



**CONFIDENTIAL  
PERSONNEL  
INVESTIGATION REPORT**

**CITY OF OAKLEY –  
ALLEGATIONS AGAINST  
POLICE CHIEF  
DEAN CAPELLETTI**

**November 15, 2021**

**KRAMER WORKPLACE INVESTIGATIONS**

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## Attorney-Client Privileged Investigation Report

Pursuant to the request of the City of Oakley (“City”), Karen Kramer conducted a fact-finding investigation concerning allegations of sexual harassment made against Police Chief Dean Capelletti.

### I. INTRODUCTION

The City retained Kramer Workplace Investigations on or about September 13, 2021, to investigate the complaints made by **REDACTED** against the Police Chief. Specifically, **REDACTED** alleges that Capelletti made comments of a sexual nature to her and touched her inappropriately. **REDACTED** alleges that she had a consensual sexual relationship with Capelletti and that after their relationship ended, he continued to engage in unwanted conduct of a sexual nature towards her.

This report is a fact-finding document created through the methodology described herein. The report contains factual conclusions based upon the information made available during the course of the investigation. It does not draw any legal conclusions or assess whether any City or Department policies or State laws were violated. Furthermore, while numerous hours were spent interviewing witnesses and reviewing documents, this report does not purport to include every detail as described by the individuals involved. Rather, it assesses the important facts as they pertain to the allegations of sexual harassment made by **REDACTED** and **REDACTED**.

### II. SUMMARY OF FINDINGS

It is undisputed that Capelletti engaged in a consensual sexual relationship with a subordinate employee, **REDACTED**. The credible evidence presented during the investigation establishes that more likely than not, Capelletti engaged in conduct of a sexual nature towards **REDACTED** including making comments of a sexual nature and inappropriately touching them.

### III. METHODOLOGY OF THE INVESTIGATION

The following persons were interviewed as part of this investigation:

1. **REDACTED** on September 23, 2021;
2. **REDACTED** on September 27, 2021;
3. **REDACTED** on September 27, 2021;
4. **REDACTED** on September 29, 2021;
5. **REDACTED** **REDACTED**, on October 1, 2021;
6. **REDACTED** on October 18, 2021;
7. **REDACTED** on October 18, 2021; and
8. Police Chief Dean Capelletti, on October 22, 2021.

The following documents were reviewed and relied upon as part of this investigation:<sup>1</sup>

1. **REDACTED** typewritten notes;
2. **REDACTED** typewritten notes;
3. June 24, 2021 email from Police Chief Dean Capelletti to **REDACTED** regarding “High school and baby pics”; and

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<sup>1</sup> Copies of these documents are attached as exhibits to this report.

- 4. July 15, 2021 screenshots of text messages exchanged between Police Chief Dean Capelletti and REDACTED.

The undersigned did not interview all witnesses mentioned in the course of the investigation if, in the assessment of the undersigned, the witness did not have direct, relevant or significant information related to the specific incidents within the scope of the investigation, or if the undersigned obtained the information from a different credible witness or source.

All of the interviews were audio-recorded and were memorialized by handwritten notes.<sup>2</sup> With the exception of Capelletti’s interview, the interviews were conducted via video. Capelletti’s interview took place in a conference room at City Hall.

The witnesses were told that they are expected to provide honest and forthright answers to the questions asked. They were also reminded of the City’s policy against retaliation and told not to take any retaliatory action against anyone who participated in this investigation and to report any retaliation directed against them.

In addition to the above admonitions, Capelletti read and signed an Interrogation Admonition for Public Safety Officers.

**IV. DESCRIPTION OF THE ALLEGATIONS**

**A. Interview of REDACTED**

REDACTED

REDACTED

REDACTED

Her duties did not change when she became a REDACTED  
REDACTED

REDACTED reported that REDACTED and missed two days of work. REDACTED  
REDACTED According to REDACTED, Capelletti  
complained to REDACTED that REDACTED took too much time off work and “was never at work.” She reported  
that Capelletti said, “Why did I make her REDACTED if she’s going to take time off work and never be here?”  
or words to this effect.

REDACTED

REDACTED

At approximately 5:00 p.m. on July 30, 2021, REDACTED saw Capelletti walk over to the City Hall side of the building. At 6:00 p.m. that day, REDACTED was on the City Hall side of the building stamping mail. She assumed that she was the only one in the building because there were no lights on. According to REDACTED, as she was preparing the mail, the door to Assistant to the City Manager/Human Resources Director Nancy Marquez’s office opened and quickly closed. REDACTED shared there were rumors and speculation that Capelletti and Marquez were having an affair. She assumed Capelletti was in Marquez’s office because she saw him walk over to City Hall and not return to his office.

REDACTED stated that approximately five minutes after she returned to her desk, Capelletti walked down the hallway from City Hall towards the Police Department. He said to her, “Hey weirdo, why didn’t you say hi

<sup>2</sup> Copies of the audio recordings are available upon request.

<sup>3</sup> Some of the incidents described in this summary were reported by REDACTED in an email she sent to the undersigned after her interview. Additionally, REDACTED prepared notes in preparation for her interview, a copy of which is attached to this report as Exhibit 1.

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to me and Nancy in her office?" REDACTED responded that the door was closed and she did not want to interrupt them. According to REDACTED, Capelletti looked her in the eye and said, "I trust you REDACTED, but I trust you about 90%. We can get closer to 100%." REDACTED shared that she felt uncomfortable and jokingly responded, "We don't have to." REDACTED stated Capelletti giggled in response, and told her he trusts her because she is a good person, and that she had shown to be trustworthy since they worked together. REDACTED shared that when a Sergeant walked by, she and Capelletti changed the subject. She described Capelletti's tone to feel threatening, but could not explain why she felt this way.

On August 5, 2021, at approximately 6:45 p.m., Capelletti asked REDACTED to talk to him before she left work. She went to his office and at his request, she closed the door. No one else was in the office with them.

According to REDACTED, Capelletti asked her what her intentions were regarding her career with the City. REDACTED stated she told Capelletti that she wants to move up and plans to work for the City until she retires. Capelletti told REDACTED that he sees a great deal of potential in her and he sees her moving up and making more money. According to REDACTED, Capelletti also told her that he could help her move up if she were to help him "bridge the gap" between the Police Department and Human Resources.

REDACTED explained that many employees do not like Marquez because she has a history of retaliating against people, including firing people. REDACTED also shared that Marquez had an affair with the prior City Manager.<sup>4</sup> According to REDACTED, when she asked Capelletti what he meant by "bridge the gap," he explained to her that he saw her as someone who could help improve the working relationship between members of the Police Department and Marquez. Capelletti told REDACTED that if she helped "bridge the gap," he would help her get promoted. She stated that they did not discuss how she was expected to "bridge the gap."

REDACTED stated that when she mentioned to Capelletti her interest in promoting to REDACTED REDACTED was planning to retire, Capelletti responded, "Yea, him or maybe REDACTED. Maybe she won't be with us too much longer." According to REDACTED, she told Capelletti that REDACTED did not plan to leave her position with the City for five or six more years, to which he responded, "You never know, she could want to leave tomorrow."

REDACTED shared that she told REDACTED about her conversation with Capelletti, and REDACTED maintained she did not have any plans to leave the City until she could retire in five or six years. According to REDACTED, REDACTED questioned if Capelletti was trying to get rid of her.

On August 10, 2021, two Officers were promoted to Sergeant. REDACTED noted that she wore a dress to work, which she had done on only one prior occasion since she was hired by the City. She explained that after the ceremony, she was standing near the food tables when Capelletti approached and put his foot between her legs under her dress. According to REDACTED, Capelletti lifted his foot while it was under her dress and between her legs and wiggled it. REDACTED reported that Capelletti said, "Clearly, I didn't shine my shoes well enough today," which she assumed meant he was unable to see up her dress. She stated that she laughed awkwardly and walked away. REDACTED noted that even though there were a lot of people in the area, she did not know of any witnesses to Capelletti's behavior. She shared that she told REDACTED the next day about Capelletti's behavior and comment.

According to REDACTED, approximately one week after the promotional ceremony, Capelletti rubbed her back near her bra line when he was at her desk saying hello to her. She estimated that he did this on six or seven occasions, but on one day in particular, while REDACTED was sitting at her desk, he poked her on the left side of her breast.

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<sup>4</sup> REDACTED explained that even though she did not have firsthand knowledge of the affair, what she reported is factual because Marquez and the prior City Manager were "caught in the act" by Police Officers.

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REDACTED reported that on August 19, 2021, in the early afternoon, REDACTED and Capelletti were having a discussion near her desk when he poked to the left side of her breast and said, "Good job REDACTED." REDACTED explained that she was seated at her desk and Capelletti was standing to her left. She did not recall the nature of the conversation and had no knowledge of anyone witnessing Capelletti's conduct. According to REDACTED, Capelletti poked her breast a second time on August 24, 2021. She did not recall the context of him doing so and had no knowledge of anyone witnessing Capelletti's conduct.

On August 25, 2021, there was a fatal accident in the City involving a child. REDACTED stated she was upset with Capelletti for not responding to the scene of the accident. She asked an Officer to bring water and snacks to the Officers who responded to the scene.

According to REDACTED, during this timeframe, there were a lot of media calls asking for Capelletti to comment, but Marquez is the City's Public Information Officer, so REDACTED forwarded the calls to her. REDACTED stated that Marquez did not know what to say to the media. REDACTED REDACTED REDACTED

REDACTED advised that a short time later, Capelletti asked her if she was okay. She told him that she was not okay, that it had been a "really stressful day," and she felt as though he did not take her concerns seriously about how the City looked by not commenting about the accident. According to REDACTED, Capelletti asked her if he could give her a hug, and she said, "Okay," but he also rubbed her back while hugging her, which made her feel uncomfortable. She described Capelletti as using his right hand to rub her back while his left arm was hugging her near her neck. REDACTED reported that when she tried to pull away from Capelletti, he pulled her closer. REDACTED stated that the hug lasted approximately 30 to 45 seconds.

According to REDACTED, she and REDACTED talked about Capelletti's conduct, and they agreed to tell Beard about Capelletti's "sexual harassment." She stated that until this point, she made excuses for Capelletti because she thought they had a good professional relationship. REDACTED advised they told Beard about Capelletti's behavior and he asked them to report their concerns to Human Resources, which they did not want to do because they believed Capelletti and Marquez were having an affair. REDACTED reported that Beard then shared their concerns with the City Manager and shortly thereafter, Capelletti was put on paid administrative leave.

REDACTED shared that REDACTED told her that within one or two weeks of Capelletti starting his position with the City, he sent her text messages inviting her to have a sexual relationship with him. REDACTED

get his family situated. REDACTED advised that she saw some of the text messages Capelletti sent REDACTED inviting her to his hotel room. According to what REDACTED told REDACTED, Capelletti was persistent and stood behind her with his hands on her hips while they were in REDACTED office. REDACTED told REDACTED that Capelletti made other sexual gestures as well. According to REDACTED "eventually gave in" and engaged in a sexual relationship with Capelletti from approximately January 2021 to July 2021. told the first time she had sex with Capelletti they were in a hotel in Pittsburg, and that they had sex on only one or two other occasions, but engaged in other sexual activities.

reported that Capelletti invited to a Fire Chief's conference in either Monterey or Santa Cruz, but she did not go. also told her that she would meet Capelletti at a park after REDACTED, and before he went home to his wife.

According to ended her relationship with Capelletti when she saw him kissing Marquez at City Hall and noticed him exchanging text messages with Marquez. told that Capelletti said he and Marquez were friends and she should not be jealous, but she saw on his phone that they sent each other "hug emojis."

advised that Capelletti told a lot of nasty jokes. For example, he commented, "Imagine his balls in your mouth," referring to an employee in Information Technology. She shared that Capelletti also told

**REDACTED** “I like my coffee like I like my women, tan and sweet,” and then looked **REDACTED** up and down. According to **REDACTED**, Capelletti also made sexual comments in **REDACTED** presence, but she did not recall the specific comments. **REDACTED** reported that **REDACTED** called Capelletti a “creep.” **REDACTED** shared a rumor she heard that Capelletti invited Code Enforcement Officer **REDACTED** to his hotel when he was staying at the Best Western in Oakley.

## B. Interview of **REDACTED**

### **REDACTED**

**REDACTED** shared that within two weeks of Capelletti being hired, he made “sexual harassment jokes.” When asked to provide an example of such a joke, **REDACTED** explained that when she entered his office, he told her to come closer to his desk because he had something to show her. According to **REDACTED**, when she got closer, he leaned back in his chair and opened his legs and said, “I have something for you.” She estimated that he said this to her four times per week.

**REDACTED** reported that while Capelletti was living at a hotel, he invited her to his hotel room on two occasions. She explained that he made these invitations verbally during work hours and told her his room number. **REDACTED** did not go to Capelletti’s hotel room.

According to **REDACTED** within his first month of employment with the City, Capelletti entered her office and rubbed her back and shoulders while she was seated at her desk. She stated the door to her office was open when he engaged in such conduct, but she was unaware of anyone witnessing Capelletti’s conduct. She described him to be massaging her back and shoulders. According to **REDACTED**, when she asked Capelletti what he was doing, he said he is a “touchy person” and likes to feel different fabrics and textures. She estimated that Capelletti massaged her back and shoulders every morning for three months, and noted that this conduct stopped after they started spending time together after work.

**REDACTED** wrote in her notes that in January 2021, Capelletti was upset with her about something, so she sent him a text message and asked him to meet her off Sellers Road.<sup>6</sup> She stated that when Capelletti arrived, she told him they could not be anything more than people who work together and they could not have a relationship outside of work. According to **REDACTED**, after she left, Capelletti sent her a text message thanking her for meeting him, and wrote, “You left me [two eggplant emojis],” which **REDACTED** stated meant erect penis.

In her notes, she also wrote that in mid-January 2021, she was in her office standing near the window when Capelletti came up from behind her, put his hand up her dress, and “began rubbing his fingers on [her] butt.” She wrote that he said, “Oh this feels so good,” and she told him not to touch her.

**REDACTED** reported that she and Capelletti met after work approximately two or three times per week between March 2021 and July 2021. According to **REDACTED**, when they met after work, they talked and sometimes they kissed. She described these kisses to be “pecks on the lips” and not “making out.”

**REDACTED** shared that Capelletti once kissed her on the lips while they were at work. She did not recall the date this occurred, but recalled they were standing in Capelletti’s office when he leaned forward and kissed her. She noted that his office door was open, but there was no one in the office area. **REDACTED**

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<sup>5</sup> **REDACTED** provided the undersigned with notes she made in preparation for her interview. These notes are attached to this report as Exhibit 2.

<sup>6</sup> See Exhibit 2.

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stated that she told Capelletti he could not kiss her while they were at work, and that he got upset with her and asked her if she did not want him to kiss or touch her at all. She explained to him that it would be embarrassing for her if someone were to see them kissing.

REDACTED advised that she and Capelletti had one “sexual encounter” in approximately March 2021.<sup>7</sup> According to REDACTED, Capelletti set everything up by getting a hotel room at the Days Inn in Antioch.<sup>8</sup> She explained that at some point after they had been spending time together after work, Capelletti told her it was time for them to “be together sexually.” REDACTED shared that she and Capelletti were at the hotel for approximately 90 minutes. She stated that they had sexual intercourse one time, and that this was the only time they had sex.

REDACTED advised that she performed oral sex on Capelletti two times after work hours when they were parked in his City truck.<sup>9</sup> She stated they were parked on Homecoming Way in Brentwood, across from a park. REDACTED maintained she did not have any other “sexual encounters” with Capelletti. According to REDACTED notes, she performed oral sex on Capelletti on July 3, 2021. This was the last time they met outside of work.

REDACTED explained that she knew having a sexual relationship with Capelletti was wrong, which was why they only had sex one time. According to REDACTED, after they had sex, Capelletti asked her, “What’s going to happen now that you’re sleeping with me? Are you going to work?” She stated that she told Capelletti that she had worked for the City REDACTED and was going to keep working for the City.

According to REDACTED was aware of the sexual relationship between her and Capelletti, as she told REDACTED about their sexual encounters shortly after they happened. REDACTED maintained that her sexual encounters with Capelletti were consensual. She denied feeling pressured into engaging in sexual conduct with Capelletti.

REDACTED notes indicate that Capelletti invited her to attend a Chief’s meeting in Napa with him. She did not go because she did not want any other Chiefs to see them together.<sup>10</sup>

REDACTED reported that her relationship with Capelletti ended on July 15, 2021. She explained that when she left work that evening, she had a “weird feeling.” According to REDACTED after she dropped off REDACTED, she drove by the Police Station to see what Capelletti was doing. She estimated it was 8:15 p.m. When she pulled into the parking lot, she noticed there was a light on in his office and through the window she saw Capelletti and Marquez kissing.<sup>11</sup> REDACTED stated that she drove to the other side of the building and parked there for 10 minutes, knowing Capelletti would leave to go home at 8:30 p.m.

REDACTED advised that while she was parked in the parking lot, she saw Marquez exit the building and go to her car. According to REDACTED approximately two minutes later, Capelletti exited from the Police Department side of the building and left the parking lot in his City truck. She stated that she called him, but he did not answer the phone, so she started following him.

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<sup>7</sup> REDACTED notes indicate this incident occurred in late January 2021. See Exhibit 2.

<sup>8</sup> REDACTED stated that Capelletti sent her a text message with the address of the hotel after he got the room, but she erased all of the text messages he sent her prior to May 2021. REDACTED advised it is her practice to erase text messages.

<sup>9</sup> REDACTED described the truck as a white truck with nothing identifying it as a City vehicle.

<sup>10</sup> See Exhibit 2.

<sup>11</sup> REDACTED assumed that Capelletti and Marquez also had a sexual relationship. She reported being confident that she saw them kissing in Capelletti’s office near his computer on July 15, 2021. She described Capelletti to be sitting on his chair, while Marquez was standing between his legs. She stated that she could see through his office window.

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REDACTED shared that while she was following Capelletti, he called her and asked her what she was doing. She stated she asked him what he was doing with Marquez, and he told her that she saw him with her. According to REDACTED, Capelletti told REDACTED it was not what she thought.

REDACTED stated that Capelletti then started sending her text messages telling her there was nothing going on between him and Marquez. He also sent her text messages stating, "If you're going to say anything about us, let me know so I can resign," or words to this effect.<sup>12</sup> REDACTED reported that she told Capelletti she did not want to see him anymore.

According to REDACTED, the next day, Friday July 16, 2021, was Capelletti's regular day off, but he went to work for approximately one hour. REDACTED stated that at one point, he went into her office and stared at her without saying anything. She did not have any communication with Capelletti that weekend.

REDACTED reported that the following Sunday, July 18, 2021, she called Beard and asked him to meet her at a park. She met with Beard and his wife at the park and told him "what happened" because she was afraid she was going to be fired. REDACTED stated that she told Beard she had a sexual relationship with Capelletti.

On July 19, 2021, she went into Capelletti's office and told him she was sorry about what happened. According to REDACTED, Capelletti shook his head as if he did not want to discuss anything with her. She stated that he did not look up from his computer. REDACTED reported that she told Capelletti she was mad and said things she did not mean and that they could only have a professional relationship from that point forward. REDACTED shared that a few minutes later, he looked at her, so she extended her hand and they shook hands and agreed to be friends.

According to REDACTED, one week later, Capelletti was "back to himself" and making "stupid jokes" in the break room. She stated one joke was about the REDACTED who walked by as if he was in pain. REDACTED stated that in response to her commenting about REDACTED looking like he was in a lot of pain, Capelletti said, "Imagine his testicles on your face." REDACTED stated that neither she nor REDACTED, who was also present, responded.

REDACTED estimated that on five occasions after July 15, 2021, Capelletti went into her office and rubbed her back. She stated that on one of these occasions, he told her he could undo her bra with one hand, and he undid her bra. She told him not to do that.

REDACTED denied seeing Capelletti stare at REDACTED, but noted that she witnessed him hug REDACTED on multiple occasions, but never observed him hugging any other female employee. She noted that before they started having a relationship, Capelletti hugged her as well. When she told him she thought employees should not touch each other, he told her that in La Habra, where Capelletti used to work, "we hugged and kissed each other."

REDACTED stated that Capelletti referred to REDACTED as her "lover." Specifically, on approximately August 17, 2021, when REDACTED was at City Hall meeting with Marquez regarding his return from REDACTED, Capelletti said to REDACTED "Guess who's here . . . your lover." She asked him, "Which one?" because Capelletti referred to several employees as her "lovers." REDACTED told Capelletti she did not know REDACTED was there, and he replied, "He didn't tell you last night after sex?"

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<sup>12</sup> REDACTED provided screenshots of the text messages she exchanged with Capelletti on the evening of July 15, 2021. The entire thread is not visible from the screenshots, but one of the text messages says, "But then you say you're going to go to HR about us . . . Ya – that's going to be my job. OK." Capelletti also wrote, "REDACTED, I am sorry if you think I did something . . . and we both knew I was married and that wasn't going to change . . . If you're really going to tell anyone about us, just tell me now, I'll go in on Monday and resign." Copies of the screenshots provided by REDACTED are attached to this report as Exhibit 4.

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REDACTED shared Capelletti made many comments of this nature and that these comments made her feel uncomfortable. She did not recall other comments that he made that she did not welcome.

REDACTED advised that Capelletti complained to her about REDACTED taking time off from work. REDACTED

REDACTED did not recall the date Capelletti made this comment and did not recall anyone else being present when the comment was made.

According to REDACTED when REDACTED REDACTED and was off work, Capelletti commented about REDACTED taking time off and questioned if she realized that she was still on probation. He also commented that REDACTED spent more time at work when she was REDACTED. REDACTED did not hear Capelletti make similar comments about any other City employee.

According to REDACTED, Capelletti often commented about Beard being stressed. REDACTED stated that on three separate occasions, she heard Capelletti jokingly told Beard that he should have sex with REDACTED because she is always stressed and "doesn't get any." REDACTED noted that Capelletti was speaking Spanish when he made this comment to Beard.

### V. WITNESSES' RESPONSES TO THE ALLEGATIONS

#### A. REDACTED

REDACTED advised that Capelletti made inappropriate comments in her presence, but noted that these comments were not directed at her. For example, when talking about a male employee, Capelletti said, "Oh, he was so hard," which REDACTED assumed referred to the man being sexually excited or turned on. REDACTED did not recall the context of this comment or who Capelletti was referring to when he made this comment, but recalled that the comment was made approximately two months prior to her interview.

REDACTED shared that Capelletti made other inappropriate comments in her presence, but she did not recall the specific comments. She stated that these comments were about the appearance of certain women.

REDACTED advised that she was never offended by Capelletti's comments because she "let a lot of things slide" working predominantly with men in a Police Department. However, she recalled that when she first heard Capelletti make comments of this nature, she was caught off guard and surprised by the comments because of Capelletti's position in the Department.

REDACTED denied that Capelletti touched her in an inappropriate manner and maintained that she never observed him touch any female employee. She never observed Capelletti hug a female employee. According to REDACTED, no one told her that Capelletti touched them in an inappropriate manner. She opined that Capelletti would not touch a female employee in her presence because they are neighbors and she knows his family. She noted REDACTED

REDACTED was not aware of Capelletti having an affair or a sexual relationship with any City employee, nor had she heard any rumors of an affair.

According to REDACTED, Capelletti made joking comments about REDACTED taking time off, but she noted that he made these comments in front of REDACTED. REDACTED heard Capelletti say that since REDACTED became REDACTED, she worked even less than when REDACTED. She stated that REDACTED told her that she hoped Capelletti did not really think she was slacking on her job.

REDACTED advised that none of her co-workers in the Police Department expressed concern to her about interactions they had with Capelletti.

## B. REDACTED

REDACTED heard rumors that Capelletti harassed her co-workers, but maintained that she never felt harassed by him. However, she opined that Capelletti is “a little odd” and is unprofessional at times, but she was unable to recall any specific comments he made that she opined were inappropriate or unprofessional. She described Capelletti as being a “goofy guy” who tries to be funny. According to REDACTED, on occasion, Capelletti walked into the REDACTED, stared at the employees, and did not say anything, but after a period of time, broke his stance and laughed.

REDACTED did not recall Capelletti making any comments of a sexual nature in her presence. She shared that a couple of months prior to her interview when Capelletti walked by with a cup of coffee, she asked him what kind of coffee he was drinking. According to REDACTED, Capelletti responded, “I like my coffee like I like my women, tan and sweet.” REDACTED did not think that Capelletti was hitting on her, but she opined it was a weird response. She did not recall anyone else being present when Capelletti made this comment, but shared that she told REDACTED about the comment after REDACTED asked her if Capelletti made any inappropriate comments in her presence.

REDACTED shared that when Capelletti initiated a contest to see if employees could identify others by their baby and/or high school pictures, he asked her why she did not submit any pictures. REDACTED told Capelletti that she did not want her picture to be the only one submitted, so she was waiting to see if others submitted pictures. After Capelletti told her that others submitted pictures, she told him she was embarrassed to have others see her high school picture, she agreed to submit pictures.

According to REDACTED, she sent Capelletti a baby picture and a high school picture, and in response to her email with the pictures attached, he wrote, “Pretty then, pretty now.”<sup>15</sup> REDACTED opined Capelletti’s comment was nice because he knew she was uncomfortable submitting pictures, but she also thought it was “slightly inappropriate.” She was not offended by Capelletti’s email.

REDACTED denied hearing Capelletti make any inappropriate comments to others in the Department. However, REDACTED and REDACTED shared with her inappropriate conduct by Capelletti that they experienced. She never personally observed the conduct they reported to her.

According to REDACTED, Capelletti poked the back of her arm on one occasion. She noted that they were at the front desk, but she did not recall the context of him poking her.

When asked if she was aware of Capelletti having a sexual relationship with any City employee, REDACTED shared there were rumors that he was having or had an affair with Marquez. According to REDACTED, Marquez went into Capelletti office at 6:00 p.m., closed the door, and was in the office with Capelletti for one hour. She assumed they were talking about new hires. REDACTED was not aware of Capelletti having a sexual relationship with any other City employee.

REDACTED shared that she was present when Capelletti made comments and complained about REDACTED being absent. According to REDACTED, Capelletti said to REDACTED, “Oh, you’re finally here all week because you are always taking time off.” REDACTED stated that she felt badly for REDACTED because she adjusted her schedule so she could REDACTED, so there was never a coverage issue. REDACTED did not hear Capelletti make comments about REDACTED absences on any other occasion.

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<sup>14</sup>REDACTED

<sup>15</sup> A copy of Capelletti’s email to REDACTED is attached to this report as Exhibit 3.

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REDACTED advised that she heard from REDACTED that REDACTED caught Capelletti in Marquez's office, and that the next day, Capelletti called her into her office and told her to keep her mouth shut about what she observed. According to what REDACTED told REDACTED, he asked her about her aspirations in the Department and what he could do to make that happen for her. REDACTED stated she was upset that she and REDACTED might not be given opportunities given to REDACTED because of what she accidentally witnessed.

REDACTED opined that REDACTED went from being "happy go lucky" at work to being "nervous" and "upset." She noticed a change in REDACTED demeanor at work. The fact that Capelletti approached REDACTED to keep a secret seemed like he was trying to hide something.

### C. REDACTED

REDACTED did not attend the promotional ceremony in August 2021, when two Officers were promoted to Sergeant.

REDACTED advised that when she was the REDACTED in November 2020, she attended Capelletti's swearing in. According to REDACTED, prior to the ceremony, she observed Capelletti point his shoe towards one of three women standing near a window and comment about the shine of his shoe. REDACTED identified one of the women to be REDACTED, another to be a REDACTED, and the third to be a Department employee whose name she did not know. She noted that everyone was wearing masks. REDACTED stated that when she saw Capelletti point his shoe towards one of the women, she said, "Oh, it's getting deep in here." REDACTED noted that the women were all wearing dresses.

REDACTED explained that her comment, "It's getting deep in here" meant there was "a lot of crap," as she did not understand why Capelletti said something about the shine of his shoes to the women.

According to REDACTED, until the City Attorney told her it was alleged that Capelletti made a comment about the shine of his shoes, she did not understand the context of Capelletti's comment. She stated that she did not tell anyone about Capelletti's comment at the time because she did not understand what the comment meant.

### D. REDACTED

REDACTED identified Capelletti to be a peer. She shared that she was involved in hiring Capelletti, but she did not know him prior to interviewing him for the Police Chief position. REDACTED stated that she last communicated with Capelletti on the day he was placed on administrative leave.

REDACTED identified her work hours as REDACTED but noted that she stays at work until she gets her work done. REDACTED

REDACTED advised that prior to Capelletti being placed on administrative leave, REDACTED, nor had she heard any concerns about Capelletti "through the rumor mill." REDACTED denied having any knowledge of Capelletti having a personal or sexual relationship with any City employee, including a subordinate employee.

REDACTED REDACTED

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<sup>16</sup> REDACTED has been the REDACTED since November 2020. She has been a member of the City Council since 2014.

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REDACTED denied observing Capelletti have physical contact with any City employee. REDACTED

REDACTED shared that she met with Capelletti regularly. She described him to be the Department Head she interacted with the most. According to REDACTED, she and Capelletti usually met in her office. She stated that she occasionally went to his office to give him documents.

According to REDACTED Capelletti never communicated with her about REDACTED or REDACTED

**REDACTED**

REDACTED. She acknowledged wondering if Capelletti was attracted to her, but stated that he never appeared to be “hitting on her.” According to REDACTED, she and Capelletti have a good collaborative working relationship.

According to REDACTED, Capelletti never made any comments to her that made her feel uncomfortable. She noted that he complimented her shoes, but she did not think anything of this and noted that he also complimented the City Engineer’s shoes in her presence.

REDACTED maintained that she had no knowledge of Capelletti having any type of affair with anyone at work. REDACTED. She stated that she was unaware of any rumors in the City about Capelletti.

**REDACTED**

**REDACTED**

**E.**

REDACTED She reported that she never had any concerning interactions with Capelletti and that he never hit on her, touched her, or made inappropriate comments in her presence. REDACTED described Capelletti as a “flirtatious person,” but she never felt uncomfortable around him.

REDACTED According to REDACTED told her that Capelletti sent her “weird” text messages asking her if she wanted to do their laundry together. REDACTED stated she never saw the text messages Capelletti sent REDACTED, but after REDACTED told her about the text messages, REDACTED “raised an eyebrow” because she could not imagine her husband asking another woman to do laundry with him.

REDACTED was not aware of Capelletti having a personal relationship with any City employee. She heard rumors of a relationship between Capelletti and Marquez, but assumed it was gossip and did not give the rumor a lot of thought.

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**F. Police Chief Dean Capelletti<sup>19</sup>**

Capelletti advised that he received sexual harassment training by the City. He described the training as a “standard” online course that he took during the Christmas break.

Capelletti shared that at the time of his interview, he was issued a City-owned GMC truck. Prior to April or May 2021, he drove a City-owned Ford Escape

Capelletti does not have a City-issued cell phone, and stated that he uses his personal cell phone for City business. He advised that he receives a monthly stipend from the City for using his cell phone.

**1. Relationship with REDACTED**

Capelletti denied having a sexual relationship with any City employee since he has been employed by the City. According to Capelletti, he and REDACTED kissed and engaged in “heavy petting,” but they never had sexual intercourse or engaged in oral sex. Capelletti described “heavy petting” to include touching over clothing, rubbing genitals, “things teenagers would do.” He estimated that he and REDACTED engaged in “heavy petting” between two and five times, and that most of the time when this occurred, they were in REDACTED vehicle.

According to Capelletti, the last time he and REDACTED engaged in “heavy petting,” they were in a hotel in Antioch. Capelletti advised that he and REDACTED agreed to get a hotel room, so he “got a room.” He denied that he and REDACTED engaged in sexual intercourse or oral sex while they were together in a hotel room.

When Capelletti was first hired by the City, he stayed in a hotel between September 2020 through November 2020. Capelletti denied inviting REDACTED to his hotel room between September and November 2020. He denied inviting any City employee to his hotel room.

Capelletti explained that when he started working for the City, he and REDACTED “hit it off” right away. He stated that their relationship progressively got more intimate. Capelletti stated that he and REDACTED were instantly friends and he felt he could trust her. He described REDACTED as helping him “know who’s who” in the City and she knew “the ins and outs” of the Department. **REDACTED**

Capelletti advised that he and REDACTED started flirting with each other via text message and at work. According to Capelletti, REDACTED implied to him that she was “into him,” and he was receptive because it felt good to be wanted, so he “played along.” For example, REDACTED asked him if she could touch his hands, and when she rubbed his hands with her hands, she told him she liked his hands. Capelletti stated he was not opposed to REDACTED touching him, and shared that they are both affectionate people who like to be touched.

Capelletti advised that in early 2021, REDACTED told him that she wanted to tell him something, but she was afraid to tell him. They agreed to meet at the end of Sellers Street. According to Capelletti, REDACTED told him that they both knew where things were going and they should “not go there” because she did not want to ruin their friendship. Capelletti stated that he told REDACTED that he agreed with her that their friendship was too important to risk ruining it.

Capelletti stated that he and REDACTED continued to work together. At that point, he had no inclination that anything more would come of their relationship until REDACTED asked him to meet her near REDACTED after

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<sup>19</sup> Capelletti has been the Police Chief since September 24, 2020. He identified his direct reports as Beard and REDACTED. Capelletti shared that he also supervises the Support Services staff, including the Department’s administrative staff, but stated that Records staff primarily reports to Surges.

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work. According to Capelletti, when he and REDACTED were together near her gym, they hugged and he became sexually aroused. He stated that the next day, he told REDACTED he was sexually aroused when they hugged the night prior, which led to more flirting and text messaging between them. Capelletti stated that he “texted a big game,” but he never thought anything would come of it.

Capelletti advised that they continued to meet in REDACTED car, and on one occasion they kissed. He described it to be an awkward kiss, but as they continued to meet in her car after work, they engaged in more kissing and “it got more heated.” According to Capelletti, REDACTED “wanted to do more” and started to take her clothes off in the car. Capelletti maintained that he told REDACTED he was not going to “do more” in a car, so they agreed to get a hotel room.

Capelletti stated that during this timeframe, he and REDACTED exchanged text messages almost daily, including telling each other, “I miss you” and sending “kissy” emojis. He shared that when they were not together, he missed her “energy” and being near her and talking to her.

Capelletti advised that at some point, he felt their relationship was “too much.” He stated that he is married and was putting too much importance on spending time with REDACTED. Capelletti shared his feelings with REDACTED, who agreed and they decided to remain friends. According to Capelletti, the flirting between them continued, which was how they ended up together in a hotel room in March 2021.

Capelletti stated that prior to getting a hotel room for him and REDACTED he told her that getting a hotel room together did not mean they would have sex. She agreed and told him she would give him a massage. Capelletti advised that he and REDACTED met at the hotel. He described them as engaging in “heavy kissing and petting,” and stated that REDACTED took off her clothes except her bra and underwear.

According to Capelletti, he told REDACTED, “I can’t do this,” which REDACTED assumed meant he was having “performance issues.” He stated he explained to her that he did not want to change their friendship, and there was “already too much” because he is married and they work together. Capelletti advised that REDACTED was very understanding and told him that he was right.

Capelletti explained that while he was at the hotel with REDACTED “all the stupidities” accumulated in his head, including him cheating on his wife, sending text messages and flirting with REDACTED and work. According to Capelletti, also while they were in the hotel room, REDACTED told him that she had an affair with a married man that ended badly. They continued talking in the hotel room and laughed. He stated it seemed as though everything was fine. REDACTED got dressed and they left the hotel.

Capelletti shared that after they were in the hotel room together, he and REDACTED continued to flirt with each other and send each other text messages telling each other they missed the other. They met after work at least once or twice per week, and spent time together in REDACTED car. Capelletti noted that they also spent some time together in his truck.

Capelletti described REDACTED as a “hard worker” and an “excellent employee.” According to Capelletti, they had a good working relationship and friendship. He described REDACTED to be his best friend and confidante in the Department.

Capelletti shared that even though he and REDACTED continued to flirt with each other after the incident in the hotel room, they knew it was to boost their egos and that nothing would come of it. He explained they continued to meet once or twice per week until he was unable to meet with her after work as frequently because work was so busy. According to Capelletti, REDACTED got upset when he did not meet her after work, so he explained to her that he was disappointed also because he enjoyed spending time with her. He stated that meeting with REDACTED after work gave him an opportunity to decompress and he felt it was “therapeutic.”

According to Capelletti, his connection with REDACTED ended in July 2021. He stated that REDACTED never liked Marquez, and noted that most of the Department does not like Marquez because of an alleged

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relationship between her and the prior City Manager. Capelletti explained that the rumor within the Police Department was that former City Manager Bryan Montgomery and Marquez ran the City with an iron fist and if you crossed Marquez's path, you were "chased out," which was what Capelletti heard happened to both of his predecessors.<sup>20</sup>

Capelletti said that he likes Marquez, and never had an issue working with her. According to Capelletti, he and Marquez worked together regarding hiring, medical leaves, and interactive processes.

Capelletti shared that on a Thursday night in July 2021, he was supposed to meet REDACTED after work. He stated that he left work late, and as he was driving away from the Police Department, he noticed a car stopped in the parking lot. He stated that he drove towards the car, which pulled away and left the parking lot. According to Capelletti, he followed the car out of the parking lot and realized it was Marquez. Capelletti stated that as he was following Marquez, there was a car behind him with the high beams flashing and the horn honking. He stopped his truck, and REDACTED pulled up alongside of him and said, "Dean, I saw you." She asked him what he was doing and appeared to be very angry. Capelletti stated that he asked REDACTED what she saw, as he did not understand what she thought she saw.

According to Capelletti, REDACTED told him that she was going to tell "them about us." She said that Marquez needed to know about them, and that she could not believe he was with Marquez after she was with Montgomery. Capelletti stated that he told REDACTED that there was "nothing going on with Nancy," but REDACTED was "livid" and drove off. He denied that he and Marquez ever kissed.

Capelletti stated he did not know what REDACTED thought she saw that made her so angry. He stated that he sent her text messages explaining that there was nothing going on between him and Marquez. He acknowledged that Marquez was in his office, but noted that there were other employees nearby, including in the Watch Commander's Office next to his office.

Capelletti shared that he and REDACTED sent several text messages to each other, and in one of them, she wrote that she was going to tell Marquez about their relationship. Capelletti stated that when REDACTED sent him a text message to that effect, he responded that if she did that, he would have to resign to avoid embarrassing his family. Capelletti stated that REDACTED wrote that she thought Marquez would "protect" him, which he maintained did not make sense since Marquez is the Human Resources Director. Capelletti stated during his interview that he knows that what he did was wrong, and that the "was a big dummy" and was "willing to take the repercussions."

Capelletti advised that the following day, he went to work even though it was his regular day off. He stated he saw REDACTED, who acted as if "everything was fine," although they did not talk to each other while he was at the Department.

Capelletti stated that over the weekend, he got upset with REDACTED for "dragging his family into it." However, on Monday, REDACTED arrived at work earlier than usual and apologized to him for what she said. She told him she was not going to tell anyone about their relationship and that they could maintain a professional relationship.

According to Capelletti, from that point on, the flirting and "kissy texts" stopped. He thought they were working well together until the interim City Manager called him to notify him that he was being placed on administrative leave because REDACTED and REDACTED accused him of sexual harassment. Capelletti stated the allegation "hit [him] like a ton of bricks" even though he "knows what he did" and is "falling on his sword."

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<sup>20</sup> Capelletti shared that Montgomery told him that the Department gave his immediate predecessor a vote of no confidence, so Montgomery asked him to leave. According to what Montgomery told Capelletti, the first Chief did a "horrible job" and was fired for just cause. Capelletti stated that Montgomery told him that two former Police Chiefs had a vendetta against him and started the rumors about Montgomery and Marquez having an affair.

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After Capelletti shared his version of events between him and REDACTED, the undersigned asked him questions related to the specific incidents REDACTED reported. Capelletti initially denied there was any physical contact between him and REDACTED while they were at work, but acknowledged they hugged at work. He stated they did not hug at work often. According to Capelletti, on one occasion, when REDACTED arrived at work and hugged all of "the girls" at the front desk, Capelletti asked, "Hey, don't I get a hug?" He did not recall rubbing her back after July 2021.

Capelletti denied standing behind REDACTED with his hands on her hips or waist while they were at work. He admitted that he may have rubbed REDACTED back at work when she told him her back was sore.

Capelletti acknowledged that he may have told REDACTED that he had something to show her and opened his legs. He explained this was part of their flirtation with each other. Capelletti advised that the flirtation worked both ways, and that at times when he was in REDACTED's office, she "grabbed his ass," and said, "You're not wearing any underwear." According to Capelletti, he sent REDACTED a picture of his underwear to prove to her that he was wearing underwear.

Capelletti denied unhooking REDACTED bra while they were at work. He stated that before they went to the hotel together, he told her that he could unhook her bra with one hand, but he did not do so. Capelletti denied this conversation occurred after July 2021.

Capelletti acknowledged that he may have rubbed REDACTED buttocks while they were at work, but he denied putting his hands up her skirt to touch her buttocks. He stated that REDACTED never indicated to him that she did not want him to touch her while they were at work. According to Capelletti, prior to March 2021, he kissed REDACTED in his office, but she was not upset with him for doing so.

Capelletti advised that when he and REDACTED met after work, they usually spent at least one to 1½ hours together. He stated they were usually in REDACTED vehicle parking on a residential street near a park in Brentwood. He acknowledged they also met across the street from REDACTED, in a restaurant parking lot. Capelletti denied that REDACTED gave him a blow job while they were in his City vehicle, or that REDACTED ever gave him a blow job.

Capelletti acknowledged saying to REDACTED that the only person he has to lie to is his wife. He explained that he made this comment to REDACTED when she accused him of "something going on" with Marquez and he told her that he had no reason to lie to her about him and Marquez.

Capelletti denied inviting REDACTED to a Chief's conference in Napa. According to Capelletti, REDACTED invited herself to the conference, but she did not go with him because he told her it was not a good idea.

Capelletti admitted joking with REDACTED about REDACTED being her boyfriend. He stated that the first time he referred to REDACTED as her boyfriend, REDACTED got upset, but when he mentioned it on subsequent occasions, she laughed.

Capelletti acknowledged asking REDACTED about her plans to retire, and stated they talked about her retirement on a couple of occasions. According to Capelletti, REDACTED once told him that she was going to retire early to work REDACTED, but she also told him she enjoyed working with him and would retire when he retired.

Capelletti maintained that he and REDACTED did not have sex while they were in the hotel room together. When asked why REDACTED would say they did have sex in the hotel room, Capelletti opined that REDACTED is upset with him because she believes he "has something going on" with Marquez, so she will say or do anything she can to "take him down."

Capelletti also opined that while he was dealing with personnel issues within the Department, he learned that REDACTED never went through any sort of background check since she was already employed by the City when the Police Department was formed. He explained that he asked this question because REDACTED

often drove her vehicle for City purposes, so he wanted to make sure she was insured. According to Capelletti, REDACTED was not on the list of employees covered by the City's insurance. Capelletti shared that Marquez told him she sent the paperwork to REDACTED so that she could continue to drive for City purposes, but that REDACTED did not return the paperwork to her. Capelletti stated when he asked REDACTED about this, she told him that she did not want Marquez to have any personal information about her and that her insurance covered her when she was driving for the City. Capelletti let it go, but wondered if REDACTED has a valid driver's license or was afraid the City would "find something out" if she returned the paperwork Marquez gave her.

Capelletti maintained that his relationship with REDACTED was 100% consensual and mutual. He acknowledged that "doesn't make it right." Capelletti also shared that the relationship was "60 to 70% started by REDACTED," meaning that she initiated the relationship, but he also acknowledged that he was a willing participant.

## 2. Conduct of a Sexual Nature

According to Capelletti, REDACTED told him that he reminded her of her father, and that she loved being around REDACTED and Capelletti. Capelletti opined that REDACTED is a hard worker and a great employee. He explained that when he was hired, REDACTED was REDACTED, but he convinced Montgomery that the Department needed REDACTED R REDACTED

Capelletti described himself, REDACTED, and REDACTED to be a "trio" who "goofed around" with each other. He stated that REDACTED ate lunch with them when she was able to get away REDACTED Capelletti maintained that he considered REDACTED to be "almost like a daughter" and a friend.

Capelletti admitted that he jokingly said, "I don't know why I made her REDACTED if she is going to take so much time off." According to Capelletti, when REDACTED wanted to take time off, but he denied her request because someone else was going to be off, she told him she would call in sick. Capelletti stated he asked REDACTED if he knew that she was on probation REDACTED, and she looked shocked. He maintained that he was joking with REDACTED, and did not believe that she was actually going to call in sick.

Capelletti also admitted to jokingly saying that since REDACTED became a REDACTED, she worked less than when she was a part-time employee. He stated that REDACTED expressed to him that REDACTED was off work for too long. He described REDACTED and REDACTED to be like mother and daughter and best friends at the same time. According to Capelletti, REDACTED did not want to criticize REDACTED so she complained to him about her.<sup>21</sup>

## REDACTED

Capelletti stated there was a rumor that REDACTED planned to retire at the end of 2021, and REDACTED told him that when REDACTED leaves, she wants his position. He shared that when he told REDACTED that he thought she wanted REDACTED position, and that REDACTED may leave "sooner rather than later," he told her that he thought she would be great in REDACTED position, which he opined made REDACTED happy.

Capelletti opined that REDACTED is very bright. He told her that he has big plans for her, and that he wanted her to help change the culture at the Police Department. He stated that he asked REDACTED not to

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REDACTED

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perpetrate the employees' hatred for the City and instead, "be a champion" for the City. He wanted her to change Department personnel's negative attitude towards the City because she is generally a positive person.

Capelletti advised that when he was in Marquez's office after hours, REDACTED saw them. He stated that he heard the postage machine and when he looked into the open office area, he saw REDACTED. According to Capelletti, when he went back to his office, he asked REDACTED why she did not say hello to him and Marquez, and she responded that she did not want to bother them. He explained to her that the door to Marquez's office was open, so she should have said hello to them.

Capelletti denied saying to REDACTED, "I trust you 90%, but we can get closer to 100%," or words to this effect. He denied having any conversation with REDACTED about trust, other than him telling her that he trusted her in general when he asked her to help him improve the anti-City sentiment within the Department. Capelletti asked REDACTED about her career aspirations when he asked her to be a champion for him and the Department. He denied telling REDACTED that he would help her career if she helped him bridge the gap between Department employees and Marquez. Capelletti maintained that REDACTED is a great employee who deserves a higher-level position.

Capelletti attended the promotional ceremony in August 2021. He noted that Councilmember George Fuller was the only Councilmember who attended the ceremony and reception. Capelletti denied that during the reception after the ceremony, he put his foot between REDACTED's legs, wiggled his foot, and said something about not shining his shoes enough. Capelletti denied engaging in conduct of this nature towards anyone.

Capelletti advised that his leather gear, his belt, and his boots are very shiny, almost like a mirror. He stated that on the day of the promotional ceremony, he polished his shoes because he likes them to "look like glass." According to Capelletti, REDACTED commented to him, "Man Chief, your boots and everything look so shiny." He stated that he explained to REDACTED that his co-workers in La Habra used to say they liked their boots to be as shiny as they could, hoping they could see under girls' dresses. Capelletti denied putting his foot under anyone's dress, and denied telling REDACTED that he did not shine his shoes enough because he could not see up her dress.

Capelletti did not recall rubbing REDACTED back on any occasion. He acknowledged hugging her on two or three occasions, and stated the first time he hugged her was when he hugged all of the administrative staff. He stated he last hugged REDACTED the week before he was put on administrative leave, when a young boy was killed in a traffic collision. Capelletti shared that he could tell that REDACTED was visibly upset, so he asked her if she wanted a hug and she said yes, so he hugged her. He did not think REDACTED tried to pull away while he hugged her.

Capelletti denied poking REDACTED breast. He stated that he used to try to scare people, and said "boo" to her. According to Capelletti, he never touched REDACTED breast.

Capelletti denied staring at REDACTED or REDACTED. He stated that when he went into the REDACTED he stood quietly while REDACTED and REDACTED were at their computers. He told them that he was there to see what they were doing.

Capelletti acknowledged that he "probably" told jokes of a sexual nature while at work. He shared that on one occasion, REDACTED told him she and her husband have a pact that there are certain people they can sleep with for money, and it would not count as cheating. REDACTED

REDACTED

According to Capelletti, REDACTED also said that for the right amount of money, she would have slept with Montgomery. He stated that Beard was present and said that he would not let his wife sleep with Montgomery for any amount of money. Capelletti explained that this conversation occurred when they

were discussing why Marquez slept with Montgomery, and they assumed it was because he agreed to “help her out” professionally.

Capelletti denied telling Beard that he should sleep with REDACTED, but maintained that Beard told him that some of the guys told him he should sleep with REDACTED because she is uptight. According to Capelletti, he said to Beard, “Why wouldn’t you?”

Capelletti denied making any comment about an employee’s testicles and denied telling any City employee to imagine someone’s testicles or balls on their face. He also denied making any comments about an employee being “so hard.”

Capelletti acknowledged saying to employees that he likes his coffee like he likes his women, “tan and sweet.” He stated that he makes this comment “all the time.”

According to Capelletti, he complimented women in the Department, but denied doing so in a sexual manner. He stated that he complimented REDACTED and REDACTED when they changed their hair or he liked what they were wearing. He denied communicating to REDACTED, “Pretty then, pretty now,” or words to this effect, when she submitted baby and high school pictures.

At the end of his interview, Capelletti said he is disappointed in himself, and that he does not blame anyone but himself for his stupidity. Earlier during his interview, Capelletti stated that he “fucked up” with REDACTED, that REDACTED hates Marquez and believes Capelletti has something going on with her, and that REDACTED is “super tight” with REDACTED. He assumed that was why REDACTED was “coming up with crap.” He explained that REDACTED REDACTED, so she is committed to her culture and her friends are like family. According to Capelletti, REDACTED told him that she is “old school OG”, meaning “original gangster” and that she would do whatever she needed to for her friends and family.

## VI. FINDINGS OF FACT REGARDING COMPLAINT OF SEXUAL HARASSMENT

The purpose of this report is to make findings of fact on the allegations made by REDACTED and REDACTED against Capelletti. This report does not express any opinion as to whether any of the actions described herein rise to the level of a violation of City or Department policy or California law.

In conducting this investigation, the investigator did not set out to prove or disprove the allegations, but rather to gather information in a neutral fashion and reach reasoned conclusions. The factual findings were made by carefully analyzing the documentary and testimonial evidence gathered as part of the investigation.<sup>22</sup>

### A. Credibility Assessment

It is important to note that prior to making a determination regarding the facts as alleged, the credibility of each witness was considered. In evaluating a witness’ credibility, many factors were considered, including possible bias or motivation to lie, the ability of a witness to recall information, the specificity of the information provided, whether the information provided was consistent with prior statements made by the witness and/or statements made by other witnesses, and the inherent plausibility of the information provided.

For the most part, discrepancies in the witnesses’ testimony appear to stem from varying perceptions and recollections of specific incidents, as well as the passage of time. With the exception of Capelletti, there is no reason to believe that any of the witnesses interviewed were intentionally dishonest.

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<sup>22</sup> The facts are assessed using a preponderance of the evidence (more likely than not) standard of proof. What might be considered hearsay in a legal proceeding was considered and given appropriate weight in this investigation.

## Attorney-Client Privileged Investigation Report

It is more likely than not that Capelletti was dishonest when he stated during his interview that he did not have sex with **REDACTED**. **REDACTED** reported that she and Capelletti engaged in sexual activity on at least three occasions. There is no known reason for **REDACTED** to lie about her interactions with Capelletti, while Capelletti is motivated to downplay the nature of his relationship with **REDACTED** to not only preserve his job, but to preserve his marriage.

If **REDACTED** had an improper motive for reporting that she and Capelletti engaged in sexual activity on three occasions, she could have just as easily reported that they engaged in sexual conduct every time they spent time together outside of work. She credibly reported that she and Capelletti had sexual intercourse on one occasion and she performed oral sex on him on two occasions. Similarly, **REDACTED** repeatedly stated during her interview that her relationship with Capelletti was consensual. If she was improperly motivated to report the relationship, she could have reported that the relationship was not consensual and that she felt pressured into participating in the relationship or that she was an unwilling participant.

The fact that Capelletti admitted to kissing and “heavy petting” with **REDACTED**, yet denied having sex with her and denied that she gave him blow jobs, evidences that Capelletti believes that by not having sex with **REDACTED**, his conduct is not as egregious as it could have been. In fact, at the outset of his interview, Capelletti denied having a sexual relationship with any City employee, even though he and **REDACTED** engaged in “heavy petting,” which he described to include touching each other over their clothing and “rubbing genitals.”

At one point during Capelletti’s interview, he stated he was not stupid enough to allow **REDACTED** to give him a blow job in his City truck while they were parked near a park in Brentwood. Capelletti’s credibility is undermined by the fact that he had no qualms about engaging in “heavy petting” with **REDACTED** while they were parked near a park in Brentwood, implying that engaging in “heavy petting” in a public location with a subordinate employee is more acceptable than receiving oral sex from a subordinate employee.

Aside from the fact that **REDACTED** provided a detailed account of her interactions with Capelletti, she also told **REDACTED** about their interactions shortly after they occurred. What **REDACTED** reported to **REDACTED** is consistent with what she reported during the investigation. The specificity and consistency of what **REDACTED** reported during her interview lends credibility to her version of events.

In addition to the foregoing, Capelletti is also not a credible witness because during his interview, he denied engaging in any physical contact with **REDACTED** while they were at work. However, when asked about specific incidents she reported, some of which he acknowledged occurred as reported, it is nonsensical for him to deny any such contact. Capelletti admitted to hugging **REDACTED**, rubbing her back and buttocks, and kissing her while they were at work.

Capelletti’s credibility was also undermined by **REDACTED**, who reported observing Capelletti engage in conduct he denied. Although **REDACTED** did not observe Capelletti shake his foot under **REDACTED** dress during the promotional ceremony and reception in August 2021, she reported observing Capelletti engage in similar conduct in September 2020, during his swearing in ceremony. Even though there is no direct corroboration for the incident **REDACTED** reported occurring in August 2021, the fact that **REDACTED** observed Capelletti engage in similar conduct less than one year prior is probative of Capelletti engaging in such conduct similar conduct at a later time.

Finally, during his interview, Capelletti denied communicating to **REDACTED** “Pretty then, pretty now,” or words to that effect, after she submitted a baby and high school picture. However, Capelletti wrote exactly that in an email to **REDACTED** further undermining his credibility.<sup>23</sup>

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<sup>23</sup> See Exhibit 3.

## B. Findings of Fact

### 1. Relationship Between Chief Dean Capelletti and REDACTED

It is undisputed that while Capelletti supervised REDACTED they had a sexual relationship that at a minimum included kissing and heavy petting. It is further undisputed that this relationship was consensual.

Despite Capelletti's denial to the contrary, it is more likely than not that the relationship between Capelletti and REDACTED involved more than kissing and heavy petting. More likely than not, Capelletti and REDACTED had a sexual relationship involving intercourse and oral sex. As set forth above, Capelletti's denials that he and REDACTED had sexual intercourse or that she performed oral sex on him are not credible.

Capelletti acknowledged during his interview that he behaved stupidly when he participated in a consensual sexual relationship with a subordinate employee. His lack of judgment in this regard is magnified by the fact that he knew it was wrong to have a sexual relationship with a subordinate employee, yet he continued to do so. Capelletti further displayed bad judgment when he engaged in physical contact with REDACTED while they were at work, including kissing her, hugging her, and rubbing her back and buttocks.

More likely than not, after REDACTED and Capelletti ended their sexual relationship in July 2021, Capelletti continued to engage in conduct of a sexual nature towards REDACTED credibly reported that after they ended their relationship, Capelletti continued to rub her back, including unhooking her bra on one occasion. She also credibly reported that this conduct was unwelcomed by her.

### 2. Conduct of a Sexual Nature (Comments and Touching)

Capelletti acknowledged during his interview that he participated in conversations of a sexual nature at work and that he touched subordinate employees by giving them hugs. He rationalized that his conduct in this regard was acceptable because the conversations were initiated by REDACTED and/or REDACTED

For example, Capelletti reported that REDACTED initiated a conversation about who her husband would allow her to have sex with for money. The fact that Capelletti was present when this conversation occurred and did not stop it evidences lack of good judgment on his part.

Similarly, Capelletti exercised poor judgment when he told REDACTED that he likes his coffee like he likes his women – tan and sweet. Comments of this nature are inappropriate in a work environment and even more inappropriate when said by the Police Chief. Capelletti also told REDACTED that she was “pretty then, pretty now.”

Based upon Capelletti's lack of credibility and dishonesty, when compared to REDACTED credibility, it is more likely than not that the comments and conduct she attributed to Capelletti occurred as reported. Specifically, it is more likely than not that during the August 2021 promotional ceremony or reception, Capelletti wiggled his shoe under REDACTED dress and made a comment about his shoes not being shiny enough, presumably because he was unable to see up REDACTED dress.

It is also more likely than not that Capelletti rubbed REDACTED back on multiple occasions, including while she was sitting at her desk and when he hugged her after a child died during a traffic collision. It is also more likely than not that Capelletti poked REDACTED breast on more than one occasion. Capelletti did not admit to engaging in such conduct, but acknowledged it was possible he poked REDACTED breast when he tried to scare her. More likely than not, Capelletti's conduct towards REDACTED was unwelcomed by her. Even though Capelletti asked REDACTED if he could give her a hug after a young child died, she did not give him permission to rub her back on that or any other occasion.

Finally, it is more likely than not that Capelletti made inappropriate comments of a sexual nature, including commenting about an employee being “so hard” and about another employee's testicles. Even

though Capelletti denied making these comments, he is not a credible witness, while those who attributed these statements to him, **REDACTED** and **REDACTED**, are credible and have no known motivation to falsely attribute these statements to Capelletti. Notably, **REDACTED** is not a party to the investigation and reported that Capelletti made inappropriate comments in her presence, even though they were not directed at her, and that she was surprised he was making comments of this nature given his role as the Police Chief.

## VII. CONCLUSION

Based upon the foregoing, it is undisputed that Capelletti engaged in a consensual sexual relationship with a subordinate employee. More likely than not, Capelletti was dishonest during his interview when he denied having sexual intercourse with **REDACTED**.

It is further undisputed that Capelletti either made comments of a sexual nature in the presence of subordinate employees or participated when they made comments of a sexual nature.

For these reasons, the allegations made by **REDACTED** and **REDACTED** are sustained.

If any further assistance is needed, please do not hesitate to ask.

Respectfully Submitted,



Karen Kramer  
Kramer Workplace Investigations

EXHIBITS

**COO\_0783**

EXHIBIT 1

**COO\_0784**

On July 30, 2021 I encountered the Chief of Police in the HR Director's office. There has been speculation and witnesses that Chief, Dean Capelletti and Nancy Marquez-Suarez are having an affair. The door was closed and I walked over to the city side of the building to stamp mail around 6pm. He had walked over there around 5pm. No one else was on that side of the building other than the two of them. He heard me enter the building and when I began stamping mail, he opened the door and then quickly shut it. I walked back to the PD and shortly after he returned. He walked directly over to me and said, "Hey weirdo, why didn't you come say hi?" I told him the door was closed and any conversation that happened behind closed doors I would assume was private. He looked me in the eye and said, "I trust you <sup>REDACTED</sup>. I trust you about 90%. But we can get closer to 100%." I replied, "We don't have to". I quickly tried to change the subject, as the tone of voice and stare seemed threatening. A few minutes later a sergeant walked by and we all began talking about something different.

On August 5, 2021 around 6:45pm, he called me into his office to speak. He asked me what my intentions were with the department and how I saw my career going here. He stated that I had a great deal of potential and that he could see me moving up and making more money. He then stated that the way we could get things accomplished entailed having a better relationship with HR and the City, specifically the HR Director Nancy Marquez-Suarez. He then stated that he wanted me to help him bridge the gap between the PD and Nancy by getting the Officers to like her and that this would help all of us move forward and help me move up in the department.

On August 10, 2021 two officers were getting promoted to Sergeant. I wore a dress, it is only the second time I have worn a dress to work in 2.5 years. After the ceremony, outside of the city hall chambers, Chief Capelletti, approached me, put his foot under my dress and waived his foot around. He said, "Clearly I didn't shine my shoes well enough". I looked down and saw his foot waiving under my dress and then looked at him confused. He said, "Don't you get it?" I gave an awkward laugh and walked away.

The next week he rubbed my back around my bra area multiple times.

On Thursday August 19, 2021 in the early afternoon Chief Capelletti and I we were having a discussion. Towards the end of the discussion as I was sitting at my desk he poked the side of my left breast. He said, "Good Job <sup>REDACTED</sup>" as he slowly poked my breast.

On Tuesday August 24, 2021 Chief Capelletti poked the left side of my breast again.

On Wednesday August 25, 2021 there was a fatal accident that occurred in our city involving a child. I was emotional. He saw that I was emotional and gave me a long hug while rubbing my back. I pulled away from him even pushing my arms out and he hugged even tighter.

On Tuesday August 31, 2021 I spoke with Lieutenant Paul Beard regarding the above listed events. **REDACTED** a coworker of mine **REDACTED**, was present as she has been experiencing harassment from the Chief as well. Lieutenant Beard took the information to the interim City Manager Josh McMurry. Josh McMurry asked the Lieutenant why we did not go to HR. Lt. Beard told him that it was because of the speculation of an affair between Chief Capelletti and the HR Director, Nancy Marquez-Suarez and her history of firing individuals due to retaliation. Josh McMurry asked <sup>REDACTED</sup> and I to speak with him and the City Attorney, Derek Cole. They did not ask for a statement. They

stated the Chief Capelletti had been placed on administrative leave and that they would be hiring a third party to begin an investigation.

EXHIBIT 2

**COO\_0787**

9/24/20 – Chief Dean Capelletti’s first day

The Chief moved to Contra Costa County to work at the Oakley Police Department, and was looking for a permanent home to live in with his wife and son. While he was looking for a home to purchase, he was staying at the Best Western Hotel in Oakley, off of Bridgehead Road.

Within the first 2 weeks of his employment, he began asking me to meet him at his hotel. He was asking me in text messages as well as in person. He said it was room 200 something? I asked him, “why would I go see you, are you crazy?” He said “We can have fun”.

For the next couple of weeks he would tell me to come into his office and would say in Spanish, “come here come see what I have for you. “He would say this as he would open his legs. I would just walk away back to my office. This happened multiple times.

He would come into my office and start rubbing my shoulders and my back. When I asked him what he was doing he would respond, “I like to feel textures, I am a touchy person.” When I would be looking through my drawers at work, he would come behind me and grab my waist. I would turn around and say, what are you doing?

The above behaviors continued for months.

In early January after returning from a **REDACTED**, he was upset with me, I do not remember the exact reason he was mad at me. To try and talk to him regarding why he was upset with me, I texted him and asked him to meet me off of Sellers Rd, to talk to me. He met me here and I told him, “The two of us can’t be more than just people that work together. I can’t have a relationship with you outside of work.” When I left he texted me and said thank you for meeting me and talking to me, but you left me (he inserted two eggplant emoji’s, signifying erect penises) I just thought to myself, oh my god, this man doesn’t understand anything.

Towards mid-January, I was looking through the drawers in my office facing the window, he came behind me. I was wearing a skirt, I didn’t know anyone was behind me and he put his fingers up my dress and began rubbing his fingers on my butt. He said, “Oh this feels so good.” I turned and told him, “Don’t touch me.” He looked at me and said, “Are you ok?” I said “mmmhmm” and then he quickly left.

The end of January, I don’t remember the exact date, however I think on January 28<sup>th</sup> after 5pm, after months of pressuring me to have a sexual relationship with him I agreed to meet him at a hotel. We went to the Days Inn & Suites in Antioch on 1605 Auto Center Dr. He booked the room. He texted me and said he was on the second floor. I told him I was nervous and that I didn’t want anyone to see me. He told me to put a mask and glasses on and that no one would see or notice me. I got into the room, “I’m sorry I thought the room would be bigger, but this was all I could get. We laid down on the bed, clothed, and we started talking. We started kissing and then had sex. When we finished we laid there and he asked me, “So now what? Are you still going to work?” I said, “What do you mean?” He laughed. We walked out together and went our separate ways.

The first week of February, I was on vacation. He would text and insist on seeing me. **REDACTED**

**REDACTED** He would say, “Please just a little while.” I would tell him no.

The following weeks we did not see each other outside of work. He would come to my office or when I would go to his office for work related conversations, he would say, "Why don't you touch me, you never touch me?" I would say, "How am I going to touch you when there are people here?" I was worried that others would notice.

After him insisting that we saw each other outside of work we would meet after work. He would insist that we saw each other for even 10 or 15 minutes. I told him I could only meet him a few times a week. We would meet behind the **REDACTED** in Oakley. There is a small hidden parking lot across the street from **REDACTED**. Shortly after this we began meeting in front of Homecoming Park in Brentwood. **REDACTED** He always told me that he would have to leave by 8:30pm. We would talk about work and he asked many questions about all of the employees. We would only kiss. I would see him maybe three times a week for an hour **REDACTED**

Around May he began telling me that he would have to see me later, that he was busy and could only see me for a little while. The week of May 17<sup>th</sup> he had a Chief's meeting in Napa. He had invited me to go with him. I didn't go. I know many other local chiefs and didn't want anyone noticing me.

He would get upset with me when I wasn't able to meet him or if I took any time off work. He told me, "If I don't take vacations, you can't take vacations."

Towards the end of May I noticed that he began acting different with me. He seemed like he had a lot on his mind. I would ask him if he was ok and he would get upset and yell, "Well I have a lot of work!" The visits after work were less frequent and he began showing up later almost around 8pm. The kisses were like pecks.

Around this time, we would go to lunch and coffee breaks almost daily. I began noticing that he would text the HR Director, Nancy Marquez-Suarez very often. When I would look over at his phone I would see that they would send each other emoji's and gifs. I asked him, "what's going on with you and Nancy?" he denied anything was going on and told me, that he had no reason to lie to me the only person he had to lie to was his wife. This continued into June. She was often in his office with the door closed. I started to feel like something was going on.

On July 3, 2021 before midnight we agreed to meet at the usual location in Brentwood. We had oral sex. This is the last time that we met outside of work.

On July 15, 2021 around 8:30pm we were supposed to see each other. At 8:29pm he said that he was still at work. I was calling him and he was not answering. I dropped off **REDACTED**. On the way back I crossed over Vintage Parkway and a left onto Main Street. I drove into the work parking lot. The light in his office was on. I saw him kissing Nancy. This is when I began calling him. I drove over to the city corp yard, located near where Nancy parks. I knew he would be leaving soon, as he always needed to leave around 8:30 pm. I saw Nancy walk out to her car when she got into her car she drove past my car. I saw his car drove behind her car. I called him again and he didn't answer. I began driving behind them for about half a mile driving through the streets. He stopped. I stopped on the side of his car and said, "And you told me you had nothing to do with her." I saw Nancy and followed from O'hara to Main Street while I was talking to him, as he had called me. In told him that I was going to HR to tell them about what was happening. She stopped at the gas station, she turned around and saw me, we

made eye contact and I waived to her. She looked shocked. I drove away. He and I texted and he kept denying that anything was going on between them. That same evening at 10:13pm he said via text, "If you're really going to tell anyone about us, just tell me now, I'll go in on Monday and resign.

The next day was his regular day off. He came into work, but didn't talk to me. He left within 2 hours.

On Sunday I called Lt. Beard, and we meet at the park on O'Hara Ave. I told him everything what was going on with the Chief and I. one of my biggest fear was losing my job. Because Nancy has fired so many people in the past.

On the following Monday, July 19, 2021 around 9am, I entered his office and asked him if we could talk. He didn't turn around to look at me. I said, "Let's forget everything, when people are mad we say things we shouldn't say." He didn't speak or look at me. I said "We need to be adults and work together professionally." "You need to look at me if you agree." I extended my hand for a handshake. I waited a while before he turned and extended his hand. I left.

After this we remained cordial. However shortly after he began showing inappropriate behavior to me again. He came behind me while I was at my desk and put his hand on my bra. He said, "I can undo your bra with one hand." I said, "Please don't."

On another occasion, during lunch, the **REDACTED**, walked by the door into the PD. I said, "Poor guy, he is walking like something is hurting." Capelletti said, "Imagine his old balls just hanging there. Imagine them in your face." I was eating and **REDACTED** was present. I said, "You're so disgusting." **REDACTED** and I just looked at each other with shocked faces. **REDACTED** didn't say anything.

August 17, 2021 one of our **REDACTED** came in to meet with HR. The Chief said, "Look at you! Looking all pretty today" "Guess who's here?" I said, "Who?" He said, "You're lover." "I said, "Who of all of them since you say I have so many?". He said, **REDACTED**, didn't you see him?" I said, "No, I didn't even know he was coming." He replied, "Oh, he didn't tell you last night after sex?" This was not the first time that he had referred to **REDACTED** as my lover. He had insinuated multiple times that I had multiple affairs with many of the men here at work.

Aug 27, 2021 he called me into his office, "asked me if I was doing ok, because of all the family problems that I was having" I questioned him "problems?" I have no problems at home...well maybe you are thinking about retiring, **REDACTED**

On an unknown date between the end of July to mid Aug. he asked me something very personal, that none of my coworkers could have shared with him, it's on my personnel file. I asked him "who told you about that?" his answer was "I don't remember if I had a dream or if someone told me"

Also a comment that was made regarding me questioning him about his inappropriate comments. His answer was, oh I make them my friends first so they won't say anything.

On August 31, 2021 **REDACTED** and I walked into Lt. Beard's office to discuss what had been happening. After a discussion, Lt. Beard spoke with the City Manager, Josh McMurry.

NOTES:

## REDACTED

Staring at me and trying to intimate me- staring at <sup>REDACTED</sup> and me

How he told <sup>REDACTED</sup> to have sex with <sup>REDACTED</sup> because she was always so grumpy

How he questioned me about not getting coffee anymore

Vergadura – hard dick verga-dick in Spanish verdura-vegetables-

<sup>REDACTED</sup> & I got a raise but nobody else did

Undoing my bra with one hand.

Calling me the **REDACTED** . Who everyone loves and cares for.

EXHIBIT 3

**COO\_0792**

**From:** REDACTED  
**To:** [Karen Kramer](#)  
**Subject:** FW: High school and baby pics  
**Date:** Monday, September 27, 2021 5:46:54 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)

---

**From:** Dean Capelletti  
**Sent:** Thursday, June 24, 2021 5:32 PM  
**To:** REDACTED  
**Subject:** RE: High school and baby pics

Wow – pretty then, pretty now.

I don't know what you were embarrassed about.



**Dean Capelletti**  
Chief of Police  
[Capelletti@ci.oakley.ca.us](mailto:Capelletti@ci.oakley.ca.us)  
925-625-8825  
3231 Main Street  
Oakley, CA 94561



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**Thank you for communicating via email. In-person meetings at the Police Department will be very limited and will only be by appointment. I look forward to assisting you via email, phone or video conferencing.**

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**From:** REDACTED  
**Sent:** Thursday, June 24, 2021 4:13 PM  
**To:** Dean Capelletti <[Capelletti@ci.oakley.ca.us](mailto:Capelletti@ci.oakley.ca.us)>  
**Subject:** High school and baby pics

**REDACTED**

**REDACTED**

**REDACTED**

EXHIBIT 4

**COO\_0797**

**From:** REDACTED  
**To:** [Karen Kramer](#)  
**Subject:** FW: Fotos  
**Date:** Thursday, September 30, 2021 1:36:15 PM  
**Attachments:** [IMG\\_5748.PNG](#)  
[IMG\\_5746.PNG](#)  
[IMG\\_5741.PNG](#)  
[IMG\\_5742.PNG](#)  
[IMG\\_5740.PNG](#)  
[IMG\\_5744.PNG](#)  
[IMG\\_5743.PNG](#)  
[IMG\\_5747.PNG](#)  
[IMG\\_5737.PNG](#)  
[IMG\\_5745.PNG](#)  
[IMG\\_5738.PNG](#)  
[IMG\\_5739.PNG](#)  
[image001.wmz](#)  
[image004.png](#)  
[interview.docx](#)

Hello Karen,

This are the texts between the Chief and I, some of them are in Spanish. I attached my notes as well. Please let me know if you need anything else.

Thank you,

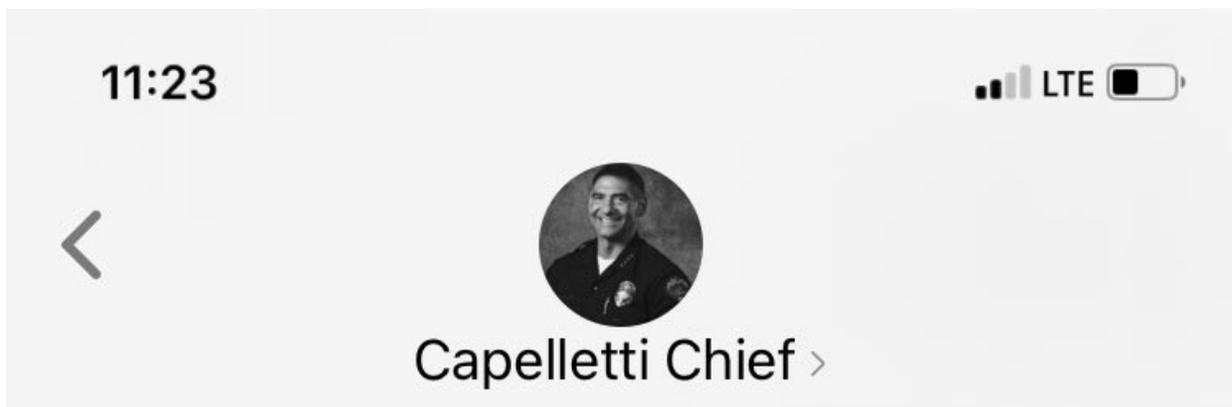


**REDACTED**

**CORE VALUES**

- **HONOR**
- **COURAGE**
- **PRIDE**

**From:** REDACTED  
**Sent:** Thursday, September 30, 2021 1:30 PM  
**To:** REDACTED  
**Subject:** Fotos



Thu Jul 15 8:29 PM

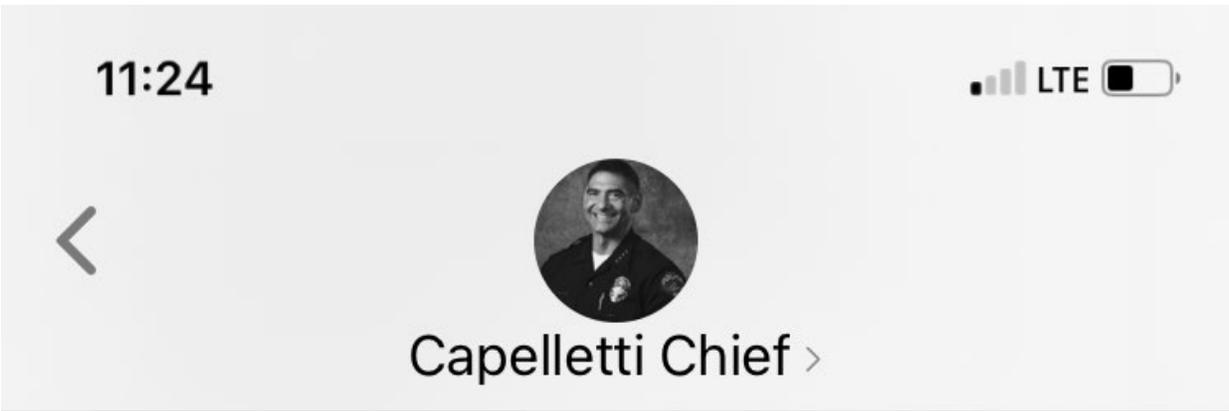
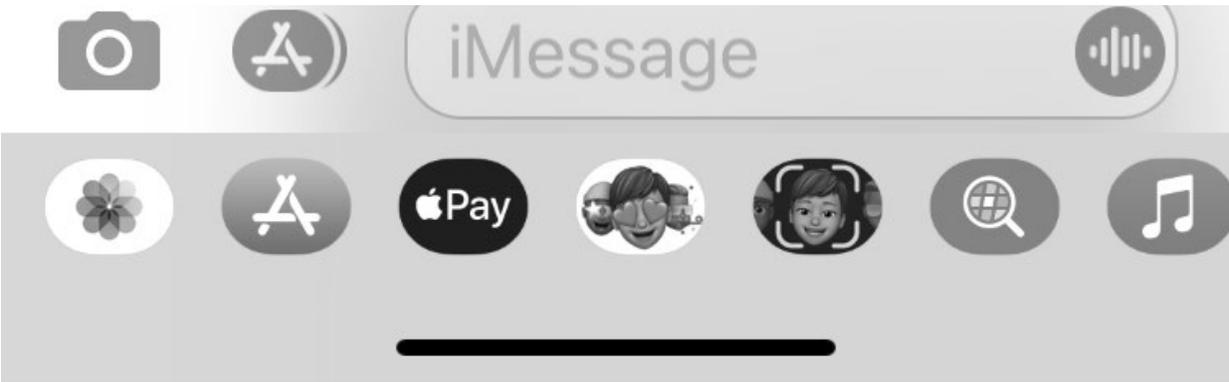
Still here honey

Ok

Por que no contestas  
amor

I was talking to Rick and  
Jeff

I can't believe this shit-  
so because I can't see  
you, you think  
something is going on.  
And you want to hurt  
me. I am still around if  
you want to meet, if not,  
I understand.

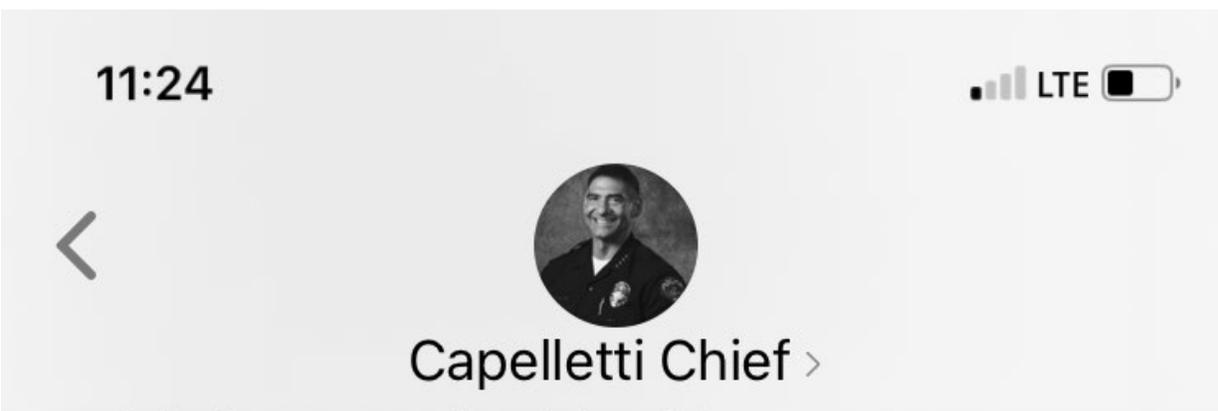
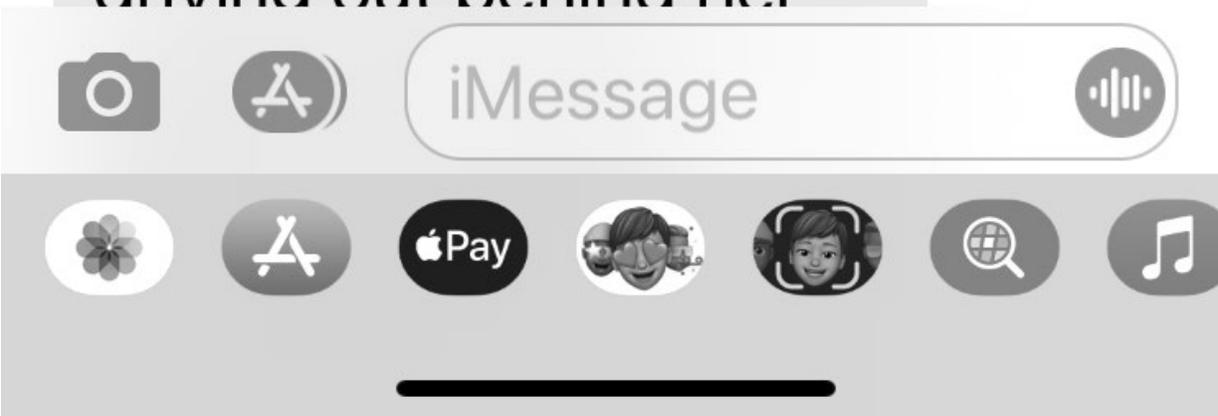


Dean seriously, I'm not trying to hurt you. Just that's I can't believe you are with Nancy knowing how she was with Bryan for years

I honestly though you were a better person

I don't want to see you

I keep trying to think what you think you saw, and put myself in your shoes. I guess if you really believe we have something going on, then you are making the huge leap that me driving out behind her



driving out behind her

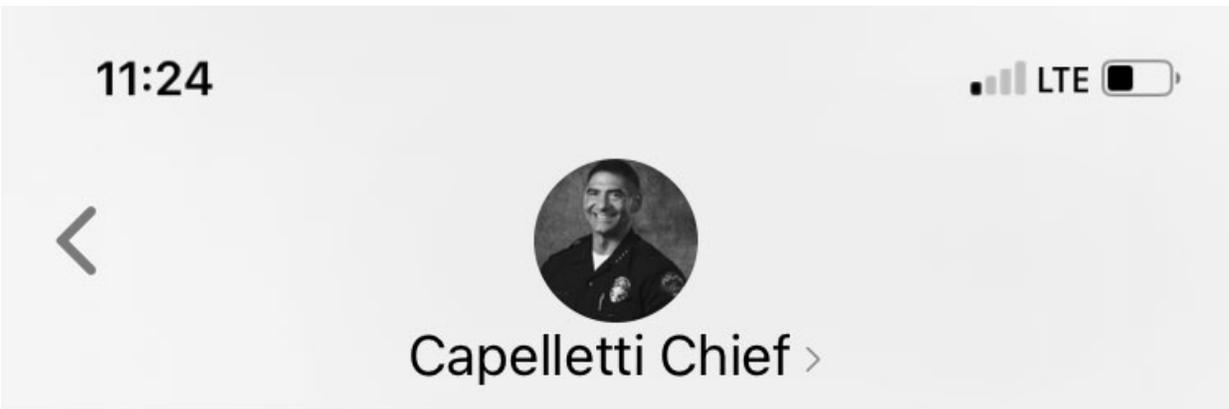
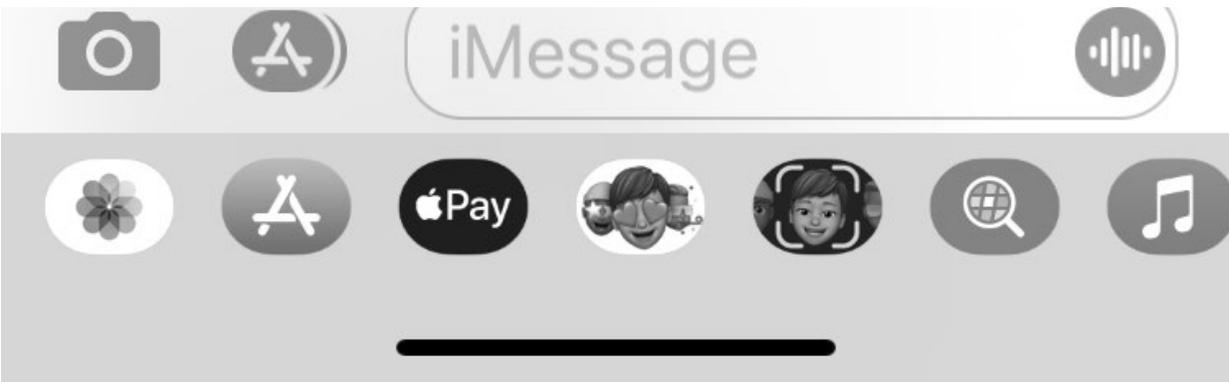
means something.  
There are actually  
several reasons why I  
left that way, but no  
need to share, because  
you already believe  
what you believe.

I know I was in my office  
ALL afternoon and  
evening, I have several  
witnesses

So I have no idea what  
you're talking about with  
a secluded room or area

Super strange that you  
keep following her

No. me following her



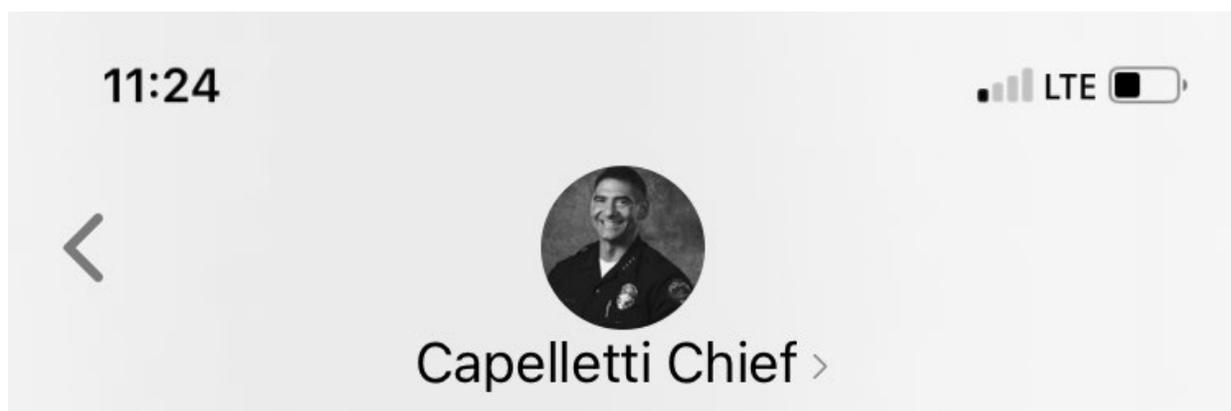
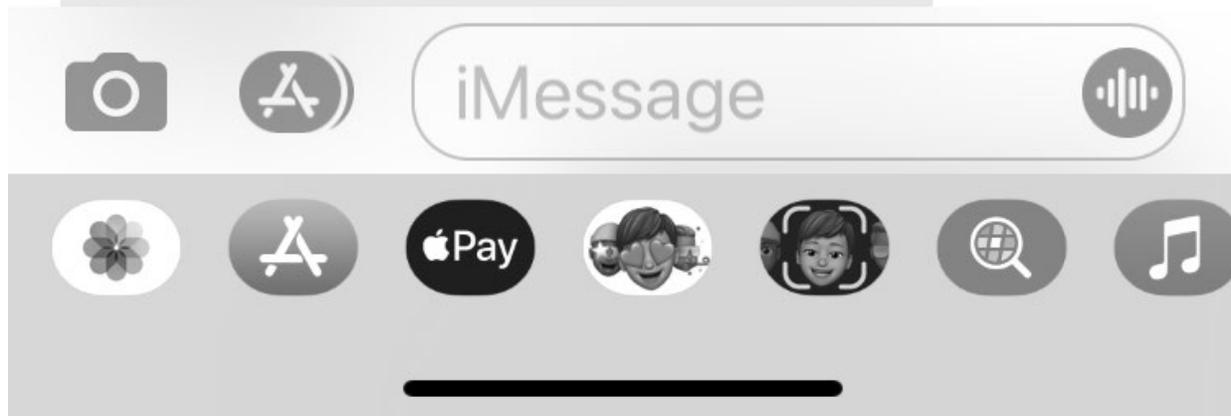
No, me following her was on purpose. I honestly didn't know who that was until about halfway down the street.

Dean ya stop playing games with me. It's ok you can do what ever you want

How did you know I was

How did you know I was there?

If you were really paying attention, you would have noticed that the car was stopped, just stopped there. So when I came up behind the car, I thought it was



car. I thought it was

strange

Quédate con ella

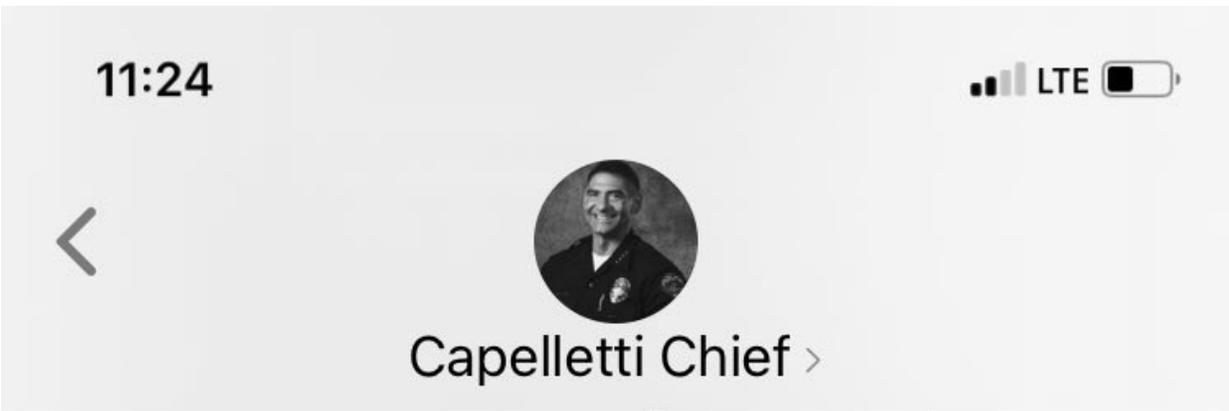
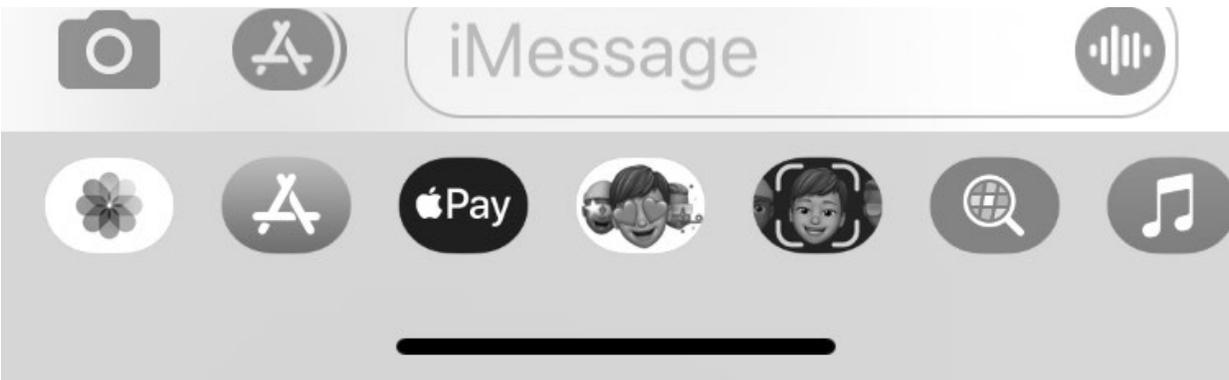
Yo no voy a perder nada

So I followed the car a little wondering why it was going that way, and then realized who it was, so I kept going that way

Why make a u-turn?

Deja de MENTIR

Look - I am not trying to get you and I to stay together. No, this has been eye opening for sure. And I know you will



believe what you want  
to believe

I can't change your mind  
and honestly, not trying  
to

Esta bien! Entiendo todo

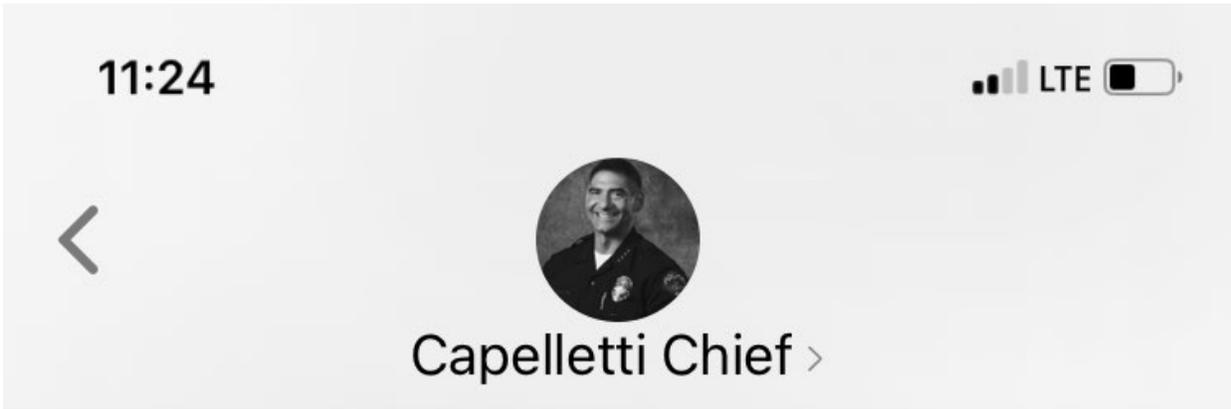
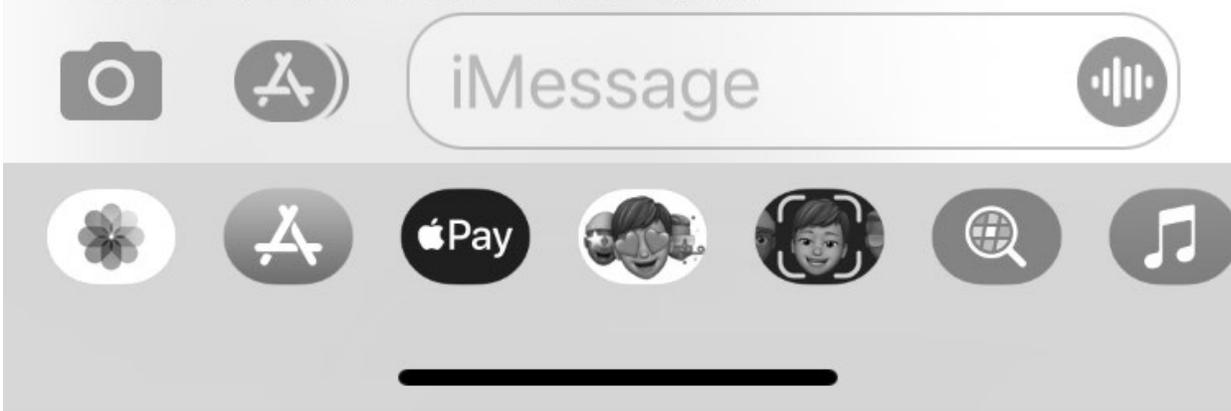
Ya me habían dicho los  
muchachos que tuviera  
cuidado contigo

Carla de Cortijo

But I am also not going to just let you accuse me of something

Lo que tengas con ella no me importa

And you say you're not trying to hurt me but



trying to hurt me, but

then you say you're going to go to HR to tell them about us?

Nancy tiene que saber

Para que no sea un mensa igual que yo

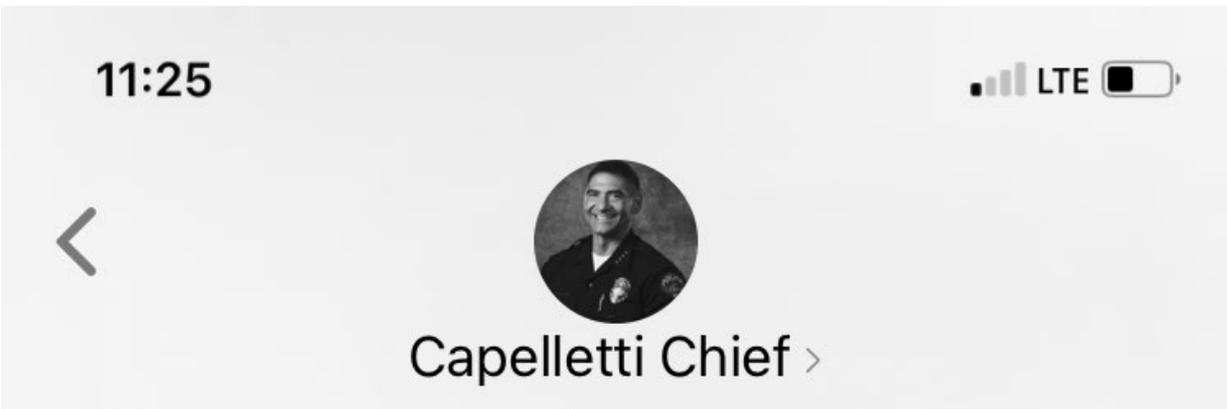
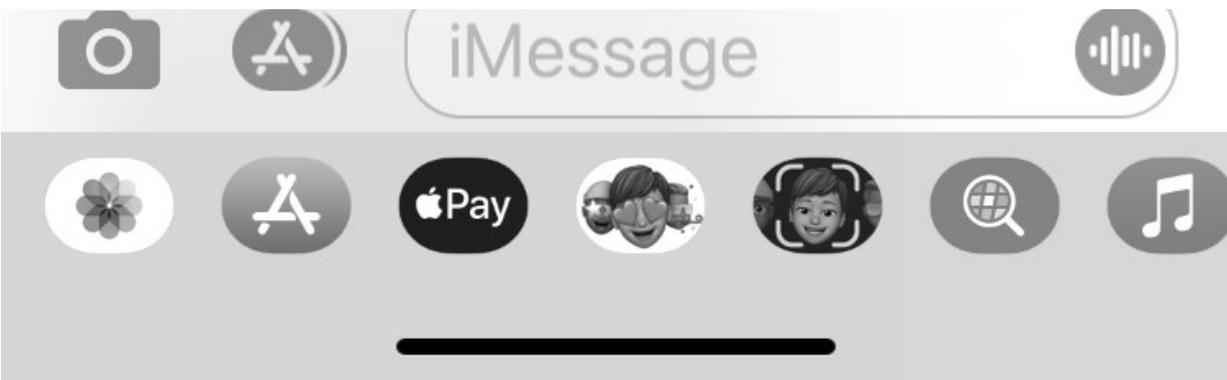
Ya- that's going to fuck my job. OK 👍

Nancy te va proteger

You know we shouldn't have been together, but ok, that's my fault.

Pues ella está contigo

No, no reason to protect



No, no reason to protect me. I know what you think, but it's not true

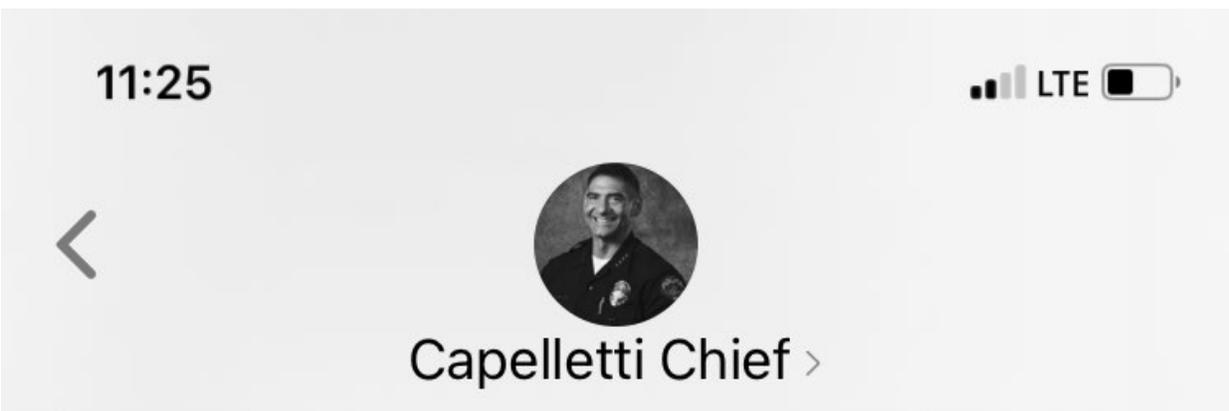
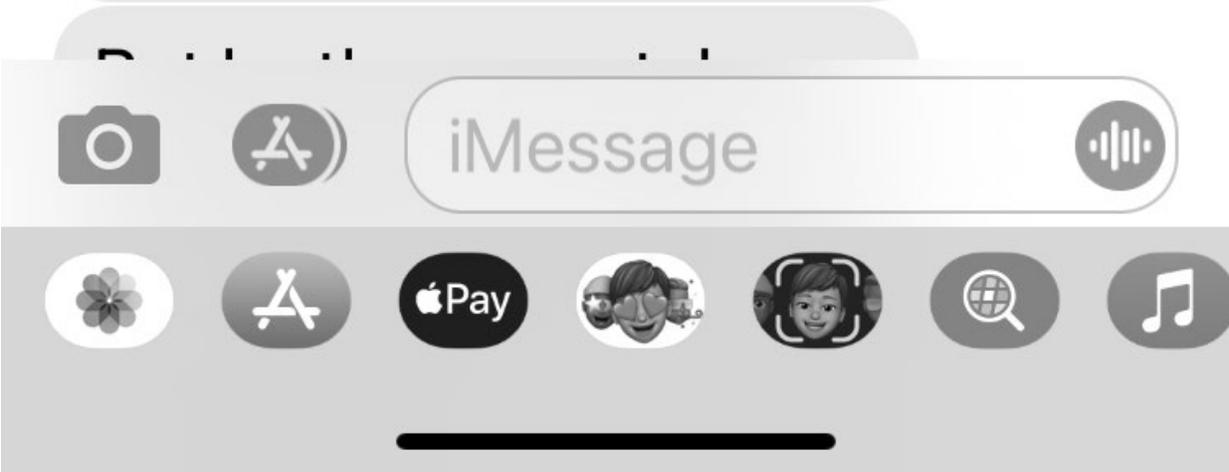
So I will just lose my job - it's ok

I didn't think you were vindictive like this

En verdad necesitabas estar con las dos?

Huh?

You believe in Karma, so if you really think I'm doing what you think, then it will come back to me.



But by the same token,  
you going and telling on  
you and I is only going  
to bring that same bad  
karma to you

So I know you believe  
what you believe

I can't change your mind

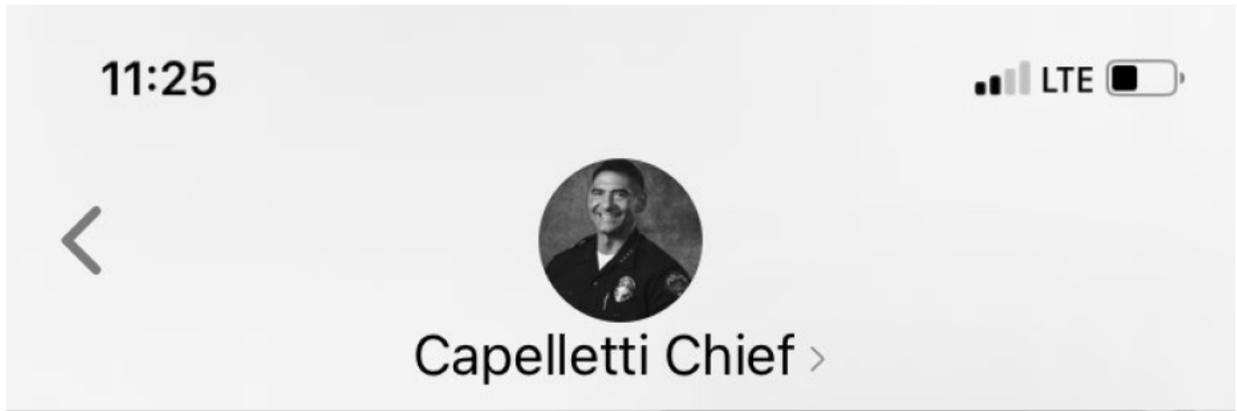
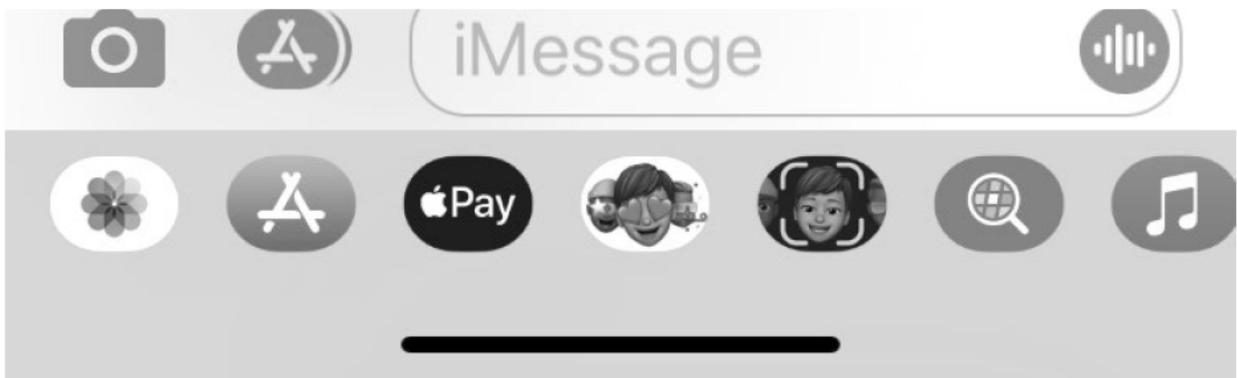
Karma doesn't exist

But I don't know why  
you're going to hurt me  
and my family for that?

If you really don't care

You don't care

Then just let it lie. We



Then just let it lie. We work together

And that's it

You know exactly what you were doing with me

Since the beginning

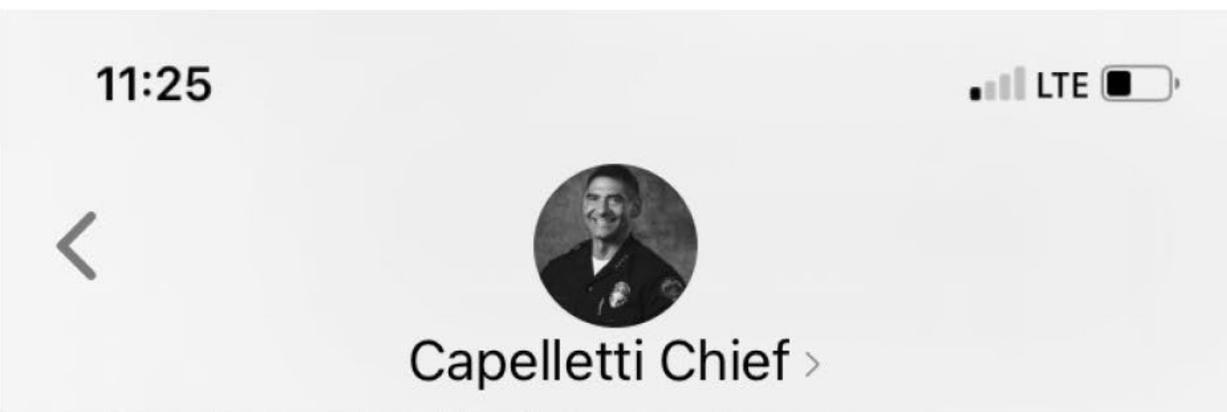
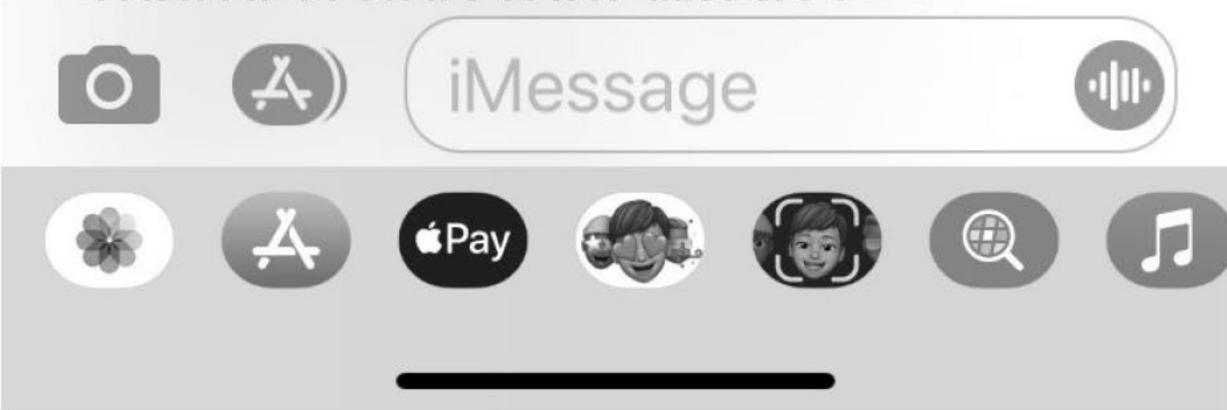
[Redacted]

[REDACTED] I am sorry if you think I did something wrong to you, I really am

I care about you

It would it been easier to end things with me

And we both knew I was married and that wasn't



And we both knew I was

married and that wasn't  
going to change

Then move on with  
Nancy

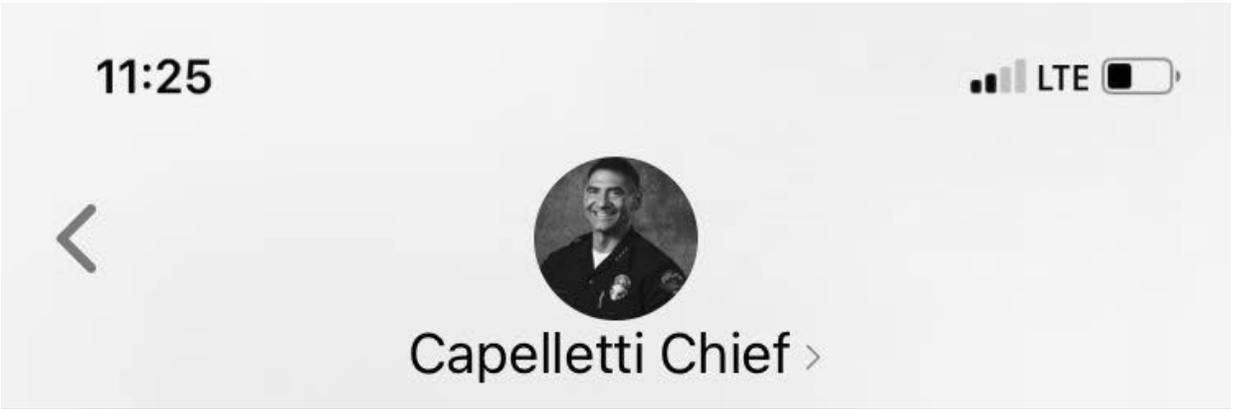
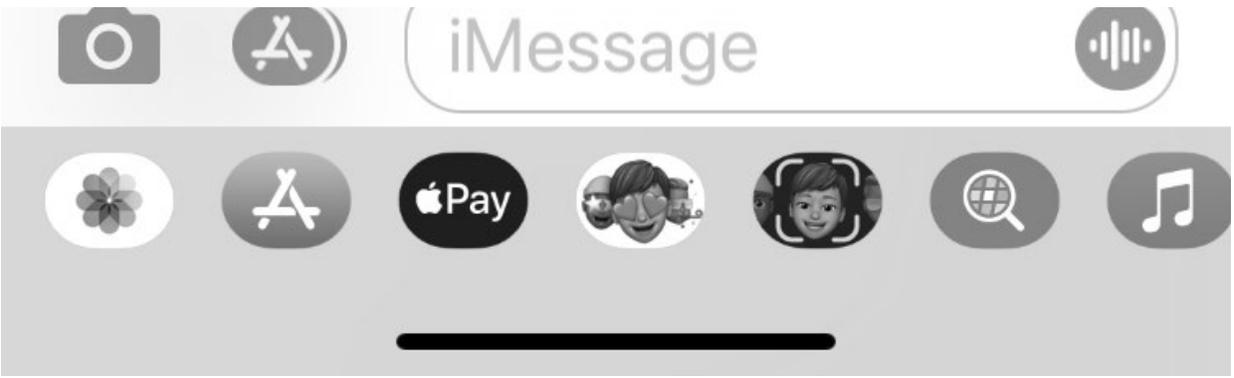
Never asked you to  
leave your family

But now you're bringing  
in something that  
doesn't exist because  
you're frustrated about  
us

Not frustrated

**THERE IS NOTHING  
WITH NANCY AND ME!**

Stop with that already



Stop with that already

FUCK!

FUCK!

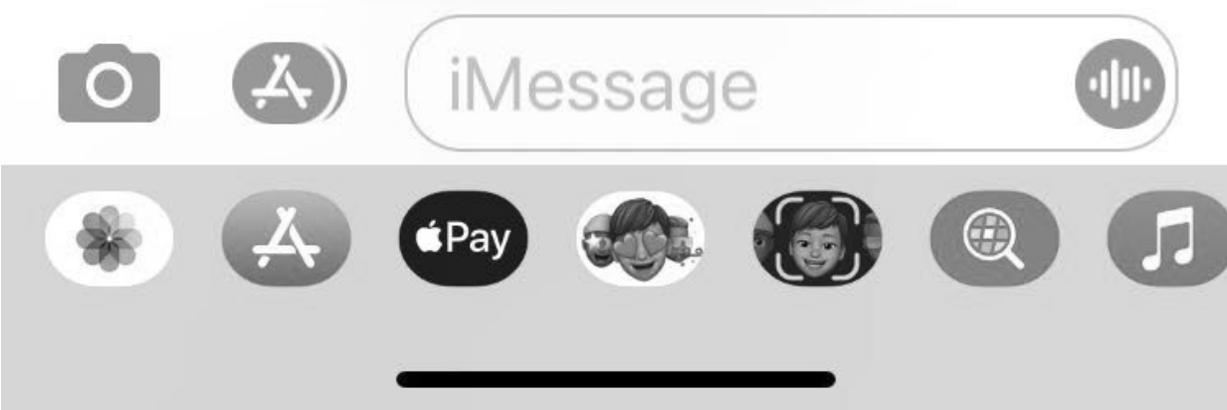
There is no US Dean

If you're really going to tell anyone about us, just tell me now, I'll go in

on Monday and resign.

Ya quédate con Nancy  
se feliz y sigue con otra  
y con otra

Siempre e sido una  
buena persona, y lo  
seguiré siendo.



Sent from my iPhone