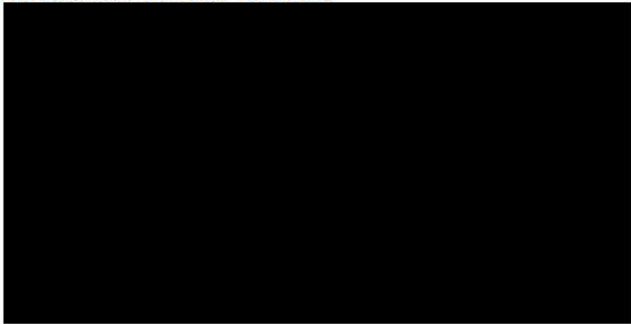
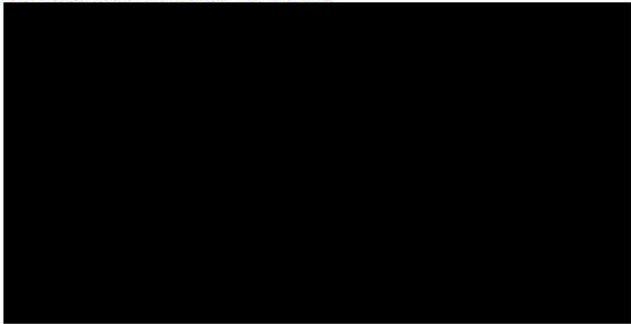
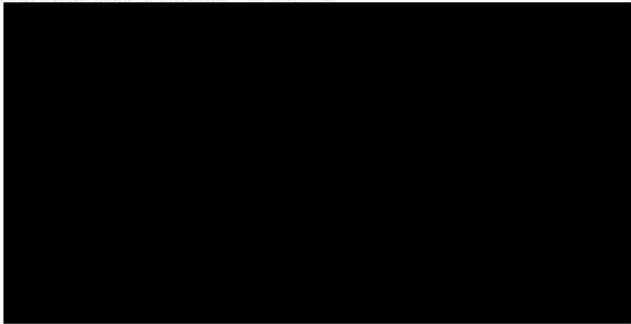
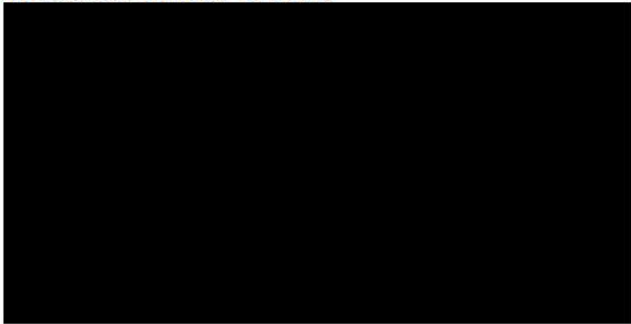
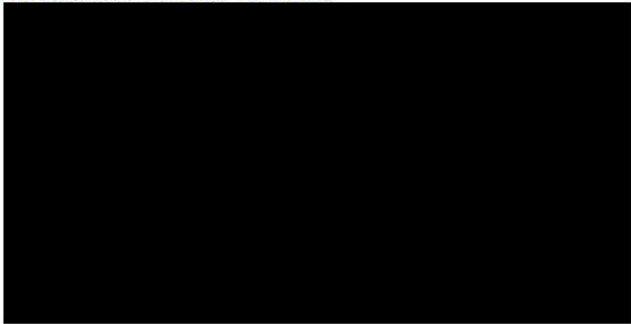
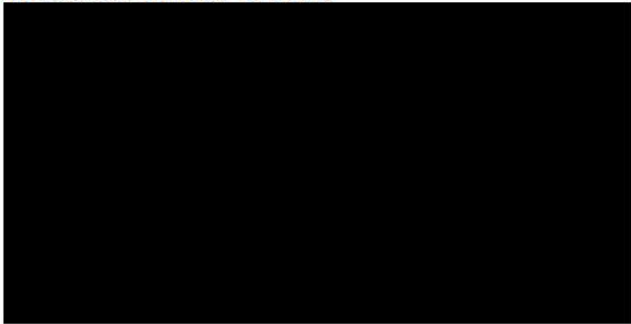
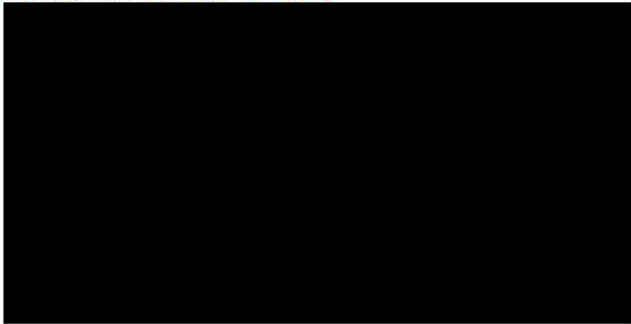


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San Diego Police Department Investigator's Report

Date of Incident: February 22, 2020
Time of Incident: 2102 Hours
Location of Incident: 4747 Pacific Highway, San Diego, CA
Subject: Internal Investigation I.A. #2020-0090

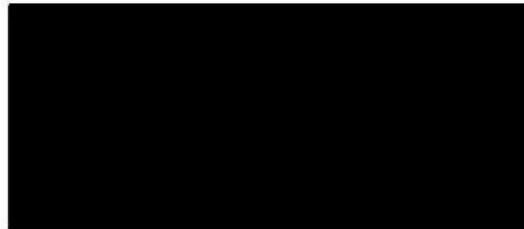
CONFIDENTIAL: THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR CITY ATTORNEY.

SUBJECT OFFICER: JOHNSON, Devion, PO II, ID #7683
Date of Hire: 05/18/2017
S.D.P.D., Southeastern Division – 1st Watch
(619) 527-3500 (W)
H/M, Age: ■

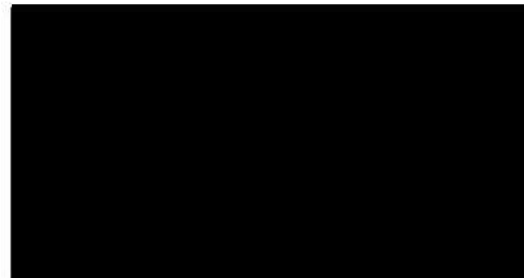
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CIVILIAN WITNESS:



CIVILIAN WITNESS:



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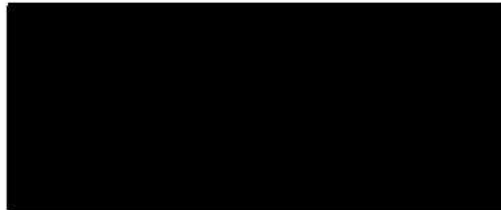
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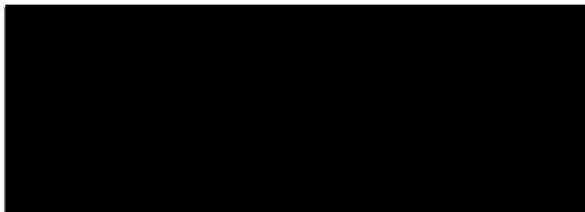
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OFFICER WITNESS:



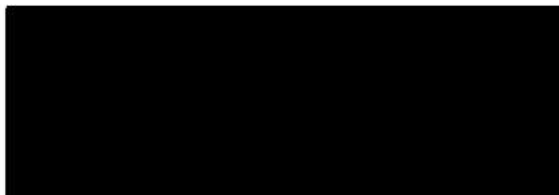
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OFFICER WITNESS:



OFFICER WITNESS:



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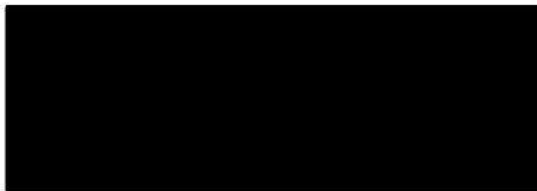
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OFFICER WITNESS:



OFFICER WITNESS:



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SUMMARY:

On February 22, 2020, at 2102 hours, Western Officers responded to 4747 Pacific Highway for a report of a drunk male who attempted to fight the reporting party, [REDACTED] and was refusing to leave. The male was described as a heavy set white male in his thirties wearing blue jeans and a black shirt around his neck. After the male left the premises of the E-Z 8 Motel, he fell and was lying face down on the ground. [REDACTED] called police to request medical assistance for the male.

[REDACTED] arrived and located the male, later identified as Off Duty Officer Devion Johnson ID # 7683. SDPD PSU investigators Sergeant Dan Higdon ID #5057 and Detective John Rzuicidlo ID #6367 responded to the scene to conduct a criminal investigation regarding 647(f) PC – drunk in public. (See PSU investigation for complete details.) Their investigation included speaking to [REDACTED] and [REDACTED], who provided a video she captured on her phone of Johnson challenging [REDACTED] to fight. In the video, Off Duty Officer Johnson can be seen shirtless and posturing to fight. They also interviewed [REDACTED], who was walking to the E-Z 8 Motel and was challenged to fight by Off Duty Officer Johnson. In addition, PSU Investigators interviewed Off Duty Officer Johnson and took photos of him. Off Duty Officer Johnson was not cooperative with posing for his picture to be taken.

After PSU detectives completed their investigation, Off Duty Officer Johnson was arrested and booked into County Jail for 647(f) PC based on several factors, as noted in their investigation:

- JOHNSON was willfully under the influence of alcohol. It is presumed based on his statement that he had been consuming alcoholic beverages at the Cabo Cantina, in Pacific Beach, CA. JOHNSON displayed physical symptomology of being under the influence of alcohol. JOHNSON's speech was slurred, he had an unsteady gait and he emitted a strong odor of an alcoholic beverage.
- JOHNSON was under the influence of alcohol in a public place. JOHNSON had walked up to the E-Z 8 Motel, 4747 Pacific Highway, San Diego, CA. JOHNSON had been asked to leave the hotel by [REDACTED]. Off Duty Officer JOHNSON was contacted by [REDACTED] as he was described staggering on the sidewalk holding onto a chain link fence to keep from falling.
- JOHNSON did not appear to be in a position to take care of himself. JOHNSON had engaged in a verbal argument and challenged the [REDACTED]

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██████ at the E-Z 8 Motel. JOHNSON had used offensive language in a public place which could cause a confrontation.

- Based on JOHNSON's appearance, it was not known if he had previously been involved in any type of physical altercation. JOHNSON's shirt was torn and appeared to be on backwards.
- After leaving the Hotel, JOHNSON was observed falling over on the sidewalk and remaining motionless. Due to this the security guard called the police.
- ██████████ was walking back to the E-Z 8 Motel and reported that JOHNSON was observed on the sidewalk in front of him making a "come-here" gesture. ██████████ believed he wanted to fight and walked across the street avoiding JOHNSON.
- Based on our observation of JOHNSON's demeanor Sergeant Higdon did not believe he would willingly remain at the San Diego Detox Facility without causing a disturbance and/or walking out, for the following reasons; JOHNSON alternated between mumbling and yelling and was very talkative. JOHNSON used language which was racially offensive in an attempt to start a fight. JOHNSON, when approached by ██████████ made potentially threatening gestures which were construed as challenging another to a fight. JOHNSON often forgot where he was. Sergeant Higdon did not believe that JOHNSON would be able to process and/or comply with the rules at the Detox Facility. JOHNSON stated multiple times during his interview that he wanted to be taken to jail.

The decision was made based on the above observations and actions by JOHNSON to arrest him for being drunk in public. Sergeant Higdon directed ██████████ ██████████ to process JOHNSON into the San Diego County Jail for 647(f) PC: Drunk in Public.

Sergeant Higdon advised JOHNSON of his decision. Sergeant Higdon called and spoke to the San Diego County Jail Watch Commander and advised him of the forthcoming booking of Off Duty Officer JOHNSON.

On February 23, 2020, PSU investigators conducted additional follow-up based on Johnson's statement he was celebrating with SDPD Officers who passed the Police Bicycle Course. They spoke with off duty officers who were at the Cabo Cantina bar with Johnson prior to the incident at

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4747 Pacific Highway. They interviewed [REDACTED] and his girlfriend, [REDACTED] and [REDACTED]; and [REDACTED]. They learned [REDACTED] ordered Off Duty Officer JOHNSON a LYFT ride through [REDACTED] account. He provided a screenshot of the ride request.

On February 27, 2020, PSU forwarded the investigation to Internal Affairs for an administrative review.

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ALLEGATIONS:

1. CRIMINAL CONDUCT

On February 22, 2020, Off Duty Officer Devion Johnson became intoxicated to the point he was unable to care for his safety or the safety of others, in violation of 647(f) PC - Drunk in Public.

2. PROCEDURE

On February 22, 2020, Off Duty Officer Devion Johnson violated SDPD's substance abuse policy when he consumed intoxicating beverages to the extent it resulted in a level of impairment that contributed to his obnoxious and offensive behavior which discredited himself and the department.

3. CONDUCT

On February 22, 2020, Off Duty Officer Devion Johnson's off duty conduct was such that it could bring the Department into disrepute, reflects discredit upon him as an officer and member of the Department, impairs the operation and efficiency of the Department and himself, and reflects unfavorably on the Department.

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INVESTIGATION:

On February 22, 2020, a 647(f) PC arrest of Off Duty Officer Devion Johnson was documented in SDPD case report number 2011192.

On February 23, 2020, PSU conducted additional follow-up regarding the location and companions of Off Duty Officer Johnson on the night of his arrest to determine if there were any victims of a crime or if he was a victim.

On February 26, 2020, Sergeant Higdon requested the SDPD Communications recordings of the 911 phone call.

On February 27, 2020, PSU turned over the case to Internal Affairs for administrative review. I received the following items during the briefing from PSU:

- CAD event chronology E20011192
- Communications audio recording and transcript of 911 call
- SDPD Arrest Report of Johnson
- BWCs: [REDACTED]
- Booking Photo and Criminal History of Johnson
- PSU audio and written statements of [REDACTED], [REDACTED], and Devion Johnson
- 12 Photos taken by PSU: (7) Johnson at the scene, (4) Johnson's vehicle parked along the street, and (1) rideshare trip showing the route of the trip.
- Video captured by [REDACTED] of Johnson on scene
- Video from Cabo Cantina
- Video from Stor'em Self Storage

On February 27, 2020, Lieutenant S. Shebloski assigned me I.A. #2020-0090 to investigate. I reviewed the reports, documents, videos, and BWCs I received from PSU.

On the same date, I reviewed BWC videos from [REDACTED]. The videos captured Officers being directed to Johnson by [REDACTED] Johnson being detained and immediately notifying officers he was a SDPD Officer. This was verified by his Department issued identification card. The detention of Johnson and transportation of him to SDPD Headquarters and jail was captured. Aside from these details, I noted the following specific details:

I reviewed [REDACTED] BWC of the event. I made note of the following:

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██████████ took the statements of witnesses. She spoke to ██████████
██████████ His statement is consistent with her report.

I reviewed ██████████ BWC of the event. I made note of the following:

05:17Z Johnson: This guy to the right, I'm going to punch him.

05:17Z Johnson: You guys truly want to fuck me, bad. ██████████ Why? Johnson: I know what you guys do. I'm SDPD. It's cool. I didn't punch anybody. I never did anything suspect or anything like that. I'm drunk. My fiancé was trying to pick me up.

05:18Z Johnson: I didn't steppin' to nobody.

05:19Z Johnson: I'm not banging. I'm truly not banging.

Johnson: No bangers. No banging.

05:20Z Johnson: Did I just shoot you? (to ██████████

██████████ I'm sorry?

Johnson: Did I (inaudible) shoot you?

██████████ Can you what? Johnson: I just want to make sure... I don't want to...be like... I don't want to pump up anybody.

I reviewed ██████████ BWC of the event. I made note of the following:

06:01Z Johnson: I know this nigga on the right.

06:04Z Johnson: I'm Dev Johnson. I'm from LA County. I know what the fuck you guys do. It's bullshit. I'm a cop.

06:04Z Johnson: I know this nigga on the right.

I reviewed ██████████ video. ██████████ can be heard saying, "If you're a cop, act like it." I captured a screenshot of ██████████ speaking to Off Duty Officer Johnson.

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I reviewed the 911 call to dispatch. During the call, the caller identified himself as [REDACTED] [REDACTED]. The following is a synopsis of what he told the call-taker:

I am [REDACTED] here at 4747 Pacific Highway at E-Z 8 Motel.

I had a drunk guy come on the property. He was confronting me. He wanted to fight me. I chased him off. He left and just fell over. He's out.

He wanted to fight me so I told him he had to leave. He stumbled off, and he fell over. He's laying on the sidewalk now. Face down.

I can't go out that far. He's about 50 yards from the property.

He came on the property. He's drunk. I asked him to leave. He called me a bunch of names. A bunch of expletives. He stepped to me. I stepped back and told him he had to leave. He finally left. He stumbled over and he just fell on his face.

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He's white. Maybe 30 years old. He is heavy set, medium height. He was wearing blue jeans and a black shirt around his neck. It's not on. It's around his neck. He's shirtless. He's bald-headed. No weapons that I saw, but he told me he was a cop. Ya know, he was like, "I'm a cop, and I kill, ya know, the N word."

He is totally inebriated.

(End call.)

I reviewed the photos taken at the scene. The following photo is of Off Duty Officer Johnson on the night of February 22, 2020, after he was detained by Western Division Officers:

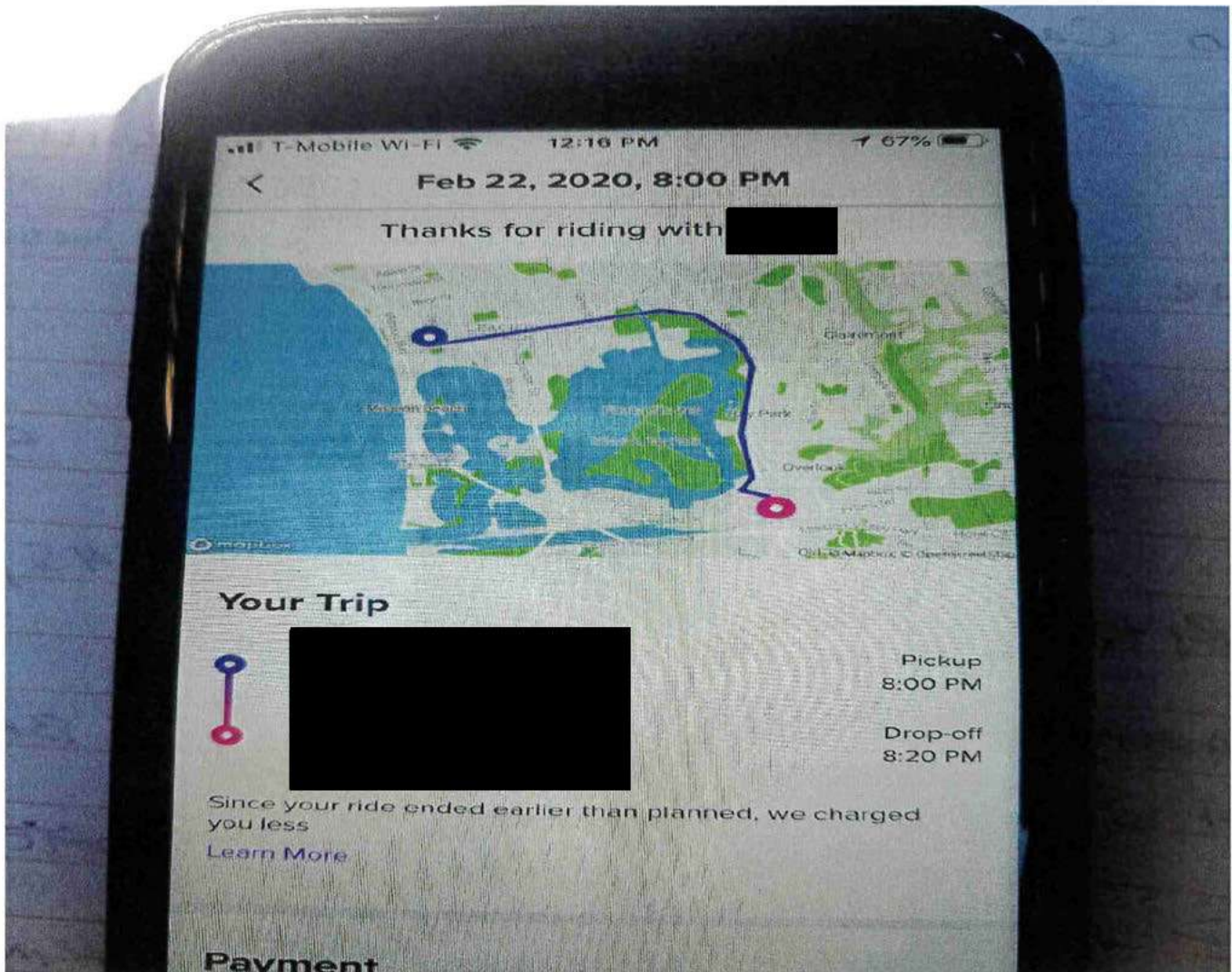


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The following is a picture taken of the ride ordered through the Lyft app on [REDACTED] phone. The ride was ordered for Off Duty Officer Johnson on February 22, 2020, indicating the ride ended early and the final destination was not reached:



On February 29, 2020, I spoke to [REDACTED] and [REDACTED] over the phone and took their statement.

On March 3, 2020, I contacted witness [REDACTED] and scheduled their interviews for March 9, 2020.

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On March 9, 2020, I conducted witness interviews with the following Officers: [REDACTED]
[REDACTED]

On March 10, 2020, the Command Notification was submitted to Officer Johnson's Command. I directed Officer Johnson to report for his IA interview on March 18, 2020, at 0900 hours.

On April 1, 2020, POA Attorney [REDACTED] called me to cancel Officer Johnson's scheduled interview and informed me Officer Johnson was in a residential treatment facility.

On April 2, 2020, I spoke to POA Attorney [REDACTED]. He told me Officer Johnson would not be available until approximately April 21, 2020, when he completed his treatment.

On April 6, 2020, I emailed POA Attorney [REDACTED] and Officer Johnson requesting Officer Johnson be available on April 22, 2020, for an IA interview.

On April 10, 2020, I received the Command Notification back from Southeastern Division with an annotation Officer Johnson was not available and would not be available until approximately April 21, 2020.

On April 16, 2020, I received an email from FOP Attorney [REDACTED] requesting Officer Johnson's interview be rescheduled. He provided an attachment that said, in part:

[REDACTED],
Devion Johnson was admitted to First Responders First on February 29, 2020. Mr. Johnson was assessed by [REDACTED] (Medical Doctor and Board Certified Psychiatrist), [REDACTED] (Clinical Psychologist) and [REDACTED] (Licensed Marriage and Family Therapist). Upon a complete evaluation, Mr. Johnson was diagnosed with [REDACTED] and [REDACTED] F43.12.

On March 29th, our resident was re-assessed by his medical and clinical team. The unanimous conclusion was that Mr. Johnson was in need of a minimum of 30 days more treatment. To remove your client from treatment before said date would put him at risk for reverting to use of dysfunctional coping mechanisms and relapse. This could be detrimental to his well-being and the future of his recovery.

If Mr. Johnson leaves his treatment at this stage of his treatment it would be considered **Against Medical Advice**. If I can answer any questions or be of assistance in any way, please do not hesitate to contact me.

On April 20, 2020, I received notification from Officer Johnson, FOP Attorney [REDACTED], had replaced POA Attorney [REDACTED] as Officer Johnson's representative for the IA interview. FOP Attorney [REDACTED] requested Johnson's IA interview be scheduled for the week of May 4, 2020. I emailed FOP Attorney [REDACTED] a copy of the revised Command Notification with an interview date scheduled for May 5, 2020, at 0900 hours.

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On May 5, 2020, Lieutenant Shebloski and I interviewed Officer Devion Johnson at the Internal Affairs office. During the interview, Johnson provided a letter from First Responders First dated May 4, 2020, stating Johnson successfully completed his stay and was released to go back to full duty on April 27, 2020. He also provided a copy of his City of San Diego Medical Report showing he was released to full duty on April 29, 2020. During the course of the interview, we reviewed two still-shots of video from the Cabo Cantina. Johnson signed and dated the pictures, circling his image in both pictures.

All interviews were audio recorded and the recordings will be maintained with the Internal Affairs file. The following are “in essence” synopses and clean transcriptions of the interviews and are not meant to be a word for word account of the conversations or a substitute for listening to the recording. For exact and complete details of the interview, refer to the audio recordings.

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Witness Interview: [REDACTED]

The interview was audio recorded and will be maintained with the Internal Affairs file. The following is an "in essence" synopsis of the interview and is not meant to be a word for word account of the conversation or a substitute for listening to the recording. For exact and complete details of the interview, refer to the audio recording.

I spoke to [REDACTED] on the telephone on February 29, 2020, at 1533 hours.

I was on duty. I just finished a tour, and I came back to the front desk. I was talking to the [REDACTED]. This gentleman came south. He was by the fire hydrant. He looked over and saw me so he started walking back north. Stumbling. He dropped his wallet. He couldn't negotiate the turn to come up the (hotel entrance) ramp. I asked him if he had a room here. He was like, "Yeah. Such and such room." I asked if he had an ID so I could verify if he had a room here. He gave me his ID and I gave it to the [REDACTED]. She said, "No. He doesn't have a room." I said, "Sir, you need to leave." He was like, "Nigga. What you say, nigga?" And then he was like, "Want to square off? Square off, nigga." I said, "No, you need to leave." I kept repeating, "You need to leave."

Then he came right towards me, asking if I wanted to square off. I kept backing up to give him some space. He kept saying that. Then he said, "I'm a cop. I've been dealing with this for a living." I'm like, "Ok. If you're a cop, then that's really disgraceful. Clearly." He went down the ramp and he kept saying, "You pussy! Nigga! I kill niggas for a living. I'm a cop." I said, "Regardless of all that, you still need to leave." Then he flipped me off, the bird. He turned around, stumbled off and fell face down on the ground.

What kind of ID did he produce?

He gave me a California ID. I didn't even look at it.

You said, "If you're a cop, act like it." What about what he was doing wasn't consistent with being a cop?

His language. What he was saying. Like, "I'm a cop. I kill niggas for a living." That's not consistent with being a cop.

Did you verify if he was, in fact, a cop?

No. There was no way for me to do that because I didn't get his name.

Do you have anything else that you believe is relevant?

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No, but as I was talking to the officer that was doing the report, there was a black guy that came up saying he needed some help. He had no pants on, just a T-shirt and socks. His face was all bloody. She shinned the flashlight and then could see he was injured.

Do you believe this gentleman, with no pants, was at all involved in another way with the other gentleman who was challenging you to fight?

It's possible because I overheard him and the cop talking. He said he was taking a pee and some guy, who was a white person, beat him up. I overheard that.

He's an older black gentleman, about 60 years old. He said he was beat up by a white or Hispanic person.

The old man was coming from the same direction as where the suspect came from.

When the drunk guy, who dropped his wallet and came stumbling up, was he wearing his shirt?

No, he wasn't wearing his shirt. His shirt was either on his shoulder or it was around his neck. I saw him with a shirt, a black shirt, but it wasn't on. He had his head through part of the shirt.

Did you notice any bruises, scratches or anything that led you to believe he had recently been in a fight?

No because I didn't...I wasn't looking at that aspect. I was just looking at him being intoxicated, and he needed to go to his room. So that's why I asked him if he had a room.

At any point in him challenging you to fight, did you feel threatened?

No, I didn't feel threatened, per say, but I... I didn't know what he was capable of...so he might have tried to hit me or pull something out...I don't know. Like I said, I took steps... I tried to distance myself out of his reach.

The conversation ended at 1542 hours.

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Witness Interview: [REDACTED]

The interview was audio recorded and will be maintained with the Internal Affairs file. The following is an "in essence" synopsis of the interview and is not meant to be a word for word account of the conversation or a substitute for listening to the recording. For exact and complete details of the interview, refer to the audio recording.

I spoke to [REDACTED] on the telephone on February 29, 2020, at 1447 hours.

In one of the statements you made to the initial officers and the subsequent Sergeant who arrived on scene, you said the gentleman who walked onto E-Z 8 property, you said he said he was "from so and so." And you told the initial uniformed officer, "I'm not sure what gang is from around here." My question to you is, do you remember who he said he was or what he said he was from?

I really don't know where he said he was from or what exactly he said. It just kind of started with a "c," like "cup" or "cut." It was one syllable. But I couldn't recall what he was actually saying.

Just because you made the comment after, "I don't know what gangs are around here," did you get the impression he was a gang member?

Yeah. Because, where I'm from and everything, you're saying, "I'm with so-and-so" or something like that, it usually means you're with a group. You know, four or more people. A gang. That's usually the way they express it. Ya know? "I'm with so-and-so."

You also said in your statement, he said he was "Squaded up." What did you interpret that to mean?

Squaded up. Like he has a group of people who stand behind him or who are with him.

Something else that also lent you to thinking he was a gang member?

Yeah.

You briefly talked about it today. "I'm with cup. I am a cup." Is that accurate?

Sounds about right. It was more so him saying, "I'm with them. I'm with them. I'm with them." Not really an "I" statement, but more so, "I'm with."

You said in your statement he was insulting the [REDACTED]. Do you remember the exact language he used?

He kept telling him, excuse my language, he was a "bitch ass, nigga." "Fuck you." That's primarily what he was saying.

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Did any of the occupants or residents at your hotel ask questions or say, "Hey, I was involved in something as well?"

No. One gentleman went up to the security guard. I just can't remember who.

This is based on your statement from earlier, you said he said he had to walk across the street to avoid him.

Yes.

So that's the same person?

Hmm-mhh. (In the affirmative.)

The conversation ended at 1452 hours.

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Witness Officer Interview: [REDACTED]

The interview was audio recorded and will be maintained with the Internal Affairs file. The following is an "in essence" synopsis of the interview and is not meant to be a word for word account of the conversation or a substitute for listening to the recording. For exact and complete details of the interview, refer to the audio recording.

On March 9, 2020, at 1414 hours, Detective Sergeant Van Pen ID 5924 and I spoke to [REDACTED] in an Internal Affairs interview room.

I have been a SDPD Officer for 3 years. I am assigned to Western Division, 2nd watch. I reviewed my BWC prior to this interview. I was working Western Division on February 22, 2020, with [REDACTED], my partner.

I responded to the E-Z 8 on Pac Highway at approximately 2100 hours for a radio call of an 11-8: a person trying to fight somebody at the E-Z 8 Motel. Also the person was reported to be face down, and it was unknown if he was breathing so we rolled code-3 given the circumstances. We were flagged down by the [REDACTED] when we approached the motel. He said the male was walking southbound on Pac Highway, so we made a U-turn. That was the only interaction I had with him. He didn't give me a description of the male, just that he was stumbling.

I received a description from dispatch that the male had was a blue shirt around his neck and was wearing blue jeans. I saw a male wearing blue jeans and a black shirt, who was stumbling down the sidewalk. He was detained. He was identified as Devion Johnson.

I have made approximately 60 arrests for 647(f) PC. Johnson had slurred speech, unsteady gait, and bloodshot eyes. Based on my observation, he met the elements of 647(f). I did not hear Johnson say any slurs. Johnson was compliant and obeyed commands we gave.

The interview concluded at 1418 hours.

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Witness Officer Interview: [REDACTED]

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On March 9, 2020, at 1421 hours, Detective Sergeant Van Pen and I spoke to [REDACTED] in an Internal Affairs interview room.

I have been a SDPD Officer for 3 years. I am assigned to Western Division, 2nd watch. I reviewed my BWC prior to this interview. I was working Western Division on February 22, 2020, with [REDACTED], my partner.

I responded to the E-Z 8 on Pac Highway at approximately 2100 hours for a radio call of an 11-8: a person down. I briefly spoke to the reporting party, [REDACTED]. He flagged us down as we were going towards the hotel. He told us the suspect had started walking down Pacific Highway. I was provided a description of the suspect from the call: white male, 30s, heavy, wearing a black shirt around neck, shirtless and blue jeans. I located and detained someone matching the description. He was identified as Devion Johnson.

I have made approximately 25-30 arrests for 647(f) PC. Johnson had slurred speech, unsteady gait, bloodshot eyes, and an odor of alcoholic beverage. Based on my observation, he met the elements of 647(f).

I did not hear Johnson say any slurs. I became aware of it when I spoke to [REDACTED], who spoke more in-depth to the [REDACTED]. She told me what he said for the purposes of my investigation. I was told he said...the "n" word." Do I need to say it? (Yes.) "Nigga." I didn't hear Johnson say that word when he was in my company.

Yes, I think his behavior was something that could bring discredit to the Department because I don't think that word should ever be used.

He acted like a typical 647(f) person. His mood fluctuated. He kicked the patrol car when he needed something... even after we asked him to please stop kicking the car. At one point, we almost had to OC him so he wouldn't stop kicking the patrol car. This was when he was in the back of the car while we were waiting for the IA Sergeants to come talk to him.

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He was complaint when we first contacted him. He put his hands behind his back, and we handcuffed him. Other than here and there, he was a little mouthy, nothing physical. I never felt physically threatened.

The interview concluded at 1426 hours.

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Witness Officer Interview: [REDACTED]

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On March 9, 2020, at 1456 hours, Detective Sergeant Van Pen and I spoke to [REDACTED] in an Internal Affairs interview room.

I have been a SDPD Officer for 1 year. I am assigned to Western Division, 2nd watch. I reviewed my BWC prior to this interview. I was working Western Division on February 22, 2020. I was working alone that day.

I responded to the E-Z 8 on Pac Highway at approximately 2100 hours for a radio call of disturbance and subjects fighting. That's why I put myself on the call. On the CAD printout, the call came out as an 11-8. The remarks on the call reads, a 647(f) male walked onto the property and attempted to fight RP. Was refusing to leave. RP got him off property. Male fell and is lying face down on the floor. RP unable to check if the male is breathing. White male adult in his 30s, medium, heavy wearing black shirt around his neck, shirtless, blue jeans. No weapons. Possibly 647(f) or 11550.

I did not speak to the reporting party, [REDACTED] Someone was detained matching the description. I showed up after the two officers detained him. He was identified as Devion Johnson. He is employed by the San Diego Police Department.

I have made approximately 10 arrests for 647(f) PC. Johnson had slurred speech, unsteady gait, watery eyes, and an odor of alcoholic beverage. Based on my observation, he met the elements of 647(f).

I did not hear Johnson use any slurs from what I recalled that night, but after I saw my BWC this morning, yes. I think he was referring to me. He used the "n" word. "Nigga." He said it like 2 or 3 times. When he said it, he was upset because I wouldn't let him urinate on the sidewalk because he really need to pee. He asked for his hands to be cuffed in the front multiple times.

[REDACTED] read Policy 9.06) Based on the interaction, the manner in which Johnson was interacting was not something that would reflect favorably on the Department. Because of his attitude, what he was saying and what he wanted...by wanting to have the cuffs in the front. Wanted to pee on the sidewalk. He called me the "n" word. There were times that he

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seemed apologetic and then he would get aggravated for no reason, but that was probably just because he was drunk.

Yes, I do recall hearing him say I'm Dev Johnson. I'm from LA County. I know what you guys do, it's bullshit. I addressed it with him. I was not offended, but it was inappropriate. I felt like, if you're a cop, you should...think like we're thinking. You shouldn't put us in the spot. It almost made it seem like we were the enemies at the moment. It's like...you're a cop. You should know what we should and shouldn't do. (*Was his behavior consistent with anything at that time?*) Not a cop. His behavior is not in keeping with what we would want to present to the community.

The interview concluded at 1505 hours.

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Witness Officer Interview: [REDACTED]

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On March 9, 2020, at 1522 hours, Detective Sergeant Van Pen and I spoke to [REDACTED] in an Internal Affairs interview room.

I have been a SDPD Officer for 2 year. I am assigned to Western Division, 2nd watch. I reviewed my BWC prior to this interview. I was working Western Division on February 22, 2020. I was working with [REDACTED].

I responded to the E-Z 8 on Pac Highway at approximately 2100 hours for a radio call of a disturbance and then it turned into a person down call. A 647(f) male walked onto the property, attempted to fight RP, and was refusing to leave. He left the property and was lying face down on the floor. When we were going up to the call, additional units were making contact with him. He was described as a white male adult in his 30s, medium, heavy wearing black shirt around his neck, shirtless, blue jeans was accurate. He was already being put in handcuffs when I got there. He was identified as Devion Johnson, and he is employed with the San Diego Police Department.

I have made approximately 10 arrests for 647(f) PC. Johnson had slurred speech, unsteady gait, watery eyes, and an odor of alcoholic beverage. Based on my observation, he met the elements of 647(f). I did not believe he was able to care for himself. He did not know where he was, how he got there, or where he was going. Based on my observation, he met the elements of 647(f).

I do not recall hearing him use a slur.

([REDACTED] read Policy 9.06) I don't believe Johnson's behavior reflected favorably on the Department due to the way he was intoxicated... the level he was intoxicated. And it appeared that he had been in some sort of altercation because he had a ripped shirt and he had scratch marks and scuff marks on his upper back and upper neck area. Whether he tripped and fell or was in some sort of fight, I don't know. I just know he was scuffed up. He had his collar of his shirt ripped. I don't believe Johnson's behavior was in keeping with the operation and efficiency of the Department because he was not as forthcoming with his answers. He was holding up our side of doing what we had to do during the course of our investigation. We were trying to figure out where he was coming from; if he was involved at the E-Z 8.

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The interview concluded at 1529 hours.

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Witness Officer Interview: [REDACTED]

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On March 9, 2020, at 1629 hours, Detective Sergeant Van Pen and I spoke to [REDACTED] [REDACTED] in an Internal Affairs interview room.

I have been a SDPD Officer for 7 years. I am assigned to Western Division, 2nd watch. I reviewed a CAD printout and my BWC prior to this interview. I was working Western Division on February 22, 2020, with a PERT clinician riding with me.

I responded to the E-Z 8 on Pac Highway at approximately 2100 hours for a radio call of a 647(f) male who was trying to fight one of the [REDACTED] at the hotel. I spoke to the reporting party, [REDACTED]. He said he was on duty. [REDACTED] called because there was a male who came up to him and said he had a room. [REDACTED] had the clerk check but was unable to determine if the male had a room. [REDACTED] told the male to leave several times. The male tried to fight with [REDACTED] and again, he told the male to leave several times. The male didn't. Finally, the male wandered away and fell down. [REDACTED] said he called more out of a concern for the male being so intoxicated, rather than the fight.

[REDACTED] [REDACTED] stated several times that the male called him the "n" word. He said the male called him a "nigger" several times. [REDACTED] [REDACTED] said he felt like the male was trying to "egg him on" to try to start a fight by using that word. [REDACTED] is African American; he is black. [REDACTED] [REDACTED] told me he thought the male was trying to get him to fight.

I learned the male that was detained was a SDPD Officer. [REDACTED] told me the male told him he was a cop. From what I remember with the clerk, she didn't quite hear everything that was said. She didn't hear the male say anything about being a police officer. It was just the security guard.

I did not interact with the officer other than seeing he was in the back seat. He yelled some things to me. I don't remember what he yelled.

([REDACTED] read Policy 9.06) In my opinion, Johnson's behavior would reflect poorly and bring discredit to the Department because when I talked to [REDACTED] [REDACTED] he said it didn't bother him, but the things he said the officer said to him were out of line and very rude and offensive. It would reflect badly on us if the public learned of this.

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■■■■ said he didn't want the officer to get in trouble. He understood that he was very intoxicated.

The interview concluded at 1637 hours.

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Subject Officer Interview: Officer Devion Johnson ID 7683

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On May 5, 2020, at 0934 hours, Lieutenant Shebloski ID 5317 and I interviewed Officer Devion Johnson at the Internal Affairs interview room located in Police Headquarters. I read Officer Johnson the Administrative Admonishment and ordered him to answer my questions. FOP Attorney [REDACTED] was present as Officer Johnson's legal representative.

FOP Attorney [REDACTED] provided three documents showing Johnson was released by his medical provider to go back to work.

I have been in law enforcement for 6 years. I have been a SDPD Officer 2.5 -3 years. I used to work for Maui Police Department for 3-4 years.

On February 22, 2020, I was not working. I was arrested for 647(f) PC: drunk in public on Pacific Highway. Someone called in that I was drunk in public. I got a lot of this information from the tapes we just reviewed. *(Let's just talk about what you independently remember.)* I don't remember that night. The last thing I remember was I was at Cabo Cantina.

I consumed alcoholic beverages on February 22, 2020. I think it was around 4-5 pm when I got there (Cabo Cantina). I remember having a couple of drinks, and then I do not remember the rest of the night. I had secluded myself that day and the day prior for an incident that happened at work beforehand. I got in a shooting and I wasn't coping with it well, so I went out with my coworkers.

I remember drinking 2-3 mixed Tequila drinks, but I don't remember anything after that. I drove to the location. I arrived after [REDACTED]. We were there to celebrate a [REDACTED] getting transferred to Central Division. I remember [REDACTED] [REDACTED] were there when I got to Cabo Cantina. Nothing unusual or out of the ordinary occurred at the bar.

Before I went to the bar, I didn't eat or drink anything. I don't remember what time I left the bar and don't remember leaving the bar.

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(Johnson reviewed two still-frame pictures from video at the Cabo Cantina. He circled the image of himself in both pictures and initialed and dated the bottom of the page.) I recall wearing a necklace that night, as depicted in the top picture. I recall wearing a watch that night, as shown in the bottom picture. [REDACTED] had his hands along my side as I left the bar. It is a fair assessment that he was guiding me as we walked out of the bar. In the bottom picture, I had my hands in the air, I think as a joke.

I use the phrase 'keep it a buck' on a daily basis. It means keep it honest. I use it sober and drunk so there isn't a numerical number I use that would indicate I have had too much to drink. If I had to rate my level of intoxication from one to ten, I would rate my level of intoxication from the last point I remember, and that was at the Cabo Cantina, as about a 5, but I don't remember anything else.

I left in a Lyft from the receipt you showed me. When I left the bar, I don't remember per se if I could care for myself. In my opinion, from what I saw in the Cabo Cantina video you showed me, I would say I was intoxicated.

The last thing I remember at Cabo Cantina, I was a 5. I was coherent, and from what I'm seeing in the videos, I was not a 5.

I don't know why I was dropped off at 4969 Pacific Highway. I reviewed video surveillance captured from Stor'em Self Storage's cameras.

The video is facing east from the Self Storage property and captures the north and southbound traffic on Pacific Highway. It starts at 2036 hours. Did you see a figure enter the view of the camera on the left side of the screen (walking south)?

Yes, entering from left side.

The figure runs into the wall and stumbles backwards, falling to the ground. We will refer to this person as Figure 1. Do you recall seeing that?

Yes.

Figure 1 attempts to stand and falls onto their knees. Another person, we will call Figure 2, appears to walk over. Figure 1 stumbles back and then falls forward. At one point Figure 1 puts a hand out onto the wall, Figure 2 begins to walk away when Figure 1 begins to fall backward, Figure 2 moves back towards Figure 1. Figure 1 fell backwards and Figure 2 appears to be holding onto Figure 1's hand and is drug down with him. Figure 2 walks away and at approximately 2037 hours, Figure 1 stands up. From 2037 hours to 2040 hours, the quality of the video is poor. But at 2040 hours, Figure 1 is seen leaving behind Figure 2, who is pushing a shopping cart. Do you believe, based on watching this video, that you are Figure 1?

Yes.

Why do you believe that?

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Because you guys showed it to me, and I'm assuming the timeframes are lining up. But I have no independent recollection of it. I think there are multiple levels as to why I don't remember, intoxication and my diagnosed PTSD. At the time, I was just going through a lot and didn't know how to cope with it.

I don't know what I was doing from approximately 2020 – 2047 hours. I don't recall entering the E-Z 8 Motel property. I don't recall challenging the [REDACTED] to fight. I don't recall calling him "a bitch ass nigga." I do use that language. My culture/background, being African American, we use that as a term of endearment. I wasn't trying to use it as a derogatory term at all. It's possible I said it, but I don't remember using it. Using it is like using the word "bro" or "dude." As a SDPD Officer, I know I should not use that term ("bitch ass nigga") at all. I would agree that by using that term I am violating the courtesy and conduct policy in terms of slur.

I have used the term "square up" with friends. I don't remember using that term with the [REDACTED].

I don't remember saying, "I kill niggers" to the [REDACTED]. I would not say "I kill things" and I would not use that term ("nigger") with the "er." I wouldn't say, "I kill people." I don't remember saying it. Anything is possible.

I don't know what "squared up" means. It is possible he heard "squared up." That term is used in the context of challenging someone to fight. I could mean, "I'm ready." If the person says it's okay or says no, then it's done.

I don't remember telling the [REDACTED] I was a cop. I recognized myself in the hotel clerk's video as the one without the shirt on. I don't remember any of that.

I think it reflects on the San Diego Police Department, that I used those terms in a public place, as not good. I don't think it reflects good that the security guard says I said, "I kill niggas," but I don't think I said that. I don't remember that night.

As a member of the San Diego Police Department, having recently been involved in a shooting where the decedent was African American, it wouldn't look good. In terms of the operation and efficiency of the Department in terms of how we build trust with the community, I think if I said "I kill niggas" to a member of the public...I think with the video, it stands for itself. I don't think it impairs anything.

I think any Department member saying "I kill niggas" in any setting, negatively affects the Department.

I don't think being in an OIS takes away me being responsible for my own actions that night. I just know because of the shooting, I was not coping with it well. I was secluding myself, binge eating and then going out that night wasn't a good idea. I still did it, and as a result, you see, I checked myself into a facility and found multiple coping

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mechanisms to help myself as a person and/or officer. I was just in a dark place. We are not built to kill people, and just from my close quarter shooting, I was messed up in the head. I asked for help and things like that, but I was messed up in the head. I finally got help. I am very blessed as a person and as an officer to have gotten the help that I did. I spoke to my therapist today. I am going to continue my therapy to help myself as a person and an officer.

I asked to go to an OIS retreat and then this event happened.

I went to a treatment facility that I learned about through Wellness, First Responders First.

I believe I was responsible for my behavior on the night of February 22, 2020. I believe my conduct brought disrepute/bad to the San Diego PD.

I don't recall leaving the hotel, challenging a white male walking on the sidewalk to fight, or falling face first on the sidewalk. I was not able to care for myself.

I vaguely remember interactions with the officers who detained me. I remember small things here and there, but I just watched the BWC. I start remembering things when the detectives came. I got out of the car. And then when we got to the SDPD HQ.

I don't recall saying the word, "nigga," when I spoke to the officers, but I saw it on the video. I was referring to him like "this dude right here." It wasn't in any disrespect. You could replace it as "dude" if you wanted. My heritage is my dad is African American and my mom is Hispanic. I should not use the term "nigga" to refer to another Department member on or off duty. I didn't see it as name-calling or see that it could be interpreted as name calling, not from the video I just saw. Being off duty should not change the conduct expected of me as a member of the San Diego Police Department.

I just want to add, I apologize for my actions. Remembering them or not, there is no excuse for my interaction, but as I said, I was just in a dark place because of the shooting. Going to this facility truly helped me out a lot. I am very blessed as a person and/or officer. Every day I get to talk to my partner and his family. It was a poop thing, but I wouldn't have done it any differently. It saved my partner's life, my life, the community and just, I was in a dark place. There is no excuse, but I truly was in a dark place. I'm glad that every day, to still be here and to have gone to this facility.

I had no more questions for Officer Johnson and the interview concluded at 1008 hours.

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CONCLUSIONS:

1. CRIMINAL CONDUCT – SUSTAINED

On February 22, 2020, Off Duty Officer Devion Johnson became intoxicated to the point he was unable to care for his safety or the safety of others, in violation of 647(f) PC - Drunk in Public.

San Diego Policy 9.03, Obedience to laws, dated July 10, 2015, states in part:

Members shall obey all federal, state, county, and municipal laws.

California Penal Code 647(f) states in part:

Except as provided in paragraph (5) of subdivision (b) and subdivision (l), every person who commits any of the following acts is guilty of disorderly conduct, a misdemeanor:

(f) Who is found in any public place under the influence of intoxicating liquor, any drug, controlled substance, toluene, or any combination of any intoxicating liquor, drug, controlled substance, or toluene, in a condition that he or she is unable to exercise care for his or her own safety or the safety of others, or by reason of his or her being under the influence of intoxicating liquor, any drug, controlled substance, toluene, or any combination of any intoxicating liquor, drug, or toluene, interferes with or obstructs or prevents the free use of any street, sidewalk, or other public way.

On February 22, 2020, Off Duty SDPD Officer Devion Johnson was dropped off by a Lyft driver in the area of 4747 Pacific Highway. He approached the E-Z 8 Motel and confronted [REDACTED]. He challenged [REDACTED] to fight, used racial slurs and threats in the process. After leaving the premises, [REDACTED] witnessed off duty Officer Johnson stumble away and fall face first onto the sidewalk where he remained. [REDACTED] called 911 because he feared Johnson was in need of medical assistance due to the level of his intoxication. Officers detained Johnson.

[REDACTED] responded to the location and interacted with Johnson. All four officers believed Johnson was unable to care for himself due to his level of intoxication. BWC video captured Johnson's interactions with the police. He appeared confused as to where he was and why he was at the location. Johnson was ultimately booked into jail for a violation of 647(f) PC.

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During Johnson's IA interview, he admitted he had consumed several alcoholic drinks at Cabo Cantina. He stated after reviewing the videos, he believed he was unable to care for himself.

Based on the officers' reports and their respective statements, as well as BWC videos surveillance video, [REDACTED] cell phone video, and Johnson's own statement, it's clear he was intoxicated to the point he was a danger to himself and others. When Johnson challenged [REDACTED] to fight and threatened to kill him, it was a clear indication he was drunk to the point where he was a danger to others. When Johnson walked away from the E-Z 8 Motel and fell face first on the sidewalk, it further demonstrated his inability to care for himself. Each officer, as well as two civilian witnesses, reported seeing Johnson display obvious signs of intoxication that impaired his ability to either care for himself or display posed a danger to other persons. This included threatening [REDACTED] challenging [REDACTED] to fight, falling down on the sidewalk, having slurred speech, an unsteady gait, and having an odor of an alcoholic beverage on his breath. Therefore, the allegation off duty Officer Johnson was drunk in public – 647(f) PC is **SUSTAINED**.

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2. PROCEDURE – SUSTAINED

On February 22, 2020, Off Duty Officer Devion Johnson violated SDPD's substance abuse policy when he consumed intoxicating beverages to the extent it resulted in a level of impairment that contributed to his obnoxious and offensive behavior which discredited himself and the department.

9.24 SUBSTANCE ABUSE POLICY (Revised 05/05/15), states in part:

Members, while off duty, shall refrain from consuming intoxicating beverages within eight hours of the beginning of a scheduled shift or overtime assignment, or to the extent that it results in a level of impairment, intoxication, or obnoxious or offensive behavior which would discredit them or the Department, or render them unfit to report for their next regular shift.

On February 22, 2020, Off Duty SDPD Officer Devion Johnson was dropped off by a Lyft driver in the area of 4747 Pacific Highway. He approached the E-Z 8 Motel and confronted [REDACTED]. He challenged [REDACTED] to fight, used racial slurs and threats in the process. After leaving the premises, [REDACTED] witnessed off duty Officer Johnson stumble away and fall face first onto the sidewalk where he remained. [REDACTED] called 911 because he feared Johnson was in need of medical assistance due to the level of his intoxication. Officers detained Johnson.

[REDACTED] responded to the location and interacted with Johnson. All four officers believed Johnson was unable to care for himself due to his level of intoxication. BWC video captured Johnson's interactions with the police. He appeared confused as to where he was and why he was at the location. Johnson was ultimately booked into jail for a violation of 647(f) PC.

During Johnson's IA interview, he admitted he had consumed several alcoholic drinks at Cabo Cantina. He stated after reviewing the videos, he believed he was unable to care for himself. He was also unable to recall any details after he left the Cabo Cantina. Johnson could not recall his interactions with [REDACTED] even after reviewing [REDACTED] cell phone recording. In his IA interview, he said, "I don't remember telling the [REDACTED] I was a cop. I recognized myself in the hotel clerk's video as the one without the shirt on. I don't remember any of that." He also said, "I think it reflects on the San Diego Police Department, that I used those terms in a public place, as not good. I don't think it reflects good that the [REDACTED] says I said, 'I kill niggas,' but I don't think I said that. I don't remember that night."

Based on the officers' reports and their respective statements, as well as BWC videos surveillance video, [REDACTED] cell phone video, and Johnson's own statement, it's clear he was intoxicated to the point he was a danger to himself and others. Johnson's level of impairment, intoxication, and

Reporting Officer: Tammy Clendenen, Sergeant ID: 6236 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: July 7, 2020

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offensive behavior as a result of him consuming intoxicating beverages was such that it would discredit him and the Department. Therefore, this is **SUSTAINED**.

Reporting Officer: Tammy Clendenen, Sergeant ID: 6236 Division Internal Affairs

Approved by: Stephen Shebloski, Lieutenant Date of Report: July 7, 2020

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3. CONDUCT – SUSTAINED

On February 22, 2020, Off Duty Officer Devion Johnson's off duty conduct was such that it could bring the Department into disrepute, reflects discredit upon him as an officer and member of the Department, impairs the operation and efficiency of the Department and himself, and reflects unfavorably on the Department.

San Diego Police Department Policy 9.06, Unbecoming Conduct Policy, dated January 26, 2004, states in part:

Officers shall conduct themselves, both on and off duty, in such a manner as to reflect favorably on the Department. Officers shall not conduct themselves in any manner that could bring the Department into disrepute or reflects discredit upon the officer as a member of the Department, or impairs the operation and efficiency of the Department or officer.

Members shall not engage in any conduct that is unbecoming an employee of the Department, nor which impairs the operation of the Department.

San Diego Police Department Policy 9.07, Immoral Conduct Policy, dated January 26, 2004, states in part:

Officers shall maintain a level of moral conduct in their personal and business affairs that is in keeping with the highest standards of the law enforcement profession. Officers shall not participate in any activity or incident involving moral turpitude that impairs their ability to perform as members of the Department or causes the Department to be brought into disrepute.

On February 22, 2020, at approximately 2020 hours, Off Duty SDPD Officer Devion Johnson was dropped off by a Lyft driver in the area of 4747 Pacific Highway. He approached the E-Z 8 Motel and confronted [REDACTED] a black male. During the confrontation, Johnson challenged [REDACTED] to fight, saying, "Nigga. What you say, nigga?" When [REDACTED] refused to fight Johnson, Johnson said, "You pussy Nigga! I kill niggas for a living. I'm a cop." After Johnson left the premises, [REDACTED] witnessed Johnson stumble away and fall face first onto the sidewalk where he remained. [REDACTED] called 911 to ask for assistance for fear Johnson was in need of medical assistance due to the level of his intoxication. Western Division Officers arrived a short time later and detained Johnson. During his detention, [REDACTED] was standing by with Johnson while they waited for PSU investigators to arrive. BWC video from [REDACTED] captured Johnson referring to [REDACTED] as a 'nigga.'

Reporting Officer: Tammy Clendenen, Sergeant ID: 6236 Division Internal Affairs
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The E-Z 8 [REDACTED] believed Johnson was possibly affiliated with a gang based on his behavior and the words he used as he challenged [REDACTED] to fight, stating,

Because, where I'm from and everything, you're saying, "I'm with so-and-so" or something like that, it usually means you're with a group. You know, four or more people. A gang. That's usually the way they express it. Ya know? "I'm with so-and-so."

Officer Johnson had no independent recollection of any of the events from the evening beyond 2000 hours. The level of Johnson's intoxication was such that he could not only not care for himself, but he appears to have been injured from a fight or falling down. Additionally, he used the same derogatory language when speaking to a member of the public and an on duty officer. Throughout the process, [REDACTED] described Johnson's behavior as being uncooperative and not forthcoming. [REDACTED] described Johnson's behavior as treating the officers like "enemies."

Johnson became so intoxicated, his personal behavior reflected unfavorably on the Department. Johnson's behavior was perceived as that of a gang member by a member of the public. He challenged two separate individuals to fight. He used derogatory language including racial slurs when speaking to a member of the public as he identified himself as a police officer. Johnson's statement to [REDACTED] "You pussy Nigga! I kill Niggas for a living. I'm a cop!" is beyond reprehensible and offensive because it is not in keeping with the mission, vision, and values of San Diego Police Department, which states, "The San Diego Police Department strives to advance the highest levels of public safety, trust, and professionalism by strengthening community partnerships through fair and impartial policing while fostering employee enrichment and growth to ensure we remain America's Finest police department." To make such a statement and use a slur not only discredits himself, it discredits the department and law enforcement profession as a whole.

Johnson's actions and the statements he made throughout this entire incident are wholly unacceptable standards of the law enforcement profession. Johnson used derogatory language when speaking to an on-duty member of the San Diego Police Department. He was uncooperative with San Diego Police Officers during his detention. One of these behaviors alone would have been reflected poorly on the department member and the department, but taken all together, Officer Johnson's conduct was unbecoming of a San Diego Police Department Officer. Therefore, the allegation is **SUSTAINED**.

Reporting Officer: Tammy Clendenen, Sergeant ID: 6236 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: July 7, 2020

CONFIDENTIAL – DO NOT DUPLICATE

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DOCUMENTATION:

The results of this investigation are based on the following items:

1. CAD event chronology E20011192
2. Communications audio recording and transcript of 911 call
3. SDPD Arrest Report of Johnson
4. BWCs: [REDACTED]
5. Booking Photo and Criminal History of Johnson
6. PSU audio and written statements of [REDACTED]
7. 12 Photos taken by PSU: (7) Johnson at the scene, (4) Johnson's vehicle parked along the street, and (1) rideshare trip showing the route of the trip.
8. Video captured by E-Z 8 [REDACTED] of Johnson on scene
9. Video from Cabo Cantina
10. Video from Stor'em Self Storage

CONFIDENTIAL: THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR CITY ATTORNEY.

[REDACTED]

LT
ID # <u>522</u>
DATE: <u>7/16/20</u>

Reporting Officer: Tammy Clendenen, Sergeant ID: 6236 Division Internal Affairs
Approved by: Stephen Shebloski, Lieutenant Date of Report: July 7, 2020



**The City of San Diego
M E M O R A N D U M**

Date: March 10, 2020
To: Jerry Hara, Captain, Southeastern Division
From: Mike Holden, Captain, Internal Affairs
Subject: Internal Affairs Investigation

The Internal Affairs Unit is conducting an investigation involving personnel assigned to your command. The details are as follows:

IA Control Number:	IA 2020-0090
Complainant(s)	Internal
Location:	4700 Pacific Highway, San Diego, CA
Date/Time of Incident:	February 22, 2020/2100 hours
CAD Incident Number:	E20020038663
Allegation(s):	Criminal Conduct Conduct

The following personnel have been identified as being involved in this incident:
Subject:

POII Devion Johnson [7683]

Please ensure that the involved personnel are made aware of the investigation. Please present all subject and witness officers with the enclosed memorandum. Have them sign in the presence of a supervisor and return it to the Internal Affairs Unit.

If you or the involved personnel desire additional information, please contact Sergeant Tammy Clendenen at [REDACTED]

Mike Holden, Captain
Internal Affairs

MH/tc



RECEIVED

The City of San Diego
MEMORANDUM

20 APR 10 PM 12:04
INTERNAL AFFAIRS

Date: March 10, 2020
To: Jerry Hara, Captain, Southeastern Division
From: Mike Holden, Captain, Internal Affairs
Subject: Internal Affairs Investigation

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If you or the involved personnel desire additional information, please contact Sergeant Tammy Clendenen at [REDACTED].

Mike Holden, Captain
Internal Affairs

MH/tc



The City of San Diego
MEMORANDUM

DATE: March 10, 2020
TO: Devion Johnson, Police Officer II, #7683
FROM: Mike Holden, Captain, Internal Affairs Unit
SUBJECT: Internal Affairs Investigation # 2020-0090

This is to inform you that you have been identified as a subject officer in an Internal Affairs investigation. The investigation is being conducted as the result of a citizen's complaint. This investigation concerns the following allegations:

1. Criminal Conduct
2. Slur
3. Conduct

Additional allegations may arise during the course of the investigation.

This investigation stems from an arrest which occurred on February 22, 2020, 2100 hours at 4700 Pacific Highway, San Diego 92110. (E 20020038663) Your interview with Detective Sergeant Tammy Clendenen # 6236 at the Internal Affairs Unit is scheduled for March 18, 2020, at 0900 hours. Please call [REDACTED] to confirm your interview.

As the subject officer you will be allowed to have a representative present during your interview. Representatives must not be connected with this investigation.

You are hereby ordered not to discuss this investigation or the allegations with anyone other than the investigating supervisor or your legal representative. Your failure to comply with this order will be deemed insubordination and subject you to disciplinary action up to and including termination. This requirement is set forth in Section 9.4 (Obedience to Lawful Orders Policy) of the San Diego Police Department Policy Manual.

You are also ordered to answer all questions directed to you during your interview fully and truthfully, as required by Section 9.29 (Truthfulness Policy) of the San Diego Police Department Policy Manual. Your failure to answer all questions fully and truthfully will subject you to disciplinary action up to and including termination.

I have received a copy of this memorandum and agree to comply with the orders.

Devion Johnson, Signature

Date

This memorandum has been presented to me by:

Supervisor Name/Rank/PD ID#

Date

Supervisor: Once the employee has signed the form, the original will be returned to the Internal Affairs Unit: [REDACTED]

MH/tc



RECEIVED

The City of San Diego
MEMORANDUM

20 APR 10 PM 12: 04
INTERNAL AFFAIRS

DATE: March 10, 2020
TO: Devion Johnson, Police Officer II, #7683
FROM: Mike Holden, Captain, Internal Affairs Unit
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Devion Johnson, Signature

Date

This memorandum has been presented to me by:

Supervisor Name/Rank/PD ID#

Date

Supervisor: Once the employee has signed the form, the original will be returned to the Internal Affairs Unit, [REDACTED]

MH/tc

**SAN DIEGO POLICE DEPARTMENT
SYNOPSIS REPORT**

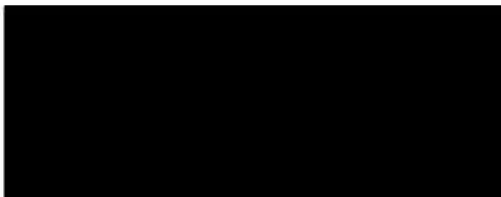
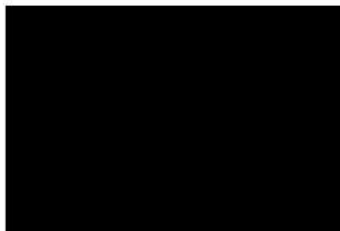
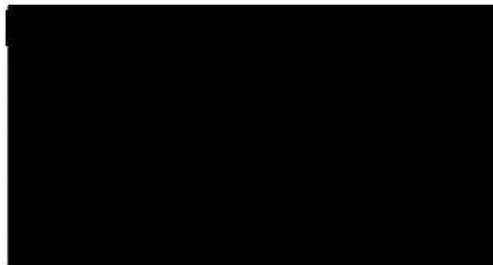
DATE (occurrence): February 22, 2020
TIME (occurrence): 2102 Hours
LOCATION: 4747 Pacific Highway, San Diego, CA
SUBJECT: Professional Standards Unit Investigation # 2020-009

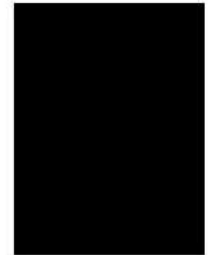
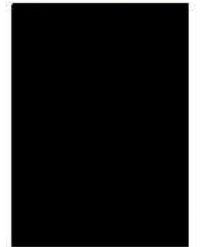
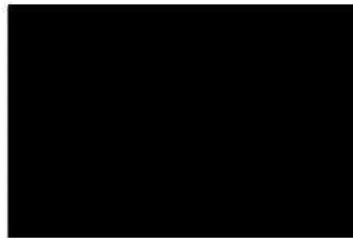
SUSPECT OFFICER(s):

JOHNSON, Devion, PO II, ID #7683
Date of Hire: 05/18/2017
S.D.P.D., Southeastern Division – 1st Watch
(619) 527-3500 (W)
H/M, DOB: [REDACTED]



WITNESS:





INVESTIGATION:

On February 22, 2020, at approximately 2200 hours, Professional Standards Unit Lieutenant J. Campbell, ID 6367 assigned this case to Detective J. Rzucidlo, ID 6450 and me for investigation.

Lt. Campbell stated that Off Duty Officer Devion JOHNSON, ID 7683 was contacted in the area of 4600 Pacific Highway, San Diego. JOHNSON was observed walking with an unsteady gait and appeared to be holding a chain link fence preventing JOHNSON from falling. JOHNSON's clothing appeared to be torn and disheveled. It was unknown if JOHNSON may have been involved in a physical altercation. Officers had responded to the area after JOHNSON got into a verbal confrontation with EZ-8 Hotel's [REDACTED] by confronting the [REDACTED] and using racial slurs prior to leaving the scene.

After being contacted by [REDACTED] and [REDACTED], JOHNSON stated he had been in Tijuana Mexico with co-workers and his girlfriend celebrating an officer passing the San Diego Police Department's Police Bicycle Course. JOHNSON's story evolved to him saying that he and several co-workers were drinking at a Pacific Beach bar, (*Cabo Cantina*). JOHNSON had objective symptoms of being under the influence of a alcohol. JOHNSON's speech was slurred, he had unsteady gait, and he repeated himself on numerous occasions and was emitting a strong odor which smelled of an alcoholic beverage.

On February 22, 2020, at approximately 2242 hours, Detective Rzucidlo and I arrived on scene and were briefed by [REDACTED]. [REDACTED] was advised by [REDACTED] that they had contacted and detained an off duty San Diego Police Officer. [REDACTED] essentially told us the following:

All interviews were audio recorded and the recordings will be maintained with the Professional Standards Unit (PSU) Office. The following is an "*in essence*" synopsis of the briefing and is not meant to be a word for word account of our conversation with Sergeant [REDACTED] (*For exact and complete details of the interview, refer to the audio recording*)

The initial radio call originated at the EZ-8 Hotel, 4747 Pacific Highway. The call was formatted stating that a male was on-property and refusing to leave and that he was falling over inebriated. Patrol Officers were dispatched to the call and a few moments later a supervisor was requested to the scene.

I responded and observed my Patrol Officers with a light skinned black male at 4600 Pac Highway. They informed me that the person they had detained was Devion JOHNSON. Devion is a Police Officer with the City of San Diego and he is assigned to Southeastern Patrol.

One officer responded to the EZ-8 Hotel and contacted the [REDACTED]. Initially the [REDACTED] stated that JOHNSON was involved in a physical fight with an unknown male. However, that story changed to the [REDACTED] thought that JOHNSON was involved in a fight based on his appearance. His shirt was ripped,

he had scratches on his skin, his shirt was partially removed and it appeared he had been in a fight with someone.

Initially the [REDACTED] asked JOHNSON for his identification after asking if he had a room at the Hotel. A quick computer check revealed that JOHNSON was not a registered guest. JOHNSON was asked to leave since he was not registered at the Hotel. JOHNSON refused to leave and became belligerent and used the "N" word when referring to the [REDACTED] is African American and wasn't pleased with the language used by JOHNSON. JOHNSON left without getting into a physical fight with the [REDACTED] and headed towards Taylor Street. That is when he was contacted by the Patrol Officers.

The briefing ended at 1050 hours.

After our initial briefing with [REDACTED], Detective Rzucidlo and I drove to the EZ-8 Hotel to interview the [REDACTED] and the [REDACTED]. Detective Rzucidlo and I interviewed [REDACTED] first since she was scheduled to get off work at 2300 hours and she expressed her desire to get off on time. Our interview with [REDACTED] commenced at 1054 hours. [REDACTED] and remained inside the office area for the entirety of the contact. [REDACTED] had used her personal cell phone to record a portion of the contact with JOHNSON and [REDACTED]. The following is an "*in essence*" synopsis of the interview and is not meant to be a word for word account of our conversation with [REDACTED]. (For exact and complete details of the interview, refer to the audio recording) Refer to Detective Rzucidlo's interview for further details.

I was working inside the office when I noticed the male approach on foot. From my position it was hard to hear what was being said between the [REDACTED] and the male. When I noticed the male, he was outside my window. I tried to look him up in order to verify he is a guest of the hotel. The [REDACTED] asked the male to leave. The guy really doesn't want to leave so the [REDACTED] tried to calmly get him to leave. The guy really doesn't want to budge, it looked like the guy was having a rough night. As soon as the [REDACTED] asked him to leave he became a little hostile and takes off his shirt and said, "I want to square off with you". "Do you want to square up? I'm squatted up". He also said, "I'm cup, this and that...". I didn't know what that meant but, basically, he was threatening to fight the [REDACTED].

The [REDACTED] deescalated the situation and told him we didn't need any problems. The guy is screaming at the top of his lungs, "you're a bitch-ass nigga" and repeats this several times over and over again. He gets off the property, but isn't done yet. He's trying to make himself look big and still is squaring off. The [REDACTED] is telling him he has to leave. Finally, the guy gets off the property. The [REDACTED] walks to the street to ensure he isn't coming back. The [REDACTED] comes to me and tells me that we might have to call the cops because he is

falling on his face and it looks like he might walk into the street and hurt himself or somebody.

A guest of ours told me that JOHNSON tried to attack him while he was returning to the Hotel, the guest had to run across the street in order to avoid JOHNSON.

The guy wasn't able to put his words together. He was slurring his words and he couldn't put a sentence together correctly. He was very unorganized with his walking and it looked like he was about to fall any minute. He was trying to seem as intimidating as he could. I couldn't really hear the [REDACTED] from behind the glass because he was using a calm voice. I could hear the other guy because he was yelling at the top of his lungs. "I'm with so and so ... we can squat up ... you're a bitch-ass nigga ... fuck you ...". Then he would have moments where he tried to shake the [REDACTED] hand. When the [REDACTED] would ask the guy to leave, he would get hostile again. It was back and forth for about eight minutes.

I heard him say, "I'm with cup". I don't know if I heard that right. He then took his shirt off. He tried to make himself look intimidating. He was puffing his chest out and challenging the security guard. I took a little video of the interaction.



I think the guy was heavily intoxicated. I see drunk people every day. It looked like he had a really rough night. My educated guess is that this man was very intoxicated. That might also explain the hostility.

The interview concluded at 2305 hours.

After interviewing [REDACTED], Detective Rzucidlo and I interviewed the [REDACTED] [REDACTED] is employed by [REDACTED], however [REDACTED] is not a [REDACTED] [REDACTED] was wearing a [REDACTED] works the entryway to the [REDACTED] and checks to ensure that people who enter the property are either registered guests of the hotel or have some sort of legitimate purpose to be on the property. The following is an *"in essence"* synopsis of the interview and is not meant to be a word for word account of our conversation with [REDACTED] [REDACTED] (*For exact and complete details of the interview, refer to the audio recording*) Refer to Detective Rzucidlo's interview for further details of the interview.

I had just started work and was speaking with the clerk when I noticed JOHNSON stumbling out on the sidewalk near the driveway. I knew he was drunk. When he walked onto the property I asked if he had a room. After he gave me a false room number, we checked the hotel registration and determined he was not a registered guest of the hotel. I asked him to leave and he immediately asked me if I wanted to "square off." He was calling me "nigger." I don't use that word and have never used that word. He kept asking me if I wanted to "square off." Then he said, "I'm a cop and I kill niggers." He kept saying that. He kept coming toward me like he wanted to fight. I told him he had to leave. He called me a bunch of expletives then he stumbled off and fell on his face.

The guy finally left, I looked down the street to ensure he wasn't coming back and I saw him "face-plant" on the sidewalk. He wasn't moving. That's when I called the police.

The interview concluded at 2323 hours.

After interviewing [REDACTED] and [REDACTED] Detective Rzucidlo and I returned to the scene and spoke with [REDACTED] at approximately 2338 hours. [REDACTED] and his partner, [REDACTED] had contacted and detained JOHNSON as he was walking southbound from the EZ-8 Hotel towards Taylor Street. The following is an *"in essence"* synopsis of the interview and is not meant to be a word for word account of our conversation with [REDACTED]. (*For exact and complete details of the interview, refer to the audio recording*)

We received a radio call of an 11-8 (person down) person down over here at the EZ-8, we rode Code-3 (lights and siren). As soon as we arrived on scene we were directed south by the [REDACTED]. We drove that direction and noticed a male stumbling on the sidewalk, holding the fence. We contacted the male and determined he was on off-duty San Diego Police Officer. I confirmed his identify with his Police ID.

He told us he was in Mexico celebrating a buddy who made the Central Division's Bike Team. He was cooperative and quiet with us. He was intoxicated and slurred his words. He had blood-shot eyes, slurred speech, he was holding on the fence to stand and he appeared to almost fall over. I would say he couldn't stand on his own. He didn't tell us how he got here. I patted him down for firearms, he didn't have any.

The interview concluded at 2342 hours.

At approximately 2346 hours, Detective Rzcudlo and I interviewed JOHNSON. JOHNSON was in police custody, handcuffed and sitting in the back seat of a marked patrol vehicle. We introduced ourselves to JOHNSON and explained we were conducting a criminal investigation. Detective Rzcudlo admonished JOHNSON per his PD-145. JOHNSON stated he understood his rights and agreed to speak with us. JOHNSON's speech was slurred and he emitted a strong body odor. JOHNSON was wearing a black, t-shirt which was torn around the collar area. The shirt appeared to be on backwards. JOHNSON's interview was digitally recorded. The following is an *"in essence"* synopsis of the interview and is not meant to be a word for word account of our conversation with Off-Duty Officer Devion JOHNSON. *(For exact and complete details of the interview, refer to the audio recording)* Refer to Detective Rzcudlo's interview for further details.

I was dropped off near here by my ex-girlfriend, she dropped me off because we had a difference of opinion. She lives here in Old Town. I live by Costco in Mission Valley.

Prior to this we were at my house. All I have to say is that I was dropped off here because we had a difference of opinion.

All I'm saying is that I got pulled over for 647(f) and I have not done anything to nobody, I just want to go home.

I'll tell you exactly where I was the whole night, you just have been giving me the whole fucking bullshit and that's cool. I was at the Cabo Cantina and my current girlfriend picked me up there and we had a difference of opinion and she dropped me off here. There was no DV, I would never touch her in that way.

We asked JOHNSON if he was in Mexico earlier in the night

Earlier today I was home watching Expendables one, two and part three. My "home-girl" just got promoted. I wasn't drinking. I was talking to my girl. I was watching Expendables. My "ex" is a PERT Clinician. She got promoted to Central. I didn't fuck anybody, I have nothing to bullshit. I was jacking the fuck off.

So today I woke up with a girl I shouldn't have been with. Her name is [REDACTED] She works at [REDACTED] I'll give you her number. I jacked off for like 17 hours. No bullshit. I

watched Expendables one, two and bought \$150 of Expendables from a website. I was talking to [REDACTED] My girl is [REDACTED] from Arizona. What do you think I did?

I drove to the bar, my car is still there. I went into the Cabo Cantina and met my friends, I talked to [REDACTED] that's not his name. His name is [REDACTED] I call him [REDACTED] because he looks like the baby in the movie "Hangover". "I'll keep it a buck with chu, I'll keep it a buck, I don't even know where I'm at right now".

I was with my boy and his chick tonight. I'm not going to tell you any names.

During the interview of JOHNSON, I took seven photos of him. JOHNSON would not look at me while taking the pictures. I could clearly see that JOHNSON's shirt was torn around the collar area. JOHNSON may have been wearing the shirt backwards. I explained to JOHNSON that I was going to take several photos of him. JOHNSON was not completely cooperative during my attempts to take pictures.

"More power to brotha, I'm a cute nigga, I'm cute".

The interview concluded at 0028 hours.

I notified Lieutenant Campbell of our findings and observations regarding our investigation this far. Based on several factors the decision was made to arrest Off-Duty Officer Devion JOHNSON for 647PC: Drunk in Public based on the following:

- JOHNSON was willfully under the influence of alcohol. It is presumed based on his statement that he had been consuming alcoholic beverages at the Cabo Cantina, in Pacific Beach, CA. JOHNSON displayed physical symptomology of being under the influence of alcohol. JOHNSON's speech was slurred, he had an unsteady gait and he emitted a strong odor of an alcoholic beverage.
- JOHNSON was under the influence in a public place. JOHNSON had walked up to the EZ-8 Hotel, 4747 Pacific Highway, San Diego, CA. JOHNSON had been asked to leave the hotel by [REDACTED] Off Duty Officer JOHNSON was contacted by [REDACTED] as he was described staggering on the sidewalk holding onto a chain link fence to keep from falling.
- JOHNSON did not appear to be in a position to take care of himself. JOHNSON had engaged in a verbal argument and challenged the [REDACTED] at the EZ-8 Hotel. JOHNSON had used offensive language in a public place which could cause a confrontation.

- Based on JOHNSON's appearance, it was not known if he had previously been involved in any type of physical altercation. JOHNSON's shirt was torn and appeared to be on backwards.
- After leaving the Hotel, JOHNSON was observed falling over on the sidewalk and remaining motionless. Due to this the [REDACTED] called the police.
- [REDACTED] was walking back to the EZ-8 Hotel and reported that JOHNSON was observed on the sidewalk in front of him making a "come-here" gesture. [REDACTED] believed he wanted to fight and walked across the street avoiding JOHNSON.
- Based on our observation of JOHNSON's demeanor I did not believe he would willingly remain at the San Diego Detox Facility without causing a disturbance and/or walking out, for the following reasons; JOHNSON alternated between mumbling and yelling and was very talkative. JOHNSON used language which was racially offensive in an attempt to start a fight. JOHNSON, when approached by [REDACTED] made potentially threatening gestures which were construed as challenging another to a fight. JOHNSON often forgot where he was. I did not believe that JOHNSON would be able to process and/or comply with the rules at the Detox Facility. JOHNSON stated multiple times during his interview that he wanted to be taken to jail.

The decision was made based on the above observations and actions by JOHNSON to arrest him for being drunk in public. I directed [REDACTED] and [REDACTED] to process JOHNSON into the San Diego County Jail for 647(f) PC: Drunk in Public.

I advised JOHNSON of our decision. I called and spoke to the San Diego County Jail Watch Commander and advised him of the forthcoming booking of Off Duty Officer JOHNSON.

JOHNSON stated he had been celebrating an officer passing the San Diego Police Department's Police Bicycle Course. JOHNSON would not divulge with whom he was drinking with. I had direct knowledge of the Police Cyclist Course and deduced that [REDACTED] may have been the officer who had been drinking with JOHNSON at the *Cabo Cantina* bar. I left a text message with [REDACTED] requesting he call me. On February 23, 2020 at approximately 0836 hours, [REDACTED] returned my call. I asked [REDACTED] if he had been drinking the night before with JOHNSON and other co-workers. [REDACTED] confirmed my speculation and stated he was with JOHNSON at the *Cabo Cantina*. I asked [REDACTED] if he would be willing to meet with my partner and me later the same morning. [REDACTED] agreed to the interview.

On February 23, 2020 at approximately 1034 hours, Detective J. Rzucidlo, ID 6450 and I interviewed [REDACTED] and [REDACTED] at his home in Pacific Beach, CA.

The following are *"in essence"* synopses of the interviews and is not meant to be a word for word account of our conversation with [REDACTED] and [REDACTED]. (For exact and complete details of the interviews, refer to the recordings) Refer to my (Sergeant Higdon's) interview of [REDACTED] and [REDACTED] for further details.

Detective Rzucidlo and I interviewed [REDACTED]:

I was with some friends last night. We met at a bar in Pacific Beach, The Cabo Cantina. We got there pretty early, I would say around 1800 hours. There were several people there, [REDACTED], his girlfriend, [REDACTED] [REDACTED] and another couple from Southeast, but I don't know their names. This was my first time meeting Devion and everybody else. I know [REDACTED] is a [REDACTED] and she's transferring to Central Division from Southeastern. This was the reason for the get-together. This was just a bunch of friends getting together, no drama. This was the first time I had met Devion. We 'chatted' it up and talked about work and football. We just 'shot the shit'.

I went to the bathroom and when I returned Devion was gone. My buddy, [REDACTED] [REDACTED] said he placed Devion in an UBER. Devion was pretty "F" (*slang for 647(f) PC*). Devion was drinking consistently. He wasn't causing any problems.

The interview concluded at 1045 hours.

After interviewing Officer [REDACTED] Detective Rzucidlo and I interviewed [REDACTED] at approximately 1051 hours.

When we first got there, there were about 6 people in the immediate group, and there was a girl with her boyfriend and parents who were off to the side who were also part of that group. They left about 10 minutes later because they had dinner reservations.

I didn't know anyone there. It was my first time meeting those people. I spoke a little with [REDACTED] his girlfriend and [REDACTED] I may have said two words to Devion. I was not drinking during the night, because I was driving.

When we arrived, Devion was already there. I didn't see him leave, I went to find [REDACTED] at the bar and I observed [REDACTED] and Devion speaking intently to one another. When I got back, [REDACTED] told me that he called an UBER for Devion because he had been drinking too much. I really didn't think he was intoxicated.

The interview concluded at 1057 hours.

After the conclusion of our interview with [REDACTED] and his girlfriend, [REDACTED] [REDACTED] Detective Rzucidlo called [REDACTED] in order to meet and interview him regarding his observations and interactions with JOHNSON. [REDACTED] [REDACTED] and his girlfriend, [REDACTED] agreed to the interview. They were at the Cabo Cantina with friends, including JOHNSON celebrating their friend, [REDACTED] [REDACTED] promotion to another division.

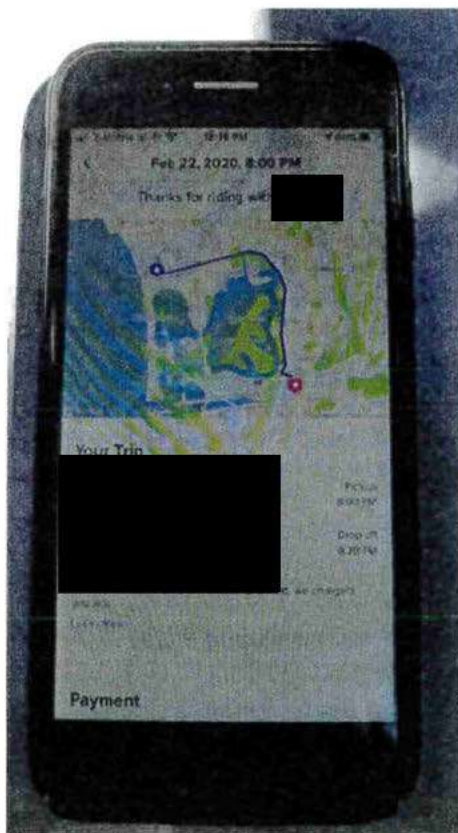
On February 23, 2020 at approximately 1205 hours, Detective Rzucidlo and I interviewed [REDACTED] and his girlfriend, [REDACTED] at [REDACTED] residence.

The following is an *"in essence"* synopsis of the interview and is not meant to be a word for word account of our conversation with [REDACTED]. *(For exact and complete details of the interview, refer to the audio recording)* Refer to Detective Rzucidlo's interviews for further details.

We went out last night to celebrate [REDACTED] transfer from Southeastern to Central Division. She's a [REDACTED]. There were several people at the bar, it was myself, my mom, my girlfriend, [REDACTED], his wife, [REDACTED] his girlfriend and Devion. [REDACTED] came with a girl but they left after about five minutes.

We were just hanging out and drinking. No one was causing any problems. Devion is a good friend of mine. We hang out off-duty from time to time. He's one of my better friends. During the night, I noticed that Devion had too much to drink. He wanted to stay longer, but I told him it was time to go. I called him an UBER from my account.

Detective Rzucidlo asked [REDACTED] if he could check his phone to see when Devion was picked up. [REDACTED] checked his phone and found the information on his Lyft application. The ride summary showed Devion was picked up at 2000 hours at [REDACTED] Garnet Avenue and dropped off at 2020 hours at [REDACTED] Pacific Highway. The Lyft application stated the ride ended early.



The interview concluded at 1223 hours.

██████████ sent a request to Lyft via his application in an attempt to contact the driver identified as "██████████".

After interviewing ██████████, Detective Rzucidlo and I interviewed ██████████ at approximately 1230 hours.

I have been dating ██████████ for about six months, last night we went to Cabo Cantina, when we arrived there were several people already there. I can't recall any issues with anyone in our group. Nobody was causing any problems.

I remember ██████████ calling a Lyft for Devion. ██████████ thought Devion needed to go home. I didn't notice anything out of the ordinary with respect to Devion. He was just being himself.

The interview concluded at 1238 hours.

On February 23, 2020, at approximately 1335 hours, Detective Rzucidlo interviewed ██████████ ██████████ over the phone. ██████████ stated that she and her friends were at the Cabo Cantina the night before celebrating her move from Southeastern Division to Central Division. ██████████ said she organized the event. ██████████ said she knows JOHNSON from

her time at Southeastern Division. [REDACTED] has gone out with him in the past. [REDACTED] stated she didn't observe JOHNSON intoxicated at the Cabo Cantina.

For exact and complete details of the interview, refer to the audio recording and Detective Rzucidlo's interview for further details.

On February 25, 2020, I sent an email request to LYFT at LER@Lyft.com. I requested that LYFT act as an intermediary and give the driver who picked up and dropped off JOHNSON the option to contact me in order to be interviewed. On February 25, 2020, I received a response from LYFT stating that they would forward my request to the driver identified as [REDACTED]

On February 26, 2020, I requested and received the 911 audio recording from the San Diego Police Department's Audio Research Department.

The 911 call is 3:28 in length. The caller is [REDACTED] [REDACTED] describes to the dispatcher that a "drunk guy come on the property, confronted me wanting to fight me". [REDACTED] explains that JOHNSON had fallen over after "stumbling off" and now was laying on the sidewalk, face down. [REDACTED] tells the dispatcher that JOHNSON had identified himself as a "cop" and that he said, "I'll kill the N-word".


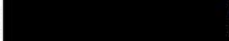
On February 26, 2020, a social media review of Facebook and Instagram was conducted for JOHNSON. No pages were found.

CONCLUSION:

Johnson was arrested and taken to the San Diego County Jail.

Per standard procedures, as Devion JOHNSON has no prior history of 647(f) PC: Drunk in Public, JOHNSON was not arrested for any related crimes, and is not in the Serial Inebriate Program (SIP), this case will not be forwarded to the City Attorney's Office.

This case will be forwarded to the San Diego Police Department's Internal Affairs Unit for an Administrative Review.

Reporting Investigator:  Daniel Higdon ID# 5057 Professional Standards Unit
Approved by:  ID# 6367 Date of Report: Feb 26, 2020

JUD CAMPBELL
ON 2/27/20

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): February 22, 2020
TIME (occurrence): 2102 Hours
LOCATION: 4747 Pacific Highway, San Diego, CA
SUBJECT: Interview of Officer Devion JOHNSON
Professional Standards Unit Case: #2020-009

SUSPECT OFFICER: **JOHNSON, DEVION, POII, ID #7683**
Date of Hire: 05/18/2017
S.D.P.D., Southeastern Division – 1st Watch
619-527-3500
H/M, DOB: [REDACTED]



INVESTIGATION:

On February 22, 2020, at approximately 2346 hours, Sgt. HIGDON and I spoke with Off-Duty Officer Devion JOHNSON. JOHNSON was handcuffed and seated in the backseat of a patrol vehicle. I explained to JOHNSON that we were from the Professional Standards Unit and conducting a criminal investigation. I admonished JOHNSON per my PD-145 notepad. JOHNSON stated he understood his rights and was willing to speak with us. JOHNSON made rambling statements during our conversation. His speech was slurred and his breath had the strong odor of an alcoholic beverage. I recorded our conversation. The recording will be maintained with PSU. The following is an “in essence” report including JOHNSON’S answers to our questions and is not meant to be a word for word account of our conversation with JOHNSON. Refer to the recording for further details.

STATEMENT OF OFFICER DEVION JOHNSON:

I told JOHNSON that I believed he had too much to drink and we would like to find out how he ended up where he was. I asked JOHNSON if he knew where he was.

I’m in Western Division. I was brought here by my ex-girlfriend. She dropped me off because we had a difference of opinions. I live here.

I asked JOHNSON where he lived.

She lives here in Old Town. I live by Costco in Mission Valley. She dropped me off and said she was going out with her friends. Her friend is getting married next weekend.

I asked for his girlfriend's address.

I don't know.

I asked if she was an ex-girlfriend or current girlfriend.

Current girlfriend.

I asked where they were prior to dropping him off.

My house. I'm done talking but it's cool. All I got to say is I got dropped here by my ex-girlfriend because we had a difference of opinions and that's it.

I asked JOHNSON for her name.

That's beside the point. You already know, I know it's good. So I'm done.

I asked JOHNSON if he wanted to give us any more info about how he ended up there.

My girlfriend dropped me off here because we had differences.

I asked JOHNSON if he was willing to give us his girlfriend's phone number so we could confirm what he was saying.

No. What I'm saying is, I got pulled over for 647f. I haven't done anything to anybody. I just want to go home. I live by myself. I have a girlfriend and a suspect girl. I just want to go home.

I'm not trying to fight anyone. I just want to go home. I have tickets to the Lakers game tomorrow.

I told JOHNSON our goal was to find out what happened before he got dropped off.

I'll tell you exactly where I was all night. I was at Cabo Cantina then my current girlfriend picked me up there. We had a difference of agreements. I ended up here. Cabo Cantina is in PB.

There was no DV. I would never touch her and she would never touch me. I can take her to HQ tomorrow.

I told JOHNSON we could give her a phone call right now to make sure nothing happened.

She's not from here. She's from Arizona.

I asked JOHNSON if he would give us her phone number.

If you want to. Fuck it. If you ask her. No, I'm done. I would never touch her like that.

I told JOHNSON that we were told he was in Mexico earlier in the night.

I've been sitting here. I was home watching Expendables one, two and three. My "home girl" at Southeast just got promoted. I was at home.

I asked JOHNSON who he was drinking with.

I wasn't drinking. I was talking to my girl. I was watching Expendables. My "ex" is a [REDACTED] She got promoted to Central. I didn't fuck anybody, I have nothing to bullshit. I was jacking the fuck off.

I drank today at Cabo Cantina.

I asked JOHNSON if he was drinking with his girlfriend.

No. With my peoples. "I'm keeping a buck. I'm keeping a buck."

So today I woke up with a girl I shouldn't have been with. Her name is [REDACTED] She works at [REDACTED] I'll give you her number. I jacked off for like 17 hours. No bullshit. I watched Expendables one, two and bought \$150 of Expendables from a website. I was talking to [REDACTED] My girl is "[REDACTED]" from Arizona. What do you think I did?

I told JOHNSON we were trying to figure that out. I told him I thought he was drunk.

I know how this cop bullshit goes. Do you think I did something?

I told JOHNSON he was drunk, he didn't know how he got there and his shirt was ripped.

I jacked off all fucking day. You can call my girlfriend but don't tell her I was jacking off. Her name is [REDACTED] She's in Arizona. She comes out on the weekends.

I was jacking off all day. I watched Expendables one, two and three. Then my "peoples" called me. I'm not saying any names because they're cops. They asked if I was coming to a going away. I showered and went to Cabo Cantina. You can call the bartender.

I asked JOHNSON if he left the bar with his girlfriend.

No. She's in Arizona.

I asked JOHNSON who dropped him off.

I drove. My car is still there.

I asked who dropped him off where we were.

I drove to Cabo Cantina. I met all my friends.

I told JOHNSON I wanted to know how he got where we were.

I'll keep it a buck with you. I don't even know where we're at right now. I'll keep it a buck.

I told JOHNSON that he said his girlfriend dropped him off.

She is in Arizona. I was with my boy and his chick. I'm not saying any names. I don't even know where I'm at.

I asked JOHNSON if he knew who he left the bar with.

I do not. It's not a game. If you want to arrest me, more power to you. I just wanted to watch the fight tonight.

I asked JOHNSON if he had a cell phone on him.

I do in my left back pocket. If I can go pee while you pick it up, it's cool.

I know my car is still there. It's a block south and a block east of Cabo Cantina.

I asked JOHNSON if I could check his pockets for his keys.

More power to you.

We had JOHNSON step out of the patrol vehicle to search his pockets. I located a Ford key in his pants pocket. He did not have a cell phone in his possession.

Sgt. HIGDON asked JOHNSON if he remembered being at the E-Z 8 Motel.

I don't know what the fuck that is.

Sgt. HIGDON asked JOHNSON if he knew how he got to where we were.

I don't know. You can call my girlfriend. You can call my friends. I don't have my phone.

I told JOHNSON that he told us he was dropped off by his girlfriend after a disagreement.

She lives in Arizona. Her name is [REDACTED] We met in Lancaster, California. We've known each other for several years. She visits me. I don't give a fuck what you say.

Sgt. HIGDON asked JOHNSON who the Officers were he was drinking with.

I'm not putting them out. Just take me to jail. Take me to jail. If you want to arrest a cop, more power to you. Take me to jail.

We had JOHNSON step out of the patrol vehicle again in order to photograph him. Sgt. HIGDON told JOHNSON he was going to photograph him.

More power to you. I'm a cute "nigga."

JOHNSON refused to look at the camera while being photographed.

Sgt. HIGDON asked JOHNSON how his shirt got torn.

I don't know. I can't see it.

Sgt. HIGDON asked JOHNSON if he remembered who he went to the bar with.

This is exactly what I did. I was at home jacking off. No disrespect. I watched Expendables. My [REDACTED] asked if I was coming. I met her and my friends at Cabo Cantina. I had mixed drinks. I'm not a snitch. I won't give any names.

My girlfriend is in Arizona. Her name is [REDACTED] or [REDACTED]

I asked JOHNSON for her last name.

Shit. I've know her since 2009 but genuinely don't know her last name. Her birthday is in [REDACTED] She does eye lashes for work.

I can promise you I didn't injure anybody. I'm not about that life. I would never interrupt anyone. I don't know how to say it. I don't know what's going on. I would never hurt anyone by choice.

Sgt. HIGDON asked JOHNSON if he remembered who picked him up from the beach.

I didn't even know I was at the beach. I was in Pacific Beach. My phone is probably at Cabo Cantina. I'll keep it a buck. I have nothing to hide. I don't know who I came with. If I knew anything I would tell you. I am a snitch. I grew up in the hood. Lancaster, California.

Sgt. HIGDON told JOHNSON we needed to verify things. He told JOHNSON that he initially said he was with his girlfriend.

She's in Arizona. You can call her. Check my pockets for my phone.

I asked JOHNSON for the names of the people he was at the bar with so we could speak with them in order to find out what happened.

I was celebrating someone getting a promotion from the [REDACTED] [REDACTED] and someone going to the bike team. What do you guys think I did? Do you think I killed someone or punched someone?

I told JOHNSON we were there because none of us knew what happened tonight. I told JOHNSON we would like to speak with someone he was with tonight.

Her name is [REDACTED]. She is in [REDACTED]. Did someone die tonight? You look like detectives. Why are you fucking with me? There's more to the story. I don't know what to say.

I was jacking off all day. My girlfriend lives in Arizona. I want to be with her the rest of my life. Last night I was with a girl named [REDACTED]. She is a Filipino bitch. No sex, nothing like that. She went to [REDACTED] to work. I jacked my dick for 17 hours. I was watching Expendables one, two and three. [REDACTED] called me and said it was her going away party. I kept jacking off until I "came." I started driving. I was talking to my girlfriend [REDACTED]. I went to Cabo Cantina. My truck is there. It's a silver Ford F-150. I said hi to everyone. I bought several shots. I was drinking too much. I had no beef with anyone.

I asked JOHNSON if he was carrying a firearm at any point during the evening.

You sound crazy. I would scream no.

Sgt. HIGDON asked JOHNSON what time he got to the bar.

Around 1715 hours. When I came to PB it was 1700 hours.

We ended the interview at 0028 hours.

Reporting Investigator: Detective J. Rzucidlo

ID# 6450 Professional Standards Unit

Approved by: Lt. Jud Campbell

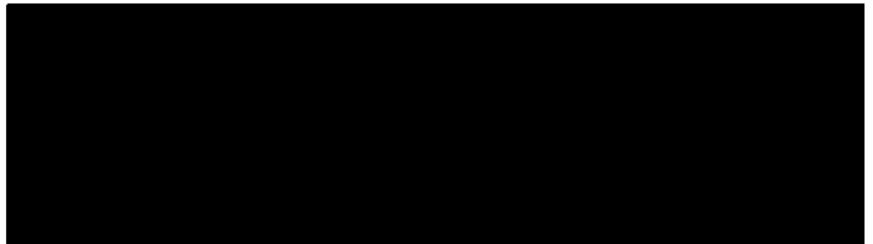
ID# 6367 Date of Report: 02/24/2020

[REDACTED]
Jud Campbell
2/27/20

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): February 22, 2020
TIME (occurrence): 2102 Hours
LOCATION: 4747 Pacific Highway, San Diego, CA
SUBJECT: Interview of [REDACTED]
Professional Standards Unit Case: #2020-009

WITNESS:



INVESTIGATION:

On February 23, 2020, at approximately 1205 hours, Sgt. HIGDON and I spoke with [REDACTED] at his residence located at [REDACTED]. We learned through our investigation that [REDACTED] was at the Cabo Cantina with Officer Devion JOHNSON #7683 on the evening of February 22, 2020. I recorded our conversation. The recording will be maintained with PSU. The following is an "in essence" report including [REDACTED] answers to our questions and is not meant to be a word for word account of our conversation with [REDACTED]. Refer to the recording for further details.

STATEMENT OF [REDACTED]:

I started the conversation by explaining we were from the Professional Standards Unit and were conducting a criminal investigation where he was a possible witness. I explained to [REDACTED] that he did not have to speak with us if he did not want to. [REDACTED] agreed to provide a statement.

I told [REDACTED] we wanted to talk about the events that occurred the night before on February 22nd when he and some friends went out to a bar.

We went to Cabo Cantina here in Pacific Beach. I went with my mother and my girlfriend. My mother's name is [REDACTED]. My girlfriend's name is [REDACTED].

I asked [REDACTED] what the reason was for the outing to the bar.

It was a farewell for [REDACTED]. She is a [REDACTED] leaving Southeastern Division.

I asked [REDACTED] who else was there.

It was myself, my mom, my girlfriend, [REDACTED] his wife, [REDACTED] his girlfriend and Devion. [REDACTED] came with a girl but they left after about five minutes.

I don't think anyone really planned it. Devion texted me and asked if I was going to [REDACTED] get-together.

I asked [REDACTED] who was there when he got there.

It was [REDACTED] then [REDACTED] and his wife got there. I got there after them. Devion got there a little later. It was later than most people. I got there about 1645 hours.

We were just hanging out and drinking. No one was causing any problems.

I asked [REDACTED] if he knew how Devion got there.

I don't know. I'm assuming some kind of rideshare.

I asked [REDACTED] if Devion was a close friend.

Yeah. He's on my squad but he's on admin leave right now from a shooting. He's a good friend of mine. We hang out off duty. We probably go out every two weeks or so and grab some drinks. We communicate back and forth. He's one of my better friends.

I asked [REDACTED] if he thought Devion had been drinking prior to arriving at Cabo Cantina.

I have no idea. Normally I would have asked. I didn't notice anything obvious with him. He seemed normal.

I asked [REDACTED] if there were any issues while at the bar with his group.

I just thought Devion had a little too much to drink based on knowing him the way I do. I told him I was going to get him an Uber. He wanted to stay longer. He had been there a couple hours.

I asked [REDACTED] how he knew Devion had too much to drink.

I know him just like he knows me. If I've had too much to drink, he would do the same thing for me and send me home.

We have been drinking together in the past. He is not known to cause any problems. That's why hang out with him. We mind our own business.

I don't know what he was drinking at the bar.

I asked [REDACTED] why he wanted to get Devion in an Uber and send him home.

When he starts drinking too much he says, "Keep it a buck." Which means like keep it real. He just kept saying it so I knew.

I asked [REDACTED] if Devion was annoying anyone or saying anything inappropriate.

No. We have been out drinking before and he has never made any comments or done anything that bothered anyone. He's a very friendly guy.

I asked [REDACTED] if Devion came to the bar by himself.

He came by himself and left by himself.

I asked [REDACTED] if Devion had a girlfriend.

As far as I know he's single. He lives by himself. I would know if he had a girlfriend.

I asked [REDACTED] how he got Devion the Uber.

I ordered it for him. I asked him his address and sent him off. I used my phone to order it.

I asked [REDACTED] if he knew if Devion made it home.

I don't know. I put in his address. I told the driver that he had too much to drink and to take him to his house. I talked to the driver when he picked Devion up.

I asked [REDACTED] if he could check his phone to see when Devion was picked up. [REDACTED] checked his phone and found the information on his Lyft application. The ride summary showed Devion was picked up at 2000 hours at [REDACTED] Garnet Avenue and dropped off at 2020 hours at [REDACTED] Pacific Highway. The Lyft application stated the ride ended early.

This is not the address I entered for him to be dropped off. That is really shocking. I know he lives in Mission Valley. The name of the driver was '██████████' I don't think there is a way to contact the driver after the ride unless you lost something. I'm really familiar with Lyft. I keep saying Uber but this is Lyft.

I told ██████████ that Devion was missing his phone and he may have left it in the Lyft vehicle. ██████████ sent a message through the Lyft application stating a phone was missing.

I asked ██████████ if he saw Devion with his phone at the bar.

No. I just used my phone to order the Lyft to do him a favor.

I asked ██████████ if he thought Devion was so drunk that he could have gotten kicked out of the Lyft and not remember what happened to him.

We have gone out and gotten drunk before. Sometimes he will come over here and drink. No matter how much he drinks, he's always able to figure it out. He's not that guy. I'm surprised he lost his phone. I tried to call him this morning.

I didn't think he was going to cause any problems. I told the Lyft driver to call me if there were any issues. I didn't hear anything.

I asked ██████████ if there was a chance something happened in the bar that he didn't see.

No. We were only away from each other when we went to the bar to get a drink.

Sgt. HIGDON asked ██████████ if he remembered talking to Devion before the Lyft got there and if he had to talk him into leaving.

If I was talking to him before the Lyft got there, I was probably telling him it was time to go home. He was probably saying he was good but I told him it was time to go. I'm assuming that. I don't remember the conversation.

We ended the interview at 1223 hours.

We informed ██████████ that we would like to interview his mother due to her being present at the Cabo Cantina. ██████████ respectfully requested we not interview his mother. We did not obtain a statement from her.

Reporting Investigator: Detective J. Rzucidlo

ID# 6450 Professional Standards Unit

Approved by: Lt. Jud Campbell

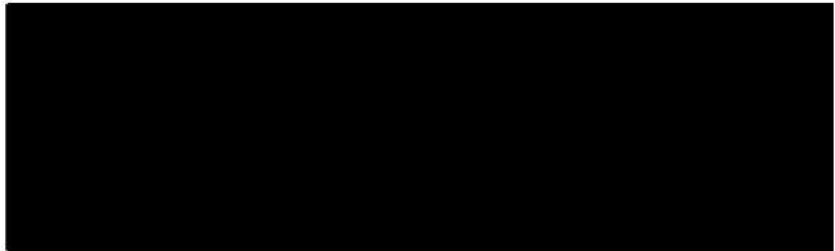
ID# 6367 Date of Report: 02/24/2020

██████████
J Campbell
2/27/20

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): February 22, 2020
TIME (occurrence): 2102 Hours
LOCATION: 4747 Pacific Highway, San Diego, CA
SUBJECT: Professional Standards Unit Case: #2020-009
Interview of [REDACTED]

WITNESS:



INVESTIGATION:

On February 22, 2020, at approximately 2102 hours, Off-Duty Officer Devion JOHNSON, ID 7683 was contacted in the area of 4600 Pacific Highway, San Diego. Off-Duty Officer (ODO) JOHNSON was observed walking with an unsteady gait and appeared to be holding a chain link fence preventing ODO JOHNSON from falling. Officers had responded to the scene after ODO JOHNSON got into a verbal confrontation with [REDACTED] at the EZ-8 Hotel, 4747 Pacific Highway. ODO JOHNSON was subsequently arrested for being drunk in public and transported to County Jail.

After being contacted JOHNSON stated he had been celebrating an officer passing the San Diego Police Department's Police Bicycle Course at a Pacific Beach bar, (*Cabo Cantina*). JOHNSON would not divulge with whom he was drinking with.

I had direct knowledge of the Police Cyclist Course and deduced that [REDACTED] may have been the officer who had been drinking with JOHNSON at the *Cabo Cantina* bar. I was the instructor for the Police Cyclist Course and determined with the use of [REDACTED] computer that the current Central Bike Team members who were class participants were working. I called Central Bike Team [REDACTED] and asked him which students were on his 'short list' to make his team. [REDACTED] was identified as one of those students. I left a text message with [REDACTED] requesting he call me.

On February 23, 2020 at approximately 0836 hours, [REDACTED] returned my call. I asked [REDACTED] if he had been drinking the night before with JOHNSON and other co-workers. [REDACTED] confirmed my speculation and stated he was with JOHNSON at the *Cabo*

Cantina. I asked [REDACTED] if he would be willing to meet with my partner and me later the same morning. [REDACTED] agreed to the interview.

On February 23, 2020 at approximately 1034 hours, Detective J. Rzucidlo, ID 6450 and I interviewed [REDACTED] at his home in Pacific Beach, CA.

All interviews were audio recorded and the recordings will be maintained with the Professional Standards Unit (PSU) Office. The following is an *"in essence"* synopsis of the interview and is not meant to be a word for word account of our conversation with [REDACTED] [REDACTED] (For exact and complete details of the interview, refer to the recordings)

I was with some friends last night. We met at a bar in Pacific Beach, The Cabo Cantina. We got there pretty early, I would say around 1800 hours. There were several people there, [REDACTED], his girlfriend, [REDACTED] [REDACTED] and another couple from Southeast, but I don't know their names. This was my first time meeting Devion and everybody else. I know [REDACTED] is a [REDACTED] and she's transferring to Central Division from Southeastern. This was the reason for the get-together. This was just a bunch of friends getting together, no drama. This was the first time I had met Devion. We 'chatted' it up and talked about work and football. We just 'shot the shit'.

I went to the bathroom and when I returned Devion was gone. My buddy, [REDACTED] said he placed Devion in an UBER. Devion was pretty "F" (slang for 647(f) PC). Devion was drinking consistently. He wasn't causing any problems.

During the night there were no incidents between anyone in our group that could be construed as causing a problem in the bar. I never observed anyone causing problems. If I had, either [REDACTED] or I would have stopped it.

I think Devion being placed in an UBER was [REDACTED] call. I didn't get a chance to tell Devion 'good night'. I believe [REDACTED] used his own phone to call the UBER. I'm not sure what time the UBER was called. I had been drinking and was pretty drunk.

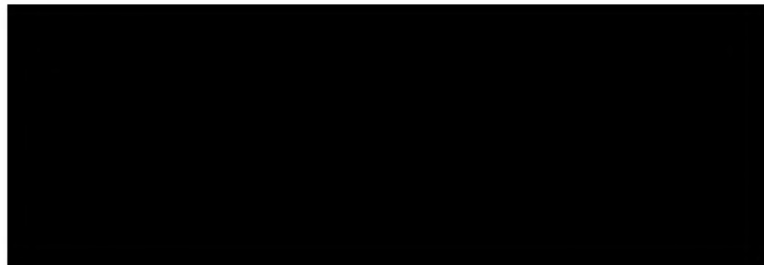
The interview concluded at 1045 Hours.

Reporting Investigator: Sergeant Daniel Higdon ID# 5057 Professional Standards Unit
Approved by: [REDACTED] 367 ID# 6367 Date of Report: Feb 24, 2020
[REDACTED] 2/27/20

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): February 22, 2020
TIME (occurrence): 2102 Hours
LOCATION: 4747 Pacific Highway, San Diego, CA
SUBJECT: Interview of [REDACTED]
Professional Standards Unit Case: #2020-009

WITNESS:



INVESTIGATION:

On February 22, 2020, at approximately 2254 hours, Sgt. HIGDON and I spoke with [REDACTED] [REDACTED] at the E-Z 8 Motel located at 4747 Pacific Highway in San Diego. [REDACTED] was working [REDACTED] of the motel when Officer Devion JOHNSON #7683 confronted the security guard identified as [REDACTED] [REDACTED]. I recorded our conversation. The recording will be maintained with PSU. The following is an "in essence" report including [REDACTED] answers to our questions and is not meant to be a word for word account of our conversation with [REDACTED]. Refer to the recording for further details.

STATEMENT OF [REDACTED]:

Sgt. HIGDON asked [REDACTED] to tell us what she witnessed.

It was a little hard to hear because of the glass. I saw a gentleman (JOHNSON) walk up. Our [REDACTED] stopped him and asked if he had a room here. The guy said yes. We checked his identification. I could not find anything saying the guy had a room here. He could not think of anyone he could be staying with here.

The male could not be on the property because we could not verify him. The [REDACTED] [REDACTED] told him to leave. The guy didn't want to leave. The [REDACTED] [REDACTED] tried to calmly get him off of the property. The guy already had his shirt half off. It looked like he was having a rough night.

The guy got a little hostile and took off his shirt. The guy asked the [REDACTED] if he wanted to "square up." He said something about being "cupped" whatever that means. He was threatening the [REDACTED] with fighting him. The [REDACTED] was trying to deescalate the situation by telling him we didn't want any problems and he had to get off of the property.

The [REDACTED] finally got him off of the property. The guy was screaming at the top of his lungs, "You're a bitch ass nigga." He was saying, "F this, F that." He repeated it multiple times.

The [REDACTED] walked back up toward the office but the guy wasn't done yet. He walked back toward the [REDACTED] trying to make himself look "big" and "square up" to the [REDACTED]. The [REDACTED] was telling him he needed to leave. The guy was still calling the [REDACTED] names. The [REDACTED] told him he just needed to go.

The guy finally walked away. The [REDACTED] went to make sure he wasn't coming back this way. About five minutes later, the [REDACTED] came back to me and said we would need to call the cops because the guy was falling on his face. It looked like the guy was going to hurt himself or someone else.

It turned out the guy tried to attack another guy that is staying here. The guest told the [REDACTED] he had to cross the street to avoid the guy.

The police arrived after that.

He was obviously under something. He was staggering and slurring his words. He looked like he was going to fall. I was surprised he was able to take his shirt off. He was trying to look as intimidating as possible. It didn't really work.

Sgt. HIGDON asked [REDACTED] if she could hear what was being said outside between the guy and the [REDACTED]

I couldn't really hear the [REDACTED] because he had a calm voice. The other guy was yelling the same thing over and over. He was saying, "I'm with so and so. We can squat up. You're a bitch ass nigga." At times he would try to shake the [REDACTED] hand. The [REDACTED] wouldn't shake his hand and just told him to leave. This lasted about eight minutes.

Sgt. HIGDON asked [REDACTED] where that male was saying he was from or who he was with.

He said, "I'm with cup." I don't know if I heard it right. I thought I heard "cup" or "cut."

I don't know if his shirt was ripped already. It was already halfway off before he took it completely off. He was trying to puff out his chest. I think it was a black tank top. He was challenging the [REDACTED]. I have some video of it but it's not very good (*We later obtained the video from [REDACTED]*)

I think he was heavily intoxicated. I see drunk people every day. He looked like he had a rough night.

I have never seen the guy before.

I asked [REDACTED] if their security cameras would have captured any of the incident.

No. Our cameras don't cover the area where they were.

We ended the interview at 2305 hours.

Reporting Investigator: Detective J. Rzucidlo

ID# 6450 Professional Standards Unit

Approved by: Lt. Jud Campbell

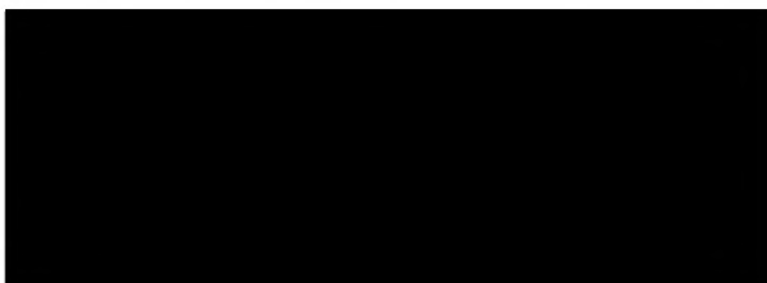
ID# 6367 Date of Report: 02/25/2020

[REDACTED] 367
JUD CAMPBELL
ON 2/27/20

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): February 22, 2020
TIME (occurrence): 2102 Hours
LOCATION: 4747 Pacific Highway, San Diego, CA
SUBJECT: Interview of [REDACTED]
Professional Standards Unit Case: #2020-009

WITNESS:



INVESTIGATION:

On February 22, 2020, at approximately 2308 hours, Sgt. HIGDON and I spoke with [REDACTED] at the E-Z 8 Motel located at 4747 Pacific Highway. [REDACTED] was working [REDACTED] at the location when he had a verbal confrontation with Officer Devion JOHNSON #7683. [REDACTED] called the police to report JOHNSON was drunk, refusing to leave the property and attempted to fight him. [REDACTED] told the call taker JOHNSON left the property but fell on the sidewalk a short distance away. I recorded our conversation. The recording will be maintained with PSU. The following is an "in essence" report including [REDACTED] answers to our questions and is not meant to be a word for word account of our conversation with [REDACTED]. Refer to the recording for further details.

STATEMENT OF [REDACTED]

I have [REDACTED] since March of last year. I'm covering for someone today and this isn't my normal shift. I started my shift today at 2030 hours.

I had just came on and did my first tour. I came back here to the office and was speaking with the clerk. I noticed a male (*Devion JOHNSON*) stumbling out on the sidewalk near the driveway. I saw him drop his wallet then pick it up. I knew he was drunk.

He started walking onto the property. I asked him if he had a room here. He said yeah and I asked him the room number. He gave a number with too many digits. I asked for his ID to check if he had a room. The clerk confirmed he didn't have a room.

I asked him to leave and he immediately asked me if I wanted to "square off." He was calling me "nigger." I don't use that word and have never used that word. He kept asking me if I wanted to "square off." Then he said, "I'm a cop and I kill niggers." He kept saying that. He kept coming toward me like he wanted to fight. I told him he had to leave. He called me a bunch of expletives then he stumbled off and fell on his face.

I asked [REDACTED] how close JOHNSON came to him during the confrontation.

He came within a few feet. I was backing up to avoid a confrontation. He was totally out of it. He would have been hurt really bad if he swung at me.

I asked [REDACTED] if JOHNSON ever made contact with him.

No. He kept coming toward me saying he was a cop and he, "kills niggers." I think he said that three or four times. He kept wanting to "square off" and I kept telling him to leave. Eventually he stumbled off and gave me the finger.

I asked [REDACTED] what direction JOHNSON came from.

He came from the north. I didn't see if he got dropped off by anyone. His stumbling caught my attention then he dropped his wallet.

I asked [REDACTED] if JOHNSON gave a name of anyone staying at the hotel.

He said he had family here. I asked what room and he couldn't tell me the room. I've never seen him before.

I asked [REDACTED] if he saw JOHNSON fall when he walked away.

I saw him stumbling. He could barely walk. I saw him "face-plant" on the sidewalk. He wasn't moving. That's when I called the police. I just wanted him off the property. I watched him when he left to make sure he left and didn't just go around the corner.

I asked [REDACTED] if he saw JOHNSON get into a verbal dispute with anyone else.

Yeah, the guest in room [REDACTED]. The guy in room [REDACTED] [REDACTED] me the guy (JOHNSON) tried to fight him. He said he went across the street to avoid the guy. He didn't make it sound like there was any physical contact. [REDACTED] went to his room and spoke with him. I think the guys name is [REDACTED] but I'm not sure. The officer went and spoke with whoever is in that room.

I asked [REDACTED] if he felt threatened by JOHNSON.

I don't know. I don't know what he was capable of. I wasn't looking for a confrontation.
I asked [REDACTED] if JOHNSON made any threats toward him.

He just wanted to "square off." When he saw I wasn't going to "square off" he started saying, "I'm a cop and I kill niggers."

Sgt. HIGDON asked [REDACTED] about JOHNSON'S body language during the confrontation.

He was puffing out his chest. His shirt was already off. He put his shirt back on before the cops came. He had a black shirt but it wasn't on when he walked up.

Sgt. HIGDON asked [REDACTED] why he believed JOHNSON was drunk.

By his actions. He was either drunk or under the influence.

We ended the interview at 2323 hours.

Reporting Investigator: Detective J. Rzucidlo

ID# 6450 Professional Standards Unit

Approved by: Lt. Jud Campbell

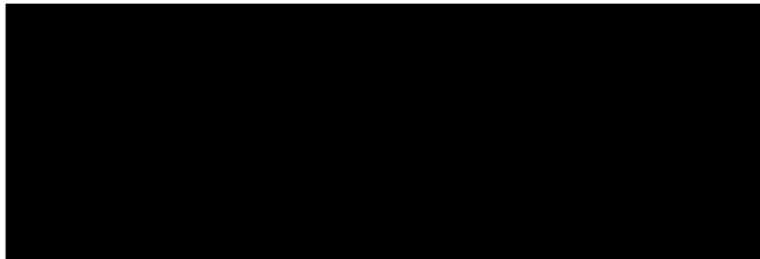
ID# 6367 Date of Report: 02/24/2020

[REDACTED]
JD CAMPBELL
2/27/20

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): February 22, 2020
TIME (occurrence): 2102 Hours
LOCATION: 4747 Pacific Highway, San Diego, CA
SUBJECT: Interview of [REDACTED]
Professional Standards Unit Case: #2020-009

WITNESS:



INVESTIGATION:

On February 23, 2020, at approximately 1230 hours, Sgt. HIGDON and I spoke with [REDACTED] at [REDACTED] residence located at [REDACTED]. We learned through our investigation that [REDACTED] was at the Cabo Cantina with Officer Devion JOHNSON #7683 on the evening of February 22, 2020. I recorded our conversation. The recording will be maintained with PSU. The following is an "in essence" report including [REDACTED] answers to our questions and is not meant to be a word for word account of our conversation with [REDACTED]. Refer to the recording for further details.

STATEMENT OF [REDACTED]:

I told [REDACTED] we wanted to talk about the events that occurred the night before when she and [REDACTED] went out to a bar with friends. I asked [REDACTED] how long she and [REDACTED] had been in a relationship.

We've been together for about six months.

Last night we went to Cabo Cantina. When we arrived, [REDACTED] was there along with [REDACTED] and his wife. I had only met them one time before. [REDACTED] his girlfriend and Devion (JOHNSON) showed up. I want to say [REDACTED] and his girlfriend showed up for a brief moment then left.

I hang out with Devion whenever he hangs out with [REDACTED]

We were all meeting because [REDACTED] was leaving Southeastern Division. It was a celebration or farewell.

There were no issues in our group. No one was causing any problems.

I think we got there around 1645 hours or 1700 hours. I think we left the bar around 2000 hours or 2100 hours. I think it was closer to 2000 hours.

I asked [REDACTED] if Devion caused any problems while he was there.

No. He was having a good time but I didn't see any issues. He was just sitting and being normal. He wasn't causing any issues.

I remembered [REDACTED] called a Lyft for him. [REDACTED] thought Devion needed to go home. I did not see anything out of the ordinary. He is usually the same person when he drinks. I didn't see any issues with him at all. He was being himself.

I know one of the security guards there. She would have said something to me if there were any issues with our group.

I asked [REDACTED] if there was any discussion about Devion after he left.

Not that I remember.

We ended the interview at 1238 hours.

Reporting Investigator: Detective J. Rzuclidlo

ID# 6450 Professional Standards Unit

Approved by: Lt. Jud Campbell

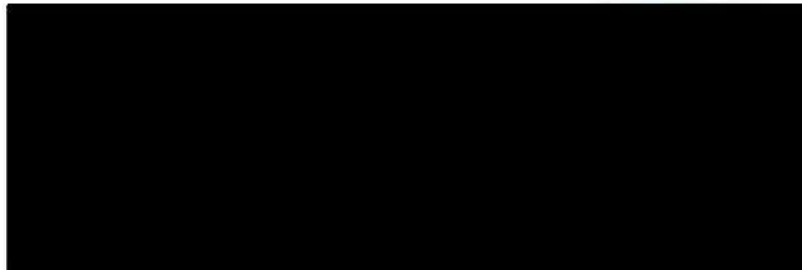
ID# 6367 Date of Report: 02/25/2020

[REDACTED]
[REDACTED]
2/27/20

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): February 22, 2020
TIME (occurrence): 2102 Hours
LOCATION: 4747 Pacific Highway, San Diego, CA
SUBJECT: Interview of [REDACTED]
Professional Standards Unit Case: #2020-009

WITNESS:



INVESTIGATION:

On February 23, 2020, at approximately 1335 hours, I spoke with [REDACTED] over the phone. We learned through our investigation that [REDACTED] was at the Cabo Cantina with Officer Devion JOHNSON #7683 on the evening of February 22, 2020. I recorded our conversation. The recording will be maintained with PSU. The following is an "in essence" report including [REDACTED] answers to my questions and is not meant to be a word for word account of my conversation with [REDACTED]. Refer to the recording for further details.

STATEMENT OF [REDACTED]

I identified myself to [REDACTED] and explained she was a witness in a criminal investigation. [REDACTED] agreed to provide a statement.

I asked [REDACTED] what bar she went to the night before and who else was there.

We went to Cabo Cantina. We were celebrating my move from Southeastern Division to Central Division. I organized the event.

I invited a few Southeastern Officers. [REDACTED] was there with his wife, [REDACTED] [REDACTED] was there with his girlfriend and mom, [REDACTED] with her partner, mom and dad, Devion JOHNSON was there by himself. [REDACTED] was there

with his girlfriend. [REDACTED] and [REDACTED] were only there for about 30 minutes.

I asked [REDACTED] if anyone was causing any problems while at the bar.

Nothing that I was aware of.

I asked [REDACTED] how well she knew Devion.

I worked with him the entire time I worked at Southeastern which was about a year. Just during the shifts we had together. So two shifts. I would consider him a friend even though I don't see him very often. I have been out with him off duty in the past. I have never seen him have any issues.

He was drinking last night but I did not see him causing any problems. He got to the bar late. I think he was there for about an hour before I left. I left around 2000 hours so I think he got there around 1830 hours or 1900 hours.

He didn't seem intoxicated when he got there. I don't know if he was intoxicated when I left. I know he had a few drinks.

I did not see him leave. People spread out and were doing their own thing.

I didn't see Devion causing any problems while I was there.

I ended the interview at 1342 hours.

Reporting Investigator: Detective J. Rzucidlo

ID# 6450 Professional Standards Unit

Approved by: Lt. Jud Campbell

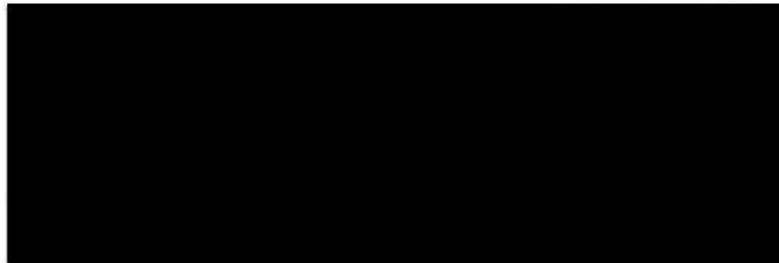
ID# 6367 Date of Report: 02/25/2020

[REDACTED]
67
Campbell
2/27/20

**SAN DIEGO POLICE DEPARTMENT
INVESTIGATOR'S REPORT**

DATE (occurrence): February 22, 2020
TIME (occurrence): 2102 Hours
LOCATION: 4747 Pacific Highway, San Diego, CA
SUBJECT: Professional Standards Unit Case: #2020-009
Interview of [REDACTED]

WITNESS:



INVESTIGATION:

On February 22, 2020, at approximately 2102 hours, Off-Duty Officer Devion JOHNSON, ID 7683 was contacted in the area of 4600 Pacific Highway, San Diego. Off-Duty Officer JOHNSON was observed walking with an unsteady gait and appeared to be holding a chain link fence preventing JOHNSON from falling. Officers had responded to the scene after JOHNSON got into a verbal confrontation with a [REDACTED] at the EZ-8 Hotel, 4747 Pacific Highway. JOHNSON was subsequently arrested for being drunk in public and transported to County Jail.

After being contacted JOHNSON stated he had been celebrating an officer passing the San Diego Police Department's Police Bicycle Course at a Pacific Beach bar, (*Cabo Cantina*). JOHNSON would not divulge with whom he was drinking with.

I had direct knowledge of the Police Cyclist Course and deduced that [REDACTED] may have been the officer who had been drinking with JOHNSON at the *Cabo Cantina* bar. I was the instructor for the Police Cyclist Course and determined with the use of [REDACTED] computer that the current Central Bike Team members who were class participants were working. I called Central Bike Team [REDACTED] and asked him which students were on his 'short list' to make his team. [REDACTED] was identified as one of those students. I left a text message with [REDACTED] requesting he call me.

On February 23, 2020 at approximately 0836 hours, [REDACTED] returned my call. I asked [REDACTED] if he had been drinking the night before with JOHNSON and other co-workers.

██████████ confirmed my speculation and stated he was with JOHNSON at the *Cabo Cantina*. I asked ██████████ if he would be willing to meet with my partner and me later the same morning. ██████████ agreed to the interview.

██████████ informed me that he was with his girlfriend, ██████████. ██████████ had been ██████████' designated driver for the evening, and had not been drinking alcohol while at the bar.

On February 23, 2020 at approximately 1051 hours, Detective J. Rzucidlo, ID 6450 and I interviewed ██████████ at the home of ██████████, in ██████████

All interviews were audio recorded and the recordings will be maintained with the Professional Standards Unit (PSU) Office. The following is an *"in essence"* synopsis of the interview and not meant to be a word for word account of our interview with ██████████ ██████████ (For exact and complete details of the interview, refer to the recordings)

We left the house just after 5:15'ish to go to the Cabo Cantina. I came over to ██████████ house around 1:00 p.m. and we went to Liberty Station to get some food. While we were there, ██████████ texted ██████████ and asked if we wanted to go out that night. We returned around 3:00, hung out 'til about 5:00 and we went to Cabo Cantina.


When we first got there, there were about 6 people in the immediate group, and there was a girl with her boyfriend and parents who were off to the side who were also part of that group. They left about 10 minutes later because they had dinner reservations.

I didn't know anyone there. It was my first time meeting those people. I spoke a little with ██████████ his girlfriend, and ██████████ I may have said two words to Devion. I was not drinking during the night, because I was driving.

Everyone was in good spirits and joking around. I don't recall seeing anyone overly intoxicated.

When we arrived, Devion was already there. I didn't see him leave, I went to find ██████████ at the bar and I observed ██████████ and Devion speaking intently to one another. When I got back, ██████████ told me that he called an UBER for Devion because he had been drinking too much. I really didn't think he was too intoxicated.

The interview concluded at 1057 Hours.

Reporting Investigator: Sergeant Daniel Higdon ID# 5057 Professional Standards Unit
Approved by:  ID# 6367 Date of Report: Feb 24, 2020

367
Sgt Campbell
✓ 2/27/20



San Diego Police Dept

Arrest/Juvenile Contact Report

Case No. **20011192**

CAD Event No.: **E20020038663**

Case Disposition: **Arrest**

Primary Victim: **State of California**

Report No. **20011192.1**

1

Page 1 of 2

<input checked="" type="checkbox"/>	ARREST REPORT				
<input type="checkbox"/>	JUVENILE CONTACT REPORT	WARRANT: <input type="checkbox"/> LOCAL <input type="checkbox"/> OUT			

GENERAL CASE INFORMATION

Primary Charge: 647 (F) - PC - DRUNK IN PUBLIC: ALCOHOL, DRUGS, COMBO OR TOLUENE (M)			
Special Studies:		Related Cases:	
Location, City, State, ZIP: 4747 Pacific Hwy, SAN DIEGO, CA 92110		Occurred On: 02/22/2020 21:02:00 (Saturday)	
Jurisdiction:	Beat: 625	Call Source: ANI/ALI	(and Between):
Means:	Motives:		

VICTIM/S

IBR/UCR OFFENSE/S

Offense Description: 647 (F) - PC - DRUNK IN PUBLIC: ALCOHOL, DRUGS, COMBO OR TOLUENE (M)		Level: M	Against: SO	Completed? Yes	Counts:	Using:
Location Type: 13 - Highway/Road/Alley		Hate/Bias: 88 - None (no bias) (mutually exclusive)			Domestic Violence: No	
Criminal Activity:	Type Security:	Gang Related:	Entry:	Point of Entry:		
Weapons/Force:	Tools:			Targets:		

ARRESTEE/S

Arrestee #1

Name: Johnson, Devion Volta	County Residence: R - Resident	Interpreter Language:
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ALIAS / AKA / NICKNAME / MONIKER:							
Name Type:	First:	Middle:	Last:	Suffix:			
Home Address, City, State, ZIP: 7222 Skyline, San Diego, CA 92114			Res. Country:	Place of Birth:	Undocumented:		
Race: W	Sex: M	Height:	Weight:	Hair Color:	Eye Color:	Facial Hair:	Complexion:
Hair Style:	Hair Length:	Build:	Teeth:	Suspected User:			
Employment Status:	Occupation/Grade:	Employer/School:	Employer Address, City, State, ZIP:				

CONTACT INFORMATION:

Type:	Number/Address:
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IDENTIFICATION:

Type: OT - Other ID	Number: [REDACTED]	State:	Country:
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SCARS, MARKS, TATTOOS, ODDITIES:

Attire:	Suspect Actions:
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ARREST INFORMATION

Arrest Type: O - Probable Cause Arrest - New Case	LE Disposition: 3 - Misdemeanor (Adult Only)	JUS 750 Type: 2 - Booked	Citation No.:	Booking No.: 14378
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Arrested For: 647 (F) - PC - DRUNK IN PUBLIC: ALCOHOL, DRUGS, COMBO OR TOLUENE (M)	Level: M	Completed: Yes	Counts:
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Arrest Date and Time: 02/23/2020 01:29:33	Arrest Location, City, State, ZIP: 4600 Pacific Highway, San Diego, CA 92110	Beat: 625
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Arrest Assisted by:	[REDACTED]
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Reporting Officer: [REDACTED]	Division / Organization: Western Patrol (Western)	Reviewed By: [REDACTED]
Report Date: 2/23/2020 2:16:22 AM	Detective Assigned:	Reviewed Date: 02/23/2020 02:49:15



San Diego Police Dept Arrest/Juvenile Contact Report

Case No. **20011192**

CAD Event No.: **E20020038663**

Case Disposition: **Arrest**

Primary Victim: **State of California**

Report No. **20011192.1**

2

Page 2 of 2

Miranda Read:	Admonished By:	Miranda Response:	Jail Billing Code: SDPD	Booked Location: Chula Vista Jail
Armed With: 01 - Unarmed		Use of Force to effect Arrest:		
JUVENILES				
Adult Present:	Person Notified:	Juvenile Disposition:	Detention Name:	
Parents Notified By:	Notification Method:	Date and Time Notified:	Juvenile Released To:	
RELEASE INFORMATION				
Released Location:	Released On:	Released By:	Release Reason:	

SUSPECT/S (Not Yet Arrested)
WITNESSES
OTHER ENTITIES
PROPERTY
REPORT NARRATIVE

On 02/22/20, at about 2102 hours, [REDACTED] and I were in full police uniform and driving fully marked patrol vehicle in the city of San Diego.

[REDACTED] and I responded to a radio call at 4747 Pacific Highway, Easy 8 Motel for a male lying face down on the ground. The male was later identified as Devion Johnson by his California Driver's License.

[REDACTED] and I arrived on scene and we were flagged down by [REDACTED] at the Easy 8 Motel. The [REDACTED] later identified as [REDACTED] stated Johnson started walking south on Pacific Highway. (See [REDACTED] ARJIS-9 for further details) [REDACTED] and I started driving south at 4600 Pacific Highway.

I saw Johnson walking on the east curb line of 4600 Pacific Highway. Johnson had an unsteady gait. Johnson was holding on to a chain link fence preventing him from falling onto the ground.

I told Johnson to turn around and to face the fence. Johnson complied with my command. I placed handcuffs on Johnson. I checked the handcuffs for proper fit and double locked the handcuffs. Johnson had slurred speech and red blood shot eyes. I determined Johnson was unable to care for his own safety.

[REDACTED] and I transported and booked Johnson into the San Diego County Jail without any incident.

A RIPA was submitted for this arrest and BWC was on.

Related Reports:

See [REDACTED] ARJIS-9 for further details.

Reporting Officer [REDACTED]	Division / Organization Western Patrol (Western)	Reviewed By [REDACTED]
Report Date 2/23/2020 2:16:22 AM	Detective Assigned	Reviewed Date 02/23/2020 02:49:15



San Diego Police Dept Officer Report

CAD Event No. **E20020038663**

Case No. **20011192**

Report No. **17489**

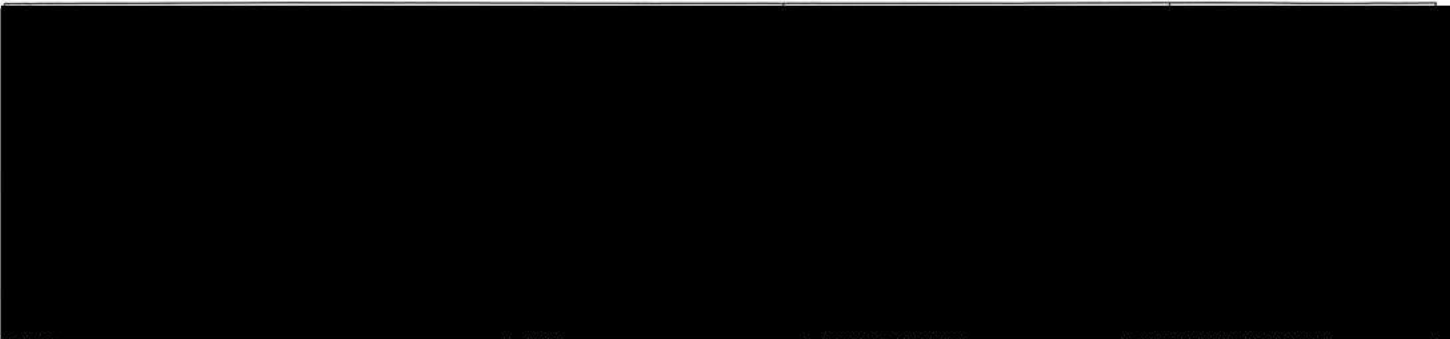
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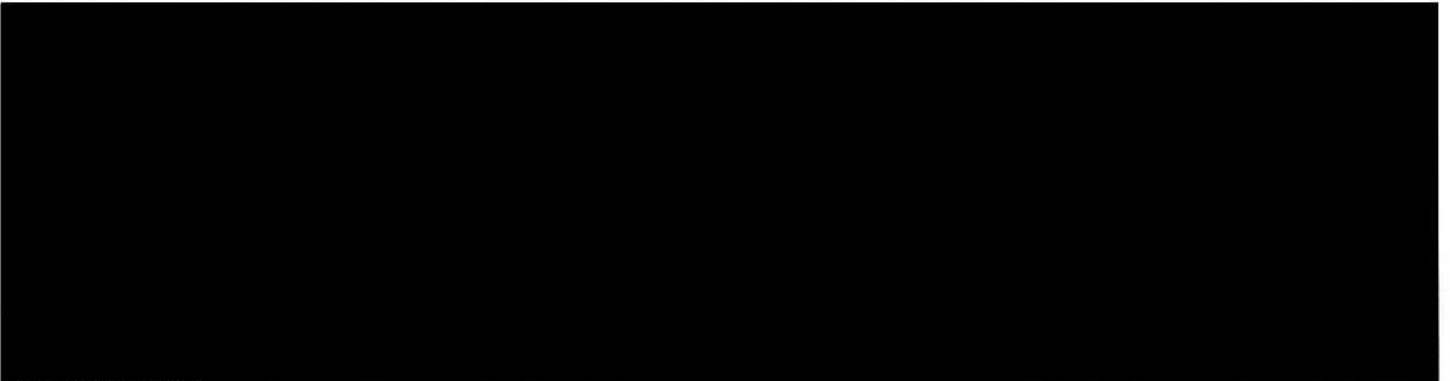
GENERAL CASE INFORMATION

Special Studies:		Related Cases:	
Location, City, State, ZIP: 4747 Pacific Hwy, SAN DIEGO, CA 92110		Occurred On: 2/22/2020 9:30:00 PM (Saturday)	
Jurisdiction: Old Town - Western	Beat: 625	Call Source:	(and Between):

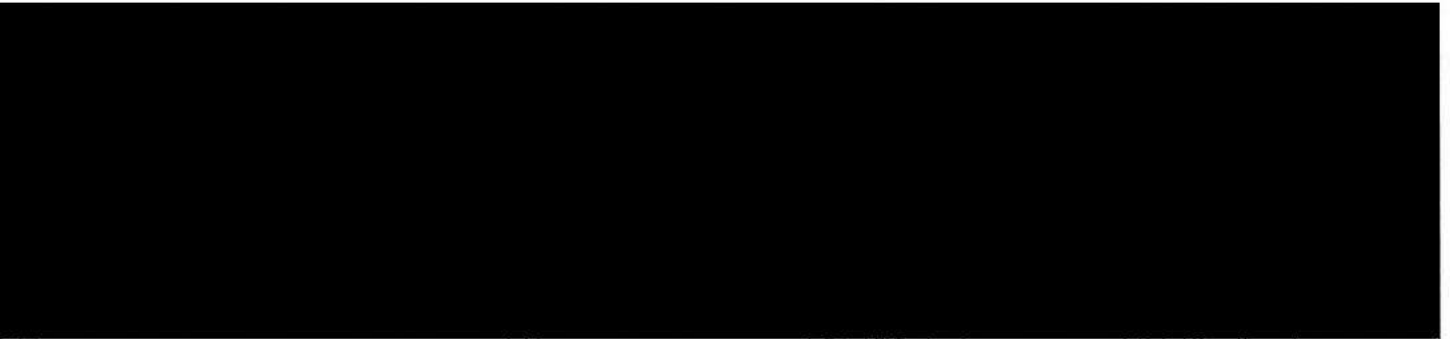
INDIVIDUAL/S



Altire:	Injury:	Extent Of Treatment:	Violent Crime Circumstances:
Subject Injury Description:			
Officer Injury Description:			



Subject Injury Description:			
Officer Injury Description:			



Altire:	Injury:	Extent Of Treatment:	Violent Crime Circumstances:
Subject Injury Description:			
Officer Injury Description:			

Reporting Officer [Redacted]	Division / Organization WEPAT / WDIV - Western	Reviewed By [Redacted]
Report Date 2/23/2020 1:42:27 AM	Detective Assigned	Reviewed Date 2/23/2020 2:18:21 AM



San Diego Police Dept Officer Report

CAD Event No. **E20020038663**

Case No. **20011192**

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REPORT NARRATIVE

OFFICER'S NARRATIVE:

On 02/22/20 at about 2105 hours, [REDACTED] and I responded to a radio call of a person down at 4747 Pacific Highway.

The reporting party, [REDACTED] was a [REDACTED] at the Easy 8 Motel. He stated an intoxicated male tried to fight him several times, then fell face first into the grass. As Officers were arriving on scene, he stated the male got up and was walking towards Taylor St.

[REDACTED] and [REDACTED] arrived on scene and located the male, later identified as Devion Johnson at 4600 Pacific Highway. It was later determined Johnson works for the City of San Diego as a Police Officer. See [REDACTED] Case Report for further details.

Detectives were called out to the scene.

I responded to the Easy 8 motel and contacted the reporting party, [REDACTED]. See below for his statement.

Statement of [REDACTED] (Witness):

[REDACTED] stated to me he had been near the covered driveway at the front of the hotel. He saw a male (later determined to be Davion Johnson) walking south bound on the sidewalk. He saw Johnson stumble and drop his wallet. [REDACTED] stated Johnson looked extremely intoxicated to him. Johnson picked up his wallet, and stumbled up into the driveway.

[REDACTED] stopped him and asked him if he had a room. Johnson told [REDACTED] he did have a room, but gave a four digit room number (Easy 8's rooms only go up to the three digits). [REDACTED] asked for Johnson's ID and Johnson gave it to him. [REDACTED] walked over to the window and gave the [REDACTED] (Later identified as [REDACTED]) the ID so she could see if he had a room there.

[REDACTED] confirmed that Johnson didn't have a room there. [REDACTED] told Johnson this and that he had to leave. Johnson then said, "Oh, you want to square up?" and kept "posturing" at [REDACTED] but was also stumbling around at the same time. [REDACTED] stated he again told Johnson to leave. Johnson then stated, "I'm a cop, I kill N*s."

Johnson stated he felt like Johnson was just trying to press his buttons. He kept telling Johnson to leave, but Johnson kept squaring up like he was going to fight [REDACTED]. Johnson stated to [REDACTED] "N*, N*, N*," and "You a punk."

[REDACTED] stated eventually Johnson stumbled away. When Johnson got to the end of the driveway, he fell over and landed flat on his face on the grass. [REDACTED] stated he usually doesn't like to call police for these things, especially if they're already leaving, but he was worried the male needed medical attention so he did call police.

He stated he then watched Johnson get up and start stumbling southbound on the sidewalk. He watched until Officers made contact with Johnson a block south.

[REDACTED] stated he just wanted Johnson to leave and did not want to press charges for trespassing.

OFFICER'S NARRATIVE CONTINUED:

While I was speaking with [REDACTED] a male flagged me down to report a battery. It was later determined the battery was unrelated to this event.

See Case Report [REDACTED] if additional details are needed.

Reporting Officer [REDACTED]	Division / Organization WEPAT / WDIV - Western	Reviewed By [REDACTED]
Report Date 2/23/2020 1:42:27 AM	Detective Assigned	Reviewed Date 2/23/2020 2:18:21 AM



San Diego Police Dept Officer Report

CAD Event No. **E20020038663**

Case No. **20011192**

Report No. **17489**

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In addition to the first male who flagged me down, another male, later identified as [REDACTED] by a previous booking photo, walked up and stated he had also been confronted by Johnson. I finished taking [REDACTED] statement, then responded Room # [REDACTED] where [REDACTED] was staying. See below for his statement.

Statement of [REDACTED] (Witness):

[REDACTED] stated to me he left his hotel room and went down the street to the liquor store. He had walked past the [REDACTED] and the male (determined to be Johnson). He was walking back to the hotel along the sidewalk when he saw Johnson stumbling towards him. He recognized him as the guy he had passed. He stated as he got closer Johnson told him to "come here!"

I asked [REDACTED] what he meant. [REDACTED] stated Johnson had gestured to him to come here: [REDACTED] held his hand up, palm up, and opened and closed his fingers to show me how Johnson had gestured at him.

[REDACTED] stated he walked out into the street to avoid Johnson. He stated if Johnson came towards him he was going to hit him in the head with his bag (which contained the full bottles of alcohol he had just purchased), but Johnson didn't say anything to him and kept walking. [REDACTED] stated almost immediately after he had crossed the street, the first police vehicle arrived on scene, so he continued back to the hotel.

I asked [REDACTED] if Johnson had swung at him at all or hit him in any way. [REDACTED] stated no, he had backed off before it got to that point.

I asked [REDACTED] if he was staying at the hotel. He stated no, not for long. He stated he is transient right now but usually sleeps behind [REDACTED]. He did not provide a phone number or email address.

OFFICER'S NARRATIVE CONTINUED:

After speaking to [REDACTED] I returned to the front desk area. I then spoke with the [REDACTED]. See below for her statement.

Statement of [REDACTED] (Witness):

[REDACTED] stated to me the [REDACTED] ([REDACTED] and the male (Johnson) walked up to her window. She couldn't hear exactly what was said, but heard [REDACTED] ask her to check and see if Johnson had a room. [REDACTED] handed her an ID.

[REDACTED] stated she didn't find Johnson's name on the guest list. She stated it was possible he was staying in a room that wasn't under his name or with a friend, but Johnson couldn't give a friend's name or a room number.

[REDACTED] stated she heard [REDACTED] tell Johnson that he had to leave. Johnson then says, "Bitch ass N* what are you gonna do?"

[REDACTED] told Johnson again that he had to leave, but Johnson refused to. Johnson stated to [REDACTED] "You're a bitch." [REDACTED] stated she thought Johnson said something like, "I'm squaded up, I got people."

[REDACTED] just kept telling Johnson that he had to leave. Johnson eventually stumbled away. She thought that was it, but a few moments later, [REDACTED] came back to the window and stated he might have to call police on this one because the male had fallen.

[REDACTED] stated the whole thing lasted about 8 minutes.

OFFICER'S NARRATIVE CONTINUED:

[REDACTED] had taken cell phone video of part of the incident. I was unable to download it directly, so I recorded it on my camera from her phone. The video showed a shirtless male posturing in the covered driveway of the Easy 8 Motel. I impounded the video at the Western Substation under barcode #11117407.

Reporting Officer [REDACTED]	Division / Organization WEPAT / WDIV - Western	Reviewed By [REDACTED]
Report Date 2/23/2020 1:42:27 AM	Detective Assigned	Reviewed Date 2/23/2020 2:18:21 AM



San Diego Police Dept Officer Report

CAD Event No. **E20020038663**

Case No. **20011192**

Report No. **17489**

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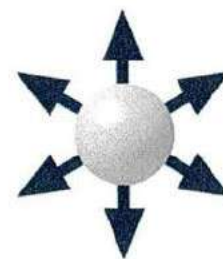
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Detectives were called out to the scene. See Detective's Follow Up for further details.

Reporting Officer [REDACTED]	Division / Organization WEPAT / WDIV - Western	Reviewed By [REDACTED]
Report Date 2/23/2020 1:42:27 AM	Detective Assigned	Reviewed Date 2/23/2020 2:18:21 AM

Case #20011192

Face Sheet Printed: 2/23/2020 9:20:47 AM
 Face Sheet Printed By: SD6367
 Case Open Date: 2/22/2020
 Case Close Date: N/A
 Case Subject: A/ 647(F) PC/ 4600 Pacific Highway
 Agency: SDPD - San Diego Police Dept



Status: **OPEN**

CR No: 20011192.1 Status: A - Approved
Involved Entities

Entity Type	Entity Name	Offense
Arrestee	Johnson, Devion Volta	DRUNK IN PUBLIC; ALCOHOL, DRUGS, COMBO OR TOLUENE (M)

Attachment Information

Name: **Additional Files (DO NOT USE for Evidence Storage)**
 Date: 2/23/2020 1:30:44 AM Type: URL - URL
 Status: O - On File

Assignment History

Officer: [REDACTED]
 Date Assigned: 2/22/2020 8:57:13 PM
 Date Unassigned: N/A

Officer: [REDACTED]
 Date Assigned: 2/22/2020 8:57:13 PM
 Date Unassigned: N/A

Officer: [REDACTED]
 Date Assigned: 2/23/2020 1:39:35 AM
 Date Unassigned: N/A



San Diego Police Department

BOOKING INTAKE / PERSONAL PROPERTY INVENTORY

Jail Booking Number: 14378

Case No. 20011192

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PERSONAL INFORMATION PROPER COMPLETION OF THIS FORM WILL EXPEDITE YOUR BOOKING

Name (Last, First, Middle): Johnson, Devion Volta		Race White	Sex Male	Age [REDACTED]	Date of Birth [REDACTED]
ALIAS NAME: Height		Weight	Hair	Eyes	Place of Birth
Home Address, City, State, ZIP: 7222 Skyline, San Diego, CA 92114					Res. Country:
Employment Type:	Occupation/Grade:	Employer/School:	Employer Address:		

CONTACT DETAILS:

IDENTIFICATION:					
Type Other ID	Number [REDACTED]		State	Country	

ARREST INFORMATION

Billing Code SDPD	Jurisdiction of Arrest Old Town - Western	Arresting Agency SDPD - San Diego Police Dept	
Arrest Date / Time 2/23/2020 1:29:33 AM	Arrest Location 4600 Pacific Highway, San Diego, CA 92110	Court Destination	
Arresting Officer (Name and ID) [REDACTED]	Transporting Officer [REDACTED]	Vehicle Location	Total Bail Amount
Charge(s) 647 (F) - PC - DRUNK IN PUBLIC: ALCOHOL, DRUGS, COMBO OR TOLUENE (M)	Completed?	Counts	
	Yes	1	

WARRANT ARREST / HOLD DETAILS

Warrant #	Court/Agency of Jurisdiction	Bail	Offense(s)	Issuing Judge	Date Of Issuance	Warrant / Hold Type(s)
Pre-Intake ARJIS		Pre-Book ARJIS				Book ARJIS

PERSONAL PROPERTY INVENTORY

Sealed Bag w/Inmate Property Delivered to Jail <input type="checkbox"/> Yes <input type="checkbox"/> No		Possession Additional Property →	Driver License Wallet Keys
CASH ACCOUNTING (USA Currency Only)			
	x \$1	Additional Property Remarks →	
	x\$2		
	x\$5		
	x\$10		
	x\$20		
	x\$50		
	x\$100		
TOTAL AMOUNT =	\$		

Arrest Notes:

Inmate's Signature	Arresting Officer's Signature
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RECEIVED
20 JUL 28 PM 2:41
INTERNAL AFFAIRS

MEMORANDUM

DATE: July 23, 2020
TO: Jerry Hara, Captain, Southeastern Division
FROM: Albert Guaderrama, Executive Assistant Chief of Police
Via Mike Holden, Captain, Internal Affairs
SUBJECT: Completed Internal Investigation

CONFIDENTIAL: THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR THE CITY ATTORNEY.

IA INDEX FILE NUMBER: 2020-0090
SUBJECT OFFICER: JOHNSON, Devion, Police Officer II, ID #7683
NATURE OF COMPLAINT: 1. Criminal Conduct 2. Procedure 3. Conduct
DISPOSITION: 1. Sustained 2. Sustained 3. Sustained

Discipline or Notice of Adverse Action must be served by: February 21, 2021

The above internal investigation has been completed and is attached for your review. Commanding Officers will review the investigation with the subject employee and return the signed package to Internal Affairs within 30 days.

If the employee does not agree with the disposition/findings of this investigation, he/she may file a written rebuttal within 30 days of the date the employee signed below. The rebuttal will be filed with the investigation in Internal Affairs, see D.P. 1.10, VII, E.

- Mark the box if the subject employee retained the attached investigation.
 - Mark the box if the subject employee retained the CD containing audio interviews.
- In order to obtain the entire case file, contact the Internal Affairs Unit. Please allow one business day to complete your request.

I have read the Internal Affairs investigation reference the above complaint.

Employee [Redacted] Date 7/28/20 Commanding Officer [Redacted] ARA