, near the Candy Vault. Hobbs said, ***"As we passed him, I thought I heard something and I said to [redacted] did you hear something? We both kind of giggled when we saw him because his head was on a swivel just looking around. I figured we were passed him, traffic is flowing now so I stopped recording. We continued to a red light and [redacted] said, he is running. I got my pistol and racked it, because I don't keep one in the chamber."***

I asked Hobbs why he doesn't keep his pistol chambered with ammunition. Hobbs said it was something he does as a preference when carrying off duty. Hobbs said, "***It's just a thing for me. It's a heightened sense to you know… I think. I pulled my phone out to record right before I did that. To me in my opinion he didn't know I was in the car until then, based on the way he looked and how he stopped running. He was saying guess who is out, it's coming, it's coming."*** Hobbs described the remaining dialogue in the video as [redacted] calling him and [redacted] child abusers and referring to their names. Hobbs said he called [redacted] a, "***POS, and told him to keep his ass walking. We got a green light and I said see ya buddy as we were driving away. We don't go to the PO Box, we went straight to her attorney's office to show him what happened."***

Hobbs said after the incident he called and briefed Sgt. [redacted] on what happened and texted the associated video footage. Hobbs also called dispatch back and told them what had happened. Hobbs said, ***"After this incident I started thinking about all my other cases with Sgt. [redacted] and Sgt. [redacted] and wondering what was happening with those, since there was another incident."*** Hobbs called Sonora Police Department to report the incident. Officer [redacted] of the Sonora Police called Hobbs to take the report. Hobbs sent both videos to [redacted] via text message and later sent them via email.

I asked Hobbs the following questions:

- Did you edit the videos at all? Hobbs said, ***"No."***
- Did you alter them in any kind of way? Hobbs said, ***"No."***
- Did you send [redacted] everything you had? Hobbs said, ***"I sent her the two videos I had."***

I asked Hobbs if there was anything different he could have done different during this incident. Hobbs said, ***"When he was saying guess who's out, I could have not said anything. As far as saying anything, he didn't say anything that he wouldn't have. Saying what I said kept him at bay, that's how I deal with him."***

I asked Hobbs the following questions:

- How long have you lived in Sonora? Hobbs said, ***"I've lived in the [redacted] area off and on since 1982."***

- You've worked for TCSO for 22 years? Hobbs said, ***"Just started my 23rd year."***
- What do you know about traffic on Washington Street at noon, with an open campus high school and a business district? Hobbs said, ***"It's busy."***
- What are the traffic conditions? Hobbs said, ***"Stop and Go."***
- Do you know the downtown area pretty well? Hobbs said, ***"I know the downtown area pretty well as far as logistics. If you ask me the streets… I have a hard time with the names I've never patrolled them."*** I clarified with Hobbs that he knows which downtown roads lead to different areas. Hobbs said, ***"Yes."***

Hobbs confirmed he received the phone call from dispatch at 12:07 pm and the call lasted 26 seconds. Hobbs spoke to Dispatcher [redacted], who told Hobbs [redacted] was being released from custody. Hobbs said he doesn't remember if [redacted] said he was just released, or being released. After the phone call I was approaching 60 N. Washington, it seemed almost instantly after I hung up that [redacted] was pointing at him.

I asked Hobbs the following questions:

- How did you interpret the information and what was your mindset? Hobbs said, ***"My mindset was that he was probably going off before he was released and they were concerned enough to let dispatch know. Why would the jail call me? I didn't ask them to do it. I am a victim with a restraining order. I thought it was cool that they did that."***
- Did the phone call create a heightened sense of awareness? Hobbs said, ***"And seeing him almost immediately, yeah."***

Hobbs confirmed his mindset was also fueled by Hobbs' past experiences which have produced fear and the total circumstances regarding previous encounters with [redacted] Hobbs said, ***"Yes."*** Hobbs described [redacted] as walking through the center of the park when they first saw him. Hobbs said [redacted] and him were in front of the courthouse.

I asked Hobbs how many cars were in front of [redacted] him. Hobbs said, ***"As soon as I saw him I stopped looking at the cars. I don't know how many cars. Once she pointed at him I was focused on, is he going to see us?"***

I asked Hobbs if [redacted] was ever ahead of them or forward of their vehicle. Hobbs said at one point [redacted] was ahead of them. I asked Hobbs if [redacted] was ever a block ahead of them. Hobbs said, ***"A block… no. I don't believe so. What I was concerned about was that he would cross in front of us. That was big concern right off the bat. He was going to cross in front of us, see her and do his usual thing."***

I asked Hobbs if this scenario triggered his heightened sense of awareness, fear and tactical mindset of always having to plan. Hobbs said, ***"Yeah, it was even more from a fear standpoint because I was incapacitated."***

I asked Hobbs if all of his training and experience, regarding tactics, planning, firearms, avenues of escape, or removing oneself from the situation came into his mind during the encounter. Hobbs said, ***"Yeah, but it happened too quickly. It was… were here, he's here, he's next to us. At one point, I thought he was going to be further ahead of us because of traffic. I wasn't***

looking ahead, I was looking for him. He was a little bit in front, but if he stopped to cross he would have been the next car. I stopped looking cars when I saw him."

I asked Hobbs the following questions:

Did [redacted] cross the street at Bradford? Hobbs said, "***No. It appeared he was looking for someone."***

How much time passed before you were next to [redacted] Hobbs said, ***"A minute."***

Was it ever a thought to turn onto Bradford and get out of there? Hobbs said, ***"Um, I wasn't driving and all I was focused on was watching him. At Bradford it looked like he got in that vehicle. We passed the truck and I saw him again."***

Does the first video you recorded start as you approach the green antique store? Hobbs said, ***"I'm picturing watching him the whole time so I don't know. I've probably watched it six times. In my mind, I'm seeing him in my mind in the courthouse park. I didn't record him then."***

Did you start recording [redacted] after Bradford Street? Hobbs said, ***"I believe it was before Bradford."***

When I asked you if you thought about making a left turn onto Bradford to completely remove yourself, your response was I wasn't driving. Hobbs said, ***"I was not driving."***

At any time with all your training and experience, did you ever tell [redacted] turn left onto Bradford let's get out of here? Hobbs said, ***"Well she was going to the PO box, which is on Washington Street and I stopped recording because I believed there was not going to be a situation."***

Rodney, at any time did you ever tell [redacted] to turn left onto Bradford to escape? Hobbs said, ***"No, I did not."***

From the moment you saw [redacted] to the moment the incident ends at Stockton Road, is there any avenues of escape? Hobbs said, ***"To escape?"***

I clarified, to escape [redacted] to escape a potential gunfight? Hobbs said, ***"As far as the roads, we could've turned by the biker bar. I guess there is another road. Let me make it clear we had flowing traffic. We hit the red light and [redacted] told me he was running toward our direction."***

I referenced portions of the interview specifically related to Hobbs' articulation of fear, anticipating gunfights, heightened sense of awareness, the call from dispatch, in order to refresh Hobbs' memory. Then I asked the following questions:

- Did you think the call from dispatch was indicative of [redacted] making comments about you in the jail? Hobbs said, ***"Yes."***
- Did you see [redacted] in the courthouse park? Hobbs said, ***"Yes."***
- Did he attempt to contact you? Hobbs said, ***"No."***
- Is he motioning that he sees you? Hobbs said, **"No."**

- Did he continue on toward Washington Street? Hobbs said, **"Yes."**
- Bearing in mind all the above information and a potential to control the situation, why are you not escaping the situation, based on your fear of a gunfight, violent encounter or perceived jail comments? Hobbs said, ***"Ok. From my point of view he was looking for a ride. From the way his head was on a swivel. It looked like he was about to be picked up by somebody. Shortly after seeing that and watching him and losing him, we are now passed the street [redacted] could've turned on. There is a truck pulled in the roadway I'm assuming it was his ride."***
- Are those facts worth risking a potential gunfight? Hobbs hesitated, chuckled and said, ***"We were now passed the street where the café is to have turned, so if we turned somewhere we would be turning on Bradford right where he was at with his truck. I'm not driving. I'm just watching, I really thought he was going to get picked up."***
- Are you saying the reasons you provided for not using an alternate route outweigh the risk of violence, or a gunfight? Hobbs said, ***"You're saying gunfight. I don't know what to expect, could be physical leading up to a gunfight."*** I refreshed Hobbs recollection with his previous statement regarding always expecting a gunfight. Hobbs said, ***"Yes, that is right, especially with a vehicle."*** I repeated my question. Hobbs said, "Sure, yeah I can answer that, 100%. There is a truck parked there it looks like he is looking for a ride…"
- Rodney, with everything you know, all your training and experience, is that worth the risk? Is [redacted] looking for a ride worth the risk to subject you and [redacted] to a potential violent encounter? Hobbs said, ***"It's never worth the risk, but that's not the situation."***
- Is your answer no, it's not worth the risk? Hobbs said, ***"No it is not worth the risk."***
- Knowing the risk is a violent encounter, potential physical harm, threats with weapons, fearful mindset based on your perception and all of your training, would it be reasonable to escape the situation rather than continuing on and risking the engagement? Hobbs said, ***"Ok. I'm paying attention to him. She's driving, she could've made a turn at Bradford which she didn't, and she could've stopped and waited. We could've been sitting there next to him in a truck. It's a fluid situation."***
- Prior to that? Hobbs said, ***"Prior to that there is only one way we could've turned, only one and that was by the café, but that happened too quickly. I am not driving. I was not in control of the vehicle."***
- How quick is too quick? Jason Jasmine asked for clarification about whether Hobbs was thinking about avenues of escape or not. Hobbs said, ***"It all happened too quickly. All of it from the phone call to the impeccable timing of him walking there to the intersection."***

I reminded Hobbs of his previous statement regarding his mindset when dealing with [redacted] Hobbs articulated his mindset as; always having to think about these options, always thinking who is with you, how are you going to escape the situation, always having a heightened awareness… but in this situation you are saying the situation happened too fast? Hobbs said, ***"Let me explain something to you, it was a fluid situation. I wasn't in control of the vehicle, as I've said, I was the passenger."***

- Are you saying the incident happened so fast that your fear and mindset didn't exist? Hobbs said, ***"No, I didn't say it didn't exist. It existed the moment I saw him. I was worried about him getting to the intersection. When he passed the intersection, we were behind him. He was ahead of us."***
- Did you think about escaping in the moment and taking a different route? Hobbs said, ***"No."***
- Are there several alternative routes to take between start and Stockton Road? Hobbs said, "There are several side roads. We just discussed one."
- At any time between start and Stockton road did you think about taking an alternative route? Hobbs said, ***"I did not think of it because I thought the situation resolved itself once we passed him."***

Break

During the break Hobbs and Jasmine were given an opportunity to review video surveillance of the courthouse and the county administration building. Hobbs also viewed the cell phone videos he submitted to Officer [redacted] I asked Hobbs if he recognized the videos. Hobbs said, ***"I recognized my two videos."*** Hobbs said he recognized the scenery of the courthouse and county administration building, based on the streets.

I asked Hobbs if the video appeared to accurately depict the events on the day of his encounter with [redacted] Hobbs said, ***"No."*** I asked Hobbs why he felt that way. Hobbs said, ***"The video looked jerky, it doesn't look like normal speed. When I watched that it looked jerky and slower. I remember a more fast-paced direct walk from him."*** Aside from Hobbs thinking the video speed was inaccurate, I asked him if the video showed [redacted] further ahead of him than he previously described. Hobbs said, "He came in at an angle and he…" I repeated my question. Hobbs said, ***"He's further ahead, but not by a large amount. A car turned left which slowed our progression, so if that vehicle didn't turn we would have been much closer."***

I told Hobbs I can appreciate the fact that if the truck hadn't turned they may have been closer, but that wasn't the case. I asked Hobbs if the truck turning allowed [redacted] to get further ahead. Hobbs said, ***"Yes, he got further ahead."*** I asked Hobbs the following questions:

- Did [redacted] reach the intersection of Bradford and Washington before you? Hobbs said, ***"Yes."***
- Did your cell phone recording start in front of the antique store? Hobbs said, ***"I don't know, I was focused on [redacted] when I was filming and I wasn't looking for it just now."*** **Jasmine stated that he and Hobbs will accept the representation of the video.**
- How much time elapsed from the time you first saw [redacted] to the time you started recording him? Hobbs said, ***"I estimate 45 seconds to 1 minute."***
- How much time elapsed after you first started recording? Hobbs said, ***"I believe the recording was 34 seconds.***
- Does [redacted] come into the video in the middle, or the end? Hobbs said, ***"Middle-end."***

- Are you laughing in that video? Hobbs said, ***"I don't remember if I was laughing, or she was laughing, there was a giggle."***
- Was there a giggling from both of you? Hobbs said, "Um, maybe, I don't… it sounded like it could've been."
- Why were you giggling? ***"I think just the way he was walking, his demeanor."***
- What about his demeanor? ***"He had a demeanor about him that we unfortunately see, similar to the baseball field, like he is on a mission."***
- Is that the same demeanor you observed while he was walking through the court house park? Hobbs said, ***"Yes."***
- Did that tell you anything about [redacted] or anything from your past experience? Hobbs said, ***"That he is unpredictable. My past experience with him walking like that and I got to see the walk all the way across the field."***
- And this is all connected to the fear you have articulated about [redacted] Hobbs said, ***"Mm Hmm," signifying a yes."***
- Where does the laughing come in to play? Hobbs said, ***"I already told you I don't know, whether it was me or her… it was based on his demeanor."***
- Was it funny to record him? Hobbs said, ***"No."***
- I can hear your voice giggling in the video; did you hear that in the video? Hobbs said, ***"Yes. I heard that, I'm not denying that."***

Hobbs said the whole situation was unbelievable timing that he is walking there. Unless you are in my shoes in dealing with him… the laugh was maybe kind of an error of this is unbelievable. Hobbs said he was in disbelief that [redacted] was being released as he and [redacted] are driving downtown. Hobbs said, ***"He was supposed to be sentenced to 12 days, how is he getting out."***

- Is everything you have told me in this interview to articulate your fear of [redacted] true? Hobbs said, **"Is it true… yes."**
- Were you being honest about the physical violence, always on edge, heightened sense of awareness? Hobbs said, ***"Yes, that's true."***
- But in this situation it was humorous? Hobbs said, ***"It was a very brief laugh, it wasn't a joke, that's your interpretation. I can't speak exactly, he has a certain walk, I've seen it…it was a little bit funny. We weren't doing this to watch it and be judged, we were doing it as a preventive to have... Just in case he runs out in front of the car and did do something. I stopped videoing because I thought it was over."***
- Is it more important for you to record [redacted] than to maintain yours and [redacted] safety? Hobbs said, "It's a combination."
- Is it more important, one or the other? ***"It's a combination when dealing with*** [redacted]
- If you had to quantify the two as to which is more important, your safety, or recording [redacted] Hobbs said, ***"It's always more important to be safe and that would be my answer."***
- By taking the route you did and recording [redacted] do you feel that was looking out for your best safety? Hobbs said, ***"I was not driving the vehicle. I was in an incapacitated state physically. I was in pain the last thing I wanted was a confrontation with*** [redacted]

[redacted] ***If someone doesn't understand that then so be it, they are not walking in my shoes."***

- After passing [redacted] did anything come into your mind to remove yourself from the situation? Hobbs said, ***"No. At this time I thought it was over, we hit flowing traffic. You can see in the video the speed… we were no longer in stop and go traffic. I thought it was over."***
- What happened after you passed [redacted] Hobbs said, "We're in flowing traffic and we heard a yell. I asked her if she heard it."
- How much time elapsed before the first recording to the second recording? Hobbs said, "I don't know."
- Can you estimate? Hobbs said, ***"First recording was 34 seconds, I guess if we drove that spot with flowing traffic, maybe 30 seconds."***
- Are you positive [redacted] saw you as you passed him? Hobbs said, ***"I think I asked [redacted] if he saw us, so the answer would be no. Then I heard something, which once again is an indicator that he's seen us."*** Hobbs was referring to the "hoot," that [redacted] commonly does.
- Did you ask [redacted] any questions? Hobbs said, ***"We just watched it I asked her if she heard that."***
- Did you laugh at that time as well? Hobbs said, ***"No. I don't believe I laughed."***
- At this point did it ever come into your mind to take a different route? Hobbs said, ***"No."***
- Is the purpose of recording [redacted] for documentation purposes?" Hobbs said, ***"To get the factual events, yes. He records all the incidences when he is around us, and edits the video."***
- Do you record to potentially capture a restraining order violation? Hobbs said, "It's to capture an incident that's possibly going to happen."
- On this day were you doing it to capture a potential restraining order violation? Hobbs said, ***"In the beginning all it was is to have something factual, if something happened. The second video was only turned on after she said he was running."***
- Based on everything we've discussed about your fear, [redacted] fear and past experiences, do you take those total circumstances into this incident? Hobbs said, ***"I can't say the total circumstances come in and I can't say every situation is predictable."***
- Is [redacted] behavior predictable? Hobbs said, ***"No. I never said he was predictable."***
- How so? Hobbs said, ***"Not every incident is exactly the same."***
- Does [redacted] act in similar ways when you've dealt with him in the past? Hobbs said, ***"He's had similar actions regarding yelling and his tone; being aggressive."***
- How many incidences? Hobbs estimated, ***"Ten."***
- Out of these incidences is [redacted] ever cordial with you? Hobbs said, ***"He was cordial, I have video of one where he was cordial. He wasn't in the beginning, but then we talked."***
- Are we about to say the fear no longer exist because his behavior on this day? Hobbs said, ***"No. That was the first time we were ever in contact with each other.***
- Was that a phone conversation? Hobbs snickered and responded, "***No. it was during a pick-up he wasn't letting the kids get in the car."***

- Aside from that one incident all the other incidences are as you've described; threatening, borderline criminal, causing fear? Hobbs said, ***"Yes."***
- Did you think driving by [redacted] and recording him might insight some type of behavior from him? ***"My thinking was to have a video of the incident in case something did happen."*** I told Hobbs that wasn't my question.
- Knowing what you know about [redacted] did you think driving by while he's watching you record would result in a situation? Hobbs said, ***"Well you're asking if I thought he was going see… I didn't know he was going to see."***
- Let's assume he does see you. Do you think with what you know about [redacted] that behavior would bother him? Hobbs said, ***"Everything bothers him regarding [redacted] and I."***
- Is that a yes? Hobbs said, ***"Yes."***
- Knowing that this behavior will bother him, are you recording him to capture a restraining order violation? Hobbs said, ***"No. I'm recording him to protect us as the factual incident."***
- Based on your articulated fear, training and experience, the best way to protect yourself and [redacted] is by recording this incident? Hobbs said, ***"It is an option to protect ourselves…"*** I told Hobbs I understood it was an option and clarified my question.
- In your opinion was this the best way for you to protect yourself? Hobbs said, ***"To protect the facts of the incident, yes."***
- How about your safety? Hobbs said, ***"Well… I wasn't in control of the vehicle, so…"***

Jason Jasmine asked for clarification and asked Hobbs if he thought [redacted] would've attacked Hobbs while he was recording him? Hobbs said, ***"I don't know, I believe based on previous incidence with him, had he seen us right off the bat and I'm not recording him… he could have attacked us, and we wouldn't have it on to justify, and with my situation not even being able to get out of the car..."*** Hobbs was referring to his physical limitations as described earlier in the interview, when Jasmine interrupted him to re-phrase his question.

Jasmine clarified and simplified his question for Hobbs. Do you think it would have been a dis-incentive to attack you if he sees you recording him? Hobbs said, ***"I don't think it matters either way."***

Break

Hobbs told me he felt the best way to protect him and [redacted] was to video record [redacted] as they passed him near the Bradford intersection. Hobbs said there were no other alternatives he thought of because they passed [redacted] and thought the incident was over. Hobbs stopped recording because he thought the incident was over when they passed [redacted] I asked Hobbs the following questions:

- Was this incident high stress? Hobbs said, ***"Every time I see [redacted] it is high stress."***
- While acting as a peace officer, do you ever pull out a camera and start recording? Hobbs said, ***"No."***

- Do you have other options available during high stress situations? Hobbs said, ***"It is not in our policy to record, they are not available to us."***
- Is there other options available when dealing with high stress situations. Hobbs said, ***"There are all kinds of options."***
- Did you handle this high stress situation on 3/8/19 the same way you would've handled a high stress situation on duty? Please explain. Hobbs said, ***"No. I physically that day was not how I would've worked that day. I wouldn't have been on patrol or as a civil/coroner."***
- Did you have a heightened sense of vulnerability based on your condition and your health? Hobbs said, ***"Yes."***
- Did this limit you physically? Hobbs said, ***"Yes it did."***
- Did this come into your mind during this incident? Hobbs said, ***"Yes it did."***
- Was the congested traffic consistent from the beginning of the incident to Stockton Road? Hobbs said, ***"I did not watch traffic after seeing him. I didn't start paying attention until she told me he was running."***
- Did [redacted] tell you he was running? Hobbs said, ***"I think she said he's running."***
- How far ahead of [redacted] were you at the time? Hobbs said, ***"I don't know. I caught him as he was catching up to us."***
- What do you do next? Hobbs said, ***"I point the camera at the sidewalk."***
- And after that? Hobbs said, ***"He comes in to the picture."***
- Did you retrieve a firearm? Hobbs said, ***"Yes."***
- After [redacted] told you [redacted] was running? Hobbs said, ***"She told me he was running, I turned my camera on and grabbed my pistol out of the glove box and put it between my legs."***

We watched Hobbs Cell Phone Video #2 together

I confirmed with Hobbs the "Hoot" at the beginning of the recording is the yell he previously described. Hobbs confirmed the vehicle was at speed when the recording started. I asked Hobbs what [redacted] says to him prior to cycling the action on his pistol. Hobbs asked me to replay the video several times and we both came to the consensus that [redacted] asks, Hobbs "Do you have your camera ready?"

Previously listening to the video clip it sounded as though [redacted] asked Hobbs if his "chamber was ready," referring to his pistol. [redacted] has been trained in firearms, but hasn't carried a concealed weapon for some time, per Hobbs. Hobbs said he doesn't think [redacted] would know that type of language. That portion of video is difficult to hear, due to surrounding noise and audio quality. After several replays and playing on large speakers it was confirmed [redacted] says, "Camera," not "Chamber." Hobbs said he initially thought it was camera, but wasn't sure.

- What does "got your camera ready mean to you? Hobbs said, ***"To film in case he does something. He's running at this time, we believe he has seen us and at the minimum he is going to do the verbiage thing from the side of the road. I believe he didn't know I was in that car until he ran up. I believe if I wasn't in that car he would've ran into***

the street got on her side and done a full on screaming intimidation thing. I believe that 100%."

- At this time you perceive a threat based on everything we have discussed and retrieve your firearm? Hobbs said, ***"Yes and because of my physical state."***
- Why did you cycle the action of your pistol? Hobbs said, ***"My physical state I wasn't going to be able to defend myself or her."***

Hobbs told me he cycled the action of his pistol in order to place a round in the chamber. Hobbs acknowledged the firearm will not discharge without a chambered round. Hobbs chambered the round for the purposes of using lethal force should the situation arise.

- How much time passes before [redacted] catches up to you? Hobbs said, "I don't know." We replayed the video to use the timer for reference. The timer showed an elapsed time of 12 seconds.
- Is the language, keep your ass walking a de-escalation tactic? Hobbs said, ***"When it comes to him yes."***
- Is that what you were taught in de-escalation? Hobbs said, ***"Depending on who you're dealing with."***
- The first thing you say to him is keep your ass walking, correct? Hobbs said, ***"Ok, yes."***
- Are you inside the car? Hobbs said, ***"Yes."***
- Are the doors locked? Hobbs said, ***"I don't know."***
- Are the windows up? Hobbs said, ***"I don't know. I think they could be down because I can hear him clear."*** Jason Jasmine spoke up and stated the obvious, that Hobbs' window in the video was partially down.
- Based on what was seen in the video, was your statement a de-escalation tactic? Hobbs said, ***"It's a tactic on my end from dealing with*** [redacted] ***previously. Not saying anything or being passive would not work."***

I clarified with Hobbs I wasn't insinuating he needed to be passive, I clarified my intent was to highlight conduct and professional conduct that he is held to on and off duty. I asked Hobbs if he remembered us talking about standards of conduct, de-escalation and escalating. Hobbs said, ***"Sure."*** Hobbs confirmed the statement he initially made to [redacted] keep your ass walking, was not a general de-escalation tactic. Hobbs said his methods of dealing with [redacted] senior have progressed beyond a general standard.

- In the past you have removed yourself from situations to eliminate the possibly of an encounter with [redacted], correct? Hobbs said, ***"I have attempted to in the past…"*** I asked Hobbs for a yes or no answer.

Jason Jasmine asked for clarification based on the volume of incidences we'd discussed in this interview. I clarified my question as not involving all incidences, but pertaining to some. I re-phrased my question.

- In some incidences you were mindful of the situation and removed yourself, correct? Hobbs said, ***"Yes."***
- During this incident, did you have the same degree of mindfulness? Hobbs said, ***"No."***

- Why not? Hobbs said, ***"Physically I wasn't in good shape, I didn't want to deal with him, I'm tired of dealing with him."***
- Is that more of a reason to avoid a confrontation with [redacted] Hobbs said, ***"Yes. He didn't know that."***

I showed Hobbs the frame of the video clipped paused at the red light. Hobbs recognized the intersection and the limit line of the intersection, indicating [redacted] car was first at the light. There were no cars in front of them at this time. Hobbs said, ***"I believe we were the first car."***

- You retrieved your pistol based on [redacted] approaching you and your perceived threat? Hobbs said, ***"Yes."***
- Is that based on everything we talked about regarding potential violence, threat of weapons, potential gunfight? Hobbs said, ***"Yes and the protection of*** [redacted]
- In your 22-23 years of experience, how many times has a person been released from jail and been handed a weapon by jail staff? Hobbs said, ***"I don't know, wait by jail staff no of course not."***
- Would it be reasonable to infer after receiving a phone call from dispatch and almost instantaneously seeing [redacted] that he probably was not given a firearm? Hobbs said, ***"Probably not."***
- Did you believe he was armed? Hobbs said, ***"Most likely not, as far as a gun. I don't know if he had a pocket knife."***
- Could he been given a pocket knife with his property? Hobbs said, ***"Yes."***
- Were you anticipating he was armed with a pocket knife? Hobbs said, ***"I was anticipating that he could have physically harmed*** [redacted] ***and I wouldn't have been able to ward that off."***
- What do you mean by harm? Hobbs said, ***"I mean run over to her, grab her out of the car, and pull her out. He is strong enough based on all the information I have to snap her neck. I know she freezes, to get to her given my physical state at this time."***
- Did you think to lock the doors and roll the windows up? Hobbs said, ***"No."***
- Did it occur to you to ignore him? Hobbs said, ***"I wanted to hear what he was saying."***

Hobbs explained the rest of the dialogue and [redacted] calling him and [redacted] child abusers. Hobbs called [redacted] a P.O.S and a liar. Hobbs confirmed [redacted] never came into their area and explained the escape plan would have been telling [redacted] to lock the doors, roll the windows up and even run the red light.

- If [redacted] would have entered your area, would you have engaged him with your pistol? Hobbs said, ***"No."***
- I asked Hobbs when would he have engaged [redacted] with his pistol? Hobbs said, ***"I don't know, if he got to her and tried to harm her, snap her neck, knock me out. I've been told this guy is fast and knocks people out."***
- Did you have a mindset for when you would have engaged [redacted] Hobbs said, ***"I don't know, if he tried to inflict great bodily harm on us."***

- Ever think of turning right onto Stockton Road to avoid [redacted] Hobbs said, ***"That would have put us closer to him."***

I reviewed the footage with Hobbs and determined it took [redacted] between 9-10 seconds for him to catch up to the vehicle. Hobbs said it never came into his mind to turn right and stated he wasn't driving the car. Hobbs also stated he wouldn't have [redacted] to turn right because it would've put them closer to him. Hobbs continued to say they would've had to of run a red light.

- Did it ever come into your mind to escape? Hobbs said, "That situation, no. Not without running a red light."
- Is it legal to turn right on a red light? Hobbs said, ***"You keep asking me like I'm driving the car."***
- Could you instruct her to turn right? Hobbs said, ***"Yes, I could have, but I wouldn't have done that in the situation."***

I reviewed the remaining video with Hobbs, showing the dialogue between him and [redacted] I asked Hobbs if his comments to [redacted] were consistent with the standards of conduct. Jason Jasmine asked for clarification to which part of the video I was referring to. I clarified the dialogue pertaining to Hobbs comments and added to the following to the question:

- Are you antagonizing him at this point? Hobbs said, ***"There is a lot there. I told him keep walking, I don't think that is antagonizing."***
- Were you saying discourteous things to him throughout the dialogue? Hobbs said***," To the normal person yes, to*** [redacted] ***no."***
- Is telling someone to keep their ass walking discourteous treatment? Hobbs said, ***"Telling someone, yes it is discourteous."***
- Talking about [redacted] Hobbs said, ***"No."***
- Do [redacted] comments to you make calling him a P.O.S, or telling him to keep his ass walking not discourteous treatment? Hobbs said, ***"I agree saying those things to the average person is discourteous. Saying those things to*** [redacted] ***it's rising to his type of what he is saying back. What I believe is if I would have ignored him it would've been worse."***
- Do you think your comments calmed things down? Hobbs said, ***"I think it was to the level where he was at."***
- Do you think your comments calmed things down, calling him a POS telling him to keep his ass walking? Hobbs said, ***"They didn't make anything worse."***
- Do you think your comments calmed things down, yes or no? Hobbs said, ***"No."***
- Are you trying to set [redacted] up for restraining order violations? Hobbs said, ***"100% No."***
- Are you trying to set [redacted] up to shoot him with a pistol? Hobbs said, ***"No."***
- Are you trying to set [redacted] up to engage in any violent behavior? Hobbs said, ***"No."***
- Based on everything we have talked about regarding [redacted] do you have the same fear that you may have to engage him in deadly force? Hobbs said, ***"Yes."***
- Based on that same fear and everything we have discussed, you chose to continue on Washington Street and film [redacted] correct? Hobbs said, ***"I stopped filming at one***

point…" I re-phrased my question based on my previous questions that Hobbs had difficulty answering.

- Was continuing on Washington Street and filming [redacted] your best option? Hobbs said, ***"The best option would have been to turn on a side street. Everything was heightened because of the running. I feel like I am the only one who understands that. I wasn't driving the car."***
- Do you have to be the driver of a car to instruct someone to navigate a different direction? Hobbs said, ***"No."***
- Can you get to your intended destination from several other side streets? Hobbs said, ***"That was the most direct path to the post office."***
- Can you get there by going other ways? Hobbs said, ***"Yes."***
- Is the post office in the same direction the [redacted] is traveling? Hobbs said, ***"Yes."***

Break

We previously discussed antagonizing behavior regarding [redacted] Hobbs said he remembered saying he didn't think his behavior was antagonizing based on the fact he was dealing with [redacted] Hobbs confirmed he remembered making the statement.

- Does [redacted] rate different treatment from the average citizen? Hobbs said, ***"No."***
- Based on your dialogue with [redacted] why doesn't that apply if he rates the same treatment as the average citizen? Hobbs said, ***"Coming from me, [redacted] makes non-stop false allegations, he's made threats to [redacted] and myself and I don't treat him the same way I would treat someone else. I base that on my totality of the circumstance and my experience with him."***
- As a peace officer are you mandated to maintain certain standards of conduct? Hobbs said, ***"Yes."***
- Ethical behavior? Hobbs said, ***"Yes."***
- Behavior that would reflect unfavorably upon the sheriff's office? Hobbs said, ***"Yes."***
- Was your conduct with [redacted] on this day appropriate conduct of a peace officer? ***"A peace officer in uniform, no."***

I admonished Hobbs that we have already discussed the fact that he is a peace officer on and off duty and he has acknowledged that fact based on the standards of conduct. Hobbs stated based on the standards of conduct he doesn't believe his conduct was inappropriate. I asked Hobbs to explain his answer. Hobbs started talking about parolees and training in the past. I stopped Hobbs and explained my question in depth. At the end of my explanation I asked the following questions:

- Is [redacted] entitled to the same rights as everyone else, "Hobbs said, ***"Yes."***
- Was your dialogue with [redacted] on this day appropriate conduct of a peace officer? Hobbs asked Jason Jasmine if he could speak to him regarding his answer. I did not allow Hobbs to consult with his attorney until I received an answer to my question. Jasmine instructed Hobbs to answer the question.
  Hobbs answered, "The conduct?" I repeated the question. Hobbs said, ***"Of a peace officer on or off duty, No."***

Hobbs described his conduct as being ***"ok,"*** based on his own standard and the totality of the circumstances. Hobbs explained the answer after stating his conduct with [redacted] was not consistent with the policy.

- Did the totality of the circumstances only apply when you were using this conduct in this incident?

Jason Jasmine asked for clarification. I explained to Jasmine that Hobbs referenced the totality of the circumstances when justifying his conduct as being, "ok." I re-phrased my question to:

- Did you take into consideration the totality of the circumstances at any other time during this incident, or only when your conduct is called into question?

Jasmine instructed Hobbs to answer if he was able, but said he was still confused about the question. I explained to Jasmine that it appears the totality of the circumstances apply when Hobbs' is articulating and justifying his actions, but it doesn't apply to other aspects of the incident, due to, "High Stress." There was mild debate about what constituted the totality of the circumstances and how and when the term applied to Hobbs' thought process. I asked Hobbs the following questions:

- Did you make any decisions upon receiving the phone call from dispatch? Hobbs said, ***"No."***
- Did you make any decisions upon seeing [redacted] in the courtyard? Hobbs said, ***"No."***
- Did you make the decision to record [redacted] based on the totality of the circumstances? Hobbs said, ***"No."***
- Did you ever consider taking a different route? Hobbs said, ***"No, I wasn't thinking about that. I was worried about him seeing us."***
- When you retrieved a pistol and cycled the action, did you consider the totality of the circumstances? Hobbs said, ***"Yes."***
- Did that include area, population and time of day? Hobbs said, ***"Yes."***
- Does the totality of the circumstance allow you to use disrespectful language with [redacted] Hobbs said, ***"I believe so."***
- If [redacted] was not running after you would you still have engaged him the same way? Hobbs said, ***"100% no."***
- Was there any option to remove yourself and [redacted] from this situation? Hobbs said, ***"Without turning off, no."***
- Did you lack due-diligence in avoiding this incident with [redacted] Hobbs said, ***"No. We were doing our own thing and he ran after us."***
- If you were in a position to and given the setting would you affect an arrest regarding this incident? Hobbs said, ***"Yes."***
- Forward a case to the DA? Hobbs said, ***"Yes."***
- Based on your actions during the incident, do you feel you aided or antagonized in any way a restraining order violation? Hobbs said, ***"No."***
- Did you put yourself within close proximity to [redacted] Hobbs said, ***"Close and to leave him behind."***

- Is being in close proximity to [redacted] safe or unsafe for you? Hobbs said, ***"Safe if he doesn't see us. If he sees us its unsafe."***
- Would you say your odds of being seen by [redacted] are 50/50? Hobbs said, ***"That's fair."***

Hobbs made a statement regarding avoiding the encounter with [redacted]. Hobbs said, ***"The only way this incident doesn't happen is if [redacted] doesn't see us."***

- Do you feel putting yourself closer to [redacted] is contrary to your training and experience? Hobbs said, ***"Yes."***
- Did you or anyone call 911? Hobbs said, ***"No. If he had run in the road I would have been busy defending ourselves."***
- Did you report this incident to Sonora Police Report? Hobbs said, ***"Yes."***
- Did you tell Officer [redacted] about the phone call from dispatch? Hobbs said, ***"I don't know. I think I did. I would have no reason not to."***
- Did you tell Officer [redacted] you hoped [redacted] wouldn't see you? Hobbs said, ***"Yes."***

Break

After leaving the area of Stockton Road Hobbs notified his sergeant, Sgt. [redacted] Hobbs sent both of his videos to [redacted] I asked Hobbs to tell me about his conversation with [redacted] Hobbs said, ***"I don't remember our conversation, other than I told him the facts and told him to watch the videos."*** I told Hobbs I wanted to read a memo to him written by [redacted] regarding the incident and their conversation. Hobbs was adamant that he wouldn't remember his and [redacted] conversation. I told him my goal was to read the memo to him and allow him to highlight any discrepancies that may exist. Hobbs said, ***"I don't know if I'm going to remember our conversation, just so you know."***

I read the memo to Hobbs and he stopped me at the part where [redacted] wrote that the jail called Hobbs. Hobbs said he wouldn't have told [redacted] the jail called, because that didn't happen. Hobbs said he would have told him the jail called dispatch. I noted Hobbs response and continued. Hobbs said, ***"I have no issues with the rest of that information."***

I questioned Hobbs about the portion of [redacted] memo, which stated Hobbs received information that [redacted] was making threats in the jail. Hobbs said, ***"No… uh, I don't know that he was making, I'm assuming the reason the jail called dispatch is he was saying something."*** Hobbs stated he never received information from the jail or dispatch regarding [redacted] making threats; however, he assumed [redacted] was making comments and shared that assumption with Sgt. [redacted] who in turn shared the information with Lt. [redacted]

I read Hobbs the email sent to Deputy [redacted] which was forwarded to me. The email was dated on 2/24/19. I asked Hobbs about the portions of the email regarding false reports, justifiable homicide and taking [redacted] out of the picture. I asked Hobbs if any of the portions of the email were true. Hobbs said, "100% no." Hobbs said taking [redacted] out of the picture could mean two things, taking him out of the picture as a father to the boys and murder. Hobbs denied any intentions to either of the definitions of taking [redacted] out of the picture.

I asked Hobbs about his text message to Sgt. [redacted] specifically the text asking [redacted] to keep the incident to himself. Hobbs said he had no intention in suppressing information from the DA, Sheriff's Administration, or Sonora Police Department for any reason. Hobbs asked [redacted] to keep the incident to himself because the incident is "embarrassing."

Hobbs admitted to having hypothetical conversations about encountering [redacted] in a deadly force situation. Hobbs said he never had conversations related to plotting [redacted] death, but has had conversations with people regarding [redacted] and potential deadly force situations. Hobbs confirmed he based the deadly force conversations on the totality of the circumstances and the toxicity of the situation between him, [redacted] and [redacted]

I showed Hobbs a map of School Street to Stockton Road. Hobbs reviewed the map and answered several questions. Hobbs confirmed he received the call from dispatch between the red church and the blue star on the map. Hobbs estimated he ended the phone conversation with dispatch while passing Elkin Street. Hobbs recognized the alternate routes highlighted on the map and agreed the map was accurate. Hobbs identified Courthouse Park on the map. Hobbs identified the red "X" on the map as where he saw [redacted] after passing [redacted] at the Bradford intersection.

During Hobbs' interview, Hobbs submitted several incidences into the record, which required additional review of cases and supplemental materials:

Analysis of Hobbs Taco Shop El Rey video:

This video was submitted by Hobbs as evidence of alleged restraining order violation. This is one of two videos attached to (TCSO Case #19-0843). The first video is approximately 14 seconds in length. When the video starts, it appears [redacted] is standing in the open doorway of the taco shop talking to [redacted] is talking back to [redacted] through a partially rolled down rear passenger window. [redacted]s vehicle is approximately 5 feet from [redacted] The dialogue is as follows:

[redacted] ***"I drove by and saw my son. You know that?"***

[redacted] ***"You are not allowed to be here."***

[redacted] ***"I drove by and saw my son."***

[redacted] ***"You are violating a restraining order. You are not allowed to be here. Please leave."***

As the video ends, the camera turns into the restaurant, showing Hobbs standing behind [redacted] and holding a cell phone. Both [redacted] and [redacted] are standing next to [redacted] by the door.

Analysis of Hobbs Taco Shop El Rey video 2:

This is the second video of the same incident listed above. The video is approximately 10 seconds in length. The starts with footage of [redacted] in a [redacted] The reflection in the window shows [redacted] recording with her cell phone and standing in front of the door. As [redacted] vehicle starts to drive forward, Hobbs opens the door and starts to walk out of the restaurant. [redacted]

says, ***"No,"*** as Hobbs exits the door. The camera quickly turns to the floor before shutting off. No further recording

Analysis of Hobbs Baseball Try-Outs video:

This video was submitted by Hobbs as evidence of alleged restraining order violation. This video is one of two videos attached to (TCSO Case #19-0303). The firs video is approximately 10 seconds in length. When the video starts, [redacted] is seen standing with his hands behind his back. [redacted] adjust his position and appears to be facing the camera. Hobbs is heard saying, ***"Make sure I'm in it,"*** and appears to hand the phone to [redacted] Hobbs moves into the frame of the camera, which is pointed at [redacted]. The camera captures both Hobbs and [redacted] in the frame together, but at a distance. [redacted] adjusts his position and takes approximately 3-5 steps toward the field. [redacted] is an estimated 30 yards away from the camera. There are several people standing and sitting in different areas of the field.

Analysis of Hobbs Baseball Try-Outs video #2:

This is the second video of the same incident listed above. The video is approximately 20 seconds in length. The camera is activated and aimed at [redacted] from what appears to be the same location of the field as the first video. [redacted] is seen walking the opposite direction from which he was facing. A young boy, [redacted] is seen running from behind and adjacent to the view of the recording camera. [redacted] runs toward [redacted] and jumps into a hug. [redacted] carries [redacted] a short distance before setting [redacted] down. [redacted] leans over and appears to be talking to [redacted] for approximately 10 seconds. During the video, there are children practicing in all different parts of the field, and appear to be running in all different directions, with a variety of uniforms. The video ends.

Analysis of Hobbs and [redacted] Speakerphone Confrontation:

This video was submitted for evidence by Hobbs in (TCSO Case #19-0303) regarding an alleged restraining order violation. The video is approximately 1 minute and 38 seconds in length. The video begins in darkness, with [redacted] saying; ***"You shouldn't yell at people no matter…"*** it appears [redacted] is talking to a child. Hobbs enters the video stating, ***"Are you trying to talk to me?"*** This appears to be the first statement from Hobbs based on where the video starts. The following dialogue continues with both Hobbs and [redacted] talking over each other:

[redacted]: ***"No. I'm trying to talk to my kids. You got a problem with it, don't answer the phone. You got a restraining order on me, stay off the phone. Stay out of my business, you got it. Stay out of my business Rodney. Stay out of my business.***

Hobbs: ***"Don't tell your son to put it on speaker… I have a restraining order on you and you're putting it on speaker to yell at me?"***

[redacted] ***"Don't answer the phone when I'm supposed to be talking to my son. So shut your mouth and get off the phone."***

Hobbs: ***"Don't tell me what to do buddy."***

[redacted] ***"I'll tell you what to do bitch… stay off the phone. You got it. You got it. You ain't nobody bitch."***

Hobbs: ***"Really… you're going to talk like that in front of your kids?"***

Hobbs: ***"Quit telling your kids to put it on speaker… you hear me?"***

[redacted] ***"You hear me? I wouldn't answer your fuckin calls."***

Hobbs: ***"Quit telling your kids to put the phone on speaker when you call here."***

[redacted] ***"Why don't you do me a favor and fuck yourself, how about that?"***

Hobbs ***"Keep it up…"***

[redacted] ***"Keep it up? I'm right here cowboy. Where do you want to meet?"***

Hobbs: ***"What are you saying?"***

[redacted] "What do you wanna say? What do you wanna do? Let's do it. You want to learn about [redacted] I already told you, I ain't lied to you one time Rodney.

Hobbs: ***"Quit telling your boys to put the phone on speaker when you call. You got it?"***

[redacted] walks across the camera frame. The frame of the camera is adjusted and appears to show [redacted] sitting on the floor. It appears Hobbs is sitting in a recliner style chair, in his living room.

[redacted] ***"I'll tell my boys whatever I want to… you aint their father. You little bitch. I'm their father, got it."***

Hobbs: ***"You're a horrible example of a father."***

[redacted] ***"You're a horrible piece of shit?"***

Hobbs: ***"You're a horrible example of a father."***

[redacted] ***"I aint the one who lied and signed my name perjury boy. Your badge is gone."***

Hobbs: ***"You're a horrible example of a father."***

[redacted] ***"Are you done? Are you done? Are you done?"***

Hobbs: ***"Do not call here and have the boys put the phone on speaker."***

[redacted] ***"Are you done wasting my time? I (inaudible) with my boys."***

Hobbs: ***"Do not call here and have the boys put the phone on speaker."***

[redacted] ***"I'll tell my boys anything I want to."***

Hobbs: ***"We'll see about that."***

[redacted] ***"We'll see then screw yourself.***

The line disconnects after [redacted] s last comment. Throughout the video [redacted] 's voice rises and inflects from a moderate tone to a loud tone. I would describe [redacted] s tone as yelling throughout most of the video.

Analysis of Restraining Order and Attachment 1A:

I compared the Request for Restraining Order CH100 and the Temporary Restraining Order CH110. Both documents were completed in hand writing not consistent with Hobbs' handwriting. Each document contained Hobbs' printed name and signature. The printed name and signature appeared consistent with Hobbs penmanship.

The request for restraining order included attachments citing the specific justification. The following information was collected from Hobbs' restraining order documents:

- 6/12/17 [redacted] texted several messages a that were lengthily. Hobbs responded via text not to call or text anymore.
- Phone calls described as heated where [redacted] says he is going to, ***"take care of things." "I'm unsure if he is threatening job or family."***
- 12/7/17 while leaving the courthouse Hobbs identified [redacted] in a [redacted] Hobbs describes a series of counter surveillance techniques and determines [redacted] is following him. Hobbs drives to the Sheriff's Office while he waits for [redacted] to finish court paperwork. [redacted] parked next to Hobbs in the Sheriff's Office parking lot and started talking to Hobbs. ***"He started telling me negative things about [redacted] and that he has never lied to me. I repeatedly told him to leave and called him a pathological liar." "I could not see his hands and I'm assuming he was recording as he normally records all encounters. I was very concerned he might have a gun inside his vehicle."***
- Hobbs highlights he thinks [redacted] is in possession of guns even though he had a DVRO from a different person. Hobbs claims knowledge of secret gun compartments in [redacted] cars. Hobbs articulates telling [redacted] to leave several times.
- ***"[redacted] is extremely terrified of [redacted] and what he has done to her in the past both verbally and physically. I told [redacted] he was blocking me with his vehicle and he needed to leave."***
- Hobbs attempted to record the conversation but only recorded approximately four seconds, which captured [redacted] saying, ***"I'm not lying."***
- 3/5/18 [redacted] told [redacted] he and [redacted] were at the store. [redacted] arrived at the store and yelled at [redacted] while filming her. [redacted] made a statement of, ***"Tell your boyfriend I'm going to take care of things."***
- Hobbs claimed finding (2) tracking devices in [redacted] vehicle. R/O documents state [redacted] admitted to placing (1) tracking device when [redacted] and [redacted] first separated. ***"I also drive her car, and this makes me feel afraid for the safety of myself, [redacted] and Braden."***

The following information was written or checked on the request for R/O:

- Box checked "No" for use or threaten use of gun or weapon.
- Box checked "No" for harm or injury because of harassment.
- Stay away orders with no exceptions listed.
- Boxed checked "Yes" for own or possess firearms.

[redacted] ***Turns in video footage:***

On 5/31/19, [redacted] arrived at the sheriff's office and delivered a flash drive containing several video clips. [redacted] said he had gathered the videos from a variety of incidences between [redacted] Hobbs and himself. [redacted] re-iterated he believes incidences have been misrepresented in official documents, which have resulted in him losing his children, or being subjected to prosecution. [redacted] told me would provide all video materials shortly after his interview on 4/3/19. I did not receive the videos from [redacted] until 5/31/19. The titles of videos do not reflect any factual findings. The titles were attached to the videos when they were received.

Analysis of AutoZone video provided by [redacted]

This video was submitted by [redacted] regarding the AutoZone incident and a restraining violation filed with Sonora Police, (SPD Case # 18-1111). The video is approximately 1 minute and 14 seconds in length. The recording was captured via cell phone and is upside down. The video appears to start as [redacted] is approaching the passenger side of [redacted] vehicle on foot. [redacted] vehicle is parked in a parking stall. [redacted] appears to be talking in a normal tone and is not yelling. The dialogue is as follows:

[redacted]: "[redacted] ***I'd like to see my son please. What happened to him? He required emergency attention."***

[redacted] is standing next to the passenger window and is holding his cell phone at chest level. The camera pans to the front [redacted] vehicle where Hobbs is standing with his arms crossed, looking at [redacted]. Hobbs' green truck is parked forward and adjacent to [redacted] car, the driver door is open.

[redacted]: ***"Rod, please go back in your car. You got out of your car when you saw me. So please go back in your car, it's my son that got hurt."***

Hobbs: ***"I'm here with her."***

[redacted]: ***"You know what…thank you. You go get back to your car… thank you."***

Hobbs: ***"You don't tell me what to do."***

[redacted]: ***"You get back…why did you get out? Why did you get out? My son required medical attention, it's not your son. Get on."***

At this time, [redacted] backs out of the parking stall. [redacted] walks toward the front of [redacted] vehicle. [redacted] pulls forward and stops when [redacted] steps in front of her car. [redacted] is now talking loudly and at some points yelling.

[redacted]: "[redacted] ***I want to see my son. I want to see my son. He's hurt, he required medical attention and you didn't call me like your orders say. My son is injured, I want to know."***

Hobbs: ***"Get out of the way."*** Hobbs approaches [redacted] with his right hand in his pocket.

[redacted] ***"Rod, its none of your business. Go take care of your son, ok. Go take care of your son."***

Hobbs: ***"Get out of the way."***

[redacted] drives away while [redacted] is telling Hobbs to stay out of his business and to take care of his own son.

[redacted] ***"You know what… I'm going to take care of this right now, don't worry about it. [redacted] I'm going to call the Sheriffs right now. Read the orders."***

Hobbs: ***"Me too."*** (Inaudible)

Hobbs walked back to his truck and stops at the door. Hobbs is approximately one parking stall length away from [redacted]. Hobbs points at [redacted] and tells him to leave.

[redacted]: ***"Hey Rod. Do me a favor, stay out of the business of my son, he's my son. It's my son Rod."***

Hobbs: ***"Leave now, I have a restraining order."***

[redacted] ***"You leave. You leave Rod. You got out of your car to confront me. You got out of your car to confront me."***

Hobbs: ***"I was already here."***

Both Hobbs and [redacted] approached each other, while arguing about who was where first. [redacted] continued recording and Hobbs was pointing. Hobbs stopped approximately 1-2 feet from [redacted] and continued to argue.

[redacted]: ***"You got out of your car to confront me. I got it on tape Rod. You got out of your car."***

Hobbs: ***"Like usual, you're lying."***

Hobbs turns around and walks back to his truck. [redacted] walks away and continues talking.

[redacted]: ***"Don't worry about it, I'll take care of this Rod. My lawyer will take care of this whole situation, don't worry about it. Along with all your hypocritical crap. Go-ahead, go-ahead Rod. You don't even know who you are with."***

The video ends as [redacted] is walking away through the parking lot.

<u>Analysis of All she does is manipulate the orders video provided by [redacted]</u>

This video was dated in May of 2018 and appears to be at a baseball game for [redacted] The video is 14 seconds in length. [redacted] and [redacted] are sitting on what appears to be the team

bench. [redacted] asks [redacted] to sit in the bleachers with the other parents. The dialogue is as follows:

[redacted] ***"Can you go sit with the other parents please. I'm asking you nicely. I'm trying to manage this team and this is the third time I've asked you."***

[redacted] ***"Will you please go sit in the bleachers and not be a distraction to this team?"***

[redacted] leans down to [redacted] and asks if he wants to sit with her.

[redacted] ***"Do you want to sit with me?"***

[redacted] ***"No. He's part of the team. He can sit here*** [redacted]

[redacted] is holding [redacted] hand. [redacted] stands up with [redacted] and walks away from the dugout.

[redacted] ***"Really?"***

The video ends and [redacted] and [redacted] leave the view of the camera.

Analysis of [redacted] ***Violating Orders at Football video provided by*** [redacted]

This video was dated 5/9/18 and appears to be a sporting event. [redacted] is talking to [redacted] and [redacted] The children appear to be getting in [redacted] car via rear passenger door. [redacted] appears to be telling the boys to get in their seats when [redacted] approaches the vehicle. The dialogue between [redacted] and [redacted] takes place within a 1-foot distance. The dialogue is as follows:

[redacted] ***"Good game, see you soon (kissing noise) get up there. Get up there please and sit in your chair."***

[redacted] ***"Can you please keep some distance please. Don't step up on me, ok."***

[redacted] approaches [redacted] at the open rear passenger door.

[redacted] ***"This is my car*** [redacted] ***This is my car. This is my car."***

[redacted] ***"You're making a scene right now. Please step off of me, I'm trying to say goodbye to my kids."***

[redacted] walks in between [redacted] and the open door of her vehicle.

[redacted] ***"If you're so scared of me*** [redacted] ***why are you walking up on me when you know the rules. That's ok, hey I love you boys."***

[redacted] appears to ignore [redacted] and continues with putting the boys in the car. [redacted] tells her not to shut the door on the boys. The audio ends at 44 seconds; however, the camera pans toward an angle where [redacted] face is seen. The recording captures [redacted] start to make a statement and

cuts off. The timer of the video continues for 16 seconds with no change to the video or audio. The picture appears frozen until the timer ends.

Analysis of Dysfunctional video provided by [redacted]

This video was dated 12/8/17 and appears to take place at Mike's Pizza restaurant in East, Sonora. There are children running around in baseball uniforms. The video is 55 seconds in length. [redacted] enters the restaurant and admonishes [redacted] for discouraging [redacted] about playing baseball. [redacted] is sitting at a table with an unknown person and the restaurant is crowded. The dialogue is as follows:

[redacted] ***"Our son is choking on a mouthful of gumballs and you would have him disrespect his father… (inaudible).***

[redacted] raises her left hand and flips off [redacted] s camera. [redacted] lowers his camera momentarily, but the conversation is still recorded.

[redacted] ***"You know what… he is paying the price for your actions. He's paying the price, your kids are."***

[redacted] ***"He's paying the price for you making him play baseball. He doesn't want to play."***

[redacted] ***"You know what… do me a favor. You had no problem with the first two years. It was fun you were clapping. He was fine"***

[redacted] ***"I clap for him at the games…"***

[redacted] ***"You keep telling him he's no good, you're gonna make him no good."***

[redacted] ***"I never told him he's not good."***

[redacted] ***"You're such a liar. You're a liar."***

[redacted] ***"Fuck you*** [redacted]

[redacted] ***"Excuse me. Say that a little louder in front of your kids too. Watch your mouth."***

[redacted] turns toward [redacted] and the camera and repeats her statement to [redacted]

[redacted] ***"Fuck You."***

The video ends.

Analysis of Child Custody Exchange with Hobbs video provided by [redacted]

The video is dated 2/3/17 and is approximately 4 minutes and 47 seconds long. This video appears to take place at the am/pm gas station, near the Standard and Mono Way junction, in

Sonora. The video starts from inside of [redacted]s vehicle. Children can be hear in the vehicle and [redacted] appears to be parking.

[redacted] ***"Ok, lets go out. I love you guys… give me a kiss."***

[redacted] ***"Better quit yankin on that tooth buddy, or you're going to lose your permanent ones. (chuckles) love you. Alright, see ya later, be safe ok."***

[redacted] is recording the boys entering [redacted] car through the back-passenger seat. The view changes toward [redacted] but [redacted] continues to say bye to the children. [redacted] pulls the phone into what appears to be his lap. [redacted] pulls back as if to leave and then pulls back into the parking space. It appears one of the children was trying to tell [redacted] something.

[redacted] ***"What? I can't hear you. Roll the window down. Hi, what's up? Is there a problem?"***

There is a pause and then [redacted] can be heard sighing. [redacted] gets into his vehicle and drives to an adjacent parking stall, where Hobbs is parked in a red truck. Hobbs is sitting in the driver seat with his feet facing out of the truck. The door is completely open and Hobbs is holding his cell phone sideways. Hobbs appears to be recording.

[redacted] ***"Is there a problem Rodney?"***

Hobbs: ***"You're violating your orders."***

[redacted] ***"No, I am not. She switched parking spots purposely right in front of the McDonalds restaurant. I don't want to get violated for being out of my car. She did it before and I don't want to play her games. She had no reason to move spots."***

Hobbs: ***"I looked at the order. There is nothing in the order that says you have to park in a certain location."***

[redacted] ***"It says am/pm and we have always consistently parked here. She was over in the corner, I came early to take my kids to lunch. She purposely moved her car in the front. You know Rodney, if you knew her behavior you wouldn't be saying this to me."***

Hobbs: ***"It's three o' clock, its time…(inaudible)."***

[redacted] ***"I was here at 20 til."***

Hobbs: ***"It's three o' clock, its time… (inaudible)."***

[redacted] ***"I would've walked out at 3:00 if she wasn't parked in front of the window. I'm not going to play her games. Look at her history and her lies she's done. Look at what she's done to her children, our children."***

Hobbs: ***"That's another conversation for another time."***

[redacted] ***"Then let's have it. Let's have it at my house anytime you want to. You're here, you're here because you want to be involved. So you're involved."***

Hobbs: ***"I'm here because I don't want her being harassed."***

[redacted] ***"I have never harassed her one time."***

Hobbs: ***"You have right now."***

[redacted] ***"I am not. My boy was talking to me in the window and I couldn't hear him."***

Hobbs: ***"For the boys, it would be nice to have an exchange where we didn't have to do all this."***

[redacted] ***"It was never a problem when we did it at my house. Only became a problem when she made it a problem to make herself look good."***

Hobbs: ***"Another time. Maybe another time."***

[redacted] ***"So feel free whenever you want to, I'll show you in black and white."***

Hobbs: ***"Another time."***

[redacted] ***"Mark my word… be careful with what you do. You have the slightest idea who she is and I mean that sincerely. I'm not here to bash her, I'm here to protect my kids and that's the truth. Feel free anytime you want to come over, Rodney, come on over, anytime you want to."***

Hobbs: ***"Ok."***

Hobbs can be heard talking to the boys in the background after he walks passed [redacted] car. [redacted] reverses and begins to talk to Hobbs for a second time.

[redacted] ***"And like I text [redacted] too, Rodney, I thank you for doing that jog with my boy. I appreciate it, she probably didn't tell you I texted, but I appreciate you spending time with him."***

Hobbs approached [redacted] car, place his hands on the top of the [redacted] car and appeared to lean in toward the window. Hobbs appears to be offering an invitation for him and [redacted] to talk without cameras.

Hobbs: ***"Just so you know, anytime you wanna talk, and we don't have all these cameras on and shit like that…"***

[redacted] turned the camera off as Hobbs was telling him about talking without cameras. The video ends.

Analysis of Lying About Baseball video 1 and 2 provided by [redacted]

These videos are almost duplicative and related to the same date of 5/15/15. The videos appear to take place during baseball practice. In one video [redacted] asks [redacted] to sit with the other parents because she is a distraction to the kids. [redacted] ignores [redacted] and talks on her phone.

In the second video [redacted] asks [redacted] a second time to sit with the other parents. [redacted] does not respond verbally to [redacted] [redacted] stares at [redacted] blankly while chewing her gum. This lasts

for approximately 35 seconds while [redacted] asks her continuously to sit with the other parents. One of the children approaches and [redacted] turns her attention toward the child and smiles.

Summary of statement from Sgt. [redacted]

On 6/04/19 at about 1530 hours, I spoke with Sgt. [redacted] of the Tuolumne County Sheriff's Office. I recorded our conversation. I explained to [redacted] the nature of my investigation. I explained to [redacted] the witness and confidentiality letter and had him sign it. I explained and read the administrative admonishments verbatim to him. [redacted] signed and initialed the appropriate portions.

Sgt. [redacted] has been employed with the Tuolumne County Sheriff's Office for 13 years. [redacted] is assigned to the courts supervisor and was previously a patrol supervisor. [redacted] is a firearms instructor for the TCSO range staff and has served on the Search and Rescue team. [redacted] is the Deputy Sheriff's Association Union President.

Sgt. [redacted] is familiar with incidences associated with Hobbs, [redacted] and [redacted]. [redacted] does not know how many incidences he's been involved in investigating related to Hobbs and [redacted] and [redacted]. [redacted] is most familiar with case (TCSO Case #18-3968). [redacted] told me he collected a large amount of information from [redacted] and documented them in the report to the best of his ability. [redacted] said there were several allegations of child abuse associated with the report he took from [redacted]. [redacted] described [redacted] demeanor as very difficult to keep on track, extremely rapid speech, "He bounces around from one thing to another."

I asked [redacted] the following questions:

- Were [redacted] allegations repeat allegations from previous incidences? [redacted] said, ***"I don't remember if they were or not."***
- Did [redacted] repeat himself several times during your interview? [redacted] said, ***"Yes."***
- Do you have any reason not to document [redacted] incident accurately in your report? [redacted] said, ***"No."***
- Was there anything that [redacted] said to you that led you to believe there was misconduct associated with the TCSO and his previous experience? [redacted] said, ***"I believe there was something, but we didn't get into it. I took his report regarding the allegations and the safety of his children."***
- To your knowledge did [redacted] file complaints to the TCSO around the time you took this report? [redacted] said, ***"I know he has filed complaints. I do not know if they were before or after this report."***
- To this date, do you know that [redacted] has filed multiple complaints with the TCSO? [redacted] said, ***"Yes, I do."***
- Did you take a report for Hobbs? [redacted] said, ***"Yes a restraining order violation."***

[redacted] described a restraining order violation reported by Hobbs, as [redacted] flying a drone over Hobbs residence for the purposes of conducting surveillance. [redacted] told me at the time there

was no evidence to support [redacted] was the owner or operator of the drone; however, during [redacted] interview with [redacted] he admitted to flying the drone over Hobbs' house.

- Did you provide Hobbs with any special treatment you wouldn't have provided to [redacted] said, ***"No. Not at all."***
- Did you forward Hobbs' report to the DA's office for review? [redacted] said, ***"Yes,"*** and confirmed no arrest was made based on Hobbs' report.
- Did you make an arrest based on the [redacted]'s report? [redacted] said, ***"No,"*** and confirmed [redacted] report was forwarded to CWS for review and follow-up.
- In your opinion, did you find that [redacted]s allegations of child abuse were supported by factual evidence? [redacted] said, ***"No."***
- Has [redacted] filed other reports that appeared to be unsupported by factual information? [redacted] said, ***"I don't know."***
- Did you investigate both Hobbs and [redacted] cases with the same due-diligence you would have given to any other citizen? [redacted] said, ***"Yes."***

I asked [redacted] if he remembered 3/12/19 as the day Hobbs was served with a notice of an internal affairs investigation. [redacted] said he remembered the date and the events. I asked [redacted] the following questions:

- Do you remember me asking you to sit in while I serve Hobbs with his notice of investigation? [redacted] said, ***"Yes."***
- Do you remember me asking you to look out for Hobbs and keep him quiet? [redacted] said, ***"Yes."***
- Was that to maximize Hobbs' protections under his Peace Officer Bill of Rights? [redacted] said, ***"I would like to think so."***
- Well, was that the advice that I gave you? [redacted] said, ***"Yes."***
- Did Hobbs service take place in my office, located in the TCSO main office? [redacted] said, ***"Yes. The main office."***
- Did you have a chance to review Hobbs' notice of investigation? [redacted] said, ***"Yes. I briefly reviewed it."***

[redacted] told me he remembered reviewing Hobbs' noticed on the day he was served but he hadn't read it intently and did not remember what the letter said. [redacted] told me due to the fact he didn't thoroughly read the letter he wouldn't be able to confirm all the facts within the letter. I showed [redacted] Hobbs' signed copy of the notice. [redacted] said the letter looked similar, but couldn't be certain because he didn't read it. [redacted] said the details that stood out to him were the language describing administrative leave. [redacted] said he had never seen a notice that put someone on administrative leave before.

- Did Hobbs arrive at my office shortly after? [redacted] said, ***"Yes."***

[redacted] remembered Hobbs being served papers at the time of his service. I asked [redacted] if he remembered Hobbs trying to make several statements while I served him the notice of investigation. [redacted] said he remembers Hobbs trying to speak and me motioning for [redacted] to keep him quiet.

- Did it appear that I was silencing Hobbs to be rude? [redacted] said, ***"No."***
- Did it appear that I was silencing Hobbs to preserve the integrity of the investigation and to put Hobbs in touch with his attorney? [redacted] said, ***"That's how I understood it, yes."***
- Did Hobbs have an opportunity to ask questions about notice? [redacted] said, ***"I don't remember."***
- Do you remember me telling him his peace officer powers were suspended? [redacted] said, ***"Yes, something to that effect."***
- Do you remember me telling Hobbs he was not to use peace officer powers for any reason; however, he still had the same access to documents as the average civilian? [redacted] said, ***"Yes."***
- I asked [redacted] if he had the opportunity to consult with the DSA Attorney Jason Jasmine prior to sitting in on Hobbs' notice of investigation. [redacted] said, ***"I believe I did, because I had never done this before."***
- Was there anything about the service of Hobbs' notice of investigation that you felt was inappropriate? [redacted] said, ***"I didn't get that feeling."***
- Did you feel by me asking you to sit in on Hobbs' notice that I placed you in a situation you weren't prepared to assist with? [redacted] said, ***"No."***
- Was Hobbs disarmed and was his badge removed from his possession? [redacted] said, ***"Yes, you or Lt. [redacted] did."***

I asked [redacted] if there was anything he felt was pertinent to the investigation he wished to add or remove. [redacted] said, ***"No."*** I ended the conversation.

Summary of statement from Sgt. [redacted]

On 6/08/19 at about 2100 hours, I spoke with Sgt. [redacted] of the Tuolumne County Sheriff's Office. I recorded our conversation. I explained to [redacted] the nature of my investigation. I explained to [redacted] the witness and confidentiality letter and had him sign it. I explained and read the administrative admonishments verbatim to him. [redacted] signed and initialed the appropriate portions.

Sgt. [redacted] has been employed with TCSO for 13 years. [redacted] is currently assigned to the patrol division and is assigned to the graveyard shift. [redacted] was working a patrol shift at the time of this interview. [redacted] serves on the SWAT team, he is the leader of the dive team and oversees the up and coming explorer program. [redacted] has served in the boating enforcement unit, general investigations and the narcotics unit.

I informed [redacted] of the nature of my investigation and asked him if he was familiar with (TCSO Case #19-0303). [redacted] told me he remembered the case and also remembers prior to authoring the report, receiving information that all reports involving Hobbs, [redacted] and [redacted] were to be handled by a supervisor.

On 1/26/19 Hobbs reported an incident regarding a contact with [redacted] at baseball try-outs. [redacted] told me he received information of numerous allegations between Hobbs and [redacted] that could result in an internal affairs complaint; therefore, the incidences needed to be handled at the supervisor level. I asked [redacted] to describe the incident Hobbs reported to him.

[redacted] said [redacted] and her sons, [redacted] were going to baseball try-outs at Soulsbyville Elementary. [redacted] wanted to play baseball, but they didn't tell [redacted] until the day of the try-outs. [redacted] explained Hobbs and [redacted] didn't want [redacted] relaying the information to [redacted] due to the likelihood of [redacted] going to the try-outs. [redacted] woke [redacted] up early and told him he was going to try-outs; the kid was excited.

Hobbs told [redacted] he was not going to the try-outs, due to the possibility of [redacted] showing up and the likelihood of a confrontation. Hobbs also stated he had some errands to run. I clarified with [redacted] "[redacted] and Hobbs purposely didn't tell [redacted] about baseball try-outs because they didn't want [redacted] to relay the information to his father, [redacted] [redacted] said, ***"Correct."***

- Did Hobbs tell you he had errands to run, but he suspected [redacted] would attend try-outs and attempt to cause problems? [redacted] said, ***"Correct."***
- Did Hobbs' statement tell you Hobbs anticipated [redacted] attending try-outs? [redacted] said, ***"Yes, that was my belief."***
- Did you have an opportunity review any documents associated with the reported restraining order violation? [redacted] said, ***"Yes. I had dispatch pull the restraining order on file and I reviewed it. At that time, the order said Mr. [redacted] could be within 100 yards of Hobbs at events specifically involving the children."***
- Where these exceptions to the restraining order specifically related to specified events? [redacted] said, ***"Yes. My recollection is any events specified for the children, [redacted] could break the distance barrier, but was not supposed to communicate with Hobbs."***
- Was there anything in the order that said he was restrained from the children? [redacted] said, ***"No."***
- Was there anything in the order that said he was restrained from [redacted] [redacted] said, ***"No."***
- Based on your training and experience, is [redacted] allowed to be at this location? [redacted] said, ***"Yes. It is covered in the restraining order that he is allowed to attend events his children are participating in."***
- Was there a communication between [redacted] and Hobbs that stated [redacted] was not present? [redacted] said, ***"Hobbs told me he wanted to support the youngest child and when he learned [redacted] was not present, he decided to go to the try-outs."***
- Was there any other information relayed to Hobbs that would have led Hobbs to believe [redacted] was there, besides seeing [redacted] [redacted] said, ***"Yes. Hobbs told me specifically that [redacted] mentioned seeing a drone flying over the practices and this was a suspicious detail because previously [redacted] had flown a drone over Hobbs' residence."***
- Was there any information about the type of drone, or was it just the fact a drone was flown over the practice? [redacted] said, ***"I don't remember the specifics, but as I sit here now, it was similar to."***

[redacted] told me he was familiar with the drone incident, because Sgt. [redacted] authored the report, which resulted in [redacted] filling in as the supervisor for the day. [redacted] also said he was familiar with some of the previous incidences based on case review and daily briefing sessions with his shift.

My recorder shut off. I reset the power and turned it back on.

- Did Hobbs end up attending the baseball try-outs? [redacted] said, ***"After hearing [redacted] was not present, Hobbs made the decision to attend [redacted] try-outs. After observing try-outs for an unknown time period, Hobbs heard [redacted]'s voice. Hobbs saw [redacted] take a wide berth around him, which made Hobbs feel like [redacted] was going to follow the restraining order. Hobbs said [redacted] went into the dugout and several other areas of the school in attempts to contact [redacted] and [redacted] Hobbs believed [redacted] had made contact with both children. Rodney said he saw [redacted] stand approximately 25-30 yards away with his arms crossed and staring at him.***
- Is there a restraining order violation up to this point? [redacted] said, ***"No."***
- Is it a crime to stare at someone? [redacted] said, ***"No."***
- Is it a restraining order violation? [redacted] said, ***"No."***
- Did Hobbs tell you [redacted] yelled, punk. [redacted] said, ***"Yes, he said he thought [redacted] yelled punk directed toward him."***
- Was there anyone else who heard [redacted] yell punk? [redacted] said, ***"[redacted] may have heard the comment."***
- Did Hobbs tell you he had a valid restraining order against [redacted] [redacted] said, "Correct."
- Did Hobbs tell you any specific violations? [redacted] said, ***"At the beginning of our conversation it was that he was within 100 yard and that he was calling him names. After I reviewed the order the distance was not a factor, but if there was name calling directed at Hobbs that would have been a violation."***
- Were you able to collect any statements, videos or recordings that could substantiate Hobbs' claim? [redacted] said, ***"No. Hobbs told me he recorded the transaction with his phone and that he would provide the videos on a disc. This happened towards the end of my workweek; I didn't receive the disc at that time. I received an envelope in my box during the beginning of February with a disc. It was addressed from Rodney Hobbs to me."***
- At the time you took the report, were you going off of Hobbs' statements to you? [redacted] said, ***"Yes."***
- Did you believe Hobbs' statements to you were accurate? [redacted] said, ***"I had no reason to doubt it. The only inaccuracy I found was [redacted] is allowed within 100 yard for the children's events."***
- Did Hobbs mention any of that to you? [redacted] said, ***"No, he did not."***
- There were no statements from Hobbs about the exceptions listed on the restraining order? [redacted] said, ***"No, not that I can recall."***
- Were you able to articulate the orders by pulling the actual order? [redacted] said, ***"Yes. Dispatch pulled the order and I was able to confirm it."***
- Did you believe there was any reason Hobbs was being untruthful? [redacted] said, ***"I didn't think he was being untruthful. The distance thing could have been an oversight and didn't mention the exception. I didn't take it as he was deceiving me."***
- Have you seen the distance video that shows the violation? [redacted] said, ***"I have not."***

[redacted] said he reached out to Hobbs because there was no footage on the disc. Hobbs was having difficulties saving the video footage to a storage device. Hobbs told [redacted] he would figure out another way to save the videos.

I asked [redacted] if Hobbs made any mention as to why Hobbs records [redacted] [redacted] said that Hobbs told him he records [redacted] because [redacted] has made several comments about Hobbs getting fired and specifically made a statement to the effect, "Taking Hobbs' badge."

- Did [redacted] make this statement at the baseball field? [redacted] said, ***"No. He didn't specify but I took it as, because this was an ongoing issue, [redacted] said this at some point in the past and Hobbs bought into it."***

[redacted] told me while he was taking the report for the alleged restraining order violation at the baseball field, Hobbs decided to report a second incident regarding [redacted]'s phone visitation with the boys. Hobbs explained to [redacted] that [redacted] has phone visitation from 6-7 pm every night. Hobbs told [redacted] that on multiple occasions [redacted] has used speaker phone to yell at [redacted] and Hobbs during his phone visitation. The listed dates are 12/28, 12/29 and 12/30. [redacted] said the 30th was the incident Hobbs recorded.

- Did Hobbs explain to you the visitation procedures based on an existing custody order? [redacted] said, ***"Yes."***
- Did that lead you to believe he was familiar with the current existing custody order? [redacted] said, ***"Yes, at that time."***
- At the time you are taking the report you are only basing the report on Hobbs' statements? [redacted] said, ***"Yes."***

The last line in [redacted] report states this case is for information only at this time, this case may be forwarded to the DA's office for review after I review the related footage. [redacted] said he put that line in his report because the allegations were one sided and he didn't want to make anyone a suspect without having all the facts. [redacted] emphasized the importance of dealing with incidences that are heavily involved with emotion.

- As a peace officer on or off duty is he required to give you accurate and truthful information regarding official documents? [redacted] said, ***"Yes."***
- How about official statements? [redacted] said, ***"Yes."***
- Is he held to a higher standard of conduct than the average citizen? [redacted] said, ***"Yes."***
- Is he governed by a policy that could result in discipline based on his conduct? [redacted] said, ***"Yes."***

I asked [redacted] if he was to receive evidence that was contrary to what was verbally reported to him, would he consider that to be untruthful. [redacted] said, ***"If the information showed the person willfully and blatantly lied."*** [redacted] received evidence from Hobbs in late February. Hobbs sent an email with a link to an electronic database, which allowed [redacted] to view video footage. The link contained one video of the speakerphone incident. There was no link for the baseball field footage.

[redacted] viewed the video footage and was able to identify the parties involved as Hobbs and [redacted] The video started in the middle of the conversation, so there was no way to tell what was said prior to the recording, or facts leading up to the recording. [redacted] said the video takes place in Hobbs' living room. [redacted] remembers [redacted] yelling at over the speaker phone at Hobbs, telling Hobbs to get off the phone. [redacted] said at one point [redacted] asked Hobbs where he wants

to meet. [redacted] interpreted the comment as a challenge to fight. Hobbs told [redacted] several times not to use the phone to violate the restraining order. Hobbs told [redacted] he was a horrible example for a father.

[redacted] described the encounter as two guys both trying to be the big man and trying to talk over each other.

- Did it seem Hobbs was trying to de-escalate the situation? [redacted] said, ***"He didn't appear to be de-escalating or escalating. I don't think he was trying to goat [redacted] into anything. Hobbs can be heard telling [redacted] several times he is a horrible father."***
- What was [redacted]s demeanor? [redacted] said, ***"He was excited, yelling and talking rapidly. Speaking aggressively and yelling at Hobbs about the kids. [redacted] said he is the father, not Rodney. [redacted] challenged Hobbs to meet in a public place to see who the bigger man was. [redacted] was agitated and told Hobbs to get off the fuckin phone so [redacted] could talk to his kids."***
- Did it appear that either of these men respected each other? [redacted] said, ***"No."***
- Would you describe [redacted]s demeanor as antagonizing? [redacted] said, ***"Yes."***
- How about Hobbs? [redacted] said, ***"Not initially, but I do think he played into and got drawn into an argument."***
- Did the video accurately depict what was reported to you? [redacted] said, ***"I think it reflected one incident that was reported but, because of where the conversation starts there is no way to tell if there was anything intentionally, or unintentionally left out."***
- Did Hobbs tell you anything about what led up to the recording? [redacted] said, ***"Just the previous incidences, which were similar in nature. On one occasion Hobbs said one of the children ended the visitation by turning off his phone."***
- Did you ask Hobbs why the delays in reporting the restraining order violation for the speakerphone incident? [redacted] said, ***"I did ask him about that. Hobbs recorded it at the time because it seemed pertinent; however, there was a period of time where [redacted] was not harassing them, followed the court orders and he thought maybe things would be ok. Hobbs held onto the recording until the 1/26/19 incident, when he thought [redacted] called him a punk. Hobbs decided to report it at that time."***
- Did Hobbs articulate any type of fear he had of [redacted]? [redacted] said, ***"No."***
- Did he ever tell you he feared physical violence of physical confrontation? [redacted] said, ***"He never said he had fear of those things. He said he wasn't going to the try-outs, because he was concerned there would be a conflict."***
- Did he mention a fear of weapons that [redacted] would try to use against him? [redacted] said, ***"No."***
- Did Hobbs mention a fear of weapons? [redacted] said, ***"Hobbs never mentioned weapons at all. He only mentioned the harassing phone calls, stare down and [redacted] causes a scene."***
- Based on your training and experience dealing with restraining orders, or child custody orders and family law, are these some of the most emotionally charged incidences? [redacted] said, ***"Yes."***
- Can restraining orders be weaponized? [redacted] said, ***"Absolutely. Often times through legal or non-truthful ways convince a judge to grant a restraining order. The person***

who has the restraining order can intentionally go to places where the restrained person is going to be, use that to instigate an incident. A person can hold a restraining order over another person by inviting them over and intentionally lead them into a violation and then say they weren't going to report it, but then they do. We often deal with people who use the courts orders to harass or control other people."

- Is that more common in child custody or family law processes that are potentially toxic? [redacted] said, ***"Yes. The two most common is family law regarding custodial issues and domestic violence."***
- In your opinion, does this case meet the elements of a restraining order violation? [redacted] said, ***"Um. I did not have any evidence of the violation at the baseball field. Without knowing how the phone conversation started, I can't say that*** [redacted] ***violated the restraining order on the phone call, because I don't know if he was talking to his kid and Rodney interrupted. I don't know the whole circumstances."***
- Is it common for deputy sheriff's to draft a report and send it to the DA for review even if the case doesn't meet the elements, specifically for restraining order violations? [redacted] said, ***"Yes. Because it involves the judge's orders and you want to get the orders back in front of the judge, or the outside opinion of the DA."***
- Do you think this type of case should be forwarded for prosecution? [redacted] said, ***"Personally I think it would be hard to prosecute that. I haven't read Riley's report so that could provide more information. Based on the information I had, I don't see how it could be prosecuted."***
- Based on your training and experience, is it typical to observe this type of behavior between the involved parties?" [redacted] said, ***"Yes. Whenever you involve an ex-spouse and the children as well, there are emotions involved on both sides. There are a lot of harassing and toxic statements going back and forth."***
- Is Deputy Hobbs abreast to the process of filing a report to be forwarded for prosecution? [redacted] said, ***"He's been a cop longer than I have so I would say yes. He reported what he identified as a crime. The process is if there is information to substantiate a case, it goes to the DA's office."***

Sgt. [redacted] had nothing further to add. I ended the conversation.

FINAL SUMMARY

On 3/8/19 at approximately 1200 hours, Hobbs logged off duty for a medical appointment at the [redacted] Hobbs was picked-up by [redacted] at the TCSO investigations building. While traveling South on Washington Street, Hobbs received a phone call from Dispatcher [redacted], who was on duty. [redacted] informed Hobbs that the jail wanted to notify him of [redacted] release. Hobbs specifically asked when [redacted] was released and [redacted] replied, ***"Just now so heads up."*** Hobbs responded, ***"Oh good to know. I appreciate that."*** Hobbs stated the conversation ended as he and [redacted] passed Elkin Street in Sonora.

Hobbs describes his fear of [redacted] in court documents, multiple restraining order violation reports, to include this internal affairs interview as, being in fear for his life. Hobbs always

anticipates a confrontation with [redacted] based on threats to him and [redacted] Hobbs describes [redacted] as deathly afraid of [redacted]. Hobbs admitted whenever he sees [redacted] he is in a heightened state, anticipating a physical encounter up to and including a deadly encounter, which could result in the use of deadly force. Hobbs stated he has felt this way about [redacted] for years.

Traffic conditions slowed resulting in Hobbs and [redacted] being stopped adjacent to the Washington Street Courthouse, North of Yaney Avenue. Courthouse surveillance shows [redacted] jogging and walking through courthouse park. [redacted] is seen on surveillance footage pointing at [redacted] [redacted] and Hobbs are stopped adjacent to Yaney Avenue, with ample time to turn and avoid a confrontation. [redacted] crosses the park and continues to walk South on Washington Street. [redacted] is ahead of [redacted] and Hobbs by approximately one Sonora City block. Hobbs and [redacted] slowly continue traveling on S. Washington St. passing Jackson Street, a second alternate route.

Hobbs and [redacted] follow [redacted] on S. Washington St, while recording with a cell phone. Hobbs and [redacted] can be heard giggling as they approach [redacted] sees both Hobbs and [redacted] as they pass, and Hobbs is holding the camera in the window and is heard laughing a second time. Hobbs can be heard saying, ***"Does he see you"*** and laughing. [redacted] responds, ***"Yeah, he does"*** and giggles. Traffic is flowing as they pass [redacted] Hobbs admitted he thought [redacted] demeanor and walk was, ***"a little funny."***

The second video shows the vehicle at speed with [redacted]'s "Hoot," heard in the background. [redacted] tells Hobbs that [redacted] is running; Hobbs retrieves a firearm and cycles the action, making the pistol ready. Hobbs and [redacted] are the first vehicle stopped at the intersection of Stockton Road and Washington St. Instead of turning right on Stockton Road to avoid [redacted] Hobbs and [redacted] wait approximately 12 seconds for [redacted] to catch up to their vehicle. [redacted] tells Hobbs to, ***"Get your camera ready."*** There was no attempt to turn onto Stockton Rd, no call to law enforcement. Hobbs left his window rolled halfway down and antagonized [redacted] by telling him to, ***"Keep his ass walking,"*** as [redacted] jogged into the camera frame. Hobbs called [redacted] a ***"POS,"*** which is a common abbreviation for, ***"Piece of shit."*** [redacted] accused Hobbs of being a child abuser and filing false restraining orders. Hobbs is holding his loaded pistol on his lap while he argues with [redacted] As [redacted] vehicle pulls away, Hobbs says, ***"Bye buddy."***

Hobbs admitted he records any potential incident with [redacted] due to the potential for a violent encounter. Hobbs admitted he wanted a recording of events to justify his actions if there was an attack. When asked about taking an alternate route to avoid a potential confrontation Hobbs stated multiple times, ***"I wasn't in control of the vehicle,"*** or ***"I wasn't driving."*** Hobbs said he believed [redacted]s actions are not deterred by video recording and that [redacted] would attack him regardless. Hobbs articulated in depth his need to be prepared with video recording and lethal force based on his mindset, physical status, training, experience and the totality of the circumstance surrounding his history with [redacted] When asked if he applied the same thought process to avoiding, de-escalating or escaping the situation Hobbs stated his stress level was heightened to the point he couldn't consider the totality of the circumstances, due to his fear. Hobbs said, he wasn't watching traffic, or thinking about anything besides [redacted] Hobbs insisted there was no time to avoid the situation with [redacted] Surveillance footage of courtyard park contradicts Hobbs' statement of not having time to avoid the situation.

Hobbs admitted that [redacted] was probably not armed but could've had a pocket knife. Hobbs also claimed he was afraid [redacted] would knock him out, or snap [redacted] neck if he got inside the car. Hobbs admitted his comments to [redacted] were discourteous to the average person but justified based on [redacted] character. Hobbs admitted he is aware of the standards of conduct and ethics policy he is held to on and off-duty. Hobbs admitted his conduct was not appropriate based on the policy, but stated he felt his conduct was ***"ok"*** because he was dealing with [redacted] and the totality of the circumstance. Hobbs said he thought of the surrounding factors that would encompass the use of lethal force in downtown Sonora based on the total circumstances. Hobbs admitted there was a 50/50 chance that [redacted] would see him and [redacted] Hobbs denied that his actions antagonized the situation or instigated the restraining order violation.

Hobbs admitted the only way to avoid this incident is if [redacted] doesn't see them, but at no time did Hobbs think to take a different route, because Washington Street was the most direct route to the post office. The post office was never mentioned throughout this entire investigation until Hobbs' interview and specifically when I questioned him about the use of alternate routes. There are several alternate routes to [redacted] from the downtown area, which was his stated destination until his interview. Hobbs admitted going to the post office did not outweigh the risk to his and [redacted] safety. When asked if his conduct was consistent with his training and experience, Hobbs admitted when dealing with [redacted], ***"The methods have progressed beyond the general standard."***

Hobbs reached out to Sgt. [redacted] via text message to ask if the video footage from prior restraining order violation cases had been entered into evidence. Hobbs stated he was worried the cases wouldn't make it to the DA's office as other cases are happening. After notifying his supervisor Sgt. [redacted] and reaching out to Sgt. [redacted] Hobbs called Sonora Police Department and reported the incident to Officer [redacted]

Both Hobbs and [redacted] provided statements to [redacted] Hobbs describes the incident without a large amount of detail. Hobbs articulates his fear and mindset as being in fear for his safety based on threats and a belief that [redacted] possesses weapons. Hobbs told [redacted] he didn't know what [redacted] was going to do, but the situation was serious enough to retrieve his pistol and, ***"rack it."*** Hobbs explained a fear of getting hit over the head, knifed or shot to justify retrieving his pistol. [redacted] spoke to [redacted] and described the incident without a large amount of detail. When asked if she had a restraining order against [redacted], [redacted] said, ***"No, the Judge won't let me have one because he doesn't threaten me with physical violence."*** [redacted] asked [redacted] if [redacted] was being aggressive during the incident. [redacted] said, ***"He's animated, he's just very animated. He was yelling Rodney and [redacted] are child abusers downtown, it was embarrassing."***

At no time did [redacted] articulate a fear for her safety, or say she was ***"scared to death"*** of [redacted], nor did she say [redacted] threatened her physically. [redacted] denied ever being threatened by [redacted] and described that as being the reason Judge Kate Segerstrom wouldn't grant her a restraining order. During Hobbs' cell phone video there was no discussion of locking doors, rolling up windows or using alternate routes to escape.

I interviewed Officer [redacted] who told me she took a report for Hobbs based on the existing restraining order and forwarded the report to the DA. [redacted] questioned the laughing in the

video and stated, ***"I thought of someone making fun, or not necessarily taking the situation seriously. I don't believe he took the situation seriously like he said, they were laughing in the video which contradicted being in fear."*** [redacted] asked why Hobbs and [redacted] didn't roll the windows up and ignore [redacted] [redacted] said, ***"If you're in such fear, why are you antagonizing it a little bit."*** [redacted] said Hobbs' actions were contrary to her training and experience, to include any advice she would give to a protected person. This report was sent to the district attorney's office for review of criminal prosecution.

Sgt. [redacted] was interviewed regarding this incident. Hobbs text messaged [redacted] shortly after the incident and was concerned about other video evidence being entered in a timely manner, due to upcoming court cases. Hobbs texted both videos from the downtown incident to [redacted] viewed both videos but stated he hadn't watched them in detail. Riley's memory of the video did not illustrate fear from either Hobbs nor [redacted] [redacted] referenced the laughing in the video and the tones of Hobbs and [redacted] voices as not consistent with fear. [redacted] suggested rolling up the window could've avoided the verbal confrontation oppose to name calling and arguing. [redacted] said, ***"It didn't seem like either of them were going to fight each other. [redacted] wasn't coming at the vehicle, he was waiting at the crosswalk. Obviously, Hobbs is driving on the road and [redacted] is walking on the road. They both engaged in the conversation."*** [redacted] said if he investigated this incident he would not have charged [redacted] with a restraining order violation based on both parties conduct. [redacted] described the incident as, ***"Childish games"*** and manipulating the system.

Sgt. [redacted] was interviewed regarding this incident. [redacted] described his conversation with Hobbs, which was consistent with the basic facts. [redacted] added that Hobbs told him the jail informed him that [redacted] was released from jail, acting belligerently and making threats. Hobbs didn't know if they were veiled, or direct, but they were bad enough the jail thought Hobbs should know. I clarified with [redacted] that Hobbs specified the statement regarding threats stemmed from the phone call he received. [redacted] confirmed Hobbs told him the jail thought he might be in some sort of danger. [redacted] said he didn't feel Hobbs was being deceitful, but described Hobbs' mindset as, ***"I got the feeling he has his own impression of what happened, which is a lot of times different from what happened in reality, I've noticed that with him, but he believes things the way he sees them and I believe he believes what he told me."***

During his interview, Hobbs admitted dispatch never told him [redacted] was making threats. Hobbs justified his statement to [redacted] by stating he was assuming [redacted] was making threats because it was unusual for dispatch to call. Hobbs never told [redacted] he was assuming [redacted] was making threats. Recordings of the call from dispatch confirmed no comments regarding threats were made. [redacted] described Hobbs tone as distraught and stated Hobbs has articulated that he dreads dealing with [redacted] because he has been in trouble in the past. [redacted] and Hobbs have had conversations about videoing incidences. [redacted] told Hobbs, ***"Video is probably a good idea, but the better thing to do is to avoid any confrontation, even if it means swallowing your pride and walking away. You can't get involved."***

[redacted] described Hobbs as seemingly frightened of [redacted] based on conversations; however, [redacted] also described Hobbs of potentially ***"blowing this up bigger than it really is for some***

reason. I think history has shown [redacted] is more bark than bite." [redacted] said Hobbs has stated he isn't being taken seriously and that is why he records everything.

Based on Hobbs' statements about the downtown incident, it appears Hobbs will articulate, perceive and interpret information for the purposes of justifying his actions and or accomplishing his agenda. Hobbs followed and recorded [redacted] after receiving information from TCSO dispatch and seeing [redacted] in the courthouse park. Hobbs anticipated a confrontation with [redacted] which is typical based on past experiences. Hobbs placed himself and [redacted] in a self-proclaimed dangerous situation for the purposes of filing another restraining order violation against [redacted] Hobbs antagonized [redacted] while holding a loaded firearm with the mindset that [redacted] would probably attack him and [redacted] Hobbs' behavior accompanied by his adopted mindset that [redacted] warrants methods beyond the standards of conduct and ethics is not only dangerous but conduct unbecoming of a peace officer.

Hobbs articulates a heightened fear for his safety and life, but also describes the situation as, ***"a little bit funny."*** Hobbs' decision-making abilities based on this incident and the several others described in this investigation cause great concern for Hobbs' ability to observe, perceive and interpret information based on an objective reasonable standard and in conjunction with his training and experience.

The following incidences reflect a pattern of behavior where Hobbs interjects himself as a protected person to sporting events, medical emergencies and court ordered visitations between [redacted] and the children. [redacted] is not restrained from [redacted] or [redacted] at the time of these incidences.

On 3/12/19, I served Hobbs with a notice of an internal affairs investigation, which included details of his Administrative Leave status. Hobbs was given a copy of the notice after he signed it. In the last paragraph of the notice, it states, ***"You will not contact [redacted] All previous directives are still in effect. Failure to abide by this confidentiality order may result in disciplinary action up to and including termination."*** Hobbs' administrative leave was effective immediately. Hobbs' service weapons and badge were collected prior to him being dismissed.

On 3/13/19, the day after being placed on admin leave, at approximately 1844 hours, Hobbs calls to report a restraining order violation at the Taco Shop El Rey restaurant, in Sonora. The taco shop is approximately [redacted] away from [redacted] house. Hobbs, [redacted] and [redacted] arrive at the restaurant shortly around 1800 hours. Hobbs admitted he knew [redacted] has phone visitation with the children between the hours of 1800 and 1900 and that it is typical behavior for the boys to tell [redacted] where they are and what they are doing. [redacted] is not restrained from [redacted] or the boys at the time of this incident. [redacted] called during his scheduled phone visitation and [redacted] was sent outside to talk to [redacted] A few minutes later [redacted] enters the restaurant and tells Hobbs and [redacted] was outside.

[redacted] parked in front of the restaurant with his rear passenger window rolled down. [redacted] started recording [redacted] with her cell phone. The footage shows [redacted] standing in the door way of the restaurant telling [redacted] to leave and [redacted] saying, ***"I saw my son and stopped."*** [redacted] was admonishing [redacted] in a stern tone of voice. The footage shows [redacted] Hobbs and the two

boys standing near the front door of the restaurant. Hobbs is standing behind [redacted] during the video. [redacted] stayed inside his vehicle and was talking to [redacted] through the rear passenger window. In the second video [redacted] can be seen in the reflection holding her cell phone. [redacted]'s [redacted] starts to pull forward as Hobbs exits the restaurant to confront [redacted] [redacted] says, "No" and the video footage abruptly ends. There is no video footage of the confrontation between Hobbs and [redacted] Hobbs is the only person protected by a restraining order.

Based on Sgt. [redacted] report of the incident, [redacted] said Hobbs exited the restaurant and yelled at [redacted] [redacted] could hear Hobbs and [redacted] yelling at each other and, ***"they weren't saying nice things."*** Sgt. [redacted] interviewed [redacted] She confirmed the basic facts of the incident, but never reported that she was in fear for her life or reported a fear of guns and or any other weapons associated with [redacted] Hobbs inquired if [redacted] would be arrested based on the crime being committed in Hobbs' presence. Sgt. [redacted] took a report and informed Hobbs [redacted] would not be arrested. A report was taken and forwarded to the DA for review of criminal charges.

During Hobbs' internal affairs interview, he told me he was in fear for the safety of himself, [redacted] and the boys. Hobbs told me based on the totality of the circumstance he made a tactical decision to leave the restaurant; therefore, if there had been a violent encounter, "gunfight," it would have been outside away from the other patrons. Hobbs said, ***"I don't know if he has one of his mini-long range guns. I wanted to get his plate and for him to see me on the phone, so he would leave."*** Hobbs stated if he hadn't gone outside on his phone, [redacted] would've stayed and there would have been a, ***"tug-o-war over the kids."***

Hobbs explained to me, ***"when you're dealing with a parolee and a badass guy, you better be ready to be a badass yourself."*** Hobbs is aware from previous inquiries that [redacted] is not a parolee. Hobbs told me, ***"I anticipate a gunfight with him at any time, because of threats he's made and his guns."*** Hobbs cited [redacted] saying, ***"Its coming, its coming was perceived as a threat."*** Throughout this investigation, there have been several articles of evidence that reference similar language used by [redacted] accuses Hobbs of falsifying official documents and lying, in which [redacted] tells him, ***"Your badge is gone, perjury boy"*** and ***"Don't worry it's coming… breaking the law… it's all recorded Rodney." "Don't worry I'll take care of this. My lawyer will take care of this whole situation."*** It appears that this language is referencing administrative punishment [redacted] is seeking against Hobbs regarding alleged misconduct. [redacted] comments do not appear to be a threat of physical violence against Hobbs and is the foundation of [redacted]s chief complaint of, ***"being taken out of the picture with false reports up to and including justifiable homicide.***

Hobbs has stated he and [redacted] have received text threats of physical violence that cause him concern; however, those texts have not been provided for this investigation and would be contrary to [redacted] statement to Officer [redacted] that [redacted] hasn't threatened her with physical violence.

On 1/26/19, Hobbs reported a restraining order violation on [redacted] regarding little league try-outs. Hobbs said he strategically removed himself from the situation by not going to the baseball field because he anticipated [redacted] would be there. Hobbs stayed home with [redacted] but then changed his mind because [redacted] texted and said [redacted] was not at the baseball field. Hobbs and

[redacted] arrived at the try-outs. Fifteen minutes later [redacted] arrives at the ball field and says hello to [redacted] and [redacted] Hobbs says, ***"He stands well within 100 yards of my restraining order."*** Hobbs felt [redacted] was trying to intimidate him by standing with arms crossed and staring at him. I asked Hobbs if he was the only factor that is protected at this event. Hobbs said, "Yes and No, there is an order in place." Hobbs began explaining the custody order and how this was the first time [redacted] has seen the children in months. Hobbs said he wouldn't have reported the violation if [redacted] hadn't stood so close to him.

I asked Hobbs if the restraining order has stipulations allowing [redacted] to attend sports and school functions. Hobbs said, ***"he didn't know"*** and stated ***"he doesn't go through [redacted] paperwork."*** I found Hobbs' answer to lack credibility since he'd demonstrated to have a vast knowledge of [redacted] existing court orders throughout this investigation, to include his own restraining order, which specifically states on page 2 of 5 specific exceptions to the restraining order for; child exchanges, sports activities and school functions. Furthermore, this was the amended restraining order in which, [redacted] was removed as an additional person, and Hobbs was admonished by Judge K. Segerstrom for obtaining a restraining order with no exceptions, thus interfering with her custody orders. Hobbs is on video admonishing [redacted] about violating the court order and stated, ***"I read the order."*** Prior to this incident, Hobbs was admonished by a Deputy District Attorney regarding another incident that cases wouldn't be filed if the father has reason to be present for the children.

During the baseball try-outs, [redacted] was not restrained from [redacted] or [redacted] can attend the event based on Hobbs' restraining order exceptions. I reviewed the video associated with this incident. Hobbs is heard telling [redacted] to make sure he is in the video. Hobbs stands in the frame of the camera with [redacted] in the background. [redacted] appears to be standing with his arms crossed with his feet a shoulder width apart. Sgt. [redacted] completed a supplemental report to this case; however, after reviewing Hobbs' video he was disturbed by what he felt was a manipulation of the system. [redacted] described Hobbs as needing to remove himself from the situation.

Hobbs combined another incident with the baseball try-out case. The second incident was the argument between [redacted] and Hobbs over the speakerphone. Sgt. [redacted] was the investigating officer for both the try-outs and the speakerphone incident. I viewed the video submitted by Hobbs which starts in the middle of a conversation. Hobbs is telling [redacted] not to have the boys put the phone on speaker. [redacted] is yelling at Hobbs to put the boys back on the phone and to stop wasting the visitation time. Both [redacted] and Hobbs are antagonizing each other in an argument over the phone. Both children are present and listening to the argument on speakerphone while Hobbs records the incident with a second phone. Hobbs calls [redacted] ***"buddy"*** in a sarcastic tone and calls [redacted] a horrible example of a father. [redacted] is cussing and screaming at Hobbs. [redacted] said, ***"I'm not the one who lied and signed on the line, Perjury Boy."*** The video lasts under 2 minutes. Sgt. [redacted] stated in his opinion and based on the total circumstance, the incidences did not warrant a restraining order violation. [redacted] took the report and forwarded it to the DA for review of charges at Hobbs' request.

On 8/26/18 Hobbs reported a restraining order violation on [redacted] to Sonora Police Department. At the time of this incident [redacted] was not restrained from [redacted] or [redacted]

[redacted] was bitten by Hobbs' dog causing an injury to [redacted] Jr's foot. Hobbs strategically removed himself from the situation of going to the hospital because of the likelihood that [redacted] would be present. [redacted] was not notified of [redacted] Jr's injury. After receiving medical treatment, [redacted] car wouldn't start. According to Hobbs, all other resources failed, so he decided to drive to the hospital to assist with [redacted] car troubles. [redacted] notified [redacted] [redacted] phone that [redacted] was bit by Hobbs' dog and was in the hospital. [redacted] hung up quickly and didn't provide [redacted] with any further details.

Hobbs and [redacted] went to AutoZone for a car battery. [redacted] still had [redacted] phone and called [redacted] again to tell him they were at AutoZone. [redacted] arrived and asked to see [redacted] [redacted] said, ***"[redacted] I'd like to see my son please. What happened to him? He's hurt, and you didn't notify me. Rod, please go back to your car, you got out as soon as you saw me."*** [redacted] appeared frustrated and boisterous because [redacted] did not notify [redacted] of [redacted] injury. Hobbs confronts [redacted] and tells [redacted] to leave. Hobbs is not driving [redacted] vehicle, but he instructs her to navigate around [redacted] to leave. Both [redacted] and Hobbs approach each other at different times. Hobbs tells [redacted] to leave and tells him he is restrained. [redacted] tells Hobbs to stay out of the business involving his children. [redacted] tells Hobbs, ***"Don't worry I'll take care of this. My lawyer will take care of this situation."***

Hobbs described [redacted] as ***"extremely aggressive***." Hobbs admitted [redacted] should have been notified, but stated [redacted] didn't notify [redacted] because they didn't want him to show up and cause a scene. [redacted] described [redacted] as animated, dramatic and always causing a scene. [redacted] didn't report that she was in fear for her life or in fear for her safety; however, she did say [redacted] stood in front of her vehicle, but she ultimately drove around him. [redacted] did not report a fear of guns, or other weapons. [redacted] said [redacted] yells and makes a scene when they are in public and its embarrassing. Ofc. [redacted] took a report and forwarded it to the DA for review of criminal charges at Hobbs' request.

Hobbs said he spoke to Deputy District Attorney Abe shortly after the AutoZone incident to see if charges would be filed. DDA Abe told Hobbs [redacted] had a reason to be at the location since his son required medical attention. DDA Abe explained to Hobbs that, ***"They would never win that case at trial."*** Hobbs also said Abe told him they rarely file on the first offense. Hobbs said he understood the situation after Abe explained it to him and that it made sense.

On 3/12/18 Hobbs filed for a restraining order against [redacted] approximately 3 weeks after Hobbs told an acting process server [redacted] was not home to accept court papers. [redacted] was granted a restraining order by Judge Kate Segerstrom protecting him from [redacted] [redacted]s restraining order was never served to [redacted] Hobbs added [redacted] to his restraining order as an additional protected person. This happened after [redacted] was denied a restraining order by Judge Kate Segerstrom.

Hobbs articulates his need for a restraining order by citing incidences involving long text messages and phone calls from [redacted] in June of 2017. Hobbs stated he felt threatened by [redacted]s comments of, ***"Taking care of things."*** [redacted] filed multiple complaints against Hobbs and the comments are consistent with [redacted] accusing Hobbs of misconduct and threatening to, ***"Take his badge,"*** based on alleged misconduct. Hobbs said he found a tracking device in [redacted] car and that made him feel unsafe, to include a public argument between [redacted] and [redacted]

Hobbs included an attachment with his restraining order. The attachment memorializes an incident where Hobbs and [redacted] leave court. Hobbs is waiting for [redacted] to file papers in the courthouse. Hobbs retrieves the car and realizes [redacted] is following him in his car. Hobbs describes several evasive maneuvers to confirm [redacted] is following him. Hobbs drove to the Sheriff's Office parking lot because it is safe spot and there are cameras.

Hobbs parallel parked and [redacted] pulled up next to him. [redacted] rolled down his window and so did Hobbs. They engaged in conversation and Hobbs told [redacted] he needed to leave. Hobbs wrote he was concerned [redacted] had a gun in his car because he couldn't see one of his hands. Hobbs assumed [redacted] was recording with his cell phone. Hobbs also wrote, ***"[redacted] is extremely terrified of [redacted] and what he has done to her both verbally and physically."*** I found this statement to be contrary to all the incidences associated with this investigation. [redacted] has not described this extreme fear to any of the law enforcement officers. [redacted] consistently describes [redacted] as dramatic, embarrassing, animated and loud.

Hobbs wrote in his attachment, ***"I told [redacted] he was blocking me in with his vehicle and he needed to leave, as his vehicle was right next to mine and was parallel to me. I repeated my request several times before he finally pulled away."*** I found this statement to be contrary to Hobbs' description in his internal affairs interview. Hobbs described the parking lot incident as, ***"[redacted] pulled in with me. The problem was the way I positioned myself, there was some vehicles, but I don't think I was completely butted in. I may have been able to zoom out, I just remember thinking maybe I blocked myself in, but not completely."***

The two statements characterize the situation in very different ways, especially when a judge is reluctant to approve a restraining order. Hobbs' articulation of [redacted] fear is not consistent with her statements in law enforcement reports. Hobbs previously stated Commissioner Pimental was reluctant to grant the order or to let Lt. [redacted] testify about the surveillance footage. Hobbs said Commissioner Pimentel was concerned about the perception of preferential treatment.

[redacted] submitted several videos for this investigation that he believes prove [redacted] is not afraid of him. [redacted] has stated, ***"we may not get along, but to say I'm abusive… that is a lie. I can prove that."*** Based on the materials included in this investigation, it does not appear that [redacted] illustrates the extreme fear of [redacted] that Hobbs describes.

Throughout this investigation [redacted] has alleged that [redacted] has received preferential treatment, specifically citing incidences where he felt he was deceived, or his complaints were not being fully and accurately investigated. Upon reviewing the associated incidences, I did not find any discrepancies that rose to the level of policy violations, or violations of the law concerning [redacted] filed reports. I specifically noted on multiple occasions [redacted] reported the same incident of child abuse multiple times. He was denied service and provided a case number based on the existing report for the same crime and incident. Each incident [redacted] supported with a factual basis was investigated and forwarded to CWS, to include the DA.

During this investigation several supervisors described [redacted] as abusing the welfare check process as a means violating Hobbs restraining order via 3rd party. The deputies recognize [redacted] concern for his children; however, [redacted] was denied multiple welfare checks based on a lack of

evidence. Each supervisor described [redacted] as receiving the same service as any other citizen who reported child abuse.

On multiple occasions I had the opportunity to listen to recorded conversations between [redacted] and his children. In one of the recordings [redacted] is talking to [redacted] and becomes upset when [redacted] asks him to talk about [redacted] and alleged abuse. I found [redacted] method of talking to [redacted] to be manipulative and pressuring. I did not find these recordings to be credible, based on the unorthodox style of the conversation. Both [redacted] and [redacted] have been interviewed by deputies and CWS employees. [redacted] and [redacted] continuously deny any form of child abuse.

The conclusion of the child abuse complaints is, [redacted] and [redacted] fight with each other and are difficult to separate. ***"[redacted] describes them as two rambunctious boys. [redacted] and Hobbs have denied any abuse."*** There is no evidence to support that [redacted] or Hobbs have ever subjected the boys to intentional danger, or physical abuse. Both [redacted] and [redacted] appear to be well fed, clean and cared for. Sgt. [redacted] cited in his report the [redacted] staff reported a notable difference in their academic performance as well as overall happiness.

The only piece of information regarding the safety of [redacted]s children that I found to be credible was the way Hobbs' dogs are housed. [redacted] reported a concern that Hobbs' dogs are mean, and they shouldn't be kept around the children unsupervised. Hobbs has cooperated with all investigations carried out by law enforcement, whether at his residence, or in public.

Both Hobbs and [redacted] have described feelings of not receiving fair treatment from the Sheriff's Office. Both Hobbs and [redacted] have described feelings of desperation, or ***"not knowing what else to do to get help."***

Based on this investigation, it is my understanding that both [redacted] and [redacted] are in the middle of an emotionally charged, toxic, family law process. The adults involved in this family law process have shown they are incapable of being civil with each other and have resulted to manipulating the legal and civil processes of the court.

CONCLUSION

In regards to all of the above listed TCSO Policies, Tuolumne County P&P and DSA MOU violations, I believe the finding of **SUSTAINED** is warranted.

ATTACHMENTS

- CD of Dispatch recorded calls
- Surveillance footage from Washington Street Courthouse
- Surveillance footage from Yaney Avenue Courthouse
- Surveillance footage from County Administration Building
- Surveillance from TCSO Jail
- Original complaint, via email from [redacted]
- Memo from Lt. [redacted] via email
- Memo form Sgt. [redacted]
- Original Confidentiality Order Hobbs

- Original signed Administrative Admonishment forms
- Photos of associated text messages
- Downtown Sonora Map
- Copies of associated law enforcement reports
- Copies Hobbs' restraining orders and attachments
- Copies of [redacted] restraining orders and failed service
- Copies of [redacted] TCSO custody/housing report
- Copy of [redacted] records denial from TCSO records section
- Copies of law enforcement reports associated with Hobbs
- Copies of law enforcement reports associated with [redacted]
- (14) digitally stored cell phone videos of associated incidences
- (33) digitally stored audio files of official interviews

David Vasquez

From: [redacted]
Sent: Friday, March 08, 2019 4:09 PM
To: David Vasquez
Subject: Deputy Rodney Hobbs encounter with [redacted]

Lt. Vasquez-

On today's date, 3/8/19, at approx. 1245hrs, I was contacted via text message by Sgt. [redacted] who asked me If I was available to meet with him. I met with Sgt. [redacted] in my office who told me that his subordinate Deputy Rodney Hobbs had another run in with [redacted] Sgt. [redacted] forwarded me two video clips that he indicated were taken by [redacted] Sgt. [redacted] further explained that according to Rodney Hobbs, [redacted] had been released from custody on todays date and may have been talking or acting belligerently. Apparently Deputy Hobbs was notified by jail staff that [redacted] was being released and had been making some comments. Sgt. [redacted] stated that Rodney was en route to [redacted] when he received a call indicating [redacted] had been released. It was not mentioned who may have called Rodney from the jail. Sgt. [redacted] sent me two video clips of an encounter between Rodney Hobbs and [redacted] Sgt. [redacted] told me that Rodney planned on going to Sonora police department and filing a violation of restraining order report with the police department, after he was finished with his medical procedure. I reviewed the video clips and feel that they warrant further review. I am forwarding this information to you as Lieutenant of professional standards for your review. I am forwarding you the video footage for your review. Please let me know if there is any further action needed on my behalf.
Lt. [redacted]

[redacted]
Lieutenant [redacted]
Detective Division
[redacted]

28 N. Lower Sunset Dr.
Sonora, CA 95370

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill Pooley
Sheriff-Coroner

To: Lt. [redacted]
From: Sgt. [redacted]
Date: 03/12/19
Subject: Videos received from Deputy Hobbs

Lt. [redacted]

On 03/08/19 at approx. 1213 hrs., I was contacted by Deputy Rod Hobbs via text message regarding an incident that had just occurred between himself and [redacted] I responded by asking what happened. Dep. Hobbs texted two videos of the incident and asked me to watch them before calling him.

After viewing the videos I spoke with Dep. Hobbs by phone and he related the following. He had logged off and was being driven to a doctor's appointment by his fiancée, [redacted] He was sitting in the passenger seat. He received a phone call from someone at Tuolumne County Jail advising him [redacted] had just been released from jail and was making threats regarding him and [redacted] As they drove by the courthouse he saw [redacted] walking toward Washington St. at or near Coffill Park. They continued driving toward Stockton Rd. At some point he became aware that [redacted] was running on the sidewalk and possibly yelling. The traffic light at Stockton Road was red and as they came to a stop he saw [redacted] run up to the corner and begin yelling at him. He told [redacted] not to talk to him and to keep walking but [redacted] kept yelling and accusing him of being a child abuser. Eventually the light turned green and they continued S/B to his doctor's appointment. Dep. Hobbs told me he would contact Sonora P.D. to report a restraining order violation.

I advised Dep. Hobbs I would make you aware of the situation and forward the videos to you.

28 N. Lower Sunset Drive, Sonora, CA 95370
(209) 533-5855 Fax (209) 533-5831

David Vasquez

From: [redacted]
Sent: Tuesday, February 26, 2019 9:28 AM
To: David Vasquez
Subject: FW: [redacted]
Attachments: phone_20181213-180017_3526265.m4a

Lt. I fear I kicked over a hornet's nest getting involved in this. I really don't think there is anything to his ramblings, but I worry he might do something stupid (The third sentence is a bit of a red flag.). There are more e mails in my in box, I will forward them if there is anything significant . How would you like me to proceed?

From: [redacted]
Sent: Sunday, February 24, 2019 5:09 PM
To: [redacted]
Subject: Re: [redacted]

Officer [redacted]

I was wondering if I could ask a favor of you. I know the perception the Honorable Kate Powell Segerstrom has of me because of all the fabricated stories and bold face lies she has told from day one. I went through everything has filed from the 6 different dates(that was with no effort) she has used in regards to our marriage/separation dates all the way through to the temp emergency orders that were filed, all of it complete lies including every single doc she has signed under penalty of perjury and submitted to the court. Rodney [redacted] and [redacted] set me up from the day Rodney filed his fraudulent RO on me. They all had this planned and I do believe it was without a doubt so I would be taken out of the picture, and without a doubt justifiable homicide. Rodney is dirty as heck and has been. The town knowns that and likewise for his 30 year friend, [redacted]. [redacted] is immune to having empathy or love due to her narcissistic personality disorder. That's why I have asked the courts now for 4 years now if we could have a family psychiatric evaluation. She hates me as the professionals say because I know the truth in who she is, and to think we had a beautiful marriage and got along great until she snapped one day and now we are here. Her first husband is dead and I put a lot of blame on her, now that I know the truth. After I had a talk the other day, and u gave me ur opinion without throwing names, I had the same impression u did until we sat and talked and I started to put a couple pieces together that didnt add up. I didnt feel at ease and those suspicions were confirmed. I am in no way saying he knew about the situation and it's a small one but it's a piece to the puzzle and I can honestly say he more than likely was told the wrong info but when I feel my life is In jeopardy i have to assume the worst. I held back for those reasons from being open with him. When I say that [redacted] lied on every single doc, that is truth. I told u I dont lie and I have lied to this court intentionally not one time. I'm not saying I havent made errors in dates or something but if I did it was not intentional. I would like to hand the the Honorable Kate Powell Segerstrom some paperwork and it will voice my concerns. I have proof behind everything I say in there in black and white. I cant take a chance of bringing in three copies, knowing rodney will get one, [redacted] as well. I cant trust anyone now it seems and I have no option but too trust in Judge Segerstrom for my [redacted] sake knowing the false perception she has been given of me. There is only one person that knows we are talking and that person is a neutral party and it was done for my safety. So please know that I stand by my word as I have told u. I as well surely dont want to see u get caught up in this, I know the brotherhood and ur safety I feel would be jeapardized. Please let me know if u could help. If u question any of what I say feel free to ask me and I will send u an answer in black and white so u know I'm being truthful. Lol u can pic off any order or signed statement [redacted] has made to include her interrogatories. A small glimpse into who [redacted] truly is has surfaced, for someone who doesnt call there children on their bdays and hasnt called them in a year and a half, since aug of 2017 sure plays it well, but if u havent heard it, I will send u the first conversation with my son after 30 days of [redacted] not letting me talk to

them. My first call was dec 13th. A mother who continues to lie to the courts and takes them from there home and alienates them from communication of any sort even their father who has sacrificed most all for them isnt right just in that. Imagine if they werent lies what she would do. My boys are in trouble and they have been, she lied to the judge on the 2 pics I brought in. I havent seen them in 102 days. I have the mediation recorded, I agreed to everything she said and she said no I will wait for court. I also tested her knowing her attorney Rodney's bff, [redacted] blew it in court and caught himself, no one else caught it but I did. Cps sold my boys out. [redacted] new every detail in mediation. She also states everyone is scared of this man. Her lies are peoples Perception. Too bad I have recordings of the truth because as of 3/27/15 we were allowed to record conversations between her and I. I will send a few things hoping u are the man I think u are. Either way I will get back to u and of course, I thank you.

On Sat, Feb 23, 2019, 11:44 AM [redacted] wrote:

Officer [redacted]

I'm glad you returned home safely from your training and I appreciate your email. I know ur probably busy so I will work around ur schedule. I will be home tomorrow afternoon if you would like to just stop by and we can talk here. I'm good with whatever is best for you. Thanks again, [redacted]

On Wed, Feb 20, 2019, 10:48 AM [redacted] wrote:

Mr. [redacted] I was away at training and have just returned, perhaps next week if you would like to show me what you have would be better as I need to catch up on things since I was gone. Let me know what works for you next week and I will see what I can do.

From: [redacted]
Sent: Sunday, February 17, 2019 1:31 PM
To: [redacted]
Subject: Re: [redacted]

Officer [redacted]

I would like to give u some things that you could go over. I'm aprehensive about sending them through email because of the substance and confidentiality. Please let me know what you would like me to at this point. I am worried about my safety and my children's. Thank you, [redacted]

On Mon, Jan 14, 2019, 9:07 PM [redacted] wrote:

Thank you.

On Mon, Jan 14, 2019, 5:10 PM [redacted] wrote:

No problem.

TUOLUMNE COUNTY SHERIFF

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

MISDEMEANOR REPORT

Case 19000843

OFFENSES

Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #
166.4 PC	Contempt Disoby Crt Order	Misd	03/13/2019	1844	1903130108

Date Reported	Time Reported
03/13/2019	1844

Related Cases

Date Printed	Time Printed	Printed By
03/18/2019	11:20:36	1585

Latitude	Longitude
37.978070	-120.331600

Location	Beat	Area	Disposition	Dispo Date
Taco Shop Elray, 14301 Mono Wy #B, Sonora, CA 95370	3	03080	Refer for Criminal Complaint	03/13/2019

Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)
Restaurant					

Victim and RP	Drivers License	Cell Phone	Email
Hobbs, Rodney Daniel	[redacted]		

Residence Address	Notified of Victim Rights	Residence Phone	DOB	Age	Sex	Race
28 N Lower Sunset Dr, Sonora, CA 95370	No	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
Tuolumne Co Sheriffs Dept, 28 N Lower Sunset Dr, Sonora, CA 95370	209 533-5815			BLK	BRO

Assistance Rendered/Victim Disposition	Transporting Agency	Means of Attack (Assaults)

Description of Injuries	Other Information

Witness	Drivers License	Cell Phone	Email
[redacted]	[redacted]		

Residence Address	Residence Phone	DOB	Age	Sex	Race
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]

Suspect	Action Taken	Charges
[redacted]		166.4 PC

Residence Address	Residence Phone	DOB	Age	Sex	Race
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Identifying Features	Cell Phone	Drivers License	Arrest Number
Speech: [redacted] Build [redacted] Complexion: [redacted] Facial Hair: [redacted]	[redacted]	[redacted]	

Val Damaged

Aliases

[redacted]

VEHICLES

Status	Vehicle Make and Model	License/State	VIN

DEPUTIES

Prepared By	Date	Assisted By	Approved By	Date
[redacted]	03/13/2019		[redacted]	03/16/2019

Routed To	Date	Routed To	Date	Notes
DA By PDF				

Mentioned	Drivers License	Cell Phone	Email			
[redacted]						
Residence Address		**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
[redacted]			[redacted]	[redacted]	[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
1	Evidence	1 Sony Cd-R - COMPACT DISC WITH VIDEO WITH 2 RECORDING OF THE INCIDENT			

Summary:

While at dinner [redacted] was allowed to call his father per the court order. [redacted] asked his son where they were eating and his son told him. [redacted] showed up to El Ray restaurant and started to yell for his son to come outside. Rodney Hobbs who was inside the restaurant with [redacted] motioned for [redacted] to leave the parking lot. When [redacted] did not leave Hobbs told [redacted] to video him while he exited the business and told [redacted] to leave. [redacted] started to yell profanities at Hobbs and then drove away. Part of the incident was recorded by [redacted] via her cell phone. A report was taken. I made several attempts to contact [redacted] via his phone. [redacted] did not answer so a voice mail was left for him to contact me so I could get his side of the story.

Investigation:

On 03/13/2019 at approximately 1844hrs, I was dispatched to a report of a restraining order violation involving [redacted] and Rodney Hobbs. I was advised by dispatch the reporting party/ victim Rodney Hobbs wanted in-person contact. Dispatch advised me the suspect; [redacted] had already left the area. Upon my arrival, I was contacted by Hobbs. Hobbs made the following statement to me in summary.

Hobbs said he received a call from [redacted] asking him to meet at the El Ray restaurant for dinner with her, [redacted] and [redacted] Hobbs and [redacted] are currently in a dating relationship. Hobbs said he arrived at the restaurant at approximately six o'clock. Hobbs said between the hours of 600-700PM, [redacted] and [redacted] per the current family court order are supposed to be allowed to talk to their father, [redacted] via the phone. Hobbs said [redacted] was sitting on a bench outside the restaurant talking to his father. Hobbs said at approximately 1840hrs, [redacted] came into the restaurant and told him his father was outside. At the time Hobbs said he saw [redacted] pull to the front of the restaurant in a [redacted].

Hobbs said [redacted] never exited his vehicle. Hobbs said at first he stayed inside of the restaurant and motioned for [redacted] to leave. When [redacted] did not leave he told [redacted] to video the event on her cell phone. Hobbs said [redacted] walked to the doorway of the business, opened the door and told [redacted] he had to leave and he was in violation of a restraining order. Hobbs said when [redacted] did not leave he exited and told [redacted] "You just need to leave." Hobbs said [redacted] became upset and started to yell at him. Hobbs said he could not make out what [redacted] was saying; however, eventually, [redacted] left the business and parking lot without any further incident.

I asked Hobbs if it was a coincidence that [redacted] showed up at the restaurant. Hobbs said, "No [redacted] told him we were here." I told Hobbs I would need to talk with [redacted] Hobbs walked back into the restaurant and [redacted] came outside to talk with me. [redacted] made the following statement to me in summary.

[redacted] said he was on the phone talking with his father outside of the restaurant. [redacted] said during his conversation with his father he asked where he was at. [redacted] said he told his father, "We are eating Mexican food at El Ray." [redacted] said while he was talking with his father he looked up and saw his father pulling into the parking lot of the restaurant. [redacted] told me he knows his father is not

allowed to see him in person so he walked back into the restaurant and told his mother and Hobbs that [redacted] was outside. [redacted] said he mother walked to the front, went outside and told his father to leave. [redacted] said a few minutes later Hobbs went outside and was yelling at his father. I asked [redacted] if he heard what was said. [redacted] stated, "I don't remember what Rod said but it sounded bad what he and my dad were saying." [redacted] had nothing more to say. I asked [redacted] to tell his mother to come outside.

[redacted] and Hobbs came back outside to talk with me. I had Hobbs standby while I talked with [redacted] made the following statement. [redacted] said she and Hobbs were at the restaurant eating dinner with the boys. [redacted] said she allowed [redacted] to call his father per the order. [redacted] said while they were inside eating [redacted] who was outside talking came back into the restaurant and told her and Hobbs, [redacted] was outside in his car. [redacted] said Hobbs told her to record the incident and she walked to the front of the business, opened the door and told [redacted] to leave because he was violating the restraining order. [redacted] said she recorded some of the event but not all of it. [redacted] said when [redacted] did not leave Hobbs walked to the front of the business and told [redacted] he needed to leave. [redacted] said [redacted] started to yell at Hobbs but she could not make out what [redacted] was saying. [redacted] said [redacted] then drove away leaving the parking lot. [redacted] had nothing more to say. [redacted] allowed me to view the two videos she had taken on her cell phone.

Upon viewing the first video, it shows [redacted] pulling to the front of the business in a [redacted]. The video shows [redacted] standing at the doorway to the business telling [redacted] to leave and he is in violation of the restraining order. In the first video, you can hear [redacted] repeatedly say, "I drove by and saw my son." [redacted] is saying a number of different things; however, due to the quality of the video, I was unable to determine what was said.

I viewed the second video which only shows Hobbs exiting the business as [redacted] was driving away. Neither of the videos shows the conversations between Hobbs and [redacted] I was able to obtain a copy of the videos from Hobbs.

I then provided [redacted] and Hobbs with a case number. I asked Hobbs and [redacted] if there was anything else I needed to know. Hobbs said if [redacted] would have just left when asked he would not have called the sheriff's office. Hobbs said he is tired of the situation with [redacted] and the impact it is having on the kids. Hobbs then asked if his current status as a law enforcement officer would make a difference in [redacted] getting arrested. I told Hobbs based on his current status a report will be written; however, [redacted] would not be arrested at this time and the case would be sent to the District Attorney for a criminal complaint. Hobbs said he understood. Hobbs, [redacted] and [redacted] left. I made several attempts to locate and contact [redacted] to get his version of the events that had occurred. [redacted] was not at his residence and would not answer his phone. I left a voice mail with [redacted] to contact me.

I went back to the sheriff's office and downloaded the videos sent to me by Hobbs. I burned the videos to a compact disc and booked the disc into property as evidence.

This report will be forwarded to the District Attorney's Office for a criminal complaint.

SONORA POLICE DEPARTMENT

100 [redacted] GREEN ST SONORA, CA 95370 532-[redacted]3

CRIME REPORT

Case 19-305

OFFENSES

Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #
166(A)(4) PC	Contempt:disobey Crt Ordr	Misd	03/08/2019	1230 - 1245	1903080008

Date Reported	Time Reported
03/08/2019	1241

Related Cases

Date Printed	Time Printed	Printed By
03/11/2019	10:21:49	[redacted]

Latitude	Longitude
0.000000	0.000000

Location	Beat	Area	Disposition	Dispo Date
S Washington, Sonora, CA 95370	1	5501	Complaint to DA	03/09/2019

Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)
Street/Highway					

Victim	Drivers License	Cell Phone	Email			
Hobbs, Deputy Rod						
Residence Address	**Notified of Victim Rights**	**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
C/O Tuolumne County So, Sonora, CA 95370	No	533-5815			[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
Tuolumne County Sheriffs Ofc, 28 Lower Sunset, Sonora, CA 95370					[redacted]	[redacted]
Assistance Rendered/Victim Disposition		**Transporting Agency**	**Means of Attack (Assaults)**			
Other						
Description of Injuries		**Other Information**				
None						

Mentioned	Drivers License	Cell Phone	Email			
[redacted]	[redacted]	[redacted]				
Residence Address		**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
			[redacted]	[redacted]	[redacted]	[redacted]

Suspect		Action Taken	Charges			
[redacted]			166(A)(4) PC			
Residence Address		**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	[redacted]	[redacted]	[redacted]
			[redacted]			
Identifying Features		**Cell Phone**	**Drivers License**		**Arrest Number**	
			[redacted]			
Aliases					**Val Damaged**	

VEHICLES

Status	Vehicle Make and Model	License/State	VIN

SONORA POLICE DEPARTMENT
CONTROLLED DOCUMENT
DUPLICATION OR REISSUANCE
CONTROLLED BY LAW
RELEASED TO
DA PROB
BY [redacted] DATE 03/11/19

OFFICERS

Prepared By	Date	Assisted By	Approved By	Date
[redacted]	03/08/2019		[redacted]	03/09/2019

Routed To	Date	Routed To	Date	Notes
Dispatch	03/09/2019			
DA	03/09/2019			

CONTROLLED DOCUMENT: DUPLICATION PROHIBITED

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
1	Evidence	1 Vievu Recording - VIEVU RECORDING OF INCIDENT			

SONORA POLICE DEPARTMENT
CONTROLLED DOCUMENT
DUPLICATION OR REISSUANCE
CONTROLLED BY LAW
RELEASED TO
__DA __PROB
BY [redacted] DATE 8/14/19

CONTROLLED DOCUMENT: DUPLICATION PROHIBITED

CONTROLLED DOCUMENT: DUPLICATION PROHIBITED

SUMMARY:

I took a report for violation of a court order.

REPORT:

On 03-08-2019 at approximately 1244, hours I was dispatched to take an over the phone report at the Sonora Police Department (100 S. Green St.) regarding a violation of a restraining order. I spoke with the victim, identified as Rod Hobbs, who said [redacted] was violating a restraining order. Dispatch informed me that there was in fact an active restraining order. I reviewed a copy of the restraining order and saw that it expires on 06-25-2019. The restraining order shows that [redacted] was present at the hearing on 06-25-2018. I printed and attached a copy of the restraining order and attached it to this report, as well as uploaded it in the RIMS database. Due to the fact that some of the parties in this report share the same surname I will be referring to each person by their first name.

I spoke to Rod via telephone. The following is a summary of his statement. Rod told me his fiancé, identified as [redacted] was driving him to an appointment. Rod said that he had been granted a restraining order against [redacted] last year for several reasons and, has had several incidents with the Tuolumne County Sheriff's Office in which [redacted] has violated it. Rod said as he and [redacted] were driving south bound on S. Washington St. they saw [redacted] crossing through the Court House Park. Rod said [redacted] had just been released from Tuolumne County Jail. Rod told me he took his cell phone out because [redacted] is always causing incidents and issues but, was hoping that [redacted] would not see them. Rod said they passed [redacted] but, traffic then began to slow down and [redacted] saw them. Rod told me they hit a red light at S. Washington St. and Stockton St. and [redacted] began running down the sidewalk towards their car. Rod said he could hear [redacted] yelling as he was running. Rod stated [redacted] was yelling "I'm out" and "It's coming". Rod said he had a recording of the incident and would email me the footage. Rod said he was off duty but, he always carries his firearm. At this time Rod said he pulled his firearm out of the glove compartment of the vehicle, racked it and put it between his legs. Rod said he never pointed the firearm at [redacted] Rod said he feels [redacted] will try to do something to [redacted] or himself at some point and, that he took the situation seriously. Rod said he told [redacted] "Keep your ass walking". Rod said [redacted] stopped at the stop light and continued yelling. Rod said he never got out of the car.

I spoke to [redacted] by telephone. The following is a summary of her statement. [redacted] said she picked up her fiancé, Rod, from work and was driving him to an appointment. [redacted] said when she picked up Rod they received a phone call from the Sheriffs Office dispatch who told them the Tuolumne County Jail wanted to inform them that [redacted] ex husband, had been released from the jail. [redacted] said as they were driving down S. Washington St. they saw [redacted] walking through the Court House Park. [redacted] said [redacted] recognized her car and began running. [redacted] said the stop light turned red and she told Rod that [redacted] was running at them. [redacted] said Rod put his firearm in between his legs and grabbed his phone to record. [redacted] said [redacted] began yelling at them saying "Guess who is out! That's right I'm out" and "It's coming" as well as "Rodney Hobbs and [redacted] are child abusers". [redacted] said she does not have a restraining order against [redacted] said [redacted] stopped by the Sonora Inn at Stockton St. and S. Washington St. yelling at her and Rod. [redacted] estimated [redacted] to be

Prepared By:	Date:	Approved By:	Date:
[redacted] PRISCILLA	03/08/2019	[redacted]	03/09/2019

Lt. Vasquez
[redacted] DAT 03/11/19

CONTROLLED DOCUMENT: DUPLICATION PROHIBITED

approximately ten or fifteen feet from their car (less than 100 yards). [redacted] said as soon as the stoplight turned green she proceeded forward.

I called [redacted] via telephone at approximately 1355 hours and received a negative answer. I left a message on [redacted] voice mail and instructed him to call me. I did not receive a call back. I called [redacted] again at 1817 hours and again left a voice mail on his voice mail. I did not receive a call back. At the time this report was written I had not received a call back from [redacted] therefore I was unable to get his statement.

Rod informed me that the video files from his cell phone were too big to be emailed from his phone and, that he would try to email them to me on 03-09-2019. At the time this report was submitted I had not received the videos.

RECOMMENDATION:

Forward to the Tuolumne County District Attorney's Office for prosecution against [redacted] for the following charge:

1) <MISD> 166(a) (4) PC - Disobedience of the terms of a court order.

SONORA POLICE DEPARTMENT
CONTROLLED DOCUMENT
DUPLICATION OR REISSUANCE
CONTROLLED BY LAW
RELEASED TO
___DA ___PROB
BY [redacted] DATE 3/11/19

Prepared By:	Date:	Approved By:	Date:
[redacted]	03/08/2019	[redacted]	03/09/2019

CONTROLLED DOCUMENT: DUPLICATION PROHIBITED

SYNOPSIS:

This is a supplemental report to case number 19-305.

REPORT:

On 03/09/2019, I received the cell phone footage from Rod. In the footage [redacted] is clearly seen running up the sidewalk towards Rod's vehicle. [redacted] is yelling as he is running up the sidewalk and is heard yelling "Guess who's out". [redacted] also says "It's coming. It's coming don't worry". Rod tells [redacted] at least two times "Don't talk to me" and "Keep going" multiple times. [redacted] continues standing on the corner of S. Washington St. and Stockton St. yelling at Rod. [redacted] yells at Rod "Child abuser Rodney Hobbs and [redacted] [redacted] also yells at Rod "You abused my kids and now you're gonna pay for it". [redacted] continues taunting Rod by yelling loudly as Rod drives away. I was able to identify [redacted] as the man in the video by comparing it to the picture in the RIMS database. Rod is seen racking his firearm but, never takes it out of his lap. The firearm is never pointed at [redacted] or pulled out of view.

I have attached a copy of the cell phone footage to this report.

RECOMENDATIONS:

Attach to original.

SONORA POLICE DEPARTMENT
CONTROLLED DOCUMENT
DUPLICATION OR REISSUANCE
CONTROLLED BY LAW
RELEASED TO
__DA __PROB
BY [redacted] DATE

Prepared By:	Date:	Approved By:	Date:
[redacted]	03/09/2019	[redacted]	03/09/2019

TUOLUMNE COUNTY SHERIFF

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

MISDEMEANOR REPORT

Case 19000580

OFFENSES

Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #
166.4 PC	Contempt Disoby Crt Order	Misd	02/17/2019	Unknown	1902200061

Date Reported	Time Reported
02/20/2019	1239

Related Cases

Date Printed	Time Printed	Printed By
03/18/2019	11:21:10	[redacted]

Latitude	Longitude
[redacted]	[redacted]

Location	Beat	Area	Disposition	Dispo Date
[redacted]	03	03240	Refer for Criminal Complaint	02/21/2019

Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)
Other					

Victim and RP	Drivers License	Cell Phone	Email			
Hobbs, Rodney Daniel	[redacted]					

Residence Address	Notified of Victim Rights	Residence Phone	DOB	Age	Sex	Race
28 N Lower Sunset Dr, Sonora, CA 95370	No	209-533-5815			[redacted]	[redacted]

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
Tuolumne Co Sheriffs Dept, 28 N Lower Sunset Dr, Sonora, CA 95370	209 533-5815			[redacted]	[redacted]

Assistance Rendered/Victim Disposition	Transporting Agency	Means of Attack (Assaults)

Description of Injuries	Other Information

Mentioned	Drivers License	Cell Phone	Email			
[redacted]	[redacted]					

Residence Address	Residence Phone	DOB	Age	Sex	Race
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]

Suspect	Action Taken	Charges
[redacted]		166.4 PC

Residence Address	Residence Phone	DOB	Age	Sex	Race
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Identifying Features	Cell Phone	Drivers License	Arrest Number
Speech: [redacted] Build: [redacted] Complexion: [redacted] Facial Hair: [redacted]		[redacted]	Val Damaged

Aliases: [redacted]

VEHICLES

Status	Vehicle Make and Model	License/State	VIN

DEPUTIES

Prepared By	Date	Assisted By	Approved By	Date
[redacted] - [redacted]	02/21/2019		[redacted] - [redacted]	02/21/2019

Routed To	Date	Routed To	Date	Notes
DA By PDF	02/22/2019			

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
1	Evidence/RIMS	2 Items Photographs - 2 PHOTOGRAPHS			

Summary:

[redacted] texted [redacted] about Rodney Daniel Hobbs in violation of a restraining order Hobbs has against [redacted]

Investigation:

On 2/20/19, at approximately 1239 hours, Rodney Daniel Hobbs called the Sheriff's Office to report a temporary restraining order (TRO) violation. I contacted Hobbs, via phone call, and asked him what happened and he provided me with the following statement in summary:

On 2/17/19, Hobbs was with his fiance, [redacted] running some errands. Sometime in the afternoon, while Hobbs and [redacted] were driving to their residence, [redacted] notified Hobbs about a text message she received from her ex-husband, [redacted] made allegations that Hobbs propositioned someone, saying he would have the charges dropped if she gave him a "blowjob." Hobbs said these allegations are not true and [redacted] is spreading lies about him.

Hobbs had the text message and sent it to me for evidence that I later uploaded into the case. Hobbs said he currently has a restraining order against [redacted] that prevents any contact including 3rd party contact. Hobbs said he wanted to press charges against [redacted] for violating the restraining order and believes [redacted] attempted to contact Hobbs via 3rd party.

This report is being forwarded to the DA"s Office for review.

TUOLUMNE COUNTY SHERIFF

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

MISDEMEANOR REPORT

Case 19000303

OFFENSES

Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #
166.4 PC	Contempt Disoby Crt Order	Misd	01/26/2019	1504	1901260081

Date Reported	Time Reported
01/26/2019	1504

Related Cases

Date Printed	Time Printed	Printed By
03/18/2019	11:21:29	[redacted]

Latitude	Longitude
[redacted]	[redacted]

Location	Beat	Area	Disposition	Dispo Date
[redacted]		03190	Refer for Criminal Complaint	01/26/2019

Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)
[redacted]					

Victim and RP	Drivers License	Cell Phone	Email			
Hobbs, Rodney Daniel	[redacted]					
Residence Address	**Notified of Victim Rights**	**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
28 N Lower Sunset Dr, Sonora, CA 95370	No	209-533-5815			[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
Tuolumne Co Sheriffs Dept, 28 N Lower Sunset Dr, Sonora, CA 95370		209 533-5815			[redacted]	[redacted]
Assistance Rendered/Victim Disposition		**Transporting Agency**	**Means of Attack (Assaults)**			
Description of Injuries		**Other Information**				

Mentioned	Drivers License	Cell Phone	Email			
[redacted]						
Residence Address		**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
[redacted]			[redacted]	[redacted]	[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	

Suspect		Action Taken	Charges			
[redacted]			166.4 PC			
Residence Address		**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Identifying Features		**Cell Phone**	**Drivers License**		**Arrest Number**	
Speech: [redacted] Build: [redacted] Complexion: [redacted] Facial Hair: [redacted]			[redacted]			
					Val Damaged	
Aliases						
[redacted]						

VEHICLES

Status	Vehicle Make and Model	License/State	VIN

DEPUTIES

Prepared By	Date	Assisted By	Approved By	Date
[redacted] - [redacted]	01/26/2019		[redacted] - [redacted]	01/27/2019

Routed To	Date	Routed To	Date	Notes
DA By PDF	03/13/2019			
DA w/Orig pdf	03/13/2019			
DA w/Orig pdf	03/13/2019			

Mentioned	Drivers License	Cell Phone	Email			
Residence Address		Residence Phone	DOB	Age	Sex	Race
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes

Mentioned	Drivers License	Cell Phone	Email			
Residence Address		Residence Phone	DOB	Age	Sex	Race
Business Name and Address		Business Phone	Height	Wt	Hair	Eyes

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
1	Evidence	1 Items Red & Gray Transcend Thumb Drive - AUDIO AND VIDEO RECORDING OF PHONE CONVERSATION BETWEEN HOBBS AND [redacted]			

SUMMARY:

[redacted] violated a valid restraining order by intentionally attempting to communicate with Hobbs, in violation of the order.

INVESTIGATION:

On 01/26/19, at about 1753 hours, I spoke with Rodney Hobbs regarding a restraining order violation by [redacted] Hobbs relayed the following in summary:

Hobbs is engaged to [redacted] ex-wife. [redacted] and [redacted] have two children in common, [redacted] And [redacted] and [redacted] reside with Hobbs. [redacted] has full custody of the children, but [redacted] is allowed phone visitation and in person visits when both parents can agree on a time.

[redacted] wanted to [redacted] so [redacted] took him and [redacted] to [redacted] for [redacted] on 01/26/19. Hobbs did not go because he had errands to run and because he suspected [redacted] might show up unannounced and try to cause problems. Hobbs finished his errands and spoke with [redacted] on the phone. [redacted] told Hobbs, [redacted] had not shown up and Hobbs could come watch the rest of the try outs if he wanted. [redacted] did mention a drone had been flying around the try outs, which she found weird as [redacted] had used a drone to spy on Hobbs' residence in the past. Hobbs wanted to support [redacted] so he went to [redacted].

After being at the school awhile and watching the tryouts, Hobbs heard [redacted] voice. Hobbs saw [redacted] walk over to the dugouts to try and speak with his children. The children were in different areas of the school so [redacted] walked around until he located and talked to both of his children. Hobbs observed [redacted] intentionally take a wide path around Hobbs and thought [redacted] may actually obey the order. After [redacted] spoke to both children he walked toward Hobbs and stood about twenty five to thirty yards from Hobbs per Hobbs' estimate. [redacted] stood with his arms crossed staring at Hobbs for several minutes from this distance. At one point [redacted] yelled something similar to, "Punk!" at Hobbs.

Another parent, [redacted] observed what was going on and walked over and spoke with Hobbs. [redacted] eventually walked away and left the school. I have not had the opportunity to speak with [redacted] for a statement.

Hobbs informed me he had a valid restraining order and [redacted] violated it by being within 100 yards and attempting to speak to Hobbs. I had TCSO dispatch pull the order and I saw there is a valid restraining order protecting Hobbs from [redacted] The order does allow [redacted] to be within 100 yards at functions for his children, but it bars any and all attempted contact with Hobbs. The order shows [redacted] was present in court when the order was granted by the judge.

Hobbs informed me he had a short video of [redacted] attempting to stare him down at the tryouts. Hobbs is going to put that video and a recording of another incident on a disk to be booked into evidence.Hobbs stated it would take a few days for him to get me the disk for evidence.

Hobbs then explained he has started recording [redacted] violations because [redacted] told Hobbs he will not stop until Hobbs looses his job over the continuing issues with [redacted] Hobbs then relayed another event that occurred on Dec. 30th. Hobbs explained the children have phone visitation with [redacted] every night between 6 PM and 7 PM. On the nights of 12/28/18 and 12/29/18, [redacted] used his phone visitation with [redacted] to cuss out Hobbs and [redacted] on speaker phone. On Dec. 30th [redacted] did this same thing for a third straight day. [redacted] hung up the phone after [redacted] had been yelling at Hobbs and [redacted] for awhile.

A short time later an unidentified number called Hobbs' house. [redacted] thought [redacted] may have called law enforcement and told Hobbs to answer the phone. Hobbs answered the phone and the caller was [redacted] cussed and screamed at Hobbs for about one minute and thirty seconds, which Hobbs recorded. During this recording [redacted] allegedly challenged Hobbs to meet him in a public place to handle things. This is the other recording Hobbs will be providing me with.

This report is for documentation only at this time. This case may be forwarded to the District Attorney's Office after I have reviewed the recordings made by Hobbs.

Supplemental Report:

On 01/26/19, at approximately 1305 hours, I was off duty at [redacted]. I was at the school with [redacted] who was participating in the [redacted]. I was at the school from approximately 1015 hours, until after 1345 hours.

Earlier in the morning, I observed [redacted] and her two children at the school. I am familiar with [redacted] due to previous incidents with [redacted] and [redacted] have two children in common and are currently going through a child custody dispute. [redacted] has called and complained to the Sheriffs Office several times regarding Dep R Hobbs. Dep Hobbs is in a dating relationship with [redacted]

On 12/27/18, at approximately 1145 hours, I met with [redacted] at the Tuolumne County Sheriff's Office Lobby. During this incident, [redacted] attempted to report several issues he had. I took all of Matthews information and verified it was documented. He told me he believed the Sheriff's Office was covering up for Dep Hobbs. He told me he has reported several items to the Sheriffs Office however, they were not being documented. I gathered the information and went into the records division. I pulled up several previous incidents and cases where [redacted] reported the exact same thing he was reporting to me. All of this was documented under TCSO case number 18003968. This mentioned report was generated by Sgt [redacted] This entire interaction with [redacted] lasted approximately 45 minutes to an hour.

On the morning of 1/26/19, I observed a drone flying over the baseball field. The drone was flying low and was going from the field to the bleachers and over to the basketball courts where [redacted] and other parents were gathered. When I observed the drone I immediately thought of [redacted] I looked around for the individual operating the drone however, I was not able to locate him/her. This happened two times where I was able to see the drone flying overhead.

A short time later, I was watching my child during the tryouts and I heard [redacted] voice talking in a loud manner. I looked out in the outfield portion of the baseball field and observed [redacted] standing in the middle of right field. [redacted] was talking in a loud manner, I heard him yell out to a juvenile child saying, "Come here and give me a hug". The child walked over to [redacted] The child was one of the two children [redacted] and [redacted] have in common. I could hear [redacted] speaking loudly, it appeared as if he was speaking loud enough to allow others to hear what he was saying. I heard him say things like, " I love you so much" and, "I miss you".

Once I observed this I walked over towards [redacted] to let him know I was there. I walked up approximately 10 -15 yards away from him and the juvenile. I did not want to create a scene so I stood by watching to ensure [redacted] didn't do anything else inappropriate. I am familiar with the current restraining order on file prohibiting unauthorized visits. [redacted] then released his son from the hug he was giving him and stood up. Once he stood up he crossed his arms and looked in the direction [redacted] was standing. He stood like this for several minutes, I turned and looked and observed off duty Dep Hobbs standing with [redacted]

Where Deb Hobbs and [redacted] were standing was approximately 25 yards away from where

[redacted] was standing. [redacted] walked back towards the center-field portion of the ball-field. [redacted] then looked over to a few of the parents and I overheard him yell out to one of them, " I would love to come shake your hand but I can't, I would come hug your neck but I have to stay away". Again, I believe this was done in a loud manner so everyone could hear. [redacted] stood there for approximately 10 minutes.

[redacted] then walked eastbound down towards the parking lot of the school. I walked over to Dep Hobbs and [redacted] I explained to Dep Hobbs and [redacted] I walked over to keep an eye on [redacted] and her children. Shortly after this conversation, I walked down to the parking lot and observed [redacted] in his car with a white female adult with blond hair. [redacted] looked over at me and slowly drove out of the parking lot.

It should be known the drone was not seen for the rest of the day. I am familiar with [redacted] having a drone from the previous complaints he had. During those incidents, [redacted] showed me aerial photographs of Dep Hobbs residence where he and [redacted] live. [redacted] explained to me he took the photographs with a drone.

SUPPLEMENTAL REPORT

After taking the initial report in this case I went on my regular days off. Upon returning from my days off I had an envelope from Rodney Hobbs in my folder at work. The envelope contained a disk which was supposed to contain the video and audio files Hobbs stated he would get to me as evidence. I reviewed the disk on my computer and it was blank. I notified Hobbs there was no data on the disk.

On 02/28/19 I received an email from Hobbs. I opened the email and saw it contained a link to download a file. The link was valid until 03/30/19. On 01/11/19 I downloaded and reviewed the video. The video starts showing the legs of a seated person and a conversation can be heard between two males. I recognize the voice of Hobbs as one person and Hobbs explained the other person is [redacted] prior to sending me the video. The recording appears to be in the front room of Hobb's home, where I have been in the past. Hobbs asks [redacted] Are you trying to talk to me?" [redacted] then tells Hobbs to stay off the phone or to not answer the phone. [redacted] can then be heard telling Hobbs he is a bitch twice and telling Hobbs to get off the phone. Hobbs repeatedly tries to tell [redacted] not to have [redacted] kids put the phone on speaker to harass Hobbs. He is repeatedly yelled and cursed at by [redacted]

[redacted] asks Hobbs to do him a favor and "Go fuck yourself." [redacted] challenges Hobbs to meet him in public by saying something similar to, "Let's go cowboy, where do you want to meet? What do you want to say, what do you want to do? Let's do it." [redacted] then tells Hobbs he will tell his boys to do whatever [redacted] chooses, whenever [redacted] wants as he is their father, not Hobbs. Hobbs tells [redacted] three times he is a horrible example of a father and the two continue to argue. The recording then ends.

The other events mentioned in the original report where not documented in the recording I received. I downloaded the recording and booked it into evidence in this case.

****

ADDITIONAL PROPERTY

Item #1, Status: Evidence
1 Items Transcend Thumb Drive. AUDIO AND VIDEO RECORDING OF PHONE CONVERSATION BETWEEN HOBBS AND [redacted]

Prepared By:	Date:	Approved By:	Date:
[redacted]	03/12/2019	[redacted]	03/13/2019

TUOLUMNE COUNTY SHERIFF

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

MISDEMEANOR REPORT

Case 18004139

OFFENSES

Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #
166.4 PC	Contempt Disoby Crt Order	Misd	10/07/2018		1810070072

Date Reported	Time Reported
10/07/2018	1018

Related Cases

Date Printed	Time Printed	Printed By
03/18/2019	11:21:56	[redacted]

Latitude	Longitude
[redacted]	[redacted]

Location	Beat	Area	Disposition	Dispo Date
[redacted]	3	03240	Refer for Criminal Complaint	12/07/2018

Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)
Ho [redacted]					

Victim and RP	Drivers License	Cell Phone	Email			
Hobbs, Rodney Daniel	[redacted]					

Residence Address	Notified of Victim Rights	Residence Phone	DOB	Age	Sex	Race
28 N Lower Sunset Dr, Sonora, CA 95370	No	209-533-5815			[redacted]	[redacted]

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
Tuolumne Co Sheriffs Dept, 28 N Lower Sunset Dr, Sonora, CA 95370	209 533-5815			[redacted]	[redacted]

Assistance Rendered/Victim Disposition	Transporting Agency	Means of Attack (Assaults)

Description of Injuries	Other Information

Name	Drivers License	Cell Phone	Email			

Residence Address	Residence Phone	DOB	Age	Sex	Race

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes

Suspect	Action Taken	Charges			
[redacted]		166.4 PC			

Residence Address	Residence Phone	DOB	Age	Sex	Race
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Business Name and Address	Business Phone	Height	Wt	Hair	Eyes
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]

Identifying Features	Cell Phone	Drivers License	Arrest Number
Speech [redacted] Build: [redacted] Complexion: [redacted] Facial Hair: [redacted]		[redacted]	Val Damaged

Aliases [redacted]

VEHICLES

Status	Vehicle Make and Model	License/State	VIN

DEPUTIES

Prepared By	Date	Assisted By	Approved By	Date
[redacted] - [redacted]	12/07/2018		[redacted] - [redacted]	12/08/2018

Routed To	Date	Routed To	Date	Notes
DA By PDF	12/11/2018			

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
1	Evidence/RIMS	1 Photo - AERIAL PHOTO OF HOBBS' RESIDENCE PROVIDED BY [redacted]			

Summary:

[redacted] flew a drone of Rodney Daniel Hobbs's residence in violation of a served civil harassment order.

Investigation:

On 10-07-18, at about 1841 hours, I spoke with Rodney Daniel Hobbs regarding a drone flying over his residence. Hobbs and I spoke over the phone.

Hobbs told me the following: He had been outside of his residence speaking with a neighbor and heard a weird noise. He looked over towards his residence and noticed a drone flying over his residence approximately 150 feet in the air. Hobbs did not see anyone in the area, which is a wooded area, controlling the drone. Hobbs could not think of anyone that would fly a drone over his residence other than his fiancé's ex-husband, [redacted] Hobbs remembered his fiancés child previously stating that [redacted] had gotten a black and white spider drone. Hobbs requested I look into the matter and speak with [redacted] to inquire if he was in fact flying a drone over Hobbs's house. At the time of this incident, Hobbs was a protected party in a civil harassment order. In that order, [redacted] was ordered not to alarm, annoy, harass… disturb the peace of Hobbs. That order was dated 6-27-18, and stated that [redacted] was present and served in court.

I attempted to contact [redacted] as Hobbs had requested to inquire if he had been flying the drone but I was unable to make contact with [redacted] at that time.

On 11-20-18, I met with [redacted] regarding his request to report child abuse. [redacted] and I spoke at the My Garden Café on Mono Way in Sonora at [redacted] request. While speaking with [redacted] he spoke about his concern over Hobbs's dogs being around his children and stated that he had taken the drone in the air up there. [redacted] said he took the drone up "a couple weeks ago" and took a photo of Hobbs's residence. [redacted] showed me the photo on his phone and explained that the fence line contained the dogs around most of the residence, to include the entrances.

While speaking with [redacted] he sent me multiple pictures, some that I requested and some that I did not. One of the pictures I received was an aerial picture of Hobbs's house.

I later added the aerial picture of Hobbs's house to this report.

I again spoke with Hobbs, who stated he wanted to press charges against [redacted] for violating the civil harassment order.

While I spoke with [redacted] on 11-20-18, I had an audio recorder in my pocket recording the conversation. Once the owner of the recorder returns to work, I will copy the audio recording to a disk and book it into T.C.S.O. evidence.

This report is being forwarded to the District Attorney for review.

Case Display Record

SONORA POLICE DEPARTMENT - Multi-Agency RIMS Return

Page 1 | Offenses, Vehicles, Property | Narratives & Photos

Case # 18-1111 Inc # 20180826001
Date 08/26/2018 -
Time 2000 - 0 Area 5501

Address 1091 SANGUINETTI RD
Place AUTO ZONE Apt
City SONORA Zip 95370

Date/Time Reported 08/26/2018 2004
Disposition COMPLAINT TO D 08/28/2018
Prepid By [redacted] 08/26/2018
Assistd By
Apprvd By [redacted] 08/28/2018

People

Connection	Name	Age
[redacted]		
RV	HOBBS, DEPUTY ROD	0

PREV OK NEXT

[redacted]

SONORA POLICE DEPARTMENT

100 S [redacted]EEN ST SONORA, CA 95370 532-81[redacted]

CRIME REPORT

Page 1

Case 18-1111

OFFENSES

Offenses	Description	Fel/Misd	Date Occurred	Time Occurred	Incident #
166(A)(4) PC	Contempt:disobey Crt Ordr	Misd	08/26/2018	2000	1808260016

Date Reported	Time Reported
08/26/2018	2004

Related Cases

Date Printed	Time Printed	Printed By
08/28/2018	01:37:01	[redacted]

Latitude	Longitude
37.975380	-120.378930

Location	Beat	Area	Disposition	Dispo Date
Auto Zone, 1091 Sanguinetti Rd, Sonora, CA 95370	2	5501		

Location Type	Location of Entry	Method of Entry	Point of Entry	Alarm System	Means of Attack (Robbery)
Parking Lot					

Victim and RP	Drivers License	Cell Phone	Email				
Hobbs, Deputy Rod							
Residence Address	**Notified of Victim Rights**	**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
C/O Tuolumne County So, Sonora, CA 95370	No	533-5815			[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
Tuolumne County Sheriffs Ofc, 28 Lower Sunset, Sonora, CA 95370					[redacted]	[redacted]
Assistance Rendered/Victim Disposition		**Transporting Agency**	**Means of Attack (Assaults)**			
Description of Injuries		**Other Information**				

Witness	Drivers License	Cell Phone	Email			
[redacted]	[redacted]	[redacted]				
Residence Address		**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
[redacted]		[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Business Name and Address		**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
			[redacted]	[redacted]	[redacted]	[redacted]

Suspect	Action Taken	Charges			
[redacted]		166(A)(4) PC			
Residence Address	**Residence Phone**	**DOB**	**Age**	**Sex**	**Race**
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]
Business Name and Address	**Business Phone**	**Height**	**Wt**	**Hair**	**Eyes**
		[redacted]	[redacted]	[redacted]	[redacted]
Identifying Features	**Cell Phone**	**Drivers License**		**Arrest Number**	
		[redacted]			
Aliases				**Val Damaged**	

VEHICLES

Status	Vehicle Make and Model	License/State	VIN

OFFICERS

Prepared By	Date	Assisted By	Approved By	Date
[redacted] - [redacted]	08/26/2018		[redacted]	8/28/18

Routed To	Date	Routed To	Date	Notes

SONORA POLICE DEPARTMENT
CONTROLLED DOCUMENT
DUPLICATION OR REISSUANCE
CONTROLLED BY LAW
RELEASED TO
[redacted]
B[redacted] 08/28/18

CONTROLLED DOCUMENT: DUPLICAT[redacted]

ID No.	Status/Disposition	Property Description	Value	Val Recovered	Val Damaged
1	Evidence	1 Vievu Recordings - VIEVU RECORDINGS			

SONORA POLICE DEPARTMENT
CONTROLLED DOCUMENT
DUPLICATION OR REISSUANCE
CONTROLLED BY LAW
RELEASED TO
DA PROB
[redacted]

CONTROLLED DOCUMENT: DUPLICATION PROHIBITED

CONTROLLED DOCUMENT: DUPLICATION PROHIBITED

Synopsis:

[redacted] violated his restraining order by approaching and seeking conflict with the protected party, Rodney Hobbs.

Report:

On 08-26-18, at approximately 2006 hours, I was dispatched to the Sonora Police Department to contact Rodney Hobbs about a restraining order violation. I arrived at approximately 2007 hours and contacted Hobbs by telephone.

Hobbs told me that he had an active restraining order against [redacted] his fiance's ex-husband. Hobbs stated he and his fiance, [redacted] had taken [redacted] son to prompt care because the son had been bitten by a dog. He said the children were in [redacted] custody this weekend. Afterwards, they stopped at Auto Zone (1091 Sanguinetti Road). While they were there, [redacted] son contacted [redacted] and told him of their location. At approximately 2000 hours, [redacted] drove up, jumped out of his vehicle, pulled out his cell phone to record the confrontation, and began yelling at Hobbs and [redacted] Hobbs told [redacted] to leave the area because he did not want her to remain in that volatile situation. [redacted] got in her vehicle and started to leave but [redacted] stood in front of her vehicle and would not let her leave. Eventually, [redacted] was able to drive around [redacted] to leave the scene. Hobbs left soon thereafter, but stated [redacted] continued to follow him in his vehicle for a short time, screaming through his window, until he saw that Hobbs was calling the police.

I contacted [redacted] by telephone at approximately 2030 hours. [redacted] told me that she and Hobbs had taken her son to prompt care to get stitches for a dog bite he had received. She stated her car battery died after picking up prescriptions from Adventist Health Sonora, so she, her children, and Hobbs went to Auto Zone to get a new battery. While they were in the store, [redacted] son texted [redacted] and told him what had happened and where they were. [redacted] said she texted [redacted] during this time as well and informed him of their son's dog bite. [redacted] told me she had just had the new car battery installed when [redacted] drove up and jumped out of his car. He had his cell phone out, filming the confrontation, and began yelling at [redacted] about the dog bite. [redacted] attempted to leave in her vehicle but [redacted] jumped in front of the car to prevent her from leaving. [redacted] eventually turned his attention to Hobbs, yelling at him instead of [redacted] so [redacted] was able to drive around him and leave. [redacted] was still yelling at Hobbs as she drove away.

I contacted [redacted] by telephone at approximately 2050 hours. I told him I had received a report that he was violating a restraining order. [redacted] acknowledged this and stated that he went to Auto Zone because his son called him and told him about the dog bite. [redacted] was upset because [redacted] had not informed him of the dog bite or the stitches. He stated that lapse in communication was a violation of the custody order. [redacted] drove to the hospital but did not see [redacted] or his children there. He went looking around and found them at Auto Zone. [redacted] stated he just wanted to see his son to make sure he was okay. When he arrived in the parking lot, Hobbs stepped out of his vehicle and confronted [redacted] told him to please get back in his vehicle because he was only there to talk to [redacted] about their son. Hobbs did not get back in the vehicle. [redacted] confronted [redacted] and

[redacted]

demanded to see his son. [redacted] would not let him see his son and tried to leave with the children so [redacted] stepped in front of her car. Hobbs entered into the argument at that point. [redacted] stated [redacted] did not text him about the dog bite until after the confrontation at Auto Zone. [redacted] emailed me three screen shots of the text conversation between him and [redacted] showing that [redacted] notified him of the bite at 1957 hours. I have attached the screen shots in the photo section of this report.

On 08-27-18, at approximately 1945 hours, I left a telephone message for [redacted] requesting a copy of the recording he took with his cell phone during the confrontation. I will supplement this report if I receive that copy.

I requested that [redacted] send me a screen shot of the text conversation between her and [redacted] to verify the time she informed him of the dog bite. She provided me with that screen shot, which I have attached in the photo section of this report. The screen shot shows that [redacted] informed [redacted] of the dog bite at 1957 hours, during the time she would have been inside Auto Zone.

Vievu recordings of this investigation have been downloaded to the Sonora Police Department's server.

Recommendations:

Forward to the Tuolumne County District Attorney's Office for complaint of the following charge against [redacted]

1) <Misd.> 166(a)(4) PC- Disobey court order.

SONORA POLICE DEPARTMENT
CONTROLLED DOCUMENT
DUPLICATION OR REISSUANCE
CONTROLLED BY LAW
RELEASED TO
DA PROB
[redacted]

CONTROLLED DOCUMENT: DUPLICATION PROHIBITED

CONTROLLED DOCUMENT: DUPLICATION PROHIBITED

****

ADDITIONAL PERSONS

Witness - [redacted]

****

ADDITIONAL VEHICLES

Mentioned - CA Vehicle Type: Auto
Vehicle: [redacted]

Synopsis:

This is a supplemental report for case 18-1111.

Report:

On 08-31-18, while on uniformed patrol, I faxed a video surveillance request to the Auto Zone corporate office. I have scanned and attached the request to this report. I will supplement this report if that video is received.

On 08-31-18, I checked Safeway's video surveillance for footage of the incident. Safeway's surveillance cameras do not cover the area of the parking lot in which the incident occurred.

As of 08-31-18, I still have not received a copy of the video that [redacted] took with his cell phone.

On 08-31-18, at approximately 1600 hours, I recontacted Hobbs in regard to a message he left me. Hobbs informed me that [redacted] has edited his videos in the past to exclude pertinent information and may do so again. I asked Hobbs what vehicle [redacted] was driving at the time of the incident. He stated that [redacted] was driving a [redacted]. Hobbs also mentioned that there was a gentleman in the Safeway parking lot who witnessed the incident. He stated he did not realize it at the time, but the witness was actually someone he knew: [redacted]

[redacted] provided me with [redacted] phone number. I left a telephone message for [redacted] on 09-01-18, requesting a call back. On 09-02-18 I contacted [redacted]. [redacted] said he knew all three parties; [redacted] and Hobbs. [redacted] told me that he was sitting on the benches outside Safeway at the time of the 08-26-18 incident. He stated he heard yelling across the parking lot but did not see who it was, though the voice sounded familiar. [redacted] said he walked to his pickup, which was parked in the first aisle south of Sanguinetti Road, approximately 2 spaces west of Safeway. While

[redacted] was at his pickup, [redacted] pulled up to him in her vehicle and told him that [redacted] was 'flipping out on Rodney.' [redacted] stated he told [redacted] the best thing for her to do would be to leave the area. [redacted] left, turning east onto Sanguinetti Road. [redacted] said Hobbs drove out of the parking lot the same way as [redacted] soon thereafter, and did not appear to recognize him at the time. [redacted] told me [redacted] drove out of the parking lot after Hobbs, following in the same direction.

Vievu recordings of my investigation have been downloaded to the Sonora Police Department's server.

Recommendations:

Attach to original.

Copy to DA.

CONTROLLED DOCUMENT: DUPLICATION PROHIBITED

SONORA POLICE DEPARTMENT
CONTROLLED DOCUMENT
DUPLICATION OR REISSUANCE
CONTROLLED BY LAW
RELEASED TO
DA PROB
[redacted]

Prepared By:	Date:	Approved By:	Date:
[redacted]	08/31/2018	[redacted]	9/2/18

CH-130

Civil Harassment Restraining Order After Hearing

Clerk stamps date here when form is filed.

FILED
JUN 27 2018
Superior Court of California
County of Tuolumne
By: [redacted] Clerk

Person in (1) must complete items (1), (2), and (3) only.

(1) Protected Person

a. Your Full Name: Rodney Hobbs

Your Lawyer *(if you have one for this case)*:
Name: N/A State Bar No.: _____
Firm Name: _____

b. Your Address *(If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.)*:
Address: [redacted]
City: [redacted] State: [redacted] Zip: [redacted]
Telephone: _____ Fax: _____
E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of
Tuolumne
41 W. Yaney Ave.
Sonora, CA 95370

Court fills in case number when form is filed.

Case Number:
CV 61471

(2) Restrained Person

Full Name: [redacted]
Description:
Sex: ☒ M ☐ F Height: [redacted] Weight: [redacted] Date of Birth: [redacted]
Hair Color: [redacted] Eye Color: [redacted] Age: [redacted] Race: [redacted]
Home Address *(if known)*: [redacted]
City: [redacted] State: [redacted] Zip: [redacted]
Relationship to Protected Person: [redacted]

(3) ☐ Additional Protected Persons

In addition to the person named in (1), the following family or household members of that person are protected by the orders indicated below:

Full Name	Sex	Age	Lives with you?	How are they related to you?
[redacted]	[redacted]	[redacted]	☒ Yes ☐ No	[redacted]
			☐ Yes ☐ No	

☐ *Check here if there are additional persons. List them on an attached sheet of paper and write "Attachment 3—Additional Protected Persons" as a title. You may use Form MC-025, Attachment.*

(4) Expiration Date

This Order, except for any award of lawyer's fees, expires at:

Time: _____ ☐ a.m. ☐ p.m. ☒ midnight on (date): 6-25-19

If no expiration date is written here, this Order expires three years from the date of issuance.

This is a Court Order.

[redacted]

Case Number:

5 Hearing

a. There was a hearing on *(date):* 6-25-18 at *(time):* 8:30 am in Dept.: 5 Room: _____
(Name of judicial officer): L. Pimentel made the orders at the hearing.

b. These people were at the hearing:
(1) ☑ The person in 1 (3) ☐ The lawyer for the person in 1 *(name):* _____
(2) ☑ The person in 2 (4) ☐ The lawyer for the person in 2 *(name):* _____
☐ Additional persons present are listed at the end of this Order on Attachment 5.

c. ☐ The hearing is continued. The parties must return to court on *(date):* _____ at *(time):* _____.

To the Person in 2:

The court has granted the orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to $1,000, or both.

6 ☑ Personal Conduct Orders

a. You must **not** do the following things to the person named in 1
☑ and to the other protected persons listed in 3:
(1) ☑ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
(2) ☑ Contact the person, either directly or indirectly, in **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
(3) ☐ Take any action to obtain the person's address or location. If this item (3) is not checked, the court has found good cause not to make this order.
(4) ☐ Other *(specify):*
☐ Other personal conduct orders are attached at the end of this Order on Attachment 6a(4).

b. Peaceful written contact through a lawyer or process server or other person for service of legal papers related to a court case is allowed and does not violate this Order.

7 ☑ Stay-Away Orders

a. You **must** stay at least 100 yards away from *(check all that apply):*
(1) ☑ The person in 1
(2) ☑ Each person in 3
(3) ☑ The home of the person in 1
(4) ☑ The job or workplace of the person in 1
(5) ☐ The school of the person in 1
(6) ☑ The school of the children of the person in 1
(7) ☐ The place of child care of the children of the person in 1
(8) ☑ The vehicle of the person in 1
(9) ☑ Other *(specify):* except for: (2) may be w/in 100 yds of (1) at child exchanges, during children activities (eg. games) and children school, but (2) shall not commute to (1) at any time.

This is a Court Order.

b. This stay-away order does not prevent you from going to or from your home or place of employment.

(8) No Guns or Other Firearms and Ammunition

a. **You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.**

b. If you have not already done so, you must:

- Within 24 hours of being served with this Order, sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control.
- File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearms have been turned in, sold, or stored. *(You may use Form CH-800,* Proof of Firearms Turned In, Sold, or Stored *for the receipt.)*

c. ☐ The court has received information that you own or possess a firearm.

(9) ☐ Lawyer's Fees and Costs

The person in ___ must pay to the person in ___ the following amounts for:

a. ☐ Lawyer's fees b. ☐ Costs

Item	Amount	Item	Amount
_____	$ _____	_____	$ _____
_____	$ _____	_____	$ _____

☐ Additional items and amounts are attached at the end of this Order on Attachment 9.

(10) ☐ Other Orders *(specify):*

_____

_____

☐ Additional orders are attached at the end of this Order on Attachment 10.

To the Person in (1)

(11) Mandatory Entry of Order Into CARPOS Through CLETS

This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). *(Check one):*

a. ☑ The clerk will enter this Order and its proof-of-service form into CARPOS.

b. ☐ The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.

c. ☐ By the close of business on the date that this Order is made, the person in (1) or his or her lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:

Name of Law Enforcement Agency	Address *(City, State, Zip)*
_____	_____
_____	_____

☐ Additional law enforcement agencies are listed at the end of this Order on Attachment 11.

This is a Court Order.

(12) Service of Order on Restrained Person

a. ☑ The person in (2) personally attended the hearing. No other proof of service is needed.

b. ☐ The person in (2) did not attend the hearing.

(1) ☐ Proof of service of Form CH-110, *Temporary Restraining Order,* was presented to the court. The judge's orders in this form are the same as in Form CH-110 except for the expiration date. The person in (2) must be served with this Order. Service may be by mail.

(2) ☐ The judge's orders in this form are different from the temporary restraining orders in Form CH-110. Someone—but not anyone in (1) or (3)—must personally serve a copy of this Order on the person in (2).

(13) ☐ No Fee to Serve (Notify) Restrained Person

The sheriff or marshal will serve this Order without charge because:

a. ☐ The Order is based on unlawful violence, a credible threat of violence, or stalking.

b. ☐ The person in (1) is entitled to a fee waiver.

(14) Number of pages attached to this Order, if any: _____

Date: 6-27-18

Judicial Officer

Warning and Notice to the Restrained Person in (2)

You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a $1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms that you have or control as stated in item (8) above. The court will require you to prove that you did so.

Instructions for Law Enforcement

Enforcing the Restraining Order

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

This is a Court Order.

Start Date and End Date of Orders

This Order *starts* on the date next to the judge's signature on page 4 and *ends* on the expiration date in item (4) on page 1.

Arrest Required If Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed it, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

Notice/Proof of Service

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; *or*
- The restrained person was at the restraining order hearing or was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the order and then enforce it.

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this Order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

Conflicting Orders—Priorities of Enforcement

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

1. *EPO:* If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
3. *Criminal Order:* If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order:* If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Clerk's Certificate
[seal]

(Clerk will fill out this part.)

—Clerk's Certificate—

I certify that this *Civil Harassment Restraining Order After Hearing* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

CARPOS Message

Case Number:	CV61434
Form Type:	CH-130
Restrained Person:	[redacted]
Protected Person:	HOBBS, RODNEY
Order Submitted To DOJ By:	[redacted]
CARPOS Message Text:	

ECCP.1292561.
Msg - 06272018200824624, Date - 06/27/2018, Time - 13:08:24
UB
8BYX CARPOS ENTRY
FCN/6031817800684
ORI/CA0550000
OCA/CV61434
*** SERVED CIVIL HARASSMENT ORDER ***
DO NOT ARREST OR DETAIN BASED SOLELY ON THIS RESPONSE
THIS RESTRAINING ORDER RESPONSE MAY BE THE SAME AS:
* * * * * RESTRAINED PERSON INFORMATION * * * * *
NAM/[redacted] DOB/[redacted]
SEX/[redacted] RAC/[redacted] HGT/[redacted] WGT/[redacted] EYE/[redacted] HAI/[redacted]
ADR/[redacted]
CTY/[redacted] STT/[redacted] ZIP/[redacted]
MIS/STAY AWAY FROM PERSONS IN 3, RP NO GUNS OR AMMO, RP MAY BE WITHIN 100 YARDS OF PP AT CHILD EXCHANGES, DURING CHILDRENS ACTIVITIES-SUCH AS GAMES- AND CHILDRENS SCHOOL, RP SHALL NOT COMMUNICATE WITH PP AT ANY TIME
* * * * * PROTECTED PERSON INFORMATION * * * * *

PROTECTED PERSON NAME/HOBBS,RODNEY DANIEL
PROTECTED PERSON SEX/M
PROTECTED PERSON DOB/[redacted]
ADDTL PROTECTED PERSON 1[redacted].
RELATIONSHIP/[redacted].HOUSEHOLD MEMBER/[redacted]
* * * * * COURT INFORMATION * * * * *
RESTRAINED PERSON PRESENT IN COURT/YES
COURT NAME/TUOLUMNE COUNTY SUPERIOR (SONORA)
COURT PHONE NUMBER/[redacted] [redacted]
COURT CASE NUMBER/CV61434
ISSUE DATE/20180627 EXPIRATION DATE/20190625
STATE OF ISSUANCE/CA
CONTACT PROTECTED PERSON/NO - THE RESTRAINED PERSON SHALL NOT ALARM, ANNOY, HARASS, THREATEN, STRIKE, OR MAKE PHYSICAL CONTACT WITH THE PROTECTED PERSON(S)

FIREARM PROVISIONS/CANNOT PURCHASE OR RECEIVE AND MUST SURRENDER ALL FIREARMS

STAY AWAY FROM/RESIDENCE, PROTECTED PERSON, WORK PLACE, CHILDS SCHOOL-DAY CARE, PROTECTED PERSONS VEHICLE
STAY AWAY/0100 YARDS

OTHER ORDERS/RP MUST NOT CONTACT THE PP EITHER DIRECTLY OR INDIRECTLY IN ANY WAY INCLUDING IN PERSON,BY PHONE,IN WRITING,PUBLIC OR PRIVATE MAIL,INTEROFFICE MAIL,EMAIL,TEXT,FAX OR BY OTHER ELECTRONIC MEANS,RP MUST NOT
INTIMIDATE,MOLEST,ATTACK,STRIKE,STALK,THREATEN,ASSAULT,HIT,ABUSE,DESTROY PERSONAL PROPERTY OF OR DISTURB THE PEACE OF THE PERSON,NO GUNS OR AMMO,MUST SELL OR STORE FIREARMS WITHIN 24 HRS OF BEING SERVED AND FILE A RECEIPT WITH THE COURT WITHIN 48 HRS OF RECEIVING THIS ORDER, IMMEDIATELY CONFIRM WITH CA0550000 TUOLUMNE CO SO SNR0
TELEPHONE 209 533-5815
*** ENTRY MESSAGE SENT TO NCIC ***
********** END OF CARPOS MESSAGE **********

SUPERIOR COURT OF CALIFORNIA COUNTY OF TUOLUMNE 41 W. Yaney Avenue Sonora, CA 95370	FILED APR 19 2018 Superior Court of California County of Tuolumne By: _____ Clerk
Case Name: Rodney Hobbs v. [redacted]	
Date: May 4, 2018 Time: 10:30 A.M. Location: Tuolumne County Superior Court, Dept 5	
AFFIDAVIT OF CUSTODIAN OF RECORDS	Case No.: CV61434

I, Lt. [redacted] the undersigned, declare as follows:

1. I am employed by the Tuolumne County Sheriff's Office as Lieutenant; I am over the age of 18 years and not a party to this action; my business address is 28 Lower Sunset Drive, Sonora, California 95370.

2. On or about April 9, 2018, I received the minute orders attached as Exhibit A ordering the Tuolumne County Sheriff's Office to produce of certain business records to the Court, to wit, "...three (3) copies of the video of the incident on 12/7/2017 involving the parties...." The video requested is presumably stored digitally at the Tuolumne County Information Technology Network Operation Center located at 2 South Green Street, Sonora, CA 95370.

3. I am the duly authorized custodian of the records or other qualified witness and have authority to certify the records sought in said minute orders.

4. After a diligent search and reasonable inquiry we are unable to produce any of the records sought because the video requested is not retained longer than sixty days, and therefore is no longer in our possession, custody or control.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 10, 2018, at Sonora, California.

[redacted]

Lt. [redacted]

Superior Court of California County of Tuolumne	
Rodney D. Hobbs vs. [redacted]	Judge: Philip A. Pimentel Clerk: [redacted] CSR: Interpreter:
Type of Hearing: Court Trial: Short Cause Motion/OSC Detail: TRO/Civil Harassment Additional Information: TRO granted 3/12	CASE NO.: CV61434 DATE: June 25, 2018

APPEARANCES:
☒ Petitioner/Plaintiff(s) **Rodney Hobbs** ☐ not present ☐ with ☐ by Counsel **in Pro Per**
☒ Petitioner/Plaintiff(s) [redacted] ☐ not present ☐ with ☐ by Counsel **in Pro Per**

CONTESTED HEARING:
☒ A contested hearing was held and the following witnesses were sworn heard:
Pet/Plt Rodney Hobbs [redacted] Res/Def [redacted]

	ID	Admitted		ID	Admitted
☒ The following exhibits were marked: **Pet/Plt** Photographs text messages	☒	☐	**Res/Def** Printed document text message	☒	☐

☒ Exhibits returned to proffering party

FINDINGS:
☒ Respondent/Defendant's name is: [redacted]
☒ Protected person(s) are: **Rodney Hobbs,** [redacted]

BY ORDER OF THE COURT:
☒ Temporary ☐ Permanent Restraining Orders granted as follows:
☒ No Contact Orders ☒ Personal Conduct Orders ☒ Stay away orders **100** yards
☒ As to ☒ Pet/Plt ☐ Resp/Def ☐ Person seeking order ☒ Protected Person(s) ☒ Residence ☒ Place of Employment ☒ Vehicle ☐ Children's School/Child Care ☐ Other
☒ Firearm Relinquishment ☒ Possess no Firearms ☒ Turn in or Sell Firearms within 24 hours of ☒ issuance of order ☐ service of order ☒ Receipt to be filed with court w/in 48 hrs of receiving order
☒ Record Unlawful Communications
☒ Restraining orders expire at ☒ Midnight on **6/25/2019**
☒ ☐ Counsel for ☒ Petitioner/Plaintiff ☐ Respondent/Defendant to prepare order after hearing.

OTHER ORDERS/STIPULATIONS:
Exception to the stay away restraining order is, the Respondent may be within 100 yards of the Petitioner during exchanges of the Respondent's children, during the Respondent's children's extracurricular activities, or while at the Respondent's children's school for drop off or pick up, if the Petitioner is in attendance or present. There will be no communication by the Respondent to the Petitioner at any time.

CH-130 Civil Harassment Restraining Order After Hearing

Clerk stamps date here when form is filed.

FILED
JUN 27 2018
Superior Court of California
County of Tuolumne
By: [redacted] Clerk

Person in (1) must complete items (1), (2), and (3) only.

(1) Protected Person

a. Your Full Name: Rodney Hobbs

Your Lawyer *(If you have one for this case)*:
Name: N/A State Bar No.: _____
Firm Name: _____

b. Your Address *(If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give te[redacted]*
Address: [redacted]
City: [redacted] State: [redacted] Zip: [redacted]
Telephone: _____ Fax: _____
E-Mail Address: _____

Fill in court name and street address:
Superior Court of California, County of Tuolumne
41 W. Yaney Ave.
Sonora, CA 95370

Court fills in case number when form is filed.
Case Number: CV 61481

(2) Restrained Person

Full Name: [redacted]
Description:
Sex: ☒ M ☐ F Height: [redacted] Weight: [redacted] Date of Birth: [redacted]
Hair Color: [redacted] Eye Color: [redacted] Age: [redacted] Race: [redacted]
Home Address *(if known)*: [redacted]
City: [redacted] State: [redacted] Zip: [redacted]
Relationship to Protected Person: [redacted]

(3) ☒ Additional Protected Persons

In addition to the person named in (1), the following family or household members of that person are protected by the orders indicated below:

Full Name	Sex	Age	Lives with you?	How are they related to you?
[redacted]	[redacted]	[redacted]	☒ Yes ☐ No	[redacted]
			☐ Yes ☐ No	

☐ *Check here if there are additional persons. List them on an attached sheet of paper and write "Attachment 3—Additional Protected Persons" as a title. You may use Form MC-025, Attachment.*

(4) Expiration Date

This Order, except for any award of lawyer's fees, expires at:

Time: _____ ☐ a.m. ☐ p.m. ☒ midnight on (date): 6-25-19

If no expiration date is written here, this Order expires three years from the date of issuance.

This is a Court Order.

Case Number:

(5) Hearing

a. There was a hearing on *(date)*: 6-25-18 at *(time)*: 8:30 am in Dept.: 5 Room: _____
(Name of judicial officer): Pimentel made the orders at the hearing.

b. *These people were at the hearing:*
(1) ☒ The person in (1) (3) ☐ The lawyer for the person in (1) *(name)*: _____
(2) ☒ The person in (2) (4) ☐ The lawyer for the person in (2) *(name)*: _____
☐ Additional persons present are listed at the end of this Order on Attachment 5.

c. ☐ The hearing is continued. The parties must return to court on *(date)*: _____ at *(time)*: _____

To the Person in (2):

The court has granted the orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to $1,000, or both.

(6) ☒ Personal Conduct Orders

a. You must not do the following things to the person named in (1)
☒ and to the other protected persons listed in (3):
(1) ☒ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
(2) ☒ Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
(3) ☐ Take any action to obtain the person's address or location. If this item (3) is not checked, the court has found good cause not to make this order.
(4) ☐ Other *(specify)*:
☐ Other personal conduct orders are attached at the end of this Order on Attachment 6a(4).

b. Peaceful written contact through a lawyer or process server or other person for service of legal papers related to a court case is allowed and does not violate this Order.

(7) ☒ Stay-Away Orders

a. You must stay at least 100 yards away from *(check all that apply)*:
(1) ☒ The person in (1)
(2) ☒ Each person in (3)
(3) ☒ The home of the person in (1)
(4) ☒ The job or workplace of the person in (1)
(5) ☐ The school of the person in (1)
(6) ☒ The school of the children of the person in (1)
(7) ☐ The place of child care of the children of the person in (1)
(8) ☒ The vehicle of the person in (1)
(9) ☒ Other *(specify)*: except for (3) may be w/i 100 yds of (1) at child exchanges, during children activities (eg. games) and children school. But (2) shall not communicate to (1) at any time.

This is a Court Order.

Case Number:

b. This stay-away order does not prevent you from going to or from your home or place of employment.

(8) No Guns or Other Firearms and Ammunition

a. **You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.**

b. If you have not already done so, you must:

- *Within 24 hours of being served with this Order, sell to or store with a licensed gun dealer,* or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control.
- File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearms have been turned in, sold, or stored. *(You may use Form CH-800,* Proof of Firearms Turned In, Sold, or Stored *for the receipt.)*

c. ☐ The court has received information that you own or possess a firearm.

(9) ☐ Lawyer's Fees and Costs

The person in ___ must pay to the person in ___ the following amounts for:

a. ☐ Lawyer's fees b. ☐ Costs

Item	Amount	Item	Amount
_____	$ _____	_____	$ _____
_____	$ _____	_____	$ _____

☐ Additional items and amounts are attached at the end of this Order on Attachment 9.

(10) ☐ Other Orders *(specify)*:

_____

_____

☐ Additional orders are attached at the end of this Order on Attachment 10.

To the Person in (1):

(11) Mandatory Entry of Order Into CARPOS Through CLETS

This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). *(Check one):*

a. ☒ The clerk will enter this Order and its proof-of-service form into CARPOS.

b. ☐ The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.

c. ☐ By the close of business on the date that this Order is made, the person in (1) or his or her lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:

Name of Law Enforcement Agency	Address *(City, State, Zip)*
_____	_____
_____	_____

☐ Additional law enforcement agencies are listed at the end of this Order on Attachment 11.

This is a Court Order.

Case Number:

(12) Service of Order on Restrained Person

a. ☑ The person in (2) personally attended the hearing. No other proof of service is needed.

b. ☐ The person in (2) did not attend the hearing.

(1) ☐ Proof of service of Form CH-110, *Temporary Restraining Order*, was presented to the court. The judge's orders in this form are the same as in Form CH-110 except for the expiration date. The person in (2) must be served with this Order. Service may be by mail.

(2) ☐ The judge's orders in this form are different from the temporary restraining orders in Form CH-110. Someone—but not anyone in (1) or (3)—must personally serve a copy of this Order on the person in (2).

(13) ☐ *No Fee to Serve (Notify) Restrained Person*

The sheriff or marshal will serve this Order without charge because:

a. ☐ The Order is based on unlawful violence, a credible threat of violence, or stalking.

b. ☐ The person in (1) is entitled to a fee waiver.

(14) Number of pages attached to this Order, if any: ____

Date: 6 2 19

Judicial Officer

Warning and Notice to the Restrained Person in (2):

You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a $1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms that you have or control as stated in item (8) above. The court will require you to prove that you did so.

Instructions for Law Enforcement

Enforcing the Restraining Order

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

This is a Court Order.

Case Number:

Start Date and End Date of Orders

This Order *starts* on the date next to the judge's signature on page 4 and *ends* on the expiration date in item (4) on page 1.

Arrest Required If Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed it, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

Notice/Proof of Service

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; *or*
- The restrained person was at the restraining order hearing or was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the order and then enforce it.

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this Order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

Conflicting Orders—Priorities of Enforcement

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

1. *EPO:* If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
3. *Criminal Order:* If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order:* If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Clerk's Certificate
[seal]

(Clerk will fill out this part.)
—Clerk's Certificate—

I certify that this *Civil Harassment Restraining Order After Hearing* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

CH-110 Temporary Restraining Order

Person in (1) must complete items (1), (2), and (3) only.

Clerk stamps date here when form is filed.

FILED
MAR 12 2018
Superior Court of California
County of Tuolumne
by Clegdeth Boyd Clerk

Fill in court name and street address:

Superior Court of California, County of
TUOLUMNE
41 W. Yaney Ave.
Sonora, CA 95370

Court fills in case number when form is filed.

Case Number: CV16434

(1) Protected Person

a. Your Full Name: Rodney Daniel Hobbs

Your Lawyer *(if you have one for this case)*:
Name: _____ State Bar No.: _____
Firm Name: _____

b. Your Address *(If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.)*:
Address: [redacted]
City: [redacted] State: [redacted]
Telephone: [redacted] Fax: [redacted]
E-Mail Address: [redacted]

(2) Restrained Person

Full Name: [redacted]
Description:
Sex: ☑ M ☐ F Height: [redacted] Weight: [redacted] Date of Birth: [redacted]
Hair Color: [redacted] Eye Color: [redacted] Age: [redacted] Race: [redacted]
Home Address *(if known)*: [redacted]
City: [redacted] State: [redacted] Zip: [redacted]
Relationship to Protected Person: [redacted]

(3) ☑ Additional Protected Persons

In addition to the person named in (1), the following family or household members of that person are protected by the temporary orders indicated below:

Full Name	Sex	Age	Household Member?	Relation to Protected Person
[redacted]			☑ Yes ☐ No	[redacted]
			☑ Yes ☐ No	
			☐ Yes ☐ No	

☐ *Check here if there are additional persons. List them on an attached sheet of paper and write "Attachment 3—Additional Protected Persons" as a title. You may use form MC-025, Attachment.*

The court will complete the rest of this form.

(4) Expiration Date

This Order expires at the end of the hearing scheduled for the date and time below:

Date: 4/6/2018 Time: 10:30 ☒ a.m. ☐ p.m.

This is a Court Order.

Case Number:

To the Person in (2):

The court has granted the temporary orders checked as granted below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to $1,000, or both.

(5) Personal Conduct Orders

☐ **Not Requested** ☐ **Denied Until the Hearing** ☑ **Granted as Follows:**

a. You must not do the following things to the person named in (1) ☑ and to the other protected persons listed in (3):

(1) ☑ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.

(2) ☑ Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.

(3) ☐ Take any action to obtain the person's address or location. If this item (3) is not checked, the court has found good cause not to make this order.

(4) ☐ Other *(specify)*:

☐ Other personal conduct orders are attached at the end of this Order on Attachment 5a(4).

b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order. However, you may have your papers served by mail on the person in (1).

(6) Stay-Away Order

☐ **Not Requested** ☐ **Denied Until the Hearing** ☑ **Granted as Follows:**

a. You must stay at least 100 yards away from *(check all that apply)*:

(1) ☑ The person in (1)
(2) ☑ Each person in (3)
(3) ☑ The home of the person in (1)
(4) ☑ The job or workplace of the person in (1)
(5) ☐ The school of the person in (1)
(6) ☑ The school of the children of the person in (1)
(7) ☐ The place of child care of the children of the person in (1)
(8) ☑ The vehicle of the person in (1)
(9) ☐ Other *(specify)*:

b. This stay-away order does not prevent you from going to or from your home or place of employment.

(7) No Guns or Other Firearms and Ammunition

a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.

b. You must:

(1) Sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.

This is a Court Order.

Case Number:

(2) File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearms have been turned in, sold, or stored. *(You may use form CH-800,* Proof of Firearms Turned In, Sold, or Stored, *for the receipt.)*

c. ☐ The court has received information that you own or possess a firearm.

(8) Possession and Protection of Animals

☑ **Not Requested** ☐ **Denied Until the Hearing** ☐ **Granted as Follows** *(specify):*

a. ☐ The person in (1) is given the sole possession, care, and control of the animals listed below, which are owned, possessed, leased, kept, or held by him or her, or reside in his or her household. *(Identify animals by, e.g., type, breed, name, color, sex.)*

b. ☐ The person in (2) must stay at least _____ yards away from, and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of, the animals listed above.

(9) Other Orders

☑ **Not Requested** ☐ **Denied Until the Hearing** ☐ **Granted as Follows** *(specify):*

☐ Additional orders are attached at the end of this Order on Attachment 9.

To the Person in (1):

(10) Mandatory Entry of Order Into CARPOS Through CLETS

This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). *(Check one):*

a. ☑ The clerk will enter this Order and its proof-of-service form into CARPOS.

b. ☐ The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.

c. ☐ By the close of business on the date that this Order is made, the person in (1) or his or her lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:

Name of Law Enforcement Agency	Address *(City, State, Zip)*

☐ Additional law enforcement agencies are listed at the end of this Order on Attachment 10.

This is a Court Order.

Case Number:

(11) **No Fee to Serve (Notify) Restrained Person** ☒ **Ordered** ☐ **Not Ordered**

The sheriff or marshal will serve this Order without charge because:

a. ☒ The Order is based on unlawful violence, a credible threat of violence, or stalking.

b. ☐ The person in (1) is entitled to a fee waiver.

(12) Number of pages attached to this Order, if any: _____

Date: 3 12 19

Judicial Officer

Warnings and Notices to the Restrained Person in (2)

You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a $1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms that you have or control as stated in item (7) above. The court will require you to prove that you did so.

Notice Regarding Nonappearance at Hearing and Service of Order

If you have been personally served with this Temporary Restraining Order and form CH-109, *Notice of Court Hearing*, but you do not appear at the hearing either in person or by a lawyer, and a restraining order that is the same as this Temporary Restraining Order except for the expiration date is issued at the hearing, a copy of the order will be served on you by mail at the address in item (2).

If this address is not correct or you wish to verify that the Temporary Restraining Order was converted into a restraining order at the hearing without substantive change, or to find out the duration of the order, contact the clerk of the court.

After You Have Been Served With a Restraining Order

- Obey all the orders.
- Read form CH-120-INFO, *How Can I Respond to a Request for Civil Harassment Restraining Orders?*, to learn how to respond to this Order.
- If you want to respond, fill out form CH-120, *Response to Request for Civil Harassment Restraining Orders*, and file it with the court clerk. You do not have to pay any fee to file your response if the Request claims that you inflicted or threatened violence against or stalked the person in (1).
- You must have form CH-120 served by mail on the person in (1) or that person's attorney. You cannot do this yourself. The person who does the mailing should complete and sign form CH-250, *Proof of Service of Response by Mail*. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served, signed by you and other persons who have personal knowledge of the facts. You may use form MC-030, *Declaration*, for this purpose. It is available from the clerk's office at the court shown on page 1 of this form or at *www.courts.ca.gov/forms*. If you do not know how to prepare a declaration, you should see a lawyer.

This is a Court Order.

Case Number:

- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to five years. Tell the judge why you disagree with the orders requested.

Instructions for Law Enforcement

Enforcing the Restraining Order

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

Start Date and End Date of Orders

This order *starts* on the date next to the judge's signature on page 4. The order *ends* on the expiration date in item (4) on page 1.

Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

Notice/Proof of Service

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the Proof of Service or confirms that the Proof of Service is on file; or
- The restrained person was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified, the agency must advise the restrained person of the terms of the order and then enforce it.

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The order can be changed only by another court order. (Pen. Code, § 13710(b).)

This is a Court Order.

Case Number:

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued, the orders must be enforced according to the following priorities (see Pen. Code, § 136.2; Fam. Code, §§ 6383(h)(2), 6405(b)):

1. *EPO:* If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
3. *Criminal Order:* If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order:* If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

(Clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Superior Court of California
County of Tuolumne

Rodney D. Hobbs **vs.** [redacted]	**Judge: Philip A. Pimentel** **Clerk: Ernestine Cabanag** **CSR:** **Interpreter:**
Type of Hearing: Request for Restraining Order **Motion/OSC Detail: Civil Harassment** **Additional Information: Ex Parte**	**CASE NO.: CV61434** **DATE: March 12, 2018**

APPEARANCES:
☒ Petitioner/Plaintiff(s) **Rodney D. Hobbs** ☐ not present ☐ with ☐ by Counsel _____
☐ Respondent/Defendant(s) _____ ☐ not present ☐ with ☐ by Counsel _____
☒ FC 4251(b) advisement and stipulation on file.

TEMPORARY HEARING:
☒ **A hearing was held and the following party was sworn and heard:**
Pet/Plt Rodney D. Hobbs **Res/Def** _____
☒ Information provided on declaration is true and correct.

FINDINGS:
☒ Respondent/Defendant's name is: [redacted]
☒ Protected person(s) are: **Rodney D. Hobbs,** [redacted] **minor:** [redacted]

BY ORDER OF THE COURT:
☒ Temporary Restraining Orders granted as follows:
☒ No Contact Orders ☒ No Harassment Orders ☒ Stay away orders **100** yards
☒ As to ☒ Pet/Plt ☒ Residence ☒ Place of Employment ☒ Vehicle ☒ Children's School/Child
☒ Firearm Relinquishment ☒ Possess no Firearms ☒ Turn in or Sell Firearms within **24** hours of ☒ service of order ☒ Receipt to be filed with court w/in 48 hrs of receiving order
☒ Temporary orders granted, party directed to clerk's office for processing and hearing date.
☒ Temporary orders to remain in effect pending the next hearing.
☒ Party to have Respondent served by Sheriff or other person over 18 no less than five (5) days prior to next hearing date.

CH-100 Request for Civil Harassment Restraining Orders

Read *Can a Civil Harassment Restraining Order Help Me? (form CH-100-INFO)* before completing this form. Also fill out *Confidential CLETS Information (form CLETS-001)* with as much information as you know.

stamps date here when form is filed.

FILED
MAR 12 2018
Superior Court of California
County of Tuolumne
By: M Smith Clerk

Fill in court name and street address:
Superior Court of California, County of
TUOLUMNE
41 W. Yaney Ave.
Sonora, CA 95370

Court fills in case number when form is filed.
Case Number: CV61434

(1) Person Seeking Protection

a. Your Full Name: Rodney Daniel Hobbs Age: [redacted]
Your Lawyer *(if you have one for this case)*
Name: _____ State Bar No.: _____
Firm Name: _____

b. Your Address *(If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You must [illegible] to give telephone, fax, or e-mail.)*
Address: [redacted]
City: [redacted] State: [redacted] Zip: [redacted]
Telephone: [redacted] Fax: _____
E-Mail Address: [redacted]

(2) Person From Whom Protection Is Sought

Full Name: [redacted] Age: [redacted]
Address *(if known)*: [redacted]
City: [redacted] State: [redacted] Zip: [redacted]

(3) Additional Protected Persons

a. Are you asking for protection for any other family or household members? ☑ Yes ☐ No *If yes, list them:*

Full Name	Sex	Age	Lives with you?	How are they related to you?
[redacted]			☑ Yes ☐ No	[redacted]
			☑ Yes ☐ No	[redacted]
			☐ Yes ☐ No	
			☐ Yes ☐ No	

☐ *Check here if there are more persons. Attach a sheet of paper and write "Attachment 3a—Additional Protected Persons" for a title. You may use form MC-025, Attachment.*

b. Why do these people need protection? *(Explain below):*

☐ *Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 3b—Why Others Need Protection" for a title.*

I want my son to feel safe & protected from [redacted] verbal harassment. Every time [redacted] sees [redacted] in Public he brings me up & tells her to let me know hes going to take care of me. This seems threatening

This is not a Court Order.

Number:

(4) Relationship of Parties

How do you know the person in (2)? *(Explain below):*

☐ *Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment [illegible] of Parties" for a title.*

[redacted] is my [redacted]

(5) Venue

Why are you filing in this county? *(Check all that apply):*

a. ☑ The person in (2) lives in this county.

b. ☑ I was harassed by the person in (2) in this county.

c. ☐ Other *(specify):* _____

(6) Other Court Cases

a. Have you or any of the persons named in (3) been involved in another court case with the person in (2)?

☐ Yes ☑ No *(If yes, check each kind of case and indicate where and when each was filed.)*

Kind of Case	Filed in *(County/State)*	Year Filed	Case Number *(if known)*
(1) ☐ Civil Harassment			
(2) ☐ Domestic Violence			
(3) ☐ Divorce, Nullity, Legal Separation			
(4) ☐ Paternity, Parentage, Child Custody			
(5) ☐ Elder or Dependent Adult Abuse			
(6) ☐ Eviction			
(7) ☐ Guardianship			
(8) ☐ Workplace Violence			
(9) ☐ Small Claims			
(10) ☐ Criminal			
(11) ☐ Other *(specify):*			

b. Are there now any protective or restraining orders in effect relating to you or any of the persons in (3) and the person in (2)? ☑ No ☐ Yes *(If yes, attach a copy if you have one.)*

(7) Description of Harassment

Harassment means violence or threats of violence against you, or a course of conduct that seriously alarmed, annoyed, or harassed you and caused you substantial emotional distress. A course of conduct is more than one act.

a. Tell the court about the last time the person in (2) harassed you.

(1) When did it happen? *(provide date or estimated date):* 12/7/17

(2) Who else was there?

I was in my ~~vehicle~~ [redacted] car

This is not a Court Order.

Number:

(7) a. (3) How did the person in (2) harass you? *(Explain below):*

☑ *Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(3)—Describe Harassment" for a title.*

I put an attachment of incident from 12-7-17

Also on June 12, 2017 after many long, long texts I told him via text to not call, text or communicate with me any longer.

(4) Did the person in (2) use or threaten to use a gun or any other weapon?

☐ Yes ☑ No *(If yes, explain below):*

☐ *Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a title.*

(5) Were you harmed or injured because of the harassment?

☐ Yes ☑ No *(If yes, explain below):*

☐ *Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a title.*

(6) Did the police come? ☐ Yes ☑ No

If yes, did they give you or the person in (2) an Emergency Protective Order? ☐ Yes ☐ No

If yes, the order protects *(check all that apply):*

☐ Me ☐ The person in (2) ☐ The persons in (3).

(Attach a copy of the order if you have one.)

b. Has the person in (2) harassed you at other times?

☑ Yes ☐ No *(If yes, describe prior incidents and provide dates of harassment below):*

☐ *Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7b—Previous Harassment" for a title.*

There have been several phone calls that I are heated & him saying he's going to take care of things." I am unsure what he is implying, whether he's threatening my job, my family etc.

This is not a Court Order.

Number:

Check the orders you want. ☑

(8) ☑ Personal Conduct Orders

I ask the court to order the person in (2) **not** to do any of the following things to me or to any person to be protected listed in (3):

a. ☑ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.

b. ☑ Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.

c. ☐ Other *(specify):*

☐ *Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 8c—Other Personal Conduct Orders," for a title.*

The person in (2) will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

(9) ☐ Stay-Away Orders

a. I ask the court to order the person in (2) to stay at least 100 yards away from *(check all that apply):*

(1) ☑ Me.
(2) ☑ The other persons listed in (3).
(3) ☑ My home.
(4) ☑ My job or workplace.
(5) ☐ My school.
(6) ☑ My children's school.
(7) ☐ My children's place of child care.
(8) ☑ My vehicle.
(9) ☑ Other *(specify):*

1 sport activities for [redacted] & their boys I am asking that he stay 30 yards away and no verbal contact

b. If the court orders the person in (2) to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job? ☑ Yes ☐ No *(If no, explain below):*

☐ *Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 9b—Stay-Away Orders," for a title.*

(10) Guns or Other Firearms and Ammunition

Does the person in (2) own or possess any guns or other firearms? ☑ Yes ☐ No ☐ I don't know

If the judge grants a protective order, the person in (2) will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protective order is in effect. The person in (2) will also be ordered to turn in to law enforcement, or sell to or store with a licensed gun dealer, any guns or firearms within his or her immediate possession or control.

This is not a Court Order.

MC-025

SHORT TITLE:	CASE NUMBER:

ATTACHMENT (Number): CH-100, item 6

(This Attachment may be used with any Judicial Council form.)

1) Your name: Rodney Daniel Hobbs

2) Name of person you want protection from (restrained person): [redacted]

3) DESCRIBE THE 2nd MOST RECENT ABUSE:

a) Date of 2nd most recent abuse: 3-5-18

b) Who was there: [redacted] & her son [redacted]

c) What did the person in (2) do or say to you that made you afraid: [redacted] home. Sick & [redacted] needed cough medicine so she dropped her other son [redacted] off at school & headed to store. When she pulled into the parking spot [redacted] called her phone.. [redacted] son [redacted] spoke with his dad & told him where they were at. A few minutes later [redacted] showed up at the store yelling at [redacted] while filming her w/ his phone. He then told her "tell your boyfriend I'm going to be taking care of things"

d) Describe any use or threatened use of guns or weapons:

e) Describe any injuries:

f) Did the police come? ✓ NO ____ YES

If yes, did they have you an Emergency Protective Order? ____ NO ____ YES ____ I DON'T KNOW

ATTACH A COPY IF YOU HAVE AN EMERGENCY PROTECTIVE ORDER.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

MC-025

SHORT TITLE:	CASE NUMBER:

ATTACHMENT (Number): CH-100, item 6

(This Attachment may be used with any Judicial Council form.)

3) DESCRIBE OTHER RECENT ABUSE:

a) Date of other recent abuse: _____

b) Who was there: _____

c) What did the person in (2) do or say to you that made you afraid: There have been 2 tracking devices found in my girlfriends car. [redacted] admitted to putting one in her vehicle when they first separated. last year [redacted] was cleaning and organizing her car she found a tracking device. I also drive her car & this makes me feel afraid for the safety of myself [redacted]

d) Describe any use or threatened use of guns or weapons: _____

e) Describe any injuries: _____

f) Did the police come? ___✓___ NO _____ YES
If yes, did they have you an Emergency Protective Order? ___✓___ NO _____ YES _____ I DON'T KNOW

ATTACH A COPY IF YOU HAVE AN EMERGENCY PROTECTIVE ORDER.

If you need more space, check _____ and attach Form MC-020, or attach a sheet of paper and write "CH-100, item 6" at the top and write in the additional page numbers.

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

Number:

(11) ☑ Temporary Restraining Order

I request that a Temporary Restraining Order (TRO) be issued against the person in (2) to last until the hearing. I am presenting form CH-110, *Temporary Restraining Order*, for the court's signature together with this *Request*.

Has the person in (2) been told that you were going to go to court to seek a TRO against him/her?

☐ Yes ☑ No *(If you answered no, explain why below):*

☐ *Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 11—Temporary Restraining Order" for a title.*

(12) ☐ Request to Give Less Than Five Days' Notice of Hearing

You must have your papers personally served on the person in (2) at least five days before the hearing, unless the court orders a shorter time for service. (Form CH-200-INFO explains What Is "Proof of Personal Service"? *Form CH-200,* Proof of Personal Service, *may be used to show the court that the papers have been served.)*

If you want there to be fewer than five days between service and the hearing, explain why below:

☐ *Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 12—Request to Give Less Than Five Days' Notice" for a title.*

(13) ☐ No Fee for Filing or Service

a. ☒ There should be no filing fee because the person in (2) has used or threatened to use violence against me, has stalked me, or has acted or spoken in some other way that makes me reasonably fear violence.

b. ☒ The sheriff or marshal should serve (notify) the person in (2) about the orders for free because my request for orders is based on unlawful violence, a credible threat of violence, or stalking.

c. ☐ There should be no filing fee and the sheriff or marshal should serve the person in (2) for free because I am entitled to a fee waiver. *(You must complete and file form FW-001,* Application for Waiver of Court Fees and Costs *.)*

(14) ☐ Lawyer's Fees and Costs

I ask the court to order payment of my ☐ lawyer's fees ☐ Court costs.

The amounts requested are:

Item	Amount	Item	Amount
	$		$
	$		$
	$		$

☐ *Check here if there are more items. Put the items and amounts on the attached sheet of paper or form MC-025 and write "Attachment 14—Lawyer's Fees and Costs" for a title.*

This is not a Court Order.

Number:

(15) ☐ Possession and Protection of Animals

I ask the court to order the following:

a. ☐ That I be given the sole possession, care, and control of the animals listed below, which I own, possess, lease, keep, or hold, or which reside in my household.
(Identify animals by, e.g., type, breed, name, color, sex.)

I request sole possession of the animals because *(specify good cause for granting order)*:

☐ *Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 15a—Possession of Animals" for a title.*

b. ☐ That the person in (2) must stay at least _____ yards away from, and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of, the animals listed above.

(16) ☐ Additional Orders Requested

I ask the court to make the following additional orders *(specify)*:

☐ *Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 16—Additional Orders Requested," for a title.*

(17) Number of pages attached to this form, if any: _____

Date: _____

Lawyer's name (if any)

Lawyer's signature

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: 3-12-18

RODNEY HOBBS

Type or print your name

Sign your name

This is not a Court Order.

"Attachment 1a(3) - Describe harassment"

INCIDENT: 12-7-17, [redacted]

On 12-7-17, at approximately 0903 hours, I was leaving 60 N. Washington Street courthouse. I was at Department 3 courtroom supporting [redacted] in her court proceeding with [redacted] was told by Judge Kate Segerstrom to go to the courts civil division and file court documents after the hearing was done. After the court proceeding was over, [redacted] and I walked out of the front door on 60 N. Washington heading North on the sidewalk towards West Dodge Street where [redacted] vehicle was parked. [redacted] walked out right behind us, yelled loudly (inaudible) as he walked out, he was walking South on N. Washington Street. We got into [redacted] vehicle, I was driving [redacted] vehicle a [redacted], [redacted] was riding in the front passenger position.

We traveled on W. Dodge Street pulling onto N. Washington Street turning right. I did not see [redacted] as I turned onto N. Washington Street. As I turned right onto Yaney Street traveling west towards the Yancy Street courthouse I saw in my rear view mirror [redacted] driving his [redacted] turn onto Yaney Street from N. Washington Street (traveling southbound). I was stopped dropping off [redacted] at the Yaney Street courthouse. After dropping off [redacted] I saw [redacted] was now behind me on Yaney. I drove west on Yaney turning right onto Norlin traveling northbound. I saw [redacted] following me and he turned immediately onto Norlin following me. A large garbage truck pulled out from the County Building in between my vehicle and [redacted] I drove up to Dodge Street turning right onto Dodge. I did not see [redacted] at this point. I drove to N. Green Street and turned right on N. Green Street. I drove to N. Green Street and Yaney and was looking for a parking spot. I turned right onto Yaney heading westbound looking for a parking spot. As I looked up Norlin towards Dodge Street I saw Matt [redacted] in his vehicle in the middle of Dodge Street and Norlin. He was sitting in the middle of the intersection with his vehicle facing downhill on Dodge Street. When I saw him it was apparent he was waiting for me to drive by because he immediately turned facing my direction on N. Green Street and started towards me. I decided not to park near the courthouse and wait for [redacted] but to instead drive to the St. Patrick's parking lot and park. As I approached the St. Patrick's parking lot (Directly in front of the Sheriff's Office) to parallel park along the first parking area fence line. I saw [redacted] approaching from Yaney Street. [redacted] pulled up alongside of [redacted] car and immediately started to talk to me as he rolled his passenger side window down.

I immediately told [redacted] "You need to leave! Why are you following me?" He ignored me and continued to talk to me. He started with wanting to tell me negative things about [redacted] and that he has never lied to me etc... I told him repeatedly he needed to leave and he was a "pathological liar". I could not see his hands, he was messing with something inside his vehicle, and I am assuming he was recording with his phone or another device as he normally records all encounters he has. I was very concerned that he might have a gun inside his vehicle. I

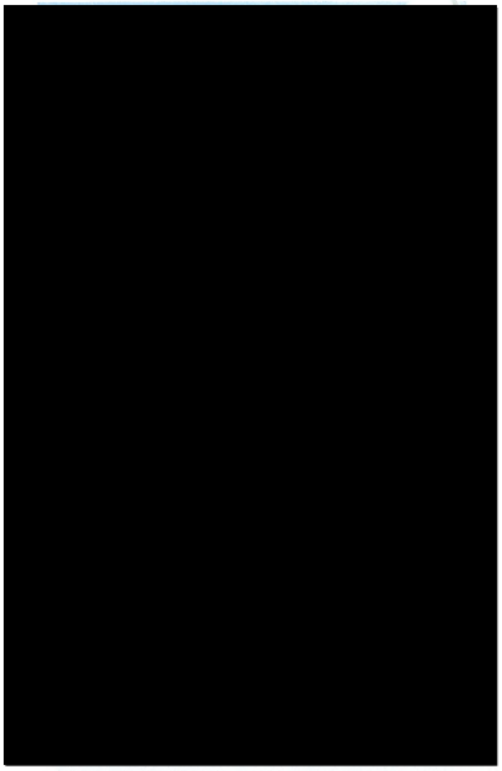
have heard he still has guns even after a subject in Tuolumne County applied and was granted a domestic violence restraining order on him. I am also aware that in his Dodge truck he drives he built a secret compartment to hide a handgun. [redacted] continued to talk to me and I continued to tell him I did not want him to be talking to and he needed to leave. I estimated the encounter continued for approximately three or four minutes.

As this was going, [redacted] was calling me to let me know she was done at the courthouse as was our plan for her to do so, so I could drive by and pick her up. I did not want him to follow me to the courthouse where [redacted] was. [redacted] is extremely terrified of [redacted] and what he has done to her in the past and recent past both verbally and physically. I told [redacted] he was blocking me in with his vehicle and he needed to leave! He said something to the effect of "No, you leave first" As his vehicle was right next to mine and he was parallel to me I again told him he needed to leave. After repeated requests by me he finally pulled away.

I immediately checked my cell phone as I was trying to record the encounter, but realized after [redacted] had been calling several times to pick her up I only recorded approximately four seconds with video of then inside of my vehicle and audio of him saying "I'm not lying" then mumbling from him after.

I left after he pulled away and I picked up [redacted] I called Lt. [redacted] [redacted] to let him know what happened as [redacted] has filed multiple complaints against me with the Sheriff's Office. I wanted Lt. [redacted] to know what had happened. I am also aware there is video of the parking area where I parked and I asked Lt. [redacted] if he could check to see if there was any video of the incident. I told Lt. [redacted] I was going to be applying for a restraining order. I have talked to Sheriff Mele in the recent past about [redacted] and expressed this was possibly an option I would have to take if [redacted] continued to try and contact and communicate with me. Sheriff Mele agreed it was something I might have to do at some point.

On 12-11-17, I contacted Lt. [redacted] He told me there was a CD copy of the incident.



The first one is the video with audio and towards the end he promises to take my badge

The other two are from the baseball tryout at Soulsbyville school



SPD took the report

I just logged off and was enroute [redacted]

I just got the disk and it doesn't work buddy

Read Friday

Damn! I was able to send to [redacted] email, it said it went through finally

I can send to your cell. I'm worried it's not going to get to the DA soon enough as other cases are happening. His threat on the phone is important as is him violating at the baseball court tryout



iMessage
Friday 12:18

Hey [redacted] just had an incident with [redacted] downtown. I will call PD to report. I wanted to make sure Robbie [redacted] has received and followed up on the evidence from my previous incidents. Last we talked you were going to check

Friday 16:17

Sorry man I have been busy all day, I'll ask [redacted] now

What happened with him today

Ok

I will send you the video please keep to yourself. I was passenger as [redacted] was taking me to [redacted] and impeccable timing he was just released from jail



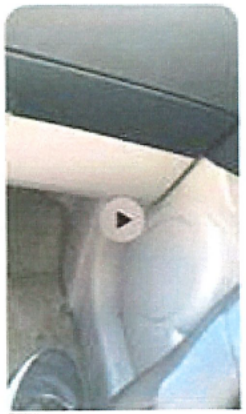
11:34 LTE

RH

Rodney >

iMessage
Friday 1:03 PM

[redacted]





iMessage

11:34 LTE

RH

Rodney >

Please let me know when you receive the videos, thank you Rodney Hobbs

Please let me know when you receive the videos, thank you Rodney Hobbs

The email is say it's too large I need to be on WiFi will try later

Ok sounds good

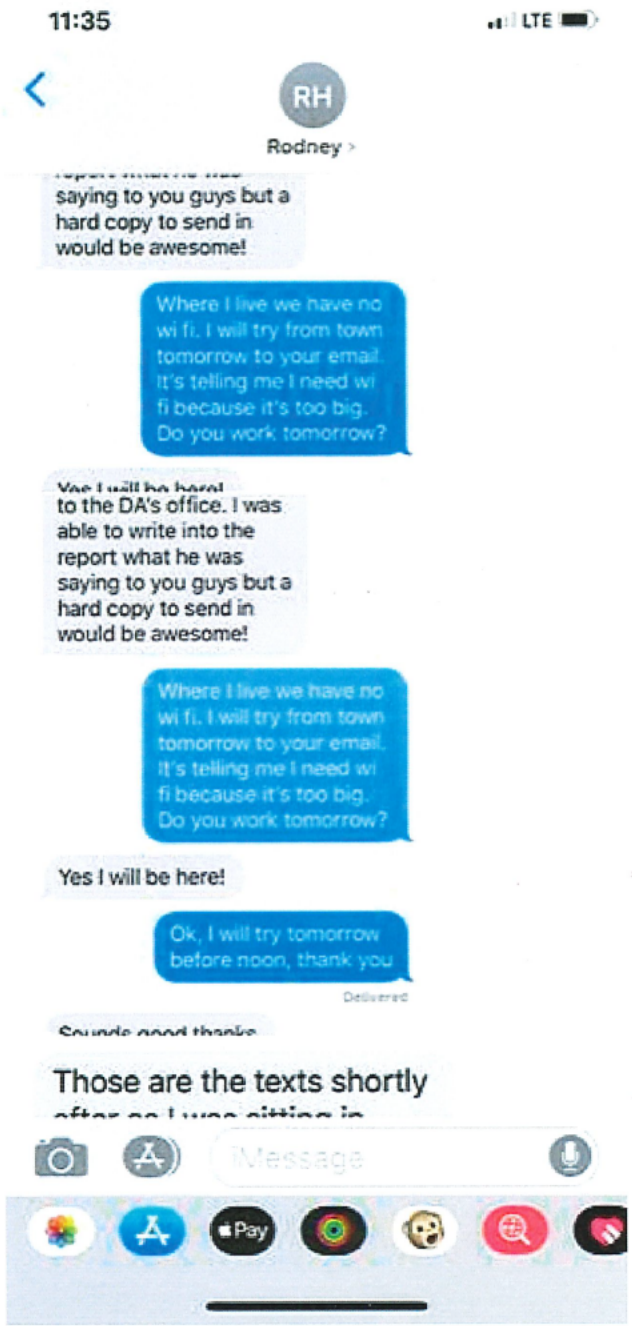
Received them on my phone

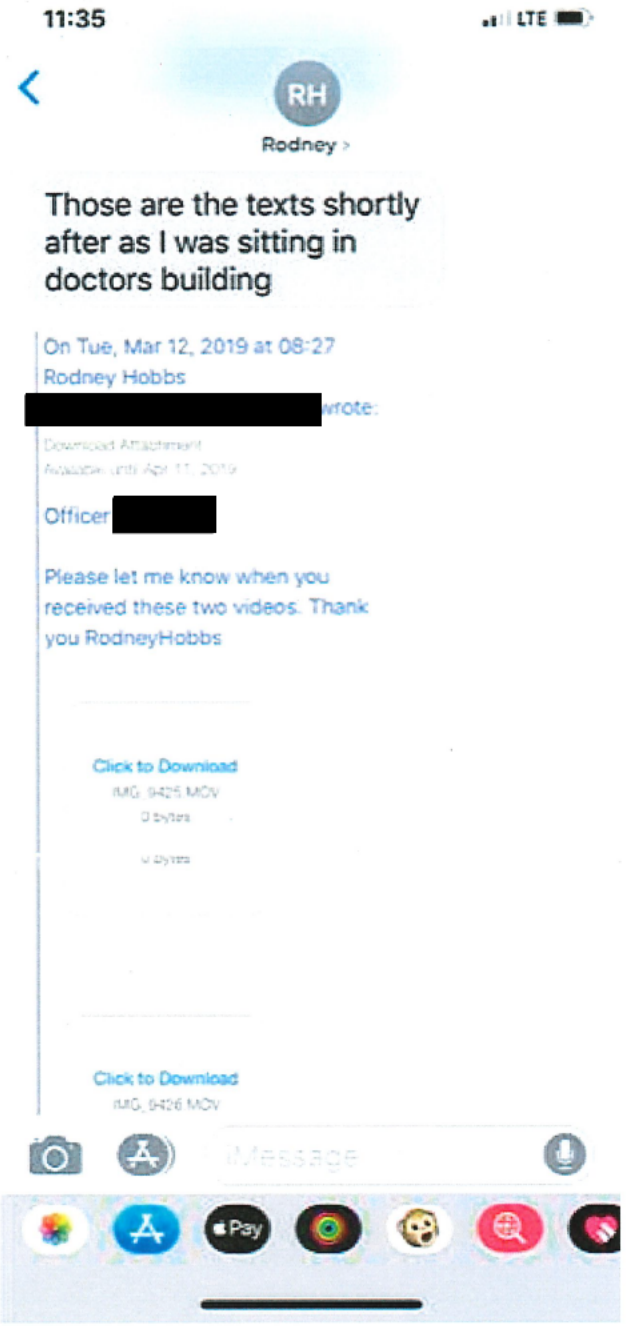
Friday 5:37 PM

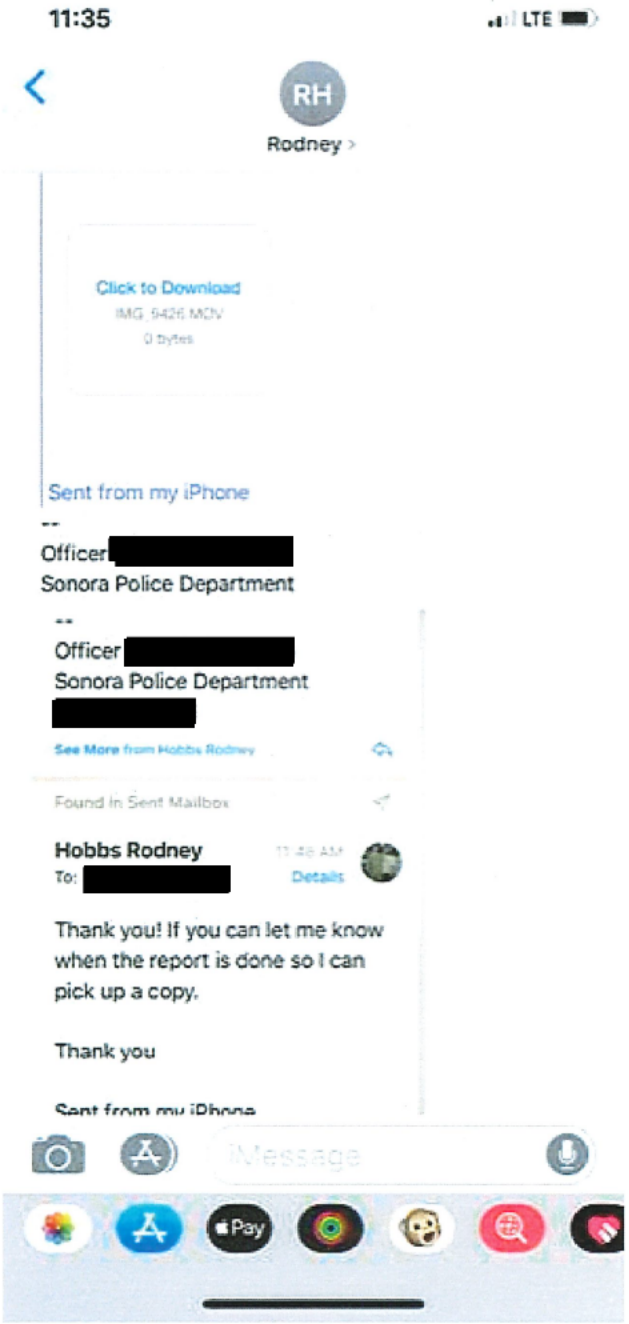
Hi deputy Hobbs. I'm having a hard time sending your video to my email. I think the file is too big. I need the

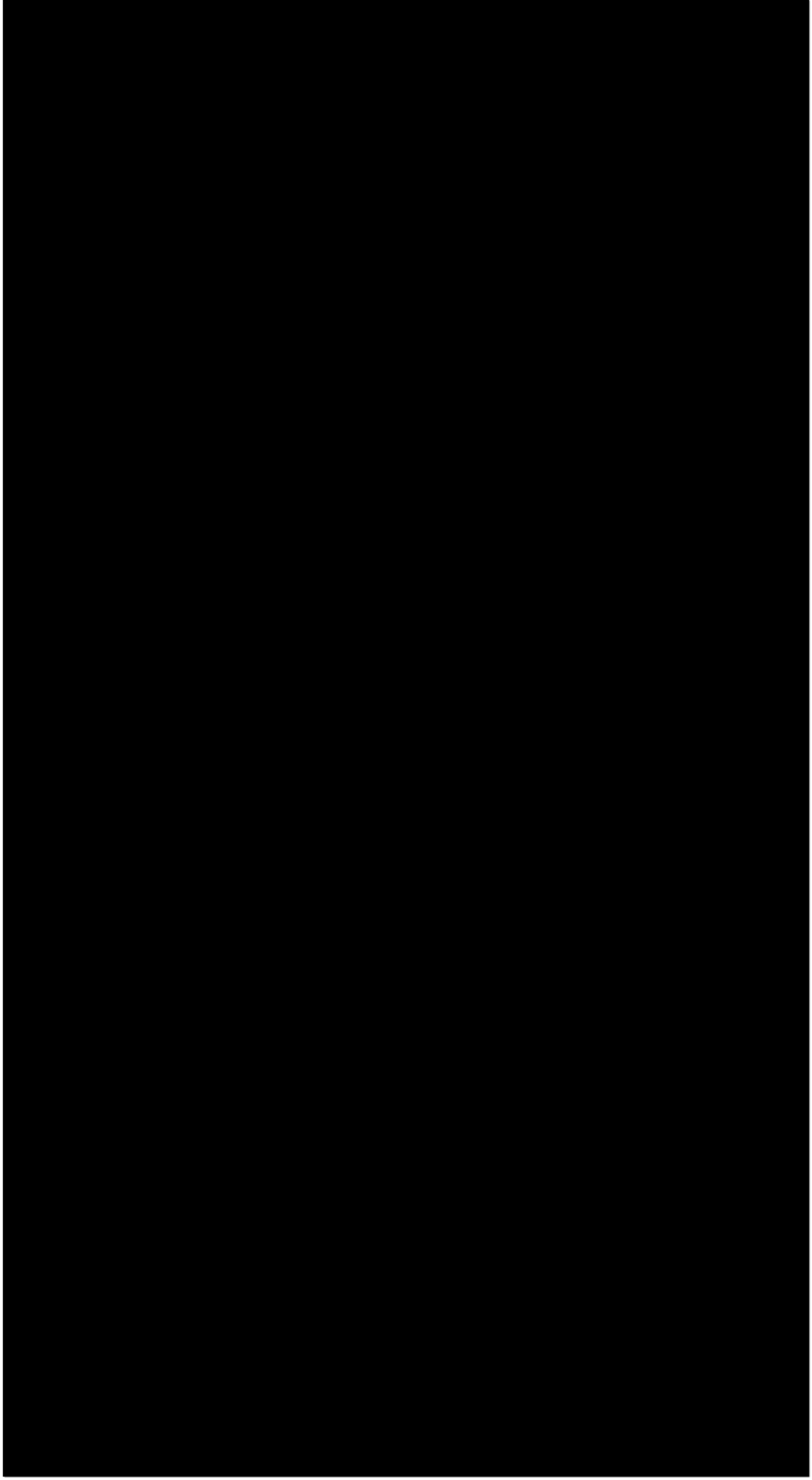
my email. I think the file is too big. I need the video where you can see the interaction between you two emailed so I can send it to the DA's office. I was able to write into the report what he was saying to you guys but a

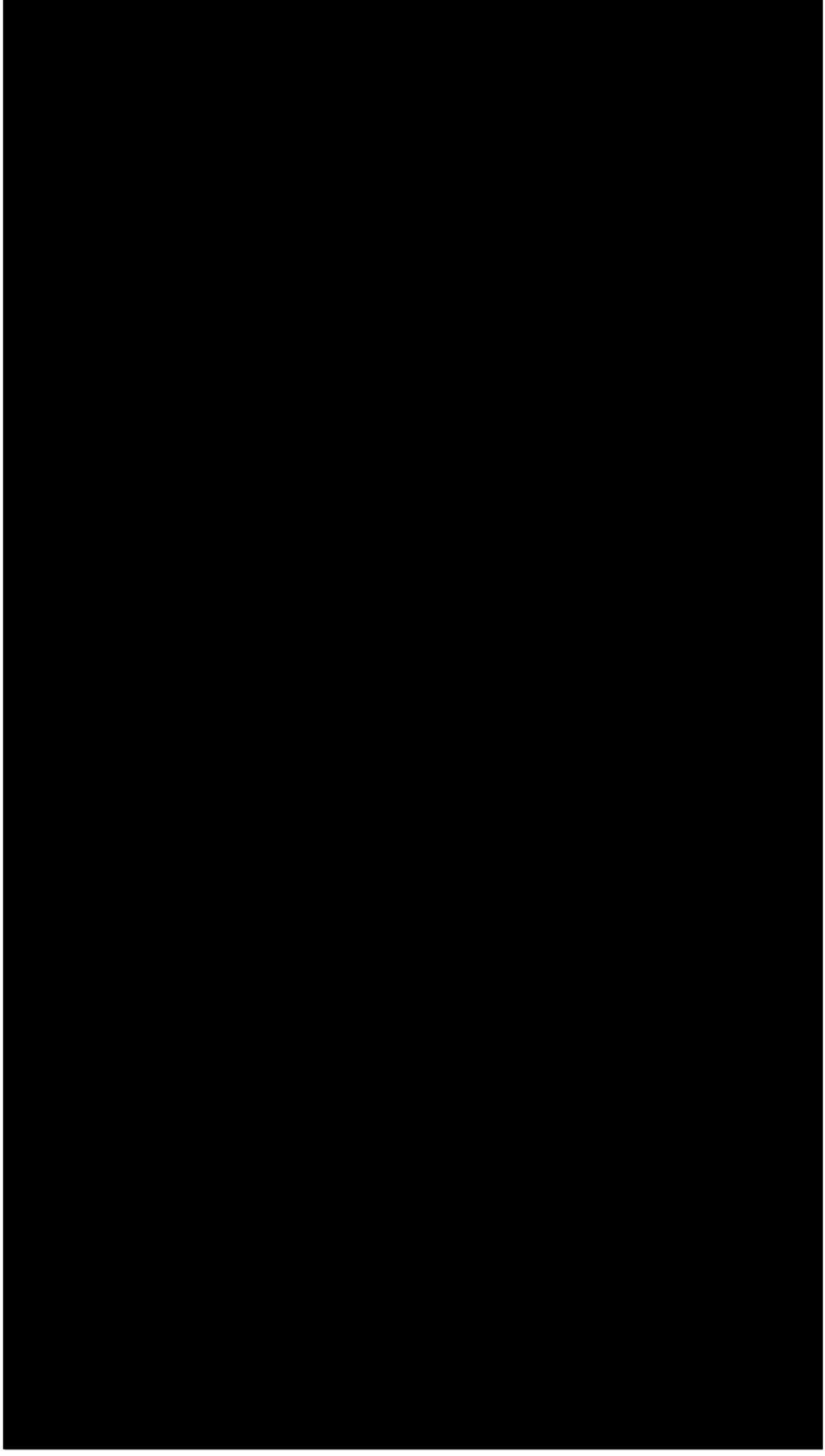
iMessage

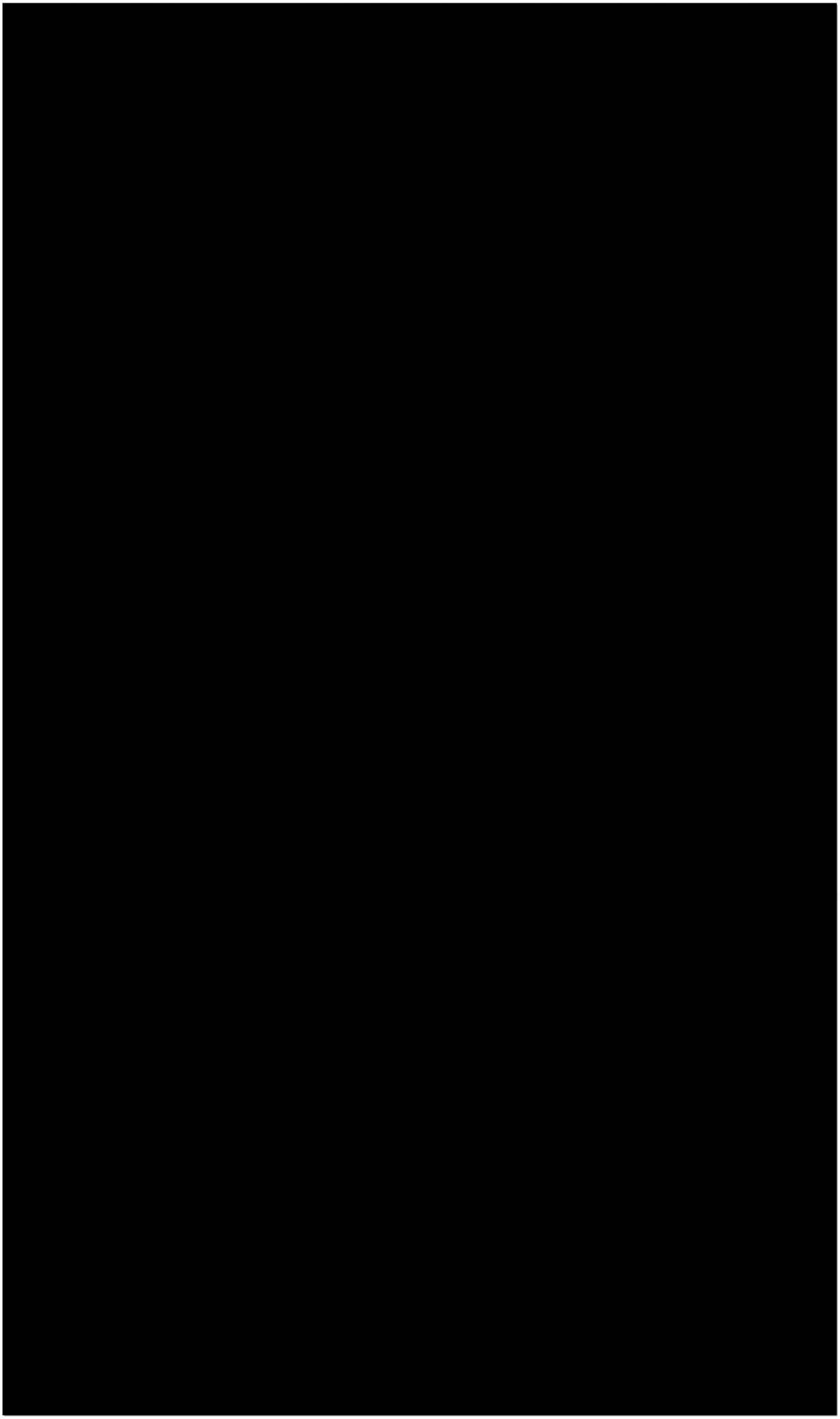

11:35
LTE
RH
Rodney
saying to you guys but a hard copy to send in would be awesome!
Where I live we have no wi fi. I will try from town tomorrow to your email. It's telling me I need wi fi because it's too big. Do you work tomorrow?
to the DA's office. I was able to write into the report what he was saying to you guys but a hard copy to send in would be awesome!
Where I live we have no wi fi. I will try from town tomorrow to your email. It's telling me I need wi fi because it's too big. Do you work tomorrow?
Yes I will be here!
Ok, I will try tomorrow before noon, thank you
Delivered
Those are the texts shortly
iMessage

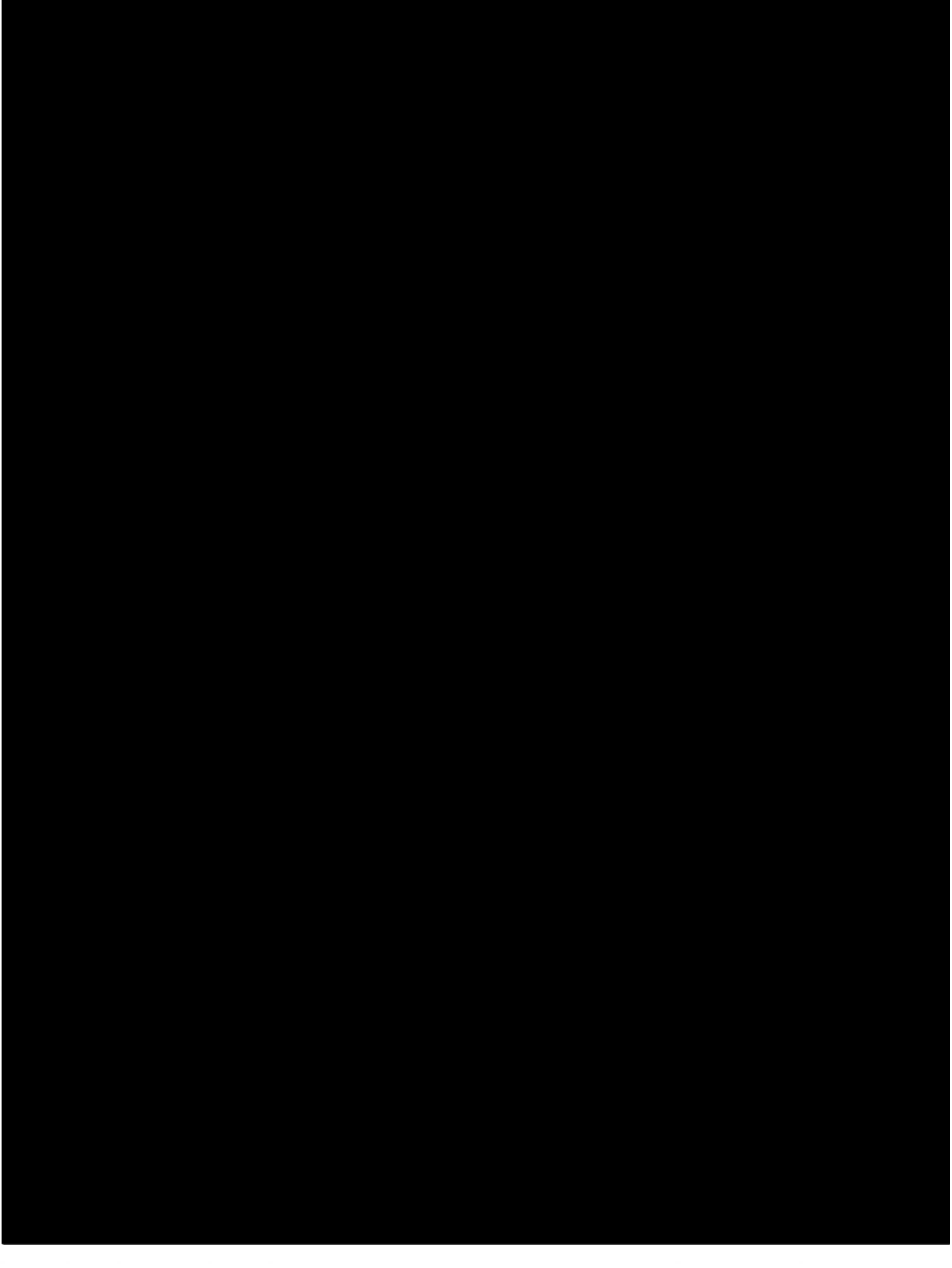

11:35
LTE
RH
Rodney
Those are the texts shortly after as I was sitting in doctors building
On Tue, Mar 12, 2019 at 08:27
Rodney Hobbs
[redacted] wrote:
Officer [redacted]
Please let me know when you received these two videos. Thank you RodneyHobbs
Click to Download
Click to Download
iMessage

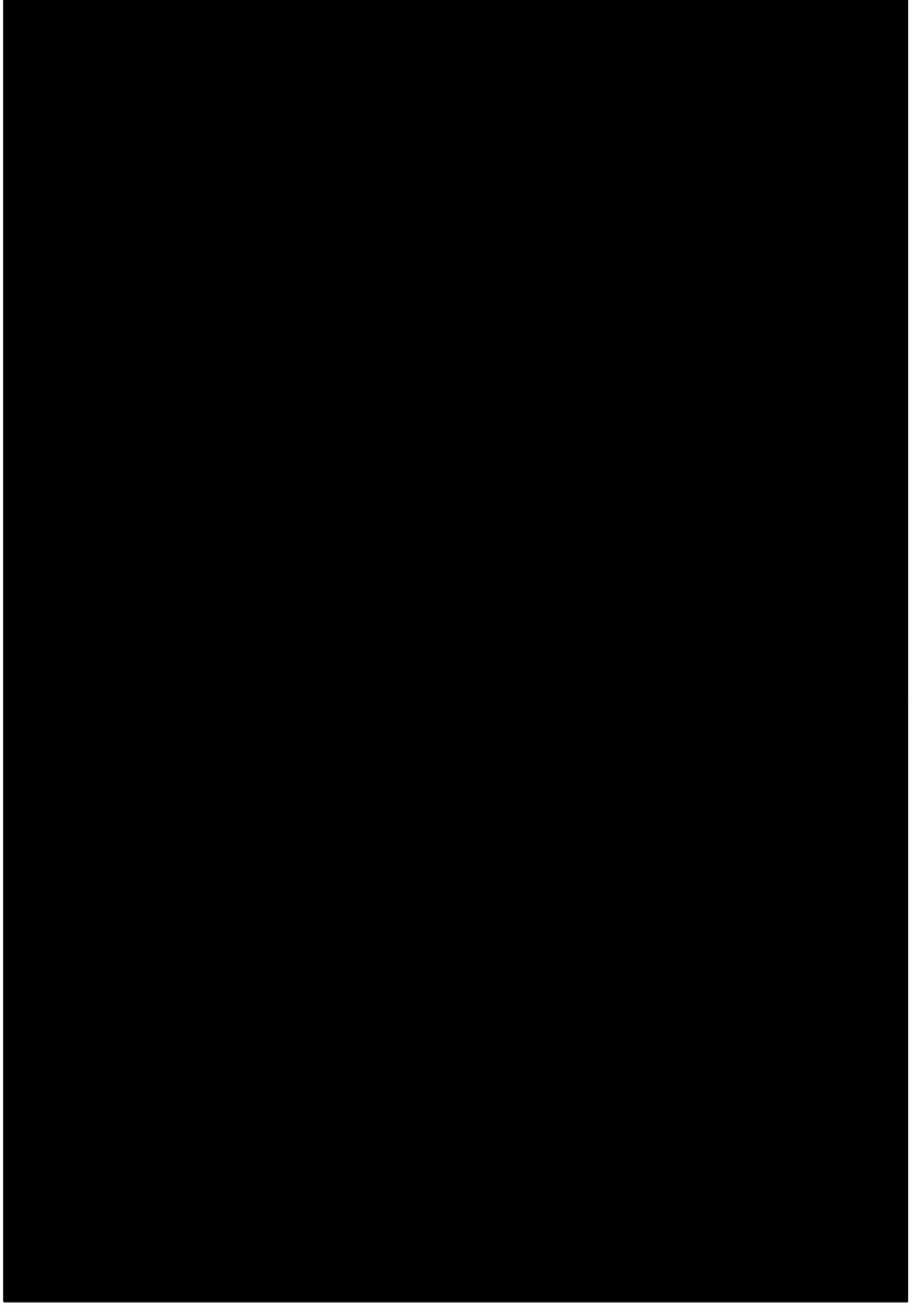

11:35
LTE
RH
Rodney
Click to Download
IMG_9426.MOV
0 bytes
Sent from my iPhone
--
Officer [redacted]
Sonora Police Department
--
Officer [redacted]
Sonora Police Department
[redacted]
See More from Hobbs Rodney
Found in Sent Mailbox
Hobbs Rodney
To: [redacted]
Details
Thank you! If you can let me know when the report is done so I can pick up a copy.
Thank you
iMessage














Floodgates
W School St
N Stewart St
Sonora Public Works
Woods Creek
N Shepherd St
Summit Ave
Salon 280
E Cowan St
Day-O-Espresso and Smoothies
W School St
N Stewart St
Summit Ave
Pasadena Ave
West Ln
Alley Way
E Jackson St
Snell St
Saint James Episcopal Church...
Hillcrest Dr
Lyons St
Snell St
Elkin St
N Shepherd St
Palermone St
Woods Creek
Short Ln
N Stewart St
Knox Hill Dr
El Jardin Mexican
Hillcrest Dr
Lyons St
Terzich & Wilson Funeral Home
N Norlin St
W Dodge St
Upper Sunset Dr
S Shepherd St
Talulah's
S Green St
Tuolumne County Superior Court
Maiden Ln
Lower Sunset Dr
W Court St
Oak St
Sonora Thai Cuisine
E Dodge Ln
Rose St
Barretta St
Brookside Pl
Theall St
Ayba St
Taqueria Sonora
Diamondback Grill
Tuolumne County Jail
W Jackson St
Bradford St
The Sportsman
Elm St
Tuolumne County Museum
Pine St
Linoberg St
Theall St
S Shepherd St
Theall St
N Poplar St
N Seco St
Barretta St
Yaney Ave
Save Mart
W Jackson St
The Sonora Inn - Hotel in Sonora
Round Table Pizza
Linoberg St
Ash St
S Poplar St
Google
49

INC # 1903080047 is time stamped on the recorder at 1152 hrs. The incident was created @ 1200 hrs.

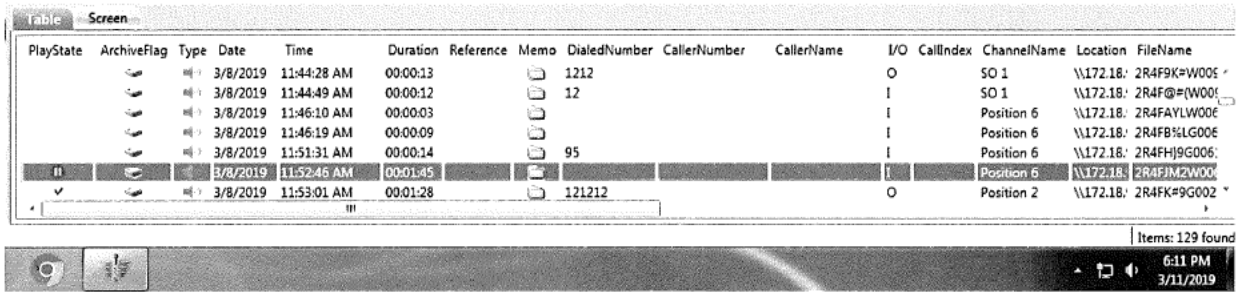


Table | Screen

PlayState	ArchiveFlag	Type	Date	Time	Duration	Reference	Memo	DialedNumber	CallerNumber	CallerName	I/O	CallIndex	ChannelName	Location	FileName
			3/8/2019	11:44:28 AM	00:00:13			1212			O		SO 1	\\172.18.'	2R4F9K#W00!
			3/8/2019	11:44:49 AM	00:00:12			12			I		SO 1	\\172.18.'	2R4F@#(W00!
			3/8/2019	11:46:10 AM	00:00:03						I		Position 6	\\172.18.'	2R4FAYLW00!
			3/8/2019	11:46:19 AM	00:00:09						I		Position 6	\\172.18.'	2R4FB%LG00!
			3/8/2019	11:51:31 AM	00:00:14			95			I		Position 6	\\172.18.'	2R4FH)9G006
			3/8/2019	11:52:46 AM	00:01:45						I		Position 6	\\172.18.'	2R4FJM2W00
			3/8/2019	11:53:01 AM	00:01:28			121212			O		Position 2	\\172.18.'	2R4FK#9G002

Items: 129 found

6:11 PM
3/11/2019

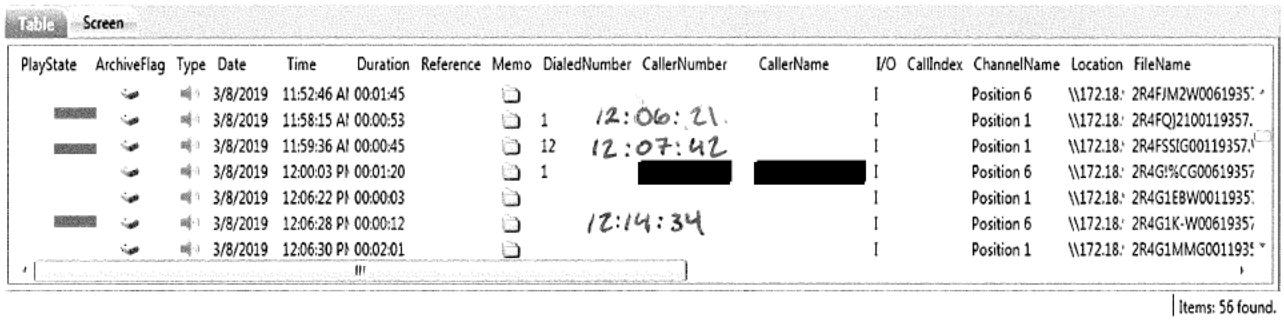


Table | Screen

PlayState	ArchiveFlag	Type	Date	Time	Duration	Reference	Memo	DialedNumber	CallerNumber	CallerName	I/O	CallIndex	ChannelName	Location	FileName
			3/8/2019	11:52:46 AI	00:01:45						I		Position 6	\\172.18.'	2R4FJM2W0061935
			3/8/2019	11:58:15 AI	00:00:53			1	12:06:21		I		Position 1	\\172.18.'	2R4FQJ2100119357
			3/8/2019	11:59:36 AI	00:00:45			12	12:07:42		I		Position 1	\\172.18.'	2R4FSSIG00119357
			3/8/2019	12:00:03 PI	00:01:20			1	[redacted]	[redacted]	I		Position 6	\\172.18.'	2R4G!%CG00619357
			3/8/2019	12:06:22 PI	00:00:03						I		Position 1	\\172.18.'	2R4G1EBW0011935
			3/8/2019	12:06:28 PI	00:00:12				12:14:34		I		Position 6	\\172.18.'	2R4G1K-W0061935
			3/8/2019	12:06:30 PI	00:02:01						I		Position 1	\\172.18.'	2R4G1MMG001193

Items: 56 found.

TUOLUMNE COUNTY SHERIFF

CAD INCIDENT REPORT
1903080047

03/11/2019

CONTROLLED DOCUMENT DO NOT DUPLICATE

Location	Cross Streets	City
[redacted]	[redacted]	SONORA

Incident Type	Call Taker	Dispatcher
THEFT - THEFT - ALL	[redacted]	[redacted]

Date	Priority	Primary Unit	Beat	Fire Zone	Area	Map	Source
03/08/2019	3	[redacted]			05050	TCA02	TELEPHONE CALL

Caller Name	Caller Address	Caller Phone
[redacted]	[redacted]	[redacted]

Dispositions	Weapon	Alm Level	Case Number
Log Note			

Vehicles	Associated Incidents

Incident Times

Received	12:00:40
Created	12:00:58
Dispatched	12:51:18
En Route	
On Scene	
Closed	12:54:41
Rcvd-Closed	54:01

Special Circumstances

Persons	Sex	DOB	Race	DL

Unit Times Deputies	Dispatched	Enroute	On Scene	Clear	Disp-On Scene	Enrt-On Scene	On Scene-Clear	Disp-Clear
[redacted] [redacted]	12:51:18			12:54:41	N/A	N/A	N/A	03:23

Incident Comments

rp called [redacted] [called to report a theft - purse, IDs, credit cards, ID, SS card] // rp req 1021

TIME	#	EVENT	BY
12:00:58	1	Incident initiated at [redacted]	[redacted]
12:51:18	2	[redacted] DISP. [redacted]	[redacted]
12:54:41	3	[redacted] 108. Disposition: LN	[redacted]
12:54:41	4	[redacted] Summary: I spoke with [redacted] and she hasn't found her purse yet. She is going	[redacted]
	5	to keep looking and was very thankful for the phone call.	
12:54:41	6	[redacted] Closed - Disposition LN	[redacted]

Recorder time stamps @ 11:52

* VERIFIED (NC) ONLY

TUOLUMNE COUNTY SHERIFF

CAD INCIDENT REPORT
1903080049

03/11/2019

CONTROLLED DOCUMENT DO NOT DUPLICATE

Location [redacted]				**Cross Streets** [redacted]			**City** SONORA
Incident Type MSIN - MISC INFORMATION				**Call Taker** [redacted]			**Dispatcher** [redacted]
Date 03/08/2019	**Priority** 3	**Primary Unit** [redacted]	**Beat**	**Fire Zone**	**Area** 05050	**Map** TCA02	**Source** 9-1-1 CALL
Caller Name [redacted]				**Caller Address** [redacted]			**Caller Phone** [redacted]
Dispositions Log Note				**Weapon**		**Alm Level**	**Case Number**
Vehicles				**Associated Incidents**			

Incident Times

Received	12:07:51
Created	12:08:43
Dispatched	12:24:30
En Route	
On Scene	
Closed	12:24:34
Rcvd-Closed	16:43

Special Circumstances

Persons	**Sex**	**DOB**	**Race**	**DL**

Unit Times	**Deputies**	**Dispatched**	**Enroute**	**On Scene**	**Clear**	**Disp-On Scene**	**Enrt-On Scene**	**On Scene-Clear**	**Disp-Clear**
S8	[redacted]	12:24:30			12:24:34	N/A	N/A	N/A	00:04

Incident Comments

rp called on 911...request sheriff come by regarding the pedophile [18-19yoa] on her roof 24/7
Service Class: RESD

TIME	#	EVENT	BY
12:08:43	1	Incident initiated at [redacted]	[redacted]
12:24:30	2	[redacted] DISP. [redacted]	
12:24:34	3	[redacted] 108. Disposition: LN	
12:24:34	4	[redacted] 108.	
12:24:34	5	[redacted] Closed - Disposition LN	

* VERIFIED (NC) ONLY

TUOLUMNE COUNTY SHERIFF'S OFFICE

PERSONNEL/POLICY COMPLAINT CONTROL FORM

Control Number

Complaint Received by: Lt. David L. Vasquez

Date: 3/8/19 Time: 1600 hrs

How Received: ☐ Counter ☐ Telephone ☒ Other: Email

Employee: Deputy Rodney Hobbs Employee: _____

Division Commander: [redacted]

Investigation Assigned to: Lt. David Vasquez

Division Commander Review: [illegible] Approved: ☑ Date: 7-11-19

Returned: ☐ Date: _____

DISCIPLINE REVIEW BOARD:

Findings: ☑ Sustained

☐ Not Sustained

☐ Exonerated

☐ Unfounded

☐ Policy Only

Complainant Advised of Findings: ☐ 7.11.19
Date

[redacted] 7/11/19
Signature/ID Date

[redacted] 7/11/19
Date

[redacted] 7-11-19
Signature/ID Date

REMARKS:

RECOMMENDED TERMENATION.

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill J. Pooley
Sheriff-Coroner

September 3, 2019

Rodney Hobbs
[redacted]

Re: Notice of Proposed Disciplinary Action

Deputy Rodney Hobbs,

You are hereby notified that the Tuolumne County Sheriff's Office is proposing to terminate your employment as a Deputy Sheriff. This action is being taken based upon the following violations:

Tuolumne County Sheriff's Office Policies:

Tuolumne County Sheriff's Office Policies:

TCSO Policy 340.2: Standards of Conduct

The continued employment or appointment of every member of Tuolumne County Sheriff's Office shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on, or off-duty, may be cause for disciplinary action.

TCSO Policy 340.3.1: Ethics

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

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

TCSO Policy 340.7: Performance

(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this office or subverts the good order, efficiency and discipline of this office or that would tend to discredit any of its members.

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

TCSO Policy 340.3.8 Conduct

(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 office or the County.

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

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

County of Tuolumne Personnel Rules and Regulations:

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

(4) Willful or negligent disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order.

(13) Discourteous treatment of the public or other employees.

(16) Violation of a department rule.

Tuolumne County DSA Memorandum of Understanding:

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

(3) Willful disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order;

(5) Inefficiency

(12) Discourteous treatment of the public or other employees

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

The particular facts this recommendation is predicated upon were identified during the internal affairs investigation; a copy of that report is attached. A summary of the internal affairs investigation findings are as follows.

You have been employed with the Tuolumne County Sheriff's Office for twenty-three years. During that time, you have served as a, Patrol Deputy, Bailiff, Bailiff Corporal, Interim Court Sergeant, Narcotics Detective, and Civil/Coroner. You are one of the most experienced deputies in the Sheriff's Office pertaining to Family Law, Civil Law and Court Procedures. You have received specialized training in plain clothes operations, mission planning, surveillance, avoidance detection and special weapons. You are well-aware of the court's processes and your obligation to maintain standards of conduct whether on or off duty, to include your duty to maintain the highest level of integrity when submitting official documents or making official statements.

This investigation is the fifth incident you have been recommended for discipline via the internal affairs investigation. All incidents encompass similar violations, while four incidences surround an on-going, multi-year family law process involving [redacted]

and [redacted] You have been instructed on multiple occasions to remove yourself from situations that interfere with [redacted] and [redacted] child custody matters.

Past Internal Affairs Investigations

1. ***Internal Affairs Investigation #10-001 – September 2010.***

This investigation was comprised of two complaints. Both complaints were consolidated into one investigation, which were substantiated after finding evidence supported violation of the following department rules:

Tuolumne County Sheriff's Office Policies:

341.3.5 Performance

(c) Refusal, failure, incompetence, inefficiency or delay in performing and or carrying out proper orders, work assignments or instructions of supervisors without reasonable or bona fide excuse.

(e) Disobedience or insubordination to constituted authorities or deliberate refusal to carry out any proper order from any supervisor or employee. Employees who disagree with an order or direction of a superior shall immediately obey the order. The employee may question or grieve the order through the appropriate venue in a timely manner, which shall not interfere with the safe efficient operation of the department.

Tuolumne County Deputy Sheriff's Memorandum of Understanding:

Section C. Cause(s) of Action

(7) Insubordination

This investigation resulted in proposed discipline of (5) days suspension without pay. The (5) day suspension was upheld at a Skelly hearing. You waived your right to further appeal and accepted the proposed suspension without pay.

2. Internal Affairs Investigation #17-004 – November 2017.

This investigation was comprised of two complaints made by [redacted]
Both complaints were consolidated into one investigation, which were substantiated after finding evidence supported violation of the following department rules:

Tuolumne County Sheriff's Office Policies:

340.3.5 Unauthorized access, disclosure or use

(a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained, as a result of the member's position with this office.

(b) Disclosing to any unauthorized person any active investigation information.

(e) Using office resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

340.3.8 Conduct

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

810.4 Access to Protected Information

Unauthorized access, including access for other than legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/ or criminal prosecution.

Tuolumne County Deputy Sheriff's Memorandum of Understanding:

Section C. Cause(s) of Action

(3) Willful disobedience of any job-related law, ordinance, County rule, or departmental regulation or any supervisors lawful order.

(7) Insubordination

(15) Violation of Department Rule

Personnel Rules and Regulations of the County of Tuolumne:

Rule 9 Section B. Cause(s) of Action

(4) Willful or negligent disobedience of any job-related law, ordinance, County Rule, or departmental regulation or any superior's lawful order.

This investigation resulted in proposed discipline of thirty (30) days suspension without pay. The proposed discipline was reduced after a *Skelly* hearing to one (1) day suspension without pay, which was eventually imposed without further appeal.

3. ***Internal Affairs Investigation #18-002 – May 2018.***

The investigation of this complaint was substantiated after finding evidence that supported violation of the following department rules:

Tuolumne County Sheriff's Office Policies:

340.2 Standards of Conduct

The continued employment or appointment of every member of Tuolumne County Sheriff's Office shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on-duty or off-duty, may be cause for disciplinary action.

340.3.1 Ethics

(g) Any failure to abide by standards of ethical conduct.

340.7 Performance

(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this office or subverts the good order, efficiency and discipline of this office or that would tend to discredit any of its members.

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

340.3.8 Conduct

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

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

Tuolumne County Deputy Sheriff's Memorandum of Understanding:

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

(3) Willful disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order.

(7) Insubordination

(12) Discourteous treatment of the public or other employees.

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

Personnel Rules and Regulations of the County of Tuolumne:

Rule 9 Section B. Cause(s) of Action

(4) Willful or negligent disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order.

(13) Discourteous treatment of the public or other employees.

(16) Violation of department rule.

One violation was an order or directive to remove yourself from [redacted] and [redacted] custody issues. This investigation resulted in proposed discipline of thirty (30) days suspension without pay. The proposed discipline was reduced after a *Skelly* hearing to ten (10) days suspension without pay, and eventually imposed without further appeal.

4. Current Investigation #19-001- February 2019.

You are currently the subject of Internal Affairs Investigation #19-001. The initial complaint was received by Deputy [redacted] via email from [redacted] on 2/26/19. [redacted] email alleges you have filed false court documents and police reports for the purposes of, "taking him out of the picture." [redacted] alleged a fear of, "justifiable homicide" at the hands of you abusing your power as a peace officer. Deputy [redacted] forwarded [redacted] complaint to Lt. David Vasquez for review. In an interview, [redacted] alleged, "Hobbs is using my kids to try and make me snap. If I snap, he can shoot me, and I'll be dead, but I would never snap because I love my kids too much."

Approximately nine days after [redacted] initial complaint, on 3/8/19, you were involved in a confrontation with [redacted] You reported the incident to your supervisor as previously ordered by your chain of command. Lt. Vasquez received a memo from Lt. [redacted] requesting further investigation into the incident between you and [redacted] Lt. [redacted] memo was supplemented by two cell phone videos you provided of the incident.

On 3/08/19 you logged off-duty early to attend a medical appointment at the [redacted] [redacted] picked you up from the investigations office. You received a phone call from dispatch, notifying you that [redacted] had "just been released from custody." Following the call from dispatch you and [redacted] saw [redacted] walking through courthouse park and followed him for the purposes of recording him with your cell phone. Although you articulate an extreme fear of danger from [redacted] at no time did you take action to avoid an anticipated violent encounter him. At no time did you instruct [redacted] to take an alternate route to avoid a potential confrontation with [redacted] even though you describe your mindset as, "always anticipating a confrontation with [redacted] up to and including a "gun fight" at any given time.

Instead, you and [redacted] waited in congested traffic for approximately 30 seconds and pass additional alternate routes to bypass downtown traffic and proceed to the [redacted] Instead, you and [redacted] can be heard laughing on your cell phone video as you approach [redacted] on Washington Street. Your actions are contrary to your alleged fear of [redacted] and more consistent with antagonizing a confrontation with [redacted] Your engagement escalated from recording and laughing at [redacted] to retrieving your firearm, cycling the action with your window rolled half-way down and verbally confronting [redacted] with profanity and other antagonizing language. You admit the demeanor you once described as threatening was a "little funny" during this incident. You and [redacted] are heard laughing as you confirm with [redacted] that [redacted] sees you and [redacted]

[TCSO Policy 340.2: Standards of Conduct, TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m) TCSO Policy 340.3.1: Ethics, Sections (b) and (c)][1]

At no time do you and [redacted] discuss safety measures, calling law enforcement or any effort to escape, which could have been accomplished by taking a variety of alternate routes. The only comment [redacted] makes to you is, "Got your camera ready." You and [redacted] wait approximately 12 seconds with your window half down and a loaded pistol in your lap until [redacted] catches up to your vehicle. As [redacted] jogs into the camera frame you addressed him with disrespectful and discourteous language by calling him a, "P.O.S." which is a common

[1] Specified policies violated are supported by the text preceding the bold text specified policies.

abbreviation for "Piece of shit," and you further antagonize [redacted] by telling him to "keep his ass walking."

[TCSO Policy 340.7: Performance, Sections (e) and (i), TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m)

You admitted [redacted] was probably unarmed as he had just been released from jail. You continued to argue with [redacted] while he screams your name and associates you with being a child abuser. There were citizens walking around the area witnessing you and [redacted] argue, to include walking between you and [redacted] Your actions are contrary to your misleading statements pertaining to your alleged fear of [redacted] Your actions undoubtedly violate the multiple direct orders from your supervisor to remove yourself from [redacted] and [redacted] ongoing family law issues.

Furthermore, your actions are in direct violation to your direct orders not to contact [redacted] based on the extensive history and ongoing internal affairs investigations. You were served a written document during IA # 17-004 that failure to abide the existing order to not contact [redacted] would result in discipline up and including termination.

[TC PR&R, Rule 9, Section B. (4), (13) and (16), DSA MOU Article 16, Section C. (3), (12) and (16)]

You not only risked a potentially dangerous encounter with [redacted] you attempted to provoke a dangerous encounter when you perceived deadly force may have been necessary, which placed the community and bystanders at significant risk. When asked by Lt. Vasquez if your conduct toward [redacted] was consistent with your training and experience you replied, "The methods have progressed beyond the general standard." Your actions are unbecoming of a deputy sheriff and expose this office to extensive liability. Your excessive conduct highlights your inability to make sound decisions to protect the people around you or de-escalate the situation.

[TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m), DSA MOU Article 16, Section C. (5)]

When Lt. Vasquez questioned you regarding your use of a firearm, you stated [redacted] could've had a pocket knife and further stated you had a fear that [redacted] could "knock you out, enter the vehicle and, "snap [redacted] neck." At no time did you or [redacted] make any attempt to avoid contact or ignore [redacted] Your statements reflect an unreasonable fear for the circumstance and the evidence provided, which are indicative of you attempting to justify your actions rather than take any accountability for this incident, or answer questions honestly.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c)]

Your due-diligence to follow and record [redacted] despite your alleged fear is consistent with your pattern of behavior in previous incidences to record [redacted] for the purposes of filing restraining order violations against him. Your actions during this incident contradict your alleged fear you articulate throughout this investigation. You admitted that you record incidences involving [redacted] to justify your actions should an attack occur; however, you have never provided any information to substantiate a legitimate fear of attack, beyond vague suspicion and unverified statements of third parties. In fact, after this incident concluded you contacted Sgt. [redacted] and inquired about other pending restraining violations you filed against [redacted] You stated you were worried your other recordings wouldn't make it to the District Attorney in

time, as other cases are occurring, illustrating your strategy to subject [redacted] to prosecution without regard to ethically meeting the elements of a righteous violation. Your conduct is an abuse of your power and knowledge as a peace officer.

[TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m), TCSO Policy 340.3.1: Ethics, Sections (b) and (c), DSA MOU Article 16, Section C. (3), (12) and (16)]

You stated the incident happened too quickly and that you were affected by a high level of stress that prohibited your ability to think and make decisions to avoid the confrontation; however, surveillance video of courthouse park shows ample time for you to take alternate routes to the surgery center. Your laughing and antagonistic behavior toward [redacted] makes your articulated fear during this incident misleading and deceitful.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c)]

Throughout this investigation you made several statements to multiple people that you were going to an appointment at the [redacted] You made this statement to Lt. Vasquez, Sgt. [redacted] Sgt. [redacted] and your attorney Jason Jasmine; however, when Lt. Vasquez questioned you in- depth about taking alternate routes and your lack of due-diligence in avoiding [redacted] you changed your destination to the Sonora Post Office to justify your direction of travel. After additional questioning, you defaulted to another reason for not taking an alternate route, which was because you were not driving the vehicle. You made the above statements to Lt. David Vasquez, the investigating officer of this internal affairs investigation during your compelled statement.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c)]

Following this incident you notified your supervisor Sgt. [redacted] Additionally, you told Sgt. [redacted] you received a call from dispatch, via the jail. You told Sgt. [redacted] you received information that [redacted] was released from custody and was making threats about you prior to his release. The phone calls to and from dispatch are recorded, and those files indicate you were never told by jail staff or dispatch that [redacted] was making threats about you in the jail. You did not make this statement to anyone except Sgt. [redacted] however, when Lt. Vasquez specifically questioned you about this statement, you admitted you were never actually told [redacted] was making threats about you. You attempted to justify your statement by stating you assumed [redacted] was making threats about you in the jail; however, you never told Sgt. [redacted] you were "assuming," [redacted] was making threats. You made this false statement to your direct supervisor, which would've reflected favorably for justifying your actions in the absence of a thorough investigation.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c)]

In conjunction with the statements you provided to Lt. Vasquez, you made similar statements to Officer [redacted] of the Sonora Police Department for the purposes of filing a police report. You articulated an extensive fear of [redacted] and specifically justified the use of your pistol by telling Ofc. [redacted] you feared being hit over the head, knifed, or shot. You told Ofc. [redacted] that you didn't know what [redacted] was going to do and you were in fear for your safety and took the situation seriously. You requested Ofc. [redacted] send a report to the DA's office to prosecute [redacted] You omitted information from your official statement to Ofc. [redacted] to meet the elements of a restraining order violation. Your actions are an abuse of your power and knowledge as a peace officer.

[redacted] told Ofc. [redacted] that [redacted] doesn't threaten her with physical violence. [redacted] also told Ofc. [redacted] she was denied a restraining order by Judge Kate Segerstrom because [redacted] doesn't threaten her with violence. When Ofc. [redacted] asked [redacted] if [redacted] was being aggressive during the incident, [redacted] replied, he's, "animated." [redacted] never said she was in fear for her life although she had plenty of opportunity. [redacted] described the incident as embarrassing. [redacted] statements to Ofc. [redacted] discredit your articulation of [redacted] "fear for her life," her "freezing in fear," or her being, "scared to death," of [redacted] Based on [redacted] statements to Ofc. [redacted] your statements describing [redacted] extreme fear are misleading and a misrepresentation of the facts associated with this incident.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c), TCSO Policy 340.7: Performance, Sections (e) and (i), TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m), DSA MOU Article 16, Section C. (3), (5), (12) and (16), TC PR&R, Rule 9, Section B. (4), (13) and (16)]

You have established a pattern of misrepresenting facts and making misleading statements to justify your actions, all of which are contradicted by documents, your own admissions and video footage. During your internal affairs investigation, you insisted on entering several additional incidences into the official record; those incidences are listed below. After careful review of your previous incidences, several policy violations were identified, and are consistent with the pattern of deceit and misconduct as the incident on 3/8/19.

Notice of Investigation and Administrative Leave

On 3/12/19 you were served with a notice of an internal affairs investigation, which included details of your Administrative Leave status. You were ordered in writing to, "not contact [redacted] All previous directives are still in effect. Failure to abide by this confidentiality order may result in disciplinary action up to and including termination." The day after you were served with your notice, you were involved in the incident at Taco Shop El Rey, where you confronted [redacted]

Additional incidences Rodney Hobbs submitted for the record

Taco Shop El Rey Incident

On 3/13/19, one day after being placed on administrative leave, you were eating dinner with [redacted] and [redacted] at Taco Shop El Rey. The taco shop is near [redacted] residence. [redacted] told [redacted] where he was during a [redacted] visitation. [redacted] arrived outside the restaurant in his vehicle. You exited the restaurant and confronted [redacted] violating your written orders not to contact [redacted] When Lt. Vasquez questioned you about violating your orders and not staying inside the restaurant. You articulated an unreasonable and unsubstantiated fear for your safety, [redacted] safety and the safety of the children. You specifically stated fear of a potential gunfight ensuing between you and [redacted] therefore, you made a tactical decision to take the violent encounter outside. You stated, "I don't know if he has one of his mini-long range guns."

Your statements lack credibility and misrepresent the material facts shown in the video footage of this incident. In this video footage [redacted] is seen recording [redacted] while scolding him and telling him to leave. [redacted] and [redacted] are talking to each other through a rolled down window. At no time does [redacted] make any suspicious movements or present a weapon. [redacted] was not restrained from [redacted] or the boys at this time. [redacted] starts to pull away from the restaurant and the footage abruptly ends when you approach

[redacted] You justified your actions by stating if you hadn't confronted [redacted] there would have been a, "tug-o-war for the kids." This incident reflects the same pattern of false statements consistent with your agenda of justifying actions, regardless of misconduct. You reported this incident to the Sheriff's Office and provided similar statements for an official report to Sgt. [redacted] This case was submitted to the DA's office which subjected [redacted] to potential prosecution.

You were served with a second written notice, IA # 19-001, the day before this incident occurred, with written orders not to contact [redacted] You were warned that failure to abide by these orders and all existing orders would result in discipline up to and including termination. You violated the written notice and all existing orders when you confronted [redacted]

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c), DSA MOU Article 16, Section C. (3) and (16), TC PR&R, Rule 9, Section B. (4) and (16)]

Baseball Try-Outs Incident

On 1/26/19 you removed yourself from [redacted] baseball try-outs anticipating [redacted] was going to attend. You stated you wanted to avoid the potential confrontation. Against your initial judgment, you went to the baseball try-outs and [redacted] showed up shortly after. You said you felt threatened by [redacted] s posture, crossed arms and staring; therefore, you told [redacted] to record a video of you with [redacted] standing in the background for the purposes of filing a restraining order violation against him. You denied knowledge of [redacted] being allowed to attend sports functions even though your restraining order lists specific exceptions for sporting events. You denied knowing if [redacted] was restrained from sporting events by stating, "I don't know" and "I don't go through [redacted] paperwork." You were previously reprimanded by Judge K. Segerstrom for not having exceptions on your restraining order. Following that reprimand, [redacted] was removed from your restraining order, and you were required to alter the restraining order to allow for exceptions such as; sports, school activities and custody exchanges. Your denial of the details surrounding your restraining order and [redacted] custody order is dishonest. You are thoroughly attuned to the existing orders as you have cited them throughout the entirety of this investigation. You are also on video debating court orders with [redacted] and specifically stating, "I read the order." You reported the baseball try-out incident as a restraining order violation to the Sheriff's Office, which subjected [redacted] to potential prosecution.

Speaker phone incident between [redacted] and Rodney Hobbs

You included a phone conversation between you and [redacted] to the above baseball complaint. The argument includes profanity and both of you antagonizing each other. At best, your behavior is childish and reflects poorly on the Sheriff's Office. Your insults are discourteous and a violation of department rule. The appropriate action would to have been to not engage in confrontation with [redacted] and obey lawful orders to not interfere with [redacted] and [redacted] custody issues. This incident took place in front of [redacted] and [redacted] and during a court ordered [redacted] visitation. You filed a restraining order violation against [redacted] for this incident.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c), TCSO Policy 340.7: Performance, Sections (e) and (i), TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m), DSA MOU Article 16, Section C. (3), (5), (12) and (16), TC PR&R, Rule 9, Section B. (4), (13) and (16]

AutoZone Incident

On 8/28/18 [redacted] was bitten by one of your dogs and required medical attention. You decided not to go to the hospital because you anticipated [redacted] would be notified and show up to see [redacted] Against your initial judgment, you met with [redacted] at the hospital, due to alleged car troubles. [redacted] called [redacted] twice from [redacted] phone. [redacted] told [redacted] that [redacted] was bit by your dog and that you all were going to AutoZone in Sonora. [redacted] arrived at AutoZone and asked to see [redacted] due to his injury. [redacted] stayed in her vehicle and didn't allow [redacted] to see [redacted] based on your guidance. You confronted [redacted] and told him he needed to leave. At one-point [redacted] was standing in front of [redacted] car asking to see [redacted] when you advanced on [redacted] and told him to move as [redacted] drove away.

You reported this incident to Sonora Police Department as a restraining order violation. You described [redacted] s actions as extremely aggressive and that you anticipated physical violence from [redacted] based on his demeanor. You described the encounter as you and [redacted] "doing a little dance," in the parking lot anticipating a fight. During this incident [redacted] was not restrained from [redacted] or [redacted] You reported to Ofc. [redacted] that [redacted] is, "scared to death," of [redacted] however, when [redacted] spoke with Ofc. [redacted] she never reported being in fear of [redacted] told Ofc. [redacted] she didn't want to deal with [redacted] because he makes a scene and acts dramatic. [redacted] knew she wasn't protected under your restraining order and specified that to Ofc. [redacted]

When Ofc. [redacted] asked if you wanted to press charges, you said yes and admitted, "the only reason I obtained a restraining order was because this type of stuff is going to happen to her again." Your statement regarding obtaining a restraining to protect [redacted] confirms that you obtained a restraining order as a tactic to interfere [redacted] and [redacted] existing custody orders, opposed to the fear for your own safety and your son. On the day of this incident you interjected yourself into [redacted] and [redacted] civil [redacted] and weaponized your restraining order to subject [redacted] to criminal prosecution. You were additionally told by Tuolumne County DDA Abraham Matsui that the incident was not prosecutable because [redacted] had a valid reason to be present and was concerned for his child. Your actions are a clear abuse of your power and knowledge as a peace officer.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c), TCSO Policy 340.7: Performance, Sections (e) and (i), TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m), DSA MOU Article 16, Section C. (3), (5), (12) and (16), TC PR&R, Rule 9, Section B. (4), (13) and (16]

The admonishment from DDA Abraham Matsui did not alter your thought process or decision making for the future incidences. You continued to report restraining order violations against [redacted] by presenting misleading versions of the facts. Your description of the AutoZone incident was not only misleading but mischaracterized the conduct of both you and [redacted] Video footage of the incident shows you provoking an altercation and engaging in confrontation with [redacted] while he is checking on the welfare of [redacted] [redacted] says, "[redacted] I'd like to see my son please." You approach [redacted] and he says, "Rod please go back to your car and stop confronting me." The situation escalates after you tell [redacted] to leave and confront [redacted] [redacted] threatens to call the Sheriff's Office and his attorney as he leaves.

Rodney Hobbs' restraining order against [redacted]

On 3/12/18 you filed for a civil harassment restraining order against [redacted] and added [redacted] as a protected person after she was denied a restraining order by Judge Kate Powell-Segerstrom You listed information in your restraining order that was contrary to your internal affairs compelled statement and multiple law enforcement reports. The type of misrepresented information and false statements you listed in your restraining order is undoubtedly resulted in a favorable outcome for you and exposed [redacted] to adverse effects of court decisions, legal processes between [redacted] and [redacted]

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c), TCSO Policy 340.7: Performance, Sections (e) and (i), TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m), DSA MOU Article 16, Section C. (3), (5), (12) and (16), TC PR&R, Rule 9, Section B. (4), (13) and (16]

CONCLUSION:

Your conduct shows an inability to maintain the standards of conduct, emotional control and sound judgment demanded of a peace officer. Throughout the last two years, after being ordered to remove yourself from custody issues, you obtain a restraining order against [redacted] in which you purport to fear for your safety; however, you consistently make yourself present in situations you know [redacted] will be present, such as custody exchanges and telephone calls. Your contacts with [redacted] on occasions you encountered him are marked not by avoidance, but rather with active confrontation on your part. Unsurprisingly, these incidences resulted in escalated emotional exchanges between you to a point that exposes all parties, the public and the Sheriff's Office to unnecessary risk and liability. By your own admission you recognize your conduct violates department rules, but you articulate it as being justified with little or no support, which has been a pattern throughout all your internal affairs investigations.

Furthermore, your conduct shows an inability to remain unbiased, fair or forthright in your communications to the court and law enforcement. You have filed court documents and numerous reports where you misrepresent, omit specific facts and articulate information in a way that manipulates the truth, but coincides with an agenda to subject [redacted] to prosecution and diminish his custodial rights to [redacted] and [redacted] Your actions and conduct are contrary to your vast experience as a peace officer and specifically as an expert in Civil Court and Family Law. Your actions are grossly bias and illustrate an inability to make decisions from an objectively reasonable standard, while clearly highlighting your willingness to subject yourself to an unreasonable "perceived danger," that you anticipate the need to use force, up to and including deadly force. You recognize and rationalize your excessive conduct by stating [redacted] deserves treatment that is beyond the moral and ethical standard.

Your behavior, remarks, and lack of integrity disrupts the efficiency of the Tuolumne County Sheriff's Office. Your willful disobedience of lawful orders is unbecoming of a Tuolumne County Deputy Sheriff. Your actions are grossly insubordinate and indicative of discourteous treatment, which violates several governing sections of the Tuolumne County Sheriff's Policy, County Rules and Regulations, to include the Deputy Sheriff's Association MOU. As a sworn peace officer, whether on or off-duty, you are entrusted by the public to display the highest level of personal conduct, morality and professional skill.

Based on your conduct during the events on 3/8/19, and incidences described above and in the attached internal affairs reports, you violated the above-referenced personnel rules and policies.

Furthermore, discipline imposed on you twice before, each resulting from your conduct interfering in the same family law matter, included suspension for one (1) day without pay after the first investigation, and suspension for ten (10) days without pay after the second investigation. The past progressive discipline failed to stop or rehabilitate your conduct and demonstrates your unwillingness to conform your conduct to department rules, policies and orders. Those requirements exist for the safety of the public and personnel, as well as ensure the agency's operations do not violate the rights of citizens. Violation of those requirements, therefore, place the agency and others at considerable risk and it leaves the agency with little choice other than to terminate your employment. Therefore, I am proposing to terminate your employment as a Tuolumne County Deputy Sheriff.

APPEAL RIGHTS

Pursuant to Skelly, you have the right to appeal this action to Sheriff Bill J. Pooley, either verbally or in writing within seven (7) calendar days after service of this notice. Although the pre-disciplinary conference is not designed to be a formal evidentiary hearing, you may be represented by legal counsel or another individual of your choice. You may provide statements from yourself, written statements of any witnesses and other documentary material. Your failure to provide a written response or to request a pre-disciplinary conference will constitute a waiver of your right to provide a response. Accordingly, the Sheriff's decision to either sustain, modify, or reject this recommendation will be based upon a review of this Notice of Intent and its attachments.

WARNING AGAINST RETALIATION

This provision is to notify you it is illegal and inappropriate to retaliate against any person who has participated in complaining or providing information regarding the allegations against you as set forth above and in the attached Internal Affairs Investigation.

Undersheriff Neil Evans

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill Pooley
Sheriff-Coroner

October 31, 2019

Rodney Hobbs
[redacted]

Re: Order of Disciplinary Action

Deputy Rodney Hobbs,

On 10/22/19, we held a *Skelly* meeting in my office where you and your attorney, Jason Jasmine, were both present.

After carefully considering the facts of the case and your presentation, I find you violated the policies identified below. You are hereby notified that the Tuolumne County Sheriff's Office is suspending you without pay for a period of thirty (30) eight-hour days. Please contact [redacted] at Human Resources regarding your request to serve the above and any unserved discipline out of your vacation leave and holiday accruals.

Tuolumne County Sheriff's Office Policies:

Tuolumne County Sheriff's Office Policies:

TCSO Policy 340.2: Standards of Conduct

The continued employment or appointment of every member of Tuolumne County Sheriff's Office shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on, or off-duty, may be cause for disciplinary action.

TCSO Policy 340.3.1: Ethics

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

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

TCSO Policy 340.7: Performance

(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this office or subverts the good order, efficiency and discipline of this office or that would tend to discredit any of its members.

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

TCSO Policy 340.3.8 Conduct

(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 office or the County.

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

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

County of Tuolumne Personnel Rules and Regulations:

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

(4) Willful or negligent disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order.

(13) Discourteous treatment of the public or other employees.

(16) Violation of a department rule.

Tuolumne County DSA Memorandum of Understanding:

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

(3) Willful disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order;

(5) Inefficiency

(12) Discourteous treatment of the public or other employees

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

The particular facts this recommendation is predicated upon were identified during the internal affairs investigation; a copy of that report is attached. A summary of the internal affairs investigation findings are as follows.

You have been employed with the Tuolumne County Sheriff's Office for twenty-three years. During that time, you have served as a, Patrol Deputy, Bailiff, Bailiff Corporal, Interim Court Sergeant, Narcotics Detective, and Civil/Coroner. You are one of the most experienced deputies in the Sheriff's Office pertaining to Family Law, Civil Law and Court Procedures. You have received specialized training in plain clothes operations, mission planning, surveillance, avoidance detection and special weapons. You are well-aware of the court's processes and your obligation to maintain standards of conduct whether on or off duty, to include your duty to maintain the highest level of integrity when submitting official documents or making official statements.

This investigation is the fifth incident you have been recommended for discipline via the internal affairs investigation. All incidents encompass similar violations, while four incidences surround an on-going,

multi-year family law process involving [redacted] and [redacted] You have been instructed on multiple occasions to remove yourself from situations that interfere with [redacted] and [redacted] child custody matters.

Past Internal Affairs Investigations

1. ***Internal Affairs Investigation #10-001 – September 2010.***
This investigation was comprised of two complaints. Both complaints were consolidated into one investigation, which were substantiated after finding evidence supported violation of the following department rules:

Tuolumne County Sheriff's Office Policies:

341.3.5 Performance

(c) Refusal, failure, incompetence, inefficiency or delay in performing and or carrying out proper orders, work assignments or instructions of supervisors without reasonable or bona fide excuse.

(e) Disobedience or insubordination to constituted authorities or deliberate refusal to carry out any proper order from any supervisor or employee. Employees who disagree with an order or direction of a superior shall immediately obey the order. The employee may question or grieve the order through the appropriate venue in a timely manner, which shall not interfere with the safe efficient operation of the department.

Tuolumne County Deputy Sheriff's Memorandum of Understanding:

Section C. Cause(s) of Action

(7) Insubordination

This investigation resulted in proposed discipline of (5) days suspension without pay. The (5) day suspension was upheld at a Skelly hearing. You waived your right to further appeal and accepted the proposed suspension without pay.

2. ***Internal Affairs Investigation #17-004 – November 2017.***
This investigation was comprised of two complaints made by [redacted] Both complaints were consolidated into one investigation, which were substantiated after finding evidence supported violation of the following department rules:

Tuolumne County Sheriff's Office Policies:

340.3.5 Unauthorized access, disclosure or use

(a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms or reports obtained, as a result of the member's position with this office.

(b) Disclosing to any unauthorized person any active investigation information.

(e) Using office resources in association with any portion of an independent civil action. These resources include, but are not limited to, personnel, vehicles, equipment and non-subpoenaed records.

340.3.8 Conduct

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

810.4 Access to Protected Information

Unauthorized access, including access for other than legitimate work-related purpose, is prohibited and may subject a member to administrative action pursuant to the Personnel Complaints Policy and/ or criminal prosecution.

Tuolumne County Deputy Sheriff's Memorandum of Understanding:

Section C. Cause(s) of Action

(3) Willful disobedience of any job-related law, ordinance, County rule, or departmental regulation or any supervisors lawful order.

(7) Insubordination

(15) Violation of Department Rule

Personnel Rules and Regulations of the County of Tuolumne:

Rule 9 Section B. Cause(s) of Action

(4) Willful or negligent disobedience of any job-related law, ordinance, County Rule, or departmental regulation or any superior's lawful order.

This investigation resulted in proposed discipline of thirty (30) days suspension without pay. The proposed discipline was reduced after a *Skelly* hearing to one (1) day suspension without pay, which was eventually imposed without further appeal, but not served.

3. ***Internal Affairs Investigation #18-002 – May 2018.***
The investigation of this complaint was substantiated after finding evidence that supported violation of the following department rules:

Tuolumne County Sheriff's Office Policies:

340.2 Standards of Conduct

The continued employment or appointment of every member of Tuolumne County Sheriff's Office shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on-duty or off-duty, may be cause for disciplinary action.

340.3.1 Ethics

(g) Any failure to abide by standards of ethical conduct.

340.7 Performance

(e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this office or subverts the good order, efficiency and discipline of this office or that would tend to discredit any of its members.

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

340.3.8 Conduct

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

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

Tuolumne County Deputy Sheriff's Memorandum of Understanding:

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

(3) Willful disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order.

(7) Insubordination

(12) Discourteous treatment of the public or other employees.

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

Personnel Rules and Regulations of the County of Tuolumne:

Rule 9 Section B. Cause(s) of Action

(4) Willful or negligent disobedience of any job-related law, ordinance, County rule, or departmental regulation or any superior's lawful order.

(13) Discourteous treatment of the public or other employees.

(16) Violation of department rule.

One violation was an order or directive to remove yourself from [redacted] and [redacted] custody issues. This investigation resulted in proposed discipline of thirty (30) days suspension without pay. The proposed discipline was reduced after a *Skelly* hearing to ten (10) days suspension without pay, and eventually imposed without further appeal, but not served.

4. Current Investigation #19-001- February 2019.

You are currently the subject of Internal Affairs Investigation #19-001. The initial complaint was received by Deputy [redacted] via email from [redacted] on 2/26/19. [redacted]s email alleges you have filed false court documents and police reports for the purposes of, "taking him out of the picture." [redacted] alleged a fear of, "justifiable homicide" at the hands of you abusing your power as

a peace officer. Deputy Hoffmann forwarded [redacted] complaint to Lt. David Vasquez for review. In an interview, [redacted] alleged, "Hobbs is using my kids to try and make me snap. If I snap, he can shoot me, and I'll be dead, but I would never snap because I love my kids too much."

Approximately nine days after [redacted]s initial complaint, on 3/8/19, you were involved in a confrontation with [redacted] You reported the incident to your supervisor as previously ordered by your chain of command. Lt. Vasquez received a memo from Lt. [redacted] requesting further investigation into the incident between you and [redacted] Lt. [redacted] memo was supplemented by two cell phone videos you provided of the incident.

On 3/08/19 you logged off-duty early to attend a [redacted] at the [redacted] picked you up from the investigations office. You received a phone call from dispatch, notifying you that [redacted] had "just been released from custody." Following the call from dispatch you and [redacted] saw [redacted] walking through courthouse park and followed him for the purposes of recording him with your cell phone. Although you articulate an extreme fear of danger from [redacted] at no time did you take action to avoid an anticipated violent encounter him. At no time did you instruct [redacted] to take an alternate route to avoid a potential confrontation with [redacted] even though you describe your mindset as, "always anticipating a confrontation with [redacted] up to and including a "gun fight" at any given time.

Instead, you and [redacted] waited in congested traffic for approximately 30 seconds and pass additional alternate routes to bypass downtown traffic and proceed to the [redacted] Instead, you and [redacted] can be heard laughing on your cell [redacted] video as you approach [redacted] on Washington Street. Your actions are contrary to your alleged fear of [redacted] and more consistent with antagonizing a confrontation with [redacted] Your engagement escalated from recording and laughing at [redacted] to retrieving your firearm, cycling the action with your window rolled half-way down and verbally confronting [redacted] with profanity and other antagonizing language. You admit the demeanor you once described as threatening was a "little funny" during this incident. You and [redacted] are heard laughing as you confirm with [redacted] that [redacted] sees you and [redacted]

[TCSO Policy 340.2: Standards of Conduct, TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m) TCSO Policy 340.3.1: Ethics, Sections (b) and (c)][1]

At no time do you and [redacted] discuss safety measures, calling law enforcement or any effort to escape, which could have been accomplished by taking a variety of alternate routes. The only comment [redacted] makes to you is, "Got your camera ready." You and [redacted] wait approximately 12 seconds with your window half down and a loaded pistol in your lap until [redacted] catches up to your vehicle. As [redacted] jogs into the camera frame you addressed him with disrespectful and discourteous language by calling him a, "P.O.S." which is a common abbreviation for "Piece of shit," and you further antagonize [redacted] by telling him to "keep his ass walking."

[TCSO Policy 340.7: Performance, Sections (e) and (i), TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m)

You admitted [redacted] was probably unarmed as he had just been released from jail. You continued to argue with [redacted] while he screams your name and associates you with being a child abuser. There were citizens walking around the area witnessing you and [redacted] argue, to include walking between you and [redacted] Your actions are contrary to your misleading statements pertaining to your alleged fear of [redacted] Your actions undoubtedly violate the

[1] Specified policies violated are supported by the text preceding the bold text specified policies.

multiple direct orders from your supervisor to remove yourself from Matthew [redacted] and [redacted] ongoing family law issues.

Furthermore, your actions are in direct violation to your direct orders not to contact [redacted] based on the extensive history and ongoing internal affairs investigations. You were served a written document during IA # 17-004 that failure to abide the existing order to not contact [redacted] would result in discipline up and including termination.

[TC PR&R, Rule 9, Section B. (4), (13) and (16), DSA MOU Article 16, Section C. (3), (12) and (16)]

You not only risked a potentially dangerous encounter with [redacted] you attempted to provoke a dangerous encounter when you perceived deadly force may have been necessary, which placed the community and bystanders at significant risk. When asked by Lt. Vasquez if your conduct toward [redacted] was consistent with your training and experience you replied, "The methods have progressed beyond the general standard." Your actions are unbecoming of a deputy sheriff and expose this office to extensive liability. Your excessive conduct highlights your inability to make sound decisions to protect the people around you or de-escalate the situation.

[TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m), DSA MOU Article 16, Section C. (5)]

When Lt. Vasquez questioned you regarding your use of a firearm, you stated [redacted] could've had a pocket knife and further stated you had a fear that [redacted] could "knock you out, enter the vehicle and, "snap [redacted] neck." At no time did you or [redacted] make any attempt to avoid contact or ignore [redacted] Your statements reflect an unreasonable fear for the circumstance and the evidence provided, which are indicative of you attempting to justify your actions rather than take any accountability for this incident, or answer questions honestly.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c)]

Your due-diligence to follow and record [redacted] despite your alleged fear is consistent with your pattern of behavior in previous incidences to record [redacted] for the purposes of filing restraining order violations against him. Your actions during this incident contradict your alleged fear you articulate throughout this investigation. You admitted that you record incidences involving [redacted] to justify your actions should an attack occur; however, you have never provided any information to substantiate a legitimate fear of attack, beyond vague suspicion and unverified statements of third parties. In fact, after this incident concluded you contacted Sgt. [redacted] and inquired about other pending restraining violations you filed against [redacted] You stated you were worried your other recordings wouldn't make it to the District Attorney in time, as other cases are occurring, illustrating your strategy to subject [redacted] to prosecution without regard to ethically meeting the elements of a righteous violation. Your conduct is an abuse of your power and knowledge as a peace officer.

[TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m), TCSO Policy 340.3.1: Ethics, Sections (b) and (c), DSA MOU Article 16, Section C. (3), (12) and (16)]

You stated the incident happened too quickly and that you were affected by a high level of stress that prohibited your ability to think and make decisions to avoid the confrontation; however, surveillance video of courthouse park shows ample time for you to take alternate routes to the surgery center. Your laughing and antagonistic behavior toward [redacted] makes your articulated fear during this incident misleading and deceitful.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c)]

Throughout this investigation you made several statements to multiple people that you were going to an appointment at the [redacted] You made this statement to Lt. Vasquez, Sgt. [redacted] Sgt. [redacted] and your attorney Jason Jasmine; however, when Lt. Vasquez questioned you in- depth about taking alternate routes and your lack of due-diligence in avoiding [redacted] you changed your destination to the Sonora Post Office to justify your direction of travel. After additional questioning, you defaulted to another reason for not taking an alternate route, which was because you were not driving the vehicle. You made the above statements to Lt. David Vasquez, the investigating officer of this internal affairs investigation during your compelled statement.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c)]

Following this incident you notified your supervisor Sgt. [redacted] Additionally, you told Sgt. [redacted] you received a call from dispatch, via the jail. You told Sgt. [redacted] you received information that [redacted] was released from custody and was making threats about you prior to his release. The phone calls to and from dispatch are recorded, and those files indicate you were never told by jail staff or dispatch that [redacted] was making threats about you in the jail. You did not make this statement to anyone except Sgt. [redacted] however, when Lt. Vasquez specifically questioned you about this statement, you admitted you were never actually told [redacted] was making threats about you. You attempted to justify your statement by stating you assumed [redacted] was making threats about you in the jail; however, you never told Sgt. [redacted] you were "assuming," [redacted] was making threats. You made this false statement to your direct supervisor, which would've reflected favorably for justifying your actions in the absence of a thorough investigation.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c)]

In conjunction with the statements you provided to Lt. Vasquez, you made similar statements to Officer [redacted] of the Sonora Police Department for the purposes of filing a police report. You articulated an extensive fear of [redacted] and specifically justified the use of your pistol by telling Ofc. [redacted] you feared being hit over the head, knifed, or shot. You told Ofc. [redacted] that you didn't know what [redacted] was going to do and you were in fear for your safety and took the situation seriously. You requested Ofc. [redacted] send a report to the DA's office to prosecute [redacted] You omitted information from your official statement to Ofc. [redacted] to meet the elements of a restraining order violation. Your actions are an abuse of your power and knowledge as a peace officer.

[redacted] told Ofc. [redacted] that [redacted] doesn't threaten her with physical violence. [redacted] also told Ofc. [redacted] she was denied a restraining order by Judge Kate Segerstrom because [redacted] doesn't threaten her with violence. When Ofc. [redacted] asked [redacted] if [redacted] was being aggressive during the incident, [redacted] replied, he's, "animated." [redacted] never said she was in fear for her life although she had plenty of opportunity. [redacted] described the incident as embarrassing. [redacted] statements to Ofc. [redacted] discredit your articulation of [redacted] "fear for her life," her "freezing in fear," or her being, "scared to death," of [redacted] Based on [redacted] statements to Ofc. [redacted] your statements describing [redacted] extreme fear are misleading and a misrepresentation of the facts associated with this incident.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c), TCSO Policy 340.7: Performance, Sections (e) and (i), TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m), DSA MOU Article 16, Section C. (3), (5), (12) and (16), TC PR&R, Rule 9, Section B. (4), (13) and (16)]

You have established a pattern of misrepresenting facts and making misleading statements to justify your actions, all of which are contradicted by documents, your own admissions and video footage. During your

internal affairs investigation, you insisted on entering several additional incidences into the official record; those incidences are listed below. After careful review of your previous incidences, several policy violations were identified, and are consistent with the pattern of deceit and misconduct as the incident on 3/8/19.

Notice of Investigation and Administrative Leave

On 3/12/19 you were served with a notice of an internal affairs investigation, which included details of your Administrative Leave status. You were ordered in writing to, "not contact [redacted] All previous directives are still in effect. Failure to abide by this confidentiality order may result in disciplinary action up to and including termination." The day after you were served with your notice, you were involved in the incident at Taco Shop El Rey, where you confronted [redacted]

Additional incidences Rodney Hobbs submitted for the record

Taco Shop El Rey Incident

On 3/13/19, one day after being placed on administrative leave, you were eating dinner with [redacted] and [redacted] at Taco Shop El Rey. The taco shop is near [redacted] s residence. [redacted] told [redacted] where he was during a phone visitation. [redacted] arrived outside the restaurant in his vehicle. You exited the restaurant and confronted [redacted] violating your written orders not to contact [redacted] When Lt. Vasquez questioned you about violating your orders and not staying inside the restaurant. You articulated an unreasonable and unsubstantiated fear for your safety, [redacted] safety and the safety of the children. You specifically stated fear of a potential gunfight ensuing between you and [redacted] therefore, you made a tactical decision to take the violent encounter outside. You stated, "I don't know if he has one of his mini-long range guns."

Your statements lack credibility and misrepresent the material facts shown in the video footage of this incident. In this video footage [redacted] is seen recording [redacted] while scolding him and telling him to leave. [redacted] and [redacted] are talking to each other through a rolled down window. At no time does [redacted] make any suspicious movements or present a weapon. [redacted] was not restrained from [redacted] or the boys at this time. [redacted] starts to pull away from the restaurant and the footage abruptly ends when you approach [redacted] You justified your actions by stating if you hadn't confronted [redacted] there would have been a, "tug-o-war for the kids." This incident reflects the same pattern of false statements consistent with your agenda of justifying actions, regardless of misconduct. You reported this incident to the Sheriff's Office and provided similar statements for an official report to Sgt. [redacted] This case was submitted to the DA's office which subjected [redacted] to potential prosecution.

You were served with a second written notice, IA # 19-001, the day before this incident occurred, with written orders not to contact [redacted] You were warned that failure to abide by these orders and all existing orders would result in discipline up to and including termination. You violated the written notice and all existing orders when you confronted [redacted]

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c), DSA MOU Article 16, Section C. (3) and (16), TC PR&R, Rule 9, Section B. (4) and (16)]

Baseball Try-Outs Incident

On 1/26/19 you removed yourself from [redacted] baseball try-outs anticipating [redacted] was going to attend. You stated you wanted to avoid the potential confrontation. Against your initial judgment, you went to the baseball try-outs and [redacted] showed up shortly after. You said you felt threatened by [redacted] s posture, crossed arms and staring; therefore, you told [redacted] to record a video of you with [redacted] standing in the background for the purposes of filing a restraining order violation against him. You denied knowledge of [redacted] being allowed to attend sports functions even though your restraining order lists specific exceptions for sporting events. You denied knowing if [redacted] was restrained from sporting events by stating, "I don't know" and "I don't go through [redacted] paperwork." You were previously reprimanded by Judge K. Segerstrom for not having exceptions on your restraining order. Following that reprimand, [redacted] was removed from your restraining order, and you were required to alter the restraining order to allow for exceptions such as; sports, school activities and custody exchanges. Your denial of the details surrounding your restraining order and [redacted] custody order is dishonest. You are thoroughly attuned to the existing orders as you have cited them throughout the entirety of this investigation. You are also on video debating court orders with [redacted] and specifically stating, "I read the order." You reported the baseball try-out incident as a restraining order violation to the Sheriff's Office, which subjected [redacted] to potential prosecution.

Speaker phone incident between [redacted] and Rodney Hobbs

You included a phone conversation between you and [redacted] to the above baseball complaint. The argument includes profanity and both of you antagonizing each other. At best, your behavior is childish and reflects poorly on the Sheriff's Office. Your insults are discourteous and a violation of department rule. The appropriate action would to have been to not engage in confrontation with [redacted] and obey lawful orders to not interfere with [redacted] and [redacted] custody issues. This incident took place in front of [redacted] and [redacted] and during a court ordered [redacted] visitation. You filed a restraining order violation against [redacted] for this incident.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c), TCSO Policy 340.7: Performance, Sections (e) and (i), TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m), DSA MOU Article 16, Section C. (3), (5), (12) and (16), TC PR&R, Rule 9, Section B. (4), (13) and (16)]

AutoZone Incident

On 8/28/18 [redacted] was bitten by one of your dogs and required medical attention. You decided not to go to the hospital because you anticipated [redacted] would be notified and show up to see [redacted] Against your initial judgment, you met with [redacted] at the hospital, due to alleged car troubles. [redacted] called [redacted] twice from [redacted] phone. [redacted] told [redacted] that [redacted] was bit by your dog and that you all were going to AutoZone in Sonora. [redacted] arrived at AutoZone and asked to see [redacted] due to his injury. [redacted] stayed in her vehicle and didn't allow [redacted] to see [redacted] based on your guidance. You confronted [redacted] and told him he needed to leave. At one-point [redacted] was standing in front of [redacted] car asking to see [redacted] when you advanced on [redacted] and told him to move as [redacted] drove away.

You reported this incident to Sonora Police Department as a restraining order violation. You described [redacted] s actions as extremely aggressive and that you anticipated physical violence from [redacted] based on his demeanor. You described the encounter as you and [redacted] "doing a little dance," in the parking lot anticipating a fight. During this incident [redacted] was not restrained from [redacted] or [redacted] You reported to Ofc. [redacted] that [redacted] is, "scared to death," of [redacted] however, when [redacted] spoke with Ofc. [redacted] she never reported being in

fear of [redacted] told Ofc. [redacted] she didn't want to deal with [redacted] because he makes a scene and acts dramatic. [redacted] knew she wasn't protected under your restraining order and specified that to Ofc. [redacted]

When Ofc. [redacted] asked if you wanted to press charges, you said yes and admitted, "the only reason I obtained a restraining order was because this type of stuff is going to happen to her again." Your statement regarding obtaining a restraining to protect [redacted] confirms that you obtained a restraining order as a tactic to interfere [redacted] and [redacted] existing custody orders, opposed to the fear for your own safety and your son. On the day of this incident you interjected yourself into [redacted] and [redacted] civil matters and weaponized your restraining order to subject [redacted] to criminal prosecution. You were additionally told by Tuolumne County DDA Abraham Matsui that the incident was not prosecutable because [redacted] had a valid reason to be present and was concerned for his child. Your actions are a clear abuse of your power and knowledge as a peace officer.

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c), TCSO Policy 340.7: Performance, Sections (e) and (i), TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m), DSA MOU Article 16, Section C. (3), (5), (12) and (16), TC PR&R, Rule 9, Section B. (4), (13) and (16]

The admonishment from DDA Abraham Matsui did not alter your thought process or decision making for the future incidences. You continued to report restraining order violations against [redacted] by presenting misleading versions of the facts. Your description of the AutoZone incident was not only misleading but mischaracterized the conduct of both you and [redacted] Video footage of the incident shows you provoking an altercation and engaging in confrontation with [redacted] while he is checking on the welfare of [redacted] says, "[redacted] I'd like to see my son please." You approach [redacted] and he says, "Rod please go back to your car and stop confronting me." The situation escalates after you tell [redacted] to leave and confront [redacted] threatens to call the Sheriff's Office and his attorney as he leaves.

Rodney Hobbs' restraining order against [redacted]

On 3/12/18 you filed for a civil harassment restraining order against [redacted] and added [redacted] as a protected person after she was denied a restraining order by Judge Kate Powell-Segerstrom You listed information in your restraining order that was contrary to your internal affairs compelled statement and multiple law enforcement reports. The type of misrepresented information and false statements you listed in your restraining order is undoubtedly resulted in a favorable outcome for you and exposed [redacted] to adverse effects of court decisions, legal processes between [redacted] and [redacted]

[TCSO Policy 340.3.1: Ethics, Sections (b) and (c), TCSO Policy 340.7: Performance, Sections (e) and (i), TCSO Policy 340.3.8 Conduct, Sections (c), (f), (h) and (m), DSA MOU Article 16, Section C. (3), (5), (12) and (16), TC PR&R, Rule 9, Section B. (4), (13) and (16]

CONCLUSION:

Your conduct shows an inability to maintain the standards of conduct, emotional control and sound judgment demanded of a peace officer. Throughout the last two years, after being ordered to remove yourself from custody issues, you obtain a restraining order against [redacted] in which you purport to fear for your safety; however, you consistently make yourself present in situations you know [redacted] will be present, such as custody exchanges and telephone calls. Your contacts with [redacted] on occasions you encountered him are marked not by avoidance, but rather with active confrontation on your part. Unsurprisingly, these incidences resulted in escalated emotional exchanges between you to a

point that exposes all parties, the public and the Sheriff's Office to unnecessary risk and liability. By your own admission you recognize your conduct violates department rules, but you articulate it as being justified with little or no support, which has been a pattern throughout all your internal affairs investigations.

Furthermore, your conduct shows an inability to remain unbiased, fair or forthright in your communications to the court and law enforcement. You have filed court documents and numerous reports where you misrepresent, omit specific facts and articulate information in a way that manipulates the truth, but coincides with an agenda to subject [redacted] to prosecution and diminish his custodial rights to [redacted] and [redacted] Your actions and conduct are contrary to your vast experience as a peace officer and specifically as an expert in Civil Court and Family Law. Your actions are grossly bias and illustrate an inability to make decisions from an objectively reasonable standard, while clearly highlighting your willingness to subject yourself to an unreasonable "perceived danger," that you anticipate the need to use force, up to and including deadly force. You recognize and rationalize your excessive conduct by stating [redacted] deserves treatment that is beyond the moral and ethical standard.

Your behavior, remarks, and lack of integrity disrupts the efficiency of the Tuolumne County Sheriff's Office. Your willful disobedience of lawful orders is unbecoming of a Tuolumne County Deputy Sheriff. Your actions are grossly insubordinate and indicative of discourteous treatment, which violates several governing sections of the Tuolumne County Sheriff's Policy, County Rules and Regulations, to include the Deputy Sheriff's Association MOU. As a sworn peace officer, whether on or off-duty, you are entrusted by the public to display the highest level of personal conduct, morality and professional skill.

Based on your conduct during the events on 3/8/19, and incidences described above and in the attached internal affairs reports, you violated the above-referenced personnel rules and policies.
Furthermore, discipline imposed on you twice before, each resulting from your conduct interfering in the same family law matter, included suspension for one (1) day without pay after the first investigation, and suspension for ten (10) days without pay after the second investigation.

The past progressive discipline failed to stop or rehabilitate your conduct and demonstrates your unwillingness to conform your conduct to department rules, policies and orders. Those requirements exist for the safety of the public and personnel, as well as ensure the agency's operations do not violate the rights of citizens. Violation of those requirements, therefore, place the agency and others at considerable risk and it leaves the agency with little choice other than to terminate your employment. Therefore, I am suspending you without pay for a period of thirty (30) eight-hour days.

APPEAL RIGHTS

Pursuant to Article 16, Section H, of the DSA Memorandum of Understanding, you have the right to appeal this order by submitting your request in writing to the Human Resources Office within seven (7) calendar days after service of this letter. An appeal shall contain an answer to each charge and shall designate the requested hearing body as provided in Article 16.

Warning Against Retaliation

This provision is to notify you it is illegal and inappropriate to retaliate against any person who has participated in complaining or providing information regarding the allegations against you as set forth above and in the attached Internal Affairs Investigation.

Sheriff - Bill Pooley

28 N. Lower Sunset, Sonora, CA 95370
(209) 533-5855 ◦ Fax (209) 533-5831

TUOLUMNE COUNTY SHERIFF'S OFFICE

"Serving with Professionalism and Pride"

Bill Pooley
Sheriff-Coroner

November 4, 2019

To: Rodney Hobbs

From: Bill Pooley

Re: Consent to Use Vacation and Holiday Accruals for Disciplinary Suspension

During our October 22, 2019 Skelly hearing, in which thirty (30) days of eight-hour (8) suspension was imposed, you requested to use your accrued vacation and holiday leave, to enjoy compensation during the suspension period, along with an additional eleven (11) days of eight-hour (8) suspension, which was previously imposed but still unserved. Your request is granted contingent on your consent below.

BILL POOLEY
Sheriff-Coroner
Tuolumne County Sheriff

Date: 10/31/19

I hereby consent to use three hundred twenty-eight (328) hours of accrued vacation and holiday leave to serve all forty-one (41) eight-hour days (328 hours) of outstanding discipline currently imposed against me.

Date:

Rodney Hobbs

28 N. Lower Sunset, Sonora, CA 95370
(209) 533-5855 ◦ Fax (209) 533-5831