SONOMA COUNTY SHERIFF'S OFFICE

EDDIE ENGRAM
Sheriff-Coroner

JAMES NAUGLE
Assistant Sheriff
Law Enforcement Division

MICHAEL MERCHEN
Assistant Sheriff
Detention Division

HEIDI KEITH
Chief of Financial and
Administrative Services

NOTICE OF INTENDED DISCIPLINARY ACTION

April 27, 2023

Jordan Puleo
Deputy Sheriff

This Notice is to inform you that your appointing authority, Sheriff Eddie Engram, proposes to terminate your employment as a Deputy Sheriff with the Sonoma County Sheriff's Office, per the Civil Service rules 10.4.

This proposed disciplinary action is based on your conduct as described below and included in case 23-C-0001. This conduct, in the opinion of your appointing authority, constitutes grounds for disciplinary action as discussed below.

RULES OF THE CIVIL SERVICE COMMISSION

Rule 10.3: DISMISSALS

A. Dismissal of Permanent Employee

Any employee who has attained permanent status may be dismissed for reasonable cause including, but not limited to:

(3) Conduct which brings discredit to the County,
(17) Falsification of any records, such as medical forms, timecards or employment applications, or making material dishonest work-related statements to other employees at work or committing perjury.

and the following Sonoma County Sheriff's Office Policies and Procedures:

RULES AND REGULATIONS REGARDING CONDUCT

5. PROCEDURES

B. DUTIES, CONDUCT, AND RESPONSIBILITY

3. Obey Policies and Procedures: Members shall obey and carry out all lawful Sheriff's Office and County policies, procedures, and other orders whether written or oral; specifically:

Policy 320.5.4 (c) – Standards of Conduct – Relationships – Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect, or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.

Policy 320.5.8 (c) – Standards of Conduct – Performance - Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with an investigation or in the reporting of any office related business.

Policy 320.5.8 (i) – Standards of Conduct – Performance - Any act on or off-duty that brings discredit to this office.

Policy 701.6 – Personal / County-Owned Communication Devices - The following protocols shall apply to all PCDs that are carried while on-duty or used to conduct department business.

> **(a)** A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours). Members should not endeavor to limit their use of PCDs to authorized breaktimes unless an emergency exists.
>
> **(e)** Using PCDs to harass, threaten, coerce, or otherwise engage in inappropriate conduct with any third party is prohibited. Any member having knowledge of such conduct shall promptly notify a supervisor.

STATEMENT OF FACTS:

On January 27, 2022, you arrested [redacted] for violation of California Penal Code Section 273.5(a) Domestic Violence. At the time you booked [redacted] into jail, you provided her with your business card, which had your department-issued cell phone number printed on it.

Days after you booked [redacted] into jail, she contacted your department-issued cell phone via text message, which started a conversation between the two of you. Your text message conversation with [redacted] transitioned into an unprofessional and inappropriate conversation when you began commenting on her appearance and began asking her for sexually explicit photographs.

The conversation escalated when you insinuated [redacted] should drive to San Jose, CA to meet you at your hotel room while you were attending an out of county training. Though you stated you didn't specifically intend to have sexual intercourse with [redacted], you admitted you enjoyed the thrill and were pushing the limit to see how far you could take it with her. During her interview, [redacted] stated she was in a vulnerable state, she felt she had an obligation to engage with you. Because you were in law enforcement, she felt like she did not have a choice in sending you photographs of herself. As a result of

your conduct with [redacted] she began to feel "gross" and "disturbed" with herself, and she didn't want to have any part in the communication any longer, so she ceased communication with you.

Also during her interview, [redacted] stated she disclosed what occurred between you and her to her fiancé, identified as [redacted], who was the complainant in this internal affairs investigation. On December 29, 2022, [redacted] coincidentally ran into you at the Windsor Wal-Mart, where he confronted you about your conduct with [redacted]

On December 30, 2022, [redacted] called the Sheriff's Office to make a complaint about you. While discussing your conduct with Sgt. Toney, [redacted] told Sgt. Toney he "doesn't feel safe with cops coming to his house anymore".

In a second incident discovered during this investigation, on February 26, 2022, you responded to a report of a hit-and-run traffic collision in the Wal-Mart parking lot. While you were handling that call for service, you contacted the reporting party/victim of the collision, identified as [redacted]. Through the course of your investigation into the collision, you were able to identify the suspect and ultimately resolved the issue by having [redacted] and the suspect exchange contact and insurance information. At the conclusion of your investigation, [redacted] asked for your business card, which you provided to her.

After you parted ways with [redacted], she text messaged your department-issued cell phone to thank you for your help. At that time, she also inquired about your marital status. According to [redacted], you told her you were engaged, when in fact you were married, and another inappropriate and unprofessional text message conversation ensued. There was no work-related or professional reasoning for you and [redacted] to be conversing, and your text message conversation with [redacted] escalated to the point you began asking her to send you photographs of herself. You could not recall how many photographs were exchanged between you and [redacted], however you described one photograph [redacted] sent you, which depicted her in the shower, exposing her bare breasts. [redacted] estimated she sent you between three and ten photographs, approximately five of which were sexually explicit.

Specifically, on March 9, 2022, you sent a text message to [redacted] which read, "You wanna send me another pic?" Approximately 30 minutes later, [redacted] sent you a photograph of her breasts (in a bra) and her bare stomach. When analyzing your request for "another pic", it is reasonable to believe you had previously asked [redacted] for other photographs prior.

In a third incident discovered during this investigation, on August 31, 2022, you responded to [redacted] residence to investigate a report of a disturbance. The reporting party stated her roommate, identified as [redacted], threatened to throw her belongings away while she was at work. Upon your arrival, you determined the disturbance was a civil, landlord versus tenant, issue. On September 2, 2022, you responded back to the residence for a civil standby at the reporting party's request. On both occasions, your BWC Footage showed you contacted [redacted] in the course of your official duties as a deputy sheriff.

After your contact with [redacted] on September 2, 2022, you began a text message conversation with her on your department-issued cell phone. Initially you had a legitimate, professional purpose for providing

your phone number to [redacted], related to the dispute you had been handling. However, the text message conversation shifted to a personal, inappropriate, and unprofessional conversation when you told [redacted] you had been told you were good with your hands, were thinking of starting a side-gig as a masseuse, and asked [redacted] if she was willing to help you practice by giving her a massage.

On September 3, 2022, [redacted] text messaged your department-issued cell phone because she had baked a bunch of cookies, she had extra, and she wanted to bring some to the Windsor Police Department. After she dropped off the cookies, you sent her text messages telling her the cookies were good, you commented on her appearance, and you told her she was "quite attractive". You proceeded to ask [redacted] about her tattoos, told her not to remove them, asked to see them, and offered to take photographs of them.

This investigation determined most, if not all your conversations with [redacted] took place while you were on-duty, you used your department-issued cell phone to have all these conversations, and though two of the three conversations may have started out with professional intentions, they all transitioned to personal, inappropriate, and unprofessional conversations. During your internal affairs interview, you explained you used your department-issued phone to conceal your conduct from your wife, since your personal phone was linked to your personal computer at home.

This investigation also determined you established and maintained a relationship with all three women through official contact, as a result of your official duties as a deputy sheriff. Specifically, you met [redacted] when you arrested her for Domestic Violence, you met [redacted], a victim in a hit-and-run collision investigation, and you met [redacted], who, at minimum, was an involved other in a disturbance call for service where you were the investigating deputy.

Furthermore, during your internal affairs interview, you admitted you deleted [redacted] contact information and the remaining text message thread you had with her before your department-issued cell phone was collected. During your interview, after discussing your conduct with [redacted] you were given the opportunity to disclose any similar conduct with anyone else. You stated you didn't believe there were any other instances. At that time, you were confronted about your conduct with [redacted], you responded, "Hmm, ah, it's a, I was wondering what I had that saved under, um, a female that called in, a hit-and-run that didn't end up being a hit-and-run at Wal-Mart." Your response indicated you knew about your conduct with [redacted] and just couldn't remember where or how you saved her contact information. If you weren't confronted about your conduct with [redacted], it's reasonable to believe you would not have disclosed it.

After discussing your conduct with [redacted] in your internal affairs interview, you were given another opportunity to disclose any other instances where you engaged in similar conduct as you did with [redacted] and [redacted] At that time, you failed to disclose your text message conversation with [redacted], ultimately omitting material information.

A preponderance of the evidence presented in this investigation shows your conduct, while on-duty, while using your department-issued cell phone, was inappropriate, disgraceful, and brought discredit to the Sheriff's Office. Therefore, all allegations against you related to the relationships you established and

maintained with these three women have been sustained. The evidence also shows, by a preponderance of the evidence, that you were not entirely truthful during this investigation. You withheld, at least, two additional incidents where you established and maintained inappropriate relationships. Therefore, the allegations related to truthfulness have also been sustained. Your integrity has been compromised, which adversely affected your relationship with this office and the public we serve. For these reasons, it is Sheriff Engram's intent to terminate your employment with the Sonoma County Sheriff's Office, with cause.

YOUR RIGHT TO A RESPONSE

Under applicable law, and the Rules of the County Civil Service Commission, you have various legal rights in connection with this Notice that you should discuss with your attorney, union representative, or other representative.

You have the right to respond, verbally or in writing, or both, to this Notice. Your verbal or written response must be made within three (3) working days after the day this notice is delivered to you, pursuant to Rule 10, Section 10.5 A of the Rules of the Civil Service Commission. The time to respond may be extended if you make such a request to the appointing authority and the request is granted.

Your written or oral response, if any, must be communicated to Assistant Sheriff Mike Merchen, Sonoma County Sheriff's Office, 2777 Ventura Avenue, Santa Rosa, California, 95403, or by phoning him at 565-1607.

IF NO RESPONSE TO THIS WRITTEN NOTICE IS RECEIVED BY ASSISTANT SHERIFF MERCHEN WITHIN THREE (3) WORKING DAYS AFTER THE DAY THIS NOTICE IS DELIVERED TO YOU, OR ON THE LAST DAY OF ANY APPROVED EXTENSION OF TIME, YOU WILL HAVE WAIVED YOUR RIGHT TO MAKE SUCH RESPONSE.

If you wish to accept the proposed Order of Termination from Employment and not respond to Assistant Sheriff Merchen, please advise Sergeant Brent Kidder at 565-5042 within three (3) working days so he can move forward with the disciplinary process.

This Notice may become part of your permanent personnel record if disciplinary action is, in fact, imposed as a result of the reasons set forth herein. Read this Notice carefully and sign or initial this notice on the line provided below.

EDDIE ENGRAM
Sheriff-Coroner

4/27/23
Date Signed

Jordan Puleo
Deputy Sheriff

4/27/23
Date Received

Prepared by: Sgt. Brent Kidder