

16-002513



# INTERNAL AFFAIRS FILE

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**PLEASE RETURN TO:**

Internal Affairs Group, Administrative Records Section (213) 485-4152



COMPLAINT FORM

Statute Date: 09/13/2017

Investigative Complexity: 1

Masked: No

CF No.: 16-002513

Complainant(s)

Name: [Redacted] Masked: No  
 DOB: [Redacted] Residential Address: [Redacted]  
 Gender/Descent: Female / White  
 Language: English Subj of Incident: Yes  
 Injury: Other Source: Public-Person Involved  
 Arrested: No Method: Other  
 Booking No.:  
 Identification: Phone: [Redacted]

Date and Location of Occurrence

Beginning/End Date: 09/11/2016 / 09/11/2016 RD / Area Division: 0635 / Hollywood Area  
 Cross Street 1: Franklin Avenue Begin/End Time: 03:45 / 04:45  
 Address: Los Angeles California Cross Street 2: Wilton Place

Accused Employee(s)

Name: ~~George-Unknown~~ Masked: ~~No~~  
 DOB: Business Address: Original  
 Gender/Descent: Length of Service: ~~Years Months Days~~ Assignment: DO NOT DUPLICATE  
 Injury: None Duty Status: ~~Off Duty~~  
 Arrested: ~~No~~ Phone:  
 Booking No.:

Name: Martinez, Israel - 41119, PO 2 HWD Masked: No  
 HED W9 DEN  
 DOB: [Redacted] Business Address:  
 Gender/Descent: Male / HIS  
 Length of Service: 4 Years 2 Months 24 Days Assignment: FOOTBEAT  
 Injury: None Duty Status: Unknown  
 Arrested: No Phone:  
 Booking No.:

Involved Person(s)

Name: [Redacted] Masked: No  
 Involved Person Type: Public Witness Residential Address: [Redacted]  
 DOB: [Redacted]  
 Gender/Descent: Female / Black Subject of Incident: Yes  
 Identification: Phone: [Redacted]

Brief Summary

Reported to Uninv Supervisor: 09/13/2016 Uninvolved Supervisor Name: Patsenhann, Sonny - 33497, DET 2 IAG CID CIS CENTRAL  
 Recorded By: Patsenhann, Sonny - 33497, DET 2 Preliminary Investigator: Patsenhann, Sonny - 33497, DET 2 IAG CID CIS CENTRAL  
 IAG CLASS: Internal Affairs Group Cross Reference: 1606-19905 DR Number

17 AUG 21 PM 3:27 JUN 9 AM 7:53

CCU

**COMPLAINT FORM**

**Statute Date: 09/13/2017**

**Investigative Complexity: 1**

**Masked: No**

**CF No.: 16-002513**

Supervisor Reviewing Serial No.	Area/Division	Complaint Type Disciplinary	Entity Investigating IAG CID CIS CENTRAL	Prima Facie Yes
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Statute Date: 09/13/2017

COMPLAINT FORM

Masked: No

CF No.: 16-002513

Preliminary Investigative Narrative:

On September 11, 2016, Complainant [REDACTED] and her sister in law witness [REDACTED] came to Los Angeles for a vacation from Arizona. [REDACTED] was in the area of the Kodak Theatre in Hollywood Division and met with an unknown officer named George. [REDACTED] and George provided their cell numbers to each other. George after getting off work met with [REDACTED] at the Motel 6 in Hollywood Division. George and [REDACTED] left together in [REDACTED] vehicle.

[REDACTED] alleged that George directed her to stop in an alley on Franklin Avenue between Whitley Avenue and Wilton Place (unknown exact location). [REDACTED] was forced to oral copulation and sodomized by George.

On September 13, 2016, [REDACTED] was in the City of Inglewood and flagged down Inglewood Police Officers of the sexual assault. Inglewood Police Department made notification to the Los Angeles Police Department of the alleged incident.



Los Angeles Police Department

Complaint Review Report

Statute Date: 09/13/2017

COMPLAINT FORM

Masked: No

CF No.: 16-002513

<input type="checkbox"/> PTC:	DR No.	Date of Traffic Collision	Fleet Safety History (Prior PTCs)	
			Last 5 Years	Career
<input type="checkbox"/> FTA:	Court Date	Court Case No.	FTA History (Sustained Only)	
			Last 5 Years	Career
<input type="checkbox"/> FTQ:	Qualification Month / Year	Reason	FTQ History (Sustained Only)	
		<input type="checkbox"/> Forgot <input type="checkbox"/> Shot and Failed	Last 5 Years	Career

Disciplinary

Non-Disciplinary (Check the applicable box below)

- POLICY/PROCEDURE** - The facts of the case revealed that the complaint relates to Department policy/procedure and not to a specific employee's actions.
- EMPLOYEE'S ACTIONS DID NOT RISE TO THE LEVEL OF MISCONDUCT** - A preliminary investigation revealed that the allegations did not rise to the level of misconduct and/or the named employee's actions were protected by law or found to be consistent with Department policy or procedure.
- EMPLOYEE'S ACTIONS COULD HAVE BEEN DIFFERENT** - The facts in the complaint revealed the employee's actions could have been different. However, the employee's act or omission is best addressed through corrective action by the employee's commanding officer. The corrective action(s) taken was: (Check all that apply)
  - COUNSELING
  - TRAINING
  - COMMENT CARD
  - NOTICE TO CORRECT DEFICIENCIES
  - REFERRAL
- DEMONSTRABLY FALSE** - The complaint was demonstrably false, or, demonstrates an irrational thought process and was consistent with the complainant's established pattern of making chronic or crank complaints.
- DEPARTMENT EMPLOYEE(S) NOT INVOLVED** - The preliminary investigation revealed that the complaint did not involve Department employee(s).
- RESOLVED THROUGH ALTERNATIVE COMPLAINT RESOLUTION (ACR)** - The complainant and the employee(s) resolved the complaint through ACR.

AREA / DIVISION COMMANDING OFFICER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> REFERRED FOR DISCIPLINARY CONSIDERATION	GROUP/BUREAU CO	<input type="checkbox"/> CONCUR	<input type="checkbox"/> DO NOT CONCUR
NAME (PLEASE PRINT) <b>JONATHAN PINTO</b>	RANK <b>CAPT</b>	AREA / DIV <b>HOLLYWOOD DIV.</b>	NAME (PLEASE PRINT) <i>[Signature]</i>	RANK <i>[Signature]</i>	GROUP / BUREAU <i>[Signature]</i>
SIGNATURE / SERIAL NO. <i>[Signature]</i> #32592	DATE 7/10/17		SIGNATURE / SERIAL NO. <i>[Signature]</i> 2252	DATE 8/10/17	



Los Angeles Police Department  
Complaint Adjudication Form

CF No.  
16-002513

← Date on the IAG/ARS Communication Slip or on the chain of command investigation.  
(Manual Section 3/824)

EMPLOYEE:  Multiple Employees

LAST NAME, FIRST, M.I.  UNKNOWN SERIAL NO. RANK AT TIME OF INCIDENT AREA/DEV. AT TIME OF INCIDENT DUTY STATUS ARRESTED  
**MARTINEZ, ISRAEL** **41119** **PO-II** **HOLLYWOOD**  ON  OFF  YES  NO

ASSIGNMENT TYPE AT TIME OF INCIDENT COMPLAINT (LAST NAME, FIRST, M.I.)  DEPARTMENT  
 PATROL  AREA DETECTIVE  ADMIN/COVERTED  SPECIALIZED DIV  UNIFORM SEU

ADJUDICATION SUMMARY: Enter allegation number(s) under the respective dispositions. Check Military Endorsement for the disposition recommended.

	SUSTAINED	NOT RESOLVED	UNFOUNDED	EXONERATED	INSUFFICIENT EVIDENCE TO ADJUDICATE	OTHER JUDICIAL REVIEW	PENALTY						
							Penalt y	Admo n	OR	Susp (days)	Demot ion	or Term on	BOR
Division Commanding Officer	1, 2		3, 4				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	15	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Area Commanding Officer							<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Group Commanding Officer							<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bureau Commanding Officer							<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chief of Police							<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PENALTY RATIONALE: (Explain, if recommendation deviates from Penalty Guide.)  PTC (See attached Form 1.13 for findings and penalty recommendation.)

Continued on back

DIVISION COMMANDING OFFICER'S SIGNATURE SERIAL NO. DATE EMPLOYEE'S SIGNATURE (ADMONISHMENT ONLY) SERIAL NO. DATE  
*Jon Pando* 32592 7/13/17

GROUP/AREA COMMANDING OFFICER'S SIGNATURE SERIAL NO. DATE  Concur  Military Endorsement (See back page.)

BUREAU COMMANDING OFFICER'S SIGNATURE SERIAL NO. DATE  Concur  Military Endorsement (See back page.)  
*CE* 2752 8/18/17

Internal Affairs Group Use Only

FINAL DEPARTMENT ACTION

C/O - BOR - G - REMOVAL EFF. 10.26.17 - reply (COP 9.13.17) (8627373) (12-28-17)

CSC OVERULE  BOR - GUILTY (Counts: )  BOR - NOT GUILTY (Counts: )



NAMED EMPLOYEE (LAST NAME, FIRST, MI)

MARTINEZ, ISRAEL

UNKNOWN

CF No.

16-002513

EMPLOYEE INTERVIEW

EMPLOYEE INVESTIGATION REVIEW

Other than Sustained, Admonishments, or Official Reprimand

This complaint investigation has been completed. A review of the investigation has resulted in the proposed findings listed on the front of this form. You have the opportunity to review the completed investigation, including the letter of transmittal, and to make a written response. Any such response must be in writing and submitted to the commanding officer listed on the front of this form with 30 calendar days of this service. Thirty days from that date will be:

[Empty box for response date]

NOTICE OF PROPOSED DISCIPLINARY ACTION

Notice of Proposed Disciplinary Action

This complaint investigation has been completed. A review of the investigation has resulted in the proposed findings listed on the front of this form. You are hereby notified that I am proposing to the Chief of Police that you receive the penalty specified on the front of this form for the allegations sustained in the findings, which are attached to this form. You have an opportunity to respond orally or in writing by:

SEPTEMBER 28, 2017

Your response will be reviewed by the Chief of Police for evaluation prior to adjudication of this matter.

The employee shall initial the boxes that apply:

I have received a copy of the investigation materials.

I intend to submit a response.

I have waived my right to receive a copy of the investigative material.

I do not intend to submit a response.

I was informed of my right to representation prior to discussing this matter.

I have received documentation regarding my fitness and suitability to perform the duties of my position (civilian employee).

I have discussed this matter with the employee.

Your signature acknowledges receipt of materials, but does not indicate concurrence with my recommendations.

DIVISION COMMANDING OFFICER'S SIGNATURE

SERIAL NO. DATE

*[Signature]*

25060 09/20/17

EMPLOYEE'S SIGNATURE

SERIAL NO. DATE

*[Signature]*

41119 09/20/17

C/O'S RESPONSE TO EMPLOYEE:

Date response received:

No employee response was submitted by the date specified.

After reviewing the employee's response, I found no new information to cause me to change my recommended findings and/or penalty.

A review of the employee's response has caused me to take the following actions: (See below).

See continuation page.

MILITARY ENDORSEMENT RATIONALE:

RECEIVED

SEP 21 2017 9:11

ADVOCATE SECTION  
INTERNAL AFFAIRS GROUP

See continuation page.



NAMED EMPLOYEE (LAST NAME, FIRST, M.I.)

MARTINEZ, ISRAEL

CF No.

16-002513

EMPLOYEE INTERVIEW

EMPLOYEE INVESTIGATION REVIEW

NOTICE OF PROPOSED DISCIPLINARY ACTION

Other than Sustained, Admonishment, or Official Reprimand
This complaint investigation has been completed. A review of the investigation has resulted in the proposed findings listed on the front of this form. You have the opportunity to review the completed investigation, including the letter of transmittal, and to make a written response. Any such response must be in writing and submitted to the commanding officer listed on the front of this form within 30 calendar days of this service. Thirty days from that date will be:

[Empty box for response date]

Notice of Proposed Disciplinary Action
This complaint investigation has been completed. A review of the investigation has resulted in the proposed findings listed on the front of this form. You are hereby notified of that I am proposing to the Chief of Police that you receive the penalty specified on the front of this form for the allegations sustained in the findings, which are attached to this form. You have an opportunity to respond orally or in writing by:

Sept 3, 2017

Your response will be reviewed by the Chief of Police for evaluation prior to adjudication of this matter.

The employee shall initial the boxes that apply:

IM

I have received a copy of the investigative materials

IM

I intend to submit a response.

[Empty box]

I waive my right to receive a copy of the investigative material

[Empty box]

OR

I do not intend to submit a response.

IM

I was informed of my right to representation prior to discussing this matter.

[Empty box]

I have received documentation regarding my fitness and suitability to perform the duties of my position. (civilian employees)

I have discussed this matter with the employee.

Your signature acknowledges receipt of materials, but does not indicate concurrence with my recommendations.

COMMANDING OFFICER'S SIGNATURE

[Signature]

CP PALKO 25060

8-3-17

EMPLOYEE'S SIGNATURE

[Signature]

SERIAL NO.

41119

DATE

8/3/17

C/O'S RESPONSE TO EMPLOYEE:

Date response received:

No employee response was submitted by the date specified.

After reviewing the employee's response, I found no new information to cause me to change my recommended findings and/or penalty.

A review of the employee's response has caused me to take the following actions: (See below.)

See continuation page.

MILITARY ENDORSEMENT RATIONALE:

See continuation page.



INTRADEPARTMENTAL CORRESPONDENCE

September 14, 2017  
13.5.2

**TO:** Commanding Officer, Operations-West Bureau


**FROM:** Commanding Officer, Criminal Investigation Division

**SUBJECT:** CHANGE IN PERSONNEL COMPLAINT FORM NO. 16-002513,  
POLICE OFFICER II ISRAEL MARTINEZ, SERIAL NO. 41119,  
HOLLYWOOD PATROL DIVISION.

This correspondence has been prepared to inform you of a decision by the Chief of Police (COP) regarding a complaint investigation involving a member of your command. The COP has determined that the complaint was properly classified as sustained; however the penalty associated with this allegation should be changed from **15 DAY SUSPENSION** to **Board of Rights**. In addition, Count 3 was added. This decision was based upon the review of the complaint investigation.

**Count 3. On or about September 11, 2016, you, while off-duty, inappropriately engaged in sexual activity in a public place.**

The complaint is in the process of being modified to accommodate the direction of the COP. Please ensure that the concerned employee is re-Skellied and provided with an opportunity to respond and receives a copy of this correspondence. If there are any questions regarding this decision, please contact me at (213) 996-2770.



BRIAN J. THOMAS, Captain  
Commanding Officer  
Criminal Investigation Division  
Internal Affairs Group

COPY



**LETTER OF TRANSMITTAL**  
**CF NO. 16-002513**  
**COMMANDING OFFICER'S ADJUDICATION**

The completed investigation was received for adjudication on June 13, 2017.

**ADJUDICATION**

The allegations below were initiated via a public complainant and by the Department.

Public Complaint by: [REDACTED] [REDACTED]

The Personnel Complaint Investigation, CF No. 16-002513 resulted in four allegations of misconduct against one named Department employee.

Police Officer II Israel Martinez  
Serial No. 41119

Hollywood Area

The allegations are listed below with the recommendation for classification and supporting rationale.

**ALLEGATION 1: The Department alleges that on September 11, 2016, Officer Martinez, while on duty, inappropriately converted an on duty contact into an off-duty relationship.**

**ALLEGATION 2: The Department alleges that on September 11, 2016, Officer Martinez, while on duty, sent a photograph of his erect penis to [REDACTED]'s cellular phone.**

**CLASSIFICATION**

It is recommended that allegations 1 and 2 be classified as **SUSTAINED**.

**RATIONALE**

During their initial contact, Complainant [REDACTED] (CP) was parked at the red curb at the Hollywood Blvd and Highland Ave when Officer Martinez approached her for the traffic violation. From that contact, Martinez began to flirt with the CP and they opted to exchange cellular phone numbers with each other with the intention of furthering their relationship.

The Department has a high expectation of professionalism from every employee during our daily contacts with the public. These expectations are clearly outlined in our Department's mission statement and core values. From the onset, Martinez's professional demeanor with the CP completely contradicted our Department's mission statement and core value of "Respect for People." First, by flirting with the CP during a legitimate traffic stop, Martinez's behavior was unprofessional and inconsistent with our ethical standard during that interaction. We as police officers have the duty and obligation to serve everyone in our city with respect and dignity. Martinez's action not only jeopardized the positive relationship that we work so hard to harvest but was a betrayal of the trust that the public has entrusted in us.



As they parted ways from the traffic stop, Martinez and the CP continued to exchange sexually explicit text messages with the intent to further their initial contact into a sexual relationship. This is evidenced when the CP sent Martinez a sensual picture of herself dressed in lingerie. In return, Martinez texted the CP back with a picture of his erect penis. Martinez's action was highly inappropriate and completely contradictory to the professional conduct that the Department expects of its officers.

Based on the investigation and supporting evidence, the on duty contact between Martinez and the CP carried them to a meeting at Martinez's end of watch. Their meeting at the Motel 6 led them outside of the motel room to a public area where sexual activities occurred by the dumpsters of an apartment complex in Hollywood Area. Martinez's poor decisions and actions that night has threatened the public trust and the positive image of this Department. His conduct was unbecoming of a Los Angeles Police officer; hence the recommended classification and penalty are warranted.

### PENALTY

It is recommended that Officer Martinez receive a **fifteen (15) day suspension**.

Since the discovery of this incident, Officer Martinez's professional and personal lives were placed under scrutiny. Based on my personal observation, Martinez is genuinely remorseful of the entire ordeal and the consequences that his actions placed upon his co-workers and his family. Pending the outcome of this investigation, he was placed on kit room duty with no public contact. During that time, he has remained positive and focused on improving himself with various Department training and updates. Not once did he deny the accusations against him, but took full responsibility for his actions.

An examination of the work and complaint history of Martinez revealed he has no history of integrity issues in his five-year career. In fact, this is Martinez's second personnel complaint. He has no categorical uses of force or civil litigation history. His entire career has been spent in uniformed field operations, exposing him to greater chances of complaints, uses of force, and civil litigation. An examination of his employee activity compared to selected like organizations reveals him as hard working, with activity above average for his peer group (Hollywood patrol officers).

The recommended **fifteen (15) day suspension** will be sufficient based on the severity of the misconduct. It shall serve the purpose of positive discipline, set expectations and standards for future performance, and ensure uniformity of conduct in the workplace. The penalty is appropriate given the allegations and Martinez's past work performance.



### EMPLOYEE DEVELOPMENT PLAN

As a part of the adjudication process, the Hollywood management team had an opportunity to meet with Officer Martinez and discuss the philosophies and values of the Department's expectation of their officers. Martinez continues to be remorseful of the incident and was receptive to the discussion. Martinez mutually agreed that an administrative transfer to a new patrol division after the adjudication of the investigation would afford him a fresh start with his career. In addition, a periodic meeting should be set up by a Sergeant, designated by his commanding officer, to provide insight and mentorship as part of his employee development plan with the emphasis on ethics and professional conduct.

#### ALLEGATION 3: [REDACTED]

#### ALLEGATION 4: [REDACTED]

### CLASSIFICATION

It is recommended that Allegations 3 and 4 be classified as UNFOUNDED.

### RATIONALE

After their initial dialogue, the CP and Officer Martinez began "sex texting" each other with sexually explicit text messages via their cellular phones with the intention to "hook up" after Martinez's end of watch. The text messages along with the sensual pictures in the attached addenda are clear indicators that the CP and Martinez's mindsets were to engage in sexual activity. Based on the content in the text messages, both were willing participants and consenting adults in their decisions and actions.

After their meeting at the Motel 6, the CP took Martinez in her rental vehicle at 0400 hours to drive around Hollywood. When they arrived at the dumpster area adjacent to the apartment complex, located at 1810 Tamarind Avenue, the CP and Martinez exited the vehicle together and decided to engage in sexual activity there. Had the CP not been a willing participant, she likely would have been forced out of the vehicle. After the sex acts, the CP drove Martinez back to the motel to retrieve his vehicle. During the ordeal, the CP did not display behaviors consistent with a rape victim in distress. After approximately an hour, the CP texted Martinez back, "Sleep good" and "I want a redo, but I want you to rape me (Addenda 4J)." Based on her text message, the CP's behaviors were inconsistent with a rape victim. Due to the lack of symptoms and signs shown by the CP as a victim of sexual assault, her allegations of forceful sex acts are questionable.



Secondly, the CP had made multiple inconsistent statements to the investigators during their interviews. The CP told the investigators that she laundered the dirty clothing from the night of the alleged assault and it was later determined to be false. The CP asserted that Martinez caused bruising to her body during the assault, but Witness [REDACTED] affirmed that the CP was involved in a fight several days prior to coming to Los Angeles, which resulted in those injuries. Witness [REDACTED] also advised investigators that the CP is a drug addict and a habitual liar. These assertions were later determined to be true.

Witness [REDACTED] stated she was present when Martinez asked the CP to find a room somewhere so they could have sex. Witness [REDACTED] also saw the CP immediately after she returned with Martinez, and stated the CP did not act in any way as if she had just been the victim of rape or trauma. Witness [REDACTED] advised the I/O that she did not believe the CP was being truthful when she told the police she had been raped and believed the sex was completely consensual.

Finally, the post sexual assault medical examination revealed trace evidence of amphetamines in the CP's system and the DNA profile of another male other than Martinez (Addenda 13 and 14). The evidence revealed the CP was sexually active with at least one other male individual aside from Martinez during the short period of time after her interaction with Martinez and the time she reported the incident. When the investigators inquired about inconsistencies in the CP's recollection of events, she refused to provide further clarification. The complication continued at the Deputy District Attorney's Office when the filing DA wished to speak with the CP via a telephonic interview to verify some of the facts. The CP agreed to multiple arranged appointments and failed to answer each time without explanation. Once again, the truthfulness and reliability of the CP's statement is in question.

Based on the totality of the evidence presented, there is insufficient evidence to prove beyond a preponderance of evidence that Martinez forced the CP to perform any of the alleged sex acts. Moreover, the lack of cooperation from the CP during the different follow up attempts suggested that she was lying about the circumstances surrounding the event. Witness [REDACTED]'s assertion that the CP is a drug addict and a habitual liar were factually supported by credible evidence. Based upon these facts, the District Attorney's Office declined to file any charges against Martinez and will take no further action in this case. Hence, the recommended classification is warranted.

#### **DIGITAL IN-CAR VIDEO, BODY WORN VIDEO, AND OTHER VIDEO OR AUDIO RECORDINGS**

Due to the alleged incident occurred during Officer Martinez's off duty time, no DICV, BWV, or other audio recordings within the Department was utilized. Video footage from the Motel 6 was reviewed and used in the investigation to verify the incident.

**ADMINISTRATIVE INSIGHT**

**Training issues.** None.

**Workplace issues.** None.

**Work/complaint history analysis.** Officer Martinez has been working as a foot beat officer at Hollywood Entertainment District since 2016. During his tenure, he did not have any adverse complaint findings. He has only one prior Neglect of Duty with the disposition of Non-Disciplinary/ Employee's Actions Could Have Been Different – Training. There is no pattern of misconduct or risk management issues noted.

**Relief from duty considerations.** None.

**Recommendations.** See Employee Development Plan section for detail.

**Actions taken.** None.

**Response to complainant.** A reply letter to the complainant was drafted and will be posted by IAG upon administrative closure of the complaint.



Letter of Transmittal  
CF No. 16-002513  
Page 6  
6.1

**APPROVED BY:**



CP  
PALKA

---

CORY PALKA, Captain  
Commanding Officer  
Hollywood Area

8-2-2017

---

Date

1 **INVESTIGATIVE RESPONSIBILITY:** The Investigating Officer (I/O) for this case  
2 was Detective II Sonny Patsenhann, Serial No. 33497, Internal Affairs Group (IAG), Criminal  
3 Investigation Division (CID), Central Section. He can be contacted at (213) 996-2780.  
4 Any requests for supplemental investigation must be approved by the IAG CID commanding  
5 officer via an Intra-Departmental Correspondence, Form 15.2.

6  
7 **STATUTE:** The original administrative statute date, **September 13, 2017**, was tolled for the  
8 purposes of the criminal investigation.

9  
10 On January 10, 2017, the I/O presented the criminal case to Deputy District Attorney (DDA)  
11 Shannon Presby, from the Los Angeles County District Attorney's office, Justice System  
12 Integrity Division (JSID) for criminal filing review.

13  
14 DDA Dave Reunert was assigned the case for filing review. On April 20, 2017 Reunert declined  
15 to file criminal charges in this case due to lack of sufficient evidence.

16  
17 The new administrative statute date for this case is **April 20, 2018**.

18  
19 **BACKGROUND:** On September 9, 2016, [REDACTED] (resident of [REDACTED] and  
20 her sister in law [REDACTED] travelled to Los Angeles for vacation. [REDACTED] and [REDACTED]  
21 travelled to Los Angeles in a rented car. [REDACTED] and [REDACTED] arrived and checked into the  
22 Motel 6 located at 1738 N. Whitley, in Hollywood. On September 10, 2016, [REDACTED] and  
23 [REDACTED] saw a hot dog vender in the area of Hollywood Boulevard and Highland Avenue.  
24 [REDACTED] waited in the car while [REDACTED] went to buy hot dogs. [REDACTED] was approached by a  
25 uniformed police officer who identified himself by his first name of "George".

26  
27 **Note:** "George" was later determined to be Los Angeles Police Department (LAPD)  
28 Police Officer II Israel Martinez, Serial No. 41119, Hollywood Patrol Division. To avoid  
29 confusion in this investigation, Officer Martinez will be referred to as "I. Martinez."

30  
31 [REDACTED] and I. Martinez exchanged cell phone numbers with each other. [REDACTED] and I. Martinez  
32 then sent flirtatious text messages to one another. [REDACTED] told I. Martinez the name of the motel  
33 she was residing in while visiting Los Angeles. I. Martinez arrived at [REDACTED]'s motel after  
34 completing his work shift. [REDACTED] and I. Martinez left the motel together in [REDACTED]'s car. I.  
35 Martinez directed [REDACTED] to stop her vehicle at an unknown location. I. Martinez then engaged  
36 in sex acts with [REDACTED] and ejaculated on [REDACTED]'s shirt. [REDACTED] and I. Martinez drove back to  
37 the Motel 6 and departed ways. I. Martinez left in his pickup truck.

38  
39 **SUMMARY:** On September 13, 2016, [REDACTED] was at the El Pollo Loco Restaurant in the City  
40 of Inglewood, when she flagged down Police Officers Daniel Diaz, Serial No. 806, and Andre  
41 Martinez<sup>1</sup>, Serial No. 1006, Inglewood Police Department (IPD). [REDACTED] advised the officers  
42 that she had been raped by a Los Angeles Police Officer in Hollywood.

43  

---

<sup>1</sup> Referred to in this investigation as "A. Martinez."



1 IPD officials made notification to the LAPD regarding [REDACTED]'s allegations. Lieutenant II Jay  
2 Mastick, Serial No. 32471, Detective II Sonny Patsenhann, Serial No. 33497, and Sergeant II  
3 Peter Gillies, Serial No. 26963, LAPD IAG CID-Central Section (CID-C), were notified and  
4 responded to the City of Inglewood to interview [REDACTED] and conduct a preliminary investigation.

5  
6 **ALLEGATION 1: The Department alleges that on September 11, 2016, Officer Martinez,**  
7 **while on duty, inappropriately converted an on duty contact into an off-duty relationship.**

8  
9 **ALLEGATION 2: The Department alleges that on September 11, 2016, Officer Martinez,**  
10 **while on duty, sent a photograph of his erect penis to [REDACTED]'s cell phone.**

11  
12 **ALLEGATION 3:** [REDACTED]  
13 [REDACTED]  
14 [REDACTED]

15 **ALLEGATION 4:** [REDACTED]  
16 [REDACTED]  
17 [REDACTED]

18 **INVESTIGATION:**

19  
20 **Diaz and A. Martinez<sup>2</sup>** provided a recorded synopsis of what had occurred, an IPD  
21 supervisor was present during the interview. Diaz and A. Martinez were flagged down  
22 by [REDACTED] at the El Pollo Loco Restaurant located at 4954 West Century Boulevard.  
23 [REDACTED] told Diaz that on September 11, 2016, she was approached by an on-duty LAPD  
24 officer who called himself "George"(I. Martinez) [REDACTED] informed Diaz that I. Martinez  
25 was in full police uniform and exited a marked black and white police vehicle. [REDACTED]  
26 and I. Martinez exchanged their cell phone numbers and [REDACTED] returned to her motel  
27 room. Later that evening, I. Martinez who was then off-duty met [REDACTED] at her motel  
28 room.

29  
30 [REDACTED] and I. Martinez left the motel together and [REDACTED] was raped in an unknown  
31 alley somewhere in Hollywood shortly afterwards. Officers Diaz and A. Martinez  
32 immediately notified their supervisor Sergeant Cilia Islas, Serial No. 870, IPD, of the  
33 alleged rape. Officers Diaz and A. Martinez took [REDACTED] back to her room at the  
34 Inglewood Motel 6, located at 5101 West Century Boulevard. At the Motel 6, [REDACTED]'s  
35 sister-in-law, [REDACTED] was inside the room. [REDACTED] gave Officer Martinez her  
36 blouse as evidence claiming the suspect's semen was on it. Diaz and A. Martinez  
37 completed a courtesy IPD crime report for rape, IPD DR No. 16-66586 (Addendum 1).

38  
39 **Note:** During the IPD interview with [REDACTED] [REDACTED] provided three different  
40 accounts of the incident. [REDACTED] was inconsistent with the details of the alleged  
41 rape.  
42

<sup>2</sup> On September 13, 2016, IPD Officer Daniel Diaz, Serial No.806 and Police Officer Andre Martinez, Serial No.1008, were interviewed by Patsenhann and Gillies. This interview was recorded and uploaded to the Complaint Management System (CMS).

1 [REDACTED] and her sister in law [REDACTED] arrived in Los Angeles on  
2 September 9, 2016, from [REDACTED] for a vacation. On the evening of September  
3 10, 2016, [REDACTED] and [REDACTED] went "bar hopping" at several establishments in the  
4 Hollywood area. On or about midnight on September 11, 2016, [REDACTED] became hungry  
5 and wanted to find a place to eat. [REDACTED] drove to an unknown location in Hollywood  
6 where a hot dog vendor was spotted. [REDACTED] pulled over and parked her vehicle against a  
7 red curb and [REDACTED] exited the vehicle to buy a hot dog from the vendor. As [REDACTED]  
8 waited for [REDACTED] she was approached by an unknown male Hispanic LAPD officer  
9 who engaged her in conversation. The officer began to flirt with [REDACTED] and pressed her  
10 to give him her phone number. The officer told [REDACTED] that his name was "George" and  
11 they provided their cell phone numbers to one another.

12  
13 [REDACTED] and I. Martinez texted each other capturing their numbers on their respective cell  
14 phones. [REDACTED] admitted that she thought I. Martinez was attractive and enjoyed his  
15 attention. [REDACTED] told I. Martinez that she was staying at the Motel 6 in Hollywood and  
16 texted him her room number. I. Martinez told [REDACTED] that his shift ended at 3:00 AM and  
17 would contact her.

18  
19 On September 11, 2016 at about 3:30 AM, I. Martinez, now dressed in civilian clothes,  
20 knocked on [REDACTED]'s motel room door, Room No. 121. [REDACTED] allowed him in the room.  
21 After some small talk, I. Martinez immediately started asking [REDACTED] to engage in sex  
22 with him. [REDACTED] convinced him to put off the sex for a bit and take her out to some  
23 place to party and have a good time. [REDACTED] told I. Martinez that she needed to retrieve  
24 an item from her car in the motel underground parking lot. Both [REDACTED] and I. Martinez  
25 left the room to go to her car.

26  
27 **Note:** [REDACTED] stated that while they were in the Motel 6 elevator, I. Martinez took  
28 out a pair of handcuffs and cuffed her while they were inside the elevator. Video  
29 surveillance was subsequently obtained by the I/O from the motel camera facing  
30 the elevator doors. [REDACTED] and I. Martinez can be seen exiting the elevator at the  
31 underground parking level, [REDACTED] did not appear to be in distress. [REDACTED] and I.  
32 Martinez casually walked next to each other to [REDACTED]'s vehicle in the  
33 underground parking structure. I. Martinez was not seen holding any handcuffs.

34  
35 I. Martinez reluctantly agreed and both left the Motel 6 in [REDACTED]'s car. [REDACTED] drove I.  
36 Martinez in her rental car around Hollywood for a short while. I. Martinez then directed  
37 [REDACTED] to pull over and park at an unknown apartment building. In front of the apartment  
38 building were several dumpsters inside a chain linked fence that had a blue tarp covering.

39  
40 I. Martinez coaxed her inside and shut the gate behind them. [REDACTED] protested and asked  
41 I. Martinez why he had brought her in there. I. Martinez commanded her in a threatening  
42 voice to keep quiet and demanded that she expose her breasts to him. She protested, but

<sup>3</sup> On September 14, 2016, [REDACTED] was interviewed by Detective Patsenhann, Serial No.33497 and Sergeant Peter Gillies, Serial No.26963. This interview was recorded and uploaded to the Complaint Management System (CMS).



1 complied out of fear. I. Martinez grabbed her by the hair and throat and forced her down  
2 onto her knees. He pulled his pants down and forced [REDACTED] to orally copulate him  
3 numerous times. [REDACTED] made several attempts to pull away, but I. Martinez would  
4 squeeze her neck with his hand and maintain control of her movement by grabbing her  
5 hair. [REDACTED] complained to I. Martinez that the inside of the dumpster was "nasty and  
6 full of shit." I. Martinez then ordered [REDACTED] to pull down her pants and get on her hands  
7 and knees. She knelt down on a discarded pizza box next to the dumpster. He applied a  
8 condom to his erect penis. He forcibly inserted his penis into [REDACTED]'s anus and  
9 sodomized her as he controlled her by holding the hair on her head. I. Martinez told  
10 [REDACTED] "You know how many girls get raped down here in LA?" [REDACTED] turned her  
11 body and was able to push I. Martinez off of her. When she turned to face him, he  
12 ejaculated onto the front of her shirt.

13  
14 **Note:** [REDACTED] tried to hold on to the condom as evidence, but dropped it on the  
15 ground. [REDACTED] stated that I. Martinez picked up the condom. The I/O inquired  
16 if there were any witnesses that saw what happened. [REDACTED] said that during the  
17 rape, she remembered a female with blond hair walking back and forth just  
18 outside the enclosed dumpster area. [REDACTED] also saw another female standing at  
19 an apartment balcony looking down. [REDACTED] believed the female on the balcony  
20 witnessed the incident between [REDACTED] and I. Martinez. Later, the true location  
21 of the alleged sexual assault was determined. A search for the two possible  
22 witnesses was conducted, however neither was identified or located.

23  
24 I. Martinez and [REDACTED] exited the dumpster area and returned to [REDACTED]'s car. On the  
25 drive back to [REDACTED]'s motel, [REDACTED] asked I. Martinez how long he had been on the  
26 force. I. Martinez replied four years. [REDACTED] continued asking I. Martinez, "Do you  
27 normally do this? Do you pick up chicks on duty and are you kinky like this?" [REDACTED]  
28 remembered that she was driving fast and erratic, running red lights on the way back to  
29 drop off I. Martinez. [REDACTED] described I. Martinez's vehicle as a black colored pick-up  
30 truck with a dog carrier in the back bed.

31  
32 [REDACTED] stated that several days after the rape she was angry and wanted revenge on I.  
33 Martinez. She met an unknown male at the Hollywood Casino (City of Inglewood) and  
34 that she enjoyed his company. [REDACTED] admitted that she started to drink a lot of alcoholic  
35 beverages. [REDACTED] got a ride from the unknown male and was dropped off at the 7/11  
36 business (unknown location). [REDACTED] then met another unknown male at the 7/11  
37 business and asked the male to get her a throw away handgun. [REDACTED] went to a bank  
38 ATM and withdrew one thousand dollars' cash and bought the throw away gun. [REDACTED]  
39 wanted to use the gun on I. Martinez because he had hurt her bad. [REDACTED] changed her  
40 mind about hurting I. Martinez and got rid of the gun. [REDACTED] could not provide the  
41 details on how she got rid of the handgun.

42  
43 [REDACTED] informed the I/O that she returned the cell phone she used to send and receive the  
44 text messages from I. Martinez back to the phone company due to battery issues. [REDACTED]

1 received a new phone from the exchange. [REDACTED] stated that her old cell phone  
2 contained the text messages she sent and received from I. Martinez.

3  
4 **Note:** Due to [REDACTED]'s discrepancy in describing I. Martinez' on-duty uniform,  
5 the I/O was unable to determine if I. Martinez was an LAPD officer or a similarly  
6 uniformed security officer during this preliminary investigation.

7  
8 [REDACTED] came with [REDACTED] to Los Angeles for a vacation. [REDACTED]'s  
9 boyfriend ([REDACTED]'s brother) and [REDACTED]'s dad went to Colorado to do work on a rental  
10 property. [REDACTED] and [REDACTED] checked into the Motel 6 in Hollywood, located at 1738  
11 Whitley Avenue, because the Motel 6 accepted pets. On September 11, 2016, [REDACTED]  
12 and [REDACTED] went to a bar she described it as a "Mexican Bar." [REDACTED] remembered  
13 [REDACTED] talking to a police officer and did not remember anything else after that because  
14 she was focused on buying a hot dog. [REDACTED] described the officer as being of  
15 "Spanish" descent only and did not remember anything else that night. [REDACTED] admitted  
16 that she had been drinking earlier and was tipsy and drunk. [REDACTED] said [REDACTED]  
17 dropped her off at the Motel 6 and she went to sleep in the room.

18  
19 **Note:** [REDACTED] was in a dating relationship with [REDACTED]'s brother. [REDACTED]  
20 referred to [REDACTED] as her sister in law. [REDACTED] was planning to get engaged to  
21 [REDACTED]'s brother when he came back from Colorado. During [REDACTED]'s  
22 interview, she repeated that she did not remember what occurred on September  
23 11, 2016.

24  
25 The following morning, [REDACTED] woke up [REDACTED] and they went out for breakfast.  
26 During their drive, [REDACTED] told [REDACTED] about her night with the cop. [REDACTED] did not go  
27 into details. [REDACTED] later told [REDACTED] that the cop forced anal sex on her in an alley.  
28 [REDACTED] told [REDACTED] that he was being very aggressive. The way [REDACTED] described her  
29 night with the cop, [REDACTED] did not think [REDACTED] was raped, she merely thought the two  
30 were being "freaky and kinky." [REDACTED] said [REDACTED] did not really go into details and  
31 did not believe it bothered her that much.

32  
33 On September 13, 2016, [REDACTED] and [REDACTED] checked out of the Hollywood Motel 6  
34 and checked into the Motel 6 in the City Inglewood, located at 5101 West Century  
35 Boulevard. [REDACTED] was in the motel room when she received a text message from  
36 [REDACTED] sent [REDACTED] the following: "I need to tell you something, I didn't just  
37 have sex with the cop, he raped me and he told me that he was going to be watching me,  
38 now I want to leave California because I'm on his god damn head." [REDACTED] told  
39 [REDACTED] that she was going to buy a gun or bought a gun and she threw it away.  
40 [REDACTED] did not see [REDACTED] with a gun and did not believe she actually bought a gun.  
41 [REDACTED] came down to the Motel 6 lobby and was met with Inglewood Officers Diaz  
42 and Martinez. [REDACTED] was later transported to the IPD.

<sup>4</sup> On September 14, 2016, [REDACTED] was interviewed by Sergeant Peter Gilles, Serial No.26963. This interview was recorded and uploaded to the Complaint Management System (CMS).



1  
2 **Israel Martinez**<sup>5</sup> on September 9, 2016, was assigned to Hollywood Division working  
3 the Hollywood Entertainment District (HED). I. Martinez was at Hollywood Boulevard  
4 and Highland Avenue when he noticed a vehicle parked in the red zone. I. Martinez  
5 contacted the driver (later identified as [REDACTED] and began a conversation with her.  
6 During their conversation, I. Martinez and [REDACTED] exchanged their personal cell phone  
7 numbers to each other.  
8

9 **Note:** I. Martinez provided [REDACTED] with his cell phone that he used for work. The  
10 phone number was (424) 200-8538. I. Martinez registered his work phone under  
11 the name of "George I. Martinez" just in case his phone was subpoenaed to court.  
12 I. Martinez claimed to use the phone for work related purposes only. I. Martinez  
13 explained that he used the fictitious name "George I. Martinez," because he did  
14 not want people to know his personal information.  
15

16 I. Martinez and [REDACTED] flirted with each other through text messaging. I. Martinez and  
17 [REDACTED] texted each other about a "meet up" after I. Martinez shift ended. I. Martinez  
18 admitted that he took a photograph of his erect penis and sent the photograph to [REDACTED]  
19 [REDACTED] replied and sent I. Martinez a text of the name of the hotel and room number  
20 where she was staying.  
21

22 I. Martinez was off duty when he drove his pickup truck to [REDACTED]'s motel (Motel 6)  
23 located at 1738 North Whitley Avenue, in the City of Los Angeles. I. Martinez went to  
24 [REDACTED]'s room and a female Black answered the door (later identified as [REDACTED]  
25 [REDACTED] was not in the room at the time but less than a minute later, returned.  
26 According to I. Martinez, both he and [REDACTED] agreed to "hook up". I. Martinez  
27 understood it as to have sex with each other. I. Martinez said that [REDACTED] agreed to have  
28 sex with him. [REDACTED] told I. Martinez that she wanted to get a room for them to have  
29 sex. [REDACTED] offered to pay for the room when I. Martinez told her that he did not have  
30 any money. I. Martinez did not want [REDACTED] to pay for the room and told her that they  
31 can have sex in the car or go somewhere to have sex. [REDACTED] agreed with I. Martinez  
32 and they both left the motel in [REDACTED]'s vehicle. [REDACTED] was the driver and I. Martinez  
33 got in the front passenger seat.  
34

35 As [REDACTED] and I. Martinez were driving around in Hollywood Area, I. Martinez directed  
36 her to an enclosed dumper area located next to the apartment building at 1810 Tamarind  
37 Avenue. The enclosed dumpers were in front of the apartment complex. The dumpsters  
38 were surrounded by a chain linked fence with blue tarp covers. I. Martinez and [REDACTED]  
39 entered the enclosed dumpers area and closed the gate. I. Martinez said that [REDACTED]  
40 initially got onto her knees and gave him a "blow job". I. Martinez then retrieved a  
41 condom from his pants pocket and put it on his erect penis. I. Martinez attempted to have  
42 sex from behind by turning [REDACTED] around and had her bend over. I. Martinez said that

<sup>5</sup> On May 18, 2017, Officer I. Martinez was interviewed by the I/O. I. Martinez's interview was recorded and uploaded onto the Complaint Management System (CMS).

1 he tried to penetrate his penis into [REDACTED]'s vagina or anus but was not successful. I.  
2 Martinez said that it was "too hard and it was uncomfortable" for him and [REDACTED] to have  
3 sex from behind. I. Martinez tore the condom as he tried to remove it from his penis. I.  
4 Martinez then threw the condom away into one of the dumpster containers. I. Martinez  
5 said that [REDACTED] continued giving him a "blow job" until he ejaculated in between her  
6 mouth and her chest. I. Martinez said that while he and [REDACTED] were inside the enclosed  
7 dumpster area, [REDACTED] never told I. Martinez to stop or indicate that she was hurting. I.  
8 Martinez denied telling [REDACTED] "You know how many girls get raped down here in LA."  
9 I. Martinez denied harming [REDACTED] physically during their time together in the enclosed  
10 dumpster area.

11  
12 After the oral sex, I. Martinez got back in the front passenger seat of [REDACTED]'s vehicle  
13 and she drove them back to the Motel 6. I. Martinez got out of [REDACTED] vehicle and  
14 walked to his truck. I. Martinez received a text message from [REDACTED] telling him to  
15 "sleep good." I. Martinez did not reply to [REDACTED]. I. Martinez was off work for several  
16 days and when he returned to work he received a text message from [REDACTED] [REDACTED]  
17 messaged I. Martinez and told him "let's meet up again" and I. Martinez replied "ok". I.  
18 Martinez then received multiple text messages from [REDACTED] accusing him that he had  
19 raped her. I. Martinez did not reply to [REDACTED] after that.

20  
21 **Note:** I. Martinez stated that on his days off, he turned off the work cell phone  
22 and turned it back on when he returned to duty.

23  
24 On September 17, 2016, I. Martinez' next work day, his supervisor Sergeant Ornelas,  
25 while conducting roll call training, brought up a subject that a female was raped by an  
26 officer near Franklin Avenue, by a dumpster. After roll call, I. Martinez approached  
27 Ornelas and told him that the female's allegation might be about him. I. Martinez  
28 reported his possible involvement only to Ornelas. He did not admit to the allegation of  
29 rape.

### 30 31 INVESTIGATOR'S NOTES

- 32  
33 1. On September 13, 2016, after interviewing [REDACTED] the I/O escorted her out to the lobby  
34 area of the IPD to meet with her sister-in-law [REDACTED] [REDACTED] appeared to be upset  
35 and asked the I/O several times, "Why am I here?" and "I want to go back to my hotel  
36 and sleep!" [REDACTED] then opened her purse and inside the purse the I/O saw a water bottle  
37 containing a brownish liquid. The I/O asked [REDACTED] what was in the water bottle and  
38 [REDACTED] replied "It's Jack Daniels. I need it to calm me down." [REDACTED] also bragged  
39 about winning bets at the casino and showed the I/O three one hundred-dollar chips.

40  
41 Lieutenant Mastick was notified that an LAPD Hollywood Patrol Unit found the possible  
42 crime scene located at Wilton Place north of Franklin Avenue. The Hollywood Unit  
43 found a condom next to an alley near two blue trash bins. Mastick and the I/O  
44 transported [REDACTED] from Inglewood Police Station to Hollywood Area to identify the  
45 area where she had been raped. As [REDACTED] traveled eastbound on Hollywood Boulevard,



1 approaching Highland Avenue, she saw a LAPD patrol vehicle parked in front of the  
2 Kodak Theatre with a male Hispanic officer in the driver seat. [REDACTED] then screamed out,  
3 "That's him!" [REDACTED] was taken within three feet from the patrol vehicle so [REDACTED]  
4 could get a better look at the officer. [REDACTED] after taking a second look at the officer,  
5 said "That's not him".

6  
7 **Note:** On our drive to Hollywood Division, [REDACTED] suddenly blurted out, "I need  
8 my Jack right now" (referring to her Jack Daniels Liquor).

9  
10 Lieutenant Mastick, the I/O, and [REDACTED] responded to the Motel 6, located at 1738 North  
11 Whitley, in Hollywood Division to check if the Motel 6 had surveillance cameras that  
12 captured I. Martinez meeting [REDACTED] at her room. The I/O spoke with clerk [REDACTED]  
13 [REDACTED] who was staffing the motel desk. [REDACTED] provided I/O with his manager,  
14 [REDACTED] information to obtain the Motel 6 surveillance video. When [REDACTED]  
15 saw [REDACTED] standing next to Lieutenant Mastick, he leaned close to the I/O and said  
16 "Those people are evil," referring to [REDACTED] [REDACTED] informed the I/O that as motel  
17 guests, [REDACTED] and [REDACTED] were rude to [REDACTED] and yelled profanities towards him  
18 and to other staff members. [REDACTED] and [REDACTED] did not follow the Motel 6 rules and  
19 allowed their dog to run wild in the lobby causing a disturbance to other guests. The staff  
20 had to call the police on [REDACTED] and [REDACTED] due to their difficult attitude and behavior.  
21 [REDACTED] and [REDACTED] were asked to leave the motel and were placed on the "do not rent"  
22 list.

23  
24 **Note:** While the I/O was talking to [REDACTED] [REDACTED] complained that she was  
25 having a difficult time breathing and wanted to faint due to an anxiety attack. A  
26 Los Angeles Fire Department (LAFD) Recue Ambulance (RA) responded.  
27 Paramedic Martinez, Serial No. 86695, and Perron, Serial No. 31576, treated  
28 [REDACTED] for her anxiety attack. [REDACTED] refused to be transported to a hospital and  
29 informed LAFD personnel that she would seek her own medical treatment if  
30 needed.

31  
32 Mastick and the I/O took [REDACTED] to Wilton Place north of Franklin Avenue to find the  
33 possible area where she had been raped. [REDACTED] looked around the surrounding area and  
34 said "this is not the place". Mastick and the I/O drove [REDACTED] around Hollywood for a  
35 lengthy period of time searching for the area where the rape occurred. [REDACTED] was  
36 ultimately unable to locate the exact location of the rape.

37  
38 **Note:** The area where the condom was located at Wilton Place north of Franklin  
39 Avenue was a residential area. There were no apartment buildings or a chain  
40 linked fence with a blue tarp in the area.

41  
42 While driving [REDACTED] to Santa Monica-UCLA Rape Treatment Center, [REDACTED] informed  
43 the I/O that she did not turn in the cell phone she used to text I. Martinez. [REDACTED] said  
44 that the phone was in the rented vehicle. [REDACTED] also told the I/O that she was unable to  
45 get the cell phone because she had misplaced or lost the keys to her rental vehicle.

1 [REDACTED] advised the I/O that she would contact him later after she get a new set of keys to  
2 her rental vehicle.

3  
4 [REDACTED] was admitted to the Santa Monica Rape Treatment Center for examination and  
5 treatment. The I/O collected the rape examination report and rape kit from Santa Monica  
6 Rape Treatment. The rape kit and [REDACTED] shirt were booked at Property Division  
7 (Addendum 2).  
8

- 9 2. September 14, 2016, Sergeant Gillies responded to the Motel 6 in Hollywood Area and  
10 met with Manager [REDACTED] to obtain the video from the date of the incident. An  
11 LAPD Technical Investigation Division (TID) Electronics Unit technician responded and  
12 downloaded video of I. Martinez and [REDACTED] in the motel (Job number 696606). The  
13 Motel 6 surveillance video disc contained four files 030000 (represented 3AM), 040000  
14 (represented 4AM), 050000 (represented 5AM), and 060000 (represented 6AM). There  
15 was a total of five cameras: camera Nos. 7 and 8 covered the first-floor motel hallway  
16 that lead to [REDACTED] room, and the motel elevators. Cameras No. 12, 13, and 14 covered  
17 the motel underground parking lot (Addendum 3).  
18

19 The I/O reviewed the motel surveillance video and observed the following:  
20

21 On September 11, 2016 at 03:52:00AM, I. Martinez was seen from cameras 13 and 14  
22 walking towards [REDACTED] room and knocking on her door. [REDACTED] was not in her room  
23 and a short time later, [REDACTED] was seen walking down the hallway towards her room  
24 where I. Martinez was waiting. [REDACTED] and I. Martinez left together and took the  
25 elevator down to the underground parking lot where [REDACTED] vehicle was parked.  
26 [REDACTED] and I. Martinez exited the elevator to the underground parking lot. [REDACTED] and I.  
27 Martinez went back to the elevator and returned to [REDACTED] room. [REDACTED] and I.  
28 Martinez then walked back to the elevator and went down to the underground parking lot  
29 to [REDACTED] vehicle. I. Martinez entered [REDACTED] s vehicle from the front passenger side  
30 and [REDACTED] entered the driver side. At 4:09:55AM, [REDACTED] then drove out of the parking  
31 structure with I. Martinez.  
32

33 Shortly after [REDACTED] and I. Martinez left the motel together, [REDACTED] was seen going in  
34 and out of her room on multiple occasions. At some unknown point in time, [REDACTED] and  
35 [REDACTED] left in [REDACTED] vehicle. At 06:12 hours, [REDACTED] and [REDACTED] are seen  
36 arriving back together in [REDACTED] vehicle to the Motel 6 underground parking lot.  
37 [REDACTED] and [REDACTED] then returned to their room together.  
38

39 The I/O met with [REDACTED] to retrieved her cell phone that contained the text message  
40 exchanges with I. Martinez. [REDACTED] was reluctant to give the I/O her cell phone stating  
41 that the phone was very important to her. [REDACTED] said that the cell phone was her main  
42 work phone and it contained confidential information regarding "her patient's  
43 information."  
44



1 During the initial interview with the I/O, [REDACTED] did not disclose that the cell phone was  
2 important to her. When The I/O and Gillies asked for her cell phone, [REDACTED] lied saying  
3 she had traded it in for a new cell phone. The I/O and Gillies later discovered that [REDACTED]  
4 was not being truthful regarding her cell phone.

5  
6 [REDACTED] provided the cell phone to the I/O and signed a consent form to search her cell  
7 phone for the relevant text messages. [REDACTED] also informed the I/O that after September  
8 11, 2016, she had sex with a male by the name [REDACTED]. [REDACTED] could not  
9 provide any additional information on [REDACTED]

10  
11 The I/O checked [REDACTED] text history and discovered on September 11, 2016, between  
12 0210 and 1606 hours, I. Martinez sent fourteen text messages to [REDACTED] and [REDACTED] sent  
13 twenty messages to I. Martinez (Addendum 4).

14  
15 **Note:** The text messages recovered from [REDACTED] phone contained  
16 graphic pictures sent from I. Martinez. These pictures, as presented in  
17 Addenda No. 4, were deliberately edited by the I/O. The unedited pictures  
18 will be retained in the rough notes package.

- 19  
20 3. On September 15, 2016, Gillies and the I/O responded to the Hollywood and Highland  
21 Shopping Center to canvass for witnesses or surveillance cameras that may have captured  
22 [REDACTED] meeting with I. Martinez on September 11, 2016. Andrews International  
23 Security Firm provided security for the shopping center. They had security cameras  
24 throughout the shopping center. Gillies and the I/O met with [REDACTED] Executive  
25 Director, Business Improvement District (BID) Security, and showed [REDACTED] a still  
26 photograph of I. Martinez. [REDACTED] advised that he did not know who the person was in the  
27 photograph.

28  
29 The I/O also met with [REDACTED] Executive Security Director, at the Hollywood and  
30 Highland Shopping center. The I/O showed [REDACTED] a still photograph of I. Martinez.  
31 [REDACTED] advised he did not know the person in the photograph.

32  
33 [REDACTED] contacted the I/O and advised that she found the white tank top she wore the day  
34 of the alleged rape. The tank top may have contained the suspect's semen. [REDACTED] drove  
35 to the Bradbury Building and provided the tank top to Sergeant I Malik Wilds  
36 Serial No. 37216, IAG CID. [REDACTED] told Wilds that when she returned to [REDACTED] she  
37 would check herself into a drug rehabilitation center for her cocaine use and suicidal  
38 thoughts. [REDACTED] stated that recently she had inherited approximately four million  
39 dollars, from her grandparents. Ever since then, [REDACTED] admitted that she has been  
40 drinking alcohol and using drugs heavily. [REDACTED] told Wilds that she was involved in a  
41 fight with a girl prior to coming to Los Angeles. [REDACTED] lifted her pants legs and showed  
42 Wilds the bruises on her legs and knee area. Wilds took custody of the [REDACTED] tank top  
43 and gave it to the I/O. The tank top was booked as evidence at Property Division.

- 1 4. On September 17, 2016, Sergeant Michael Ornelas, Serial No. 34487, Hollywood  
2 Division assigned to the Hollywood Entertainment Detail conducted roll call training  
3 with his officers regarding repercussions of converting on-duty contacts with the public  
4 into an off-duty relationship. Ornelas was aware that there was an ongoing investigation  
5 of a possible uniformed security guard or police officer suspected of a sexual assault.  
6

7 After Ornelas completed his roll call training, I. Martinez approached Ornelas and asked  
8 if they could speak privately. I. Martinez informed Ornelas that he may be the person  
9 involved in the investigation. Ornelas instructed I. Martinez to make no more comments.  
10 Ornelas immediately notified the Hollywood Watch Commander. IAG CID was notified  
11 of I. Martinez's possible involvement (Addendum 5).  
12

- 13 5. On September 19, 2016, Gillies constructed an LAPD six-pack photographic line-up of  
14 using various photographs from the California Department of Motor Vehicles (DMV)  
15 photo system. I. Martinez' DMV photograph was placed in position number two on the  
16 line-up. Gillies sent the photo line-up report to [REDACTED] via email. Gillies called [REDACTED]  
17 and confirmed that [REDACTED] had received the photo identification report. [REDACTED] advised  
18 Gillies she had received it. [REDACTED] read the photographic show-up admonition which she  
19 understood. Gillies sent [REDACTED] a second email with the six-pack photographic line-up.  
20 [REDACTED] viewed the six-pack photographic lineup and advised Gillies "I think it is number  
21 2, I made contact with him and I'm really good at remembering people. I remember his  
22 hairline, eyes, and nose". Gillies circled photograph number two (I. Martinez), dated,  
23 and signed [REDACTED] name on the six-pack photographic lineup (Addendum 6).  
24

25 Gillies verified through Department resources that I. Martinez owned a 2015 Dodge  
26 RAM pick-up truck, black in color. Gillies obtained the video surveillance evidence  
27 from the Motel 6 which corroborated [REDACTED] description of the truck. The video also  
28 depicted a clear picture of I. Martinez and the clothing he was wearing. I. Martinez'  
29 vehicle was captured on the License Plate Recognition (LPR) System at the Hollywood  
30 Station parking lot (Addendum 7).  
31

32 Gillies completed a search warrant for I. Martinez's residence and work locker at  
33 Hollywood Station. The warrant sought to locate and collect any evidence connected to  
34 the alleged rape. The Honorable Judge Peter A. Hernandez reviewed and approved the  
35 search warrant (Addendum 8).  
36

- 37 6. On September 20, 2016, supervisors from IAG CID served the search warrant at I.  
38 Martinez's residence and his work locker. At I. Martinez's residence, the I/O collected  
39 matching clothing, two cell phones, and buccal swabs containing I. Martinez's DNA. At  
40 Hollywood Station, Gillies and the I/O collected a dark blue police polo shirt and a cell  
41 phone from I. Martinez' assigned locker. The evidence was booked at Property Division  
42 (Addendum 9).  
43

- 44 7. On September 26, 2016, [REDACTED] called IAG and spoke with Gillies. She advised Gillies  
45 that she did not believe [REDACTED] was being truthful when she told the police she had been



1 raped. [REDACTED] stated that she saw [REDACTED] immediately after she had been with I.  
2 Martinez. [REDACTED] did not act in any way as if she had just been the victim of rape or  
3 trauma. She acted like her normal self. [REDACTED] was in the room when I. Martinez  
4 asked [REDACTED] to find a motel room somewhere so they could have sex. [REDACTED]  
5 believed that any sexual contact between [REDACTED] and I. Martinez was completely  
6 consensual. [REDACTED] was unable to tell the I/O the location where [REDACTED] sexual  
7 encounter occurred. [REDACTED] asked the I/O if [REDACTED] had shown investigators any  
8 bruises on her body.  
9

10 **Note:** During her initial interview with I/O's, [REDACTED] did in fact show numerous  
11 bruises on her upper body and chest that she claimed were from being roughly  
12 handled by I. Martinez. These bruises were noted in the SART exam of [REDACTED]  
13 [REDACTED] stated that the bruises were on [REDACTED] body prior to them driving to  
14 Los Angeles.  
15

16 [REDACTED] described [REDACTED] as a female who craves attention and has an addiction to  
17 drugs and alcohol. [REDACTED] past behavior, drug addiction, and proclivity to tell lies has  
18 resulted in the Arizona courts taking her children away from her and giving custody to  
19 [REDACTED] mother.  
20

- 21 8. On September 30, 2016, Gillies received an email from [REDACTED] indicating that she had  
22 found the location of the rape. [REDACTED] used her location history on her Samsung cell  
23 phone and searched the location on Google Earth. The location [REDACTED] provided was at  
24 1810 Tamarind Avenue, in the City of Los Angeles. [REDACTED] also included in her email  
25 photographs of the white apartment building, trash bins, and the chain linked fence with  
26 blue tarp.  
27

28 The I/O responded to the location of the rape and the white apartment building address  
29 was 1811 Tamarind Avenue in Hollywood Area. The location closely resembled where  
30 [REDACTED] claimed the rape took place. The trash containers for the apartment complex  
31 were located near the sidewalk. The I/O determined which individual apartments  
32 overlooked the dumpsters. The I/O canvassed those apartments for possible witnesses.  
33 The I/O spoke with the following residents at 1811 Tamarind Avenue:  
34

35 **Unit [REDACTED]** advised she did not hear or see any activity on September  
36 11, 2016. [REDACTED] balcony is above the trash containers area.  
37

38 **Unit [REDACTED]** stated that she was home on September 11, 2016, and did not  
39 hear or see anything unusual. [REDACTED] balcony was in view of the trash container area.  
40 [REDACTED] advised that they get many transients loitering around the trash area. [REDACTED]  
41 also said that there is a female with blond hair that usually loiters in the area and would  
42 come inside her apartment building. [REDACTED] did not know the female and described her  
43 as being "crazy." The female would scream and yell at people if they tried to talk to her.  
44

1 Unit [REDACTED] the building assistant manager did not see or hear any unusual  
2 activity on September 11, 2016. [REDACTED] balcony was in direct view of the trash container  
3 area.

4  
5 Unit [REDACTED] the building manager, advised that she was not aware of complaints  
6 on September 11, 2016. [REDACTED] advised that the female with blond hair may have been  
7 loitering inside the apartment building. [REDACTED] had posted signs for other tenants to not  
8 allow the female inside the building. [REDACTED] described the female as being "crazy".  
9

10 Unit [REDACTED] was home on September 11, 2016 and she did not hear or see  
11 anything unusual. [REDACTED] balcony was directly above the trash containers area.

12  
13 Unit [REDACTED] did not hear or see anything unusual on September 11, 2016.

14  
15 The I/O checked the area for the pizza boxes or used condoms and was unable to locate  
16 any. The I/O took photographs of the area (Addendum 10).

17  
18 The I/O checked the surrounding area and discovered that there were two surveillance  
19 pole cameras, one half block away on the Scientology Manor Motel located at 5930  
20 Franklin Avenue. The pole cameras were pointed on Tamarind Avenue just south of  
21 Franklin Avenue. The I/O met with the Scientology security guard [REDACTED]  
22 [REDACTED] checked the surveillance camera recorder and advised that the system recorded  
23 up to two weeks. [REDACTED] advised the I/O that they have a License Plate Recognition  
24 system (LPR) and checked if [REDACTED] vehicle was captured on the LPR system on  
25 September 11, 2016. The LPR made a hit on [REDACTED] vehicle license plate of [REDACTED]  
26 [REDACTED] at 0453 hours (Addendum 11).  
27

- 28 9. On October 27, 2016, Metro PCS/ T-Mobile Company emailed the I/O the subscriber's  
29 information for the phone number of 424-200-8538. The subscriber name was I.  
30 Martinez, with an address of 6246 Santa Monica Boulevard, Los Angeles. I. Martinez  
31 activation date of the cell phone was on February 4, 2016.  
32

33 **Note:** The I/O checked the address of 6246 Santa Monica Boulevard and  
34 discovered that the address was the same as the T-Mobile business. The time  
35 stamped on the call/ text history were in Greenwich Mean Time (GMT).  
36

37 The I/O reviewed I. Martinez's call/ text message history and discovered the following:

- 38  
39 • On September 11, 2016, I. Martinez texted [REDACTED] nineteen times. [REDACTED] texted.  
40 I. Martinez twenty-nine times.  
41  
42 • On September 13, 2016, I. Martinez texted [REDACTED] one time and [REDACTED] texted I.  
43 Martinez one time.  
44



- 1           • On September 14, 2016, I. Martinez texted [REDACTED] one time and [REDACTED] texted I.  
2           Martinez six times.

- 3  
4           • On September 18, 2016, [REDACTED] texted I. Martinez sixteen times  
5           (Addendum 12).

- 6  
7           10. On October 20, 2016, the IO received a message from I. Martinez' Attorney Jodi Gonda.  
8           Gonda informed the I/O that I. Martinez did not wish to provide a voluntary statement.

9  
10           On November 7, 2016, an LAPD, Forensic Science Division (FSD) Toxicology  
11           Laboratory Report was completed on [REDACTED] provided urine sample. [REDACTED] urine  
12           tested positive for amphetamines (Addendum 13).

13  
14           On November 8, 2016, LAPD FSD finalized the report of the buccal swab and the blouse.  
15           The DNA profile obtained from the sperm and epithelial cell fractions of the cutting of  
16           the black blouse match the DNA profile obtained from I. Martinez (Addendum 14).

- 17  
18           11. On November 30, 2016, TID Electronic Section completed the cell phone data download  
19           for I. Martinez' cell phone (target phone number 424-200-8538). The text messages from  
20           I. Martinez' phone were not recovered. The majority of the data from the cell phone were  
21           random photographs of I. Martinez. There was one photograph of [REDACTED] that was  
22           downloaded from I. Martinez's phone memory (Addendum 15).

- 23  
24           12. On January 10, 2017, the criminal case was presented to Deputy District Attorney  
25           Shannon Presby, Justice System Integrity Division (JSID). Deputy DA Dave Reunert,  
26           JSID was assigned to review I. Martinez's case for filing consideration.

27  
28           On April 20, 2017, Reunert declined to filed Penal Code 261(A)(2) Forcible Rape, Penal  
29           Code 288(C)(2)(A) Forcible Sodomy, and Penal Code 288(C)(2)(A) Forcible  
30           Copulation, due the following:

- 31  
32           • [REDACTED] text messages to I. Martinez regarding "I want a redo" and "I want you  
33           to rape me."  
34  
35           • [REDACTED] assertion that I. Martinez caused bruising during the assault. [REDACTED]  
36           account was that [REDACTED] was involved in a fight which resulted in her injuries  
37           prior to arriving in Los Angeles.  
38  
39           • [REDACTED] post assault medical examination indicated that she had consensual  
40           sexual contact with a different man between the time of the assault and the time  
41           reported to the police.  
42  
43           • Insufficient evidence to prove beyond a reasonable doubt that I. Martinez did and  
44           reasonably believe that [REDACTED] consented to the sex acts.  
45

- 1 • [REDACTED] lack of response to follow up by the I/O, suggested that [REDACTED] will not  
2 cooperate with the prosecution of I. Martinez.
- 3
- 4 • [REDACTED] did not cooperate with the DA's Office. The DA's Office closed the file  
5 and will take no further action in this matter (Addendum 16).
- 6
- 7

8 **ADDENDA**

- 9
- 10 1A-B. Inglewood Police Department Information Department, DR No. 16-66586, dated  
11 September 16, 2016.
- 12
- 13 2A-H. Forensic Medical Report Sexual Assault Examination in the name of [REDACTED] Doe,  
14 Patient No. 515-91-11.
- 15
- 16 3. Motel 6 surveillance video disc.
- 17
- 18 4A-J. A copy of photographs of text messages between [REDACTED] and I. Martinez.
- 19
- 20 5. A copy of Los Angeles Police Department Statement form completed by Sergeant  
21 Michael Ornelas Serial No. 344487, dated September 17, 2016.
- 22
- 23 6A-B. Photo Identification Report-photographic admonition and six pack photographic  
24 line-up identifying I. Martinez.
- 25
- 26 7. LPR Photograph depicting I. Martinez's black pickup truck parked at  
27 the Hollywood Police Station.
- 28
- 29 8A-G. Search Warrant and declaration of facts completed by Sergeant Gillies and  
30 approved by Honorable Peter A. Hernandez.
- 31
- 32 9A-B. A copy of photographs depicting I. Martinez' residence and work locker during  
33 the service of the search warrant.
- 34
- 35 10. Photograph copy of the location of the alleged rape/ sodomy.
- 36
- 37 11. LPR photograph that captured [REDACTED] vehicle license plate numbers from the  
38 Scientology Building.
- 39
- 40 12A-G. A copy of the T-Mobile call history for I. Martinez cell phone (424) 200-8538,  
41 dated October 26, 2016.
- 42
- 43 13A-B. Los Angeles Police Department Forensic Science Division-Toxicology Urine  
44 Screen for [REDACTED] DR No. 16-0619905.
- 45



1 14A-D. Los Angeles Police Department Forensic Science Division-Serology DNA  
2 Screening report, DR No. 16-0619905.

3  
4 15. Compact Disc of data download from I. I. Martinez's cell phone.

5  
6 16A-G. Los Angeles County District Attorney Charge Evaluation Worksheet, Justice  
7 Systems Integrity Division Case No. 17-0060R, dated April 20, 2017.

8

9 **SUBMITTED BY:**

10

11

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13


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SONNY PATSENHANN, Detective  
Criminal Investigation Division, Central Section  
Internal Affairs Group

19 **APPROVED:**

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22

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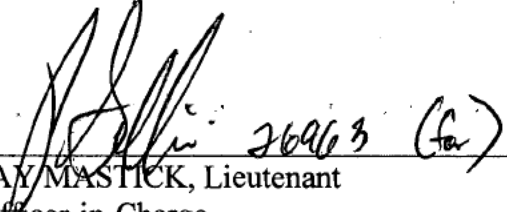
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JAY MASTICK, Lieutenant  
Officer-in-Charge  
Criminal Investigation Division, Central Section  
Internal Affairs Group