

## AGENDA ITEM REPORT

**Title: FINAL DECISION/STATUS OF ACCUSATION FILING; DIVISION'S REQUEST FOR REVOCATION OF CERTIFICATION - POST2308479 - JUSTIN RAYMOND RAMIREZ (POST ID: C37-S81)**

### REPORT PROFILE

<b>MEETING DATE</b> 09/12/2024	<b>BUREAU SUBMITTING THE REPORT</b> Peace Officer Standards Accountability Division	
<b>RESEARCHED BY</b> Chandler T. Knapp		<b>REVIEWED BY</b> Chandler T. Knapp/Chelsea Wijaya
<b>REPORT DATE</b> 09/12/2024	<b>APPROVED BY</b> Manuel Alvarez, Jr.	<b>DATE APPROVED</b> 08/27/2024
<b>PURPOSE</b>		<b>FINANCIAL IMPACT</b> No

### ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

#### ISSUE:

The matter is before the Commission for review and action regarding the subject peace officer's certification status. Following the filing of the accusation, POST notified the respondent of their opportunity to request a hearing before the Administrative Law Judge (ALJ). No request for hearing was received by POST within 15 days after service upon the Respondent of the accusation, thus POST is now proceeding with the revocation pursuant to Government Code §11505(b).

#### 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 old students the same harmful matter.

After a 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.

Respondent appealed the Division's findings of grounds for revocation of the Respondent's certification. The case was heard before the Peace Officer Standards Accountability Advisory Board and the Commission, where both bodies agreed with the Division's findings and sought revocation of the Respondent's certification.

**RECOMMENDATION:**

This matter is before the Commission to render a final decision regarding the case of Justin Raymond Ramirez (Respondent); POST2308479. In accordance with the Commission's prior direction, staff filed an accusation requesting revocation of the Respondent's peace officer certification. Pursuant to Government Code §11505(b), the Commission may proceed with the revocation of the certification as no request for a hearing was received by POST, on behalf of the respondent, within the 15-day time frame provided by the Government Code. The Commission should consider adopting the default decision as a final resolution in the matter.

Conference with Legal Counsel/Deliberation: Pursuant to Government Code sections 11126(c)(3) and 11430.30(b) the Commission hereby provides public notice that it may meet in closed session to consider settlement proposals, and deliberate on decisions to be reached, in the following certification proceedings, as follows:

- Justin Raymond Ramirez – POST2308479 – Deliberation on default decision.

**ATTACHMENT(S):**

[POST2308479\\_Ramirez\\_Justin\\_Default\\_Revocation\\_Order.pdf](#)

