Licensed California Private Investigator Private Criminal Defense Investigator Court Qualified Gang Expert

Honorably Retired San Jose Police Detective Honorably Discharged US Army Reserve Military Police Officer Former California Community College Police Officer

111 N. Market St., Suite 300 San Jose, California 95037

Cell: 408-516-6378 Email: todd@averypi.com

SUMMARY:

I am a retired San Jose Police Officer and Gang Detective, an Honorably Discharged US Army Reserve Military Police Officer, a former College Police Officer and Detective, a Licensed California Private Investigator, a Private Criminal Defense Investigator, and a Court Qualified Gang Expert.

I am a professional, experienced, dependable and self-motivated Investigator and Interviewer. I have over 35 years' experience in Law Enforcement, Criminal Investigations, Private Investigations, and Private Security. I have been qualified in Municipal and Superior Court as an Expert on Hispanic Criminal Street Gangs, Narcotics and Firearms.

INVESTIGATIVE EXPERIENCE / GANG EXPERIENCE:

P.O.S.T. Certified Background Investigator

I am responsible for conducting P.O.S.T. Certified Background Investigations for numerous Law Enforcement Agencies and Fire Department Agencies in California.

November 2018 – Current

Guardian Public Safety Background Investigations, LLC Lodi, CA 95110

Private Criminal Defense Investigator

I currently conduct criminal defense investigations for the Independent Defense Counsel Office (IDO) of Santa Clara County, California.

September 2017 – Current

Santa Clara County Office of the Independent Defense Counsel Office (IDO) 373 W. Julian St., Suite 300, San Jose, CA 95110

Licensed CA Private Investigator / Qualified Manager

I am currently a licensed California Private Investigator, and the Owner of Avery & Associates Investigations. I specialize in Criminal Investigations. I have conducted

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hundreds of criminal investigations including homicides.

May 2016 - Current

Avery & Associates Investigations CA PI License 187841 Offices in Morgan Hill, CA and San Jose, CA

P.O.S.T. Certified Background Investigator

I was responsible for conducting P.O.S.T. certified background investigation interviews on Deputy Sheriff applicants for the Santa Clara County Sheriff's Office.

May 2014 - June 2015

Cooke & Associates Investigations, Gilroy, CA

San Jose Police Officer

I was responsible for patrolling the City, both in a vehicle and on foot, responding to calls for service for the protection of life and property, and the enforcement of City, State, and Federal laws.

I was also responsible for conducting preliminary and follow up investigations on criminal activity. I was also a Field Training Officer, a Reserve Training Officer, and I served on two community policing committees.

While working patrol, I have investigated hundreds of gang crimes, and I have identified, arrested hundreds of Gang Members.

August 1989 – October 2008

San Jose Police Department, San Jose, CA Badge 2720, Retired

San Jose Police Intelligence Detective / MERGE Unit (SWAT)

I was responsible for the investigation of violent fugitives to determine their backgrounds and whereabouts. These fugitives were wanted for crimes such as robbery, burglary, assault with deadly weapons, sexual assaults and homicides; several of them were gang members. We apprehended over 300 hundred fugitives and gang members during my time in this unit. I also wrote several search warrants.

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March 2000 – March 2006 MERGE (SWAT) UNIT San Jose Police Department, San Jose, CA

San Jose Police Gang Detective

I was a Gang Detective responsible for the investigation of gang crimes. I have investigated hundreds of gang related cases including grand thefts, burglaries, simple assaults, assault with a deadly weapon, sexual assaults and homicides.

I reviewed gang crime reports, field interview cards, and have spoken to gang members, other officers and detectives about gangs. We have spoken about the history of gangs, reasons members join, activities of gang members, graffiti, hand signs, colors, gang symbols, and the identification and validation process, etc.

I have written and executed several search warrants on gang members. I was also responsible for tracking and compiling gang information and testifying as an expert on gangs in court, for teaching gang classes to officers, dispatchers and the community.

I also created and wrote several of the original gang summaries validating several Norteňo and Sureňo gangs as Criminal Street Gangs in San Jose per 186.22 P.C.

I have qualified and testified as an expert on Gangs in the Municipal and Superior Courts of Santa Clara County 14 documented times and many more that I did not document. I have also qualified as an expert on Firearms and Narcotics.

December 1993 – March 1997

Violent Crime Unit / Gang Investigations Unit Detective Bureau San Jose Police Department, San Jose, CA

Security Officer / Gang Suppression Officer

I worked an off-duty assignment as a Security Officer / Gang Suppression Officer at the Regency Square Apartments in San Jose, which is VST Sureno Gang Territory. I patrolled the apartment complex on foot and responded to calls for service. I also identified and arrested several VST Sureno Gang members for a variety of crimes.

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March 1993 - March 1994

Regency Square Apartments, San Jose, CA

School Liaison Officer / Security / Gang Suppression

I worked as a School Liaison Officer. I patrolled Yerba Buena High School on foot and in a golf cart. I was responsible for ensuring the safety of students and staff by enforcing School rules, and State laws and Federal laws.

I was also responsible for identifying gang members and giving gang prevention classes.

February 1991 - June 1994 Yerba Buena High School San Jose. CA

Campus Police Officer / Detective

I was responsible for patrolling the College Campus Community, both in a vehicle and on foot, responding to calls for service for the protection of life and property, and the enforcement of City, State, and Federal laws. I was also responsible for conducting preliminary and follow up investigation on criminal activity.

I was also a Field Training Officer, and I supervised a Patrol Officer, Parking Citation Officer and a Dispatcher. I had collateral duties as a Court Liaison Officer, Detective, and conducted training classes on the District Wide Alarm System. I also wrote the "Memorandum of Understanding" agreement between the College Police Department and San Jose Police Department.

I was also in charge VIP protection of guest speakers on the District campuses such as Tom Hayden.

March 1985 - August 1989

San Jose/Evergreen Community College District Police, San Jose, California

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Licensed Private Investigator / Bail Enforcement Agent

I was a licensed California Private Investigator and Owner of Lobdell & Tomlinson Investigations. I conducted civil investigations, surveillance, background investigations and fugitive apprehension investigations (bounty hunting).

1986 - 1993

Advanced Professional Investigations (Formerly Lobdell & Tomlinson) San Jose, CA

Undercover Security Investigator

I was responsible for conducting undercover internal investigations on employee thefts, fraud, embezzlement, narcotic possession, narcotic influence, and other criminal and policy violations. I was also responsible for submitting written reports, and to work in cooperation with other law enforcement agencies.

1979 - 1985

Brentway (Safeway) Markets Inc. San Jose, California

Military Police Officer / Military Police Investigator

I attended basic training and the military police academy. I received basic and advanced combat training. I also received basic and advanced military law enforcement training. I was also responsible for patrolling Fort Presidio and Fort Ord as a Military Police Officer. I was assigned to the 341st Military Police Company in San Jose, California for 6 years.

March 1979 – March 1985 Honorable Discharge

United States Army Reserve San Jose. California

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Uniformed Private Patrol Officer

I was a licensed Private Patrol Officer. I patrolled assigned businesses on foot and in a vehicle.

1978 – 1979 Gilson Security Agency San Jose, CA

EDUCATION

San Jose Police Academy

Evergreen Valley College San Jose, California Criminal Justice / Law Enforcement Graduated with Honors - Awarded "Top Academic" Award August 1989 – January 1990

Santa Clara County Regional Criminal Justice Training Center

San Jose City College San Jose, California Criminal Justice / Law Enforcement Graduated June 1984 – November 1984

West Valley College

Saratoga, California Administration of Justice / Criminal Law / General Education On Dean's List for High Grade Point Average 1982 (Approx. 90 Semester Units)

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Santa Clara County Department of Education

San Jose, CA
General Education Development Certificate (High School Diploma)
1979

Piedmont Hills High School

San Jose, California General Education 1976 - 1977

Commonwealth High School / College Preparation School

Hato Rey, Puerto Rico General Education 1974 - 1975

POLICE TRAINING COURSES / PRIVATE INVESTIGATIONS TRAINING

TLOxp / TRANS UNION DATABASE CLASS

October 5, 2019
TLOxp / Trans Union
Tayfur (Ty) Urker, National Sales Manager / CALI
Walnut Creek, CA (1.0 Hours)

BACKGROUND AND PRE-EMPLOYMENT INVESTIGATIONS

October 5, 2019
Chris Reynolds Investigations / CALI
Chris Reynolds, Private Background Investigator #20622
Walnut Creek, CA (4 Hours)

SOCIAL MEDIA INVESTIGATIONS / OPEN SOURCE INTELLIGENCE (OSINT)

October 5, 2019 Connected Research / CALI

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Stacy Lawrence, OSINT Specialist Walnut Creek, CA (3 Hours)

Elderly Abuse and Elderly Financial Abuse

February 21, 2019

California Association of Licensed Investigators Michael Hackard, ESQ. Sacramento, CA (3 Hours)

Processes Serving Training / Difficult Process Serves

July 25, 2018

California Association of Licensed Investigators Tony Klein Mandarin Gourmet Conference Room San Jose, CA (3 Hours)

• Criminal Defense Investigation / Attorney Investigator Communication

April 6, 2018

Santa Clara County Independent Defense Counsel Office (IDO) Amanda Freel, PI / Cody Salfen, PI, ESQ. / Stuart Kirchick, ESQ. San Jose, CA (2 Hours)

Cell Phone, PDA, GPS, Data Extraction and Forensics Training

July 10, 2017 Visalia, CA (5 Hours)

Surveillance Training

February 26, 2017 Oleg Flaksman, CPI Modesto, CA (5 Hours)

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Continue Professional Training (Annually)

1990 - 2008

San Jose Police Department San Jose, CA

Terrorism Training

September 2005

San Jose Police Department San Jose, CA (5 Hours)

Terrorism Training / Rapid Deployment – 1st Responder Training

October 2004

San Jose Police Department San Jose, CA (5 Hours)

First Aide/ CPR

October 2004

San Jose Police Department, San Jose, CA (5 Hours)

Racial Profiling Laws / Domestic Violence Update / Active Shooter Training

April 2004

San Jose Police Department San Jose, CA (10 Hours)

Pursuit Driving / Use of Force Options Training

September 2003

San Jose Police Department San Jose, CA (8 Hours)

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Racial Profiling Laws / Domestic Violence Update / Active Shooter Training

June 2003

San Jose Police Department San Jose, CA (20 Hours)

Analyst's Investigations Software Training (Notebook a Version 5 Workshop)

Specialized Knowledge and Applications Technology

August 16, 2002

San Jose, CA (40 Hours)

Tactical Response School

May 2002

San Jose Police Department San Jose, CA (10 Hours)

Continued Professional Training

March 2002

San Jose Police Department San Jose, CA (10 Hours)

Continued Professional Training

April 2001

San Jose Police Department San Jose, CA (10 Hours)

Continued Professional Training

February 2001

San Jose Police Department San Jose, CA (10 Hours)

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• Gangs - CAL Gang Computer Software Training

September 2000

Hayward Police Department Hayward, CA (24 Hours)

Officer Safety / Field Patrol Tactics

April 2000

San Jose Police Department San Jose, CA (10 Hours)

Computer Software Training

Microsoft Word / Microsoft Excel Training / Police Databases (Instructors Al Sutcliff and Rudy Yeung)

April 2000

Systems Development Unit San Jose Police Department San Jose, CA (4 Hours)

• Vehicle Pursuit Training

October 1999

Alameda County Sheriff's Office Pleasanton, CA (8 Hours)

Advanced Police Officer Training

Spring 1999

Ohlone College Fremont, CA

Officer Update Training

February 1999

San Jose Police Department San Jose, California (20 Hours)

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Field Training Officer School

September, 1998

San Jose Police Department San Jose, California (40 Hours)

Officer Update Training

October 1998

San Jose Police Department San Jose, California (20 Hours)

Patrol Tactical Pistol / Shotgun Course

October 6 - 10.1997

San Jose Police Department Santa Clara County Sheriff's Office Range San Jose, California (40 hours)

High Rise Critical Incidents Training

October 1, 1997

San Jose Police Department San Jose, California (8 Hours)

Officer Update Training

October 1997

San Jose Police Department San Jose, California (20 Hours)

MERGE Tactical Handgun Course

May 13 - May 16, 1997

San Jose Police Department Santa Clara County Sheriff's Office Range San Jose, California (40 hours)

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Officer Update Training

December 1996

San Jose Police Department San Jose, California (20 Hours)

DOJ / INCIC Telecommunications Update Training

October 9, 1995

San Jose Police Department San Jose, California (4 Hours)

Officer Update Training

October 1995

San Jose Police Department

San Jose, California (20 Hours)

Officer Update Training

January 1995

San Jose Police Department San Jose, California (20 Hours)

Raid Entry / Officer Rescue Training

July 26, 1995

San Jose Police Department San Jose, California Sgt. Miller / Officer Johnson Fong (8 Hours)

Department of Justice Training

August 1994

Department of Justice Sacramento, California (14 Hours)

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Skills and Knowledge Testing

June 1994

San Jose Police Department San Jose, California (2 Hours)

Investigator / Detective Academy

San Jose Detective Bureau Policy and Procedures, Criminal Investigation, Interviewing and Interrogation, Evidence Collection and Processing, Fingerprinting, Photographing, Search Warrants, Photo Line Ups, Physical Line Ups, Miranda Rights, Audio and Video Taping, and other Investigative Tools and Techniques, etc.

March 14 - March 18, 1994

San Jose Police Department San Jose, California (40 hours)

FBI Interviewing and Interrogation Class

February 28 - March 4, 1994

FBI San Francisco Evergreen Valley College Police Academy San Jose, CA (40 Hours)

Officer Update Training

October & November 1993

San Jose Police San Jose, CA (18 Hours)

P.O.S.T. Certified Under the Influence of Drugs Training (11550)

December 1991

San Jose Police Department Criminal Justice Training Center Evergreen Valley College San Jose, California (8 hours)

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Field Training Officer Course

December 4, 1987

San Jose Police Department Criminal Justice Training Center Evergreen Valley College San Jose, California (40 hours)

Investigation of Traffic Accidents

November 9, 1984

Criminal Justice Training Center San Jose City College San Jose, California (24 Hours)

Advanced Officer Courses

March 1987, 1991, 1992, 1993

San Jose Police Department Criminal Justice Training Center Evergreen Valley College San Jose, California (8 hours)

Hearsay Evidence Testimony Class

July 1991

San Jose Police Department San Jose, California (8 Hours)

Alcoholic Beverage Control Laws

January 18, 1990

California Department of Alcoholic Beverage Control (ABC) San Jose, California (8 Hours)

Field Training Officer School

December, 1987

San Jose Police Academy San Jose, California (40 Hours)

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1988 Legislative Update Seminar

November 23, 1987California Peace Officer's Association San Jose, California (4 Hours)

Advanced Officer Course

August 1987 Criminal Justice Training Center

Los Medanos College
Pittsburgh, California (24 hours)

CMI Intoxilyzer Training

1984

Santa Clara County Sheriff's Office San Jose, California (4 Hours)

Chemical Agents Training

November 16, 1984

Criminal Justice Training Center San Jose City College San Jose, California (8 Hours)

ELDERLY ABUSE / SPECIAL NEEDS PERSONS ABUSE / FINANCIAL ABUSE

Elderly Abuse and Elderly Financial Abuse

February 21, 2019

California Association of Licensed Investigators Michael Hackard, ESQ. Sacramento, CA

The Wolf at the Door: Undue Influence and Elder Financial Abuse

April 21, 2019

Book written by Michael Hackard, ESQ. Morgan Hill, CA (3 Hours)

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Alzheimer's, Widowed Stepmothers & Estate Crimes

March 15, 2019
Book written by Michael Hackard, ESQ.
Morgan Hill, CA (3 Hours)

MILITARY TRAINING

Advanced Combat and Law Enforcement Training

July 1979 – March 1985 341st Military Police Company United States Army Reserve Training Center San Jose, California

Defensive Driving Course

February 13, 1983
National Safety Council
341 St. Military Police Unit
United States Army Reserve
San Jose, California (8 Hours)

Unit Supply Specialist Training

July 13, 1979 – July 24, 1979 United States Army Camp Parks Pleasanton, California (80 Hours)

Military Police Academy

March 1979 – July 1979 United States Army Military Law / Criminal Justice Fort McClellan, Aniston, Alabama

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Basic Combat Training

March 1979 – July 1979 Combat Training United States Army Ft. McClellan, Aniston, Alabama

GANG TRAINING / SEMINARS ATTENDED

Current Trends

I continually read articles about gangs and gang activity in San Jose and throughout California.

I watch numerous documentaries on gangs and gang activity in California. I also speak with San Jose police officers and gang detectives, and other agencies including California state parole agents, and FBI Agents regarding gangs and gang activity on an ongoing basis.

I meet with a CDC parole agent, and we discuss gangs and gang trends in San Jose.

Nuestra Familia - A Broken Paradigm

John "Boxer" Mendoza's Personal Journey into a World of Deception, Betrayal and Redemption

January 25, 2019

Book written by NF Gang Member John "Boxer" Mendoza

Gangs 101

January 25, 2019
Video Presentation on SJPD.org
Officer Joe Perez
School Liaison Unit
San Jose, CA

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• Mexican Mafia documentary 2016: La Eme Runs the World Behind Prison

October 15, 2017

History Channel Documentary

Challenging Expert Testimony in Gang Cases

September 2017

Written by Attorney Lori Quick Morgan Hill, CA

Current Gang Trends in San Jose (Power Point Presentation)

July 2017

San Jose, CA

• 2016 8th Annual Crime and Gang Prevention Summit

October 15, 2016

San Jose City College San Jose, CA

Gang 102 "A Way Out"

(Power Point Presentation) 2014 Crime and Gang Prevention Summit

2014

Fernando P. Lopez Community Coordinator Safe School Campus Initiative City of San Jose

Parolees / Gangs – CDC Parole LEADS (Law Enforcement Automated Data Systems)
 Computer Software Instructor Training

September 2002

California Department of Corrections – State Parole Sacramento, CA (8 Hours)

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Gangs - CAL Gang Computer Software Instructor Training

September 2000

Hayward Police Department Hayward, CA (24 Hours)

POST Hispanic Street Gangs Tele - Course Part 1 and Part 2

February 1995

San Jose Police Department San Jose, CA

Organized Crime and Criminal Intelligence Training Conference.

August 23 - August 26, 1994

California Department of Justice San Jose, CA (20 Hours)

 San Jose Police Department Gang Investigation and Suppression Academy

February 15 – February 17, 1994

San Jose Police Department San Jose, CA (30 Hours)

Advanced Gang Seminar

December 2 – December 3, 1993

National Law Enforcement Institute Burlingame, CA (16 Hours)

Violence in America, Causes and Solutions Seminar

November 10, 1993

Santa Clara County Sheriff's Office, San Jose, CA (4 Hours)

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Street Survival Training / Criminal Street Gangs.

October 24 – October 25, 1990
Calibre Press
Monterey County Sheriff's Department, Monterey, CA (16 Hours)

San Jose Police Uniformed Patrol Officer

During my patrol time with San Jose Police Department, I have responded to hundreds of gang related crimes including gang fights, drive by shootings, shootouts, stabbings, murders, assault with a deadly weapon, rapes, etc. I have contacted hundreds of gang members and spoken with them about their gangs. I have written reports and completed field interview cards on them and have validated them as gang members.

August 1989 – October 2008 San Jose Police Department San Jose, CA

COURT QUALIFIED GANG EXPERT

- Qualified as an Expert on Hispanic Criminal Street Gangs Santa Clara County Municipal Court D-27 (Terraine Annex) August 18, 1994
- Qualified as an Expert on Hispanic Criminal Street Gangs Santa Clara County Superior Court Juvenile Division D-40 December 1, 1994
- Qualified as an Expert on Hispanic Criminal Street Gangs Santa Clara County Superior Court D-32 Juvenile Division D-40 January 24, 1995

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- Qualified as an Expert on Hispanic Criminal Street Gangs Santa Clara County Municipal Court D-15 Judge Ambrose May 10, 1995
- Qualified as an Expert on Hispanic Criminal Street Gangs Santa Clara County Municipal Court June 27, 1995
- Qualified as an Expert on Hispanic Criminal Street Gangs Santa Clara County Superior Court D-18 Judge Zechner July 1995
- Qualified as an Expert on Hispanic Criminal Street Gangs Santa Clara County Municipal Court Suspect Banda Preliminary Hearing August 1995
- Qualified as an Expert on Hispanic Criminal Street Gangs Santa Clara County Superior Court Judge Teilh, (Jury Trial)
 July 20, 1995
- Qualified as an Expert on Hispanic Criminal Street Gangs
 Santa Clara County Municipal Court
 Judge Ambrose
 (Morales / Vidales Preliminary Hearing)
 1995
- Qualified as an Expert on Hispanic Criminal Street Gangs Santa Clara County Municipal Court D-22 (Perales / Vega Preliminary Hearing - Campbell PD Case)
 March 12, 1996
- Qualified as an Expert on Hispanic Criminal Street Gangs Santa Clara County Municipal, Court D-27 Judge Wettenkamp Def. Victor Gonzalez 208 / 220 / 186.22

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July 12, 1996

Qualified as an Expert on Hispanic Criminal Street Gangs

Santa Clara County Municipal Court D-27 Judge Wentenkamp Def. Jose Gallegos / Fermin Hernandez Preliminary Hearing, 245/186.22 PC **July 15, 1996**

- Qualified as an Expert on Hispanic Criminal Street Gangs Santa Clara County Municipal Court D-23 DA Gaffney, (Def. Juan Castaneda, 211, 186.22 P.C.) August 8, 1996
- Qualified as an Expert on Hispanic Criminal Street Gangs
 (Testified as an Expert on Hispanic Criminal Street Gangs, Hispanic Prison Gangs, and Drop Out Gangs; specifically, the "Northern Riders")

Santa Clara County Superior Court D-33, San Jose, CA **Judge Kenneth P. Barnum (**Hugo Chavez Gang Related Murder Jury Trial) **November 7, 2018**

OTHER EXPERT QUALIFICATIONS

I have also qualified and testified as an Expert in Superior Court on Narcotics and Firearms.

TEACHING EXPEREINCE / CRIME PREVENTION / GANG PRESENTATION

I was a Certified Instructor for the California Department of Corrections Parole LEADS Database System, and the CAL Gang Database System which contains hundreds of gang members in their databases.

I have also taught numerous classes on the Nuestra Familia, Mexican Mafia, and Hispanic Prison and Street Gangs, and Crime Prevention to Police Officers, Police Detectives, Citizens, and High School and College Students.

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CAREER ACHIEVEMENTS

I have been awarded numerous Certificates of Training, Certificates of Commendation, Certificates of Appreciation, and the San Jose Police Department's "William Poelle Life Saving Medal" for saving a life under emergency conditions.

MILITARY ACHIEVEMENTS

I have been awarded numerous Certificates of Training, Certificates of Appreciation, Certificates of Commendation, and the "Army Achievement Medal". I was also awarded an Honorable Discharge.

ACADEMIC ACHIEVEMENTS

I graduated in the top of my class in the Police Academy and was awarded the "Top Academic" Award.

I was on the Part-time Dean's list at West Valley College for having a high-grade point average.

LETTERS OF COMMENDATION / MEDALS / AWARDS

- Numerous Letters of Commendation, Letters of Appreciation and Training Certificates
- United States Army Achievement Medal
- San Jose Police William Poelle Life Saving Medal
- Top Academic Award in the San Jose Police Academy. I graduated in the top of my class.
- Exceptional Appraisals by SJPD Supervisors
- Community Service Award by Moose Family Center, San Jose, CA
- On the Dean's List at West Valley College for High Grade Point Average

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PROFESSIONAL LICENSES / CERTIFICATES

Private Investigator CA State License # 187841

May 18, 2016 - Current

Bureau of Security and Investigative Services Department of Consumer Affairs State of California

Private Investigator CA State License #AA013327

June 4, 1986 – January 1, 1993
Bureau of Security and Investigative Services
Department of Consumer Affairs
State of California

Advanced CA P.O.S.T. Certificate #A38789

April 30, 1997

Commission on Peace Officer's Standards and Training State of California

Intermediate CA P.O.S.T. Certificate #135812

May 14, 1990

Commission on Peace Officer's Standards and Training State of California

Basic CA P.O.S.T. Certificate #B52098

November 23, 1988

Commission on Peace Officer's Standards and Training State of California

LANGUAGES

English and Conversational Spanish

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PROFESSIONAL MEMBERSHIPS

- San Jose Police Officers Association
- Santa Clara County Peace Officers Association
- Santa Clara County Bar Association
- California Association of Licensed Investigators

REFERENCES / COMMENDATIONS / APPRAISALS

- Numerous Letters of Appreciation and Commendation
- Exceptional Job Appraisals from SJPD

Available Upon Request