INVESTIGATIVE SUMMARY

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

ADMINISTRATIVE INVESTIGATIVE SUMMARY #IV2339926

Date: April 15, 2013

Location: East Cresthill Drive Anaheim Hills CA, 92807

OVERVIEW

This case pertains to an allegation of providing false statements to Anaheim police officers against Deputy Ryan Morejon who was assigned to the Inmate Reception Center (IRC) during the time of the incident. On April 15, 2013, Deputy Morejon was identified as the passenger of a vehicle driven by Deputy Jonathan Cisneros. Both offduty deputies were detained during the course of a traffic collision and DUI investigation. It is alleged that while being detained, Deputy Morejon did not cooperate with Anaheim police officers by giving false statements pertaining to the incident.

Deputy Cisneros was subsequently arrested for DUI, and Hit and Run. IAB conducted an administrative investigation regarding Deputy Cisneros arrest, under case IV2333123.

On May 16, 2013, the Orange County District Attorney filed one count of 31 CVC (Providing False Information to a Peace Officer) against Deputy Morejon (refer to **Exhibit A, pages 61-63**). On May 12, 2014, Deputy Morejon pled guilty to one count of 148(a)(1) PC (Delaying a Peace Officer) and was sentenced to three years of summary probation, monetary fines, and 80 hours of community service (refer to court minutes, case # 13NM06865, **Exhibit C).**

Based upon the incident, an administrative investigation was initiated.

INVESTIGATION

Sergeant Diez obtained an Anaheim Police Department (APD) Traffic Collision report under file #13-50767 (refer to **Exhibit A – pages 1-15**). The report was authored by APD Officer was authored by who documented the traffic collision, on April 15, 2013, at 0200 hours. The collision occurred at the East Cresthill Drive, in the city of Anaheim Hills. Deputy Jonathan Cisneros was the driver, and Deputy Ryan Morejon was the passenger of the vehicle. The 2012 Mazda Speed 3, collided into a cinderblock wall and two vehicles (2000 Toyota, 4 Runner and 1987 Ford, F250) parked in the driveway of the above location (refer to damage pictures, **Exhibit B**).

Based on the police report, APD officers arrived at the location and observed there was no one at the scene of the collision. Officer **Constitution** observed an open garage door one house west of the collision, located at (residence of Deputy Morejon). Officers **Constitution** and **Constitution** went to the house and knocked on the door. Deputy Morejon answered the door as Deputy Cisneros stood behind him. They both exited the residence and identified themselves as Los Angeles County Sheriff's Deputies. Deputy Morejon advised they were intoxicated stating, "We're both duce."

Deputy Morejon told the officers the vehicle belonged to Deputy Cisneros' brother (referring to Deputy Joseph Cisneros **1** Deputy Cisneros added his brother was in Huntington Beach. Deputy Morejon told the officers that Joseph Cisneros had given the car keys to someone else and they didn't know the location of that person. Deputy Morejon further stated they had been at the Canyon Inn (bar) and had taken a taxi cab home. Officers **1** Officers **1** Officers and **1** Officers **1** Separated Deputies Cisneros and Morejon to question them regarding the incident.

Officer detained Deputy Morejon near the sidewalk. Officer detailed Deputy Morejon that he and Deputy Cisneros were "playing games," and this was his chance to tell the truth. Officer detailed asked Deputy Morejon if he had been a passenger in the vehicle at the time of the collision. Deputy Morejon replied, "No." Officer detailed explained to Deputy Morejon that providing false information to a peace officer was a crime, 31 CVC. Officer details pointed to the garage where Deputy Cisneros was being questioned by Officer details and stated, "If he tells me you were the passenger, you're screwed." Deputy Morejon took a step away from Officer details Officer details him to stop. Deputy Morejon said loudly, "John." Officer details told Deputy Morejon to come back, but Deputy Morejon did not turn around. Deputy Morejon instead loudly stated, "John, I'm not the passenger."

Officer **Control** arrived at the scene and detained Deputy Morejon while Officer **Control** interviewed Deputy Cisneros. Deputy Cisneros admitted driving and stated he was on his way to Deputy Morejon's house prior to the collision. Deputy Cisneros said he was not injured, and he had stopped drinking at 0130 or 0145 hours. He stated Deputy Morejon had been ahead of him in a taxi cab, while he (Deputy Cisneros) followed. Officer **Context** re-contacted Deputy Morejon for questioning. Deputy Morejon said he had been inside his garage and Deputy Cisneros stood on his driveway at the time of the collision. After the collision, they checked the vehicle and saw no one was inside. After Officer **Context** warned Deputy Morejon about giving false statements, Deputy Morejon maintained he did not want to change any of his answers.

Officer **Constant** told Deputy Morejon that it was against the law to lie and asked if he was lying. Deputy Morejon denied lying and acknowledged that Officer **Constant** had given him a chance to tell the truth. Officer **Constant** directly accused Deputy Morejon of lying, and told him he was not acting like someone who had been wrongly accused. Officer **Constant** informed Deputy Morejon that Deputy Cisneros had told the truth. He ended the interview and released Deputy Morejon who went inside his house.

Later, Deputy Morejon exited his home, approached his neighbor (Witness **1999**, and began talking about the collision. Officer **1999** who was standing nearby, interrupted the conversation and told Deputy Morejon, "That's not what you told me." Deputy Morejon and the officer then argued back and forth. Officer **1999** asked Deputy Morejon how he got home and Deputy Morejon replied he had taken a taxi and Deputy Cisneros followed in his vehicle. Deputy Morejon was not questioned any further.

Deputy Cisneros was subsequently arrested for 23152(a) CVC (Driving Under the Influence) and 23152(b) CVC (Driving Under the Influence – .08% or more) by Officer under file #13-50767 (refer to **Exhibit A**, **pages 19-30**). On May 24, 2013, the Orange County District Attorney filed five misdemeanor counts; 23152(a) CVC (Driving Under the Influence), 23152(b) CVC (Driving Under the Influence - over .08%), 31 CVC (Providing False Information to a Peace Officer), and 20002 (a) CVC (Hit and Run), against Deputy Cisneros. On May 29, 2014, Deputy Cisneros plead guilty to one count of 23152(b) CVC, and nolo contendere (no contest) to 20002(a) CVC. He was sentenced to three years of summary probation, monetary fines, and a six month alcohol education program.

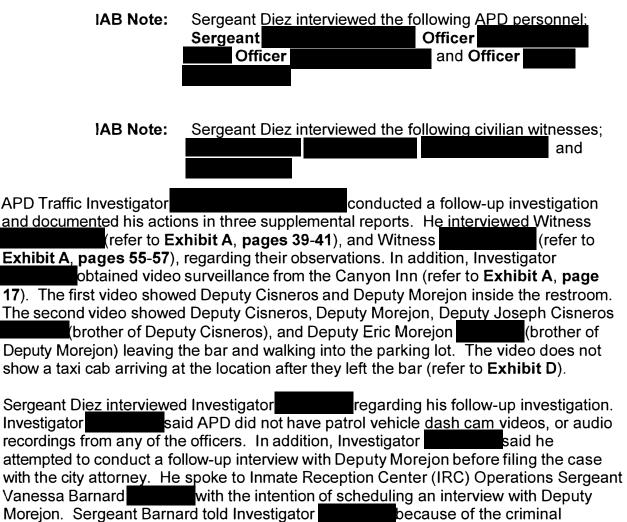
IAB Note: IAB conducted an administrative investigation regarding Deputy Cisneros DUI arrest, under case IV2333123.

Deputy Morejon was not arrested. Officer **Control** documented Deputy Morejon's actions and statements in the Traffic Collision report and recommended a charge of 31 CVC, Providing False Information to a Peace Officer. On May 16, 2013, one count of 31 CVC was filed against Deputy Morejon in the Superior Court of California, County of Orange, North Justice Center (refer to **Exhibit A**, **pages 61-63**).

Deputy Morejon's case was set for jury trial on May 12, 2014. Prior to the trial commencing, on May 12, 2014, Deputy Morejon pled guilty to one count of 148(a)(1) PC, Obstruct/Delay a Peace Officer – Misdemeanor, with the count of 31 CVC being dismissed. He was sentenced to three years informal probation, ordered to pay several fines, and complete 80 hours of community service by November 12, 2014 (refer to court minutes, **Exhibit C)**.

Sergeant Diez identified several civilians and APD officers who witnessed the incident. Sergeant Diez interviewed the below listed witnesses to determine if anyone could substantiate Deputy Morejon's actions and behavior documented in APD Officer

Traffic Collision report. All of the witnesses observed Deputy Morejon actions and/or behavior during various times throughout the incident.



investigation, Deputy Morejon would not be talking to him. After speaking with Sergeant

Barnard, Investigator documented the conversation in his notes. Investigator provided Sergeant Diez with his notes which indicated, "Sgt. Bernard No statement per capt" (refer to **Exhibit E**).

Sergeant Diez interviewed Sergeant Barnard and IRC Operations Lieutenant Kelly Porowski regarding their contact with APD Investigator Sergeant Barnard said she had several telephone conversations with APD Investigator However, she never told Investigator that Deputy Morejon would not be giving a statement. Lieutenant Porowski said she never told Investigator that Deputy Morejon would not be giving a statement. However, she did tell Deputy Morejon that APD wanted to interview him.

Sergeant Diez determined **Sergeant Diez attempted to contact her to determine if** residence during the incident. Sergeant Diez attempted to contact her to determine if she had witnessed the incident and/or the actions of Deputies Morejon and Cisneros. On July 8, 2014, Sergeant Diez sent **Sergeant Diez with a Witness Contact Letter via** certified US mail (refer to **Miscellaneous Documents**). She did not contact Sergeant Diez for an interview.

WITNESS INTERVIEWS

Anaheim Police Officer

On June 20, 2014, Sergeant Diez conducted a telephone interview with Officer The following is a summary of that interview.

Officer was dispatched to the location and provided security while Officers and conducted their investigation. He was present while Deputy Cisneros and Deputy Morejon were being questioned by Officers and and the He only heard parts of the conversations. Officer condestimated it took 15 to 20 minutes of questioning Deputies Cisneros and Morejon before his officers determined who was driving the vehicle.

For the complete interview of Officer refer to the verbatim transcription attached to the end of this investigative summary.

Anaheim Police Officer

On June 20, 2014, Sergeant Diez conducted a telephone interview with Officer The following is a summary of that interview.

Officer was dispatched to the incident and authored the DUI arrest report involving Deputy Cisneros. He said Deputies Morejon and Cisneros initially indicated they weren't involved in the collision. Officer **present**estimated it took 5 to 10 minutes of questioning Deputy Cisneros and Deputy Morejon before they determined who was driving the vehicle.

For the complete interview of Officer **exercise** refer to the verbatim transcription attached to the end of this investigative summary.

Anaheim Police Officer

On June 22, 2014, Sergeant Diez conducted a telephone interview with Officer The following is a summary of that interview.

Officer **Mathematical** did not provide any details of the incident beyond what he documented in his Traffic Collision report. Officer **Mathematical** stated the main reason did not arrest Deputy Morejon the night of the incident because he felt the City Attorney should make the decision due to his (Deputy Morejon) peace officer status. Furthermore, Officer said he did not want to write the report at the end of his shift, and wanted additional time to document the incident properly.

For the complete interview of Officer refer to the verbatim transcription attached to the end of this investigative summary.

Anaheim Police Traffic Investigator

On June 25, 2014, Sergeant Diez conducted a telephone interview with Investigator The following is a summary of that interview.

Investigator stated he conducted a follow-up investigation to Officer first report. He called IRC states to schedule an interview with Deputy Morejon. Sometime within the first week of May 2013, he spoke to Sergeant Barnard who identified herself as Deputy Morejon's supervisor. Sergeant Barnard advised because of the criminal investigation, the captain (referring to IRC Captain Chuck Antuna could not order Deputy Morejon to talk with him and therefore Deputy Morejon would not be talking to him. Investigator documented in his notes, "No statement per capt". As such, he did not interview Deputy Morejon. Investigator did not attempt to contact Deputy Morejon directly.

For the complete interview of Investigator refer to the verbatim transcription attached to the end of this investigative summary.

Anaheim Police Sergeant

On June 26, 2014, Sergeant Diez conducted a telephone interview with Sergeant The following is a summary of that interview.

Sergeant was dispatched to the incident after one of the officers requested a supervisor because they were detaining off-duty deputies. He provided security at the location while the officers conducted their investigation. He only heard parts of the conversations. Sergeant was dispatched beputy Morejon deny being in the crash. Deputy Morejon initially said two other deputies were in the car, and they were all coming back from the Canyon Inn. Deputy Morejon was uncooperative and wouldn't answer their questions. Deputy Morejon was intoxicated. However, he was not belligerent, rude, or confrontational. Sergeant complete the setimated it took 30 to 45 minutes of questioning Deputy Cisneros and Deputy Morejon before his officers were able to determine what occurred.

Sergeant **server** said he removed a bag containing a LASD gun and badge from the vehicle Deputy Cisneros was driving. Deputy Cisneros asked Sergeant **server** to leave the bag with Deputy Morejon. Sergeant **server** agreed, and released the bag to Deputy Morejon and his **server**.

IAB Note: The bag that Sergeant removed from the vehicle contained Deputy Joseph Cisneros (brother of Deputy Jonathan Cisneros) LASD badge and firearm. The vehicle belonged to Deputy Joseph Cisneros and was registered to him.

For the complete interview of Sergeant **refer** to the verbatim transcription attached to the end of this investigative summary.

Witness

On June 25, 2014, Sergeant Diez conducted a telephone interview with The following is a summary of that interview.

Mr. **Description** resides across the street from the incident. He was awake inside his residence when he heard a loud boom. He turned off his porch light and stepped onto his porch. He saw two individuals (referring to Deputies Cisneros and Morejon) who appeared agitated. Deputy Cisneros stated he "fucked up." Deputy Morejon was trying to calm him down and replied, "Listen we got to get our stories straight. You've got to say this. You've got to say that about what we were doing." Mr. **Deputy** said the males were planning a story, but he only heard "bits and pieces." A female (apparently referring to **Deputy** Morejon's residence and told them to quiet

down. She then escorted them inside. The police arrived five minutes later at which time Mr. **Mathematical Arrived Them to Deputy Morejon's residence**.

For the complete interview of **the second se**

Witness

On June 25, 2014, Sergeant Diez conducted a telephone interview with The following is a summary of that interview.

Mrs. **The second resides at the location where the incident occurred**. Her neighbor (referring to Witness and the second called and said there had been an accident in her driveway. Mrs. **The second** went outside and saw the vehicles in her driveway were damaged. She saw Deputy Morejon speaking with one of the officers, but could not hear the conversation. When they were finished, Deputy Morejon approached her and spoke about the incident.

Deputy Morejon told Mrs. **Sector** he had been home all day and night barbequing and drinking in his garage. Mrs. **Sector** believed this was untrue because his house had been dark all night appearing as if nobody was home. Deputy Morejon continued stating his friend (referring to Deputy Cisneros) had called him from the bar and wanted to crash at his house. Deputy Morejon told Mrs. **Sector** that he had not been in the car. Mrs. **Sector** said while speaking to Deputy Morejon about the accident the officer (referring to Officer **Sector** stood by listening.

Officer approached them and pulled Deputy Morejon aside. She overheard the officer state, "That's not what you told me." Deputy Morejon and the officer argued back and forth. There was a discrepancy with the story Deputy Morejon had told her (Mrs. , and the earlier story he had apparently told the officer. They argued for five or ten minutes.

Ms. **Second** described Deputy Morejon as animated and extremely intoxicated. He had glass and white powder on his back, and his odor was "bad." While speaking with the officer, Deputy Morejon tried to get to the garage. The officer stepped in front of Deputy Morejon a couple of times to stop him from walking away. Mrs. **Second** said Deputy Morejon was not cooperative with the police. He was argumentative and completely uncooperative. A couple days after the incident, Deputy Morejon and his wife came to Mrs. **Second** house to apologize. While doing so, Mrs. **Second** noticed he had a black eye. She thought that was odd because Deputy Morejon had stated he had not been inside the vehicle.

For the complete interview of **contraction** refer to the verbatim transcription attached to the end of this investigative summary.

Witness

On June 25, 2014, Sergeant Diez conducted a telephone interview with <u>The</u> following is a summary of that interview.



Ms. Service residence is adjacent to the location where the incident occurred. She had been sleeping inside her residence and woke up to what sounded to be a massive impact. She looked out her window and saw two individuals (referring to Deputies Cisneros and Morejon) yelling at each other, near a vehicle. Ms. Service heard them yelling and thought they were drunk or on drugs because of their slurred speech. She did not hear exactly what they were saying. The two males then walked away from the vehicle. When the police came, they (referring to Deputies Cisneros and Morejon) were nowhere to be found.

For the complete interview of **sector** refer to the verbatim transcription attached to the end of this investigative summary.

Deputy Jonathan Cisneros

On June 30, 2014, Sergeant Diez and Lieutenant Carter interviewed Deputy Cisneros at Internal Affairs Bureau. The following is a summary of the interview.

Deputy Cisneros said Deputy Morejon was a passenger in his vehicle when they left the bar. After the collision, he and Deputy Morejon did not argue or raise their voices. Deputy Cisneros was scared and Deputy Morejon tried to calm him down. Deputy Cisneros said Deputy Morejon never told him that he would take care of things as alleged. They discussed the accident for a minute or two prior to walking into Deputy Morejon's house.

The police arrived 10 to 15 minutes later. Deputy Morejon identified themselves as deputies and told the officers they were both under the influence of alcohol. The officers separated and questioned them. While Deputy Morejon was being detained by Officer Deputy Morejon tried to get his (Deputy Cisneros) attention and said, "Was I driving the car?" Deputy Cisneros denied that Deputy Morejon stated, "John, I'm not the passenger." Deputy Cisneros never saw Deputy Morejon step away from Officer Deputy toward his (Deputy Cisneros) direction. Deputy Cisneros estimated the officers questioned him for less than five minutes before he (Deputy Cisneros) told them the truth that he was driving the vehicle.

For the complete interview of Deputy Cisneros, refer to the verbatim transcription attached to the end of this investigative summary.

Sergeant Vanessa Barnard

On July 9, 2014, Sergeant Diez and Lieutenant Carter interviewed Sergeant Barnard at Internal Affairs Bureau. The following is a summary of the interview.

Sergeant Barnard said at the time of the incident she knew that APD had detained Deputy Morejon at the scene and wanted to speak to him. She had several telephone conversations with APD Investigator and the great of regarding Deputy Morejon, but she did not recall what they spoke about. She did not remember whether or not Investigator asked her to have Deputy Morejon come to APD for an interview. Sergeant Barnard said she never told Investigator and that Deputy Morejon would not be giving a statement. She never heard anyone give Deputy Morejon advice on whether or not he should interview with APD. Sergeant Barnard stated Lieutenant Porowski handled Deputy Morejon's case because of its criminal and high profile nature. As such Lieutenant Porowski had the majority of the contact with APD Investigator

For the complete interview of Sergeant Barnard, refer to the verbatim transcription attached to the end of this investigative summary.

Lieutenant Kelly Porowski

On July 14, 2014, Sergeant Diez and Lieutenant Carter interviewed Lieutenant Porowski at Internal Affairs Bureau. The following is a summary of the interview.

Lieutenant Porowski stated at the time, she knew APD wanted to interview Deputy Morejon regarding the incident. She recalled a general conversation inside IRC Operations regarding an interview, but could not remember who was involved. Lieutenant Porowski said several weeks after the incident, she told Deputy Morejon that APD wanted to interview him, but never gave Deputy Morejon any advice on whether or not he should interview with APD. Lastly, Lieutenant Porowski stated there was a consensus of IRC supervisors that they could not order an employee to provide a statement on a criminal matter.

For the complete interview of Lieutenant Porowski, refer to the verbatim transcription attached to the end of this investigative summary.

SUBJECT INTERVIEW

Deputy Ryan Morejon

On June 30, 2014, Sergeant Diez and Lieutenant Carter interviewed Deputy Morejon at Internal Affairs Bureau. The following is a summary of the interview.

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Deputy Morejon got the night off work to mourn the death of Deputy Alusha. Deputy Cisneros picked up Deputy Morejon from his house and they went to the Canyon Inn bar. They arrived between 2200 and 2300 hours and met with Deputy Joseph Cisneros (brother of Jonathan Cisneros), Deputy Eric Morejon (brother of Ryan Morejon), and two unknown females. Deputy Morejon drank three to five shots, and two pitchers of beer. He did not recall what Deputy Cisneros had to drink. At approximately 0200 hours they left the bar and drove to his residence. Deputy Cisneros drove his brother's vehicle (referring to a 2013 Mazda, 3 Speed) and he was the passenger. Deputy Morejon said the night was "very in-and-out" and there were certain things that he recalled and certain things that he could not remember. Deputy Morejon said he was too intoxicated to drive. He did not recall Deputy Cisneros' level of impairment and was not in the state of mind to determine if Deputy Cisneros was ok to drive.

After the collision, he exited the vehicle believing it was on fire. While standing next to the vehicle, he and Deputy Cisneros did not argue, yell, or raise their voices. He never told Deputy Cisneros he would "take care of things." Deputy Morejon realized the accident occurred near his residence. They stood near the accident for approximately one minute before deciding to go inside his home. He vomited for five minutes inside his residence before notifying his wife who was sleeping. Deputy Morejon said he never left the scene of the collision. They were still in the "general area" inside his residence and did not have any intentions of avoiding the police. Deputy Morejon said he and Deputy Cisneros did not discuss the incident prior to the arrival of the police.

Anaheim Police knocked on his door where he spoke with the officers. While giving the officers his identification, he identified himself and Deputy Cisneros as off-duty deputies and advised they were drunk. They walked outside to speak with the officers. He did not tell the officers that Deputy Joseph Cisneros had given the car keys to someone else and didn't know where this person was at, as alleged in the police report.

The officers separated him from Deputy Cisneros. Officer **and the asked who was** driving the vehicle. Deputy Morejon replied he was not driving the car, and there were only two people inside the car. Officer **asked if he was in the car?** Deputy Morejon told him he was not driving the car. Officer **asked if he was in the car?** Deputy morejon told him he was not driving the car. Officer **asked if he was a passenger in the car**.

Officer **Constitution** Officer **Constitution** Morejon that he thought he was "playing games" with him. At that point, Officer **Constitution** walked over to Deputy Cisneros and spoke to him. After doing so, he came back to Deputy Morejon and called him a liar. While speaking with Officer **Constitution** Deputy Morejon turned around toward Deputy Cisneros, and made a gesture to him as if he was not driving the car. He never stepped away from Officer while trying to get Deputy Cisneros attention. Furthermore, he never yelled, "John I'm not the passenger." Officer **Constitution** released Deputy Morejon, at which time

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he went inside his residence. He came back outside and spoke to Mr. and Mrs. regarding the incident. Deputy Morejon did not recall Officer approaching him while he talked to Mr. and Mrs.

Sergeant Diez presented Deputy Morejon with the surveillance video from the Canyon Inn. Deputy Morejon stated he knew there was video surveillance at the bar. However, he had not viewed the video prior to the interview. He reviewed the two surveillance videos which included two different camera angles. He identified Deputy Cisneros and Deputy Eric Morejon who were inside the men's restroom. Additionally, he identified Deputy Cisneros, Deputy Joseph Cisneros, Deputy Eric Morejon, and himself, outside the bar in the parking lot.

Deputy Morejon said as a result of the collision, he sustained a cut below his left eye, bumps and bruises, pain to his right hand, and glass on his shirt. Deputy Morejon said he was cooperative with the officers and he answered all their questions to the best of his knowledge. He estimated that he was questioned by officers for about five minutes. He left his firearm at home and did not take it to the bar. However, he did have his LASD identification with him while at the bar.

Deputy Morejon said he was never notified by any IRC supervisor that APD Investigator wanted to interview him regarding the indent. In addition, he was unaware that Anaheim Police wanted to interview him after the incident to obtain an additional statement. Lastly, Deputy Morejon stated after the incident he authored a memo documenting the incident, and notified his sergeant and operations lieutenant. However, they told him the memo was not needed because he made verbal notification. As such, he never submitted the memo.

> **IAB Note:** On July 17, 2014, Sergeant Diez contacted Deputy Morejon's attorney (Deborah Wadleigh from "Green & Shinee") who stated Deputy Morejon no longer had the memo that he authored after the incident.

For the complete interview of Deputy Morejon, refer to the verbatim transcription attached to the end of this investigative summary.