

**CHULA VISTA POLICE DEPARTMENT  
MEMORANDUM**

**DATE:** *September 17, 2018*

**TO:** *Captain Collum #544*

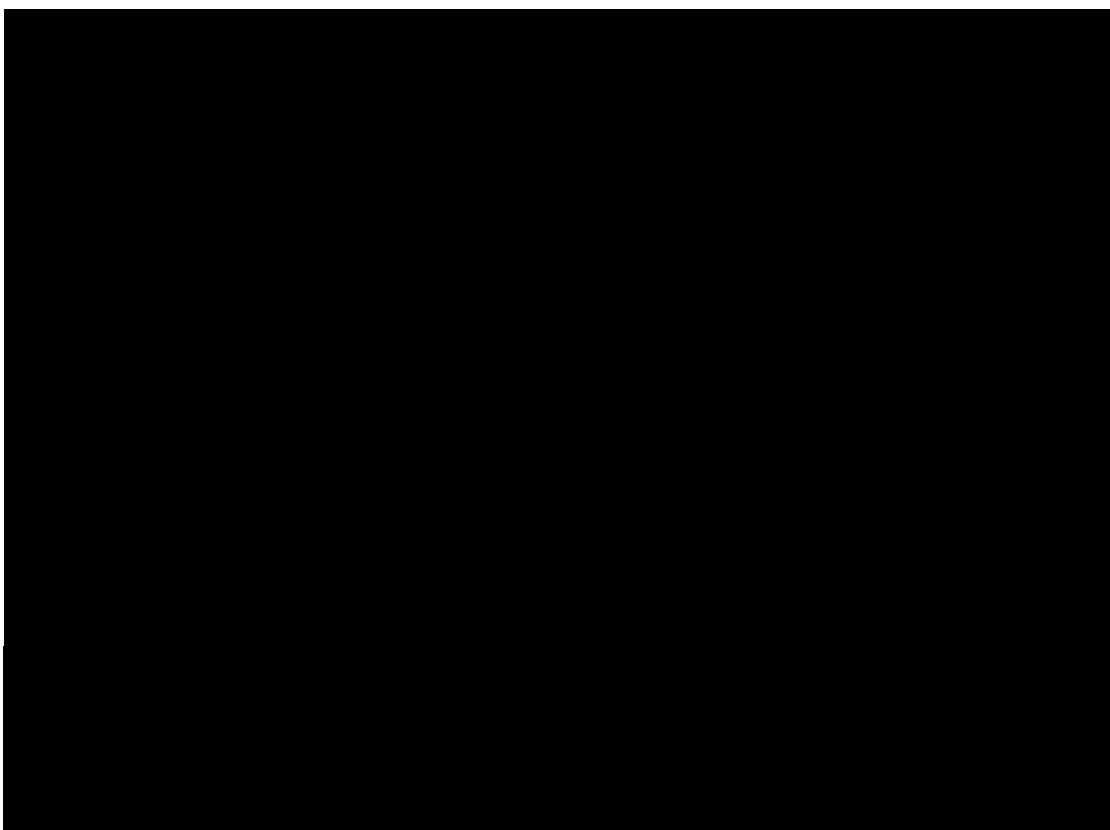
**FROM:** *Sgt. Jason Deaner #988*

**SUBJECT:** *PS#18-0636*

**OFFICER (S) INVOLVED:** *Juan Vasquez #975*

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**REPORTS / DOCUMENTS ACCOMPANYING THIS COMPLAINT:**



**SUMMARY OF INCIDENT**

On 07/24/18 Special Agent [REDACTED] (FBI) briefed CVPD PSU Personnel about an on-going investigation he was conducting on CVPD Detective Vasquez. The investigation involved suspicions that Detective Vasquez had lied by omitting information about a criminal suspect to [REDACTED] and then used information gained from [REDACTED]

[REDACTED]

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**WITNESSES AND RELEVANT PERSONS (Name, Address and Phone):**

1) Sergeant Jason Deaner #988  
(619)476-2449

2)

3)

4)

5)

6)

7)

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- 8) Detective Juan Vasquez – CVPD  
315 Fourth Avenue  
1910

[REDACTED]

- 9) [REDACTED]

- 10) [REDACTED]

- 11) [REDACTED]

- 12) [REDACTED]

- 13) [REDACTED]

- 14) [REDACTED]

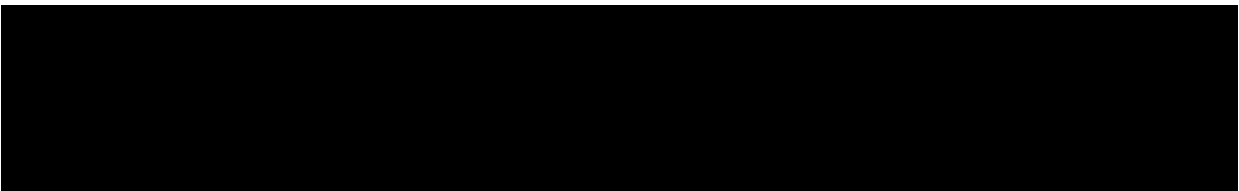
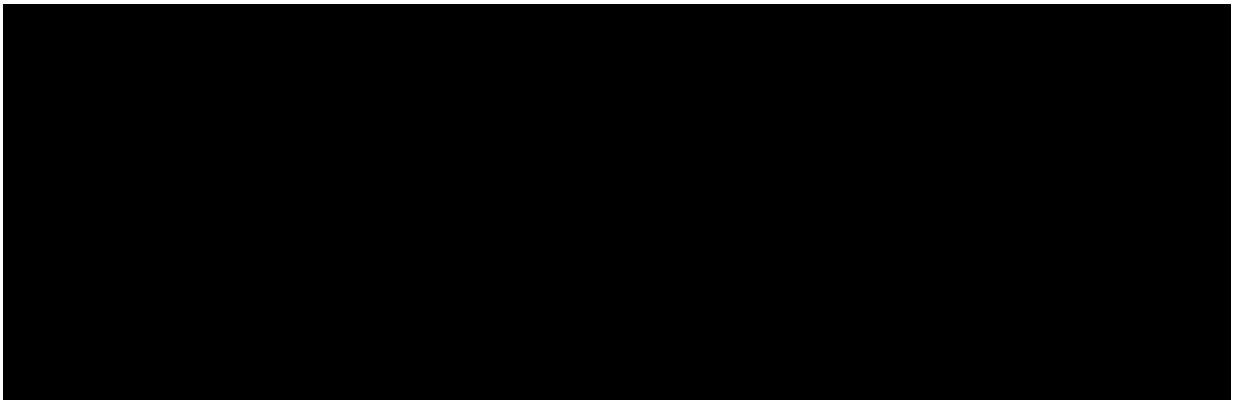
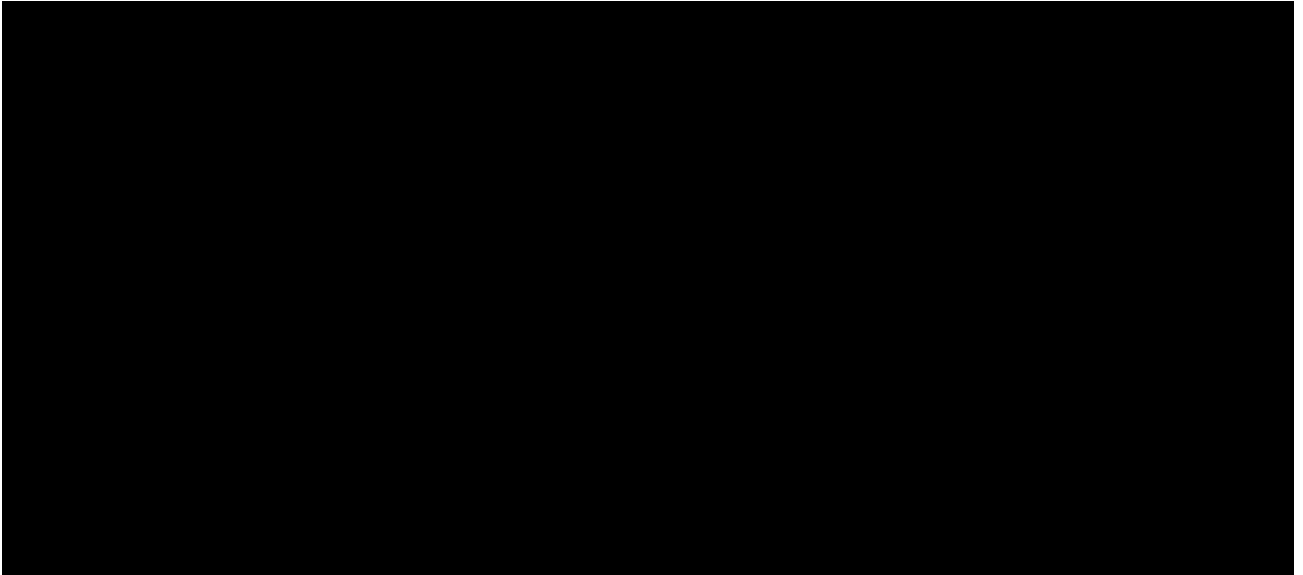
**INVESTIGATION**

[REDACTED]

[REDACTED]



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[redacted] Detective Vasquez contacted the  
ve [redacted]. This type of follow up  
piqued the interest of the NCPD Detective [redacted]  
[redacted] The NCPD Detective reported his suspicions to his

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supervision, who in turn, met with [REDACTED] on February 23<sup>rd</sup> and turned over their information.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

On 08/13/18 Captain Thunberg, Lieutenant Foxx, and I met [REDACTED] at the FBI building. The purpose of the meeting was a status update re [REDACTED] BI Investigation. [REDACTED] told us that he made contact with Detective Vasquez at his home and that [REDACTED] said that he would like to talk with him about the

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investigation but wouldn't without consulting with his attorney. [REDACTED] said that John Kristofferson, from Adams, Ferrone, and Ferrone was representative Vasquez. [REDACTED] said that Kristofferson and he had talked, and that Vasquez would like to be [REDACTED] but Kristofferson would like to have the interview the week of August 28<sup>th</sup>.

On 08/24/18 I met with [REDACTED] at the FBI Office. The purpose of the meeting was so he could provide me with [REDACTED] regarding his investigation, materials from his investigation that would be pertinent to mine, and for me to begin learning the specific details of the case.

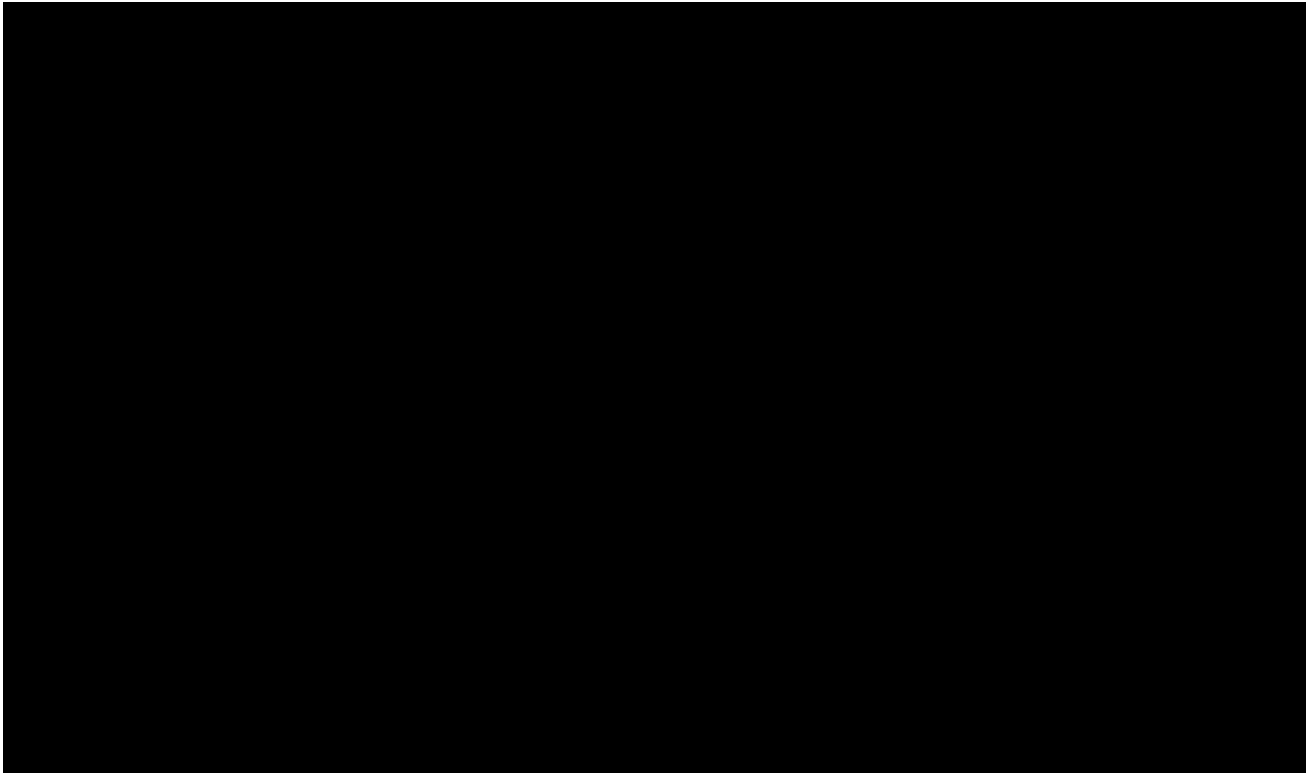
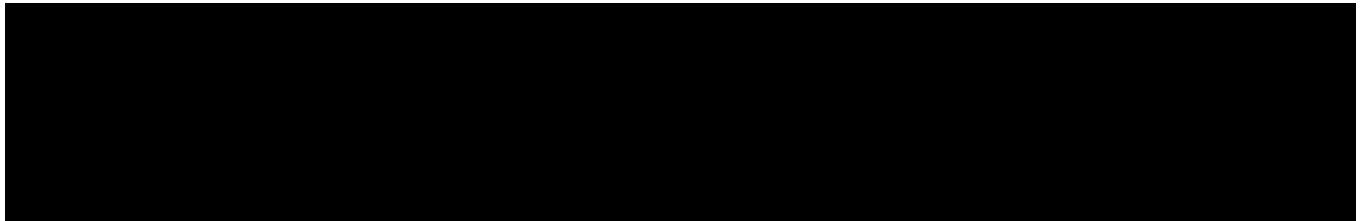
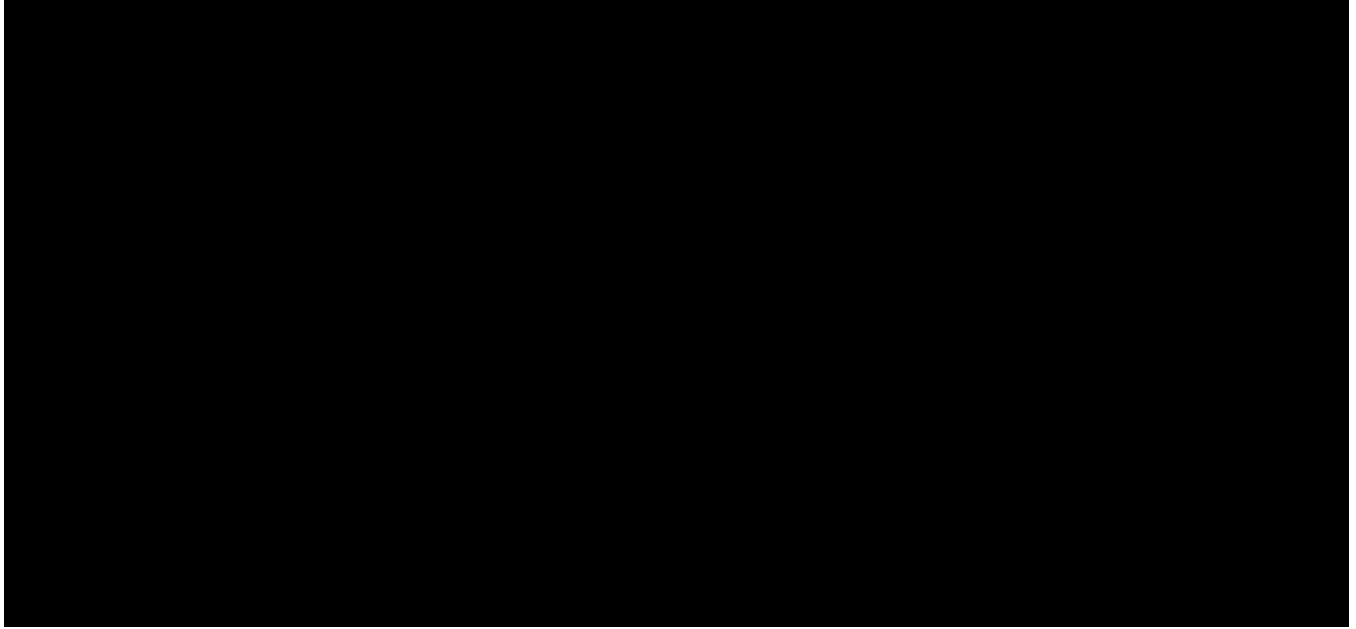
[REDACTED]

[REDACTED]

[REDACTED]

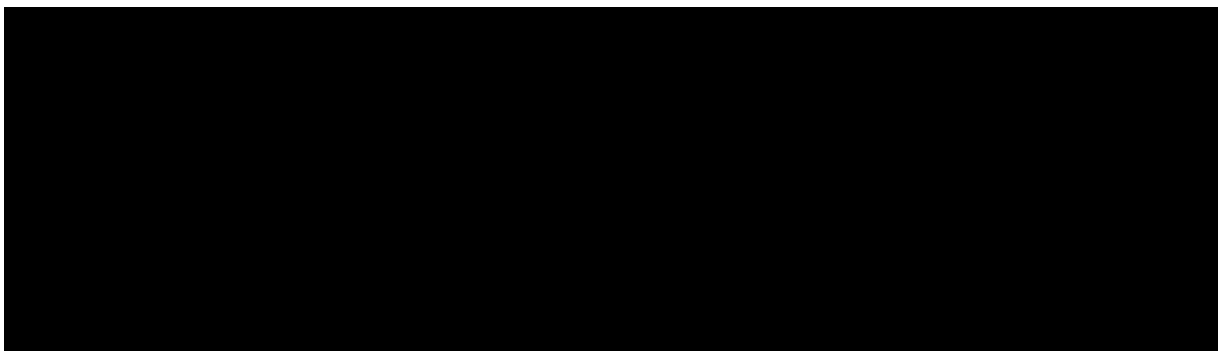
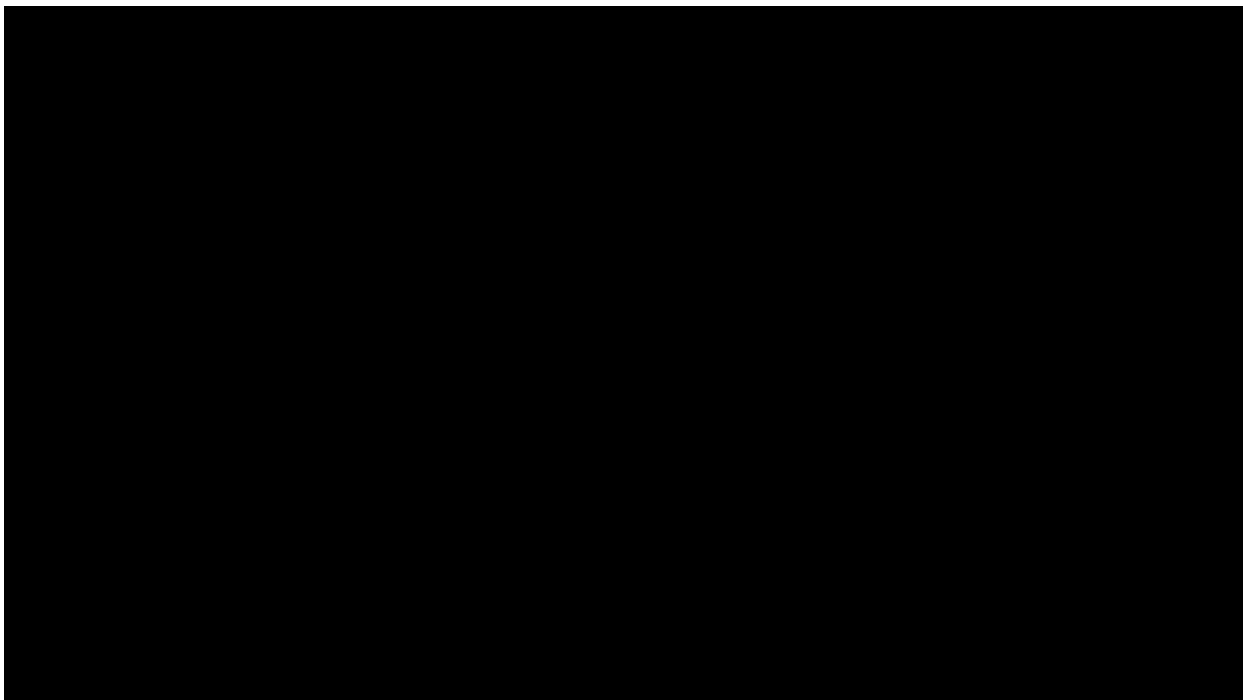
[REDACTED]

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At 1208 hrs. Detective [REDACTED] called Detective Vasquez at this number and inquired about [REDACTED]. Detective Vasquez told Detective [REDACTED] that he didn't remember why [REDACTED] [REDACTED] stored in [REDACTED] and that he could "continue with the investigation." The call lasted for 1 minute and 39 seconds.

This statement contradicts the 75 text messages that Detective Vasquez had been sending with [REDACTED] [REDACTED] [REDACTED] from 08/31/17 to this date (02/19/18), many of which the two discussed [REDACTED] and his location or criminal activities. The text messages began on 08/31/17 which would have been shortly after Detective Vasquez entered bot [REDACTED]

At 1243 hrs. Detective Vasquez texted Detective [REDACTED] from his personal cell phone number (ending in [REDACTED] asking, "What address is [REDACTED] associated with??"

At 1253 hrs. Detective [REDACTED] responded with the address [REDACTED]

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At 1343 hrs. Detective Vasquez contacted Detective [REDACTED] and told him that he remembered [REDACTED] and that [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

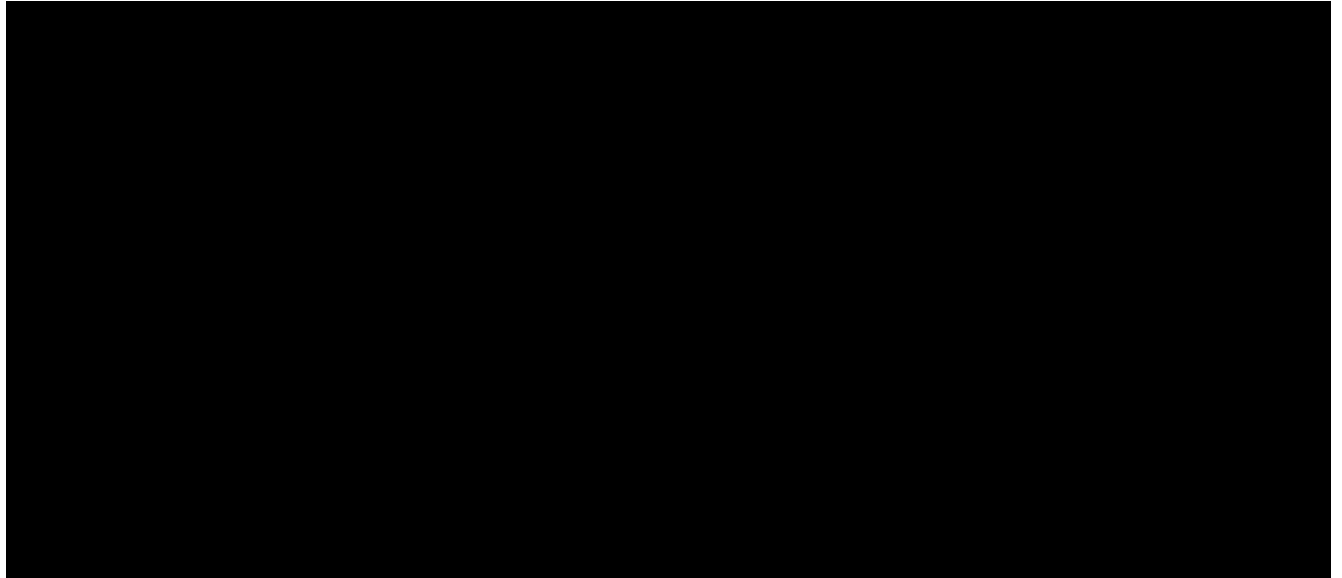
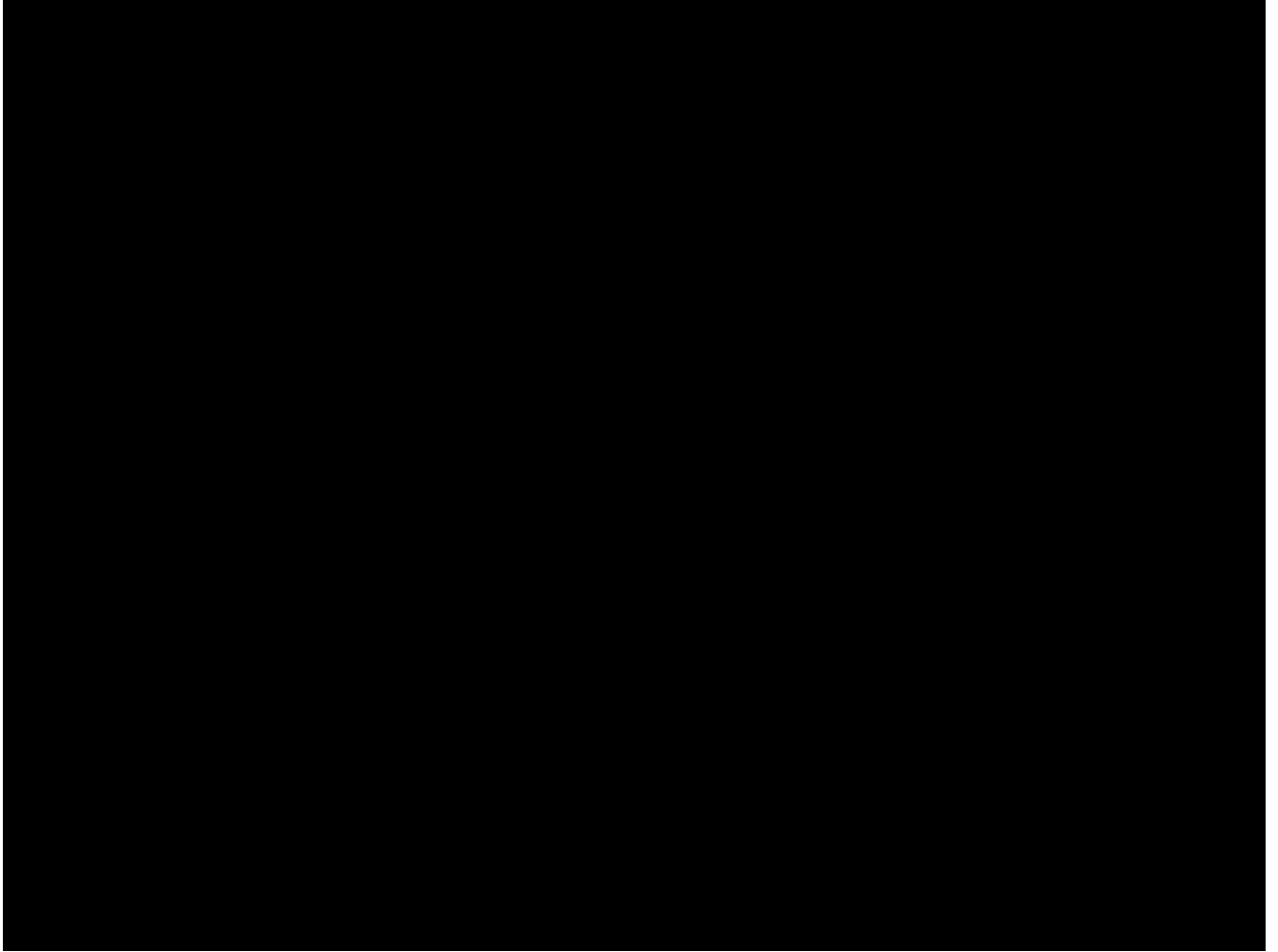
[REDACTED]

[REDACTED]

[REDACTED]



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[REDACTED]

On 10/04/18 I interviewed Detective [REDACTED] from the National City Police Department. (See section 6 in this Investigative Binder for further details) The interview took place at Chula Vista Police Department and I was accompanied by Sergeant John English. The interview was audio recorded. Both the audio recording and subsequent dictation of the interview have been added to this report. Detective [REDACTED] told me that on 02/19/18 he was contacted by NCPD patrol officers who requested his assistance on an investigation they were conducting. (NCPD 18-00922).

[REDACTED]

At 1208 hrs. [REDACTED] called Detective Vasquez and explained his investigation to him. Detective Vasquez paused, "it seemed like he was trying to remember who he might possibly be" and ultimately told [REDACTED] that he "didn't remember anything specific" and ended the phone call with [REDACTED]. [REDACTED] noted that Detective Vasquez said, "If you are working something, cool go ahead." [REDACTED] noted that he didn't remember the exact verbiage that Detective Vasquez used. The call lasted for 1 minute and 39 seconds based on [REDACTED] check of his phone records.

[REDACTED]

[REDACTED]

[REDACTED]





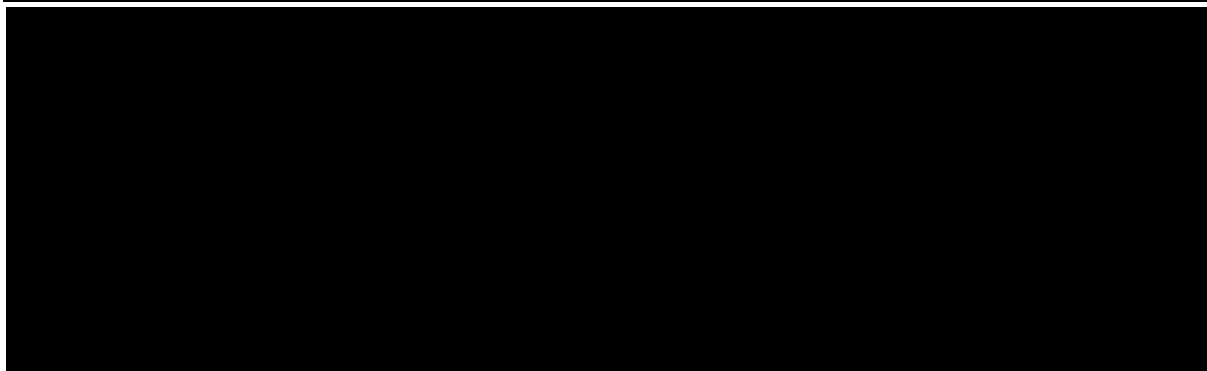
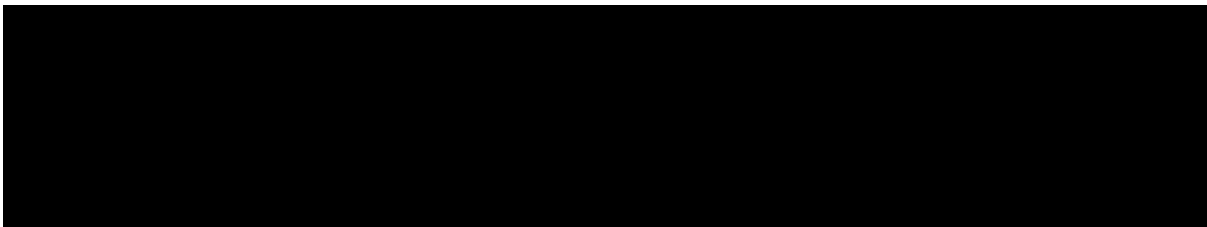
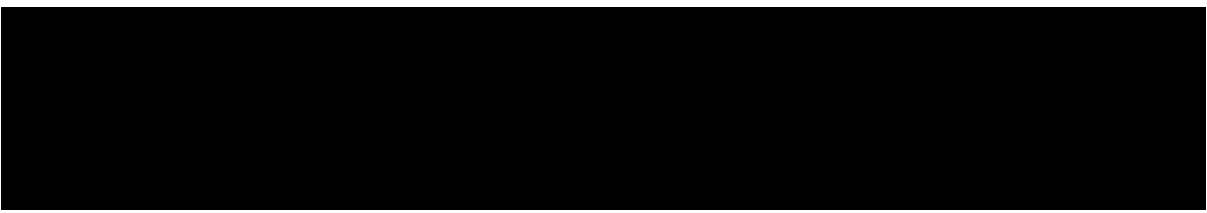






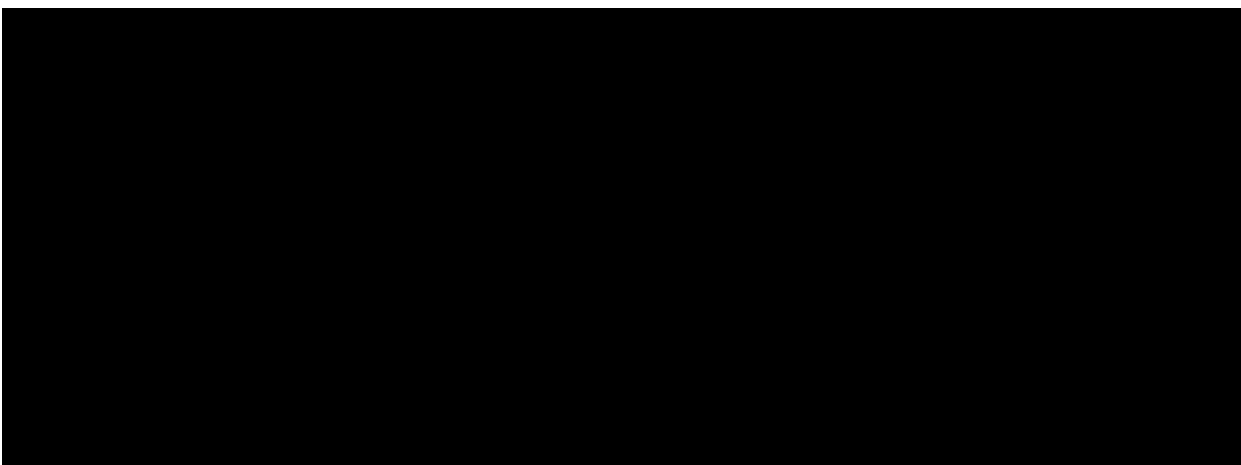


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On November 2, 2018 at 1252 hours I met with Attorney John Kristofferson and Detective Vasquez for an interview into this matter. I met them initially in the CVPD lobby and escorted them to the Professional Standards Unit Discovery Room. CVPD Sergeant John English accompanied me in the interview. Once inside the room CCTV was activated recording both video and audio of the interview. In addition, Kristofferson and I both audibly recorded the interview on portable devices.

I read aloud the CVPD Employee Interview rights and the Miranda Admonishment verbatim. In response to his Miranda Admonishment, Detective Vasquez, said that he understood them and initialed accordingly. He declined to answer questions and declined to speak to me, he initialed "NO" on the form. I read him his Lybarger Warning and he opted to talk me by circling and initialing "WILL" and signing the form. (See section 14 in this Investigative Binder for further details.)





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\_\_\_\_\_ using the National City Investigation that he learned about from  
\_\_\_\_\_ Detective Vasquez said that he didn't recall the specific date of \_\_\_\_\_  
him but was able to specify that it was in February of 2018. Detective  
Vasquez said that \_\_\_\_\_ first phone call was regarding \_\_\_\_\_ and that  
\_\_\_\_\_ at his (Detective Vasquez) number from \_\_\_\_\_ cause he had  
\_\_\_\_\_ registered in his (Detective Vasquez) name. He said that he was unsure  
\_\_\_\_\_ registered in his name.

\_\_\_\_\_

I asked Detective Vasquez to talk about what he remembered regarding Detective \_\_\_\_\_  
initial phone call to him. He said \_\_\_\_\_ discussed an investigation they (NCPD) w  
conducting regardin \_\_\_\_\_ that originated in National City. Detective  
Vasquez couldn't recall if \_\_\_\_\_ told him details of the investigation then said, "It could  
have been his \_\_\_\_\_ that told him the details. He clarified that he didn't  
\_\_\_\_\_ f \_\_\_\_\_ gave him the details regarding \_\_\_\_\_ investigation on  
\_\_\_\_\_

\_\_\_\_\_ I confirmed with him that he was telling me that when \_\_\_\_\_ called  
him he identified \_\_\_\_\_ name and told \_\_\_\_\_ he was working him as a suspect in  
narcotics trafficking. He then told me that, "It didn't register to him" because it was his  
day off and he was "busy doing something around the house." Then he said that the  
moment that he hung up the phone with \_\_\_\_\_ that he remembered \_\_\_\_\_

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I challenged him by informing him that he had talked with [REDACTED] uring at least 75 text messages prior to [REDACTED] phone call and he commented that he was unsure of the exact number of text messages but that he was surprised that he had 75 texts back and forth with her. I asked him with the knowledge of that many phone calls why he wouldn't have remembered [REDACTED] name and he repeated that, "it was my day off. I was busy doing something." He then followed up with, "I mean, like I said, I literally, literally hung up and it came to me right then and there and I called him right back."

This statement couldn't be truthful because we know by [REDACTED] tatement and phone records that his initial call to Detective Vasquez was at 1208 hours and that Detective Vasquez texted him back at 1243 hours asking him about the address for the NCPD investigation, a full 35 minutes later. Detective Vasquez didn't call Detective [REDACTED] back until 1343 hours, a full one hour and 35 minutes after Detective Vasquez received the initial call from [REDACTED]

[REDACTED]

In addition, Detective [REDACTED] told me that he wrote down his notes regarding the dates and times of his communications with Detective Vasquez just before briefing his (NCPD) administration and the subsequent FBI notification. He provided the FBI with screen shots of the dates, times, and text messages between he and Detective Vasquez and didn't communicate on any other phones but Detective Vasquez's personal phone. He provided both the FBI and me with a timeline taken from these notes which makes his statement very reliable in my opinion. (See section 6 in this Investigative Binder for further details.)

I asked him what he told Detective [REDACTED] when he called him back and he (Detective Vasquez) told me, "Told him that it did, that I had totally forgotten, that it was my day off and I was busy doing something and I told him that what I was looking into was narcotics trafficking and that he had a prior residence here in Chula Vista." This statement is contradicted by [REDACTED] statement to the FBI and myself. In those statements [REDACTED] claimed that Detective Vasquez told him about cases that [REDACTED] was related to including "battery" and a "taxing incident", but nothing about narcotics related violations. [REDACTED]













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[REDACTED]

[REDACTED] 98 text messages  
[REDACTED] suspicious,  
especially in light of [REDACTED] that 75 of them occurred before Detective Vasquez  
inaccurately denied knowledge of the target related [REDACTED] to those  
[REDACTED] nications. At the time of this denial, he (Detective Vasquez) had both subjects,  
[REDACTED] and [REDACTED] [REDACTED]  
Detective Vasquez told [REDACTED] on 02/20/18 that he didn't recognize [REDACTED]  
name when he had exchanged text messages with his sister [REDACTED] six days before that  
(02/14/18) asking [REDACTED] or, "any updates?"

[REDACTED]

[REDACTED]

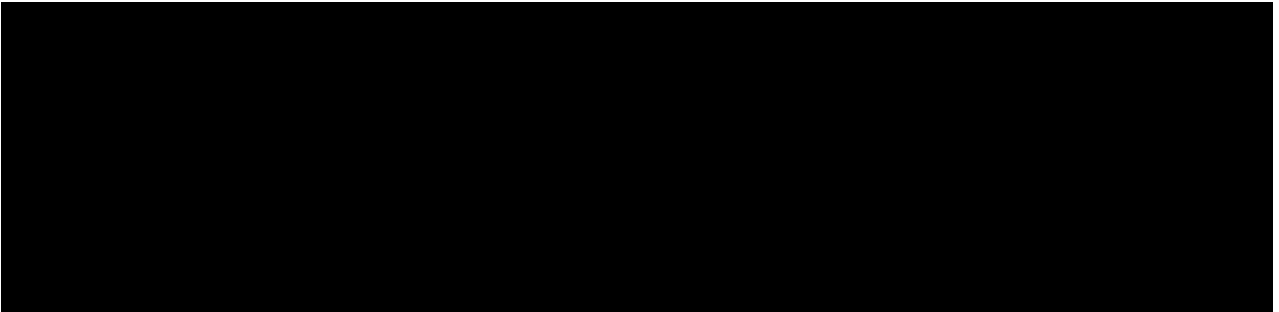
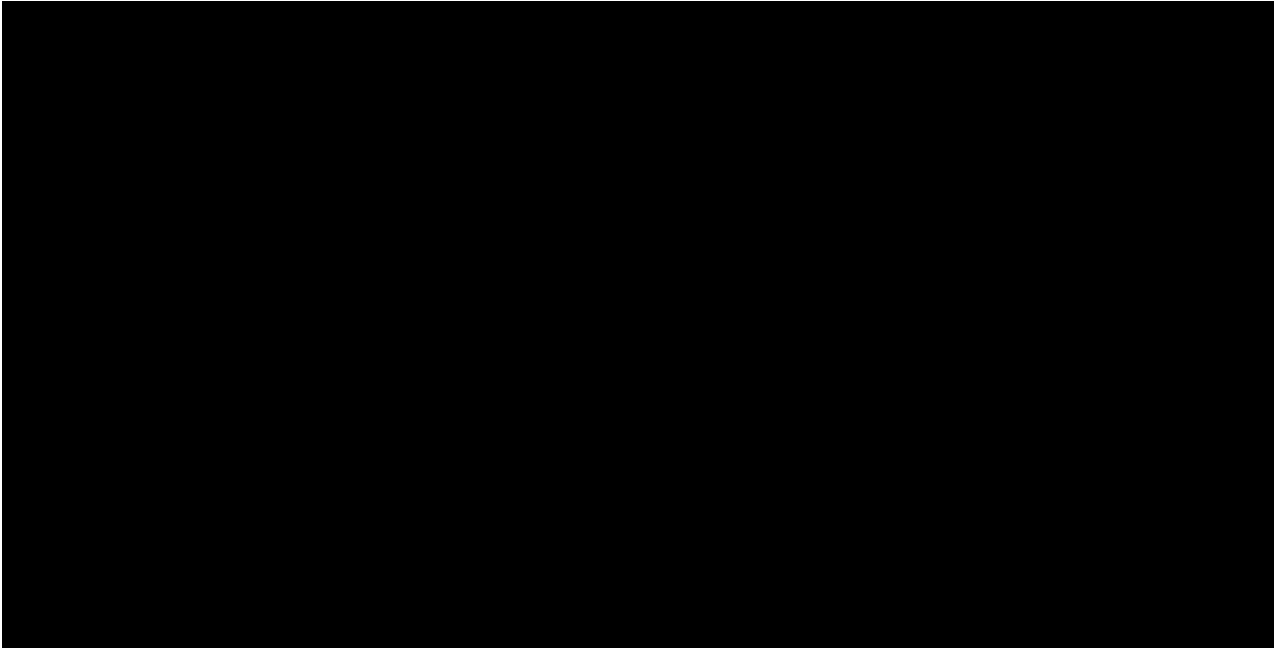
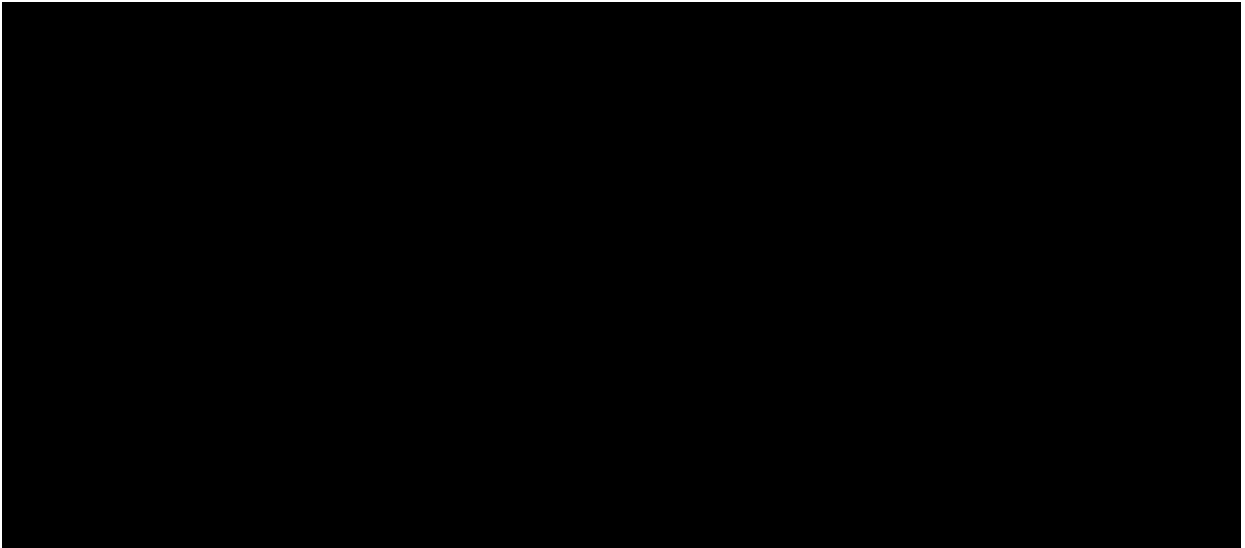
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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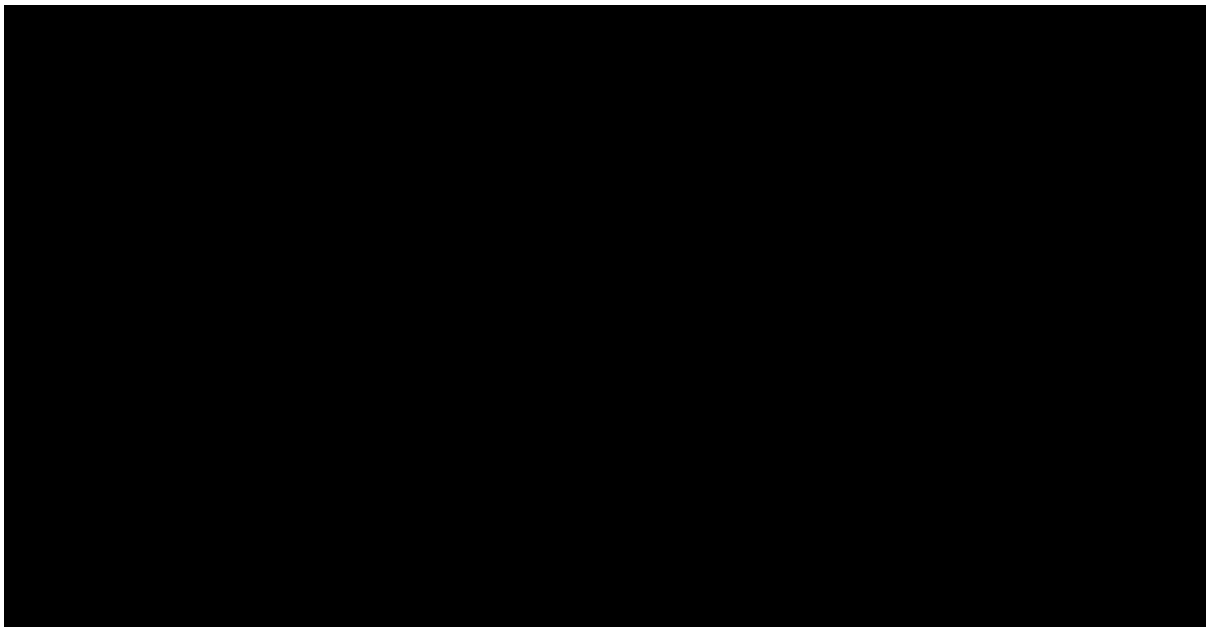
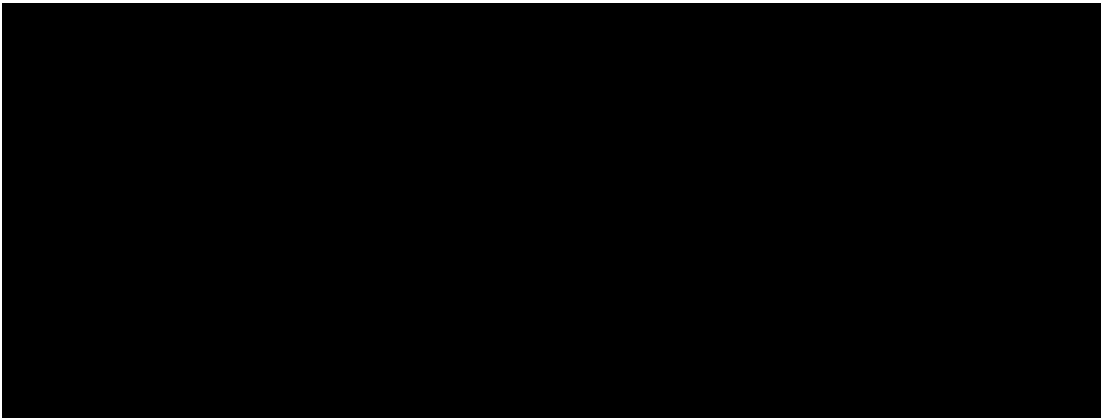
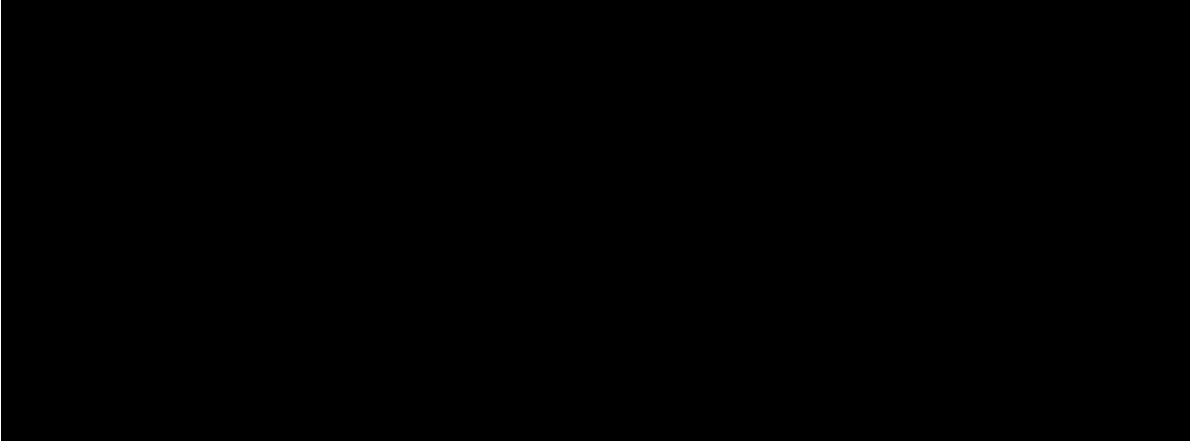


As of 12/06/18 I have been in regular contact with [REDACTED] and confirmed that the local Office of the Assistant United States Attorney Office has declined prosecution in the FBI's case. The case was also presented to the Department of Justice, Public Integrity Unit in Washington, DC and "declined in lieu of new evidence."

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**Disposition of Alleged Violations**

The following section of the Police Department Manual (PDM), Civil Service Rules (CSR), and Penal Code (PC) are applicable in the following actions:











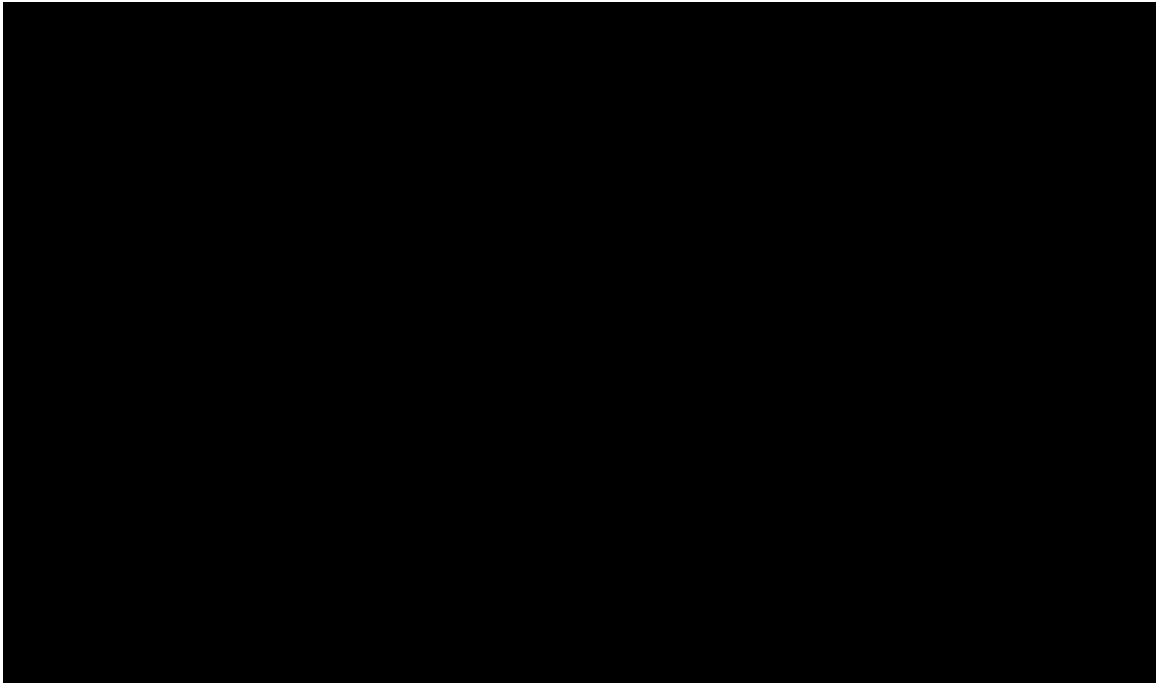
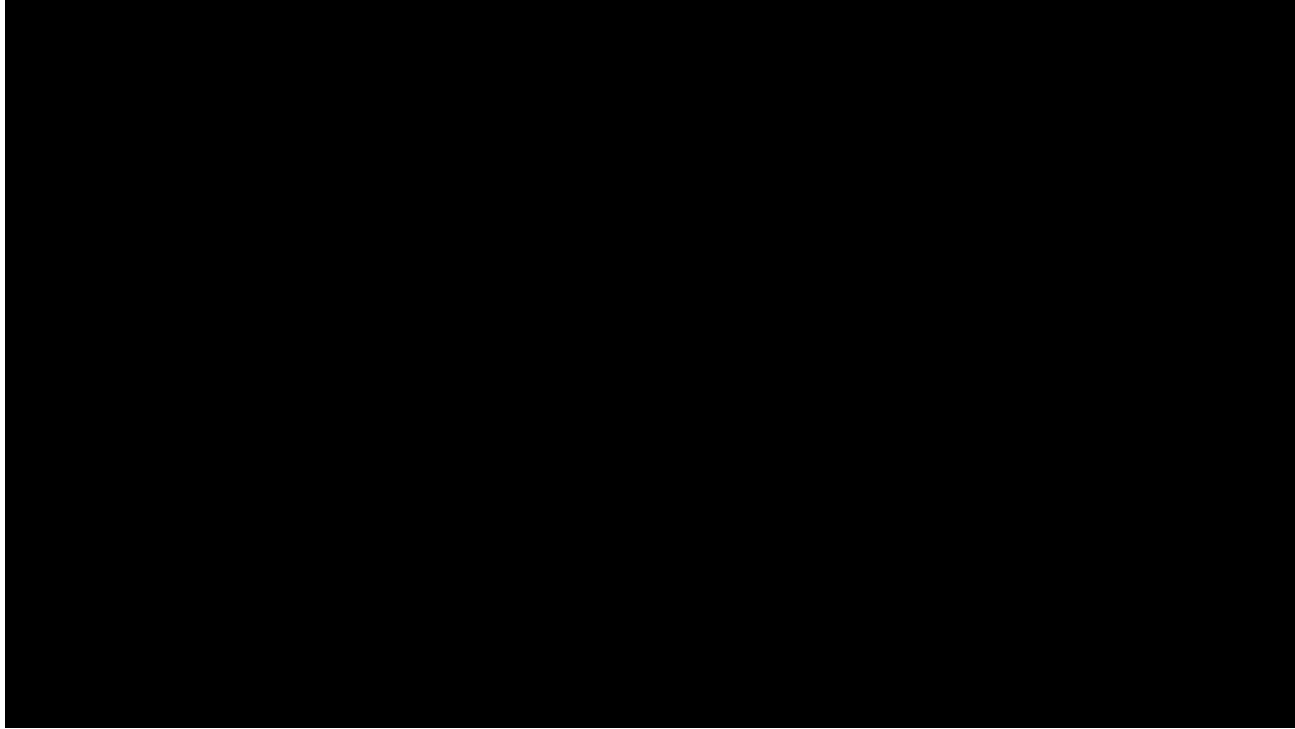








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Count 7 (Detective Vasquez's denial of knowledge pertaining to [REDACTED] to Detective [REDACTED])

Detective Vasquez had at least 98 text messages and phone calls with [REDACTED] 75 of them occurred before Detective Vasquez inaccurately denied knowledge of the NCPD s [REDACTED] related to those communications when questioned by Detective [REDACTED]

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[REDACTED]  
[REDACTED] on 02/20/18 that he didn't recognize [REDACTED] name when he had  
[REDACTED] nged text messages with his sister [REDACTED] six days before that (02/14/18), in one  
asking [REDACTED] for, "any updates?"

[REDACTED] Detective Vasquez and [REDACTED] exchanged 20  
[REDACTED] phone call with the NCPD  
suspect's [REDACTED]

The frequency and multitude of these communications in the six-day proximity of  
Detective Vasquez's denial of any knowledge of [REDACTED] to Detective [REDACTED] was  
a falsehood that could have needlessly endangered the safety of NCPD Officers and  
heavily impacted the reputation of CVPD. During Detective [REDACTED] interview he  
acknowledged that Detective Vasquez's denial of his knowl [REDACTED]  
would cause Detective [REDACTED] to hesitate in his future dealings with [REDACTED]  
CVPD Narcotics Unit (NET) and could bring discredit to the unit (NET) and department  
(CVPD) in general.

Detective Vasquez's conduct was determined to be in violation of PDM 340.5.8(i), PDM  
340.5.9(h), PDM 340.5.9(m), CSR § 1.08, Paragraph A, Section 5, CSR § 1.08,  
Paragraph A, Section 16, which state:

**7-A PDM 340.5.8 PERFORMANCE**

(i) Any act on- or off-duty that brings discredit to this department – **SUSTAINED**

**7-B PDM 340.5.9 CONDUCT**

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

**7-C PDM 340.5.9 CONDUCT**

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

**7-D CSR § 1.08, Paragraph A,**

(5) Conduct of such a nature that it causes discredit to the agency or the employee's  
position – **SUSTAINED**

**7-E CSR § 1.08, Paragraph A,**

(16) Violation of any department rule, regulation or policy – **SUSTAINED**



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**Previous Similar Allegations or Violations:**

**Officer Vasquez #975** does not have any previous similar allegations or violations.