

AGENDA ITEM REPORT

Title: POST2308479 - JUSTIN RAYMOND RAMIREZ (POST ID: C37-S81)
LAST EMPLOYING AGENCY: ORANGE COUNTY SHERIFF'S DEPARTMENT

REPORT PROFILE

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| MEETING DATE 03/07/2024 | BUREAU SUBMITTING THE REPORT Professional Conduct Northern Bureau | |
| RESEARCHED BY Trevor Shields | | REVIEWED BY Christine Ford |
| REPORT DATE 02/14/2024 | APPROVED BY Manuel Alvarez, Jr. | DATE APPROVED |
| PURPOSE | | FINANCIAL IMPACT No |

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE:

The matter is before the Commission for review and action regarding the subject peace officer's certification status.

The Commission shall return any determination requiring action to be taken against an individual's certification to the division, which shall initiate proceedings for a formal hearing before an administrative law judge in accordance with the Administrative Procedure Act (Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code), which shall be subject to judicial review as set forth in that Act.

BACKGROUND:

The Respondent began his employment with the Orange County Sheriff's Department on July 15, 2013. He was promoted to a fulltime peace officer after graduating from the Sheriff's Academy on January 16, 2015. At the time of this incident before the POSAAB, he was assigned as a School Resource Officer. The Respondent resigned from the Orange County Sheriff's Department on December 14, 2022, while holding the rank of Deputy. The Respondent is not currently employed as a peace officer in the State of California.

This position is a peace officer position as defined under California Penal Code §830.1(a) and is required to be certified pursuant to California Penal Code §13510.1(a).

ANALYSIS:

Does the alleged conduct violate Penal Code Section 13510.8(b)(6) and California Regulation 1205(a)(6) – Acts that

violate the law?

The Division's findings support that Respondent committed acts of serious misconduct, specifically Respondent committed acts that violate the law when Respondent, a Deputy Sheriff assigned as a School Resource Officer (SRO), showed harmful matter of a graphic and sexual nature, which depicts illicit drug use and graphic violence on his personal cell phone to a group of 14-year-old students. Respondent repeated such acts moments later by showing another group of 14-year year old students the same harmful matter.

After a complex criminal investigation conducted by the Orange County Sheriff's Department, Respondent was charged in the Orange County Superior Court with a misdemeanor violation of Penal Code section 313.1(a). On April 25, 2023, the court granted Respondent misdemeanor diversion pursuant to Penal Code section 1001.95.

RECOMMENDATION:

The Commission shall review recommendations made by the Peace Officer Standards Accountability Advisory Board (POSAAB) regarding what action, if any, should be imposed, suspension or revocation, on the certification of the subject peace officer. The Commission's decision to adopt a recommendation by POSAAB to seek revocation shall require a two-thirds vote of Commissioners present and shall be based on whether the record, in its entirety, supports POSAAB's conclusion that serious misconduct has been established by clear and convincing evidence.

In any case in which the Commission reaches a different determination than POSAAB's recommendation, it shall set forth its analysis and reasons for reaching a different determination in writing.

ATTACHMENT(S):

[BR1 POST2308479 Ramirez_ Justin_ ISF REDACTED.pdf](#)

[BR2 POST2308579 Ramirez_ Justin ISF Attachments_ REDACTED.pdf](#)

[POST2308479 Ramierz_Justin_December 2023_POSAAB_Agenda_Record.pdf](#)

[POST2308479_Ramirez_ Justin_Transcript_Board_12.14.23.pdf](#)

[POST2308479_Ramirez_Justin_Board_Recommendation_Signed.pdf](#)