



THE CITY OF SAN DIEGO

M E M O R A N D U M

DATE: 01/25/21  
TO: Jeremy Huff, Police Officer II, ID #6929  
FROM: David "Bryan" Brecht, Lieutenant, Neighborhood Policing Division  
SUBJECT: Written Warning

On February 25, 2020, at approximately 0530 hours, you and Officer [REDACTED] responded to 11000 Black Mountain Road in reference to a "Get It Done" complaint regarding subjects sleeping on the pedestrian bridge. You contacted a transient male, later identified as [REDACTED] sleeping on the pedestrian bridge. You conducted a computer check on multiple law enforcement computer systems and discovered [REDACTED] had an outstanding warrant. Officer [REDACTED] and you attempted to take [REDACTED] into custody, but [REDACTED] immediately pulled away from both of you. [REDACTED] resisted being handcuffed by pulling away and tensing his arms.

During the struggle with [REDACTED] you were struck in the face and believed [REDACTED] hit you. In response to the assaultive behavior and to defend yourself and overcome resistance, you delivered three to four closed hand strikes to [REDACTED] face and subsequently fell to the ground with him. Once on the ground, [REDACTED] refused to present his arms and comply with orders despite multiple commands to stop resisting. After 20 seconds on the ground, you struck [REDACTED] in the face with your fist for the fifth time despite him only presenting active resistance at the time.

Your application of force, specifically the fifth strike to [REDACTED] face, was in response to [REDACTED] active resistance and his level of resistance while being taken into custody. By delivering a closed fist strike to [REDACTED] face, you used defending force on a subject who although you had previously believed exhibited assaultive behavior, was now only displaying active resistant behavior. The force used by you in this manner was not reasonable, proper, or justified.

Additionally, during the same incident you also failed to adhere to Department Procedure 1.49 when you failed to activate your Body Worn Camera (BWC) during the arrest of [REDACTED]

You have violated Civil Service Rule XI, Section 3(d), in that you have violated the following lawful or official regulations:

- a. San Diego Police Department Procedure 1.04, Use of Force, Section III. (Dated January 23, 2019) states in part: "Penal Code section 835a(b) authorizes an officer to use reasonable force to make a lawful arrest, prevent an escape, or to overcome

resistance. Officers are not required to retreat or desist from their efforts by reason of resistance or threatened resistance of the person being arrested. The decision to use deadly force in response to a perceived imminent threat of death or serious bodily injury to the officer or another person is one of the most critical decisions an officer will ever be called upon to make. Only force that is reasonable to overcome resistance may be used to effect a detention or an arrest, or take a person meeting the requirements of Welfare and Institutions Code section 5150 into protective custody.

The U.S. Supreme Court in *Graham v. Connor*, 490 U.S. 386 (1989), acknowledged that the "reasonableness" test in analyzing the use of force is "not capable of precise definition or mechanical application." For that reason, in determining whether an officer's use of force is reasonable in a particular case, it is necessary to evaluate the facts and circumstances confronting the officer at the time that force was used. All of the surrounding circumstances will be considered, including whether the subject posed an imminent threat to the safety of the officer or others, the severity of the crime at issue, and whether the suspect actively resisted arrest or attempted to flee.

The evaluation of an officer's use of force will be undertaken from the perspective of a reasonable officer on the scene, not through the 20/20 vision of hindsight. The central inquiry in every use of force case is whether the amount of force used by the officer was objectively reasonable in light of the particular circumstances faced by the officer."

You violated the above section when you struck [REDACTED] in the face a fifth time while on the ground after he exhibited 20 seconds of active resistance. By delivering a closed fist strike to [REDACTED] face, you used defending force on a subject who although you had previously believed exhibited assaultive behavior was only displaying active resistant behavior at the time. The fifth strike that you delivered was not within the San Diego Police Department's Use of Force Policy and Procedures and not consistent with instruction provided at the San Diego Regional Police Academy and not consistent with instruction provided at San Diego Police Department Advanced Officer Training.

- b. **San Diego Police Department Procedure 1.49-Axon Body Worn Cameras, Section V., Procedure, Subsection I. Mandated Recordings, Subsection 1.b, (Dated March 8, 2018) states in part:** Officers shall use the Event Mode to record enforcement related contacts. The Event Mode shall be activated prior to actual contact with the citizen, as soon as safely possible thereafter, and continue recording until the contact is concluded or the contact transitions from an enforcement contact into intelligence gathering.

You violated the above section when you failed to activate your Body Worn Camera during an enforcement related contact.

You are hereby directed to report to In-Service Training for remedial Use of Force Training and Report Writing no later than 30 days from the service of this Written Warning. You are directed to notify your immediate supervisor as to the scheduling and completion of the aforementioned training.

You are hereby notified that any further instances of misconduct or poor performance may result in more serious disciplinary action, including termination.

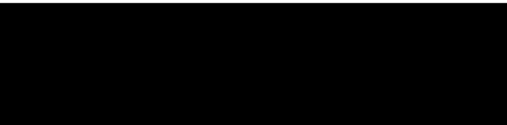
Previous disciplinary actions include:

- None

You have the right to appeal this Written Warning to the Chief of Police. Appeals must be submitted in writing to the Chief of Police within ten (10) working days of receipt of this notice. Failure to make written appeal within the ten (10) day period will be deemed a waiver of your right to appeal this disciplinary action within the Department.


Attached are copies of all reports and discipline applicable to this action. These reports are listed below:

1. Copy of Internal Affairs Investigation IA 2020-0125




David "Bryan" Brecht  
Lieutenant

This Written Warning has been discussed with me and I have received a copy.

  
\_\_\_\_\_  
Jeremy Huff, Police Officer II

\_\_\_\_\_  
1/25/21  
Date

  
\_\_\_\_\_  
Scott Wahl, Captain

\_\_\_\_\_  
1/25/21  
Date



City Of San Diego

RECEIVED  
20 NOV 18 AM 9:51  
INTERNAL AFFAIRS

## MEMORANDUM

**DATE:** September 14, 2020  
**TO:** Scott Wahl, Captain, Neighborhood Policing  
**FROM:** Albert Guaderrama, Executive Assistant Chief of Police  
Via Mike Holden, Captain, Internal Affairs  
**SUBJECT:** Completed Internal Investigation

**CONFIDENTIAL:** THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR THE CITY ATTORNEY.

**IA INDEX FILE NUMBER:** 2020-0125  
**SUBJECT OFFICER:** HUFF, Jeremy D., Police Officer II, ID #6929  
**NATURE OF COMPLAINT:** 1. Force 2. Force 3. Procedure  
**DISPOSITION:** 1. Exonerated 2. Sustained 3. Sustained

Per California Executive Order N-40-20 (Dated 3/30/2020), Section 15, "The deadline specified in Government Code Section 3304(d) for opening and completing investigations of alleged misconduct by public safety officers is extended by 60 days.

With this 60 day extension, Discipline or Notice of Adverse Action must be served by: April 24, 2021

The above internal investigation has been completed and is attached for your review. Commanding Officers will review the investigation with the subject employee and return the signed package to Internal Affairs within 30 days.

If the employee does not agree with the disposition/findings of this investigation, he/she may file a written rebuttal within 30 days of the date the employee signed below. The rebuttal will be filed with the investigation in Internal Affairs, see D.P. 1.10, VII, E.

☒ Mark the box if the subject employee retained the attached investigation.

☒ Mark the box if the subject employee retained the CD containing audio interviews.

In order to obtain the entire case file, contact the Internal Affairs Unit. Please allow one business day to complete your request.

I have read the Internal Affairs investigation reference the above complaint.

Employee

[Redacted Signature]

Date

11/06/20

Commanding  
Officer

[Redacted Signature]

ARA

J. Huff 6929



RECEIVED

20 APR -3 AM 8:54

The City of San Diego  
M E M O R A N D U M

INTERNAL AFFAIRS

DATE: March 24, 2020

TO: Jeremy D. Huff, ID # 6929, Police Officer II

FROM: Mike Holden, Captain, Internal Affairs

SUBJECT: Internal Affairs Investigation # IA 2020-0125

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This is to inform you that you have been identified as a subject officer in an Internal Affairs investigation. This investigation concerns the following allegations:

1. Force
2. Procedure

Additional allegations may arise during the course of the investigation.

This investigation stems from an incident which occurred on February 25, 2020/05:38 hours at 11000 Black Mountain Road, San Diego CA 92126. Please review any reports or other documents you prepared in connection with this incident (event# 20020042453), prior to your interview. Detective Sergeant Mario Perez at the Internal Affairs Unit will contact you to schedule an interview.

As the subject officer you will be allowed to have a representative present during your interview. Representatives must not be connected with this investigation.

You are hereby ordered not to discuss this investigation or the allegations with anyone other than the investigating supervisor or your legal representative. Your failure to comply with this order will be deemed insubordination and subject you to disciplinary action up to and including termination. This requirement is set forth in Section 9.4 (Obedience to Lawful Orders Policy) of the San Diego Police Department Policy Manual.

You are also ordered to answer all questions directed to you during your interview fully and truthfully, as required by Section 9.29 (Truthfulness Policy) of the San Diego Police Department Policy Manual. Your failure to answer all questions fully and truthfully will subject you to disciplinary action up to and including termination.



Page 2  
Jeremy D. Huff, ID # 6929, Police Officer II  
Internal Affairs Investigation # IA 2020-0125  
March 24, 2020

I have received a copy of this memorandum and agree to comply with the orders.

 6929  
Subject Officer Signature

4/2/20  
Date

This memorandum has been presented to me by:

   
Supervisor Name/Rank/PD ID#

4-2-20  
Date

Supervisor: Once the employee has signed the form, the original will be returned to the Internal Affairs Unit, MS- within 10 days.

MH/ro



The City of San Diego  
**M E M O R A N D U M**

RECEIVED

20 APR -3 AM 8:54

INTERNAL AFFAIRS

DATE: March 24, 2020

TO: [REDACTED] ID # [REDACTED] Police Officer II

FROM: Mike Holden, Captain, Internal Affairs

SUBJECT: Internal Affairs Investigation # IA 2020-0125

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[REDACTED] ID # [REDACTED] Police Officer II  
Internal Affairs Investigation # IA 2020-0125  
March 24, 2020

I have received a copy of this memorandum and agree to comply with the orders.

[REDACTED]  
Subject Officer Signature

4/2/2020

Date

This memorandum has been presented to me by:

[REDACTED] SGT [REDACTED]  
Supervisor Name/Rank/PD ID#

4-2-2020

Date

Supervisor: Once the employee has signed the form, the original will be returned to the Internal Affairs Unit, MS-[REDACTED] within 10 days.

MH/ro





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**IA INDEX FILE NUMBER:** 2020-0125

**SUBJECT OFFICER:** [REDACTED] Police Officer II, ID [REDACTED]

**NATURE OF COMPLAINT:** 1. Force

**DISPOSITION:** 1. Exonerated

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☒ **Mark the box if the subject employee retained the attached investigation.**

I have read the Internal Affairs investigation reference the above complaint.

Employee

[REDACTED]

Date

11-6-2020

Commanding  
Officer

[REDACTED]