

# Fresno deputy police chief arrested in federal drug investigation

By Carmen George

Fresno Deputy Police Chief Keith Foster was among six people arrested Thursday on federal drug charges, including conspiracy to distribute oxycodone, heroin and marijuana.

Foster, 51, who oversaw patrol operations for the department's four districts, was arrested for conspiracy to distribute and/or possess with the intent to distribute oxycodone, heroin and marijuana. He has been put on paid administrative leave while the department conducts an internal investigation, and he was stripped of his police equipment, Police Chief Jerry Dyer said.

Foster and five others were named in [the federal criminal complaint](#).

Also arrested were Rafael Guzman, 41, who is charged with conspiring with Foster to distribute and/or possess with the intent to distribute heroin; Randy Flowers, 48, conspiring to distribute and/or possess with the intent to distribute oxycodone; and Jennifer Donabedian, 35, conspiring to distribute and/or possess with the intent to distribute marijuana. They will appear in federal court on Friday. Iran Dennis "Denny" Foster, 44, and Sarah Ybarra, 37, were in custody later Thursday.

Federal agents made one arrest shortly before 2 p.m. at Nielsen and Tielman avenues, west of Highway 99 in front of Pershing Continuation High School. Central Unified School District spokeswoman Melinda Gonsalves said Pershing was locked down from 1:50 p.m. to 2:10 p.m.

Keith Foster and Denny Foster are related, a federal official said. Dyer said he believes Keith Foster also is related to Flowers.

The arrests, which were announced at a news conference Thursday afternoon at the FBI office in northwest Fresno, stemmed from an "intensive" ongoing, year-long joint investigation by the FBI and Bureau of Alcohol, Tobacco, Firearms and Explosives that involved "considerable" surveillance and wiretaps, said U.S. Attorney Benjamin Wagner, the region's top federal law-enforcement official.

Wagner said the charges stem from "very recent" alleged activity.

Dyer was made aware of the federal investigation after Foster was arrested Thursday.

"I really am at a loss for words, quite frankly, other than to say that as the police chief, I'm extremely shocked," he said.

Dyer said Foster has served as deputy police chief for the past eight years. He joined the department in December 1986. He was sworn in as one of five captains in January 2005.

Dyer said Foster's arrest erodes the public's trust of law enforcement.

"The message I want to send to everyone (in the police department) is when we place this badge on our chest, it is a badge of honor and there is a lot of responsibility that goes with that," Dyer said.

While Dyer said Foster is innocent until proven guilty, he added of his arrest: "I think it sends a strong message that whether they are an individual who is in a gang or whether they are a person in the police department, no one is above the law, and if they commit a violation of the law, they are going to be investigated and arrested and they too will have their day in court to prove their innocence."

Wagner said Dyer is cooperating fully with federal investigators. Dyer was not informed of the investigation until after Foster was arrested Thursday.

An affidavit by AFT special agent Sherri L. Reynolds outlines the criminal case against the suspects:

Keith Foster told Flowers in a Dec. 23, 2014 phone call that he had “100 of those things” for Flowers. Foster picked up a prescription for 100 oxycodone tablets at a Rite Aid pharmacy drive-thru and then drove his black BMW to Flowers’ home on West Church Avenue in a pocket of southwest Fresno just outside city limits.

Foster picked up another prescription of oxycodone pills on Jan. 27, 2015 and then drove to Flowers’ home.

Flowers has a criminal history in Fresno County that includes a 1988 conviction for possession of cocaine base for sale; a 1994 conviction for being a felon and addict in possession of a firearm; and a 2010 conviction for delivery of a schedule II controlled substance from Marion County, Oregon, the affidavit says.

On Dec. 6, 2014, Keith Foster called Denny Foster, who was in Redding, to obtain marijuana, saying he wanted some “units” for “his boy.” On Dec. 27, an individual known as “J.B.” went to Denny Foster’s home to buy marijuana. Denny Foster, who was not at home, told Donabedian, who lives with him, to get marijuana from a Tupperware bowl with a blue lid and sell it to J.B. for “fifty.”

According to the affidavit, Denny Foster was convicted in Oregon in 2005 for possession of cocaine with intent to distribute, but the conviction was overturned on appeal. In 2008, he was arrested for possession of marijuana for sale in Shasta County. And he was arrested on Jan. 4, 2015, on suspicion of possession of marijuana for sale in Merced County and released from custody the next day.

On Dec. 24, 2014, agents intercepted a phone call between Keith Foster and Guzman. Keith Foster told Guzman he knew someone who was trying to “get the black,” a reference to black tar heroin.

On Feb. 7, 2015, Denny Foster said in a phone call with Ybarra that he was on his way to pick her up so she could ship a half-pound of marijuana to an address in Albuquerque, New Mexico. Agents lost sight of Ybarra but then were alerted by employees of a FedEx office at Blackstone and Nees avenues about a suspicious package that had been dropped off by a Hispanic woman. Ybarra was identified in the store’s surveillance video as the customer. On Feb. 9, a Fresno County sheriff’s deputy went to the FedEx distribution center, where the package was opened and found to contain eight vacuum-sealed bags of marijuana.

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