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Karen Kramer:

Today's October 22nd, 2021. This is Karen Kramer. I'm in council chambers at Oakley City Hall with Police Chief Dean Capelletti, and you know that the interview is being audio recorded today, Chief?

Dean Capelletti:

I do.

Karen Kramer:

Thank you. I have been retained by the city to conduct an independent fact-finding investigation, concerning allegations of misconduct that have been made against you and meeting with you today to give you an opportunity to respond to those allegations. Before we go any further, I'm going to read the [Pilbara admonition 00:00:25] to you. A couple of places, they'll be asking for an affirmative response from you, and then we'll go from there. Okay.

Karen Kramer:

My name is Karen Kramer. I'm a third-party investigator retained by the city of Oakley to conduct this investigation at the direction of the city manager. I'm in charge of the investigation and I'm authorized to order you to respond to my questions. Also present as Police Chief Dean Capelletti, and you're here today unrepresented, correct?

Dean Capelletti:

That is correct.

Karen Kramer:

Okay. And you're waiving your right to representation?

Dean Capelletti:

I am.

Karen Kramer:

Okay. Today's date is October 22nd, 2021 and the time is approximately 9:03 AM. Pursuant to government code section 3303, subsection G, I'm actually audio recording, not tape recording, this interview. And Chief Capelletti shall have the right to record the interview, and are you doing so?

Dean Capelletti:

I'm not, no.

Karen Kramer:

Okay. The interview session shall not extend beyond a reasonable time. Considering the gravity of the issues, you shall be able to attend to your own personal, physical necessities. Please ask if you need to recess to use the restroom, have a beverage, or otherwise refresh yourself. Are you taking any medication which would cause you to be unable to understand and respond truthfully and fully to the questions that will be asked of you, or in the alternative, have you failed to take any prescription or

other medication which would assist you to understand and respond truthfully and fully to the questions that we'll be asked to do?

Dean Capelletti:

No, I'm able to respond.

Karen Kramer:

Okay, thank you. Are you suffering from any physical or mental condition that would cause you to be unable to understand or respond truthfully and fully to the questions that will be asked to be?

Dean Capelletti:

No.

Karen Kramer:

You're ordered to fully and truthfully answer all questions asked of you during this interview. Your failure to do so could in and of itself constitute a disciplinary act of insubordination, and could result in a recommendation of disciplinary action against you, up to and including dismissal. Statements made by you in response to this order cannot be used against you in a criminal proceeding. The investigation involves allegations of sexual harassment, discrimination, retaliation, and other misconduct, unbecoming a police chief, as set forth in the October 11th, 2021 notice of interview you received.

Karen Kramer:

Because of the nature of the investigation focuses on administrative matters, which may result in punitive action. And at your request, you have the right to be represented during the interview by a representative of your choice who may be present at all times during the interview. You've already indicated that you're waiving your right to representation. The press or media may request your photograph, home address, telephone number, other contact information. Such information will not be provided without your consent. Do you consent to the release of such information?

Dean Capelletti:

No.

Karen Kramer:

Prior to proceeding with the interview, do you have any questions regarding the admonitions contained to your end?

Dean Capelletti:

No.

Karen Kramer:

Okay. So then I'm going to ask you to do is to date and sign the admonition here.

Dean Capelletti:

I can use my pen if that's all right.

Karen Kramer:

No problem.

Dean Capelletti:

What's today's date? The 22nd?

Karen Kramer:

22nd, yes.

Karen Kramer:

Thank you. In addition to the admonitions that are included in the Pilbara admonition I just read to you, I do want to remind you that you're expected to participate in this process in an honest and forthright manner. And that dishonesty, separate apart from the allegations that have been made against you, could be used against you for disciplinary purposes. I will remind you, also, that this is a confidential process and the city expects you not discuss what we talk about with other city employees during the pendency of the investigation.

Karen Kramer:

And then finally, remind you that the city has a policy against retaliation. It works in both directions so if you feel you're being retaliated against in some way for your participation in this process, you should report that immediately up through the chain of command or directly to, in your case, it would go to city manager. Flip side is also true, in that you're not to take any retaliatory action against anyone who's participating in this process. Understood?

Dean Capelletti:

Yes.

Karen Kramer:

Okay. Any -questions for me at all before we get started?

Dean Capelletti:

No.

Karen Kramer:

Okay. So let me just get a little bit of background information. For how long have you been the chief of police?

Dean Capelletti:

On the 24th of September was one year.

Karen Kramer:

So it was 09-24-20. Okay. And for how long have you been employed by the city?

Dean Capelletti:

Same amount of time.

Karen Kramer:

And within the police department, who were your direct reports?

Dean Capelletti:

Paul would be my direct report.

Karen Kramer:

Paul?

Dean Capelletti:

[Beard 00:04:31], my Lieutenant. Second in command.

Karen Kramer:

Okay. Any others?

Dean Capelletti:

I mean, technically, I oversee the entire PD. Paul and I shared, ^{REDACTED}, who is **REDACTED** .

Karen Kramer:

Okay. So who did ^{REDACTED} report to as her supervisor?

Dean Capelletti:

I'm going to guess me. I mean, **REDACTED** , but-

Karen Kramer:

Okay. And what about any of the **REDACTED** in the department? Who do they report to?

Dean Capelletti:

Again, I mean, everybody falls underneath me. I mean, so, I guess-

Karen Kramer:

Who would be their direct supervisor? Is there somebody in between you and **REDACTED** ?

Dean Capelletti:

We've been changing. So we've been changing... Do you mind if I kind of give you an idea?

Karen Kramer:

Sure, not at all.

Dean Capelletti:

So it's supposed to be the chief and two lieutenants, or the chief and someone. So when I got here, we just have Paul. Paul was the acting chief. So as he started going through reorg, it was supposed to be Paul, was going to oversee operations, and a new Lieutenant was going to oversee support services. Under support services would've fallen records, investigations, traffic, all would've fallen underneath that. So we were in the process of hiring somebody, that never came through. So, what ended up doing is everybody was reporting to Paul, basically. Paul basically handled everything, and they ended up telling Paul, "Hey, Paul. I need you to concentrate on operations. This is too much for you to do by yourself. I'll take over support services." So probably the last... I'm trying to think of when the email would have went out. But I mean, we had put out the new, "Hey, until we get somebody else in, I will handle support services." So investigations is supposed to report to me. Records is supposed to report to me, but they didn't. I mean, it was still a learning process for them.

Karen Kramer:

Okay, got it. Fair enough.

Dean Capelletti:

I mean, I think actually report... So records will report to Joe who was my contract, contact, contract employee. Joe [last name 00:06:42], and then Joe reported to me.

Karen Kramer:

Okay. And so Joe [last name 00:06:47], what was his position?

Dean Capelletti:

He was a records manager.

Karen Kramer:

Okay. And he was a contract employee?

Dean Capelletti:

Yes.

Karen Kramer:

And when you were put on leave, was he still working with the city?

Dean Capelletti:

Yeah.

Karen Kramer:

Okay. So he's-

Dean Capelletti:

As far as I know, he's still here.

Karen Kramer:

Okay, got it. And so, to the extent there's **REDACTED** in the chief's office, **REDACTED**, **REDACTED**, I think there's **REDACTED**. Who do they all report to?

Dean Capelletti:

So, I mean, technically, they report to **REDACT**. I mean, for example, if they want to take a day off, they're reporting to **REDACT**. Or sometimes they were going through... I mean, the process wasn't as streamlined as it should be. So they're either reporting to Paul or they're reporting to **REDACTED** or they're reporting to **REDACT**. It was kind of all over the place.

Karen Kramer:

Okay.

Dean Capelletti:

I was trying to change that.

Karen Kramer:

Got it, okay. But at the end of the day, you're at the top of the chain?

Dean Capelletti:

Correct.

Karen Kramer:

Okay, got it. Okay. When you were hired by the city, or since you've been hired by the city, have you received any sort of sexual harassment training?

Dean Capelletti:

Yes.

Karen Kramer:

And what sort of training did you receive?

Dean Capelletti:

I think the standard training. I know I had to take it on the web.

Karen Kramer:

It was an online course?

Dean Capelletti:

Web-based training. Had to go through, you have to make sure you spend a certain amount of time watching a video, answering questions, all that stuff.

Karen Kramer:

And when, during your employment, did you do that?

Dean Capelletti:

I think I did it during Christmas break, was when I was able to find some time.

Karen Kramer:

Got it, okay. And do you have a city-issued vehicle?

Dean Capelletti:

Yes.

Karen Kramer:

And what sort of vehicle is it?

Dean Capelletti:

Right now, it's a truck. GMC truck.

Karen Kramer:

When you say right now, is there a different vehicle that-

Dean Capelletti:

Before this one, I had a Ford, I think it was an escape, when I first got here.

Karen Kramer:

And for how long did you have the escape?

Dean Capelletti:

Maybe April.

Karen Kramer:

September to April? Okay. Got it.

Dean Capelletti:

April May. I couldn't give you the, something like that.

Karen Kramer:

Okay. And do you have a city issued cell phone?

Dean Capelletti:

No.

Karen Kramer:

And so, do you use your personal phone, then, for city business?

Dean Capelletti:

Yeah.

Karen Kramer:

Do you get reimbursed in any way for that?

Dean Capelletti:

I do.

Karen Kramer:

Is that the monthly reimbursement of some kind?

Dean Capelletti:

Yes. It's a stipend that was aligned in my contract.

Karen Kramer:

Got it, okay. And what is your personal cell phone number?

Dean Capelletti:

REDACTED

Karen Kramer:

Okay, got it. At any point during your employment with the city, have you had a sexual relationship with a city employee?

Dean Capelletti:

No. Close, but no.

Karen Kramer:

When you say close, explain to me what you mean by that.

Dean Capelletti:

Kissing, heavy petting.

Karen Kramer:

With who?

Dean Capelletti:

REDACTED

Karen Kramer:

Anyone else?

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Dean Capelletti:

No.

Karen Kramer:

And so, just so I'm clear then, so you and ^{REDACTED} never had sexual intercourse?

Dean Capelletti:

No.

Karen Kramer:

Heavy petting, explain to me what you mean by that?

Dean Capelletti:

Touching over the clothing, rubbing genitals. That's what I mean, kind of like what you would do when you're a teenager.

Karen Kramer:

Okay. Oral sex?

Dean Capelletti:

No.

Karen Kramer:

When you were first hired by the city, were you staying in a hotel?

Dean Capelletti:

Yes.

Karen Kramer:

For how long did you stay in the hotel?

Dean Capelletti:

November.

Karen Kramer:

So September to November?

Dean Capelletti:

Mm-hmm (affirmative).

Karen Kramer:

And was there ever a point in time where you invited ^{REDACTED}, I'm sorry, ^{REDACTED}, to your hotel room?

Dean Capelletti:

No.

Karen Kramer:

Did you ever invite any city employee to your hotel room?

Dean Capelletti:

No.

Karen Kramer:

You said that you and ^{REDACTED} kissed, engaged in heavy petting. On how many occasions did that occur?

Dean Capelletti:

More than twice, but probably less than five times.

Karen Kramer:

Where were you when these occasions occurred?

Dean Capelletti:

Most of the time we were in her car. Last time, being in a hotel.

Karen Kramer:

What hotel?

Dean Capelletti:

I couldn't tell you off the top of my head, the hotel, but it in Antioch.

Karen Kramer:

And how did you and ^{REDACTED} find yourself in a hotel in Antioch?

Dean Capelletti:

We had agreed to get a hotel and I got the hotel.

Karen Kramer:

And while you were in that hotel room with ^{REDACTED}, there was no sexual intercourse? No oral sex?

Dean Capelletti:

No. No, it was... I mean, I don't want to mess your flow of your questions because I know how that goes.

Karen Kramer:

Go ahead.

Dean Capelletti:

So, **REDACTED** and I had progressively been getting more intimate. So her and I... I started here, we hit it off right away. I really, really liked **REDACTED** way of being. I love her energy, and it seemed like we just clicked. This is from the get-go. And then we were just, almost instantly, friends, I felt that I could trust **REDACTED**. And the fact that she was **REDACTED**, to me, it only made more sense, like, hey, this is the person that I can trust.

Dean Capelletti:

She had been here with the city **REDACTED**, I think **REDACTED**, so she knew all the ins and outs. I'm here as a brand new, not only a brand new employee to the city, but I'm a brand new employee to the entire area. I'm coming from Southern California. I don't really know anybody, so she was helping me know the ins and outs of the PD itself, like who's who. And she was very good at giving me confidential information like, Hey, this is what's going on, this is what's happening.

Dean Capelletti:

So, we just hit it off. I considered us to be very good friends. I would talk to her, **REDACTED**

Dean Capelletti:

But anyway, so little by little, we started flirting with each other. Flirtation, again, some via text, some just talking there at work. I know I shouldn't have done it, but obviously, I did. And so, she would kind of imply that she was into me, and I was receptive to it. It felt good to feel like I was wanted. So I would play along, obviously, because it made me feel good. But also, I never thought it was going to go too far. I was kind of, I was playing brave than I really was.

Dean Capelletti:

So, I think that pretty much was up towards the end of the year. I think she went on vacation and then the-

Karen Kramer:

Oops. I think we're not moving around enough.

Dean Capelletti:

Yeah, hold on. Let me see if I can move around. I'm over here by the wall, just so you don't think-

Karen Kramer:

Yep, I can hear you.

Dean Capelletti:

It's weird, because this actually is an on/off switch. I don't see any, do you see any motion lights?

Karen Kramer:

No, I don't actually. And when you moved, it didn't even come back on.

Dean Capelletti:

Yeah, let me leave the door open until I at least find the-

Dean Capelletti:

Because this on/off switch is just a standard-

Karen Kramer:

Switch this and that didn't work.

Dean Capelletti:

Let me come over here and see if there's anything.

Karen Kramer:

Nope.

Dean Capelletti:

Nope.

Karen Kramer:

I guess I can-

Dean Capelletti:

Yeah, I don't see another switch.

Karen Kramer:

Wonder if the power just went out in here for some reason.

Dean Capelletti:

I don't think so because I've got power here.

Karen Kramer:

So I guess we can move into the chambers if, they seem to have lights on in there. Is that okay with you?

Dean Capelletti:

I'm sorry?

Karen Kramer:

We can move into a chamber, the main area over there. I don't know that anyone's here today, but I can call- Let me call Josh and see what he suggests.

Dean Capelletti:

That's just weird. I'm not familiar with this room enough to figure it out.

Karen Kramer:

Hi, Josh. The lights went off in the room we're in. Any ideas? Okay, thank you. No problem. Thanks, bye.

Karen Kramer:

He said he can fix it somehow, so just give him a minute. Maybe it's on a timer or something.

Dean Capelletti:

Yeah, I don't... Like I said, I think this is my second time in this room.

Karen Kramer:

Yep, whatever he did worked.

Dean Capelletti:

All right.

Karen Kramer:

Okay. So, I never actually turned the recorder off because I didn't want to mess up with the recording. So, go ahead.

Dean Capelletti:

No, it's fine. It's always better that way so it doesn't seem like something happened.

Karen Kramer:

Yeah. Okay, so go ahead. And you were explaining you and ^{REDACTED} got closer.

Dean Capelletti:

So, we got closer. We bonded on different things. Some of it being our heritage, and I really respected what ^{REDACTED} had done in her life to get to the point she's at. So, I just think we became really good friends and at the same time, we were both flirting with each other. Stuff like, hey, I'm cold. I would tell her, "I'm cold, and she was like, "Well, I know how to warm you up," or "I can't sleep," and she would say, "I know how to make you fall asleep." It's innocent, but it's not innocent. So, I'm not going to sit here and tell you that I had no idea what was going on, because I do.

Dean Capelletti:

And then probably about early in the year, we actually both met up. She told me, she had been going back and forth. Well, she would come into the office sometimes and she would ask me if she could touch my hands. And I said, sure. And so she rubbed my hands, and said that she really liked my hands and that there was something about them, since I first started working here, that she liked. And I'm not, I don't have any... I wasn't opposed to her touching me. Something both her and I had shared is that we are affectionate people. We like affection, physical affection. Whether it's hugging, touching, just neither her nor I really had that.

Dean Capelletti:

And so, we ended up meeting. She'd come in and then she'd say, "Oh, I want to tell you something, but I'm afraid to tell you." And I was like, "Well, what do you want to tell me?" She says, "No, I'm afraid to tell you." Okay. So we ended up meeting, I think, in the beginning of the year, and we met together. She had recommended, because I still don't really know the city or the area. And so, we met, is the end of sellers where the new homes are. And we met there and she told me, "Hey Dean, I think we both know where this is headed. And it probably shouldn't go here. I think we're really good friends, I don't want to change the friendships. And if something were to happen, we were going to remain friends." And I said, "I agree, you're 100% correct. We don't want to do anything, and then let's not do anything. Our friendship is too important,"

Dean Capelletti:

So then we were fine. And again, we were still at work. We were completely fine, worked great together. Still flirt, but no inclination that anything more would come with it. Then that grew again, where we started flirting more and then we ended up meeting. She asked me to come meet her one day after work because I was working late. I work late all the time. **REDACTED**, not too far from here. So she asked me to come meet her, and I went and met her. We talked, I remember hugging her after. Or hugging, yeah, hugging her after she left. And explaining to her the next day, or that day, I don't remember exactly, that I was sexually aroused.

Dean Capelletti:

So that led to, again, more flirting and I was talking a big game, or texting, big game, but never thought anything more would come of it. To leads us up to meeting in her car, and this is probably the first time we started kissing. So we kissed, kissed her car. The first time was kind of an awkward kiss because it was... So we'd meet in her car and we'd talk. First of all, it was, really, we're just talking. I know so much about her family and I was more of a, almost, I want to say, I felt like a therapist. So she would share things with me and I enjoyed it. I enjoyed talking to her. She would ask my advice on things, share stuff **REDACTED**, share stuff about her **REDACTED**. And at the same token, she would share stuff with me about work. "Hey, this and this is what they're saying. This and this is what is happening." So, I thought it was a good... I enjoyed the relationship we had. I mean, we used to even call it, that that was our relationship.

Dean Capelletti:

So, we kissed. Kiss the first time, like I said, it's kind of awkward because we had said before that we felt like we wanted to kiss each other, but we hadn't. We ended up kissing. The first time, it was just some kissing, wasn't really that heavy petting. The next time we kissed, it got much, the kissing got much more heated. And she actually started saying, "I want to do more." And she had almost sort of taken off her clothes in the car. And I'm like, **REDACTED**, I'm not going to do anything here in the car. Are you crazy? Are you ridiculous?" She's like, "Okay, but I just want you." And I said, "Okay, well let's get a hotel. If we're going to do something, let's get a hotel. I'm not going to do anything in the car." And she said, "Okay."

Dean Capelletti:

But we didn't do anything for a while from when that happened. At least it seemed like a while. It wasn't like immediate. But right about that time too, so I would almost every day, I'm sending her messages and she's sending me messages. Stuff like, I miss you. And I did, I missed her. I missed her. I missed her energy and I miss being around her. I miss talking to her, miss you. Like the little kissy emojis. And then, I

started feeling, Hey, this is too much for me. I'm getting carried away with this. I'm married. This is not right. And yeah, this is work.

Dean Capelletti:

So then I told her, "Hey, this is too much. I'm putting too much importance on our time together, on us spending time together, and it's got to change." And she's like, "You know what, you're right. But we're still friends." Like yes, we were still friends, and everything went on fine. And then sure enough, we keep flirting with each other and then it gets down to the hotel. And I think the hotel was in March, but I want to be very clear, I don't know these dates. So these are kind of just guessing.

Dean Capelletti:

So the agreed upon was, hey, let's get a hotel. And I told her, "Hey, I just want you to know if we get a hotel, that doesn't mean we're going to do, we're going to have sex." And she, and I think at that time she had been joking because **REDACTED**. So she had told me, and I told her, "Man, I haven't had a massage in a while." So she told me she would give me a massage. So part of the thing was, "Hey, if we get a hotel room, you can just give me a massage. I'm fine with a massage."

Dean Capelletti:

And all of this is, at least I can only talk for myself. I'm saying it, but I don't know if I'm ever really going to go through with it. I'm just trying to be cool. Then get the hotel. Well, clarified that she still wants to go to the hotel. I told her, "Okay, I'll find a hotel. I'll find it nearby." It was an Antioch, and find a hotel. I get the room. She comes, she meets me there. She comes up to the room and we start off like normal, just talking, basically. Starts getting into some heavy kissing, heavy petting, and she ends up taking off her clothes to her bra and underwear. And kiss some more, and then I tell her, I told her I can't do this.

Dean Capelletti:

And I think she thinks that it's like I'm just not getting an erection, that she thinks that I'm having some type of performance issues. Which I mean, I was, but that wasn't it. Or at least in my mind, I'm like, no, I can't do this. This is not going to work. This is not going to happen. But I don't want us to change our friendships. I hope this doesn't change anything the way we're at. I'm sorry, but this is just, I can't do this. And she was actually very understanding. She was, "You know, you're right, Dean. You're right. We shouldn't be doing this."

Dean Capelletti:

And then part of actually what had happened, some of what was going through my mind besides, and I want to say it's obvious, but maybe it's not obvious is the, I'm cheating on my wife. This is fucking work. I should not be here. I've already done too much stuff that I shouldn't be doing. I should not have been texting her, I should not be meeting her in a fucking hotel, I should not be flirting with her. All of those are stupidities that is already accumulating in my head. **REDACTED**

REDACTED And so those are all things that are kind of going through my head. And so I'm like, what am I getting myself into?

Dean Capelletti:

So, nothing happens. We ended up staying there some more. We don't leave right away. Talk. I mean, she gets dressed. We'd laugh, and seems like everything is fine, and then we kind of just continue. Not like nothing happened, but like nothing happened. And what I mean by that is we still, I'm still sending her messages that I miss you. She's still sending me messages that she misses me. We still talk. We would meet at least once a week, if not twice a week, usually would meet after work. I'd hang out in her car. When I ended up getting my truck, we'd hang out in my truck sometimes. And we did not hang out in the first car because it was too small.

Dean Capelletti:

And just talk, do stupid stuff. I mean, we really were like children and that, **REDACTED**

it. So then her and I, when we're at work, we just joke and we'll say back and forth those kinds of things.

Dean Capelletti:

So that's just kind of the, I'm just trying to... Her and I had a... We had a working relationship. She's an excellent employee. Great employee, a hard worker, and I also had to get her to trust me. In that when I first got there... So she-

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Dean Capelletti:

... in that when I first got there, so she had never had the opportunity to **REDACTED** **REDACTED**, and I think she was afraid that I was going to chase her out because she didn't know how to do that. So I had to tell her like, "Hey, I have never been a chief before. I got to learn how to be a chief. You learn how to be **REDACTED**. Let me get you some resources." I gave her the contact information for the **REDACTED**. She knows all kinds of stuff, and so I was trying to get her to understand that, "Hey, I understand you don't know everything, but you want to learn and that's all that matters," and she was. She was great. She would do everything. She would try everything.

Dean Capelletti:

I would give her templates of stuff sometimes if she didn't have everything, and she was also very resourceful. She'd reach out to other agencies. So we had a very good working relationship. We had a very good, I thought, friendship. I was extremely close to her. I would've considered her to be my closest, if not best friend there at the PD, a confidant, and then we would have the flirting that basically after that event in March, I just thought, hey, this is just kind of flirting for us to kind of boast our egos, but we already know we're not going to go past this. We would meet, like I said, at least once a week, twice a week, and then it started getting harder. Work just started getting more and more, so I wouldn't be able to meet her all the time, and then she would start getting upset. "Dean, why are you not meeting me? What's taking these long?"

Dean Capelletti:

I'm like, "Hey, I want to meet you because I really do enjoy spending time with you," and it's a way for me to decompress from work when I come and I talk to her and I can just talk about non-work stuff and just hear her out. To me, it was very therapeutic and I would thank her. "Thank you for seeing me." I don't want this to come off as one-sided that she's just like, "Hey, I want to see you. I want to see you," and I'm like, "Hey, no, I don't want to." That's not true. I enjoyed seeing her. I enjoyed spending time with her in the car, but it got more and more difficult.

Dean Capelletti:

Then it got to where she was, is getting upset. During that time, I'm also saying, okay, well this is ... she's getting upset that I can't see her. Hopefully it's just, she's going to be okay with it, or hopefully she's just going to get over not being able to see me because I'm not getting any less work. I'm getting more and more issues coming up. I've got people on admin leave. I got all kinds of stuff happening and it's just work is becoming worse. I know I'm all over the place.

Karen Kramer:

No, you're good. This is exactly what you should be doing. So you're good.

Dean Capelletti:

Well, it's really not.

Karen Kramer:

Well from my perspective, maybe not from yours.

Dean Capelletti:

From your perspective, but I've been on your side, right?

Karen Kramer:

Yeah.

Dean Capelletti:

If you don't know, I've worked IA. I worked Internal Affairs for four years and I've been an interviewer and I know what the other person ... what I expect the other person on the other side to do is they're going to be, yes, no. They're not going to say anything more. They're going to wait for the question, and you, I'm presuming as the interviewer, you have your list of questions you want to ask. I know sometimes with me, yeah, I would love to have an open-ended question and hope that the person's going to talk, but then sometimes too, for me, they mess up my flow if I have questions that I want to ask.

Karen Kramer:

No, no, no, you're not messing up my flow at all. You can continue please.

Dean Capelletti:

I mean, I know I told Josh, I told Derek and we didn't talk about this at the beginning, but when they kind of told me, and I'm sure they must have started with you, I got notified driving on the way home from

Southern California. I'm in my car. I'm on the 5 Freeway. I don't get great reception, but I kind of just heard like, "Hey Dean, you've been and accused of sexual harassment **REDACTED**, and you're being placed on admin leave." I think you can be empathetic to how that would hit you, right? It hit me like a ton of bricks. **REDACTED**, I knew, okay. I have an idea of what happened with **REDACTED**, and so later on, I ended up talking to Derek and Josh and I tell them, "Hey, look, I don't need an attorney. I'm not going to play that game. I know what I did, and I'm a firm believer in falling on the sword and what happens, happens after that."

Dean Capelletti:

That's why I'm not ... again, I know in my experience, I know usually people are always going to come with their attorneys, and it's been my experience sitting on your end of the table is the attorney, if the person's telling the truth, what is the attorney ... and this is just my perception, is what is the attorney there for? If the person's there to tell the truth, what do you need an attorney for, that they're going to object to something? It doesn't matter. I know what I did. I know I don't have a good reason.

Karen Kramer:

Okay. So was there some point in time where the connection with **REDACTED** ended?

Dean Capelletti:

Yeah. So I think early July. July, I'm supposed to see her. So normally I would see her on Thursdays. I'm here late on Thursday and actually to get to this, I don't know if it matters, but **REDACTED** hates Nancy. Hates her, and actually it's-

Karen Kramer:

Nancy?

Dean Capelletti:

Marquez.

Karen Kramer:

Marquez. Okay.

Dean Capelletti:

Our HR director. Actually, it's a prevailing feeling at the PD, and I don't want to say everybody hates her at the PD, but I would say conservatively, 80% to 90% of the PD does not like her. I don't know if you want me to get into other stuff. I don't know if it's relevant, but I think it kind of might be.

Karen Kramer:

So then you should share it with me, yeah.

Dean Capelletti:

Early on, when I started, and I didn't know this before I started, but I ended up finding out after I'm here, is there was the accusations have been made that Nancy and Brian who was a former city manager had an affair, and that Nancy got all kinds of benefits from being with Brian. This was shared to me by

several different people at the PD, one of them being ^{REDACTED} and ^{REDACTED} had even sent me some article, forwarded me some article that I had to read. This was their belief. I never believed it, but that's just the feeling they have there.

Dean Capelletti:

So I knew that ^{REDACTED} did not like Nancy. I didn't understand why because it was almost hatred from her to where it got to the point that I like Nancy. I've never had an issue with Nancy. I work well with Nancy, and Nancy and I started working more and more together because, so what happened is Paul would go to Nancy. So Paul, I think I didn't tell you, he's my second, right? So Paul would work with Nancy, but Nancy's a director. What would happen is Nancy would tell something to Paul, then Paul would tell me, then I got to come back. So I told Nancy like, "Nancy, this doesn't make sense. We should be speaking director to director."

Dean Capelletti:

Paul had enough other stuff to do, and she's like, "Well, Dean, I didn't want to bug you because I know you have a lot of work going on." I'm like, "Well Nancy, you have a lot of work going on too." So her and I started working more closely together, especially working with getting people hired. There was people going out on medical leave, doing interactive process. So just her and I started working more and more together. As I worked more and more with her, I got along well with Nancy. I get along well with all of HR, and I like Nancy.

Dean Capelletti:

So, there was a couple times that ^{REDACTED} would say stuff about Nancy, and I actually had to tell ^{REDACTED}, "Hey, I like Nancy and I don't have a problem with her." It was kind of an unspoken agreement that her and I would not talk about Nancy, because I knew she did not like Nancy, and she knew that I did like Nancy. I also didn't know how much she didn't like Brian until Brian left. So Brian ended up getting ... he ended up leaving. He's now the city manager in [inaudible 00:39:50]. It wasn't until after he left that she shared how much he didn't like him.

Dean Capelletti:

So the rumor mill over there at the PD, and she shared a lot of it with me, but a lot of it I got from somewhere else, is that supposedly Brian and Nancy ran around the city with a iron fist, and if you crossed Nancy's path, you got chased out of here. So supposedly the story was that both of my predecessors got chased out of here because they crossed Nancy's path. That's the story that was told to me by ^{REDACTED}, and that's the story that many at the PD believe to be true.

Dean Capelletti:

My understanding given to me straight from Brian's mouth, who I believe and true, was that's not the case. My immediate predecessor, and this was actually true, the PD did not like him, and they actually wanted to give him a vote of no confidence to chase him out. Brian ended up taking the bullet and he asked him to leave, but the thing I ended up finding out, and I had told this to Paul is the problem was that everything that my predecessor had deduced in his time, because he had been here much longer than I had, before he became chief he was a captain or something. Everything he said was true. Everything he discovered about the PD, everything he thought about the PD was true, but he just did not know how to deliver the message because he was telling the guys that they were criminals. He was telling the guys that they were walking vomit, just horrible, horrible stuff.

Karen Kramer:

Okay.

Dean Capelletti:

Then the guy before that, the guy who started the PD, he basically ... our PD was created to fail, and he did a horrible job of starting the PD off, and so that's why Brian let him go basically. "Hey, you're not performing." I don't know about [Christensen 00:41:43], who is my immediate predecessor but [Thorson 00:41:51], these are guys, Thorson, and then there's another guy, I don't remember the other guy's name because he worked here at the city, but these are guys that Brian had fired, and what he shared with me is he fired them for just cause, that left the city and now they have a vendetta against the city.

Dean Capelletti:

They're sending out emails. They're sending out the, I don't know if they're called Transparent Oakley or something like that, where they're sending emails to council members, they're sending emails to ... and so a lot of this happened before I got here. There was a big storm, uproar or whatever about some emails that got out accusing Brian and Nancy having an affair, and then Nancy got a house out of it. Just outrageous stuff. The reason I'm going into this is that's the belief over there at the PD.

Karen Kramer:

Right.

Dean Capelletti:

That's what these people think. That's what they think about ... well, I ended up ... I don't know, but I don't end up finding out till later on that ^{REDACTED} is still friends with Thorson. She still talks to Thorson. They talk to each other. They contact each other. They're buddies, and so I don't know if they soured her to Brian. I don't know where she got that, but she doesn't like Brian. She doesn't like-

Karen Kramer:

Okay.

Dean Capelletti:

So that gets me to, so July supposed to see her. I leave work and it's late. I'm supposed to go see her, and as I'm driving out of the PD, there's a car stopped over here, which is weird. There's just a car stopped there waiting to go out onto the street, just with the lights on, just stopped. So I go drive over by the car to see what it is, why is this car there?

Karen Kramer:

In the parking lot out here you mean?

Dean Capelletti:

Yeah.

Karen Kramer:

Okay.

Dean Capelletti:

So in the parking lot here. So, actually it's this way. If you go down this way, it hits a street. I don't know the name of the street yet.

Karen Kramer:

Okay.

Dean Capelletti:

So I normally do not go out that way.

Karen Kramer:

Okay.

Dean Capelletti:

I normally go out right here, get onto Main Street, and so I go to see what this car is doing, just stop there in the middle of the street or the middle of the roadway because we had just recently had people breaking into our city yard. So I go there to see what it is, and the car pulls out, goes ... like almost as soon as I come behind it, it pulls out, and so I follow right behind it to see where it's going. Well as I start following it, I realize, oh, that's fricking Nancy is who it is in that car. At that same time, I look at my rear view mirror, and I've got somebody flashing their high beams on and off, on and off, on and off, on and off, honking the horn. I'm like, "What the hell? Who is this behind me?"

Dean Capelletti:

I stop and pulls up right alongside me. It's **REDACTED** all, "Dean. I saw you." Saw me what? "What are you doing? Where are you going?" She is so angry, I can't even get a word, and plus we're talking car to car and she is just going on. "I can't believe you. I can't believe you were with Nancy. I saw." I'm like, "What did you see? What did you see? What did you see? I don't know what you think you saw." "You never go out this way. Where were you going with Nancy?" I'm trying to explain to her. She goes, "I can't believe this. I can't believe you're going to be with her. I can't believe you're going to ruin our relationship." I'm like, "I still don't understand what you think you saw." "I saw, I know what I saw, and I'm going to go tell them about us."

Dean Capelletti:

I'm like, "Really? You you're going to go tell them this stuff." "I'm going to go tell them. Nancy needs to know because I can't believe you're going to be with Nancy after she was with Brian. That's disgusting." I'm like, "I don't have anything going on with fucking ..." I'm sorry.

Karen Kramer:

That's okay.

Dean Capelletti:

"I don't have anything going on with Nancy." So I'm getting angry, but she is just livid. Livid, livid, livid, and then she just takes off, drives off. Sent her some messages. She sent me some messages. I sent her some messages back and forth, and also we had also been talking earlier, not that week, but before. I

mean, again, we were just friends. We're talking, but every now and then she'll drop a little thing about, "Hey, how are things going with you and your wife?" and, "Hey, things are going fine with my wife and I." We talked more about her relationship with her ex-husband than we did with mine, but anyways, I'm trying to think like what does she think she saw, and why is she so angry?

Dean Capelletti:

Trying to get that in the text across, and so she's certain that Nancy and I have something going on. She says she saw something, which I don't know what she says she saw, especially since I was in my office with Nancy that night, but right next door to my office, excuse me, is the watch commander's office. There were a couple of watch commanders there, and there was people inside of Briefing. So I don't know what she thinks is going on. So all of these things are going through my mind. Like, I don't know what she thinks she saw, and where was she because I didn't even see her. I don't even know where she came out of all of a sudden.

Dean Capelletti:

So I tried to text. She's saying that she's going to tell Nancy, and I'm like, "Why are you going to do this? If you're going to do that, just tell me, I'll go resign. I'm going to go resign tomorrow." I wanted to avoid what happened, which is what happened now, which is basically embarrassing my family and putting them through all of this crap. She's like, "No, Nancy will protect you." She was just all over the place. Doesn't make any sense to me, how she's going from she's going to tell Nancy to now Nancy's going to protect me, and I'm like, "Nancy's not going to protect me. Not going to protect me. She's HR."

Dean Capelletti:

I know I should not have been texting her. I know I should not have been doing anything. I know you have to do that sexual harassment question at the beginning, but I know what I did was wrong. I own that. I already know that basically I've been a big dummy and I screwed up and I'm willing to take the repercussions, but I did not want to have to put my family through what they've been through right now. So that's what I'm trying to convey to her via text, and she's just angry and she is certain that something's going on.

Dean Capelletti:

It was at that point that I realized there's not much I can do. That's a Thursday. The next Friday, I come in. It's not my normal work day, but I come in, I have to pick up some stuff out my office. I see her. She kind of just acts like everything is fine, but we don't really talk at all. She actually has ^{REDACTED} in her office, and then the following Monday, our normal work day ... and now over the weekend, I realize what ... I mean, I know what I've done, but over the weekend now I'm starting to get upset and I'm getting upset because it's like, "Why are you going to drag my family into this? I'm the dummy who did this, and you know what we're doing? Why are we going to involve my family?"

Dean Capelletti:

She comes in on Monday, early first thing, almost first thing as she gets into work and she says, "Dean, I'm sorry for what I said, but I'm not going to say anything. The guys here really like you, so let's just keep working and we're just going to be completely professional from now on." I said, "Okay, perfect," and we were completely nothing. There were no more kissy texts, nothing. From that point on whenever that was in July, that all stopped. The only thing, I texted her one time to ask her if she was

okay, because again, this is talking about who she's supposed to report to, right? So she took the day off. I didn't know. She told Paul that she was taking the day off.

Dean Capelletti:

It's a Friday. Paul's not there on Fridays. She's not coming into work. I asked the girls up front. They don't know where ^{REDACTED} is. Nobody knows where ^{REDACTED} is. So I text her, "Hey, are you okay? Are you coming into work?" Then at the same time I had sent a text to Paul, Paul replies and tells me, "Hey, I'm sorry. She took the day off, and then ^{REDACTED} replies and says, "Yeah, I took the day off." So I just said, "Hey, enjoy your weekend." That was it. Then she had sent me a text before that or after that, some like YouTube video of **REDACTED** that she just said, basically be happy or you look sad or something. That's pretty much after that incident in July, that's the only texts we have.

Dean Capelletti:

So I thought everything was fine, because again, in my opinion, we're working well. Everything is still going good. She was being a little semi-defiant in things, but nothing that I would consider to be over the top and obviously realizing what had happened between us, I'm also going to be careful of what I say or what I do.

Karen Kramer:

Okay. So was there ever any physical contact between you and ^{REDACTED} at work?

Dean Capelletti:

No. I mean, hugging. We hugged. We had hugged at work, but it wasn't very often, and it was actually in front of ... because she would come in every morning and she would hug all the girls at the front desk every morning. I remember being there one time and like, "Hey, I don't get a hug," and like, "Okay, here's a hug."

Karen Kramer:

So was there any hugging in your office?

Dean Capelletti:

No.

Karen Kramer:

So others were always present when you and ^{REDACTED} hugged?

Dean Capelletti:

Yes, but before I say there was no hugging in my office, I want to make sure because I'm not lying. We may have hugged in my office once, but she came in in the morning and gave me a good morning hug. So I'm not going to say that we never hugged in my office. Yes.

Karen Kramer:

Was there ever a point in time where you stood behind her with your hands on her hips kind of around her waist?

Dean Capelletti:

No. No.

Karen Kramer:

Was there ever a time where you rubbed her back at work? Not as part of a hug.

Dean Capelletti:

There may have been.

Karen Kramer:

Why were you rubbing her back at work?

Dean Capelletti:

She had said her back was sore. I think she said she tweaked her neck or something from the gym. It was a, "Do you want me to rub your back?" "Yeah." Okay.

Karen Kramer:

Was there ever an opportunity or a time where you said her something along the lines, "I have something to show you," and you opened your legs?

Dean Capelletti:

I may have. I mean, that kind of goes to the us being flirty with each other.

Karen Kramer:

Okay.

Dean Capelletti:

I mean, not that ... see, this is where it gets weird for me because I don't want to go back and forth, "Well she did this, she did this." I mean, that was, to me, that was both ways.

Karen Kramer:

Explain to me what you mean by that.

Dean Capelletti:

I mean, she would say ... so there was a time that she had actually, I was in her office and this was like early years when she grabbed my ass and she's rubbing my leg, like from my ass cheek and my leg, and she's like, "You're not wearing any underwear." I'm like, "What are you talking about?" "You're not wearing any underwear." I'm like, "How am I not going to come to work with underwear?" I actually ended up sending her a picture of my underwear to prove to her that I got underwear on. She's like, "I still don't believe you," or "Let me come in the office and see." So there was things like that where she would be flirty back.

Karen Kramer:

Okay.

Dean Capelletti:

I'm not taking away from the stupidity that I did, but that's why I also don't want to make this seem like a tit for tat.

Karen Kramer:

Okay. In that July timeframe, after you guys had agreed that you would just be friends, was there ever a time that you rubbed her back?

Dean Capelletti:

I don't think so.

Karen Kramer:

Did you ever tell her that you could unhook her bra with one hand?

Dean Capelletti:

Yeah.

Karen Kramer:

When was that?

Dean Capelletti:

That was early in the year.

Karen Kramer:

Did you unhook her bra?

Dean Capelletti:

No.

Karen Kramer:

When you say early in the year, what do you mean?

Dean Capelletti:

That was back when we were still flirting.

Karen Kramer:

Okay.

Dean Capelletti:

So that was before we ever even got to the hotel room.

Karen Kramer:

Okay. Was there ever a time where you unhooked her bra at work?

Dean Capelletti:

No.

Karen Kramer:

Was there ever a time where you ... you said she had rubbed your butt and commented about underwear. Was there ever a time where you rubbed her butt at work?

Dean Capelletti:

There may have been. I'm not going to say no. It could have happened.

Karen Kramer:

Did you ever put your hands up her skirt and touch her butt?

Dean Capelletti:

No. No.

Karen Kramer:

Did she ever indicate to you that she didn't want any sort of touching between the two of you at work?

Dean Capelletti:

No. No. Never said that. Opposite.

Karen Kramer:

What do you mean by that?

Dean Capelletti:

I mean, she told me she likes me touching her. We both told that to each other.

Karen Kramer:

Even at work?

Dean Capelletti:

Yeah.

Karen Kramer:

Okay.

Dean Capelletti:

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I mean, we weren't really touching each other at work, but I mean, it was kind of a blanket, like, "I like it when you touch me," because like I told you, she would rub my hand. If we went out to lunch, we were driving to lunch somewhere, she would just hold my hand while we're driving.

Karen Kramer:

Was there ever an occasion where you kissed ^{REDACTED} on the lips in the office?

Dean Capelletti:

I think there was one time, yes.

Karen Kramer:

When was that?

Dean Capelletti:

Again, most of this is all happening before. So it's all going to be early year.

Karen Kramer:

Before?

Dean Capelletti:

I say everything to me is before March, because it seemed like March was when we had that, basically we both agreed, we're in the hotel room, like, "Hey, we can't do this." After that, any flirtation was all just verbal. There was no physical.

Karen Kramer:

Did ^{REDACTED} get upset when you kissed in the office?

Dean Capelletti:

No. She I don't want to say instigated it, but-

Karen Kramer:

Okay. Just so I'm clear, I say the office, are you-

Dean Capelletti:

My office.

Karen Kramer:

Your office. Okay.

Dean Capelletti:

My office.

Karen Kramer:

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Well, when you would meet ^{REDACTED} after work, for how long would you spend with her?

Dean Capelletti:

Usually at least an hour. It would range anywhere between, well, I'd say at least an hour. Sometimes a 45 minute, but usually like an hour to an hour and a half.

Karen Kramer:

Okay. You said this occurred one or twice a week?

Dean Capelletti:

Yeah.

Karen Kramer:

You would be in her car most of the time?

Dean Capelletti:

Most of the time was her car.

Karen Kramer:

What kind of car does she drive?

Dean Capelletti:

She had a ^{REDACTE}, and then now she has a ^{REDACTED}

Karen Kramer:

You said there was kissing in the car. Well, let me back up a second. Where were you parked when you would be with her in her car?

Dean Capelletti:

It was a residential street right off of Brentwood Boulevard. Runs parallel to Sunset. I don't know. I mean it's right next to a park. You got kids and people there at the park all the time.

Karen Kramer:

Did you ever park with her in a parking lot? Like a restaurant parking lot?

Dean Capelletti:

To eat lunch.

Karen Kramer:

Okay, but not after work?

Dean Capelletti:

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I don't think so. I mean, not unless you're talking about where I told you the first time we met. The first time we met was across **REDACTED**, but that's not really a restaurant parking lot. I guess if you gave me a specific, I could tell you for sure, but I don't know.

Karen Kramer:

I don't know that I'm pronouncing it correctly, but [inaudible 01:00:38]?

Dean Capelletti:

Yeah. That's right across **REDACTED**. That's where I had told you we met, that was like January.

Karen Kramer:

Okay.

Dean Capelletti:

We actually didn't meet in the parking lot to be ... I mean, it was the street right there.

Karen Kramer:

Okay. Did ^{REDACTED} ever give you a blowjob in ... I'm sorry, not **REDACTED** ever give you a blowjob in the truck or vehicle?

Dean Capelletti:

No. No.

Karen Kramer:

Did ... go ahead.

Dean Capelletti:

I was just at a loss of words. I'm not going to ... I had done some stupid stuff, but I'm not going to be where I'm having a blowjob there in the parking lot?

Karen Kramer:

In your truck?

Dean Capelletti:

No. No.

Karen Kramer:

Prior to the July time frame, had ^{REDACTED} expressed any sort of concerns to you about something going on between you and Nancy?

Dean Capelletti:

Yeah, she would because I was with Nancy a lot.

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Karen Kramer:

Okay.

Dean Capelletti:

Yeah, she was convinced something was going on between Nancy and I.

Karen Kramer:

Did you tell ^{REDACTED} that you had no reason to lie to her about you and Nancy?

Dean Capelletti:

Yeah.

PART 2 OF 4 ENDS [01:02:04]

Karen Kramer:

Any reason to lie to her about you and Nancy?

Dean Capelletti:

Yeah.

Karen Kramer:

And during that same conversation, did you say that the only person that you have to lie to is your wife?

Dean Capelletti:

Probably.

Karen Kramer:

Did you invite Nancy to a Chief's conference in Napa?

Dean Capelletti:

Nancy?

Karen Kramer:

I'm sorry. ^{REDACTED}

Dean Capelletti:

^{REDACTED}

Karen Kramer:

Sorry. I apologize.

Dean Capelletti:

No, she actually invited herself.

Karen Kramer:

Did she go with you?

Dean Capelletti:

No. No. She had actually said that she should meet me there. She wanted to rent a hotel nearby so I could go visit her there at the hotel. I told her no. It's not a good idea. I got people at the hotel. I'm not going to go see you and it shouldn't happen.

Karen Kramer:

Did she go?

Dean Capelletti:

No.

Karen Kramer:

Okay.

Dean Capelletti:

She's saying that I invited her to that? Oh, never mind. I'm sorry.

Karen Kramer:

That's okay.

Dean Capelletti:

You can't tell what they said, but yeah I completely forgot about that. No, I had the Chief's conference in Napa. She knew I was going to be gone for a couple of days. Yeah. She had told me she should come. Hey, this is a good opportunity for us to see each other. You're going to be in the hotel by yourself and this was after the whole March thing. And I said, "No, no."

Karen Kramer:

Okay.

Dean Capelletti:

Yeah. She's I'll rent a hotel room. I can come see you and I was actually... She had something going on with her family too. And so, besides just trying to not make her seem like hey, I don't want this. It's like spend time with your family. You got stuff going on with your family. She was having issues with her **REDACTED** .

Karen Kramer:

Did you ever comment to ^{REDACTED} about another city employee being her lover?

Dean Capelletti:

A few.

Karen Kramer:

Who?

Dean Capelletti:

It was for everyone from... We had [REDACTED 01:04:22]. We had [REDACTED 01:04:23]. Who else was there? There's a few. I mean we kind of joke back and forth on that. It's kind of something everybody at the PD, you either call somebody your lover, your brother, your sister. She was calling Nancy my girlfriend. Oh, Brian had told her that while you said that a PD, but I told her Brian Montgomery was her boyfriend, so there was a few that would be like hey, your boyfriend's showing up or.

Karen Kramer:

And how did she respond when you joked about REDACTED being her boyfriend or her lover?

Dean Capelletti:

The first time she got upset and then after that she just laughed.

Karen Kramer:

Did that continue after you guys stopped flirting in the July timeframe?

Dean Capelletti:

It did but that one actually was that one was started by her because she's like hey, are you going to go see your girlfriend? I'm saying my girlfriend. She goes, "Yeah. Nancy." I'm like, you mean are you going to go see your boyfriend? Before that time it would be kind of just a more... just as the conversation just kind of a flow.

Karen Kramer:

Okay. You mentioned the story, but I just want to make sure. You said something along the lines of telling REDACTED that if she's going to tell me one about your relationship with her you know, let me know so I can resign. What were you thinking at that point?

Dean Capelletti:

What do you mean?

Karen Kramer:

What made you say that if she told anyone, you would resign?

Dean Capelletti:

I guess, can you be more because that seems pretty... That's actually clear to me, so I guess I want to make sure I answer what you want.

Karen Kramer:

What made you think that you would need to resign if she told anyone about the two of you?

Dean Capelletti:

Because I should not have been texting her. I should not have met... It's the perception is not good.

Karen Kramer:

Okay.

Dean Capelletti:

It's I mean, I'd rather resign and if Josh would've asked me what was going on then I'd tell him, and then face the punishment there. I just didn't want... And I know I should have known this before I ever did this, but I didn't want my stupid actions to affect my family and it has. That's what I was trying to avoid.

Karen Kramer:

Okay.

Dean Capelletti:

You know this crap is on social media and the newspapers. I put my wife through. It's just not good. I wanted to avoid that.

Karen Kramer:

Okay. Was there ever a point in time you asked ^{REDACTED} about her plans to retire?

Dean Capelletti:

Yeah.

Karen Kramer:

And what did she tell you?

Dean Capelletti:

She actually told me that she wasn't sure, so we actually had talked about it quite a few times. So when early on we talked about retirement, she had told me that she actually wanted to retire early, but that she really enjoyed working with me, and that she probably retired when I retired. Then later she told me that she was thinking of retiring earlier **REDACTED**

Dean Capelletti:

REDACTED

hey, come work for me. You can come work for me, and why still be at the PD? I'll pay you good. She said she jokingly told him that if you get me a BMW as part of the plan, then yeah, I'll come work for you.

Karen Kramer:

Okay.

Dean Capelletti:

And, so that was the last thing we had talked about was she was thinking that she might be leaving sooner than been staying there.

Karen Kramer:

And when was that last time you had a conversation with her about that?

Dean Capelletti:

I don't remember. I mean it would've been... It would've had to have coincided with whenever ^{REDACTED}

Karen Kramer:

Okay. So, and has there ever been an occasion where you and Nancy kissed?

Dean Capelletti:

No.

Karen Kramer:

Did ^{REDACTED} ever indicate to you that she saw you and Nancy kissing?

Dean Capelletti:

No. All she ever told me was I saw something, which I didn't know what it was she said she saw.

Karen Kramer:

^{REDACTED} also claims that you and she had sex at the hotel. You're telling me that that's not true.

Dean Capelletti:

No.

Karen Kramer:

Any reason you can think of why she would say you guys had sex if you didn't?

Dean Capelletti:

The same reason I can't figure out why she would just come out with this now. I mean I've had two months almost to sit in my house and think why this is happening, and all I can come to is that she thinks that I have something going on with Nancy, and she's upset. That was one theory is she thinks I had something going on with Nancy, and she's upset, and so she basically is going to do everything she can to take me down, especially now when you're sharing some of the stuff that she says I'm doing this. I will own up to all the stupidities I did, but like some of this crap she's coming up with, it's obvious to me that she is just very angry. So, that's one of my theories, which I wasn't sure of until now you shared some of this stuff is that she thinks Nancy and I got something going on, and she's pissed that I didn't have anything going on with her. That's theory number one.

Dean Capelletti:

Theory number two that I had is so towards right before this whole thing came out, so when I first started at work, and I think you can relate to this. I have the low-hanging fruit that I have to address, and then I have the stuff that's going to be a liability. That's all the shit I got to try to figure out. I got to take care of at work. I didn't have time to get to all the little minute stuff. Well, then that starts stuff starts slowing down. That's when I started getting into like personnel. And so, I start realizing that we have not done a good job as an organization of doing background checks on people. Everything is willy-nilly there. I got a background from one of my employees and it was done by one of my sergeants. A Horrible by background. And so, these are just things I'm starting to come... I'm starting to learn.

Dean Capelletti:

And so, these are just questions that I'm asking ^{REDACTED} innocently, but like hey, because she shared with me that she worked for the city, and then when the PD, then they just transferred her over to the PD. So normally, that's going to require anytime you're going to work at the PD, especially if you're going to be in records you should get a polygraph, you should go through an extensive background. I don't know if that stuff happened, but I'm just asking her innocently because I had already seen the background we got from the other two because we just hired a brand new records girl. I don't know if she started yet or not, but I sent them to an actual background investigator who does a full background, right?

Dean Capelletti:

And so, I'm learning that we have not had those backgrounds. And so, I'm asking these questions. I don't know what the background is and it's just a general question. And what had prompted this is we have our insurance company covers our employees when they drive company vehicles but they can drive their own vehicles too. And so, I had gone through that list with Nancy. Nancy showed me the list of everybody. The person on there that wasn't included on there was ^{REDACTED}. And I said, "Hey, ^{REDACTED} sometimes takes her personal vehicle. She'll go, she'll take, she'll go pick up stuff for her meetings. She takes uniforms for us to uniform places. You need to add her to the insurance because I want her covered. I don't want something happening and then she's not included."

Dean Capelletti:

So, Nancy said that she had sent the information to ^{REDACTED} and that was several months ago. The last time I talked to Nancy, Nancy had said, "Hey, she still hasn't given me everything." So, right before this happened, I asked what ^{REDACTED}, "Hey ^{REDACTED} are you going to get that stuff over to Nancy?" Like no Dean, I'm not. Okay. I said, "But you got to understand, now you're not covered by insurance, so I don't want you driving anything for work anymore. I don't want you picking up. I don't want you picking up, you know, cupcakes. I don't want you taking... I appreciate that you do that, but I can't have you do that because..." She goes, "I don't care, Dean. It's okay. I'll be covered by my own insurance." No, I don't want you to do this. I'm telling you right now not to do it.

Dean Capelletti:

And then after maybe half an hour or whatever, we had that conversation in her office. She came into my office and was like, "Dean, am I going to get in trouble?" Like, no ^{REDACTED}, you're not going to get in trouble. If you don't want it that's fine. It's not a big deal. I'm I'm just doing this for you to make sure you're covered. You don't want to do it. That's not a big deal. Don't worry about it. She's she said, "I don't want Nancy to have my information." And so, those are things that started going through my mind, like, what do I even know if she has a valid driver's license? Has anybody checked her driver's

license? Do we know if she, you know because other stuff that happens, you'll get live scan, so then anytime anything happens that your PD does, the agency's going to get notified?

Dean Capelletti:

Hey, so and so was arrested. You get notified as an agency. I don't know if we have that on our employees. And so, these are things I'm starting to find out right before all this happens and these are questions I'm asking.

Karen Kramer:

Okay.

Dean Capelletti:

And so, those are the other things that are going through my head as I'm sitting at home, is are they afraid that I'm going to find something, and is this why they're coming with this all of a sudden? I honestly I have no idea.

Karen Kramer:

Okay. Got it. So from your perspective, I think what you're at least what you've described to me, is that your relationship with ^{REDACTED} was... I'm sorry with ^{REDACTED} was mutual.

Dean Capelletti:

Yeah.

Karen Kramer:

Consensual

Dean Capelletti:

100%.

Karen Kramer:

Okay.

Dean Capelletti:

That's what really... It doesn't make it right. Please, I don't want you to think that I think this is okay, but yeah, it was 100% consensual and it was 60, 70% started by her. I was a willing participant, but I was not the one to start this off.

Karen Kramer:

Okay. Well, what I will share with you is that at least your depiction of it being mutual and consensual was agreed upon by her. She's not alleging that it was not consensual in that regard, so I don't want you to think that she has... I don't want you to leave here thinking that she alleges that.

Dean Capelletti:

Okay.

Karen Kramer:

However, there are allegations that were made by ^{REDACTED} that where there was some behavior that was not necessarily consensual. So, that's what I want to talk to you about now.

Dean Capelletti:

Okay.

Karen Kramer:

Is there anything else you want to talk about with respect to ^{REDACTED} before we shift gears?

Dean Capelletti:

I'm sure there be stuff that comes in my mind after I leave, but not right now.

Karen Kramer:

Okay and you have my card so you can always follow up with me if you think of something. Okay. Have you had any sort of... Well, let me back up. Describe your professional relationship with ^{REDACTED}.

Dean Capelletti:

So, ^{REDACTED} and she actually described this, her relationship with me this way and I would agree. She said I reminded her of her ^{REDACTED}.

Karen Kramer:

Okay.

Dean Capelletti:

That my personality, the way we interacted, and she also said that I was the male equivalent of ^{REDACTED}. She said, "You and ^{REDACTED} you guys were basically the same people. I love being around you guys." ^{REDACTED}, hard worker, great worker. When I started she was **REDACTED**. I was able to get her **REDACTED** and it didn't have to do with me liking her, it had to do with the fact she's a great employee. We were lacking **REDACTED**. I was to talk with Brian, convince him that we needed **REDACTED REDACTED**. She told me she was interested. I told her, "Hey, that's great, ^{REDACTED} **REDACTED**"

She was the only one who made it easy. She applied. She got it.

Dean Capelletti:

So, I would say it was really the three of us that would goof around. It was me, ^{REDACTED}, and ^{REDACTED}. We were like a little trio. We would... Not as much as ^{REDACTED} and I. ^{REDACTED} and I, we were almost attached at the hip, but ^{REDACTED} I mean, we would talk every now and then when she could get away from the front counter to eat lunch, she'd come back to sit at lunch with ^{REDACTED} and I. I considered her to be a friend. I considered her to be almost like a daughter.

Karen Kramer:

Was it a flirtatious relationship?

Dean Capelletti:

No.

Karen Kramer:

Okay. You said it was similar between you and ^{REDACTED}. That's why I was asking.

Dean Capelletti:

Oh, I'm sorry. No, there was never any flirtation. The only person I flirted with there was ^{REDACTED}

Karen Kramer:

Okay. Were there any... Let me back up a second. At any point in time, did you say about ^{REDACTED} something along the lines of, "I don't know why **REDACTED** if she's going to take time off and never be here?"

Dean Capelletti:

Oh, yeah.

Karen Kramer:

What happened? What made you say that?

Dean Capelletti:

I was joking. I mean I was joking early on, so I had that kind of relationship, at least I thought now that you're bringing this up. I thought I had that kind of relationship with ^{REDACTED} where we're joking. All of us would joke around stuff and it would be, in fact, the thing that I had found, and I still don't know to this day if she thought it or not, but we were joking about something. She wanted time off and I said, ^{REDACTED}, "I can't give you the time off." I think somebody else was going to be off. And she says, "Well, I'll just call in sick." I'm like ^{REDACTED} you know you're **REDACTED** And she looked genuinely shocked. She goes, "I am?" I'm like, yeah, you're **REDACTED**. That's normal. I said, "You know before this you were **REDACTED**"

Dean Capelletti:

And she says, "I didn't know that." I'm like honestly, I'm **REDACTED**. I'm always ^{REDACTED} You have to go a year and that was joking. That was like duh, this is basically, this is your time to shine. This is the time you got to be at your best performance because I didn't really believe that she was going to call in sick. Right. That's the way she's joking. Like I'll just call in sick to not show up and I'm telling her hey, come on. This is when you're supposed to be at your best. This is your ^{REDACTED}

Karen Kramer:

Okay, so did you say to her something or say to anyone for that matter, that since ^{REDACTED} started working ^{REDACTED} she works less **REDACTED**

Dean Capelletti:

Nah, I don't know if it was those exact words, but there was definitely that joking going on.

Karen Kramer:

Okay.

Dean Capelletti:

And that was with... I mean that was with her. I mean it wasn't... That was nothing behind her back. That was me joking with her. And some of it was... I mean some of it was conversations with ^{REDACTED} because ^{REDACTED} was getting concerned when ^{REDACTED} was being gone too long and ^{REDACTED} would say... It was weird because ^{REDACTED} you and ^{REDACTED} are like **REDACTED**. But ^{REDACTED} didn't want to tell everything to ^{REDACTED} so she would come and kind of complain to me about ^{REDACTED} because I had made ^{REDACTED} the **REDACTED** because she knew more there. And although **REDACTED** was a **REDACTED** so he's not there all the time versus there all week.

Dean Capelletti:

So, there would be times that she'd come and she'd tell me stuff and I'd be like, do you want me to go talk to ^{REDACTED}? She'd be like no, I'll handle it. Like, okay. But this was kind of a... What I was doing, this is a joking and I thought that's the way it's being taken is we just joke around. We goof around. That's who I am. I goof around a lot.

Karen Kramer:

Okay. Was there ever a point in time you said to anybody, "I make her ^{REDACTED} and now **REDACTED**"

Dean Capelletti:

Yes but no.

Karen Kramer:

Tell me.

Dean Capelletti:

That was actually a discussion with... That was part of a discussion with ^{REDACTED} because I had no idea she's **REDACTED** ^{REDACTED} know if it was verbatim, but during that, I'm like really she's full-time and now **REDACTED**. And ^{REDACTED} was like yeah, I don't know what we're going to do. I'm like, okay. I mean we'll work... We'll make it work but I mean we're already short-staffed. So yeah, that was I'm sure that was in that conversation.

Karen Kramer:

Did you ever see or observe-

Dean Capelletti:

But that was never. That was a conversation only between ^{REDACTED} and I. That was not anything I ever joked to ^{REDACTED} about. That was nothing I ever spoke directly to ^{REDACTED} about.

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Karen Kramer:

Okay. Did you observe ^{REDACTED} ... I'm sorry. Did you observe ^{REDACTED} taking some sort of **REDACTED**

Dean Capelletti:

I don't know. I know she was doing stuff online, but I don't know if what it was. I couldn't tell you for sure. I was pretty lenient on what they did up-front because they got their work done. I mean that was a thing I would tell them too. May I take a drink of water real quick?

Karen Kramer:

No, no, go ahead. I think what you're saying, as long as they got their work done, you were okay with them being online doing whatever they needed to do.

Dean Capelletti:

Yeah because I trusted them. I did not think they're going to be going on some sites they're not supposed to be on it.

Karen Kramer:

Okay.

Dean Capelletti:

So, they laughed a lot. They being **REDACTED**, anyone that was up there. They goofed around a lot. I told them, "I don't care if you guys have fun. I prefer to hear you guys laughing. I just... You guys got to get your work done." And especially I got Nancy coming over because the whole rest of the city is very short-staffed. They have a lot of part-timers. They don't have any full-timers. When they come over here, I can't have all you guys just up here just talking to each other and goofing around. You guys got to work because they're going to tell me how come you **REDACTED** when we're aching and hurting over at the city and you guys are up here goofing around?

Karen Kramer:

Okay.

Dean Capelletti:

But that was just a constant.

Karen Kramer:

Okay.

Dean Capelletti:

Yeah, that was continuous.

Karen Kramer:

Was there... And you mentioned ^{REDACTED} helping out with records. Was there any communication between you and ^{REDACTED} about ^{REDACTED} taking over ^{REDACTED} position?

Dean Capelletti:

No. She wanted **REDACTED** position. I mean so I guess yes. The answer would be yes. And I can dovetail into something else on that.

Karen Kramer:

Sure.

Dean Capelletti:

So, we knew ^{REDACTE} and I don't remember who told me. Somebody had come and told me that ^{REDACT} was going to retire at the end of this year, and I had not heard that from ^{REDACTE} and I talked to ^{REDACTED} said he had another one to two years he was going to evaluate.

Karen Kramer:

Okay.

Dean Capelletti:

I think it was [Jerkawicz 01:24:16] but don't quote me on that. I'm not positive, but somebody told me he was going to retire. And so, ^{REDACTED} had talked to me, she says, "Hey, when ^{REDACT} leaves, I'd like to have his position." And I had said, "Well, I thought you wanted to have ^{REDACTED} position." Because she had told me that early on. So, I don't know if it was shared with you. When I first began, I sat down with every single employee. I brought every single employee into my office. Before, I sent all of them six questions and they came in. They sat. I asked all the six questions and one of the questions was, what are your aspirations? What do you want to do?

Dean Capelletti:

And so, she had shared with me at that time she was still a **REDACTED** shared that she was a **REDACTED**, but she wanted to be a ^{REDACTED}, and she would hopefully someday hope to take over **REDACTED** position. So, she had shared that with me. This is September, October. So, she had come in to talk to me, told me that she wanted ^{REDACTED} position if he left, that she had heard he's leaving. And I said, "Well, I don't even know if we're going to still have ^{REDACTED} position. I haven't had a discussion with the city. I'm still thinking about reorganizing stuff, however, I talked to ^{REDACTED} and ^{REDACTED} is saying she might be leaving sooner than later, **REDACTED**, trying to talk to her getting out of the PD, that **REDACTED**, and she could go work ^{REDACTED}, so if that happens, I think you'd be great in there."

Karen Kramer:

And how did she respond to that?

Dean Capelletti:

She was happy about it, at least she seemed to be. I mean, yeah. I mean I think she's more than capable of doing what she does now. She's like I said, she's a great employee, very bright. And like I told her when I made her **REDACTED**, like ^{REDACTED}, I got big plans for you. I actually talked to her and said, ^{REDACTED}, I need you to help me change the culture here at the PD because right now I have a culture at the PD that everybody at the PD hates the city. It's everything the city does it's anti-city, anti-city, anti-city. I can't have you perpetuate that." And what would happen is I said, "If somebody comes here

and they tell you something negative about the city, don't perpetuate it. Give them a different perspective."

Dean Capelletti:

Like hey, maybe... And this was going off of COVID, so the COVID stuff was the city is requiring them to give proof of vaccination and this was before recent, right? This is March, April, May, whenever the first time was it came out. And so, Nancy sent us an email, hey, you got to give proof of vaccination. ^{REDACTED} is like, well, I'm not going to give him proof and so I tried to talk to ^{REDACTED}, who cares? Give them the proof of vaccination. This is for you. I need you to be one of my champions. I need you to help when people come to you and they're asking you questions, I need you not to be the one to go like oh yeah, let's not do it. I need you to help me out here. That is what I envision ^{REDACTED} to be.

Karen Kramer:

Okay.

Dean Capelletti:

Is help me change any negativity because she is a positive person.

Karen Kramer:

Okay. Was there ever an occasion where ^{REDACTED} saw you and Nancy in Nancy's office after hours?

Dean Capelletti:

Yeah.

Karen Kramer:

And what happened there?

Dean Capelletti:

I don't know. I mean I was in Nancy's office often. She came... In fact, she came, and we heard something, and I didn't know what it was, and it was the postage machine making noise, and so I went, I saw her at the postage machine. I went back to Nancy's office and then she just left. And so when I came back to the city, back to the PD from Nancy's office, actually I said, "Hey ^{REDACTED} what's up? How come you didn't even come say hi? You're over there like a creeper just hanging out in the dark." And she laughed. She says, "Well, I don't want to go bother you and Nancy because I don't know if you guys have anything important going on."

Dean Capelletti:

I said, "If it was important, the door would probably be closed, so if the door's open you should have come and said Nancy or come and said hi. It seems weird that you just go over there." Because it was dark.

Karen Kramer:

What do you mean dark?

Dean Capelletti:

Like dark.

Karen Kramer:

No lights.

Dean Capelletti:

Like no lights. We are in our office with the lights in Nancy's office.

Karen Kramer:

Okay.

Dean Capelletti:

And the copier machine is in a corner and it's dark and that's why I'm saying I'm sitting in Nancy's office and you hear ka-ka-ka-ka, I'm like what is that? She's like, I don't know. I think it's the postage of the machine so I went out of her office, I look and there I saw ^{REDACTED}, so I thought ^{REDACTED} was going to come back after she finished with the postage machine, and say hi, talk to us, but she didn't.

Karen Kramer:

Was the door to Nancy's office open?

Dean Capelletti:

Yeah.

Karen Kramer:

Did you say anything more to ^{REDACTED} when you said to her why didn't you say hi? You were like a creeper in the dark?

Dean Capelletti:

No.

Karen Kramer:

Did you tell or say that something along the lines of I trust you. ^{REDACTED}, I trust you 90% but we can you get closer to a 100%?

Dean Capelletti:

No.

Karen Kramer:

Did you ever have a communication with ^{REDACTED} about trust?

Dean Capelletti:

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90% different? I'm sorry. I'm still on that. No, I don't mean... Besides me telling her I trust her because I do trust ^{REDACTED}. I mean I don't think there was anything specific like I had a conversation. I mean that kind of went with my whole trust conversation was with me, but I was just explained to you with I need her to be, a champion for the city. I can't have her be... We have too much anti-city sentiment at the PD and I trust that she can help me with that.

Karen Kramer:

Okay, so was there a point in time where you... When you had this conversation with ^{REDACTED} about being a champion for the city, did you ask her what her intentions were with respect to her career?

Dean Capelletti:

I don't know if it was at that same time.

Karen Kramer:

Okay.

Dean Capelletti:

Oh, it must have been because that's why we were talking.

Karen Kramer:

And what did she tell you? Is that when she said she was looking at ^{REDACTED} position?

Dean Capelletti:

No, because I already knew she wanted that. I mean that's all stuff that was disclosed to me when we had the one-on-one in September, October. I mean I already know that her... I already knew that her aspirations was to be more than what she's doing and I told her that my aspirations are to have her do more than what she's doing, so that's never faltered.

Karen Kramer:

So, but what was the... When was it that she asked you about ^{REDACTED} position specifically?

Dean Capelletti:

The first time was when-

Karen Kramer:

Back in September.

Dean Capelletti:

Yeah, yeah.

Karen Kramer:

Okay. Was there a second time?

Dean Capelletti:

Well, no. I take that back because at that time it was she wanted ^{REDACTED}RE position. ^{REDACTED} position was later whenever she had heard that she thought he was leaving.

Karen Kramer:

Okay and so was that around the same time frame that you told her you wanted her to be a champion for the city?

Dean Capelletti:

I think the champion for the city was before that.

Karen Kramer:

Okay and so during the conversation-

Dean Capelletti:

Because the ^{REDACTED} stuff was late, was more recent.

Karen Kramer:

Okay.

Dean Capelletti:

The champion for the city was when we were having that whole thing with the having to give the initial because I think they've done it again, but it was the initial if you guys got your vaccination, let me know, so that's March, April. That's when I had that I need to be because she was one of the people that was pushing back on it.

Karen Kramer:

Okay.

Dean Capelletti:

Because she was asking me about HIPAA and how come they can request our vaccination? I don't want them to have my information. I said, "This is not a HIPAA thing. This is they need that information. This is different. This has nothing to do with, in fact, they've come back that COVID does not fall underneath HIPAA. And she says, "Dean, I work for **REDACTED**. I know this is a HIPAA violation." It's not. Can you do me a favor? Can you please because I think the communication was going back and forth between either her and Nancy or her and Gabby.

Karen Kramer:

Who's Gabby?

Dean Capelletti:

Gabby is Nancy's assistant.

Karen Kramer:

Okay.

Dean Capelletti:

She also works in HR. I had told her, "Hey, can you just please? I don't know everything that your medical records because I know you worked. I don't know that stuff, but can you talk to them directly? You email them, get the stuff."

PART 3 OF 4 ENDS [01:33:04]

Dean Capelletti:

I don't know that stuff, but can you talk to them directly? You email them, get the stuff worked out, explain to them your position on this, but I need you to, when people come in to ask you because they know you work **REDACTED**, I don't need you to be telling them, "No, don't do this or that." That's the whole be a champion.

Karen Kramer:

Okay. Was there ever a point you said to her something along the lines of, "I can help you move up in your career if you help me bridge the gap between the police department and Nancy?"

Dean Capelletti:

No. That's completely false. It's, again, taking pieces of conversations or just complete lies. "I can help you," was never told to her because it was not me helping her. She's a great employee and she deserves to get a better position. It has nothing to do with me helping her. That's her own work. That's why I told her that I could see her taking over the best position. That's why I gave her **REDACTED**, because that's on her own capabilities. Never, "I can help you get this." Never did I talk to her about, "I need you to help me bridge the gap with Nancy." The gap was with the city. Nancy was, when I told her to talk to Nancy about emailing back and forth with the COVID stuff. I'm sorry, but this is all materializing now to me.

Karen Kramer:

What do you mean?

Dean Capelletti:

Just based on your questioning, and I know you can't share with me everything that has been told by them, but I've got... Excuse my French, but I fucked up with **REDACTED**. I should've never emailed her. I should've never met with her. I should have never texted her. I should have never done any of that stuff, even flirted. None of that stuff, 100%. That's **REDACTED** and I. Now, **REDACTED** obviously hates Nancy. **REDACTED** thinks that I have something going on with Nancy. She's super tight with **REDACTED**, and now, **REDACTED** is coming up with all this crap and pulling Nancy into stuff too, and somehow, I'm guessing just to make it worse for me.

Karen Kramer:

What would be **REDACTED** motivation to do that?

Dean Capelletti:

Are you kidding? She loves **REDACTED**. She had told me before, and I had told her... **REDACTED** grew up. I used to call her **REDACTED**, which **REDACTED** stands for **REDACTED** because, when I first met **REDACTED** she told me she was

from **REDACTED**. I'm guessing you're familiar with the **REDACTED** is a rough area, and so I used to give her a hard time because I knew what **REDACTED** was. I'm like, "Oh, you're a **REDACTED** **REDACTED**." Then, she clarified, "Okay, I'm not really a **REDACTED** girl." I had even told her one time, I'm like, **REDACTED**, you are very..." Trying to think of it. I don't know if you can relate to this. I grew up... **REDACTED** culture is one thing. **REDACTED** culture in a poor neighborhood, **REDACTED** culture with gangs, is another thing. Okay?

Dean Capelletti:

I grew up in a Hispanic area in Montebello, in Southern California. I saw gangs created around me. I know the way they work. I know the way they think. Besides having your Latino culture where you're always very committed to your family, your friends are like family. You would die for them. Right? It's that whole blood in, blood out. I saw that with **REDACTED** because what her growing up was. I had even told her that, "Hey, you're very old school, OG." She goes, "What do you mean by that?" I'm like, "You're down with your homies. If somebody needs a body buried, you're going to be the one that buries it for them." She was like, "Yeah, I am."

Karen Kramer:

What does old school OG mean?

Dean Capelletti:

OG is original gangster. That's when you talk about stuff in the neighborhood, gang stuff. It's that, "Hey, you're an OG. You're old school. You're down for your cause. You're down for your neighborhood." She had told me, "Yeah, I would put... Close people, like my friends and my family, I will lie for them. I will do whatever I have to do for them." That's just... She admitted that that's the way she is. That's before anything... That was just a casual conversation. That wasn't me trying to insinuate anything. I had realized that's who she was.

Karen Kramer:

Okay. Was there ever an occasion where... Let me back up a second. There was a promotional ceremony that took place in August. Did you attend that?

Dean Capelletti:

Yeah, I'm the one who put it on.

Karen Kramer:

Okay. Were council members present too?

Dean Capelletti:

Only one showed up. George was the only one that showed up, unfortunately. George Fuller.

Karen Kramer:

Okay. Did-

Dean Capelletti:

I'm sorry. I'm confusing that. I had a promotion ceremony...

Karen Kramer:

In August. The pinning?

Dean Capelletti:

Yeah. The only one that showed up was George because, after that, everybody was already there and I had the two guys wait. George was the only one that was there in the audience.

Karen Kramer:

Okay. Got it. What about there was... Was there some reception or something that happened after?

Dean Capelletti:

Yeah, a small one. It was before and after.

Karen Kramer:

Right. Was George the only one there at the reception part?

Dean Capelletti:

Yes.

Karen Kramer:

Okay. Were the **REDACTED** members present?

Dean Capelletti:

Yeah, everybody. I tried to have everybody I could from the PD.

Karen Kramer:

Okay. At any point in time during that ceremony or after the ceremony, did you put your foot between **REDACTED** legs, wiggle your foot, and say something about not shining your shoes enough?

Dean Capelletti:

No.

Karen Kramer:

Did you ever do that on any occasion?

Dean Capelletti:

No.

Karen Kramer:

To anybody? Not just **REDACTED**

Dean Capelletti:

No. With that is... I could guess on that. On that, my leather gear, my belt, my boots, everything is very, very shiny. Mirror. Almost like a mirror. That's unique, I've learned, to Southern California. Here in Northern California, the cops don't really do that. That day, I had polished my shoes again, because I liked them to look like glass. ^{REDACTED} actually commented, "Man, chief, your boots and everything look so shiny." I told her, "Yeah, the guys back at La Habra, where I came from, used to goof around and say that they like to try to get their boots as shiny as they could, hoping that they could see under girls' dresses."

Dean Capelletti:

I did not put my foot under anybody's...

Karen Kramer:

Did you do that in any event on any occasion?

Dean Capelletti:

No.

Karen Kramer:

Did you, at any point, say something along the lines of, "Clearly I didn't shine my shoes well enough today, since I can't see up your dress?"

Dean Capelletti:

No.

Karen Kramer:

Okay.

Karen Kramer:

Was there ever an occasion where you rubbed ^{REDACTED} back?

Dean Capelletti:

No, I don't think so. No. I hugged ^{REDACTED}

Karen Kramer:

On how many occasions did you hug ^{REDACTED}?

Dean Capelletti:

Maybe two to three times. The first time was when she came in, when I told you ^{REDACTED} would hug everybody that was there, so I hugged ^{REDACTED} hugged ^{REDACTED}. The next time was probably that same week. Again, I just happened to be there when ^{REDACTED} came in and then, after that, there was never really an opportunity, or it just seemed awkward or forced. I wasn't going to be the one to initiate it, and she wasn't. The last time I hugged her was actually the week right before this happened. We had a traffic collision where a young boy was killed. I could tell that she was visibly upset, and I asked her if she wanted a hug, and she said, "Yeah," and I hugged her.

Karen Kramer:

Just so I'm clear, the first and second time hugs you talked about was when you were just hugging
REDACTED and other admin people at the time?

Dean Capelletti:

Yeah.

Karen Kramer:

Okay.

Dean Capelletti:

I never just hugged her by herself or anything like that.

Karen Kramer:

Okay. You said the last time is with the traffic accident. Did she, at any point in time during that hug, try to pull away?

Dean Capelletti:

I don't think so. I didn't get that feeling. I've never hugged anyone, besides family, without asking them first. Either they initiate it, or I ask, "Do you want a hug?"

Karen Kramer:

You asked her if she wanted a hug?

Dean Capelletti:

Yes.

Karen Kramer:

And she said yes?

Dean Capelletti:

Yes.

Karen Kramer:

Okay. Was there any communication with REDACTED during this timeframe about her becoming the department's PIO?

Dean Capelletti:

Yes. She had told me that. During that time, I actually had shared with her... We had the kid that was killed, so I came over here working with Josh, Nancy, and Amy, mainly Amy. Amy worked for Nancy. Amy's our PIO, she does all our social media. I came over here and I said, "Hey, the media wants a statement. I want to go, I want to say something." That's just me. That's my demeanor. I want to go on and say something, "Sorry for your loss." I'm talking to Nancy and Amy, they basically said, "Hey, that's a

bad idea. There's no good that's going to come of that. It's just a no win, because they're going to ask you a question and then it's going to be harder to..." At that point, we're already getting... On social media, there's already stuff coming out that, "The city is responsible. It's the city's fault that this happened. The city is going to be liable." On and on and on.

Dean Capelletti:

The city's already being painted as a villain. You have an innocent life that's lost. Nancy and Amy basically said, "Hey, it's not a good idea." It went against my gut. It bothered me. Again, like I told them, "Hey, you guys are the experts on this. If I'm not going to follow your advice, then why have you here? So if you guys don't think I should, then I won't." Then, I came back and ^{REDACTED} said she had a reporter that was coming. She was at the front desk, ^{REDACTED} was. She says, "Hey, I have a reporter coming. They want a statement. Do you want to talk to them?" I said, "No, I don't." Then, actually, I could see that she had a puzzled look on her face.

Dean Capelletti:

Like I shared with you, I respect **REDACTED** is a great employee, and I'm really big on... I don't like to just tell people what to do. I want them to understand the why. Right? I went up there and I said, "Hey, ^{REDACTED}. I'm with you. It goes against my gut to not say something to them, but you got to understand that, sometimes, you can't say stuff for the city." I was told by Nancy and Amy that I shouldn't say anything, and so I've got to... My goal is to protect the city, so I'm not going to say anything. Her question was, "Whatever made Nancy the PIO?" I said, "I don't know if she went to PIO school or something. I have no idea. She's the PIO."

Karen Kramer:

Wait, is Nancy the PIO for the city then?

Dean Capelletti:

Mm-hmm (affirmative).

Karen Kramer:

Okay. Got it.

Dean Capelletti:

Yeah. She's the HR. Nancy does a bunch of stuff.

Karen Kramer:

Okay.

Dean Capelletti:

I said, "I have no idea. Nancy was a PIO." She's like, "I could be the PIO, or I could do the social media." I said, "Ah, it's not that great of an idea. I come from an agency where we had a very robust social media presence. I can tell you, this is easier for us because you need **REDACTED** to be monitoring it, to see comments that come in, then you're going to have to pay the cost to maintain all those emails, because you can't just erase them. You can't just delete comments. I like the way it is right now. I've been working with them. We're getting more stuff out than we used to

before, because when I first came, hardly anything was ever put on the PD." She had said, "I would like to do that." I'm like, "Okay."

Karen Kramer:

Okay.

Dean Capelletti:

I didn't discuss it with her because I really don't want to go down that road. I did not want to have... I like the way the social media is right now, where I let the city handle it. Having come from another agency, that almost requires a whole other person.

Karen Kramer:

Got it. Was there ever an occasion where you poked ^{REDACTED} breast?

Dean Capelletti:

No.

Karen Kramer:

You never touched her breast, or did a [inaudible 01:47:55] like that?

Dean Capelletti:

No. I scared... I used to scare everybody. I have never touched her breasts.

Karen Kramer:

What do you mean you used to scare everybody?

Dean Capelletti:

Boo, I'll scare... Usually, I would scare ^{REDACTED} when she's in the office with ^{REDACTED}, where it actually became a challenge. ^{REDACTED} had, and I'm sorry to laugh, but it's funny in that ^{REDACTED} said, "Hey, you can't scare me all the time." When I would scare them, ^{REDACTED} reaction was over the top, and that's why I laughed. She literally would jump off the chair. ^{REDACTED} like, "You can't scare me, if you really want to." ^{REDACTED} was like, "No, please. I don't want..." I'm like, "Oh, now you're challenging me." ^{REDACTED} like, "No, please. I'm not part of this. I don't want to be part of this challenge. I don't want to be scared." That's where I'm going with the poking. I'm trying to think if I ever scared or actually came up and poked her in the side and scared her. I don't think I had, but I definitely never touched her breasts.

Karen Kramer:

Okay. Was there ever an occasion where you stared at ^{REDACTED} from across the office?

Dean Capelletti:

What do you mean?

Karen Kramer:

Just she's sitting at her desk and you're just staring at her?

Dean Capelletti:

I can't see her from my desk where I sit down.

Karen Kramer:

I know. You don't necessarily have to be at your desk, but just when you're standing up somewhere or somewhere else in the building or in the area?

Dean Capelletti:

No, most of the time I go up there and I'll go stand there while they're both on their, **REDACTED** **REDACTED**, are at their computers, I'll go stand behind them. I'll just stand there, purposely quiet. They're talking, and then they stop talking, and then they're looking at me like, "Okay, what, Chief?" Then, I just start laughing like, "Oh no, I'm just up here. Just seeing what you guys are doing."

Karen Kramer:

Okay. Did you ever stare at **REDACTED** from your office?

Dean Capelletti:

No.

Karen Kramer:

Did you ever tell jokes of a sexual nature in the office?

Dean Capelletti:

Probably.

Dean Capelletti:

I remember one time in particular, **REDACTED** had actually told me that she had talked to her husband about if he would sleep with anybody for money. I guess she said her and her husband have some pact that there's certain people you could sleep with and it doesn't count as cheating. **REDACTED**. Somehow, that had led into... She's telling me that... The other thing that **REDA** had shared with us... We had a homeless lady outside that the guys were dealing with that was just really dirty. **REDACTED** had told us jokingly, I'm pretty sure she was joking, she was talking with one of the officers like, "Hey, if you give me enough money, I'll lick her armpits."

Dean Capelletti:

We're like, "What?" **REDACTED** basically like, "Hey, for the right amount of money, I'll basically do anything." The reason why I say that is that leads into the conversation she was having with her husband about if there's somebody that you can sleep with. Like I shared with you, **REDACTED** did not like Brian Montgomery, and obviously doesn't like Nancy. **REDACTED** shared that. She said, "Hey for the right amount of money..." Their thing was is, they would talk amongst themselves, **REDACTED** and **REDACTED**, and **REDACTED** would be like, "I don't know why Nancy would sleep with Brian." They'd be like, "Probably because Brian helps her out. He got stuff for her."

Dean Capelletti:

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REDACTED would be like, "For the right amount of money, I would sleep with Brian." REDACTED would be like, "There's no way he would sleep with her," and REDACTED said that she would. This leads to that thing where she basically said, "I would sleep with Brian for the right amount of money." We actually went and we did a survey, meaning we went and we talked to Paul who was there in the office, if he would do that, and he said, "No way." Then, talked to REDACTED, and REDACTED had said, "No way."

Karen Kramer:

You asked Paul if he would sleep with Brian?

Dean Capelletti:

No, it was if he would let his wife basically for the right amount of money, like a swap thing. That's just going into... Again, it doesn't justify it. I know it's not right to be goofing around like that, but that's just that. I also don't want to paint a picture that we're just goofing around doing sexual jokes all day, at least not while I was there, that's not going on either.

Karen Kramer:

Okay.

Dean Capelletti:

If you were to say, "Did I say something jokingly?" I can't say I didn't. I would say, "I may have."

Karen Kramer:

Okay. Did you ever tell REDACTED [inaudible 01:53:02] that he should have sex with REDACTED because she's always stressed and doesn't get any?

Dean Capelletti:

Actually, he told me that's what they had told her.

Karen Kramer:

Who told him that?

Dean Capelletti:

I don't know, some of the guys,

Karen Kramer:

Okay, but you didn't tell him that?

Dean Capelletti:

I said, "Why wouldn't you?"

Karen Kramer:

Did you make any comments about an employee, REDACTED about his testicles?

Dean Capelletti:

No.

Karen Kramer:

Did you say something along the lines of, "Imagine his balls or testicles in your mouth or on your face?"

Dean Capelletti:

No, I don't even... No. To who?

Karen Kramer:

Some of the girls in the office.

Dean Capelletti:

No.

Karen Kramer:

Did you ever say to anyone, "I like my coffee like I like my woman, tan and sweet?"

Dean Capelletti:

Yes. I say that all the time.

Karen Kramer:

Did you ever say in the office a comment about someone being so hard, in the context of them being turned on?

Dean Capelletti:

No.

Karen Kramer:

Have you made comments about any of the employees' appearance in the office?

Dean Capelletti:

Can you be more specific?

Karen Kramer:

Just, "She's hot, she's..." Whatever. Just something about her? Physical appearance?

Dean Capelletti:

Something sexual? No. I might've commented, "Hey, your hair looks nice today," or, "I like your dress." Nothing sexual in nature. I did notice when ^{REDACTED} would change her hair, or **REDACTED** any of them. I notice if they got a different hair color, if they got a different hairstyle.

Karen Kramer:

Okay.

Dean Capelletti:

Yeah.

Karen Kramer:

What about the... Was there some sort of picture contest that was taking place?

Dean Capelletti:

Yeah, we had several of them.

Karen Kramer:

What was the picture contest?

Dean Capelletti:

Which one? We've had a few of them.

Karen Kramer:

The one with the baby pictures and high school pictures.

Dean Capelletti:

That was it. Basically, submit a... I forget if that was **REDACTED** idea, because they're usually the ones that came up with the picture idea. It was just submit a picture of you as a teenager and then a submit a picture of you as a baby. Basically, we put them up on the TVs and see if we can guess who's who.

Karen Kramer:

Okay.

Dean Capelletti:

We didn't have very many entries. I think we had six or something. It was pretty sad.

Karen Kramer:

Did you have any communication with ^{REDACTED} about that at all? About her picture?

Dean Capelletti:

Yeah, she sent me her picture.

Karen Kramer:

Was she reluctant to do so?

Dean Capelletti:

Didn't seem like it.

Karen Kramer:

Okay.

Dean Capelletti:

No. She was really big on the whole picture stuff. That was her driving stuff. Again, I'm making a bunch of presumptions here. I'm presuming if you're saying that ^{REDACTED} is saying that now, suddenly, I'm asking for pictures. ^{REDACTED} is sending me pictures unsolicited, and it's nothing sexual.

Karen Kramer:

No, I wasn't suggesting that.

Dean Capelletti:

All right.

Karen Kramer:

No. In response to this picture contest, when you received ^{REDACTED} picture, did you respond in any way?

Dean Capelletti:

No. I'm getting into my own privacy. How am I going to respond in any way?

Karen Kramer:

Did you respond, "Pretty then, pretty now?"

Dean Capelletti:

No. That's actually everybody else was saying that about her. Yeah, no, that was actually something that...

Karen Kramer:

Did you ever invite any city employee to your hotel room when you were staying at the hotel?

Dean Capelletti:

No. No city employees ever went to my hotel.

Karen Kramer:

I'm not saying that they did go, I'm asking if they were invited to go.

Dean Capelletti:

No, I didn't even invite anybody. Nobody was invited. Nobody showed up. The only city employees that were ever close to my hotel room were my officers, when they were dealing with other people in the hotel.

Karen Kramer:

Okay. I don't think there's anything else that I need to go over with you, Chief. Is there anything that you want to share with me before we finish up today?

Dean Capelletti:

No, I'm just disappointed.

Karen Kramer:

Disappointed about what?

Dean Capelletti:

The obvious is disappointed in myself that I put myself in this position. I don't blame anybody but myself for the stupidity I've done. But I'm disappointed really in some of these things that were being said, or I'm presuming, that are said. I don't think you're just making up questions to ask me, so I have to...

Karen Kramer:

I do not do that.

Dean Capelletti:

I know, that's what I'm saying. I have to presume that these are things that are being said, and then that's where I'm disappointed.

Karen Kramer:

Okay.

Dean Capelletti:

They're just not the people I thought they were.

Karen Kramer:

Okay. What I'm going to do at this point then is conclude the interview. You gave me your cell phone number, the ^{REDACTED} number. If I have any up questions, is that a good way to reach you? I gave you my business card, so you know how to reach out to me if you think of anything else. Feel free to do so. My email address is there. Is there a good email address for you?

Dean Capelletti:

REDACTED

Karen Kramer:

Got it. That's **REDACTED**. Okay, and then ^{REDACTED}. Okay. What I'm going to do at this point then is I'm going to conclude the interview. We've been going about two hours. It looks like a little under two hours. If you think of anything, feel free to reach out.

Dean Capelletti:

Likewise, if you come up across something... I'm guessing you're going to transcribe everything and if you come up against something, and you're like, "Hey, I don't understand this. Can you clarify?" By all

means, let me know. If I need to meet you, or however, to make sure it's recorded, I'm perfectly fine with that.

Karen Kramer:

Yeah. I think what we can probably do if I need to do that is we could probably just do it via video. I've gotten pretty adept at doing the video interview with recording and all of that in the past year and a half.

Dean Capelletti:

I guess we should keep this on, because I don't want to stop it and be like, "Hey, why did you stop it?" Just on a personal note, thinking about when I've had to do my investigations, how do you do that on video? I'm thinking like, I like to have the person there so I can see them. I can read them, their physical cues. I was really big on anytime I interviewed somebody, I never had a table in front of us. I'd always move the table.

Karen Kramer:

Yeah. I don't rely on demeanor. I rarely rely on demeanor. There're other factors, credibility factors, that I can rely upon to do that. Video certainly is not ideal in all situations but, during the pandemic, it was a means to an end. It was a way to do what we had to do. In some cases, it's super easy and convenient, especially when I'm interviewing somebody that I'm more of a third-party witness, but it depends on the nature of the allegations. It's all on... We're using our speaker, so I can use the recorder. I don't do a video recording. It's all done with an audio.

Dean Capelletti:

Gotcha.

Karen Kramer:

Yeah.

Dean Capelletti:

I was just wondering. I was trying to think if I had to adapt that way, because we've had to adapt to everything. Right?

Karen Kramer:

We did.

Dean Capelletti:

Yeah. I was like, "How would I do that if I had to investigate somebody?" Even when you have the courtroom testimonies now, you've got them talking to a judge.

Karen Kramer:

It's on Zoom and everything. Yeah, you do what you have to do to make life continue. Right?

Dean Capelletti:

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Yeah.

Karen Kramer:

It is what it is. Okay. Again, thank you for your time. I'm going to turn the recorder off now.

Dean Capelletti:

Okay.

PART 4 OF 4 ENDS [02:01:35]