

Workplace Violence Restraining Order After Hearing

Clerk stamps date here when form is filed.

FILED

2016 DEC 23 P 1:53

STEPHEN H. NASH
CLERK OF THE SUPERIOR COURT
COUNTY OF CONTRA COSTA, CA
A.J. GAMBOI
CITY CLERK

1 Petitioner (Employer)

a. Name: Contra Costa County Office of the Sheriff
Lawyer for Petitioner (if any, for this case):
Name: Colin A. Wood State Bar No.: 267,539
Firm Name: Contra Costa County counsel

b. Your Address (If you have a lawyer, give your lawyer's information):

Address: 651 Pine Street, 9th Floor
City: Martinez State: CA Zip: 94553
Telephone: (925) 335-1800 Fax: (925) 646-1078
E-Mail Address: colin.wood@cc.cccounty.us

Fill in court name and street address:

Superior Court of California, County of
Contra Costa
Wakefield Taylor Courthouse
725 Court Street
Martinez, CA 94553

Court fills in case number when form is filed.

Case Number:

N16-2276

2 Employee (Protected Person)

Full Name: Michael Rawski

3 Respondent (Restrained Person)

Full Name: Elijah Dominguez

Description:

Sex: ☒ M ☐ F Height: 6'2" Weight: 220 Date of Birth: 5/4/1992
Hair Color: Black Eye Color: Brown Age: 24 Race: White
Home Address (if known):
City: Martinez State: CA Zip: 94553
Relationship to Employee: Respondent conducts business at employee's place of employment.

4 ☒ Additional Protected Persons

In addition to the employee, the following family or household members or other students are protected by the temporary orders indicated below:

Full Name	Sex	Age	Household Member?	Relation to Employee
Brian Vanderlind	M		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Co-Worker
David Hall	M		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Co-Worker
			<input type="checkbox"/> Yes <input type="checkbox"/> No	

☐ Additional protected persons are listed at the end of this Order on Attachment 4.

5 Expiration Date

This Order, except for any award of lawyer's fees, expires at:

Date: 12/23/2019 Time: midnight ☐ a.m. ☐ p.m.

If no expiration date is written here, this Order expires three years from the date of issuance.

This is a Court Order.



6 Hearing

- a. There was a hearing on (date): 12/23/2016 at (time): 1:00 p.m. in Dept.: 57 Room: 102
(Name of judicial officer): Commissioner Lowell Richards made the orders at the hearing.
- b. These people were at the hearing:
- (1) ☐ The petitioner/employer representative (name): _____
- (2) ☒ The lawyer for the petitioner/employer (name): Colin Wood
- (3) ☒ The employee (4) ☐ The lawyer for the employee (name): _____
- (5) ☐ The respondent (6) ☐ The lawyer for the respondent (name): _____
- ☐ Additional persons present are listed at the end of this Order on Attachment 5.
- c. ☐ The hearing is continued. The parties must return to court on (date): _____ at (time): _____.

To the Respondent:

The court has granted the orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

7 Personal Conduct Orders

- a. You are ordered **not** do the following things to the employee
☒ and to the other protected persons listed in **(4)**:
- (1) ☒ Harass, molest, strike, assault (sexually or otherwise), batter, abuse, destroy personal property of, or disturb the peace of the person.
- (2) ☒ Commit acts of violence or make threats of violence against the person.
- (3) ☒ Follow or stalk the person during work hours or while going to or from the place of work.
- (4) ☒ Contact the person, either directly or indirectly, in **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
- (5) ☒ Enter the person's workplace.
- (6) ☒ Take any action to obtain the person's address or locations. If this item is not checked, the court has found good cause not to make this order.
- (7) ☒ Other (specify):
☒ Other personal conduct orders are attached at the end of this Order on Attachment 7a(7). Respondent may not access the 6th, 7th, and 11th Floors of the County Administration Building, 651 Pine Street, Martinez. Any correspondence related to complaints and other official business must be by mail or fax. Any necessary in-person meeting with Sheriff's Office command or administrative staff shall be by appointment only. This order does not prevent Respondent from accessing the County Administration Building for lawful purposes other than on the 6th, 7th, and 11th Floors.
- b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

This is a Court Order.



8 Stay-Away Order

- a. You must stay at least 100 yards away from (check all that apply):
- (1) ☒ The employee
 - (2) ☒ Each other protected person listed in **(4)**
 - (3) ☒ The employee's workplace
 - (4) ☒ The employee's home
 - (5) ☒ The employee's school
 - (6) ☒ The employee's children's school
 - (7) ☒ The employee's children's place of child care
 - (8) ☒ The employee's vehicle
 - (9) ☒ Other (specify):
This order does not prevent Respondent from accessing the County Administration Building for lawful purposes other than on the 6th, 7th, and 11th Floors.

b. This stay-away order does not prevent you from going to or from your home or place of employment.

9 No Guns or Other Firearms and Ammunition

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. If you have not already done so, you must:
- (1) Sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.
 - (2) File a receipt with the court within 48 hours of receiving this Order that proves that your guns have been turned in, sold, or stored. (You may use Form WV-800, Proof of Firearms Turned In, Sold, or Stored for the receipt.)
- c. ☐ The court has received information that you own or possess a firearm.

10 ☐ Costs

You must pay the following amounts for costs to the petitioner:

Item	Amount	Item	Amount
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

☐ Additional amounts are attached at the end of this Order on Attachment 10.

11 ☐ Other Orders (specify):

☐ Additional orders are attached at the end of this Order on Attachment 11.

This is a Court Order.



To the Person in 1:

12 Mandatory Entry of Order Into CARPOS Through CLETS

This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). (Check one):

- a. ☒ The clerk will enter this Order and its proof-of-service form into CARPOS.
- b. ☐ The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.
- c. ☒ By the close of business on the date that this Order is made, the petitioner or the petitioner's lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:

Name of Law Enforcement Agency

Address (City, State, Zip)

Contra Costa County Office of the Sheriff

651 Pine Street, 11th Floor, Martinez, CA 94553

- ☐ Additional law enforcement agencies are listed at the end of this Order on Attachment 12.

13 Service of Order on Respondent

- a. ☐ The respondent personally attended the hearing. No other proof of service is needed.
- b. ☒ The respondent did not attend the hearing.
 - (1) ☒ Proof of service of Form WV-110, *Temporary Restraining Order*, was presented to the court. The judge's orders in this form are the same as in Form WV-110 except for the expiration date. The respondent must be served with this Order. Service may be by mail.
 - (2) The judge's orders in this form are different from the temporary restraining orders in Form WV-110. Someone—but not the petitioner or anyone protected by this order—must personally serve a copy of this Order on the respondent.


14 No Fee to Serve (Notify) Restrained Person

The sheriff or marshal will serve this Order without charge because the Order is based on unlawful violence, a credible threat of violence, or stalking.

15 Number of pages attached to this Order, if any: _____

Date: _____

DEC 23 2016


Judicial Officer

This is a Court Order.

Warning and Notice to the Respondent:

You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item ⑨. The court will require you to prove that you did so.

Instructions for Law Enforcement

Enforcing the Restraining Order

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

Start Date and End Date of Orders

This Order *starts* on the date next to the judge's signature on page 4 and *ends* on the expiration date in item ⑤ on page 1.

Arrest Required If Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of this order and has disobeyed it, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

Notice/Proof of Service

The law enforcement agency must first determine if the restrained person had notice of the orders. Consider the restrained person served (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person was at the restraining order hearing or was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the order and then enforce it.

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this Order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

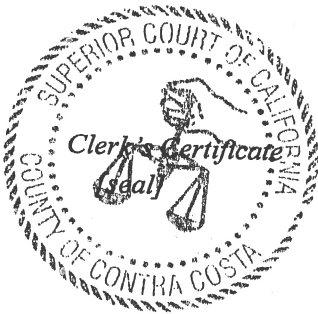
This is a Court Order.



Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

1. *EPO*: If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.



(Clerk will fill out this part.)

—Clerk's Certificate—

I certify that this *Workplace Violence Restraining Order After Hearing* is a true and correct copy of the original on file in the court.

Date: DEC 23 2015

Clerk, by

, Deputy

A.J. GAMBOL

This is a Court Order.

unreasonable government intrusion in one's home was safeguarded by the Fourth Amendment's warrant requirements.

Other precursors to the Bill of Rights include English documents such as the Magna Carta, the Petition of Right, the English Bill of Rights, and the Massachusetts Body of Liberties.

THE BILL OF RIGHTS - FULL TEXT

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Amendment II

A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

Amendment III

No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

Amendment VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment VII

In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

COUNTY or COUNTIES OF Contra Costa
STATE OF CALIFORNIA

SEARCH WARRANT

No. _____

The People of the State of California to any sheriff, constable, marshal, police officer or peace officer in the County/Counties of Contra Costa (List the names of all counties where this Search Warrant will be served, as well as the county in which this Search Warrant will be signed.)

PROOF by affidavit has been made before me this day by Deputy Bruce Spencer (List the names of all non-confidential people who will appear before the Magistrate to swear to the truth of their information) that there is probable cause to believe the property and/or thing(s) and/or the person(s) described below in Section 5 may be found at the location(s) described below in Sections 1 through 4, and that the following provisions of California Penal Code Section 1524 are applicable: (Mark only the following 1524 P. C. provisions applicable to this Search Warrant.)

- ☐ the property was stolen or embezzled - Penal Code 1524(a)(1).
- ☐ the property or thing(s) were used as the means of committing a felony - Penal Code 1524(a)(2).
- ☐ the property or thing(s) are in the possession of any person with the intent to use it as a means of committing a public offense; OR are in the possession of another to whom he or she may have delivered it for the purpose of concealing it or preventing it from being discovered - Penal Code 1524(a)(3).
- ☒ the property or thing(s) consist of any item or constitutes any evidence that tends to show a felony has been committed or tends to show that a particular person has committed a felony - Penal Code 1524(a)(4).
- ☐ the property or things consist of evidence which tends to show that sexual exploitation of a child in violation of Section 311.3, or possession of matter depicting sexual conduct of a person under the age of 18 years in violation of 311.11, has occurred or is occurring - Penal Code 1524(a)(5).
- ☐ an arrest warrant is outstanding for the person to be seized - Penal Code 1524(a)(5).
- ☐ because this is a search for documentary evidence which is in the possession or under the control of a lawyer, physician, psychotherapist or clergyman who is not a suspect in the criminal activity to which the documentary evidence being sought relates, the Special Master provisions are applicable - Penal Code 1524(c).

YOU ARE THEREFORE COMMANDED TO SEARCH:

THE PREMISES located at and described as.

COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

RETURN TO SEARCH WARRANT

NO.

The property or things listed below were taken from the property at :

Samsung Cellular phone, Model: SGH-T599N UD, Serial Number: 356433/905750/8.

One still image of Deputy Wohn was recovered from the cell phone.

☐ In addition to the above listed items, the seizure of which was commanded by the Search Warrant, other items were seized which were not listed on the Search Warrant. A listing of those items is attached hereto.

I, Deputy Bruce Spencer, by whom this Warrant was served, do swear that the above and/or the attached inventory / inventories contain(s) a true and detailed account of all the property taken during the service of this Search Warrant.

All the property seized which was listed on the Search Warrant will be retained in my custody subject to order of this court or any other court in which the offense in respect to which the property was taken is triable.


Signed in Presence of Issuing Magistrate

Given under my hand and dated this 16th day of September, 2013


Magistrate

Judge of the Superior Court

- Leave 1 copy at place searched
- Within 10 days of ISSUANCE OF WARRANT, swear to original before issuing Magistrate who will file with Clerk
- 1 copy for police file

RETURN TO SEARCH WARRANT

Including basements, attics, storage spaces, appurtenant buildings, the surrounding grounds, and all containers therein and thereon which could contain any of the items sought. Strike out inapplicable words

THE CONTAINER(S) located at and described as:

Samsung Cellular phone, Model: SGH-T599N UD, Serial Number: 356433/905750/8.

THE VEHICLE(S) described as:

including the passenger compartment, storage areas such as trunk and glove box, and any containers within the vehicle(s) which could contain any of the items sought. Strike out inapplicable words

THE PERSON(S) of:

FOR THE FOLLOWING PROPERTY, THINGS AND/OR PERSON(S)

☐ listed in Exhibit # attached.

☒ listed below

1. Any still or video images captured on the cellular phone's external/internal memory depicting the interior of the courthouse including the incident inside the law library.
2. To take the cellular phone to an off-site location to conduct a download of its contents by a qualified Sheriff's Office Deputy/Detective.

and to seize such person(s) and/or property and/or things or any part thereof and to retain such property and/or thing(s) in your custody subject to order of a competent court pursuant to Penal Code section 1536.

NIGHT-TIME Service: Good cause having been shown by Affidavit you may serve this warrant at any time of the day or night when my initials are here → []

GIVEN under my hand this 16th day of September, 2014 at 11:30 AM - PM.

Magistrate's Signature

Judge of the Superior Court.

1 SHARON L. ANDERSON (SBN 94814)

2 County Counsel

3 COLIN A. WOOD (SBN 267539)

4 Deputy County Counsel

5 COUNTY OF CONTRA COSTA

6 651 Pine Street, Ninth Floor

7 Martinez, California 94553

8 Telephone: (925) 335-1800

9 Facsimile: (925) 646-2078

10 Attorneys for Petitioners

11 SUPERIOR COURT OF CALIFORNIA

12 COUNTY OF CONTRA COSTA

13 CONTRA COSTA COUNTY, OFFICE OF
14 THE SHERIFF,

15 Petitioner,

16 vs.

17 ELIJAH DOMINGUEZ,

18 Respondent.

No.

N 16 - 2 2 7 6

DECLARATION OF SERGEANT DAVID
HALL IN SUPPORT OF PETITION FOR
WORKPLACE VIOLENCE RESTRAINING
ORDERS

19 I, DAVID HALL, declare as follows:

20 1. I am over the age of eighteen and a resident of the State of California. I make
21 this declaration from my personal knowledge, except for those statements I make upon
22 information and belief, and if called upon to testify as a witness, could and would competently
23 testify thereto.

24 2. I am currently assigned to the Internal Affairs Unit for the Contra Costa County Office
25 of the Sheriff located on the 11th Floor at 651 Pine Street in Martinez. Over the past year, I have had
26 numerous encounters with Mr. Elijah Dominguez. Mr. Dominguez often walks onto the unsecure
27 floor and demands to make formal complaints to Internal Affairs concerning alleged misconduct of
28 Sheriff's Office personnel and law enforcement personnel from other local agencies.

1 3. When my coworkers or I question Mr. Dominguez about specifics of his complaints or
2 attempt to offer him guidance, he often becomes hostile. On numerous occasions, Mr. Dominguez has
3 berated me and my coworkers with foul language, homophobic slander, and has made thinly-veiled
4 threats. During these contacts, Mr. Dominguez has been unwilling to cooperate with me or other
5 Internal Affairs staff in a manner that would allow us to reach a resolution to his complaints. Instead,
6 Mr. Dominguez is menacing, verbally abusive, and disruptive to the operations of the Sheriff's Office
7 administrative personnel.

8 4. I have received numerous complaints from civilian staff working in the reception area
9 of the Eleventh Floor concerning Mr. Dominguez leaving threatening notes on their desk. The same
10 civilian staff suspect that Mr. Dominguez has moved, rearranged, or taken items from their desk while
11 they were away from their work area.

12 5. Mr. Dominguez's behavior is erratic and unpredictable. Many times when I have
13 encountered Mr. Dominguez in downtown Martinez, he has been cordial while other times he has
14 been agitated at my presence and has cursed and threatened me and my partners.

15 6. Based on Mr. Dominguez's documented history of violence against law enforcement
16 personnel and his formidable size, I believe Mr. Dominguez represents a credible threat to all law
17 enforcement and civilian personnel associated with the Contra Costa County Sheriff's Office.

18 I declare under penalty of perjury, under the laws of the United States and the State of
19 California, that the foregoing is true and correct, except as to those matters declared on
20 information and belief, and as to those matters, I believe them to be true. This declaration is
21 executed on the date indicated below at Martinez, California.

22
23 Dated: 12-6-, 2016



DAVID HALL

1 SHARON L. ANDERSON (SBN 94814)
2 County Counsel
3 COLIN A. WOOD (SBN 267539)
4 Deputy County Counsel
5 COUNTY OF CONTRA COSTA
6 651 Pine Street, Ninth Floor
7 Martinez, California 94553
8 Telephone: (925) 335-1800
9 Facsimile: (925) 646-2078

10 Attorneys for Petitioners

11 SUPERIOR COURT OF CALIFORNIA

12 COUNTY OF CONTRA COSTA

13 CONTRA COSTA COUNTY, OFFICE OF
14 THE SHERIFF,

15 Petitioner,

16 vs.

17 ELIJAH DOMINGUEZ,

18 Respondent.

No.

N 16 - 2 2 7 6

DECLARATION OF MICHAEL B. RAWSKI
IN SUPPORT OF PETITION FOR
WORKPLACE VIOLENCE RESTRAINING
ORDERS

19 I, MICHAEL B. RAWSKI, declare as follows:

20 1. I am over the age of eighteen and a resident of the State of California. I make
21 this declaration from my personal knowledge, except for those statements I make upon
22 information and belief, and if called upon to testify as a witness, could and would competently
23 testify thereto.

24 2. I am currently a Specialist for the Contra Costa County Office of the Sheriff
25 located on the 11th Floor at 651 Pine Street in Martinez. The 11th Floor has no physical
26 security barriers or lobby cameras. Over the last year, Mr. Elijah Dominguez has made
27
28

1 several unannounced appearances on the 11th Floor to obtain citizen complaint forms and to
2 return complaint forms.

3 3. During the month of January 2016, after Mr. Dominguez was provided Internal
4 Affairs ("IA") complaint forms, he refused to leave or to complete and return the forms as
5 instructed. Mr. Dominguez would then try to engage in arguments over constitutional rights
6 and similar matters. One one occasion, Mr. Dominguez complained of an "organized crime"
7 ring that was operating along the Pacheco Boulevard corridor and that he was secretly
8 working with the FBI but wanted to talk to a deputy about the issue. Dispatch summoned a
9 deputy to meet with Mr. Dominguez in the building lobby to evaluate him for a 5150 and
10 asked him to leave the building if he had no further lawful business. Mr. Dominguez will
11 occasionally wander throughout the building, on the elevators, in the stairwells, and stop in on
12 different floors to talk with staff. He frequently becomes offended whenever he is asked about
13 his business or when he is directed to leave.

14 4. In January 2016, after I returned to the office from the weekend, I found sticky
15 notes from Mr. Dominguez posted to my computer screen, papers on my desk shuffled,
16 business cards moved, and sticky notes and pens moved from my desk drawers onto the top of
17 my desk. Mr. Dominguez' sticky note message was a request for Internal Affairs to contact
18 him regarding his complaint about some deputies.

19 5. In February 2016, Mr. Dominguez visited the 11th Floor at least 2-3 times to
20 make complaints or otherwise engage in complaints about the Sheriff's Office and/or
21 personnel. Mr. Dominguez also sent me an email regarding a telephone call from me to him
22 that he missed. I never called Mr. Dominguez, and I do not know how he' obtained my email
23 address.

24 6. In March 2016, Mr. Dominguez visited the 7th and 11th Floors of the Sheriff's
25 Office approximately 3-4 times throughout the month to make complaints or otherwise engage
26 in complaints about the Sheriff's Office and/or Sheriff's personnel. Mr. Dominguez also sent
27 numerous emails to me to complain about: (1) Sergeant Hall and another sergeant; (2)
28 Sergeant Hall refusing to take a complaint from him; (3) a sergeant who refused to identify

1 himself to Mr. Dominguez; and (4) an unnamed officer who he thought should have arrested a
2 female but did not do so, so he wanted an investigation as to why the officer did not make the
3 arrest.

4 7. On April 5, 2016, Mr. Dominguez sent two emails to me. The first email
5 included the subject line "Your [sic] being watched" and included a link to a horror movie clip
6 containing footage of a stalker in a mask saying, "I want to play a game with you." The
7 second email included the subject line, "Your [sic] being watched" and a link to a horror
8 movie clip containing footage of a stalker in a mask and a restrained-bound victim being
9 wronged. The title of the scene was, "I want to play a game with you."

10 8. On April 14, 2016, Mr. Dominguez appeared on the 11th Floor to make a
11 complaint against unspecified deputies and to make a complaint about IA staff. Mr.
12 Dominguez complained that Court deputies were rude to him, that IA needs to be investigated
13 because they are not investigating his complaints, and that IA cannot investigate the IA.
14 During this encounter, Mr. Dominguez' demeanor was aggressive, and he refused to simply
15 take a complaint form or to submit the complaint form in a timely manner. Lieutenant
16 Vanderlind and Sergeants Hall and Klawuhn attempted to answer Mr. Dominguez' questions,
17 but Mr. Dominguez was not satisfied. He stayed for approximately 15-20 minutes and was
18 standing at my desk clenching a pen and becoming angry.

19 9. During the encounter described in paragraph 8, I felt uncomfortable, as Mr.
20 Dominguez was standing over my desk displaying an aggressive posture and using aggressive
21 language. After approximately 20 minutes, I stood up and informed Mr. Dominguez that he
22 needed to finish his business, stop disrupting my workspace, and leave the floor. I told Mr.
23 Dominguez that I did not appreciate his threatening and "stalking" emails nor his demeanor
24 while standing at my desk. I informed him that his clenching of the pen and moving it with a
25 stabbing motion made me concerned for my safety, and I suggested to him that he needed to
26 stop that type of behavior. I informed Mr. Dominguez that he needed to leave the premises.

27 10. On July 26, 2016, Mr. Dominguez came to the 11th Floor to make a complaint.
28 An IA sergeant and lieutenant met with him in the reception area. Mr. Dominguez left after

1 several minutes, calling staff names. Mr. Dominguez later returned to the 11th Floor and
2 wanted to know who was supposed to “make an IA investigation against the IA
3 investigations.” The IA sergeant and lieutenant spoke with him, and he eventually left the
4 floor. Mr. Dominguez then stopped on the 7th Floor and spoke with staff there. He
5 complained about IA and rambled about a conspiracy. The 7th Floor staff believed that Mr.
6 Dominguez was displaying strange behavior. Mr. Dominguez then returned to the 11th Floor
7 to return his complaint form. After he dropped off the complaint form, I asked him to leave if
8 he was done with his business. Mr. Dominguez then began to argue with me about his
9 constitutional rights. After I explained to Mr. Dominguez that his loudness and demeanor was
10 a disruption, he left. On this same date, Mr. Dominguez was in the elevator with employee,
11 Accountant Heike Anderson, who observed Mr. Dominguez talking to himself. Mr.
12 Dominguez also tried to engage Ms. Anderson in conversation and while doing so, would step
13 towards her. Ms. Anderson felt very uncomfortable in Mr. Dominguez’ presence, as he was
14 behaving strangely. Mr. Dominguez also sent me two emails on this date—one complaining
15 about not receiving medical treatment while he recently was in the County jail, and the other
16 regarding a report against officers who he referred to as “buffoons.”

17 11. On my arrival to work on Monday, August 1, 2016, after being off on Friday,
18 July 29, 2016 through the weekend, I found a sticky note stuck to my computer from Mr.
19 Dominguez. Mr. Dominguez obtained the sticky note from my desk drawer without my
20 permission. On August 2, 2016, Mr. Dominguez sent me two emails.

21 12. On August 4, 2016, Mr. Dominguez came to the 11th Floor to drop off a
22 complaint form. Mr. Dominguez asked what should he do if there is no staff on the 11th Floor
23 to accept his complaint form. I informed him that staff on the 7th Floor is authorized to accept
24 his complaint forms. I informed Mr. Dominguez that he does not have permission to go
25 through anyone’s desks or personal belongings. He apologized for “invading my personal
26 space” by previously going through my desk and leaving the sticky note on my computer.

27 13 On August 29, 2016, Mr. Dominguez appeared on the 7th Floor to “drop off
28 some papers” that he wanted to “add to his file.” Staff had no idea what he was talking about

1 but accepted the papers. Captain Bani Kollo was present and observed this interaction. Clerk
2 Chapman and Wachowiak reported being uncomfortable around Mr. Dominguez.

3 14. Due to the multiple incidents involving Mr. Dominguez and the fact there are no
4 physical barriers, cameras, or warning systems in place for personnel on the 7th and 11th
5 floors of the building, I believe Mr. Dominguez possesses a credible threat of unlawful
6 violence to myself and other Sheriff's personnel.

7 I declare under penalty of perjury, under the laws of the United States and the State of
8 California, that the foregoing is true and correct, except as to those matters declared on
9 information and belief, and as to those matters, I believe them to be true. This declaration is
10 executed on the date indicated below at Martinez, California.

11 Dated: 12-06, 2016

12 
MICHAEL B. RAWSKI

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State bar number, and address):

Sharon L. Anderson, County Counsel, SBN 94814
 Colin A. Wood, Deputy County Counsel, SBN 267539
 Contra Costa County Counsel
 651 Pine Street, 9th Floor
 Martinez, CA 94553-1229

TELEPHONE NO.: (925) 335-1800

FAX NO. (Optional): (925) 646-1078

E-MAIL ADDRESS (Optional):

ATTORNEY FOR (Name): Contra Costa County Office of the Sheriff

SUPERIOR COURT OF CALIFORNIA, COUNTY OF CONTRA COSTA

STREET ADDRESS: 725 Court Street

MAILING ADDRESS: P.O. Box 911

CITY AND ZIP CODE: Martinez, CA 94553

BRANCH NAME: Wakefield Taylor Courthouse

PLAINTIFF/PETITIONER: Contra Costa County Office of the Sheriff

DEFENDANT/RESPONDENT: Elijah Dominguez

DECLARATION

FOR COURT USE ONLY

FILED

2015 DEC -8 P 2:02

CLERK OF SUPERIOR COURT
 CONTRA COSTA COUNTY
 A. J. GAMBOL

CASE NUMBER:

N16-2276

See attached Declarations of:

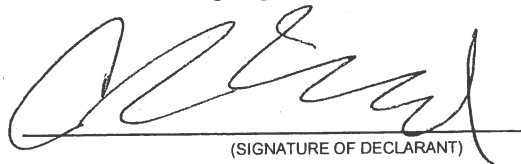
1. Michael Rawski
2. Brian Vanderlind
3. David Hall

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: December 8, 2016

Colin A. Wood, Deputy County Counsel

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

☒ Attorney for ☐ Plaintiff ☒ Petitioner ☐ Defendant
☐ Respondent ☐ Other (specify):

1 SHARON L. ANDERSON (SBN 94814)
2 County Counsel
3 COLIN A. WOOD (SBN 267539)
4 Deputy County Counsel
5 COUNTY OF CONTRA COSTA
6 651 Pine Street, Ninth Floor
7 Martinez, California 94553
8 Telephone: (925) 335-1800
9 Facsimile: (925) 646-2078

10 Attorneys for Petitioner

11 SUPERIOR COURT OF CALIFORNIA

12 COUNTY OF CONTRA COSTA

13 CONTRA COSTA COUNTY, OFFICE OF
14 THE SHERIFF,

15 Petitioner,

16 vs.

17 ELIJAH DOMINGUEZ,

18 Respondent.

No. **N16-2276**

DECLARATION OF LIEUTENANT BRIAN
VANDERLIND IN SUPPORT OF PETITION
FOR WORKPLACE VIOLENCE
RESTRAINING ORDERS

19 I, BRIAN VANDERLIND, declare as follows:

20 1. I am over the age of eighteen and a resident of the State of California. I make
21 this declaration from my personal knowledge, except for those statements I make upon
22 information and belief, and if called upon to testify as a witness, could and would competently
23 testify thereto.

24 2. I am currently assigned as the Internal Affairs Lieutenant for the Contra Costa County
25 Office of the Sheriff located on the 11th Floor at 651 Pine Street in Martinez. Over the last year, Mr.
26 Elijah Dominguez has contacted Internal Affairs on the 11th Floor to obtain citizen complaint forms
27 and to return complaint forms. During several of his visits to the 11th Floor, I have interacted with
28 Mr. Dominguez personally to explain the complaint process to him and answer his questions.

Declaration of Lieutenant Brian Vanderlind in Support of Petition for Workplace Violence
Restraining Orders

FILED

2016 DEC -8 P 2:04

CLERK OF SUPERIOR COURT
A.J. GAMBOL

1 3. Due to the 11th Floor having no physical security barriers or lobby cameras, Mr.
2 Dominguez arrives unannounced. Mr. Dominguez usually confronts Specialist Michael
3 Rawski, who is seated in the lobby of the 11th Floor with no physical security measures and is
4 unarmed. Specialist Rawski greets the public immediately after they step off the elevators.
5 I have been summoned to the lobby to speak with Mr. Dominguez on several occasions due to
6 him becoming confrontational with Specialist Rawski. During several of these visits, Mr.
7 Dominguez became visibly upset and left the 11th Floor only to return unannounced a short
8 time later to file another complaint due to not agreeing with the outcome or explanation of his
9 prior complaint(s).

10 4. I know that from speaking to Mr. Dominguez he appears to become fixated on
11 certain areas and County buildings, such as the County court buildings. I know from past
12 complaints involving Mr. Dominguez that he can become argumentative and confrontational.
13 Mr. Dominguez has displayed he is willing to confront Office of the Sheriff's personnel, and
14 he recently assaulted several deputies in Courts Services. I believe he has displayed a pattern
15 of unpredictability and violence toward Office of the Sheriff personnel.

16 5. Due to the multiple incidents involving Mr. Dominguez and the fact there are no
17 physical barriers, cameras, or warning systems in place for personnel on the 11th Floor, I
18 believe Mr. Dominguez possesses a credible threat of unlawful violence to myself and other
19 personnel currently occupying the 11th Floor.

20 I declare under penalty of perjury, under the laws of the United States and the State of
21 California, that the foregoing is true and correct, except as to those matters declared on
22 information and belief, and as to those matters, I believe them to be true. This declaration is
23 executed on the date indicated below at Martinez, California.

24
25 Dated: 12-6, 2016



BRIAN VANDERLIND