

San Jose cop charged with drunken shootings released to SoCal rehab

Court agrees to send 22-year SJPd veteran to facility that treats first responders, over objection of prosecution



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MORGAN HILL — A veteran San Jose police officer who has been [charged with two instances of reckless gunfire inside a home](#), both while allegedly intoxicated, was ordered released from jail to a rehabilitation program across the state, according to a judge's ruling Wednesday.

[Timothy Lee Faye](#), 48, appeared before Santa Clara County Superior Court Judge L. Michael Clark in a Morgan Hill courtroom but did not enter a plea. He faces two felony counts of willful discharge of a firearm with gross negligence and is scheduled to return to court Aug. 20.

During the Wednesday hearing, Faye's attorney Nana Knight requested that Clark release him from the Santa Clara County Main Jail, where Faye had been held without bail, to a Southern California facility that specializes in treating first responders.

Deputy District Attorney Jason Malinsky objected to the request, in part on the grounds that it involved an unlocked facility that could create a public safety risk given that Faye would be free to walk out if he so chose.

Ultimately, Clark sided with Faye, who spoke briefly at the hearing and voiced contrition about his alcohol abuse.

"Officer Timothy Faye has courageously served this community for 22 years, putting his life and mental health on the line to protect the residents of San Jose," Knight said in a statement to this news organization. "Our society expects police officers to absorb some of the most traumatic and gut-wrenching events imaginable — including situations where others are facing a mental health crisis. Police officers are not robots and this takes its toll."

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Knight also asked for the public to "afford him the same due process that every American citizen enjoys."

“Officer Faye looks forward to his day in court,” she said. “He knows that the community, to which he has given so much, will treat him fairly, rather than rushing to judgment or relying on tired clichés.”

As part of his monitored release, Faye will be required to check in regularly with the internal affairs unit at the San Jose Police Department, which placed him on administrative leave following his June 18 arrest.

Should Faye complete the treatment program while his criminal case is still being adjudicated, he would be transferred to supervision by pretrial services in Santa Clara County and be required to wear a GPS monitor.

Authorities say on June 17, Faye fired his handgun inside the Morgan Hill home of an ex-girlfriend, while reportedly despondent about his misdemeanor child abuse arrest two days earlier in Monterey. That arrest stemmed from allegations he assaulted his fiancée’s 8-year-old daughter at their home; he had not been criminally charged in Monterey County as of Wednesday.

On June 18, Faye was arrested by Morgan Hill police. The ensuing investigation revealed that at some point in the past two years, he shot a closet in the same ex-girlfriend’s home, and last week, police reportedly found a bullet embedded in the drywall, resulting in a second shooting charge.

A Morgan Hill police report, which contained accounts from the woman whose home he shot up, described Faye as suffering from severe alcoholism, and, as he would later say in court, turned to alcohol to in part to cope with the stresses of his police work.

According to an interview with a Morgan Hill police detective following his arrest, Faye — who joined SJPd in 2003 — referenced two fatal police shootings in which he was involved, in [2015](#) and [2018](#), as events contributing to post-traumatic stress he experienced. Faye was also combative toward the detective, addressing him with a slew of profanities, including telling his interrogator to “f—ing leave it alone and just walk the f— away.”

On top of the criminal allegations, Faye's arrest evoked responses from some of his police colleagues, who told this news organization that he was the subject of multiple internal complaints about his alcohol abuse, and that police leadership was warned about the corresponding risk he posed on duty. They said their warnings went unheeded.

The police department, when asked about the claims, declined to specifically address them but said in a statement "that when concerns are brought forward regarding any officer's conduct, the department follows established procedures and protocols to assess and address those concerns appropriately."

This is a developing story. Check back for updates.

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