



**ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF INVESTIGATION**

SA 16-250

INTERVIEW REPORT

CASE NAME: MIGUEL SILICEO & [REDACTED]

CLASSIFICATION: OFFICER MISCONDUCT

INTERVIEW OF: ROB JAMES, SERGEANT
FULLERTON POLICE DEPARTMENT

PRESENT: RICHARD AYERS, INVESTIGATOR
ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE

DATE AND TIME: 03/14/2016 0909 HOURS

LOCATION: FULLERTON POLICE DEPARTMENT

On March 14, 2016, at approximately 0909 hours, Orange County District Attorney Investigator RICHARD AYERS and I conducted an audio digital recorded interview of Fullerton Police (FPD) Professional Standards Sergeant ROB JAMES regarding the officer misconduct allegations related to FPD Officers MIGUEL SILICEO and [REDACTED]. The following is a summary of the interview.

JAMES became aware of our investigation approximately January 20, 2016 based upon when he accessed the Body Worn Camera (BWC) audit trail. He was made aware by their chief of police, DANIEL HUGHES who had been contacted by Orange County Assistant District Attorney EBRAHIM BAYTIEH. JAMES had not been involved in previous court discovery issues which had been handled by FPD civilian court liaison LISA NEAL.

When JAMES was first made aware of the investigation, he was unsure of the nature of the investigation and the complaint filed by the Public Defender's Office. He was reviewing the BWC videos they had at the time. JAMES saw one of the BWC videos from either FPD Officers

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David F. Melnyk

Approved By:

Stan Berry

Date of Report: 04/01/2016

Date: 04/11/2016

DAVID BECERRA or MICHAEL BOVA depicting [REDACTED] handcuffing one of the suspects in the incident (later identified as VICTOR SERRANO). They were trying to determine what the issue could be with the investigation from the perspective of the District Attorney's Office or the Public Defender's Office. [REDACTED] happened to be outside the Professional Standards Office. JAMES called him into the office and asked if he remembered the incident. He did.

JAMES asked [REDACTED] why they arrested the second suspect, LUIS ABEL DIAZ. [REDACTED] did not say specifically why he was arrested. [REDACTED] pointed out on the video that MIGUEL "SONNY" SILICEO had pushed DIAZ. From the perspective of the video they were watching, he could not tell until [REDACTED] pointed out that DIAZ was in the background from [REDACTED], getting up off of the ground. [REDACTED] did not elaborate regarding why SILICEO pushed DIAZ or what led up to it.

JAMES did not inquire in detail because he did not know where the investigation was going regarding this incident. He said he kept it vague because he did not know if it was going to become a personnel investigation. JAMES had not seen the other video showing the circumstances leading to DIAZ being pushed by SILICEO at that time.

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