

Electronically Received 06/28/2021 04:39 PM

FILED
Superior Court of California
County of Los Angeles
06/28/2021

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**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE LOS ANGELES COUNTY - CENTRAL DISTRICT**

ART HERNANDEZ, ALFRED GONZALEZ,
BENJAMIN ZAREDINI, DAVID CASAS,
LOUIS GRANADOS, MARIO
CONTRERAS, OSCAR ESCOBEDO,
ARIELA LEMUS, AND THE ACLU
FOUNDATION OF SOUTHERN
CALIFORNIA, a taxpayer

Plaintiffs,

v.

COUNTY OF LOS ANGELES, a
municipal entity, RAFAEL "RENE" MUNOZ
aka BIG LISTO, GREGORY RODRIGUEZ

) CASE NO: 19STCV33158

) **FIFTH AMENDED COMPLAINT FOR:**

-) 1) **RACIAL DISCRIMINATION IN**
) **VIOLATION OF FEHA (CAL. GOV.**
) **CODE SECTION 12940 et. seq.);**
) 2) **FAILURE TO TAKE ALL**
) **REASONABLE STEPS TO PREVENT**
) **DISCRIMINATION IN VIOLATION**
) **OF FEHA (CAL. GOV. CODE;**
) **SECTION 12940 et. seq.)**
) 3) **HARASSMENT AND HOSTILE WORK**
) **ENVIRONMENT IN VIOLATION OF**
) **FEHA (CAL. GOV. CODE SECTION**
) **12940 et. seq.);**
) 4) **RETALATION IN VIOLATION OF**
) **FEHA (CAL. GOV. CODE SECTION**
) **12940 et. seq.);**

1 aka G-ROD, DAVID SILVERIO aka
2 SILVER, MICHAEL HERNANDEZ aka
3 BAM BAM, and DOES 1-100 inclusive,
4 including DOE 1 ERNIE CHAVEZ, DOE 2
5 RICHARD MEJIA, DOE 3 APRIL TARDY,
6 DOE 4 ANGELICA ESTRADA, DOE 5 ERIC
7 SMITSON, DOE 6 CHRIS PEREZ, DOE 7
8 VINCENT MORAN, DOE 8 HECTOR SOTO
9 SAAVEDRA, DOE 9 JEFF HAMIL, DOE 10
10 JEFF CHOW, DOE 11 WILLIAM JAEGER,
11 DOE 12 SCOTT CHAPMAN, DOE 13
12 RAYMOND MENDOZA, DOE 14 LUIS
13 CARBAJAL, DOE 15 BRAULIO ROBLEDO,
14 DOE 16 JONATHAN ROJAS, DOE 17
15 ELDEMIRA PARRA, DOE 18 ANDREA
16 VILLA, DOE 19 MARK ELIZONDO, DOE
17 20 NIKOLIS PEREZ, DOE 21 KELLY
18 POROWSKY, DOE 22 WOODROW KIM,
19 DOE 23 JUAN SANCHEZ, DOE 24 AARON
20 ABELLANO, DOE 25 SILVANO GARCIA,
21 DOE 26 JOANNA MACS MORAN, DOE 27
22 JOANANA PALOMBI, DOE 28 JOSE
23 ACEITUNO, DOE 29 ANTHONY
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-) 5) **UNLAWFUL RETALIATION: LABOR
CODE§ 1102.5 (WHISTLEBLOWER
LAW);**
) 6) **ASSAULT;**
) 7) **BATTERY;**
) 8) **NEGLIGENCE, VICARIOUS
LIABILITY**
9) **INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS;**
10) **CONSPIRACY TO INTERFERE
WITH CIVIL RIGHTS UNDER 42
U.S.C. §1985; DEPRIVATION OF
CIVIL RIGHTS UNDER 42 U.S.C.
§1983; UNDER STATE CODE §§ 51
(UNRUH ACT) AND 52.1 (THE BANE
ACT)
; and**
11) **TAXPAYER SUIT TO PREVENT THE
ILLEGAL EXPENDITURE OF FUNDS
(CAL. CODE CIV. PROC. 526A)**

Jury Trial Demanded

1 PACHECO, DOE 30 SORAYA SANCHEZ,
2 DOE 31 KARLA SEPULVEDA, DOE 32
3 MARCELO ORTEGA, DOE 33 DIANA
4 WOODWARD, DOE 34 EDUARDO MUNIZ,
5 DOE 35 REBECCA CORTEZ, DOE 36 JOE
6 MENDOZA, DOE 37 ERIN ROSARIO, DOE
7 38 JESSICA SANTOS, DOE 39 JOHN
8 SORIA, DOE 40 MIGUEL ORTIZ, DOE 41
9 CLAUDIA PEREZ, DOE 42 BRIAN
10 GOODWIN, DOE 43 MANUEL PALACIOS,
11 DOE 44 JODI HUTAK, DOE 45 PABLO
12 PARTIDA, DOE 46 NOEL LOPEZ, DOE 47
13 CHRISTOPHER MOORE, DOE 48
14 EDMUNDO TORRES, DOE 49 HUGO
15 RAMOS, DOE 50 MARIO CASTRO, DOE
16 51 MANNY NAVARRO, DOE 52 NIKKI
17 HANAMAKI, DOE 53 VINCENT CHOI,
18 DOE 54 HUGO REYNAGA, DOE 55
19 ANTHONY EASTER, DOE 56 JAMES
20 WOLACK, DOE 57 CHRIS BLASNEK, DOE
21 58 ALBERT MALDONADO, 59 TIMOTHY
22 MURAKAMI, DOE 60 LEO SANCHEZ,
23 DOE 61 ELIZABETH AGUILERA, DOE 62
24

1 LUIS VALLE, DOE 63 BOBBY DENHAM,
2 AND DOE 64 ANTHONY RIVERA, DOE 65
3 ROBERT LAVOIE
4
5 .

6 Defendants.

7 8 9 **INTRODUCTION**

10 1. Deputies, employees of the Defendant County of Los Angeles (“County”), have
11 harassed, terrorized, and retaliated against the individual Plaintiffs for over 4 years. The County
12 has long been aware that its employees harass and retaliate against the Plaintiffs for being
13 whistleblowers, and that County employees have been assaulting, threatening, intimidating, and
14 seeking to kill and/or injure the Plaintiffs since 2017 up to the date of this complaint. In addition,
15 over three years ago, in June 2017, the County began utilizing one of its prime methods to
16 intimidate the Plaintiffs and maintain a hostile work environment: County employee deputies
17 intentionally withheld back up of their fellow deputies on dangerous calls to endanger their
18 fellow deputies’ lives. Since June 2017, the County has done nothing to protect the Plaintiffs
19 from such endangerment of their lives and from the other methods of harassment, including pre-
20 planned assault and battery of some of the Deputy Plaintiffs at an official event and endangering
21 Plaintiff Deputies’ lives by repeatedly withholding back up on dangerous calls.
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25 2. The County has a unique and outrageous problem: A large percentage of law
26 enforcement officers, Los Angeles Sheriff Department (“LASD”) deputies, who work for the
27 County, are members of organized criminal gangs. One such gang, the Banditos, controls
28 LASD’s East Los Angeles Station. Members of the Banditos deny they are a gang. Whether the

1 Banditos are a gang or not is not relevant as to whether the County is liable for the harm caused
2 to the Plaintiff Deputies. The County is responsible and liable for all wrongful actions by all its
3 employees, including employees who are Banditos gang members. However, the fact that the
4 County employees who are harassing and retaliating against the Plaintiff Deputies are LASD
5 deputies who are gang members creates an extreme and outrageous hostile environment. The
6 individual Defendants are all either shot callers, leaders of the Banditos gang, “prospects” and
7 associates of the Banditos, or either cooperate with them or refuse to speak up about them or take
8 steps to oppose them out of fear, ambition or because they see no point in trying.
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11 3. County leaders, including members of the Los Angeles County Board of
12 Supervisors (“Board”) have made a series of admissions that they have a deputy gang problem
13 and have acknowledged that the Banditos caused serious harm. The harms to the Plaintiff
14 Deputies and others have brought attention to the public, the media, the State of California
15 Attorney General (“AG”) and Federal Bureau of Investigation (“FBI”) regarding the extent of
16 the deputy gang problem. The County acknowledges that, based on the harms caused to the
17 Plaintiff Deputies, the County needs to implement serious reforms to LASD to rid the
18 department of deputy gangs and the associated bad conduct. Yet, at the same time, the County
19 continues to cover up the extent of the harms caused by the deputy gangs. The deputy gangs not
20 only terrorize other deputies, but also terrorize County residents as gangs encourage their
21 members to commit illegal acts, including the planting of evidence and the use of excessive
22 force. In fact, all the most recent controversial shootings of County residents have been done by
23 “prospects” of gangs, individuals trying to earn their way into the gangs and get “inked.”
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26 4. Instead of moving to protect their deputies and the public, the County has lied
27 repeatedly and covered up the deputy gang problem. LASD is notorious for repeatedly rigging
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1 Internal Affairs Investigations to ensure there is no scrutiny and no accountability for deputy
2 gang membership and activity. The County continues to lie this day, trying to cover up or
3 minimize the harms caused to the Plaintiff Deputies by County employees. In fact, the County
4 continues to engage in ongoing harassment and retaliation at the time of the filing of this Fifth
5 Amended Complaint. Retaliation by the County includes intentional violations of state law under
6 the Peace Officers' Bill of Rights ("POBRA") by initiating a bad-faith IA investigation which
7 knowingly manufactured malicious and false charges of misconduct against four of the Plaintiff
8 Deputies, at the direction and supervision of Sheriff Alex Villanueva, for which Plaintiff
9 Deputies will shortly file a separate lawsuit against Sheriff Alex Villanueva and the County,
10 along with some of the individual Doe Defendants named here who have also been the victims of
11 malicious and false charges of misconduct and unlawful disciplinary action, as previously
12 recommended and advised by this Court, which related action will then be joined with this
13 action.
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17 5. This action challenges a pattern and practice of unlawful and unconstitutional
18 conduct by the County. The County and its law enforcement agency, LASD and Sheriff Alex
19 Villanueva, have engaged in and continue to engage in a pattern or practice of unlawful police
20 actions and excessive force directed at, or with a disproportionate impact on Latinos and African
21 Americans in the County, including towards the Plaintiff Deputies. In addition, the County has
22 engaged in and continues to engage in a pattern or practice of using threats, intimidation,
23 physical violence, and other forms of retaliation to silence LASD personnel, including the
24 Plaintiff Deputies who attempt to stop the unconstitutional and unlawful actions of the LASD
25 and its deputies.
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1 6. The LASD has a long history of deputies perpetuating violence against and
2 harassing members of the public as well as individuals detained within the jails it operates.
3 While this misconduct is rampant throughout the department, studies of LASD have repeatedly
4 found that some of the worst offenders are members of internal cliques and criminal gangs that
5 have perpetuated violations of civil rights against Latinos and African Americans and enforced a
6 code of silence within the organization. In addition, these criminal gangs, such the “Banditos,”
7 use threats, intimidation, and physical violence to deter and punish LASD deputies who report
8 misconduct or who refuse to engage in illegal and unconstitutional acts.
9

10 7. Deputy gangs (such as the Banditos, the Vikings, the Grim Reapers, 3,000 Boys -
11 whose members committed violence against other deputies and earned their tattoos by breaking
12 the bones of inmates, the 2,000 Boys, the Executioners, the Regulators, the Jump Out Boys -
13 smoke is tattooed over a gun’s barrel for members who have been involved in at least one
14 shooting of a black or Hispanic person, CPT, the Spartans, the Rattlesnakes, the Pirates) are
15 pervasive county-wide, but deputy gangs have a particular stranglehold over the East Los
16 Angeles station. The first known gang of deputies in LASD was the Little Devils, which
17 operated out of the East Los Angeles station. In East Los Angeles, the Little Devils gang was
18 succeeded by the Cavemen gang, which was in turn succeeded by the Banditos gang. As with the
19 first gang, the Little Devils, the Banditos are an illegal racist and sexist criminal organization,
20 excluding African Americans and females from membership. Also, as with the Little Devils, the
21 Banditos target Latino community members as well as Latino deputies for maltreatment,
22 including the Plaintiff Deputies. However, there has been an evolution in that while the Little
23 Devils were dominated by persons identifying as Caucasians, the Banditos gang is comprised of
24 Latino deputies who victimize other Latinos and Latinas and Latina deputies at the East LA
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1 Station who aren't Banditos members including violating Plaintiff Deputies' civil rights,
2 assaulting and attacking them directly at several locations, putting the Plaintiff Deputies' life and
3 limb at risk by withholding backup on dangerous calls, the commission of POBRA violations
4 and other acts of intimidation, harassment and threats of violence against the Plaintiff Deputies.
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6 8. While the largest concentration of deputy gangs has historically been in the jail
7 system (3,000 Boys, 2,000 Boys, Wayside Whities) and Compton/South Los Angeles (Grim
8 Reapers, Pirates, Regulators, Spartans, Executioners), and East Los Angeles (Banditos,
9 Cavemen, Little Red Devils), deputy gangs are spread throughout Los Angeles County,
10 including operating out of the anti-gang unit Operation Safe Streets (Banditos, Jump Out Boys)
11 and as far flung as the Antelope Valley (Rattlesnakes, Cowboys), and their corruption has
12 permeated the entire LASD up through management and administration for decades. LASD
13 deputy gang culture is the dominant culture of the department. And new gangs and "ink"
14 (referring to the tattoos of gang symbols deputies get to show their membership) continue to
15 develop at various stations in the department, including at the Lakewood station. According to a
16 former high-ranking veteran of LASD who recently testified to the LASD Civilian Oversight
17 Commission ("COC"), currently 15-20% of LASD deputies are members of a gang. The
18 Banditos recently had an inking party, adding ten new members and bringing the gang's
19 membership up to 100. The stage is set for even more new ink to soon arise at the East Los
20 Angeles Station, where the Banditos problem has only gotten worse with each passing day rather
21 than being under control as falsely announced by Villanueva and other LASD senior
22 management.
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26 9. The tolerance and even endorsement of gangs within LASD is part of a larger
27 pattern of tolerance and endorsement of unconstitutional and unlawful conduct of deputies by the
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1 highest ranks of LASD. As set forth below, repeated killings by deputies, lawsuits, actions by the
2 U.S. Department of Justice, and acknowledgement of pervasive problems by County officials
3 have resulted in no meaningful attempts to curb deputies' unlawful behavior including excessive
4 force, discrimination, false statements, and retaliation against both members of the public and
5 other deputies. To the contrary, the County has repeatedly settled lawsuits resulting from
6 violence, harassment and other forms of misconduct perpetuated by deputy gang members and
7 required non-disclosure agreements to cover up the facts. The County also continues to fund
8 LASD with the knowledge that the department is failing to comply with its duties under the U.S.
9 Constitution, state and local law, and departmental policies intended to protect the public from
10 unnecessary force and intentional harassment and to ensure meaningful accountability for
11 deputies who engage in misconduct including deputy gang members.
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14 10. The County and LASD leadership, including Sheriff Alex Villanueva, have
15 delayed and obstructed implementation of reforms ordered by federal court in a consent decree
16 with the U.S. Department of Justice ("USDOJ"), and have reversed many of the reforms
17 implemented by previous Sheriffs. In addition, Villanueva and other LASD leadership have
18 sought to obstruct lawful oversight of the LASD and its deputies regarding uses of force, illegal
19 searches and seizures, unlawful hiring practices, disciplinary actions, and other policing
20 functions where transparency and accountability are paramount. For example, the LASD has
21 initiated blatantly fake criminal investigations to deter the Office of the Inspector General
22 ("OIG") from conducting lawful inquiries and perform statutory oversight functions through its
23 personnel. In addition, the LASD has regularly refused to cooperate with inquiries from the COC
24 and the OIG.
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1 11. This pattern and practice of illegal conduct is exemplified in the numerous
2 individuals - primarily Black and Latino - who have been brutalized or killed by LASD deputies,
3 most of whom received little or no discipline as a result, even when the cases resulted in
4 substantial settlements funded by the County or where the disciplinary decisions were questioned
5 by oversight agencies including the OIG or the monitors overseeing the jails pursuant to the
6 settlement in *Rosas v. Los Angeles County Sheriff*. LASD has adopted explicit policies, such as
7 its use of force policy, that directly violate state law in permitting force in circumstances that are
8 *per se* unreasonable pursuant to existing law. And through LASD's repeated violation of County
9 ordinances and its own policies surrounding the investigation and discipline of deputies—both
10 through directives limiting the involvement of mandated oversight entities such as the
11 Constitutional Policing Advisors and the OIG, and its repeated refusal to follow its own policies
12 regarding deactivation of complaints, referrals for criminal investigation, and time limits for
13 completion of investigations—there have been, at minimum, hundreds of unadjudicated or
14 improperly-adjudicated complaints, resulting in deputy misconduct continuing to run unchecked.
15 This is further exacerbated by the documented retaliation against deputies who attempt to come
16 forward to challenge the misconduct by others within their ranks—all of which give clear
17 indication to deputies, including, but not limited to gang-affiliated deputies—that violence
18 against the public or even against non-compliant members of LASD is tolerated if not
19 affirmatively encouraged.

20 12. In addition to County funds directed to carry out LASD's illegal practices,
21 LASD's unlawful conduct has required the taxpayers of the County to suffer significant financial
22 costs associated with civil lawsuits for violations of civil rights, workplace discrimination,
23 retaliation, and other illegal conduct. The lawsuits have resulted in hundreds of millions of
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1 taxpayer dollars in settlements, judgments, and legal fees which were no longer available for
2 other essential services.

3 13. Plaintiffs bring this action to seek remedies for individual harms done to the
4 Plaintiff Deputies and to other deputies and residents of the County and to enjoin the County
5 from continuing to engage in illegal practices that result in serious harms to all residents of the
6 County. In so doing, Plaintiffs seek to remedy a pattern or practice by law enforcement officers
7 of LASD, a branch and agent of the County, that deprives persons of the rights, privileges and
8 immunities secured and protected by the United States Constitution, the Constitution of the State
9 of California and applicable state and federal statutes.
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12 **JURISDICTION AND VENUE**

13 14. This Court has jurisdiction over all state causes of action under Code of Civil
14 Procedure §§ 525, 526, 526a, as well as all claims arising under federal law, pursuant to 28
15 U.S.C. §§ 1331, and 1345.
16

17 15. Venue is proper because Defendants are located in the County of Los Angeles,
18 and all the events, actions, or omissions giving rise to these claims occurred in the County of Los
19 Angeles.
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21 **PARTIES**

22 16. Plaintiff AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF
23 SOUTHERN CALIFORNIA (“ACLU SoCal”) is a non-profit, non-partisan organization located
24 in Los Angeles, California. ACLU SoCal operates with a Board of Directors, employees, and
25 members. ACLU SoCal has tens of thousands of members who reside in Southern California,
26 and many of its members are taxpayers of the County. ACLU SoCal owns property and pays
27 property taxes in the County. ACLU SoCal is dedicated to protecting and expanding the civil
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1 rights and civil liberties enshrined in the United States Constitution, the State of California
2 Constitution, and state and federal laws. ACLU SoCal advocates on behalf of the people harmed
3 by unconstitutional policing practices in the County, including practices that disproportionately
4 impact people of color.
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6 17. ACLU SoCal has an interest in preventing the illegal expenditure of County
7 funds, including the County's expenditure of funds on administering, implementing, concealing,
8 and defending the numerous illegal policies and practices addressed in this Complaint. In
9 addition to its interests as a taxpayer in the County, ACLU SoCal as an association that includes
10 members residing in the County, is interested in the deputy violence and misconduct perpetuated
11 through the lack of enforcement of the Defendants' constitutional, statutory, and administrative
12 duties. There is a substantial public interest in the enforcement of the County's duties to comply
13 with the U.S. and California Constitutions, state law, and departmental policy, to ensure the
14 safety of County residents and to build trust in LASD.
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17 18. Plaintiffs ART HERNANDEZ ("Deputy Art Hernandez," "Deputy Hernandez,"
18 or "Plaintiff Hernandez") ALFRED GONZALEZ ("Deputy Alfred Gonzalez," "Deputy
19 Gonzales," or "Plaintiff Gonzalez"), BENJAMIN ZAREDINI ("Deputy Benjamin Zaredini,"
20 "Deputy Zaredini," or "Plaintiff Zaredini"), DAVID CASAS ("Deputy David Casas," "Deputy
21 Casas," or "Plaintiff Casas"), LOUIS GRANADOS ("Deputy Louis Granados," "Deputy
22 Granados," or "Plaintiff Granados"), MARIO CONTRERAS ("Deputy Mario Contreras,"
23 "Deputy Contreras," or "Plaintiff Contreras") OSCAR ESCOBEDO ("Deputy Oscar Escobedo,"
24 "Deputy Escobedo," or "Plaintiff Escobedo"), ARIELA LEMUS ("Deputy Ariela Lemus,"
25 "Deputy Lemus," or "Plaintiff Lemus"), are current or former Deputies of LASD of Hispanic or
26 Latino heritage (Deputy Zaredini is of mixed heritage) who reported the unlawful conduct of
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1 LASD personnel and were retaliated against by LASD (collectively, “Plaintiff Deputies”). The
2 Plaintiffs are residents of and pay taxes to the County.

3 19. The County is a municipal entity that operates LASD, which is an agency of the
4 County and not a separate entity as it has, at times, alleged.

5
6 20. Individual defendants RAFAEL “RENE” MUNOZ aka BIG LISTO (“Big Listo”
7 or “Defendant Munoz”), GREGORY RODRIGUEZ aka G-ROD (“G-Rod” or “Defendant
8 Rodriguez”), DAVID SILVERIO aka SILVER (“Silver” or “Defendant Silverio”), and
9 MICHAEL HERNANDEZ aka BAM BAM (“Bam Bam” or “Defendant Hernandez”), are or
10 were LASD Deputies and members and leaders (“shot callers”) of the criminal cop gang, the
11 “Banditos.” The Banditos gang is comprised of deputies hired and employed by LASD and are
12 residents of the County. They and other Banditos members and Banditos “Prospects” (deputies
13 “chasing the ink” to become tattooed gang members) and “Associates” (females are not allowed
14 to be members of the gang), and other employees of LASD, including the now unmasked Doe
15 Defendants, bullied, discriminated against, retaliated against, filed false charges of misconduct
16 against and took many other steps for harm the Plaintiffs for over 4 years up to and including the
17 date of the filing of this Fifth Amended Complaint. The County is liable for the wrongful
18 conduct of all its employees and managers, including, DOE 1 Ernie Chavez, DOE 2 Richard
19 Mejia, DOE 3 April Tardy, DOE 4 Angelica Estrada, DOE 5 Eric Smitson, DOE 6 Chris Perez,
20 DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 9 Jeff Hamil, DOE 10 Jeff Chow,
21 DOE 11 William Jaeger, DOE 12 Scott Chapman, DOE 13 Raymond Mendoza, DOE 14 Luis
22 Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18
23 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 21 Kelly Porowsky, DOE
24 22 Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia,

DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 31 Karla Sepulveda, DOE 32 Marcelo Ortega, DOE 33 Diana Woodward, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 36 Joe Mendoza, DOE 37 Erin Rosario, DOE 38 Jessica Santos, DOE 39 John Soria, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 42 Brian Goodwin, DOE 43 Manuel Palacios, DOE 44 Jodi Hutak, DOE 45 Pablo Partida, DOE 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki, DOE 53 Vincent Choi, DOE 54 Hugo Reynaga, DOE 55 Anthony Easter, DOE 56 James Wolack, DOE 57 Chris Blasnek, DOE 58 Albert Maldonado, and DOE 59 Timothy Murakami, DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, DOE 62 Luis Valle, DOE 63 Bobby Denham, DOE 64 Anthony Rivera, and DOE 65 Robert Lavoie.

FACTUAL BACKGROUND

21. Since the early 1990s, LASD has been plagued with deputies found to have violated the constitutional rights of individuals by using excessive force, conducting illegal searches and seizures, and violating individual rights. It has repeatedly failed to follow laws and departmental policies relating to oversight and accountability, which has allowed for this conduct, including misconduct specifically perpetrated by members of deputy gangs, to continue unchecked. In addition, the County has funded and sanctioned this conduct, with the knowledge that it was occurring and of the harms to the public and individual deputies that resulted.

22. In December 1991, the Board created an investigatory commission (the “Kolts Commission”) and appointed Special Counsel in response to the public uproar over excessive force by deputies to conduct a sweeping inquiry into “the policies, practices and procedures of

1 the Sheriff's Department, including . . . training, job performance and evaluation, record keeping
2 and management practices, as they related to allegations of excessive force.”¹ In 1992, the Kolts
3 Commission issued its report, acknowledging the existence of gang-like behavior by various
4 “cliques” within the department, pressed LASD to root out the gangs, and recommended that
5 officials investigate and punish deputies who act like gang members.
6

7 23. The County refused to follow the Kolts Commission's advice. The Kolts
8 Commission also more broadly acknowledged the lack of officer accountability, noting that
9 deputy discipline is “too light” and “people who never should have been allowed to remain on
10 the force . . . are still there with a badge and a gun.”²
11

12 24. Subsequent blue-ribbon panels have issued similar scathing critiques of internal
13 deputy gangs, but LASD failed to implement any of the panels' reasonable recommendations.
14 For example, two decades after the Kolts Commission report, in 2012, a blue-ribbon
15 commission, the Citizens' Commission on Jail Violence (“Citizens' Commission”), found a
16 series of abuses by LASD deputies against inmates and other residents of the County often
17 perpetrated or protected by the deputy gangs. The Citizens' Commission noted that a culture of
18 tolerance and even “tacit approval” of “violent cliques[gangs]”³ existed within the department.
19 The Citizens' Commission sharply criticized LASD for turning a blind eye to the problem and
20 allowing the gangs to use excessive force to the point of breaking bones of inmates in the county
21 jails and on the streets. The Citizens' Commission emphasized that the County “has known about
22 and failed to address the longstanding problem of deputy cliques.”⁴ It further recognized that
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26 ¹ *Kolts Commission Report*, p. 1 (July 1992), available at <https://www.clearinghouse.net/chDocs/public/PN-CA-0001-0023.pdf>
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28 ² *Id.* at p. 340.

³ *Report of the Citizens' Commission on Jail Violence*, p. 101 (Sept. 2012), available at
<https://ccjv.lacounty.gov/wp-content/uploads/2012/09/CCJV-Report.pdf>.

⁴ *Id.* at p. 103.

1 LASD “rarely finds or meaningfully punishes dishonesty and failure to report force incidents,
2 and it takes months (or even years) to address deputy misbehavior . . . [and] for years
3 management has known about and condoned deputy cliques [gangs] and their destructive
4 subcultures . . . contribut[ing] to force problems in the jails as well as numerous off-duty force
5 incidents involving deputies.”⁵ In 2017, then Sheriff James McDonnell publicly admitted that
6 LASD had deputy gangs in its midst. LASD’s deprivation of rights and obstruction of justice
7 then reached the highest levels of LASD and continue to do so today. For instance, in 2017,
8 former Sheriff Lee Baca was sentenced to three years in federal prison for his role in a scheme to
9 obstruct an FBI investigation of abuses in county jails, in a corruption scandal that has roiled
10 LASD for years. Baca refused to accept responsibility for having overseen and condoned the
11 obstruction ploy carried out by subordinates.
12

14 25. Under Sheriff Baca, deputy gangs ran rampant with little or no accountability for
15 their actions against community members and other deputies. A deputy member of the
16 Regulators gang (he also had Vikings gang ink) operating out of Century Station on multiple
17 occasions aimed his gun at another deputy at the station, threatening to kill him, and was merely
18 given a 15-day suspension. The Vikings gang brutalized minorities, falsely arrested suspects and
19 engaged in wrongful shootings.
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22 26. Baca’s undersheriff, Paul Tanaka, was an inked member of the Vikings gang for
23 years while serving as one of the department’s top commanders. The Citizen’s Commission also
24 specifically identified Tanaka as enacting policy to undermine attempts to reduce violence and
25 weaken deputy gangs.⁶ Tanaka was also sentenced to prison for conspiracy and obstructing an
26 FBI investigation into deputy jail abuse. But the high-profile convictions did not end corruption
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28 ⁵ Id. at p. 95.

⁶ See, e.g., Id. at p. 103.

1 at the upper levels of management at the Sheriff's Department. In 2011, according to Thomas
2 Parker, a former FBI agent and Assistant Special Agent in charge of the Bureau's Los Angeles
3 Filed Office, who oversaw one of the FBI investigations into the force: "There is at least a two-
4 decade history of corruption within the ranks of the LASD (Los Angeles County Sheriff's
5 Department), no one at the command level... appears to have been held accountable and
6 appropriately punished for failure to properly supervise and manage their subordinate personnel
7 and resources." Mr. Parker also added that, "The misfeasance and malfeasance of LASD...
8 should not be allowed to continue nor to perpetuate itself, as it has apparently done over the past
9 two decades and perhaps longer. To allow this to continue would be nothing short of criminal."⁷
10
11 Unfortunately, the misfeasance and malfeasance of LASD continues unabated through the filing
12 of this Fifth Amended Complaint. In January 2021, Loyola Law School's Center for Juvenile
13 Law and Policy (CJLP) published a study that detailed the history of 50 years of Deputy Gangs
14 in LASD.⁸
15

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17 27. There has been a long history of constitutional violations by LASD being so
18 extreme as to invite scrutiny and legal action from the USDOJ, as the USDOJ has been
19 compelled to move under the Violent Crime Control and Law Enforcement Act of 1994, 42
20 U.S.C. § 141141, to remedy a pattern or practice of misconduct by law enforcement officers. In
21 2012, the USDOJ entered into agreement with the County to stop the abuse and mistreatment of
22 mentally ill detainees in the County's jails. Despite such an agreement, glaring deficiencies
23 remained as LASD continued to violate the constitutional rights of inmates and in 2013 USDOJ
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28 ⁷ *ACLU Report Cruel and Unusual Punishment: How A Savage Gang of Deputies Controls L.A. County Jails* (Apr. 2015).

⁸ *Fifty Years of "Deputy Gangs" in the Los Angeles County Sheriff's Department* (Jan. 2021), Center for Juvenile Law and Policy.

opened a separate investigation to address allegations of use of excessive force against all prisoners.

28. In 2015, the USDOJ was compelled to file a lawsuit against the County, based on LASD's pattern or practice of using excessive force against inmates, with charges including use of force that was disproportionate to the amount of resistance encountered. This police brutality includes use of force against unresisting or handcuffed prisoners. Deputy gangs have beaten inmates for asking for medical treatment, for the nature of their alleged offenses, and for the color of their skin. They have beaten inmates in wheelchairs. They have beaten an inmate, paraded him naked down a jail module, and purposefully placed him in a cell so he would be sexually assaulted.

29. In 2021, the CAG announced that it is investigating LASD for Civil Rights violations, indicating that its investigation "will seek to determine whether LASD has engaged in a pattern or practice of unconstitutional policing. The California Department of Justice investigation comes on the heels of allegations of excessive force, retaliation, and other misconduct, as well as a number of recent reported incidents involving LASD management and personnel. Today's action by DOJ also comes in response to the absence of sustained and comprehensive oversight of LASD's operations."⁹

SUMMARY OF INJURIES SUFFERED BY PLAINTIFF DEPUTIES

30. The Defendants deprived the Plaintiffs Deputies of their civil rights through racially discriminating, harassing, creating, and maintaining a hostile work environment,

⁹ Attorney General Becerra Launches Civil Rights Investigation into the Los Angeles County Sheriff's Department (Jan. 2021), available at <https://oag.ca.gov/news/press-releases/attorney-general-becerra-launches-civil-rights-investigation-los-angeles-county>.

1 assaulting, battering, and retaliating against them for engaging in protected acts and refusing to
2 engage in unlawful conduct. The County is liable for all hostile conduct by its employees and
3 managers toward the Plaintiff Deputies, whether the individuals retaliating against the Plaintiff
4 Deputies were gang members or not. However, the systemic problem of the deputy gang culture
5 that permeates the LASD, and LASD's customs, policies, practices, regulations, and the lack of
6 enforcement of its own rules, contributed to the injuries and harms suffered by the Plaintiff
7 Deputies.

9 31. The Plaintiff Deputies suffered adverse actions that include the following:

10 Dozens of times, the Defendants/Banditos retaliated against the Plaintiff Deputies by
11 failing to provide back-up for the deputies when they were responding to dangerous calls. This
12 unnecessarily placed the Plaintiff Deputies' lives at risk while they were attempting to protect the
13 public. The no back up problem was so pervasive, one deputy, who is not a Plaintiff, would
14 continue working past 12-16 hours at times because he was afraid to leave his partner, Plaintiff
15 Benjamin Zaredini, alone. The County has intentionally never disciplined any deputies at the
16 East Los Angeles Station for intentionally withholding backup. The County actively encourages
17 no accountability for deputies as it has also engaged in a cover up of the no back up problem,
18 lying that it can show from Incident History Reports whether back up was provided or not –
19 when in truth deputies can simply punch into the Mobile Digital Computer inside LASD patrol
20 vehicles used to run checks on vehicles and persons, receive calls for service, write reports, send
21 messages to other patrol vehicles, check map, unit status and unit location and create a false
22 record that they gave back up even though they didn't. Individual Defendants Big Listo, Silver,
23 and G-Rod, and DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 15 Braulio Robledo,
24 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 20 Nikolis Perez, DOE 23

1 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, and DOE 41 Claudia Perez,
2 intentionally withheld back up and/or assisted in the withholding of back up to the Plaintiff
3 Deputies through the Dispatch unit.
4

5 32. The Plaintiff Deputies were routinely subjected to a hostile work environment and
6 harassed and threatened and bullied in attempts to get them to conform to the corrupt culture and
7 to perform illegal acts or acts violating LASD's policies. The Banditos would pressure the
8 Plaintiff Deputies to work excessive hours under the guise of "work ethic," when in truth many
9 of the Banditos were not hard workers themselves. The Defendants who maintained the hostile
10 work environment at the East Los Angeles Station included Big Listo, Silver, G-Rod, DOE 4
11 Angelica Estrada, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond
12 Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17
14 Eldemira Parra, DOE 18 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22
15 Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE
16 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony
17 Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35
18 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica Santos, DOE 39 John Soria, DOE 40
19 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE 46 Noel Lopez, DOE 47
20 Christopher Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario Castro,
21 DOE 51 Manny Navarro, DOE 52 Nikki Hannamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth
22 Aguilera, DOE 62 Luis Valle, DOE 63 Bobby Denham, DOE 64 Anthony Rivera, and DOE 65
23 Robert Lavoie.
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1 33. The Plaintiff Deputies were pressured to quit their jobs or leave the station. The
2 Plaintiff Deputies were told they were not “East LA Material,” i.e., not corrupt enough to be
3 there.

4 34. The Plaintiff Deputies’ work was regularly interrupted as they were harassed with
5 hostile messages on their vehicle computers, particularly by the top “shot caller” of the Banditos,
6 Big Listo. The messages would purport to encourage hard work, while the senders were hardly
7 working themselves. Big Listo in particular was known as one the laziest deputies at the station,
8 often “parking it” (sitting in his car doing no work rather than doing patrol).

9 35. The Plaintiff Deputies were “shaken down” by Defendants, including DOE 15
10 Braulio Robeldo and DOE 18 Andrea Villa, to pay portions of their salaries as “taxes” to the
11 Banditos. The County has covered up the extent the gang tax was imposed by calling these
12 shakedowns “donations,” when the County is fully aware the monies were given involuntary and
13 went into the pockets of the Banditos. The Plaintiff Deputies were overwhelmed with excessive
14 and emergency calls while on duty, directed by members of the Banditos as retaliation against
15 their refusal to engage in unlawful conduct and later as retaliation after the Plaintiff Deputies
16 blew the whistle on the Banditos to their superiors. Plaintiff Louis Granados saw the number of
17 calls he was sent to shoot up exponentially in the summer of 2018, as Defendant Big Listo, and
18 DOE 17 Eldemira Parra, DOE 18 Andrea Villa, and DOE 41 Claudia Perez controlled which
19 deputies got which calls through Dispatch and retaliated against Deputy Granados after he and
20 Deputy Zaredini blew the whistle on the Banditos.

21 36. The Plaintiff Deputies were overloaded with calls by Defendants including Big
22 Listo, and DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 15 Braulio Robledo,
23 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 20 Nikolis Perez, DOE 23

1 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, and DOE 41 Claudia Perez,
2 just at the end of shift so they would have to stay past their worktime.

3 37. The Plaintiff Deputies were frequently forced to work up to 8 hours over their
4 scheduled shift without compensation.
5

6 38. The Plaintiff Deputies were shunned and ostracized at the East Los Angeles
7 station by Defendants including Big Listo, Silver, G-Rod, and DOE 4 Angelica Estrada, DOE 7
8 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis
9 Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18
10 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow Kim, DOE 23
11 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran,
12 DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya
13 Sanchez, DOE 32 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37
14 Erin Rosario, DOE 38 Jessica Santos, DOE 39 John Soria, DOE 40 Miguel Ortiz, DOE 41
15 Claudia Perez, DOE 43 Manuel Palacios, DOE 46 Noel Lopez, DOE 47 Christopher Moore,
16 DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny
17 Navarro, DOE 52 Nikki Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, and
18 DOE 62 Luis Valle for doing their jobs and not joining and/or following the directions and
19 control of the Banditos gang members; and the Plaintiff Deputies remain ostracized in LASD and
20 have been smeared and labeled as “rats” for telling the truth about the illegal gang-like culture
21 that permeates LASD.
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23 39. The Plaintiff Deputies were denied earned promotions and given unearned
24 demotions by leadership in LASD, including Sheriff Villanueva, and Defendants DOE 1 Ernie
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1 Chavez, DOE 4 Angelica Estrada, DOE 5 Eric Smitson, DOE 6 Chris Perez, and DOE 59
2 Timothy Murakami.

3 40. Defendants, including Big Listo, Silver, G-Rod, and Bam Bam, and DOE 13
4 Raymond Mendoza assaulted and battered the Plaintiff Deputies, some to the point of
5 unconsciousness, in a four-year campaign of threats, intimidation, and coercion to remain silent
6 about abuses and to engage in unlawful conduct.

7
8 41. The Plaintiff Deputies were wrongfully denied or delayed their requested transfers
9 away from the hostile environment and were forced to endure continuing harassment and
10 discrimination by Sheriff Villanueva and Defendant DOE 1 Ernie Chavez and DOE 64 Anthony
11 Rivera, and other LASD leaders, who knew this would continue to endanger the Plaintiff
12 Deputies' lives and well-being. The Plaintiff Deputies were further endangered when one or
13 more of the Defendants secretly removed the ammunition from Deputy Zaredini's shotguns and
14 stole the bullet proof vest owned by Deputy Granados. All of the Plaintiff Deputies faced a work
15 environment so unrelentingly hostile, they eventually had to transfer out of the East Los Angeles
16 station to escape the toxic environment created and maintained by Defendants including DOE 1,
17 Ernie Chavez, DOE 2 Richard Mejia, DOE 4 Angelica Estrada, DOE 5 Eric Smitson, DOE 6
18 Chris Perez, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 10 Jeff Chow, DOE 11
19 William Jaeger, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio Robledo,
20 DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 19 Mark
21 Elizondo, DOE 20 Nikolis Perez, DOE 21 Kelly Porowski, DOE 22 Woodrow Kim, DOE 23
22 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran,
23 DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya
24 Sanchez, DOE 32 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37
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1 Erin Rosario, DOE 38 Jessica Santos, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 42
2 Brian Goodwin, DOE 43 Manuel Palacios, DOE 46 Noel Lopez, DOE 47 Christopher Moore,
3 DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny
4 Navarro, DOE 52 Nikki Hanamaki, DOE 53 Victor Choi, DOE 60 Leo Sanchez, DOE 61
5 Elizabeth Aguilera, DOE 62 Luis Valle, DOE 63 Bobby Denham, DOE 64 Anthony Rivera, and
6 DOE 65 Robert Lavoie.

8 42. Sheriff Villanueva and Defendants, including DOE 1 Ernie Chavez, gave the
9 Plaintiff Deputies what is euphemistically called within LASD “freeway therapy,” sent to
10 stations far away from their homes when they requested transfers as punishment for being
11 whistleblowers.
12

13 43. The Plaintiff Deputies’ service and careers as LASD deputies were damaged or
14 ruined by the Defendants, and as whistleblowers the Plaintiff Deputies will forever be retaliated
15 against and will be denied promotions.
16

17 44. The Plaintiff Deputies continue to live in fear of deputy violence, given actual
18 threats of violence made against themselves and their families as well as threatening acts and
19 gestures made by members of the Banditos.
20

21 45. The Plaintiff Deputies as whistleblowers have not received the required
22 protections under the law; threats continue to be made against the Plaintiff Deputies up to the
23 filing of this Complaint; three times, dead rats have been left outside the homes of two of the
24 Plaintiffs.

25 46. The Defendants continue to retaliate against the Plaintiff Deputies up through the
26 filing of this Fifth Amended Complaint, by making false charges of misconduct, initiating bad-
27 faith internal affairs investigations and imposing illegal discipline of unpaid leave against at least
28

1 six of the Plaintiff Deputies (Deputies Zaredini, Contreras, Granados, Lemus, Hernandez, and
2 Escobedo) in violation of POBRA, as personally directed and supervised by Sheriff Alex
3 Villanueva, and assisted by Defendants including DOE 1 Ernie Chavez, DOE 2 Richard Mejia,
4 DOE 3 Commander April Tardy, DOE 5 Eric Smitson, DOE 6 Chris Perez, DOE 9 Jeff Hamil
5 (IA), DOE 10 Jeff Chow, DOE 11 William Jaeger, DOE 12 Scott Chapman, DOE 21 Kelly
6 Porowsky DOE 31 Karla Sepulveda, DOE 42 Brian Goodwin, DOE 44 Jodi Hutak, DOE 45
7 Pablo Partida, DOE 53 Vincent Choi, DOE 54 Hugo Reynaga, 55 Anthony Easter, DOE 56
8 James Wolack, DOE 57 Commander Chris Blasnek, DOE 58 Albert Maldonado, and DOE 59
9 Timothy Murakami.

12 47. Through the filing of this Fifth Amended Complaint, the Defendants continue to
13 retaliate against the Plaintiff Deputies with illegal disciplinary actions as Sheriff Villanueva and
14 other County leaders intentionally broke state law under POBRA to harm the Plaintiff Deputies'
15 careers.

17 48. Harm to the Plaintiff Deputies is ongoing and further harm will come to the
18 Plaintiff Deputies unless there is injunctive relief that prohibits Defendants from harming the
19 Plaintiff Deputies and enables the County to institute reforms necessary to end the corrupt
20 pattern and practices of the LASD that violates the rights of community members and the
21 Plaintiff Deputies.

23 49. Defendants, through their acts or omissions, have engaged in a pattern or practice
24 of systemic deficiencies. These deficiencies include, but are not limited to, a failure to implement
25 and enforce policies, procedures, and practices regarding proper shootings and use of force, and
26 regarding protection of constitutional rights of community members as well as non-gang member
27 deputies, that appropriately guide and monitor the actions of individual deputy staff; failure to
28

1 train and supervise adequately staff to prevent the occurrence of wrongful conduct; deficient use
2 of force and other conduct review; failure to investigate adequately incidents in which deputies'
3 use of force and other conduct; failure to discipline adequately deputies who engage in
4 misconduct or to monitor adequately deputy staff who engage in or may be likely to engage in
5 misconduct; inadequate surveillance of deputies in the field (who should be wearing body
6 cameras at all times when interacting with the public); and failure to implement policies and
7 procedures whereby complaints and other allegations of deputy misconduct are adequately
8 received and investigated.
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11 50. Plaintiffs Hernandez, Gonzalez, Zaredini, Escobedo, Contreras, Casas, Granados,
12 and Lemus, and ACLU SoCal, bring this action against the County to ensure the County enacts
13 comprehensive, lasting reform of LASD.

14 51. LASD is unique in that it has a deputy gang problem to an extent that is not
15 shared by any other law enforcement agency in America.
16

17 52. The Code of Silence permeates LASD in the extreme, as the corrupt deputy gang
18 culture supports a lack of accountability for wrongful conduct by deputies like the individual
19 Defendants here. When Sheriff Alex Villanueva first took office, he announced a plan to rehire
20 all deputies fired for wrongful conduct by the previous Sheriff over the 4 previous years, in an
21 effort to reverse any efforts to hold deputies accountable. Law-abiding deputies in LASD have
22 historically been terrified to speak out about the deputy gangs in the department. The Plaintiff
23 Deputies bravely put themselves at risk by stepping up and blowing the whistle about the corrupt
24 deputy gang culture in LASD. While the Banditos are just one of many gangs in LASD, what
25 happened to the Plaintiff Deputies at the hands of the Banditos is a microcosm of what is
26 happening throughout LASD. The harms done to the Plaintiff Deputies has brought precedent
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1 scrutiny by the media and the public to corrupt culture in LASD. By speaking out and telling the
2 truth, the Plaintiff Deputies have exposed the dark bowels of the corruption of LASD and have
3 provided the County with a rare opportunity. The moment is now for the County take
4 responsibility for all the harms to the Plaintiff Deputies, all of the Plaintiffs and the citizens of
5 the County, for all of the damage and lives lost caused by the deputy gangs and enact genuine
6 systemic change that finally brings an end to the decades long corrupt culture within the LASD.
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10 **SYSTEMIC DEFICIENCIES THAT CONTRIBUTE TO THE**
11 **PATTERN AND PRACTICE OF UNCONSTITUTIONAL ACTS**

12 53. The LASD and the County, through its acts or omissions, have engaged in a
13 pattern or practice of systemic deficiencies that resulted in the pattern or practice by LASD
14 deputy gang members to commit illegal acts against members of the public.

15 54. The County's systemic deficiencies include, but are not limited to:

- 16 a. failure to hold training officers accountable for abusing trainee deputies;
17 b. failure to adequately investigate allegations of misconduct and hold deputies
18 accountable for provable misconduct;
19 c. failure to criminally investigate deputy misconduct that constitutes a criminal
20 offense;
21 d. failure to adequately investigate uses of force and hold deputies accountable for
22 violations of department policy or the law;
23 e. failure to conduct fair and unbiased investigations, and repeated cover up
24 investigations that are undertaken with pre-ordained results;
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- 1 f. failure to prevent membership of deputies in criminal gangs within the
2 department;
- 3 g. failure to protect deputies from harassment and racial discrimination by deputy
4 gangs;
5
- 6 h. failure to hold deputy gang members accountable for withholding back up to other
7 deputies on dangerous calls;
- 8 i. failure to hold deputy gang members accountable for false arrests and
9 detainments, excessive arrests to meet illegal quotas, excessive force, and planting of evidence.
10
- 11 j. failure to implement and enforce policies, procedures, and practices regarding
12 deputy membership in criminal gangs that appropriately guide and monitor the actions of
13 deputies;
- 14 k. failure to train and supervise adequately deputies to prevent the occurrence of
15 misconduct;
16
- 17 l. deficient misconduct reporting and review;
- 18 m. failure to investigate adequately incidents in which deputy gang members engage
19 in misconduct against fellow deputies or the public;
- 20 n. failure to discipline adequately deputies who engage in misconduct or to monitor
21 adequately deputies who engage in or may be likely to engage in misconduct;
22
- 23 o. inadequate body cams and video surveillance at the station and in the field;
- 24 p. failure to implement policies and procedures whereby complaints and other
25 allegations of deputy misconduct are adequately received and investigated.

26 55. The County has repeatedly failed to take reasonable measures to prevent County
27 staff from inflicting serious harm on their fellow deputies and on the public, even in the face of
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1 the obvious and substantial risk that staff will inflict such harm and the multiple occasions on
2 which deputy gang members have inflicted such harm. It has additionally continued to fund
3 LASD with the knowledge that its actions violate the law.

4
5 56. The ultimate goal of this lawsuit, in addition to proper monetary compensation for
6 the individual Plaintiff Deputies, is an order of the Court to end the longstanding pattern and
7 practice of constitutional violations against community members which are perpetuated and
8 enforced by criminal gangs within LASD.

9
10 57. The Plaintiffs seek an end to deputy gang membership and misconduct towards
11 other deputies and the public by requiring the County to put in place a set of reforms that ensure
12 transparency and accountability due to the people of the County. That system must include, at a
13 minimum, adequate policies and adequate enforcement of those policies preventing abuse of
14 trainees and abuse of deputies by other deputies, proper training on the policies, proper
15 supervision of deputies, thorough review of allegations of abuse, and appropriate discipline for
16 misconduct.

17
18 58. The factual allegations set forth above have been known to the County for a
19 substantial period, yet the County has failed to adequately address the conditions described.

20
21 59. It is imperative for the County to enact immediate reform and stop the ongoing
22 harm. Real reform will save lives and avert future lawsuits that will cost the County and its
23 taxpayers over a billion dollars.

24 25 **BACKGROUND**

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27 60. For nearly 50 years, LASD has been plagued by membership of its deputies in
28 gangs, also euphemistically referred to as cliques and “secret societies.” As indicated above, at

1 the present time 15-20% of the deputies in the LASD are gang members. While this number may
2 be shockingly high, it severely underestimates the pervasiveness and dominance of the corrupt
3 deputy gang culture throughout the County. Without organized opposition to the deputy gangs
4 and their control of and/or are support by key levers of power – the many inked gang members
5 who are deployed as training officers and indoctrinate new recruits into the gang – the corrupt
6 deputy culture hangs like a cloud over the entire LASD, which is effectively controlled by
7 deputy gangs enabled by Sheriff Villanueva, Undersheriff Murakami, and other senior
8 management especially at the station level.

11 61. LASD has done nothing to address why deputies form and join gangs. There has
12 been no effort by LASD to explore why there is low morale among its deputies across the board
13 and what can be done to boost morale. The low morale at stations makes the prospect of gang
14 membership more enticing to young recruits. Low morale is one of the classic factors that
15 sociologists and other experts have found to be what draws individuals to street gangs and
16 criminal deputy gangs. Other classic motivations include an opportunity to find an identity, to
17 bolster one's self-esteem and to gain a sense of belonging and self-preservation.

19 62. LASD has a long and well documented history of being permeated by a culture of
20 corruption, racism, and violence, exemplified by the existence, and conduct of its deputy gangs.
21 The decades-long existence of these gangs, their unlawful conduct against the public, and
22 LASD's unwillingness to meaningfully discipline or remove its violent gang members has been
23 identified by multiple formal commissions tasked with investigating violence in LASD, lawsuits
24 against the County, prosecutions against LASD officials, public commentary, and even a motion
25 by the Board.

1 63. LASD leadership has not only allowed the illegal conduct of deputy gang
2 members to continue unchecked, but it has also actively participated in that activity and publicly
3 acknowledged and lauded their existence. Moreover, LASD leadership, including current Sheriff
4 Alex Villanueva, have affirmatively taken steps sanctioning the continued existence of these
5 gangs, going so far as to reinstate deputies associated with these gangs who were previously fired
6 for misconduct. The Sheriff has also been aggressively promoting inked gang members up
7 through the ranks and enabling the dominance of gang culture and perpetuation of retaliation
8 against whistleblowers for decades to come, including by directing that Defendant DOE 59
9 Timothy Murakami, and Sergeant Mark Lillienfeld, Lt. Glenn Walsh, DOE 21 Kelly Porowski,
10 and Todd Bernstein announce a fake and frivolous criminal investigation against current
11 Inspector General Max Huntsman (“Huntsman”). The Sheriff told ICIB to initiate a criminal
12 investigation into Huntsman, but ICIB reported he was just doing his job when he accessed files
13 on personnel. When Villanueva was informed by ICIB there was no basis for an investigation,
14 the Sheriff and Doe 59 Timothy Murakami told the media they were conducting a criminal
15 investigation into Huntsman when, in fact, no investigation was taking place. Through this
16 completely fake investigation, the Sheriff hopes to intimidate the Inspector General into not
17 investigating deputy gangs and doing his job in providing oversight over the Sheriff and LASD.
18 This fake investigation into the head of OIG is not the only one “undertaken” (announced) by
19 the Sheriff. He has committed a series of criminal acts (e.g., extortion) against public officials by
20 threatening them with fake criminal investigations that he will then announce to the media if they
21 don’t stop trying to do their jobs of exercising lawful oversight of LASD while at the same
22 routinely directing LASD officials and investigators to conduct biased and fraudulent
23 investigations to cover up deputy gang activity within LASD.
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1 64. Sheriff Villanueva commits criminal extortion under California state law against
2 public officials by warning them that he will initiate fake criminal investigations and then
3 defame them by publicly announcing that he is conducting real criminal investigations in an
4 effort to intimidate them into not scrutinizing his and the deputy gang's conduct, as if the Sheriff
5 and LASD are running a criminal gang outfit and not running a credible law enforcement
6 agency. While County Counsel Mary Wickham was pursuing legal action over the Sheriff
7 rehiring Grim Reaper gang member Caryn Mandoyan, Villanueva retaliated by causing a LASD
8 sergeant to call Ms. Wickham, threaten her with a fake allegation, and warn that she better turn
9 herself in to avoid being arrested. The Sheriff also personally threatened Huntsman with
10 "consequences" for his engaging in oversight of the Sheriffs' rehire of Grim Reaper Mandoyan,
11 and then DOE 59 Timothy Murakami publicly announced the fake criminal investigation into
12 Huntsman's "activities" (doing his job). Murakami proposed to the Board that Huntsman should
13 "recuse" himself from providing oversight of LASD and deputy gangs while LASD continues its
14 fake investigation into Huntsman – in the hopes that Villanueva could avoid any oversight of his
15 illegal conduct regarding deputy gangs. The Sheriff also announced a fake criminal investigation
16 into Diana Teran, the former constitutional policing officer for LASD, as the Sheriff retaliated
17 against her for the termination of his Grim Reaper rehire. Villanueva schemed to get an improper
18 warrant to do a harassing search of Teran's home, but he called off the illegal act when Ms.
19 Teran was alerted to his efforts. Villanueva attacked County CEO Sachi Hamai as he lied about
20 her involvement in United Way and made a false report on her to the CAG and defamed her on
21 Facebook. Villanueva has made false accusations against the Board, suggesting they have all
22 committed felonies. Villanueva and LASD position themselves above the law and show they are
23 incapable and unwilling to police themselves and their deputy gangs.
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1 65. The culture of deputy gangs, and the corresponding lack of accountability for
2 illegal behavior and violations of departmental policy—is so ingrained in the department, it is the
3 normal, acceptable status quo within LASD. No other standard of morality or behavior will be
4 tolerated by LASD.
5

6
7 **LASD Has Long Been Permeated by Deputy Gangs and Violence Against the Public and**
8 **Non-Affiliated Deputies**
9

10 66. During a recent fake Internal Affairs Bureau (hereinafter, “Internal Affairs
11 Bureau” or “IA”) Investigation, supposedly into the Banditos, the lead investigator, DOE 9 Jeff
12 Hamil, carried out the Sheriff’s orders to only do a fake investigation. In an interview with
13 Plaintiff Mario Contreras, IA investigator, Eric Barron, reportedly a member of the Regulators
14 deputy gang, argued with counsel that because Latinos were targeting and attacking other
15 Latinos, such conduct wasn’t racial discrimination and was both legal and in compliance with
16 department policies The County cannot hire Latinos to attack Latino deputies and residents and
17 hire African Americans to attack African American deputies and residents and escape liability
18 for racial discrimination. The County has allowed differential, negative treatment of Latino
19 deputies at the East Los Angeles Station and at other stations in LASD.
20

21 67. The foundation and core identity of the Banditos gang is built upon harassment of
22 young Latino deputies, who the gang targets for membership in the gang or to be “rolled” out of
23 the station if they refuse to join, become Prospects, Associates or otherwise adhere to Banditos’
24 requirements. Banditos make the false assumption that any deputies who are Latino will want to
25 join their gang and will be open to being corrupted. When young Latino deputies show integrity
26 and refuse to conform to the gang, they are then targeted for harassment and differential
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1 treatment. Older deputies and Asian and Black and white are often stuck in the middle, not
2 targeted for membership in the gang, but are mostly powerless, and they often go along with the
3 gang's requirements and behavior and/or do not confront it out of fear of retaliation.

4
5 68. Deputies in the Banditos deputy gang have repeatedly used unlawful force against
6 its fellow deputies at the East Los Angeles Station. On several occasions since 2016, the
7 Banditos gang knocked other deputies unconscious at the back of the station parking lot or at
8 "the Cap" (the El Capiro bar) across the street from the station. In addition to knocking fellow
9 deputies unconscious (knocking someone unconscious is considered the minimum adequate
10 punishment as well as signal of their apparently unlimited power), the gang has perpetrated other
11 violence against deputies, hitting them, smashing glass over their heads, etc. The Banditos gang
12 administers beatings and knock outs of fellow deputies to intimidate all deputies at the station to
13 conform to LASD's corrupt gang culture. Prior to 2020, despite the long history of violence
14 against deputies, there had been no disciplinary action taken against the deputy gang members
15 for using violence to keep control of the station. Finally, bowing to public pressure, Sheriff
16 Villanueva terminated Defendants Big Listo, Silverio, and G-Rod for the violent attack on 5 of
17 the Plaintiffs at Kennedy Hall.

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20 69. Sheriff Alex Villanueva, as the leader of the LASD, has made many public
21 admissions about the deputy gangs' control of certain LASD stations. He publicly admitted that
22 the Banditos "ran" the East Los Angeles Station and "controlled the Captain," and that the
23 Plaintiff Deputies were attacked due to a lack of supervision, and that supervisors actually
24 contributed to the violence: "[s]ome of the supervisors were part of the problem, they were
25 facilitating this and that really made matters even worse—it's like pouring gasoline on fire... it
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1 became toxic – and they did not do their job as supervisors. They just kind of looked the other
2 way.”¹⁰

3 70. The Sheriff also admitted on behalf of the County that the Plaintiff Deputies were
4 subjected to a long running, ongoing hostile work environment, as “pretty much they [the
5 Banditos gang] were calling the shots, they were dictating the decisions of the station and that
6 has a very bad outcome obviously.”¹¹ Villanueva has acknowledged the pervasive influence of
7 the Banditos at the East Los Angeles Station, saying they “ran roughshod” over the previous
8 captain and dictated where deputies would be assigned, enabled by weak leadership of past
9 administrations. Sheriff Villanueva also admitted on behalf of the County that the County
10 illegally and in violation of FEHA “disproportionately targeted Latino and black deputies.”¹²
11 Villanueva and Defendant Commander April Tardy also recently admitted that the leaders of the
12 Banditos are “shot callers” (“shot callers” means gang leaders, derived from the leaders of
13 inmate prison gangs).¹³
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18 **Bizarrely Inappropriate Station Logo Encourages the Use of Excessive Force**

19 71. “No Accountability” appears to be the guiding principle at the East Los Angeles
20 Station and in LASD (along with false public pronouncements of non-existent actions of
21 accountability). Perhaps these kinds of antics should not be surprising at a police station that has
22 proudly and bizarrely displayed for nearly 50 years a logo titled “Fort Apache,” inspired by the
23 movie about a Lieutenant Colonel ordering a massacre of the innocent Native-Americans.
24
25

26 ¹⁰ *Los Angeles County Sheriff's Deputy Describes Attack by Banditos Clique* (June 2019), available at
27 <https://abc7.com/deputy-clubes-los-angeles-county-sheriffs-department-alex-villanueva-east-la-station/5370629/>

28 ¹¹ *East LA Sheriff's Deputies File Suit Claiming Harassment, Violence by “Banditos” Clique* (Sept. 2019),
LAIST.com

¹² *Sheriff Alex Villanueva on Changing the Sheriff's Department* (June 2019), available at
https://www.youtube.com/watch?v=w1PO__j_cOM

¹³ *Sheriff Villanueva Moves to Fire or Suspend 26 deputies' Involved in Banditos' Brawl* (Aug. 2020), abc7.com

1 72. This East Los Angeles Station logo was born out of the Chicano Moratorium,
2 Latino community protests in 1970, the wrongful killing of journalist Ruben Salazar by a deputy
3 and the LASD's illegal treatment of Latino protesters. Reportedly, the LASD's white deputies in
4 East Los Angeles saw themselves as being in an outpost in the middle of the desert among the
5 savage Mexicans. So, they had to have a fort with which to defend themselves. At the Chicano
6 protests, helmeted deputies beat protesters with their batons; accordingly, the station logo
7 features a riot helmet and boot, inspired by the beatdown of protesters. The logo also sports a
8 Spanish language expression that means, "always a kick in the pants," suggesting deputies'
9 should engage in "community policing" by beating community members.
10

11
12 73. While the logo has taken on different meanings with many deputies over the
13 years, especially as more Latino deputies were hired at the station, there is no objective argument
14 to be made that the logo has ever been professional and appropriate for a credible Sheriff's
15 Department. Sheriff Alex Villanueva's predecessor, Sheriff James McDonnell, banned the highly
16 inappropriate logo. However, when Villanueva took power, one of his first acts was to revive
17 the logo, sending the message to the community loud and clear that "old school" policing (i.e.,
18 cracking heads instead of community policing) was back.
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21
22 **The Corrupt Practices and Policies in LASD Led to the Harms Suffered by the**
23 **Plaintiff Deputies**

24 74. The Banditos led by Defendants Big Listo, Silverio, G-Rod, and others including
25 Bandito associate Defendant Doe 4, Angelica Estrada, nicknamed the Pink Hand, a name
26 inspired by the black hand of the Mexican Mafia, and Defendants DOE 7 Vincent Moran, DOE 8
27 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio
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Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica Santos, DOE 39 John Soria, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, and DOE 62 Luis Valle, maintained control over the East Los Angeles station for many years.

75. Commencing in 2016 and 2017, the Banditos and Defendants harassed the Plaintiff Deputies based on their race and ethnicity. In 2017, the Defendants began retaliating against the Plaintiff Deputies by withholding back up on dangerous calls. Defendants Big Listo, G-Rod, and Silver, along with several other Banditos and prospects and associates, including Defendants DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 15 Braulio Robledo, Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 20 Nikolis Perez, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 41 Claudia Perez, withheld back up for the Plaintiffs on dozens of dangerous calls. Plaintiffs Granados and Zaredini responded to the withholding of backup and other hostile actions by reporting this to Defendant DOE 2 Richard Mejia, who “conducted an inquiry” into Banditos’ leader Big Listo and reported it to Defendants DOE 5 Eric Smitson and DOE 6 Chris Perez. Mejia provided a whitewashed memo and intentionally downplayed the role of the Banditos in maintaining a hostile work environment, omitting reports to him by deputies of harassment and gang activity

1 by G-Rod, Ban Bam and Silver and other Banditos. Mejia instead limited his focus just on Big
2 Listo and allegations of his bullying and harassment. And, instead of addressing the Banditos
3 gang problem, DOE 4 Angela Estrada, DOE 5 Eric Smitson and DOE 5 Chris Perez merely
4 reported to the Banditos, including Big Listo, Silver, and G-Rod, and others, that Deputies
5 Granados and Zaredini had blown the whistle on them and thereafter the acts of retaliation
6 against the Plaintiff Deputies only increased. Mejia and other station leaders did nothing to
7 intervene and protect the whistleblowers.
8

9 76. In 2018, deputy gang members, including Defendants Big Listo, Silver, G-Rod,
10 and Doe 7 Vincent Moran, targeted Plaintiff Alfred Gonzales for assault and battery to make an
11 example of him and to reinforce their ability to act with impunity against deputies at the East LA
12 Station who refused to join the Banditos or stood up to them as they had done with many
13 deputies before. Failing to provoke an attempt at self-defense by Deputy Gonzalez behind the
14 East Los Angeles station to provide “cover” for knocking him unconscious on September 26,
15 2018, Defendants Big Listo, Silver, G-Rod, Bam Bam, and Doe 7 Vincent Moran again sought to
16 provoke Plaintiff Gonzales at a department-sponsored event at Kennedy Hall in East Los
17 Angeles. Kennedy Hall was chosen as a venue by the Banditos for an attack on non-gang
18 member deputies because it lacked sufficient security cameras. In discovery, Plaintiff Deputies
19 were informed the limited security footage from the Kennedy Hall parking lot had conveniently
20 gone missing at LASD. The other favored venues, as previously noted, are “The Cap,” a bar
21 across the street from the station also lacking security cameras, and behind the station itself as
22 again no cameras cover that area. At Kennedy Hall, the Banditos gang’s top shot-callers again
23 sought to provoke Plaintiff Gonzales and, when several of the Plaintiff Deputies sought to
24 intervene to defuse the situation, they were then assaulted and battered, with Plaintiff Hernandez
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1 and Plaintiff Escobedo knocked unconscious and suffering other injuries, as other Banditos
2 besides Big Listo, G-Rod, Bam Bam and Silver participated in the attacks or cheered them on
3 while numerous on-duty deputies in attendance merely watched or failed to act in accordance
4 with their duties as law enforcement officers; e.g., Defendant DOE 47 Christopher Moore,
5 present on-duty and in uniform, armed with his service weapon, assigned to the party to provide
6 for a secure and safe environment, when asked by Alfred Gonzalez to call the East LA Station
7 for assistance, did nothing at all except to report the successful attacks to shot-caller Defendant
8 DOE 13 Raymond Mendoza who was on-duty back at the station.
9
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11 77. After the events at Kennedy Hall were reported by the Plaintiff Deputies to their
12 superiors at the East LA Station, the hostile actions of the Banditos against the Plaintiff Deputies
13 not only continued unabated but increased even more. The Plaintiff Deputies were ostracized for
14 being whistleblowers at the station and were labelled “rats” as if LASD is a crime syndicate. The
15 County did not stop the hostile environment even after 7 of the 8 Plaintiff Deputies filed their
16 internal tort claims with the County on March 7, 2019. In fact, retaliation against the Plaintiff
17 Deputies continues up to the moment of the filing of this Fifth Amended Complaint.
18

19 78. The County’s ongoing failure to halt deputy criminal gang activity and the gangs’
20 abuses of trainees, and violent assaults of deputies and members of the public, has communicated
21 to the gangs that they can carry out abuse of trainees and brutal assaults of their fellow deputies
22 with impunity. For instance, several deputy gang members operating out of LASD’s Palmdale
23 Station held down another deputy so one of the gang members could shoot the deputy in the leg
24 “to shoot his tattoo off his leg.” There was no disciplinary action taken by the LASD for this
25 violent act by a group of deputies against a fellow deputy.
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1 79. At present, the deputy criminal gang members can attack other deputies or each
2 other or wrongfully shoot members of the public with little concern for being held accountable.
3

4
5 **The County is Aware of LASD’s Policy Sanctioning Violence and Gang Membership**

6 80. On April 30, 2019, the Board acknowledged that LASD has a “long and troubled
7 history” of “exclusive and secretive Department groups consisting of sworn deputies” who have
8 engaged in “intimidating gang-like behavior” and “harassment” and violence. The Board further
9 noted that LASD “has not been terribly effective in investigating, or thwarting the rise of sheriff
10 gangs, and this ambivalence has likely enabled their continuation and expansion” and that
11 “actions of these groups have actively harmed residents of the County, other Sheriff’s
12 deputies.”¹⁴
13

14 81. Also, in 2019, the COC made observations on the cop gang problem: Commission
15 member Sean Kennedy spoke out about the “longstanding, widespread problems caused by
16 internal cliques [deputy gangs]” and called for restrictions on the gang’s use of tattoos to
17 establish their strength in numbers dominance of certain stations in the department. Kennedy also
18 stated that deputies’ participation in cliques [gangs] “has generated fifty years’ worth of bad
19 press,” and at least three independent oversight bodies “have voiced serious concerns about
20 cliques [gangs] and management’s failure to address them.”¹⁵ Thus, there has been, and
21 continues to be, as recognized by the Board and COC, bad press and even worse, improper, and
22 illegal behavior and no oversight by the County.
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28 ¹⁴ ASSESSING COUNTY LIABILITY IN SETTLEMENTS INVOLVING SHERIFF “GANGS,” (April 2019), Los Angeles County Board of Supervisors

¹⁵ LA Sheriff Watchdog: The First Amendment Shouldn’t Shield Deputy Cliques, Tattoos From Scrutiny (Apr. 2019), available at <https://laist.com/news/does-the-first-amendment-protect-sheriffs-deputies-tattoos>

1 82. Sheriff Villanueva, when he was a candidate for his current position in 2018,
2 pledged to rehire every single deputy of the 196 fired for wrongful conduct over the last 4 years.
3 This was regardless of whether the disgraced deputies were inked gang members and regardless
4 of the offences committed by the fired deputies, be it excessive force, false imprisonment, filing
5 false police reports, dishonesty, planting evidence, domestic violence, etc.
6

7 83. Under oath, in a deposition in a recent lawsuit, according to the Sheriff's own
8 second in command, Ray Leyva, the Sheriff carried that horrific pledge into office while
9 defaming the previous Sheriff, James McDonnell, with Villanueva falsely claiming, with no
10 evidence whatsoever, that Sheriff McDonnell framed every single one of the 196 fired deputies
11 during his tenure.
12

13 84. By trying to rehire all these disgraced deputies, the Sheriff attempted to erase any
14 accountability for wrongful conduct over the last 5 years. By attacking the whole idea of holding
15 "bad deputies" accountable for their actions, he encouraged the existing criminal gang culture at
16 issue in this case and has laid the groundwork for the problem to only get worse, not better.
17

18 85. The Sheriff's posture highlights the fact that LASD's response to the violence
19 against residents and violence against their own deputies is not sufficiently imbued with
20 constitutional policing practices and every stage of investigations and discipline is plagued by
21 serious structural and procedural flaws that make real accountability nearly impossible.
22

23 86. The deputy gang culture is so entrenched among the rank and file, and in the
24 deputies' union, ALADS, and so permeates the entire LASD throughout the County, even a
25 genuinely reform-minded Sheriff would face serious obstacles in implementing real, lasting
26 reform without court intervention. Here, Sheriff Villanueva is not genuinely reform-minded; he
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1 is genuinely the opposite, and he has affirmatively undermined attempts to address deputy
2 violence.

3 87. LASD deputies engage in a pattern or practice of use of force, including deadly
4 force that is unreasonable, and that pattern, and the pattern of other wrongful conduct, including
5 the maintenance of deputy gang membership and accompanying criminal activity, are largely
6 attributable to systemic deficiencies within LASD.
7

8
9 **The Defendant is Repeatedly Sued for Harms Caused by its Deputy Gangs**
10

11 88. The County has been sued many times over the years by victims of the deputy
12 gangs. The East Los Angeles station generates an inordinate number of lawsuits, harassment
13 claims, and acts of violence, including violence against fellow deputies. The County has been
14 sued before this present lawsuit for allegations regarding the Banditos and those lawsuits long
15 ago called the County's attention to the problem of the presence of criminal gangs in LASD. In
16 2013, the County settled for over \$500,000 with an individual who alleged he was the victim of a
17 frame up by Gregory "G-Rod" Rodriguez who is a Defendant here. Shortly after, the family of
18 Antonine Hunter sued the County for wrongful death, alleging that G-Rod committed an
19 unlawful shooting and killing of Hunter; the County settled the case, reportedly for \$500,000.
20

21 89. In 2012, deputies who were members of the Regulators gang shot and killed
22 Arturo Cabrales when he was at home and unarmed. The County settled with Mr. Cabrales'
23 family for \$1.5 million.
24

25 90. In 2014, Deputy Guadalupe Lopez sued the Defendant County alleging the
26 existence of the Banditos gang and that members "sexually harassed and threatened and
27 demanded sex from her." The County settled with the deputy for \$1,500,000. In 2015, Deputy
28

1 Rosa Gonzalez sued the County, alleging retaliation after she complained of gender
2 discrimination perpetrated by the Banditos, including Rafael Rene Munoz aka Big Listo, who is
3 a Defendant here. The County settled in 2019 for \$1 million.

4
5 91. In 2017, Deputy Carrie Robles, with Banditos shot caller Defendant Doe 7
6 Vincent Moran sitting next to her, ran a red light without putting on her siren and recklessly
7 killed two children, one 7, and the other 9. Robles crushed the children's mother's pelvis and
8 broke several of her bones as Robles killed her children in front of mother's eyes. The Los
9 Angeles County District Attorney (CDA) indicated that the independent investigation conducted
10 by LAPD showed that Robles acted without regard for the lives of the children and their mother,
11 but the CDA decided it was too close of a call to get a criminal conviction under the "beyond a
12 reasonable doubt" criminal proceeding standard.
13

14 92. Under the previous Sheriff, James McDonnell, an IA of Robles was placed on
15 hold until completion of the criminal case. Robles' criminal case concluded a week before
16 Villanueva took power. It was his responsibility to then immediately launch an IA investigation,
17 but he instead buried the matter. In this case, the failure to hold a deputy accountable may be
18 personal: Robles reportedly calls Villanueva, "dad" and his wife, "mom." In settlement, the
19 County reportedly paid the mother of the children \$17 million and the father's lawsuit against the
20 County is still pending at the time of the filing of this Fifth Amended Complaint.
21
22

23 93. In 2017, the County paid \$1.275 million to Deputy Tara Jan Adams who refused
24 to go along with Viking gang member Tanaka's scheme to make an inmate "disappear" in the
25 jail system, putting him under a fake name at another prison, to hide the informant from the FBI.
26 As part of a 1996 \$7.5 million settlement, the County agreed to retrain deputies who were
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1 members of the Vikings gang to prevent further brutalization of minorities, false arrests, and
2 wrongful shootings.

3 94. In June 2019, the County paid \$7 million to the family of African American
4 Donta Taylor who was wrongfully killed by members of the Executioners gang. The rise of new
5 gangs like the Executioners gang demonstrates that the problem that has plagued the County for
6 decades is ongoing. At the time the County paid out the settlement, the actual name of the deputy
7 gang was unknown. The shooters were not disciplined, but one of them, Deputy Aldama, was
8 remarkably transferred to the East Los Angeles Station, where plans are currently underway to
9 soon form yet another gang, after the Banditos recently did a “blow out inking party,” with ten
10 new members, taking their total membership to 100. The Banditos did the inking party to show
11 they are still in control despite outside authorities and the media scrutinizing LASD and its
12 corrupt culture. The County has also been sued in another case involving Aldama, where it is
13 alleged that he used racial slurs and beat the victim.

14 95. In 2019, Deputy Concepcion Garcia sued the Defendant County for sexual
15 harassment and battery committed by Deputy David “Silver” Silverio, who is a Defendant here,
16 and subsequent retaliation by the Sheriff’s Department.

17 96. In October 2019, a jury returned a verdict of \$8.1 million in favor of deputy
18 Andrew Rodriguez because a member of the Caveman gang, DOE Defendant 59 Captain
19 Timothy Murakami (now Villanueva’s Undersheriff), retaliated against him with fake IA
20 investigations and frame ups for blowing the whistle on illegal conduct (planting of evidence) in
21 the department. Murakami recently lied to the media, denying his membership in the Cavemen.

22 97. Undoubtedly, the County will soon be sued by the victim of a recent May 2019 hit
23 and run by reportedly one of the more notorious Banditos prospects, Defendant DOE 23 Deputy

1 Juan Sanchez. Sanchez engaged in a car chase with a civilian into the city of Montebello.
2 Sanchez chased the driver and caused him to crash into a pole. Sanchez fled the scene, leaving
3 the victim unattended. The Montebello Police Department officers came upon the victim, who
4 told them he had been chased by a cop who took off. Sanchez was not subjected to an IA
5 investigation by East Los Angeles Station leadership including Doe 2 Richard Mejia and Doe 1
6 Ernie Chavez, who continue to shield the Banditos at the East Los Angeles Station from being
7 held accountable.
8

9 98. Pending cases against LASD include the family of Paul Rea, the young man who
10 was killed by Defendant DOE 8 Hector “Little Listo” Soto Saavedra as he “chased the ink” to
11 become a gang member and is the Banditos protégé of Defendant Big Listo, and the family of
12 Anthony Vargas, the young man who was repeatedly shot from behind in the head and back by
13 East Los Angeles deputies Banditos prospects, DOE 21 Nikolis Perez and DOE 23 Jonathan
14 Rojas, who were chasing the ink when they killed Mr. Vargas. Following the kills of Rea and
15 Vargas, Rojas, Perez, and Saavedra all recently got inked as Banditos gang members. Similarly,
16 deputies who shot and killed Andres Guardado were prospects of the Executioners gang in
17 Compton. It is not a coincidence that gang member prospects were behind the most recent
18 controversial shootings and killings of Latino residents.
19

20 99. Despite County’s leaders’ having actual knowledge of the deputy criminal gang
21 problem for decades, the County has failed to take reasonable measures to halt the abuses by the
22 gang members.
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The County Has Allowed and Even Encouraged a Hostile Work Environment

100. The County has a policy and practice of creating and enabling a hostile work environment at LASD. Employees, including supervisors, make and continue to engage in racist behavior towards the Plaintiff Deputies. Beginning in 2016 and 2017, and on a continuing and ongoing basis up to and including today, the Plaintiff Deputies have been harassed, discriminated against, and retaliated against for being young, Latino deputies and for challenging and reporting what they reasonably believed were unlawful activities by certain employees of LASD.

101. The Banditos control the East Los Angeles Station from the deputy level up, with leaders willfully turning a blind eye to their conduct. Defendant DOE 4 Angelica “Pink Hand” Estrada, with assistance from Staffer Defendant DOE 39 John Soria, controlled scheduling, and assignments, and could even control who got promotions at the station up until recently. The Pink Hand was enabled by station leadership like DOE 5 Eric Smitson and Doe 1 Ernie Chavez who would do the Pink Hand’s bidding on behalf of the Banditos who provided the muscle on the line, intimidating deputies at the station through the Banditos’ strength in numbers and through threats of violence and acts of violence. Shortly after the Plaintiff Deputies began training for LASD, employees including Defendants Big Listo, Silver, G-Rod, and DOE 4 Angelica Estrada, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica Santos, DOE 39 John Soria, DOE 40

1 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE 46 Noel Lopez, DOE 47
2 Christopher Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario Castro,
3 DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth
4 Aguilera, and DOE 62 Luis Valle. began targeting them for harassment based on their race,
5 ethnicity, and national origin. The Plaintiff Deputies were also targeted for retaliation after they
6 blew the whistle on the discrimination, harassment, and hostile work environment. The Plaintiff
7 Deputies were set up to be harmed, with their lives placed in danger by the County's employees.
8 Plaintiffs are informed and believe, and thereupon allege, that the County maintained a pattern or
9 practice of ignoring and/or failing to act promptly to: Investigate harassment complaints; conduct
10 investigations; maintain adequate anti-harassment policies and practices; adequately train leads,
11 supervisors and managers about their policies and procedures, and about how to prevent
12 harassment from occurring; implement an adequate complaint mechanism for receiving and
13 addressing complaints of harassment; and discipline identified harassers. The County also
14 allowed employees against whom harassment complaints have been made to continue working at
15 LASD after nearly taking the lives of some of the Plaintiff Deputies.

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19 102. The Deputy Plaintiffs bring this action to obtain injunctive relief that will finally
20 address the unchecked deputy violence and harassment that have plagued LASD for decades.

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22 103. In seeking injunctive relief, the Deputy Plaintiffs aim to help provide the
23 County's residents with what they deserve: A LASD that respects their right to be free from
24 unwarranted violence, contributes to instead of undermines public safety, and supports deputies
25 like the Deputy Plaintiffs, who are brave enough and honest enough to take on these difficult
26 responsibilities.
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Inadequate Training, Supervision, and Accountability Leads to Deprivations of
Constitutional Rights

104. As a direct and proximate result of LASD's systemic failure to provide deputies with adequate training, supervision, accountability, numerous County residents, including employees of LASD, have been subjected to a repeated pattern of unconstitutional use of force and other wrongful conduct.

105. LASD does not adequately train new deputies as it employs many of the gang deputies as Field Training Officers ("FTOs"). Abuse of trainees is rampant as the FTOs focus on indoctrinating the trainees into the corrupt deputy gang culture. The key to recruiting new prospects and to maintaining a power dynamic over rookie deputies is to abuse the trainees from day one, harassing them unrelentingly and forcing them to work overtime without compensation.

106. Currently, the Sheriff still allows deputy gang members and gang member prospects to remain and to become FTOs and further perpetuate the abuse of trainees and the recruitment and creation of future deputy gang members. Banditos and Banditos prospect - including Defendants DOE 13 Raymond Mendoza, DOE 16 Jonathan Rojas, DOE 22 Woodrow Kim, DOE 23 Juan Sanchez, and DOE 62 Luis Valle - have recently served and continue to serve as FTOs, still abusing trainees, and recruiting new members into the gang. There is no accountability for FTO abuse of trainees.

107. LASD supervisors lack support from the Sheriff's office and lack the resources necessary to identify deputy misconduct, help deputies modify their conduct, or correct misconceptions about the proper use of force specifically and proper policing more broadly. LASD's inadequate system of supervision is caused in part by the high deputy to supervisor

1 ratio, with excessive vacancies in the supervisory ranks. At the same time, deputies routinely get
2 promoted to sergeant with insufficient experience and skills to be supervisors.

3 108. LASD fails to adequately investigate allegations of deputy misconduct. In fact,
4 internal affairs investigations are commonly rigged ahead of time by LASD to ensure the
5 department finds insufficient evidence of wrongdoing against Banditos members or to make false
6 and malicious charges of misconduct against the Deputy Plaintiffs and others. As a result, deputies
7 are not consistently held accountable for engaging in misconduct or deterred from engaging in
8 future misconduct. The County has not adequately investigated instances of alleged police
9 misconduct when sued by victims. The County pays out hundreds of millions of dollars in
10 settlements and jury verdicts on these cases, but rarely follow up with any disciplinary action
11 toward the deputies at issue in these cases. Rarely, if ever, are deputy shootings of residents found
12 by LASD to be out of policy.

13 109. This policy, custom, and practice that includes a repeated pattern of deputy gang
14 membership and gang activity and accompanying criminal conduct, including excessive use of
15 force, has a disparate impact on the County's African American and Hispanic/Latino American
16 residents in violation of state and federal anti-discrimination laws.

17 110. This policy, custom, or practice is further reflected in, and caused by, the
18 County's failure to effectively train, supervise, and support law enforcement officers, and the
19 County's failure to establish reliable programs to detect and deter deputy gang membership and
20 other misconduct and administer effective discipline.

21 111. Given the nature, extent, and history of the County's unlawful police practices,
22 the County will continue to engage in the unconstitutional and illegal conduct alleged herein,
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1 causing irreparable harm to the people of the County, including the employees of LASD – as it
2 has for decades – unless directed otherwise by this Court.

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4
5 **LASD Deputies' Use of Excessive Force**

6 112. The longstanding existence of deputy gangs and unchecked violence puts public
7 safety at risk. The systemic problems in LASD are much bigger and broader than that which was
8 addressed by the USDOJ regarding the County jail system. The deputy gangs and the gang
9 culture which dominate LASD are a menace and threat of safety to the public at large as well as
10 to other non-gang member deputies in the department.

11
12 113. LASD deputies engage in repeated pattern of using excessive force, and deadly
13 force, when conducting law enforcement activities in a way that disproportionately affects the
14 County's African American and Hispanic/Latino American residents. Many of these incidents
15 involve the use of deadly force in situations when less or no force is objectively reasonable.

16
17 114. Deputies also engage in a repeated pattern of using less lethal, but still excessive
18 force against individuals who pose no risk to deputies or others, and in situations in which less
19 severe force is both available and appropriate. In the extreme, deputies such as Defendant Doe 8
20 Deputy Hector "Little Listo" Soto Saavedra, drives around specifically for the purpose of
21 physically attacking innocent bystanders, just as Defendant Big Listo did (with Little Listo)
22 while he was a deputy.

23
24 115. LASD deputies regularly subject African American and Latino/Hispanic
25 American residents in Los Angeles County to excessive and unreasonable force, including
26 unnecessary shootings, and this conduct is sanctioned by LASD by refusing to discipline or
27 terminate the offending officers.
28

1 116. Deputies earn membership to, and esteem within, these deputy gangs by
2 committing violence against members of the public and frequently commit acts of excessive
3 force including shooting unarmed residents who pose no objective risk of harm. The deputies are
4 emboldened to engage in these violent acts because LASD has long had an informal policy and
5 practice of refusing to discipline or fire deputies for acts of excessive violence. As a result,
6 throughout the County, many Black and Latino residents live in fear that even a routine
7 interaction with deputies will quickly escalate into severe injury or death. This fear is well-
8 founded as there are numerous instances over the past decades in which deputies have engaged
9 in excessive force on persons who were unarmed or posed no threat of death or serious bodily
10 injury to deputies yet received no significant discipline and remained employed by LASD. Not
11 only has LASD not disciplined the violent deputies, but the DA's office, which works hand in
12 hand with the Sheriff, has until just in the past month declined to prosecute any of the deputies.

13
14
15 117. The following is a non-exhaustive list of incidents in which LASD deputies
16 committed acts of excessive force against the public and, to Plaintiffs' knowledge,¹⁶ were not
17 disciplined or terminated:
18

19 a. In 2016, members of the Executioner's gang, deputies operating out of LASD's
20 Compton station, wrongfully shot 31-year-old African American Donta Taylor and took his life.
21 An Executioner deputy gang member, who espoused under oath a hatred of African Americans,
22 lied that Mr. Taylor had a handgun, but there was no evidence of the existence of a handgun on
23 him. Mr. Taylor was merely walking on Wilmington Avenue when the two Executioners pulled
24 up alongside him and tried to "engage in conversation," then shot and killed him. No deputy was
25 disciplined or terminated for this shooting.
26
27

28

¹⁶ Because the public has limited access to information regarding peace officer discipline, Plaintiffs' allegations that these officers have not been disciplined is upon information and belief to the best of Plaintiffs' knowledge.

1 b. On or about August 24, 2003, Deondre “Trey” Brunston was killed in a hail of 81
2 bullets, fired by LASD Deputies, 22 of which hit him, and which also fatally wounded a police
3 dog. On information and belief, no deputy was disciplined or terminated for this shooting.
4

5 c. On or about June 13, 2006, LASD deputies fired about 70 rounds into the car
6 occupied by Carl Williams after a chase when he represented no threat to life or serious bodily
7 injury. On information and belief, no deputy was disciplined or terminated for this shooting.
8

9 d. On or about June 13, 2006, LASD deputies approached Christian Portillo in a
10 parked car and one of the deputies shot him to death. No drugs or weapons were found, but the
11 police say Mr. Portillo had a suspended license. Portillo represented no threat to life or serious
12 bodily injury. On information and belief, no deputy was disciplined or terminated for this
13 shooting.
14

15 e. On or about June 26, 2008, Bryan Moore ran from police, jumping over a fence
16 holding his waist. When officers ordered him to raise his hands, he looked at the deputies, who
17 shot him to death. Mr. Moore represented no threat to life or serious bodily injury. On
18 information and belief, no deputy was disciplined or terminated for this shooting.
19

20 f. On or about September 14, 2009, a deputy chased Darrick Collins up his
21 driveway and into his own backyard, purportedly believing he was a robbery suspect. The deputy
22 fired at Mr. Collins through a wooden gate, fatally hitting him in the back of the neck. Mr.
23 Collins represented no threat to life or serious bodily injury. On information and belief, no
24 deputy was disciplined or terminated for this shooting.
25

26 g. On or about June 16, 2010, deputies shot and killed Dexter Luckett. He was
27 unarmed, and no weapon was recovered at the scene. On information and belief, no deputy was
28 disciplined or terminated for this shooting.

1 h. On or about October 10, 2010, a deputy shot and killed Johnathan Cuevas. The
2 deputy stopped next to men walking. Mr. Cuevas ran and fell, then the deputy shot him on the
3 ground. The County settled by paying Mr. Cuevas' family \$875,000. On information and belief,
4 no deputy was disciplined or terminated for this shooting.
5

6 i. On or about October 13, 2011, a deputy shot and killed Darrell Logan. A lawsuit
7 alleged that LASD contained a clique of deputies for whom it was a badge of honor to kill a gang
8 member, which Mr. Logan may have been suspected of being. On information and belief, no
9 deputy was disciplined or terminated for this shooting.
10

11 j. On or about January 4, 2012, deputies shot and killed Jazmyne Ha Eng in the
12 lobby of a mental health clinic where she was a schizophrenia patient. The County settled with
13 the family for \$1.8 Million. On information and belief, no deputy was disciplined or terminated
14 for this shooting.
15

16 k. On or about January 21, 2012, deputies shot and killed Christian Cobian. Deputies
17 reported that they attempted to stop Mr. Cobian because he was riding a bike with no light, and
18 he ran. No weapon was found. On information and belief, no deputy was disciplined or
19 terminated for this shooting.
20

21 l. On or about March 7, 2012, deputies shot and killed Arturo Cabrales. The County
22 settled with Mr. Cabrales' family for \$1.5 million because it was alleged that the deputies
23 involved shot him when he was at his home, running away, and unarmed. The deputies were
24 alleged to be a part of the Regulators, one of the deputy gangs that operates in South Los
25 Angeles. On information and belief, no deputy was disciplined or terminated for this shooting.
26

27 m. On or about August 28, 2012, deputies shot and killed Tony Louis Francis. The
28 deputy followed Mr. Francis into a driveway and ended up shooting and killing him while he

1 was still inside his vehicle. No gun was found. On information and belief, no deputy was
2 disciplined or terminated for this shooting.

3 n. On or about November 10, 2012, deputies shot and killed Jose de La Trinidad.
4 Deputies attempted a traffic stop on a vehicle in which Mr. de la Trinidad was a passenger. After
5 a brief chase, the unarmed de la Trinidad got out of the car and deputies shot him five times in
6 the back, according to an autopsy. On information and belief, no deputy was disciplined or
7 terminated for this shooting.
8

9 o. On or about May 11, 2013, a deputy shot and killed Rigoberto Arceo as he
10 returned home from a party, celebrating Mother's Day. A deputy shot Mr. Arceo once in the
11 chest while his hands were raised in the air. The deputy claimed that Mr. Arceo was trying to
12 grab his gun; however, witnesses described Mr. Arceo as having his hands raised and standing
13 approximately 10 feet away when shot. He was unarmed. On information and belief, no deputy
14 was disciplined or terminated for this shooting.
15
16

17 p. On or about May 14, 2013, a deputy shot and killed Ignacio Ochoa. Witnesses
18 reported that the deputy handcuffed Mr. Ochoa after stopping him while riding his bike home
19 from the store and then shot him in the back of the head. He was unarmed. On information and
20 belief, no deputy was disciplined or terminated for this shooting.
21

22 q. On or about September 10, 2013, deputies shot and killed Carlos Ernesto Oliva
23 Silva. Deputies were flagged by a bystander who reported a "man with gun" in the vicinity.
24 Although Oliva Silva was not the man they were looking for, deputies confronted him and
25 ultimately shot and killed him after claiming he pointed a gun at them. The autopsy report,
26 however, shows he was shot eight times from behind. The family announced they would file a
27
28

1 lawsuit against the LASD and requested the deputy involved—who had shot seven people—be
2 fired. On information and belief, no deputy was disciplined or terminated for this shooting.

3 r. On or about April 25, 2014, deputies shot and killed Salvador Martin Palencia
4 Cruz. The deputies shot Mr. Palencia Cruz nine times while Mr. Palencia Cruz held a pastry
5 spatula. A lawsuit was filed against the County. On information and belief, no deputy was
6 disciplined or terminated for this shooting.
7

8 s. On or about May 26, 2014, deputies shot and killed Noel Enrique Aguilar after
9 stopping him while he was riding a bicycle, having committed no crime. Deputies disarmed Mr.
10 Aguilar and then shot him to death. The County settled a lawsuit for \$2,970,000. On information
11 and belief, no deputy was disciplined or terminated for this shooting.
12

13 t. On or about June 24, 2014, deputies—including Defendant Gregory G-Rod
14 Rodriguez—shot and killed Antoine Hunter and severely wounded Jeremy Evans. Deputies
15 fired into the stopped vehicle in which Antoine Hunter and Jeremy Evans were seated. At the
16 time, neither Hunter nor Evans were armed. The County settled a lawsuit brought by the
17 decedents' families for a substantial sum. On information and belief, no deputy was disciplined
18 or terminated for this shooting.
19

20 u. On or about July 5, 2015, deputies shot and killed Johnny Ray Anderson. After
21 responding to reports of a prowler, deputies found Anderson and his wife, Kathleen, trespassing
22 in a backyard and fatally shot the unarmed Anderson. On information and belief, no deputy was
23 disciplined or terminated for this shooting.
24

25 v. On or about February 14, 2016, deputies shot and killed Eduardo Rodriguez
26 during a traffic stop, which deputies made during a stolen-vehicle investigation. Rodriguez was
27 unarmed. On information and belief, no deputy was disciplined or terminated for this shooting.
28

1 w. On or about February 24, 2016, a deputy shot and killed Francisco Garcia who
2 was driving away in a car. Garcia was completely unarmed and shot in the back. The County
3 paid a settlement of \$1,750,000 to Garcia's family. On information and belief, no deputy was
4 disciplined or terminated for this shooting.
5

6 x. On or about March 16, 2016, deputies shot and killed Christian Rene Medina
7 after responding to a false robbery report. On information and belief, no deputy was disciplined
8 or terminated for this shooting.
9

10 y. On or about July 19, 2018, a deputy shot and killed Carmelo Pizarro, Jr. Deputies
11 chased the unarmed Pizzaro and shot him to death. On information and belief, no deputy was
12 disciplined or terminated for this shooting.

13 z. On or about June 6, 2018, deputies shot and killed Ryan Twyman. Deputies shot
14 Mr. Twyman 24 times as he sat in the parking lot of a Willowbrook apartment complex. He was
15 unarmed. On information and belief, no o deputy was disciplined or terminated for this shooting.
16

17 aa. On or about August 12, 2018, deputies shot and killed Anthony Vargas, who was
18 not suspected of any crime but fled from the police when deputies attempted to stop him. The
19 shooters were then-Banditos prospects DOE 20 Nikolis Perez and DOE 24 Jonathan Rojas. The
20 shooters and LASD lied as they stated one deputy shot Mr. Vargas from the front, but the
21 autopsy showed Vargas was only shot from behind, repeatedly in the back of his head and back.
22 The deputies claim that he was armed. On information and belief, no deputy was disciplined or
23 terminated for this shooting, even though Perez and Rojas reportedly committed perjury in recent
24 depositions where they denied even knowing of the existence of the Banditos gang: The month
25 after the shooting, Perez and Rojas attended the Kennedy Hall event and huddled with the
26 Banditos gang shortly before the gang committed assaults and batteries against their fellow
27
28

1 deputies, Deputies Hernandez, Escobedo, Gonzales, Casas and Contreras. Perez and Rojas
2 participated in withholding backup on Plaintiffs' calls, and they recently became inked Banditos
3 gang members, along with several other deputies who were also chasing the ink.
4

5 bb. On or about June 27, 2019, a deputy shot and killed Paul Rea while Rea allegedly
6 very slowly drove his car in the deputy's direction. It was against policy to shoot a suspect for
7 slowly driving a car in a deputy's direction and the shooting was wrongful. The deputy involved,
8 DOE 8 Deputy Hector "Little Listo" Soto Saavedra, was then a prospective member of the
9 Banditos gang, and protégé of the gang's leader, Big Listo. "Little Listo" recently became an
10 inked Banditos gang member. On information and belief, no deputy was disciplined or
11 terminated for this shooting.
12

13 118. It is worth noting that most deputies go their whole careers without ever firing
14 their gun. Given that gang prospects are behind all the recent controversial shootings, LASD
15 should investigate and review its patterns and practices. LASD shows no such self-awareness or
16 review.
17

18 119. In other cities where law enforcement agencies have been involved in
19 controversial shootings, agency leadership have conducted reviews of the system of training,
20 oversight, and accountability for officers/deputies. There has been no such introspection here, as
21 LASD has not conducted any internal review of itself or changed any of the internal policies and
22 practices that sanction deputy gangs or deputy violence against the public.
23

24 120. This pattern of violence perpetuated against the public—particularly individuals
25 who do not represent a significant threat of harm—reflects a deep-rooted culture of violence
26 within LASD and manifests against deputies who refuse to participate in deputy gangs or inflict
27 unnecessary violence against the public.
28

1 121. Across the board, throughout all its stations, LASD has long failed to sufficiently
2 hold deputies accountable for wrongful conduct.

3
4 **Wrongful Conduct Disproportionately Harms African American and Latino Residents**

5
6 122. LASD's deputies' pattern of using excessive force is disproportionately harmful
7 to the County's African American and Latino residents. LASD deputies shoot African
8 Americans and Latinos at a disproportionately high rate.

9 123. Unless restrained by the Court, LASD's pattern or practice of using excessive
10 force in a manner that disparately impacts the county's African and Latino communities will
11 continue.

12
13 124. LASD is deliberately indifferent to the repeated pattern or practice of using
14 excessive force and racially discriminatory policing practices. External complaints threatened
15 and actual lawsuits, and government-commissioned reports, along with the media's increasingly
16 frequent coverage of LASD's repeated use of excessive force, and its deputy membership in
17 gangs and racially discriminatory police action, have long put the County on notice of LASD's
18 unconstitutional conduct.

19
20 125. However, the County has acted with deliberate indifference to deputy gang
21 activity and excessive force and discriminatory police action, as evidenced by the inadequate
22 training, supervision, and accountability.

Delays in Investigations by the Internal Affairs Bureau Contribute to the Lack of Accountability

126. LASD has a history of conducting internal affairs investigations in which the outcomes are rigged ahead of time, with investigators having marching orders to conclude that the allegations against certain deputies, no matter what evidence there is and no matter how wrongful the conduct is, to be “unfounded.” Combined with the fact that LASD retaliates against whistleblowers with rigged IAs whose outcomes are determined ahead of time to make false and malicious charges of misconduct and impose unwarranted discipline, law-abiding deputies have strong disincentives to speak up in the face of the Code of Silence. Sheriff Villanueva does not act on reports from whistleblowers with investigations into the allegations, but instead retaliates against the whistleblowers. In addition to rigged results and cover ups, the pattern, and practices of LASD is to delay investigations for such long periods of time, and so deputies learn that there is little or no accountability for wrongful conduct by deputies. Recently, a deputy working out of the East Los Angeles Station appeared anonymously on CBS news and revealed that deputy gang members routinely plant evidence, including guns, on suspects. Sheriff Villanueva expressed no concerns over the revelations, but instead denounced the whistleblower to the media. Undoubtedly, this deputy did not report these revelations directly to Sheriff Villanueva because he knew that he, the whistleblower, and not the deputy gang members, would be disciplined.

127. LASD routinely uses tolling provisions in POBRA to unnecessarily delay investigations of the most egregious wrongful conduct. Under POBRA, the County can delay initiation of IAs until there is a resolution to criminal and civil cases regarding the same matter. The County does not need to make such use of the tolling provisions for civil cases, but it does so routinely. Accordingly, a deputy who commits a wrongful shooting and takes the life of

1 resident may not be subjected to an IA investigation for several years after the fact, as the civil
2 case works its way through the Courts, witnesses die or memory dims, and so POBRA is now
3 used as a shield by LASD to protect the Banditos and those like them from harm.

4
5 128. While LASD has worked aggressively to cover up deputy gang activity and avoid
6 accountability, the brazen violence by the Banditos on Deputy Art Hernandez, Deputy Oscar
7 Escobedo, Deputy Mario Contreras, Deputy Alfred Gonzales, and Deputy David Casas at
8 Kennedy Hall in 2018 got too much media scrutiny for LASD to completely sweep it under the
9 rug. Defendants Big Listo, G-Rod and Silver have been terminated for committing violent acts at
10 that department-sponsored event against the Plaintiff Deputies named above. Bam Bam retired
11 before he could be subjected to the same discipline. Nevertheless, Villanueva lied at a press
12 conference by stating that he had fired Bam Bam as well.

13
14 129. The systemic flaws in LASD not only result in a failure to hold LASD deputies
15 accountable for instances of excessive force and racially discriminatory policing practices, but
16 also signal to deputies that they have carte blanche to engage in further wrongful conduct.

17
18 130. The existence of deputy gangs throughout LASD and the County underscores
19 there is systemic problem that must be remedied through force by court order or by a voluntarily
20 Consent Decree between the parties to protect the rights of non-gang member deputies and of the
21 public.

22
23 131. LASD suffers from a systemic problem that leads to the deprivations of
24 constitutional rights for members in the community as well as for its non-gang member deputies.
25 The entrenchment of the deputy gang culture is reflected in the fact that the ALADS deputies'
26 union opposes any efforts to curb deputy gang dominance and downplays the gangs' impact on
27 the department culture and practices. It is also reflected by the fact that the Sheriff placed many
28

1 inked gang members in key positions in his administration and garnered the support of ALADS
2 to get elected with his promise to reinstate all gang members and other disgraced deputies who
3 had been terminated the previous 4 years for wrongful conduct.
4

5
6 **The Pattern and Practice of Deputy Misconduct in LASD**

7 132. When the pattern and/or practice of police misconduct goes unchecked in LASD,
8 it undermines public trust and cooperation between law enforcement officers and the
9 communities they serve. This is especially true for communities of color like the County, where
10 racial profiling and excessive force remain pervasive. There is a reason why some community
11 members have taken to calling LASD “the largest gang in Los Angeles.”
12

13 133. This negatively impacts the working conditions and safety of all deputies, because
14 the public’s perceptions of LASD deputies as a threat makes it difficult for even non-affiliated
15 officers to effectively serve it reduces the likelihood that residents, particularly Black and Latino
16 residents, will trust and work with deputies as they fulfill their duties and puts deputies at greater
17 risk that residents may react with violence if they fear violence themselves at the hands of
18 deputies.
19

20 134. In addition to wrongful shootings and excessive force, as well as the planting of
21 evidence and the framing of civilians, the ability of LASD to police the community is severely
22 harmed, and much crime subsequently goes unpunished. Without trust and cooperation in LASD,
23 law enforcement became less effective, crimes go unsolved, and the safety of both sworn
24 deputies and civilians are jeopardized.
25
26
27
28

1 **There will be Continuing Harm to Deputies and the Public if Immediate Reforms are not**
2 **Enacted**

3 135. The harms to the public and the Plaintiff Deputies are ongoing and perpetuate an
4 emergency. Given LASD's failure to discipline deputies who engage in violence and retaliatory
5 behavior against non-affiliated deputies and whistleblowers, the Plaintiff Deputies will continue
6 to face harassment, retaliation, and potential violence while they remain working at LASD.
7 Unless restrained by the Court, Defendants will continue to engage and/or will revert to engaging
8 in acts and omissions that deprive non-gang member deputies and members of the public of
9 rights, privileges, or immunities secured or protected by the laws and Constitutions of the United
10 States and the State of California and cause them irreparable harm.
11
12

13
14 **GENERAL ALLEGATIONS: WHAT HAPPENED TO THE PLAINTIFF**
15 **DEPUTIES IS A MICROCOSM OF THE SYSTEMIC PROBLEMS THROUGHOUT**
16 **LASD AND DEMONSTRATES THE NEED FOR MASSIVE REFORM**
17

18 136. The Plaintiff Deputies allege that, through acts and omissions, the County
19 maintains a policy, custom, or practice of deputy conduct that violates federal and state law, and
20 that this policy, custom, and practice contributed to the injuries suffered by the Plaintiff Deputies
21 as alleged herein. What happened to the Plaintiff Deputies is a microcosm of the systemic
22 problems throughout LASD, as the Plaintiff Deputies' whistleblower reports on the Banditos
23 gives the public a rare window into the dominance of deputy gang culture in LASD.
24

25 137. The Plaintiff Deputies have been injured by the County's unlawful use of force
26 and will continue to be injured absent injunctive relief.
27
28

1 138. The Banditos gang was born out of and wields its power at the Department's East
2 Los Angeles Station which services communities of unincorporated East Los Angeles, and the
3 City of Commerce, City of Maywood, and City of Cudahy. The Banditos gang has controlled the
4 East Los Angeles station like inmates running a prison yard. For years, the Banditos have
5 specifically preyed upon and targeted young Latino deputies as they begin training as rookie
6 cops, intimidating the trainees into either becoming "Prospects" to join the gang or be forced to
7 quit and be "rolled" out of the station. Young Latina deputies are recruited to be Associates of
8 the Banditos since, as women, they can never be members.

9
10
11 139. There are currently 100 deputies who have been initiated into the Banditos gang,
12 with a Banditos tattoo: a skeleton with a thick mustache wearing a sombrero, bandolier (a
13 pocketed belt for holding bullets) and pistol. Each deputy's tattoo includes a unique number – for
14 instance, Defendant G-Rod is #86. When on-duty, many of the gang members wear baggy pants;
15 when off-duty, many of the gang members wear the attire (Pendeltons, khakis) of civilian Latino
16 street gangs. Also, as in the law enforcement lingo of criminal street gangs, the Banditos leaders,
17 the ones who call the shots, including Defendants Big Listo, G-Rod, Silver, and Bam Bam, as
18 well as DOE 7 Vincent Moran, DOE 13 Raymond Mendoza, and DOE 25 Silvano "Cholo"
19 Garcia, call themselves "shot callers." Big Listo, Silver, and G-Rod remain shot callers of the
20 gang even after their termination from LASD. The Banditos shot callers still hold regular
21 meetings, and recently inked 10 of their prospects as full-fledged members of the gang. Any
22 claims by the LASD have addressed the deputy gang problem removed gang's dominance of the
23 culture of the station are false.

24
25
26 140. Many of the gang members use the lingo, such as "ese," "chale," and homes,"
27 etc., associated with Latino street gangs. As is the case with street gangs, when a Banditos gang
28

1 member indicates that a person is “in the car,” it means that person is one of them. Similarly, the
2 Banditos use the expression “word on the yard,” a prison term used to explain what is being said
3 amongst the prisoners, as if the Banditos are inmate gang members. In addition to the inked
4 Banditos gang members, there are also numerous gang prospects desperate to do anything to
5 impress the inked members. Female deputies are excluded from the gang, but some of the female
6 deputies have been indoctrinated into the gang as “Associates.”
7

8 141. Most of the Banditos are not in official management positions (although Sheriff
9 Alex Villanueva has been promoting inked gang members up the ranks.) The Banditos maintain
10 control through sheer intimidation and strength in numbers, as there is no rival gang at the
11 station, and the individual non-Bandito deputies are left to fend to themselves to try to hold off
12 the gang. The Banditos also maintain control by putting members, Prospects, and Associates in
13 positions of power and influence that even lower ranked deputies can obtain at the station. The
14 positions of Dispatcher, Training/Scheduling Deputy, and FTOs are all vital to help keep the
15 Banditos in control. Historically, the Banditos gang members and Prospects have dominated the
16 FTO and Dispatcher positions. In addition, the Banditos controlled leadership at the station and
17 had them do their bidding. DOE 6 Captain Perez and DOE 5 Lt. Eric Smitson were controlled by
18 the Banditos and DOE 1 Ernie Chavez and DOE 2 Richard Mejia, successive Captains at East
19 Los Angeles Station, have knowingly enabled and/or still enable and covered and/or cover up
20 Banditos’ activities, and as result caused direct harm to the Plaintiff Deputies. Captains like
21 Chavez, Perez and Mejia perpetuated the hostile work environment at the station and encouraged
22 retaliation against the Plaintiffs. Mejia, the current Captain at East Los Angeles, lies repeatedly
23 about the role of the Banditos at the East Los Angeles Station. They report to DOE 59 Timothy
24 Murakami and Sheriff Villanueva and disregarded the law and LASD written policy.
25
26
27
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1 142. As of the filing of this Fifth Amended Complaint, the Sheriff still allows Banditos
2 prospects to become FTOs and further perpetuate the abuse of trainees and the recruitment and
3 creation of future deputy gang members.
4

5 143. The Banditos hold their roundtable meetings at the house of DOE 46 Noel Lopez,
6 who is an inked member and proudly goes by the nickname of “Crook.” DOE 19 Mark Elizondo
7 also hosts Banditos’ meetings at his home. The pecking order is made clear to all at the station as
8 the Banditos are given special privileges, such as the preferred parking spaces at the station.
9 Everything at the East Los Angeles station must be “roundtabled” by the Banditos, e.g.,
10 fundraisers, all training parties, staff barbecues, etc. Upon information and belief, Plaintiffs
11 allege that Doe 46 Noel Lopez and Doe 19 Mark Elizondo, along with Big Listo, G-Rod, and
12 Silver, engaged in a conspiracy at these roundtable meetings to plan harm against the Plaintiff
13 Deputies and other deputies as they agreed to impose gang taxes, harass the Plaintiff Deputies, to
14 roll the Plaintiff Deputies out of the station, to overwhelm the Plaintiff Deputies with excessive
15 calls, to withhold back up for the Plaintiff Deputies on dangerous calls, and to physically attack
16 the Plaintiff Deputies at various times and locations. These meetings continued after Big Listo,
17 G-Rod, and Silver left the station in October 2018 when they were put on leaves of absences for
18 committing violent acts against their fellow deputies.
19
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21

22 144. Like street gangs, the Banditos extract “taxes” from young Latino deputies;
23 Banditos hand trainees empty envelopes and tell them to have filled with money, up to \$2,000 at
24 a time, by the end of the day. The County has tried to cover the extent of extraction of gang taxes
25 and has referred to them as “donations,” as if these are monies voluntarily paid for good causes.
26 Banditos use the tax money for such personal expenses as taking vacations, including to
27 Thailand. Taxes include money raised through fundraisers which are falsely advertised as being
28

1 for good causes. Other taxes take the form of sexual favors from female deputies. Recently,
2 Banditos prospect, DOE 8 Hector Soto Saavedra (“Little Listo”), led a fundraiser at the station to
3 give money to Big Listo, G-Rod, Silver and Bam Bam to help pay their legal expenses in this
4 case. Anything to do with the station has become a rite of passage and ritual for the Banditos to
5 extort money from the deputies stationed there.
6

7 8 **The Deputy Gang Culture in LASD Encourages Illegal Acts Against the Public**

9 145. Deputies out of the East Los Angeles Station have generated an excessive amount
10 of stops and arrests in the community because of the pressure from the Banditos to inflate
11 numbers, to satisfy constructive illegal arrest quotas, and for deputies to ignore constitutional
12 protections which require there to be probable cause to stop and arrest civilians.
13

14 146. It is alleged upon information and belief that the Banditos have established and
15 maintain a culture at the East Los Angeles Station where deputies often “work backwards” as the
16 Banditos tell them to do: They decide to arrest civilians, and then go back and come up with the
17 reasonable suspicion and probable cause for making the stop and arrest through planting and
18 manufacture of evidence and other illegal acts. The Prospects seek to “earn their stripes” by
19 committing wrongful acts, and the Prospects are often more vicious than the inked members.
20

21 147. The Banditos are notorious for planting guns on victims. The use of “ghost guns”
22 is so common it has become a station joke anytime there is a report of a gun on suspect to ask if
23 it was a real gun or a ghost gun.
24

25 148. The Banditos give guidance to the young deputies such as: If they steal property
26 from suspects and inmates and later dispose of it, to make sure to “be smart enough to get rid of
27 it outside the station.” Defendant G-Rod bragged that “If they run from me, I make sure they
28

1 come back with broken bones.” He also advised deputies to carry a bag with them to plant
2 evidence on suspects. If deputies do not follow their orders, the Banditos will try to embarrass
3 them on the department radio, overload them with excessive calls and send them out for extra
4 calls at the end of shift, and exaggerate calls, pretending routine calls are emergencies, etc.
5
6

7 **The Defendants Repeatedly Withheld Back Up on Dangerous Calls in Retaliation**

8 149. The Banditos retaliate against good deputies who maintain integrity by refusing to
9 cooperate with the status quo of corruption. One of the more dangerous ways the Banditos
10 retaliate is to intentionally fail to provide back-up during emergency situations and other
11 dangerous calls to purposely place deputies in dangerous circumstances. The withholding of
12 back up on dangerous calls, in the hopes their partners are injured or killed or live with the fear
13 that this might occur, has been a tactic of intimidating used by the Banditos since at least 2014.
14 Over the last four years, there have been dozens of incidents where the gang has not provided
15 back up on dangerous and life-threatening calls. The practice of the Banditos and their prospects
16 to fail to provide back up to deputies endangers the lives and safety of the deputies who respond
17 to dangerous calls. There have been close calls where deputies could have been killed because of
18 the failure to provide back up.
19
20

21 150. The Banditos gang, including Defendants Big Listo, G-Rod, and Silver, along
22 with several other Banditos and prospects and associates, including Defendant deputies DOE 7
23 Vincent Moran, DOE 8 Hector “Little Listo” Soto Saavedra, DOE 15 Braulio Robledo, DOE 16
24 Jonathan Rojas, DOE 20 Nikolis Perez, 23 Juan Sanchez, DOE 24 Aaron Abellano, and DOE 25
25 Silvano Garcia, withheld back up for the Plaintiffs on dozens of dangerous calls, with Banditos
26 Associates DOE 17 Eldemira Parra, DOE 18 Andrea Villa and DOE 41 Claudia Perez helping
27
28

1 coordinate the withholding of back up from the Dispatch unit. Parra, Villa, and Perez also helped
2 from Dispatch to execute the Banditos' tactic of retaliation against them by overloading them
3 with excessive calls. These deputies withheld back up on Plaintiffs' dangerous calls dating back
4 to June 2017. It is alleged upon information and belief that the intentional withholding of back
5 up on dangerous calls to other deputies has contributed to the unnecessary injuries and deaths of
6 community members who were shot by East Los Angeles deputies. In one such incident, a non-
7 suspect was shot multiple times in the back of the head and back where insufficient back up was
8 ordered by the Banditos.
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11 151. It is notable and disturbing that there have never been any Internal Affairs Bureau
12 investigations and no disciplinary action taken by LASD in relation to incidents where the
13 Banditos or deputy gangs at other stations intentionally withheld back up on dangerous calls. The
14 Banditos routinely placed and place their fellow deputies' lives and the community members'
15 lives at risk. The current Captain, DOE 2 Richard Mejia, ignored the Deputy Plaintiffs'
16 complaints and warnings about back up being withheld dating back to early 2018. Mejia had an
17 obligation to take action to protect his deputies, but he, like other leadership at the East Los
18 Angeles station, have shown a blatant disregard for deputies' safety and lives. After Mejia was
19 reminded about the Banditos' tactic of withholding back up, the Banditos subjected the Plaintiff
20 Deputies, especially Deputy Benjamin Zaredini, to multiple incidents of withheld back up.
21
22 Mejia, DOE 5 Smitson and DOE 6 Perez did nothing to protect the Plaintiff Deputies.
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24
25 **On Multiple Occasions the Banditos Committed Violence Against Fellow Deputies**

26 152. The Banditos gang also commits assaults and batteries against its fellow deputies
27 to instill fear through intimidation to maintain the corrupt status quo and make certain honest
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1 cops do not talk. Banditos gang members have knocked or choked unconscious other deputies on
2 several occasions over the last four years.

3 153. Over the years, many deputies assigned to East Los Angeles have been forced out
4 by the Banditos or have transferred out to escape the Banditos and the corrupt culture.
5 Subsequently, the ratio by which Banditos members, prospects, associates and enablers/deniers
6 outnumber those deputies unwilling to bend has increased exponentially over the years and the
7 quality of law enforcement in East Los Angeles has sharply deteriorated, bringing deputy
8 morale to a historic low point and community confidence in law enforcement crashing down.
9 With good reason, the residents of East Los Angeles and elsewhere in the County have no faith
10 and put no trust in law enforcement. The actions of the bad deputies in LASD and the aggressive
11 efforts by DOE 1 Ernie Chavez, DOE 2 Richard Mejia and Doe 6 Chris Perez and other leaders
12 to ensure the deputy gang members are not held accountable has rendered the communities who
13 entrust LASD to police them, to be unsafe.
14

15 154. The deterioration at the station helped lead to an evolution of the Banditos where
16 over time it increasingly took on the characteristics of a violent street gang. The nature of the
17 Banditos gang became more violent when, in 2017, Defendant Big Listo succeeded Eric Valdez,
18 “the Godfather,” as the self-proclaimed top shot caller of the gang. By all accounts, Valdez had
19 grown weary of the violent posture of Munoz and his allies, Defendant DOE 4 Angelica “Pink
20 Hand” Estrada, who pulled strings for the Banditos to harass other deputies behind the scenes,
21 David Silverio aka Silver, Gregory Rodriguez aka G-Rod, DOE 25 Silvano Garcia, DOE 51
22 Manny Navarro, DOE 46 Noel “Crook” Lopez and DOE 40 Miguel Ortiz. Valdez was disgusted
23 by the in-your-face bully tactics of Munoz, who forced Valdez out.
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1 155. In addition to the Deputy Plaintiffs, who were eventually forced to flee from the
2 station to protect their lives and rights, several other good deputies have escaped from the
3 Banditos and the toxic culture over the last year, further deteriorating the quality of law
4 enforcement in East Los Angeles.
5

6 156. Defendant Silverio and other Banditos were made FTOs so they could harass and
7 bully the trainees and rookies and demand excessive arrests. The 2017 change in Banditos'
8 leadership set the stage for the Banditos, with approval by senior management at the station,
9 DOE 2 Richard Mejia, DOE 5 Eric Smitson, DOE 6 Chris Perez, and DOE 48 Edmundo Torrez,
10 to systematically harass, bully, and discriminate against the young Latino deputies.
11

12 157. The Banditos, including Defendants Big Listo, G-Rod, Silver, Bam Bam, and
13 their prospects and associates, including DOE 4 Angelica Estrada, DOE 7 Vincent Moran, DOE
14 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio
15 Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 19
16 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow Kim, DOE 23 Juan Sanchez, DOE
17 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana
18 Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32
19 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE
20 38 Jessica Santos, DOE 39 John Soria, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43
21 Manuel Palacios, DOE 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres,
22 DOE 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki
23 Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, and DOE 62 Luis Valle have
24 been harassing, bullying, and discriminating against the Plaintiff Deputies from 2016-17 until the
25 present. As soon as the young Latino Plaintiff Deputies began training, they were abused and
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1 bullied by the Banditos, who establish control and a power dynamic over new Latino deputies
2 from day one and continue that intimidating relationship past the training period. When the
3 Plaintiff Deputies did not conform to the corrupt culture and instead focused on serving the
4 community and following the law and official LASD policies, the Banditos scorned and
5 terrorized them.
6

7 158. The harassment at the station was so unrelenting, the Plaintiff Deputies often
8 dreaded coming in to work as they did their best to stay focused on the work product and block
9 out all the hostility spewed by the Banditos. The County's management at the East Los Angeles
10 Station did nothing to protect its young, Latino deputies as management ceded complete control
11 of the station to the Banditos gang.
12

13
14 **The Plaintiff Deputies Dreamed of Being Deputies at the East Los Angeles Station**

15 159. Plaintiff Deputies Hernandez, Casas, and Contreras grew up in East Los Angeles
16 or in the surrounding area and dreamed of working specifically at the East Los Angeles Station
17 (as did the two veteran Plaintiffs, Deputies Zaredini and Granados), and serving the community
18 they grew up in: Deputy Gonzalez grew up nearby South Los Angeles; Deputy Lemus grew up
19 in El Salvador and wanted to work East Los Angeles because it made her feel close to home. All
20 the Plaintiff Deputies are dedicated to serving and protecting the public, and the young deputies
21 began training at the East Los Angeles station brimming with enthusiasm and idealism. The
22 Banditos felt the Plaintiff Deputies' ethnicity and youth made them particularly vulnerable prey;
23 the Banditos and their prospects pressured the young Latino Plaintiff Deputies, tried to push
24 them to arrest as many people as possible to overwhelm them, adapt to the corrupt culture, and
25 conform to the Banditos' leadership and control of the station.
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Plaintiff Alfred Gonzalez

160. Deputy Alfred Gonzalez began training at the East Los Angeles Station in May 2017. His training officer was veteran Deputy Benjamin Zaredini and initially Zaredini was able to shield him from most of the Banditos' abuse. However, the Banditos decided that Deputy Gonzalez' easy going nature made him especially good prey for bullying and after he completed training, they harassed him unrelentingly, at times daily, mocking his appearance, and obsessively trying to break him. Also, in June 2017, Deputy Gonzalez drew the ire of the Banditos when he went against the orders of Big Listo and the gang to endanger the life of fellow young Latino deputy, Plaintiff Art Hernandez when Deputy Hernandez was sent out on his first murder call. Munoz issued orders for all deputies to withhold back upon the murder call and Deputy Gonzalez and his FTO Deputy Zaredini provided back up to Deputy Hernandez. After Deputy Gonzalez defied gang orders to set up Deputy Hernandez to be harmed or killed, Defendants G-Rod, Big Listo Munoz, Silver, and DOE 7 Vincent Moran, obsessed over "rolling" Deputy Gonzalez out of the station. Doe Defendant 13 Raymond Mendoza threatened Gonzalez that the Banditos would withhold back up on his calls. Deputy Gonzalez kept his head up, focused on his work, and maintained his integrity. He would not conform to the corrupt culture at the station and received commendations for preventing suicides but was subsequently blackballed by the gang. Gang leader, Big Listo, was widely known as one of laziest of all deputies at East Los Angeles Station, often "parking it" instead of working, going out of calls, but he and other Banditos bullied Deputy Gonzalez by pressuring him to overwork himself.

161. In the fall of 2017, Big Listo sent shot caller Doe 13 Raymond Mendoza, to confront Deputy Zaredini about not being hostile enough to roll out Deputy Gonzalez. Deputy

1 Zaredini informed Mendoza that Deputy Gonzalez worked hard and did his job, and that Deputy
2 Zaredini would not follow gang orders and pressure him to quit. Mendoza then “checked”
3 Deputy Zaredini for disobeying orders and sucker punched him in the head and knocked him out
4 unconscious behind the back of the East Los Angeles Station. Deputy Zaredini knew that
5 reporting this incident would just mean reporting it to his Banditos’ enabling superiors and
6 would likely get him killed in retaliation, so he just got up eventually, cleaned himself off and
7 went back to work. While Zaredini did not report the matter to protect his safety, news of the
8 rapidly knock out spread throughout the station, and station leadership was well aware of the
9 “rumors,” but did nothing to investigate them. Mendoza has never suffered any consequences for
10 any of his years of misconduct, as Mendoza has been protected by one East Los Angeles Station
11 Captain after another up through Captains DOE 6 Chris Perez, DOE 1 Chavez, and DOE 2
12 Mejia. Mejia and Chavez repeatedly lied to protect shot caller Mendoza.

15 162. Deputy Gonzalez did his best to stay out of the path of the Banditos and their
16 prospects, but they would not leave him alone and took a perverse delight in bullying him,
17 mocking his physical appearance, and shunning him. Big Listo berated Deputy Gonzalez for not
18 filing a false police report. Big Listo, G-Rod, Silver, and DOE 7 Moran and other gang members
19 told Deputy Gonzalez dozens of times that he was not “East La [gang member] material” and for
20 15 months unrelentingly pressured him to leave the station and go work elsewhere. Big Listo,
21 and Banditos Associates DOE 17 Eldemira Parra, DOE 18 Andrea Villa, and DOE 41 Claudia
22 Perez would often dispatch priority calls to Deputy Gonzalez, and the other young Plaintiff
23 Deputies, knowing their shifts were ending in 10 to 15 minutes, and knowing there were one or 2
24 other cars available with other deputies who were just starting their shift. Big Listo, Parra, Villa,
25 and Perez would often dispatch crime calls to Deputy Gonzalez when he was in a traffic car and
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1 there were crime cars available, to overwhelm Gonzalez with excessive calls. This was
2 especially done when Doe Defendant Braulio Robledo was in the crime car, and he would
3 intentionally leave the area so that Deputy Gonzalez was left in the district by himself. The
4 Banditos' obsession with rolling Deputy Gonzalez' out, and their frustration with him not
5 allowing them to break him down, would later lead the Defendants to batter Deputy Gonzalez
6 and other Plaintiffs at a department event at Kennedy Hall in September 2018.

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10 Plaintiff David Casas

11 163. Plaintiff Deputy David Casas, also got harassed and abused in training from day
12 one, starting in 2016, and was "taxed" by the gang, forced to pay money to the Banditos twice
13 each by Defendant Banditos Big Listo, Silver, DOE 7 Vincent Moran, DOE 29 Anthony
14 Pacheco, and DOE 60 Leo Sanchez, and Banditos' Associate DOE 18 Andrea Villa. However,
15 Big Listo and the other Defendants initially treated Deputy Casas very differently than they
16 treated Deputy Gonzalez. The Defendants actively tried to recruit Deputy Casas to the gang. But
17 Deputy Casas' FTO, the Godfather of the Banditos, Eric Valdez, discouraged Deputy Casas from
18 joining the gang. The Godfather recognized that Big Listo, G-Rod, and Silverio had a more
19 violent and ugly mindset and were taking the gang in a more violent and corrupt direction.
20 Deputy Valdez was disgusted with Big Listo and the other newer shotcallers and was
21 disheartened by their loud and "in your face" bullying nature. Deputy Casas tried to
22 diplomatically keep his distance as Big Listo took him aside on two occasions in 2017 and 2018
23 and offered Deputy Casas the opportunity to be his "eyes and ears" in the South part of the
24 precinct, to help intimidate other young Latino deputies, and "regulate" them. Big Listo
25 explained to Deputy Casas that with the large contingent of Banditos, Prospects and Associates,
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1 that Big Listo had the “numbers on my side” to control the station. Big Listo explained that there
2 would be no accountability for Deputy Casas’ wrongful actions as no one in management would
3 interfere if he joined the Banditos. Leadership at the East Los Angeles station, including
4 Defendants DOE 6 Captain Chris Perez, DOE 5 Lt. Eric Smitson, and DOE 2 Captain Richard
5 Mejia, ensured that up through 2018 Big Listo Munoz could indeed act with impunity, and gave
6 Munoz and the other Banditos a feeling of invincibility. Mejia did go through the motions of
7 superficially investigating Big Listo once, but did too little, too late, and later lied about the role
8 of the other Defendants and the Banditos to lessen his own culpability and to keep himself in
9 good standing with the Sheriff.
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12 164. Deputy Casas stayed focused on doing police work and increasingly steered clear
13 of Big Listo, G-Rod, and Silver, and the other Banditos, and made it clear he was not interested
14 in gangbanging and joining the gang. After he received numerous commendations for going
15 beyond the call of duty, for putting himself in dangerous situations to apprehend dangerous
16 suspects, and running into a burning building to rescue residents, Deputy Casas received
17 numerous harassing messages from Big Listo and the other Banditos. Defendant Silver
18 threatened Deputy Casas, threatening to batter him in the summer of 2018. The Banditos
19 pushed Casas to quit and leave the station and later battered him at Kennedy Hall in the fall of
20 2018.
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23 Plaintiff Art Hernandez

24 165. Plaintiff Art Hernandez has been harassed by the Defendants Big Listo, G-Rod,
25 and Silver, as well as by several of the Banditos’ Prospects, since 2016 when he began training at
26 the station. Deputy Art Hernandez was regularly harassed by the Banditos’ top shot caller, Big
27 Listo, through messages to Deputy Hernandez via the mobile computer inside his patrol vehicle.
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1 Big Listo mocked Deputy Hernandez for being a good, honest deputy and “not the East LA
2 [corrupt] way.”

3 166. An escalation in the aggression and dangerous tactics of the Defendants occurred
4 in June 2017 when Big Listo and other shot callers forced several of their young Latino deputies,
5 including Deputy Art Hernandez, into a meeting to intimidate them. Later that same day, Deputy
6 Art Hernandez went out on call involving two street gang members. Defendant Silver went out to
7 provide backup but walked away and drove off when he saw it was Deputy Art Hernandez’ call.
8 Silver did this even though, while he was there, Deputy Hernandez got another call, this one
9 involving a gunshot victim. Silver was required by written LASD policy to either help with the
10 two street gang members or go to the gunshot victim call. He did neither. Deputy Hernandez had
11 to let the two street gang members go so he could go to the higher priority call. He went to the
12 City of Maywood on what would turn out to be his first murder call. Big Listo sent out a message
13 to all Banditos and all other deputies to not provide back up to the rookie cop though LASD
14 policy requires such backup (in addition to the practice that deputies usually do provide adequate
15 back up to each other when they are available to do so). Like Silver, Big Listo purposefully did
16 not roll out to Hernandez’ first murder call and intimidated other deputies into not going out as
17 well. Numerous deputies did not bother to show up for the call until well after the call was
18 completed. Fortunately, Deputy Zaredini, a veteran deputy, stuck his neck out, and went out
19 with his trainee Deputy Gonzalez to back up Deputy Hernandez on the dangerous call. The
20 Banditos were incensed that Deputy Zaredini, along with Deputy Gonzalez, defied gang orders
21 to endanger Deputy Art Hernandez’ life or limb or at least terrify him that such could be his fate
22 again and again.
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1 167. The Banditos felt they needed to further assert their dominance over the station
2 and in the fall of 2017, Defendant Silver joined Big Listo in forcing Plaintiff Art Hernandez and
3 other new Latino deputies to attend yet another meeting with them; at the meeting, the
4 Defendants pressured Plaintiff Art Hernandez and the others, telling them they weren't doing
5 enough to impress Big Listo and the other gang members and that they better conform to their
6 "standards" (accepting him as their gang leader, meeting illegal arrest quotas, etc.), or leave the
7 station. After Big Listo and Silver called a second such meeting, Deputy Art Hernandez did his
8 best to ignore the Banditos. He focused on doing good work and received commendations for
9 making arrests while the Banditos harassed him regularly at the station and looked for an
10 opportunity to physically attack him.
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14 Plaintiffs Oscar Escobedo and Mario Contreras

15 168. The Banditos tried to recruit Plaintiffs Oscar Escobedo and Mario Contreras into
16 the gang, but they made it clear they had no interest in doing so. Banditos shot caller Doe
17 Defendant Manny Navarro rode Mario Contreras hard, trying to pressure him to quit and roll out
18 of the station. After Deputy Escobedo was off training, G-Rod tried to recruit him into the gang
19 to be his "eyes and ears" to intimidate young Latino Deputies, but Escobedo made it clear he
20 wanted to be a good cop, and this frustrated Big Listo. The Banditos, including Big Listo, Silver,
21 and G-Rod, began their harassment of Plaintiffs Escobedo and Contreras shortly after their
22 training was completed in 2017. Deputies Escobedo and Contreras were regularly harassed by
23 Defendant Big Listo and other Banditos for almost four years, with Big Listo regularly
24 bombarding Deputies Escobedo and Contreras with hostile messages on the vehicle computer.
25 The purpose of the Banditos' messages was to interrupt their work and create an unsafe
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1 environment. While Big Listo was notorious for “parking it” (sitting in his car engaged in
2 personal business, instead of doing work by going out on calls), and made very few arrests, he
3 pressured others to make as many arrests as possible. Big Listo would harass Deputy Escobedo
4 and Deputy Contreras about their work performance, pretending he was concerned about
5 productivity, but his comments were merely to intimidate and abuse. No matter how hard a
6 deputy worked, not matter how productive the deputy was, Big Listo used the same tactic, telling
7 the deputy in question that he/she did not work hard enough, was not cut out to be at the East Los
8 Angeles station or in LASD, and should quit. Big Listo would later claim that he was trying to
9 “mentor” the young Latino deputies, but surely bullying deputies to become corrupt and commit
10 crimes or else quit the station can hardly be thought of as “mentoring.” There was zero
11 mentoring from Big Listo, who was not their supervisor and had not been assigned as a mentor
12 to them.

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15 169. In the fall of 2018, shortly before the Banditos violent attacks on Deputies
16 Contreras and Escobedo at Kennedy Hall, G-Rod and Big Listo made one last effort to pull
17 Deputy Contreras into the ranks of the Banditos. G-Rod told Deputy Contreras he was going to
18 reassign him to ride with Big Listo in his patrol car. Supervisors and Captains, not deputy gang
19 leaders, are supposed to make these personnel decisions. Deputy Contreras was horrified and
20 went to DOE 2 Richard Mejia to tell him he did not want to ride with Big Listo. Mejia agreed
21 that being partnered with Big Listo was not a good idea, since riding with the shot caller would
22 teach him how to be corrupt and how to do things the wrong way. Mejia suggested that Deputy
23 Contreras ride with DOE 23 Juan Sanchez instead, a deputy actually affiliated with a street gang
24 (not an LASD gang) even before he began working for LASD and widely seen as one of the
25 most vicious and corrupt Banditos’ Prospects at the station (Sanchez recently got inked as a
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1 Banditos member). Deputy Contreras told Mejia riding with Juan Sanchez would not be any
2 better than being partnered with Big Listo, since they are equally corrupt. Mejia now lies and
3 denies having this conversation with Contreras about Big Listo and Sanchez. Mejia also claims
4 to have forgotten about texts and phone calls in the fall of 2018 from Deputy Escobedo who
5 alerted Mejia, shortly before the Kennedy Hall incident, to the fact that the hostile work
6 environment had not improved, and that the bullying was continuing unabated. When presented
7 with copies of texts from Escobedo about Big Listo at his deposition, Mejia lied that he did not
8 know who or what the texts referred to, as if he were looking up at a blue sky and claiming he
9 could not tell if it were a sky or if it were blue. Mejia knows if he told the truth, he and other
10 LASD leaders would be further acknowledging that they and LASD are responsible for all the
11 harms caused to the Plaintiff Deputies for nearly 4 years, including the events at Kennedy Hall.
12 Mejia also knows that Sheriff Villanueva would likely retaliate against him and “overnight him”
13 to a less desirable job assignment. Mejia has chosen career advancement over integrity as he
14 throws the good deputies of LASD under the bus, fuels the hostile work environment and
15 perpetuates the dominance of deputy gang culture at LASD.

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19 170. Deputies Escobedo and Contreras made it clear to the Banditos that they wanted
20 no part of the gang lifestyle, would not bend to the Banditos’ will, and that they were at East Los
21 Angeles Station to do their jobs and to do them well. Both deputies received numerous
22 commendations for excellent police work and the Banditos subsequently shunned them. The
23 Banditos felt threatened by Escobedo’s integrity and decided to physically assault him in their
24 time-honored very public tradition. When Big Listo pulled Deputy Escobedo to the ground at
25 Kennedy Hall and started hitting Escobedo in the face, Big Listo told him, “I’ve been waiting for
26 you.” Big Listo indeed waited a long time (over 1.5 years) for that moment.
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Plaintiffs Benjamin Zaredini and Ariela Lemus

171. Starting in 2017, Plaintiff Ariela Lemus was targeted by the Banditos for her race and gender and was retaliated against for blowing the whistle on the discrimination by the Banditos. Deputy Lemus drew Deputy Zaredini as her FTO when she began training at East Los Angeles Station. Having Deputy Zaredini as her FTO had its pluses and minuses. The plus was that Deputy Zaredini shielded her from abuse as a trainee. The drawback was that protection from Deputy Zaredini stirred hostility from the Banditos and their Prospects and Associates, who said that Deputy Lemus came from “a bad bloodline” for having an FTO with integrity who did not follow gang orders.

172. Deputy Zaredini, who had been at the East Los Angeles Station since 2008, was in fact formerly a Banditos’ Prospect himself (Zaredini is of mixed heritage, but the Banditos recruited him under the mistaken impression that he was “pure” Latino), and respected the Godfather of the Banditos, Eric Valdez. However, just as Valdez would eventually grow weary of Big Listo Munoz and the other bullies gaining power with the Banditos, Plaintiff Zaredini became disenchanted with the Banditos and ashamed of his affiliation with them much more swiftly. Deputy Zaredini cut his ties to the gang as he moved on and received commendations for community service and helped coordinate the Vital Directional Alternatives Interventional program which helps at-risk youth, and the gang felt betrayed by his good work since it deprived them of chances for both real arrests and false arrests and the benefits the Banditos received from both. Born and raised in East Los Angeles, Deputy Zaredini was undeterred by the Banditos’ efforts to disrupt his service to the community as he focused on community policing and developing relationships with local businesses and community members that are essential to

1 effective modern-day policing. Deputy Zaredini is passionate about doing good work and
2 helping the community and is outspoken about deputies doing good work. Deputy Zaredini's
3 outspokenness and his bravery in standing up to the Banditos caused the Banditos to make him a
4 prime target for retaliation. Deputy Zaredini faced repeated retaliation for speaking out about the
5 hostile work environment. On numerous occasions, the Banditos including Big Listo would
6 disrupt Deputy Zaredini's calls by sighing and hissing over the radio. After one such incident,
7 Deputy Zaredini complained to Defendants DOE 6 Captain Perez and DOE 5 Lt. Smitson and
8 they responded by retaliating against him by taking his trainee away from him, thus depriving
9 him of his FTO bonus pay. Perez and Smitson, in violation of LASD policy, did this action
10 without any investigation or inquiry, with no attempt to address the harassment. The Defendants,
11 including DOE 1 Ernie Chavez, and DOE 59 Timothy Murakami, also blocked Deputy
12 Zaredini's well-deserved and earned promotion to Sergeant. And the Banditos continue non-stop
13 retaliation against him, even at the time of the filing of this Fifth Amended Complaint.
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18 Plaintiff Benjamin Zaredini's Life Was Repeatedly Put at Risk

19 173. The gang retaliated and withheld back up on Deputy Zaredini's dangerous calls
20 on about two dozen occasions, putting his life and his partners' lives at risk. DOE Defendant 23
21 directed dispatchers to withhold back up on Deputy Zaredini and the other Plaintiffs. DOE
22 Defendants Vincent Moran and Braulio Robledo called deputies into a meeting to order
23 withholding of back up on calls for Deputy Zaredini and the other Plaintiffs. Defendants Big
24 Listo, G-Rod, and Silver, along with several other Banditos and prospects and associates,
25 including Defendants DOE 7 Vincent Moran, DOE 8 Hector "Little Listo" Soto Saavedra (now
26 inked as a Bandito), DOE 23 Juan Sanchez (now inked as a Bandito), DOE 24 Aaron Abellano
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1 (now inked as a Bandito), and DOE 15 Braulio Robledo (now inked as a Bandito), withheld back
2 up for Deputy Zaredini on dozens of dangerous calls. Big Listo and DOE 17 Eldemira Parra,
3 DOE 18 Andrea Villa, and DOE 41 Claudia Perez directed the withholding of back up through
4 the Dispatch unit.
5

6 174. The Defendants withheld back up to Deputy Zaredini for essentially the whole
7 summer of 2018. There would be no help from LASD management which actively covered up
8 the withholding of back up on their good deputies. Supervisor, DOE Defendant 65 Sgt. Robert
9 Lavoie observed Bandito Prospect Juan Sanchez' vandalism call where all units showed up to
10 help with back up and then observed Deputy Zaredini's shooting call two blocks away where no
11 back up was given. Deputy Zaredini told Lavoie, "You see what's going on here." Lavoie
12 responded, "I don't know what you are talking about." Yes, Lavoie, and Mejia, and other LASD
13 leaders knew exactly what was going on. And they did nothing about it. The only reason Deputy
14 Zaredini had (barely) adequate back up on some of those occasions was because other Plaintiff
15 Deputies went out of their districts, out of their way, to step into the void and provide back up.
16 On many of those instances, the Plaintiff Deputies giving back up to Deputy Zaredini were also
17 without adequate back up, as per LASD policy and practice, there still should have been more
18 cars and deputies assisting the Plaintiff Deputies with the calls.
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22 175. The other Plaintiff Deputies provided back up to Deputy Zaredini even though he
23 was assigned to the North area (East Los Angeles) of the territory policed by deputies at East Los
24 Angeles station, and the other Plaintiff Deputies were assigned to patrol of the South (Maywood,
25 Commerce, Cudahy). On three of the occasions in 2017 and 2018, rookie deputy Plaintiff Ariela
26 Lemus was also without adequate back up as she was the only deputy providing back up to
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1 Zaredini, when according to LASD policy and practice there should have been several cars and
2 deputies there to back them up.

3 176. Big Listo threatened Deputy Lemus that if she did not bend and conform to the
4 Banditos, she would not be provided back up on her own calls after she completed training, that
5 she would be “left on an island” by herself, to possibly be killed or injured in the streets by
6 criminals. Defendant deputies DOE 17 Eldemira Parra and DOE 18 Andrea Villa were Banditos
7 Associates who would “regulate” (prison jargon for controlling and intimidating) female
8 deputies at the East Los Angeles. Parra and Villa tried hard to regulate Deputy Lemus, recruit her
9 as a Banditos Associate and pressure her to sell products to raise money for the Banditos. Deputy
10 Lemus was forced to pay “gang taxes.” However, Deputy Lemus had no interest in conforming
11 to the Banditos’ corrupt culture and no interest in paying a tax through money or sexual favors,
12 and for that she paid a price including constant harassment and having to always look over her
13 shoulder, never knowing if she would have adequate back up. After she blew the whistle on
14 favoritism to Banditos shot caller, DOE 13 Raymond Mendoza, DOE 1 Captain Ernie Chavez, a
15 Vikings gang member, told her that he would not discipline Mendoza, because he liked how the
16 Bandito shot caller intimidated and kept the deputies in line. Chavez admitted that Mendoza was
17 a Banditos leader and expressed admiration for him. Chavez retaliated against Deputy Lemus by
18 violating her POBRA rights and referring her for a bogus IA investigation based on what the
19 Captain knew to be fake allegations. Chavez, with the knowing and corrupt assistance of
20 Defendants DOE 54 Sgt. Hugo Reynaga and DOE 55 Lt. Anthony Easter, gave Lemus a 2-day
21 suspension for what they knew was a false and malicious allegation of misconduct.
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Plaintiff Louis Granados

177. Initially, the Banditos did not find Plaintiff Deputy Louis Granados easy to bully. When he first arrived at East Los Angeles station in 2013, on the surface he fit the bill of the typical Banditos' prey as a young Latino deputy. But the Banditos were a bit leery of Plaintiff Granados because, before becoming a Deputy, he was Sgt. Granados of the United States Marines, a war hero who saved hundreds of fellow Marines' lives in battle at a base in Al Asad during the Iraq War. When Iraqi soldiers staged a surprise night attack and a rocket struck their observation tower, Sgt. Granados covered a young Private's body with his own and suffered severe hearing loss and a concussion from the force of the blast while the Private was uninjured. This behavior would be the direct opposite of what might be expected from a member of the Banditos, which pits deputies against other deputies and destroys any sense of camaraderie and shows a complete lack of work ethic. After regaining consciousness from the bombing, Sgt. Granados ran into and through enemy fire to locate and radio back the correct coordinates necessary for the Marine pilots to bomb and destroy the attacking Iraqi platoon and missile launchers before the Iraqi soldiers could overrun the base.

178. After he retired from the Corps, Deputy Granados arrived at East Los Angeles to pursue a career in law enforcement. He was surprised by the perverse abuse perpetrated on the trainees, but he was prepared to handle whatever abuse that would come his way. And the Banditos did abuse him severely and he witnessed the Banditos terrorize other trainees who were told by the Doe 4 Angelica "the Pink Hand" Estrada and the Banditos they were not "East LA [gang] material" and would never be allowed off training and would be forced "to roll out" of the station. And the Defendants made Deputy Granados work 24 hours straight without sleep, putting his life in danger, working harder than anyone at the station while the Banditos told him

1 he was not working hard enough. Defendant DOE 15 Braulio Robledo and other Banditos
2 prospects forced Granados to pay gang taxes.

3 179. Banditos shot-caller, Defendant DOE 46 Noel “Crook” Lopez tried to intimidate
4 Deputy Granados by blocking his path, and trying to lure him into a violent confrontation, but
5 Deputy Granados did not take the bait. And once Deputy Granados completed training, the
6 Banditos kept their distance from him as by then they had now learned of his military
7 background and combat experience in Iraq and kept their harassment of Deputy Granados to
8 “passive aggressive” acts such as sending him an excessive number of calls during his shift.
9 DOE 17 Eldemira Parra, DOE 18 Andrea Villa, and DOE 41 Claudia Perez worked closely in
10 Dispatch with Big Listo to overwhelm the Plaintiff Deputies including Granados with excessive
11 calls, especially in 2018 after Granados and Zaredini together blew the whistle on the Banditos.
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14 180. Deputy Granados was happy to keep his distance from the Banditos and tried not
15 to let the Banditos distract or overload him through the extra work. But Granados was aware, like
16 everyone else at the station, that the Banditos were harassing and discriminating against the other
17 young Latino deputies and realized he needed to do something about it.
18

19 181. By early 2018, Deputy Granados finally lost his patience with the wrongs being
20 committed at LASD. Deputy Granados was long aware that the Banditos’ station-wide reputation
21 (all of the leadership at the station knew of the Banditos, their bullying, and violence) for vicious
22 retaliation to intimidate the younger deputies into silence; but Deputy Granados knew the time
23 had come for him to speak up regardless of what the County and their Banditos employees might
24 do to punish him for it.
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1 **Plaintiffs Benjamin Zaredini and Louis Granados Blow the Whistle on the Defendants**

2 182. Veteran Plaintiffs Zaredini and Granados were both alarmed by the increasingly
3 hostile and violent nature of the gang as their authority and control at the East LA Station, with
4 the full knowledge and tacit if not active consent and support of senior leadership. The veteran
5 Plaintiff Deputies knew there was little or no accountability or supervisory authority to provide a
6 check on the Banditos.
7

8 183. Plaintiffs Granados and Zaredini also knew that while some of the Banditos’
9 actions could be seen as “petty,” such as keying cars, using the mafia tactic of removing
10 deputies’ names off their mailboxes and placing transfer slips in the mailboxes, hissing over the
11 radio during the deputies’ calls in on the radio, “no acking” (ignoring) other deputies, etc., the
12 veteran Plaintiff Deputies were cognizant that the Banditos as deputies were all fully armed and
13 trained to kill, that the Banditos had committed violence against their fellow deputies in the past
14 and were depriving minority residents of their civil rights. Subsequently, despite knowing it
15 would be a risk to their careers and possibly their lives, Deputies Zaredini and Granados brought
16 their concerns to their superior officer at the East La Station: Doe 2 Richard Mejia, then a
17 Lieutenant and, as far as they were aware at the time, someone who was independent of the
18 Banditos. The Plaintiffs thought Mejia was the one person in leadership at East Los Angeles they
19 could trust. Other Plaintiffs and deputies put their trust in Mejia, including Plaintiff Lemus who
20 broke down and told him that the Banditos threatened her they would withhold back up on calls,
21 and that she feared for her safety. They did not know at the time that Mejia had prioritized his
22 career advancement over integrity, honesty, and fighting crime.
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26 184. If, up to this point, the County was claiming any ignorance of the depth of the
27 deputy gang problem, they could no longer deny they had notice of the problem and the dangers
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1 facing their employees. The County had the responsibility to handle the whistleblowing properly,
2 and to move swiftly and carefully to protect its employees and the public. The County did not.
3 And it has still not done so at the moment of the filing of this Fifth Amended Complaint.
4

5 185. In March and April 2018, Plaintiffs Granados and Zaredini met with DOE 2
6 Mejia. Mejia had told deputies he had an “open door” and that they could come to him safely
7 with their concerns, but deputies did not realize that he was only willing to stick his neck and tell
8 the truth so far. Mejia would soon get promoted up the ranks at LASD, and he got promoted by
9 not supporting the law-abiding deputies at the station and by not addressing the deputy gang
10 issue at LASD. Mejia was all too aware that successive leadership, Defendants Doe 6 Captain
11 Chris Perez, and DOE 1 Commander Ernie Chavez, along with many Sheriffs, were apologists
12 and enablers of the deputy gangs, and had and have no interest in ending their dominance at
13 LASD.
14

15 186. While Mejia would later go on to downplay the wrongful conduct of the Banditos,
16 and seek to cover it up, at that time, in the Spring and Summer of 2018, he could not ignore the
17 overwhelming evidence demonstrating that there was a hostile work environment created by the
18 Banditos. He was forced by circumstances to at least go through the motions of an inquiry into
19 Banditos. He was forced by circumstances to at least go through the motions of an inquiry into
20 Big Listo and other Banditos and reportedly interviewed about 20 deputies. As Mejia was aware,
21 but now lies about it, some of the deputies did not talk because of fear of retaliation. But other
22 deputies, including Plaintiff Deputies Lemus, Escobedo, Granados, and Zaredini, and other
23 deputies acknowledged the Banditos problem, and Mejia recommended that LASD initiate an
24 administrative investigation into Big Listo for hazing, bullying, and for creating a hostile work
25 environment. If LASD had followed Lt. Mejia’s recommendations and did an honest
26 investigation not just into Big Listo alone, but into the Banditos, perhaps Big Listo and others
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1 would have been disciplined. dozens of withholding of back up on dangerous calls would have
2 been averted, as would all the other forms of harassment including the violent gang attack that
3 later left two of the Plaintiff Deputies unconscious at Kennedy Hall. But Mejia, DOE 6 Captain
4 Perez, DOE 5 Lt. Eric Smitson, and LASD failed to follow up and to this day continue to cover
5 up the hostile environment and the role and nature of the Banditos.
6

7 187. Immediately after Granados and Zaredini blew the whistle on the gang, Mejia
8 informed Lt. Eric Smitson and the Pink Hand of the whistleblowing, even though Mejia knew
9 these two Defendants were fierce protectors of the Banditos. Subsequently, the Banditos were
10 immediately informed by the Pink Hand and Smitson that Deputy Granados and Deputy
11 Zaredini, and the other Plaintiff Deputies interviewed had told the truth to Mejia. While Mejia
12 made his initial recommendation for an administrative investigation, he made no follow up
13 efforts whatsoever to hold Big Listo and the others accountable, and did not even interview Big
14 Listo about the allegations. Mejia made no further inquiry into the Banditos history of
15 endangering their fellow deputies with the withholding of back up on dangerous calls. Mejia
16 allowed the Banditos to retaliate against the Plaintiff Deputies. The Pink Hand went to DOE 5
17 Lt. Eric Smitson, DOE 6 Captain Chris Perez and to DOE 63 Chief Bobby Denham to inform
18 them of what Granados, Zaredini and the others had done and to make sure there was no
19 discipline of the Banditos and no protection provided to the Plaintiff Deputies. The Banditos
20 exponentially increased the withholding of back up on dangerous calls, and the slamming of
21 Plaintiffs with excessive calls.
22

23 188. As to why Captain Perez, Chief Denham, and Lt. Smitson were covering up for
24 Angelica Estrada aka Pink Hand and the Banditos is unknown, but the Pink Hand has reportedly
25 indicated that she intended to sue the Defendant County for sexual harassment. The Pink Hand's
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1 dominance of the management at the East Los Angeles Station was so strong, she was also
2 nicknamed “the Red Queen.” To date, there has been no consequences, no discipline of any kind
3 for the deputy who patterned herself after the Black Hand of the Mexican Mafia, and no
4 accountability for those who enabled her, like Denham, Perez, Smitson, and Mejia, and for those
5 who aided her, in harassing the Plaintiff Deputies. This lack of accountability for any of the
6 Banditos highlights that mafia-like nature of LASD, which does not hold Banditos accountable
7 and retaliates against deputies like the Plaintiff Deputies here for speaking up in the face of the
8 Code of Silence.
9

10
11 **The Defendants Further Retaliated Against the Whistleblowers**

12 189. In the Spring and Summer of 2018, armed with the knowledge of the
13 whistleblowing, the Banditos and the County moved swiftly to retaliate against the Plaintiff
14 Deputies. As soon as the Pink Hand informed the Banditos that Deputy Granados had blown the
15 whistle, the gang retaliated against him, slamming, and overloading him with other deputies’
16 calls, and Big Listo sent him more of his hostile messages as Big Listo continued to pretend he
17 was concerned about other deputies’ work ethic while he himself routinely “parked it.” Deputy
18 Granados had just achieved the highest score on a test for promotion, but the Pink Hand and
19 Smitson blocked his promotion in retaliation for his whistleblowing. The Pink Hand informed
20 Deputy Granados there would be no promotion for him, claiming there were suddenly no jobs
21 available though there were many jobs available. Estrada and Defendant DOE 39 John Soria
22 continued to control Scheduling and deny the Plaintiff Deputies’ requested days off.
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25 190. Immediately after Deputy Zaredini blew the whistle, he was removed from his
26 position as FTO and thus was stripped of his bonus pay. In his Spring/summer 2018 memo, Lt.
27 Mejia admitted it was improper for Deputy Zaredini to be stripped of his FTO position. LASD
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1 managers, Defendant DOE 1 Commander (then Captain) Ernie Chavez and Commander Eli
2 Vera, also admitted that the trainee was taken away from Zaredini as part of retaliation against
3 the Plaintiff, and they retroactively gave him his bonus pay. Zaredini also was restored to his
4 position but would be denied an earned promotion to the position of Sergeant by DOE 1 Chavez
5 and DOE 59 Timothy Murakami. The Banditos shunned Granados and Zaredini and made them
6 persona non grata at the station. The Banditos regularly denied back up to Deputy Zaredini and
7 the other Plaintiff Deputies throughout the summer of 2018, and station leadership, including
8 DOE 6 Captain Chris Perez, DOE 2 Lt. Richard Mejia, DOE 5 Lt. Eric Smitson, and DOE 48 Lt.
9 Edmundo Torres (also a Banditos shot caller) did nothing to protect their deputies by ending this
10 practice of withholding backup, of which practice they had actual knowledge.
11

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13 191. On June 8, 2018, Mejia wrote a memo to the County's administration and
14 recommended that action be taken, including an investigation that might have led to the removal
15 of gang leader Defendant Big Listo and the Defendant Pink Hand from the station. Attached to
16 the Mejia memo was an anonymous letter sent to the station and to the then Sheriff (James
17 McDonnell). This letter notified station leadership, including Defendants DOE 2 Mejia, DOE 49
18 Torres, DOE 6 Perez, and DOE 5 Smitson, that the Banditos maintained a hostile work
19 environment as they controlled the station and harassed and bullied other deputies, while
20 enjoying special privileges. The letter accurately described the Banditos' gang activity and
21 dominance of the East Los Angeles station. The letter further proves that LASD had notice of
22 many of the allegations in the complaint, long before 3 more years of harms were caused to the
23 Plaintiffs. (Mejia would later lie in his deposition and say he did not see the anonymous letter
24 until a year later, *despite the fact it was attached to his own memo in June 2018.*) At the time, in
25 2018, instead of addressing the concerns and protecting its deputies and the community, the
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1 County covered up the actions of its employee deputy gang, as DOE 5 Lt. Eric Smitson
2 reportedly dishonestly paraphrased and buried DOE 2 Lt. Mejia's memo under the orders of
3 DOE 63 Chief Bobby Denham and the LASD continued to conduct law enforcement at the East
4 LA Station in its business as usual fashion: Allowing a brutal deputy gang to act with impunity
5 and commit acts of violence against fellow deputies and citizens, conduct that the County could
6 not claim ignorance of given the numerous lawsuits, reports by the Inspector General Huntsman
7 and the efforts made by the Plaintiff Deputies and, to some extent, Mejia, to bring these matters
8 to the attention of senior management.
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11 192. As a result of the County's failure to act, the gang was further emboldened to
12 strike back at the whistleblowers and the other Plaintiff Deputies. The gang now withheld back
13 up on so many of the Plaintiff Deputies' dangerous calls, one of the deputies assigned as a
14 partner to Deputy Zaredini, was reluctant to leave Deputy Zaredini's side even after he had
15 completed more than two shifts straight and was sleep deprived out of fear that Deputy Zaredini
16 would be left alone on a dangerous call and get killed.
17

18 193. Not only did management not investigate Big Listo, but they also made it easy
19 for the gang to escalate its harassment and to terrorize the Plaintiff Deputies by moving Big Listo
20 into Dispatch. Just as LASD gave no discipline for the Defendants not providing back up to their
21 fellow deputies, LASD gave no discipline for Big Listo directing the withholding up of back up
22 and overloading the Plaintiff Deputies with calls from the Dispatch desk.
23

24 194. The failure to provide backup created "close calls" where deputies almost got
25 killed. The retaliatory withholding of back-up became so common, the Plaintiff Deputies went
26 out all calls never knowing if they would have back up. The fact that the Plaintiff Deputies often
27 went out of their patrol areas to provide back up to each other, and saved each other's lives, does
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1 not let the County off the hook for liability. The County caused the Plaintiff Deputies severe
2 distress as they were sent out on dangerous calls, always having to look over shoulders, unsure
3 they would get adequate back up. To this day, up to the filing of this Fifth Amended Complaint,
4 the County has still not held any deputies accountable for the failure of multiple deputies to
5 provide back up to their partners, even though deputies withholding back up on calls completely
6 destroyed morale and harmed effectiveness of law enforcement in East Los Angeles. Deputy
7 gang members know DOE Defendant 2 Captain Richard Mejia and other LASD leaders will not
8 hold them accountable for withholding backup, even though Mejia was specifically informed
9 about the withholding of back up, and he acknowledged this was a neglect of duty. As confirmed
10 under oath by deputies breaking the Code of Silence, this tactic of withholding back up has been
11 used by the Banditos since at least 2014.
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15 **The Banditos Gang Continued their Harassment of Plaintiffs and Planned to Assert**
16 **their Authority with More Violence and Retaliation Against the Whistleblowers and Other**
17 **Deputies Refusing to Join or Follow the Gang's Rules**
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19 195. Over the summer of 2018 and into the fall, the tension at the East Los Angeles
20 station grew so thick that any administrator and manager would have noticed it. The contingent
21 of Banditos, Prospects, and Associates at the East Los Angeles station, along with another 55
22 members stationed elsewhere or retired from LASD, had a fierce grip on the station. The
23 Banditos' harassment of the young Latino Plaintiff Deputies and the veterans Granados and
24 Zaredini continued to intensify.
25

26 196. Even Deputy Granados was now aggressively harassed and endangered by the
27 Banditos, who withheld back up on some of his calls. On two of the three incidents, the Banditos
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1 withheld backup on dangerous calls to churches, one involving a knife/box-cutter wielding
2 assailant. Plaintiff Deputies Granados and Casas received no back up when they went out on a
3 call where a mentally ill individual was accosting churchgoers. Due to the lack of deputy back
4 up, the churchgoers had to assist Deputies Granados and Casas in subduing the suspect and
5 handcuffing him.
6

7 197. On another occasion, Deputy Granados was left to his own on a dangerous call
8 with a man wielding a knife, when there were several other deputies informed of the call and
9 thus required by LASD policy to assist, including notorious Banditos prospect (now inked gang
10 member), Defendant DOE 23 Juan Sanchez. None of the Banditos went out to assist, putting
11 Deputy Granados' life at risk. In addition, one of the Banditos stole Deputy Granados' tactical
12 bullet proof vest, which protects against rifles. Deputies must buy these vests themselves and
13 Deputy Granados went without this vest for 3 months.
14

15 198. Defendants Big Listo, G-Rod, and Silver (Bam Bam was assigned to Men's
16 Central Jail and was no longer at the East Los Angeles station) and the other Banditos and their
17 Prospects and Associates openly displayed anger and were staring down the Plaintiff Deputies in
18 the hallways of the station so that non-members would be encouraged to participate in retaliation
19 or at least be intimidated into silence. The danger was palpable. The atmosphere was
20 deteriorating rapidly in front of management's eyes, and Defendants Doe 2 Richard Mejia, Doe 5
21 Eric Smitson, Doe 6 Chris Perez, and Doe 48 Edmundo Torres were fully informed and aware
22 of the increasingly hostile work environment, and the need for LASD to protect the Plaintiff
23 Deputies. There was still no intervention by management, just capitulation to the gang and more
24 cover up. Such support and tolerance for the Banditos gang could only lead to more violence
25 against the Plaintiff Deputies as they formed an ever-increasing bond trying to back each other
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1 up both on-duty and off, whenever the Banditos gang made threats against them, withheld
2 backup on dangerous calls and continued to engage in such activities, but with increasing
3 aggression against and after Zaredini and Granados acted as whistleblowers and Escobedo and
4 Contreras and the others became whistleblowers as well for telling the truth about Big Listo and
5 the Banditos.
6

7
8 **The Existence of Deputy Gangs in LASD Destroyed Station Pride and**
9 **Camaraderie**
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11 199. On September 19, 2018, two deputies from East Los Angeles were shot while on
12 duty. It will never be known if the withholding of back up by the Banditos is what almost got
13 their partners killed that day, but based on evidence, this would be a reasonable inference.
14 Normally when peace officers' partners are shot, deputies rally around their own and there is
15 unity at the station. However, the Banditos were not interested in the oaths they took to perform
16 their duties and oaths they took to protect and serve, were not interested in camaraderie and in
17 being team players and in loyalty to their fellow deputies and were not interested in their fellow
18 deputies' safety and the communities' safety. Supporters of the deputy gangs in LASD would
19 have the public believe the gangs are about station pride. The gangs in LASD pit deputies against
20 each other, splitting apart any sense of a team of law enforcement having each other's and the
21 community's backs. The Banditos were intensely focused on asserting the gang's dominance
22 through force and endangerment of the lives of other deputies at the East Los Angeles station,
23 and shredded any camaraderie in LASD. The Defendants have no interest in rallying around their
24 fellow deputies unless they are supporters, enablers, or members of the Banditos. They are
25 interested only in harming those who do not bend to their will. And the residents of East Los
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1 Angeles have been left without an effective law enforcement agency they can trust. And the
2 entire LASD is tainted by the dominance of deputy gang culture in the department.

3 200. Ever since Plaintiff Alfred Gonzalez defied gang orders to withhold back up on
4 Plaintiff Art Hernandez and endanger his life on his murder call in June 2017, the Defendants
5 harassed Deputy Gonzalez to try to roll him out of the station. Behind the East Los Angeles
6 station, on the evening of September 26, 2018, Plaintiff Gonzalez was surrounded by Defendant
7 Big Listo and fellow Banditos' shot caller Defendant DOE 7 Deputy Vincent Moran coming out
8 of the shadows with Defendant G-Rod. The 3 Banditos shot callers menacingly pressured Deputy
9 Gonzalez for 45 minutes, once again using their tactic of pretending it was about "work ethic,"
10 pressuring him to make arrests to meet constructive illegal quotas, to not report overtime and to
11 work extra hours without pay. The Banditos told Deputy Gonzalez that his performance was sub-
12 par, that he was not cutting it at East Los Angeles, and that he should quit his job. The individual
13 defendants perversely later told ICIB and IA investigators they were acting as mentors. This
14 harassment was not new to Deputy Gonzalez, and he had grown accustomed to the abusive
15 environment, so he did not realize at that moment that the gang had planned to take things to
16 another level. The Bandits' Modus Operandi is to attack deputies and knock them unconscious to
17 regulate them and intimidate all other deputies at the station, and over the years they have done
18 this with no accountability by LASD. Defendants DOE 1 Ernie Chavez, DOE 2 Richard Mejia,
19 DOE 3 Chief April Tardy, DOE 5 Lt. Eric Smitson, DOE 6 Chris Perez, DOE 11 Captain
20 William Jaeger, DOE 21 Kelly Porowsky, among others, willfully turn a blind eye to this tactic,
21 and their "go to" default is to write off any "disagreements," such as battery to the point of
22 unconsciousness, as "personality clashes." The Banditos gang planned to beat Deputy Gonzalez
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1 and knock him unconscious in front of the entire station personnel to roll him out of the station
2 and to intimidate the other young Latino deputies, the following night at Kennedy Hall.
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5 **The Defendants Attack Several of the Plaintiff Deputies at LASD Event at Kennedy Hall**

6 201. On September 27, 2018, LASD held a department-sponsored event at Kennedy
7 Hall in East Los Angeles for deputies in East Los Angeles, ostensibly to celebrate the completion
8 of training for the new class of trainees. There were over 100 deputies in attendance, including
9 some who were assigned to provide security at the party, on-duty and in uniform, armed with
10 their service weapons. In addition to the newly graduated trainees, many deputies were in
11 attendance. LASD and the County falsely claim this event was not a department-sponsored event
12 at which plans to assault and batter Alfred Gonzales were pre-planned by the Banditos, including
13 Defendants G-Rod, Big Listo, Silver, Bam Bam, and DOE 7 Vincent Moran, and DOE 15
14 Braulio Robledo, while on-duty and as part of their ongoing, systematic manner by which they
15 reinforced their authority and control over the East LA Station. However, this was not just some
16 party thrown by deputies off-duty. The fliers, approved by the station, featured the East Los
17 Angeles station and a photo of a department police car; the event was promoted throughout the
18 station and at other stations in LASD; the County's IG, Huntsman, has admitted this was a
19 LASD-sponsored event; this was a department-sponsored event with on-duty deputies assigned
20 to be at the party for security and more on-duty deputies assigned to be designated drivers so that
21 deputies could drink and go between the station and their homes and Kennedy Hall and back. Lt.
22 Alex Villanueva, soon to be elected Sheriff, was himself in attendance. The Banditos chose the
23 venue of Kennedy Hall because they knew there were fewer security cameras at that location to
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1 record their actions. What security footage there was from the Kennedy Hall parking lot that
2 night conveniently went missing after it was sent to LASD.

3 202. Plaintiff Gonzalez attended the party, which started on September 27 and
4 continued into the morning on September 28, 2018. Several Banditos gang members, including
5 shot-caller Defendants Big Listo, G-Rod, Silver, and Bam Bam, and DOE Defendant 7, shot
6 caller Vincent Moran, came to the party with the plan to assault Deputy Gonzalez. The Banditos
7 went to Kennedy Hall, many of them decked out in the same style of gang attire – pendeltons,
8 jeans, boots, and huddled together, along with on-duty deputies, in uniform and armed with their
9 service weapons, who were members, Prospects or Associates of the Banditos, and on-duty
10 officers who were not members, Prospects or Associates of the Banditos. Those in Banditos’
11 attire stood out in the large crowd as they glared with hostility towards the Plaintiff Deputies and
12 other young Latino deputies who had not paid enough “respect” to the Banditos. Several other
13 Banditos associates and prospects, including DOE 16 Jonathan Rojas and DOE 20 Nikolis Perez
14 (now both inked members) huddled with the Banditos as they surveyed the crowd and stared
15 other deputies down to intimidate them. The Banditos wanted to send a message to the Plaintiff
16 Deputies and the rest of the station, that by battering Deputy Gonzalez and knocking him
17 unconscious they could drive him out of the station and intimidate the other young Latino
18 deputies and continue to control them or bring them under their control, just as they had done
19 numerous times before and after the event at Kennedy Hall.

20 203. Several of the Banditos, including the gang’s shot callers, Bam Bam, G-Rod, and
21 Silver approached Deputy Gonzalez and surrounded him, again focusing on his “work
22 performance.” The Banditos insulted Deputy Gonzalez, told him he was a “zero,” was not
23 performing his work well, was not liked and did not belong at the station, and positioned
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1 themselves very aggressively close to him to try to provoke him into a fight. Deputy Gonzalez
2 did not take the bait and over and over the Banditos kept returning to him, trying to provoke him
3 so they could “justify” violently attacking him, and knock him unconscious. But Deputy
4 Gonzalez kept his cool, remained passive and walked away each time.
5

6 204. Then Defendant Bam Bam approached Deputy Gonzalez and told him that he had
7 no problem slapping or punching him in front of everyone because he knew “no one here,”
8 referring to deputies, management, and administration, would say or do anything. This showed
9 the extent of the gang’s control over the East Los Angeles station. By failing to intervene and
10 protect its non-gang affiliated employees from its gang employees, LASD’s leadership, including
11 Defendants DOE 2 Richard Mejia, DOE 6 Chris Perez, DOE 5 Eric Smitson, DOE 48 Edmundo
12 Torrez, DOE 63 Bobby Denham, and DOE 65 Robert Lavoie had led the gang to believe that the
13 Banditos had total control over the station and that its members were above the law.
14

15 205. Bam Bam threatened the lives of Deputy Gonzalez and his family, stating, “I have
16 no problem fucking with you and your family and if I can’t do it directly, I can find someone
17 who can,” and “this is East LA, I grew up here! This is my fuckin station!” Deputy Gonzalez
18 stayed silent and continued to avoid being confrontational.
19

20 206. Later, at approximately 3:30 am, Defendant G-Rod approached Deputy Gonzalez
21 once again in the parking lot and angrily stated that he wanted to speak with him. Deputy
22 Gonzalez continued to remain passive as G Rod tapped on his shoulder and continued to berate
23 and verbally accost him, speaking loudly so all the other Banditos could hear. Deputy Jose
24 Fuentes then stepped in and tried to calm the gang leader down, but G-Rod got right into Deputy
25 Fuentes’ face, and G-Rod then used his head to bump Deputy Fuentes in the forehead and
26 pushed him backward.
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1 207. Plaintiffs Oscar Escobedo and Art Hernandez also walked over to be
2 peacemakers. Deputy Escobedo grabbed Deputy Fuentes and walked him away. Big Listo turned
3 to Deputy Gonzalez and slammed his body hard into Deputy Gonzales. Deputy Hernandez
4 grabbed G-Rod and asked him calmly to let it go, but G-Rod refused and shook himself loose.
5 Defendant Big Listo then ran over at full speed at Deputy Hernandez. Big Listo took a swing at
6 Deputy Hernandez and missed, then ran into him with his body, knocking him to the ground.
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8 208. While Deputy Hernandez lay flat on his back on the ground, Big Listo tried to
9 knock him unconscious and began slamming him in the face multiple times with “hammer fists,”
10 a swinging blow delivered with the side of the fist, as the remaining Deputy Plaintiffs present
11 tried their best to stop the situation. The other deputies at the party, including those on-duty and
12 witnessing the events, did nothing to intervene, making no effort to stop the Banditos’ attack, to
13 arrest them, or to call the station for back up. Deputy Hernandez used self-defense techniques to
14 try to block the powerful blows to his face, refusing to punch back. He somehow remained
15 respectful, asking “Hey, sir, why are you hitting me?”
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18 209. Before Big Listo could hammer Deputy Hernandez again, Deputy Escobedo
19 grabbed Big Listo’s arms to stop him. Big Listo exclaimed, “I’ve been waiting for you,”
20 indicating further these attacks were premeditated, planned out long before this day at Kennedy
21 Hall. Big Listo saw this as his chance to knock Deputy Escobedo unconscious and starting
22 punching Deputy Escobedo in the face, chest, and shoulders. Deputy Escobedo tried to break
23 free from Big Listo and Defendant Silver snuck up behind Deputy Escobedo and strangled him
24 in a choke hold, causing him to black out.
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27 210. Defendant Bam Bam pushed and shoved Deputy Fuentes from the parking lot to
28 the west sidewalk of Atlantic Boulevard. DOE 15 Braulio Robledo, then a Bandito Prospect

1 (now an inked Bandito gang member), egged on the assault and battery, yelling “Say something
2 now, say something now!” and pushed Deputy Fuentes. Plaintiffs Casas, Contreras, and
3 Gonzalez all tried to intervene as peacemakers, and asked for calm and an end to the Banditos’
4 attack, but the only response they got from the Banditos gang was being verbally assaulted,
5 taunted, and assaulted and battered.
6

7 211. Deputy Daniel Gonzalez (no relation to Plaintiff Alfred Gonzalez) ran over to
8 Deputy Escobedo and helped him escape the choking by pulling Silver’s arms off Deputy
9 Escobedo’s neck. But in the process Deputy Escobedo fell to the ground and Silver held him
10 down so approximately three as yet unidentified Banditos could punch and kick Deputy
11 Escobedo. Deputy Escobedo looked up and saw Defendant Silver holding him down. Deputy
12 Escobedo asked him “Sir, let me go! I’m just trying to separate people! Why are you letting them
13 hit me?!” Deputy Escobedo felt someone punch his face at this time, and he began to cover his
14 face and head with both his arms to protect himself in the manner taught to LASD deputies so he
15 could eventually escape.
16
17

18 212. Defendant Banditos and Doe Defendants also ganged up on Plaintiff Hernandez,
19 pushing and hitting him. Deputy Escobedo’s attackers left him to run over and join in the melee
20 against Deputy Hernandez. Deputy Escobedo was able to stand up and struggle over towards
21 those Banditos members beating Deputy Hernandez. Defendant Bam Bam suddenly tried to grab
22 Deputy Escobedo but failed.
23

24 213. In addition to all the out of uniform deputies standing by and doing nothing,
25 uniformed, on-duty deputy Defendant DOE 47 Christopher Moore, a Banditos Prospect, just
26 watched the attacks and did nothing to help and intervene or arrest the Banditos. Plaintiff Deputy
27 Alfred Gonzalez yelled for Deputy Moore to get units from the station to intervene and stop the
28

1 attacks. Defendant Moore just stood there and said, “Let me call Ray Ray,” in reference to
2 Banditos shot-caller, DOE 13 Raymond Mendoza. In other words, Deputy Moore was adamant
3 about not calling for help, but rather “sought out guidance” from one of the gang’s leaders,
4 Mendoza, to report on the success of the assault and on how to cover it up. No help for the
5 victims came from Mendoza at the station or at Kennedy Hall except from their own efforts to
6 escape the event and flee for safety.
7

8 214. Banditos Prospects and Associates cheered on the attacks at Kennedy Hall while
9 dozens of other on-duty and off-duty deputies stood around and watched the ongoing brutal
10 attacks, and did nothing to intervene, either out of fear they would be attacked as well or because
11 they supported the attacks. The fact that none of the deputies at the party, including the on-duty
12 deputies who witnessed the events, did anything to intervene, reveals how deeply ingrained the
13 corrupt gang culture and hostile work environment are in LASD.
14

15 215. Meanwhile, Plaintiffs Contreras and Casas tried to hold G-Rod back, but G-Rod
16 slammed his elbow hard into Deputy Contreras’ face to try to knock him out and hit Deputy
17 Casas in the chest, with what may have been an object. Deputy Casas thought he may have been
18 stabbed and checked his chest for wounds but did not find any blood. G-Rod ran back towards
19 Deputy Hernandez.
20

21 216. Deputy Hernandez was then blind-sided and sucker-punched in the face by
22 Defendant G-Rod and knocked out cold. Defendants G-Rod and Silver began stomping on and
23 kicking Deputy Hernandez’ unconscious body. Defendant Big Listo ran over to join the other
24 Banditos in again attacking Deputy Hernandez.
25

26 217. Bam Bam grabbed Deputy Escobedo by the front of his shirt and pinned him up
27 against a fence outside of the parking lot near the street. Deputy Escobedo could feel that Bam
28

1 Bam was strangling him with his own shirt. Deputy Escobedo could not breathe and fought for
2 his life as he was strangled and again lost consciousness.

3 218. Deputies Gonzalez and Casas tried to pull Bam Bam off Deputy Escobedo as
4 other named Defendants and as yet unknown Doe Defendants pushed and hit them. Plaintiff
5 Gonzalez pulled on Escobedo, while Plaintiff Casas pulled on Bam Bam and remained focused
6 on saving Escobedo's life. Casas and Gonzalez finally gave Deputy Escobedo just enough room
7 to breathe again and regain consciousness, and he was able to slip out of his shirt that was being
8 used to strangle him.
9

10 219. Plaintiff Contreras picked up the still unconscious Deputy Hernandez and pulled
11 him to safety. G-Rod started to walk after Deputy Contreras and reached for his gun in his
12 waistband, but an unidentified female Associate yelled at G-Rod to stop, "Are you serious?! You
13 just got your job back!," and thus averted a deadly escalation of the violence as G-Rod let go of
14 the gun. Deputy Gonzalez took Deputy Escobedo to the front passenger seat of Gonzalez' car.
15 Plaintiff Casas jumped into the driver's seat and Deputy Gonzalez got in the backseat and the
16 three deputies escaped from the scene. Plaintiff Hernandez has no memory of what happened
17 after being sucker punched until he came to as he was being placed by Deputy Contreras into a
18 car to escape.
19

20 220. Defendant Bandito shot caller DOE 25 Silvano "Cholo" Garcia and Defendants
21 G-Rod, Big Listo, and Silver got into Cholo's car and, with Cholo driving, went looking for the
22 Plaintiffs to further attack them. The four Banditos went to the East Los Angeles Station, and
23 went car to car, looking for the victims to continue the attack, but fortunately all of the Plaintiff
24 Deputies had fled elsewhere and not to the station. Meanwhile, the Defendants G-Rod, Big
25 Listo, Silver, and Bam Bam then gathered at the back of the East Los Angeles Station, with the
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1 Pink Hand reportedly giving guidance, to concoct a false story about their roles in their gang
2 attack.

3 221. Defendant DOE 47 Moore, like most of the Banditos, Banditos Prospects and
4 Associates would later lie during both the ICIB and IA investigations into Kennedy Hall. At
5 most law enforcement agencies, dishonesty can get you fired. Peace officers are not supposed to
6 be above the law and are expected to be held to a higher standard than regular citizens when it
7 comes to honesty. In some credible law enforcement agencies free of corruption, dishonesty is
8 known as the “death penalty for cops.” At LASD, which is dominated by deputy gang culture, IA
9 Investigators knew for a fact that DOE 47 Moore lied, as he claimed he never called DOE 13
10 Mendoza, who had already confirmed to those same IA Investigators that Moore had in fact
11 called him. Other deputies confirmed Moore lied. Yet, the Sheriff and other leaders at LASD,
12 including Defendants DOE 2 Richard Mejia, Doe 11 Captain William Jaeger, DOE 21 Chief
13 Porowsky, and DOE 3 Chief Alice Tardy, knowingly and willfully held no Banditos, Banditos
14 Prospects, and Associates, including Defendants DOE 7 Vincent Moran, DOE 8 Hector Soto
15 Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE
16 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano,
17 DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose
18 Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 34 Eduardo Muniz, DOE
19 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica Santos, DOE 41 Claudia Perez, DOE
20 43 Manuel Palacios, or DOE 47 Christopher Moore, accountable for dishonesty. Deputy Diego
21 Barragan, who illegally stopped to buy beer while in his uniform for the Banditos at Kennedy
22 Hall, saw Deputy Escobedo being strangled. He lied and told IA investigators that he saw
23 nothing, but that he was shocked by what he saw. IA did not even bother to ask Barragan what
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1 shocked him to see what he did not see, as IA investigators clearly had marching orders to ignore
2 the truth, and to lie themselves about its “investigation.” LASD is captive of its own corruption
3 and its pattern and practices of not holding bad cops accountable for their wrongful conduct.

4 The Sheriff recently lied to the media, claiming that there are fewer deputies disciplined for
5 dishonesty under his leadership because he is somehow doing something right and improving
6 deputy conduct, when in truth he is simply holding fewer deputies accountable for dishonesty.

7
8 222. If the Plaintiff Deputies had handled the attacks on them differently, had not kept
9 their composure and had not acted to attempt to be peacemakers, and had allowed the attacks to
10 turn into a full-out war between opposing camps, there is no question they would have been
11 killed or forced to defend themselves with lethal force. The way the Plaintiff Deputies handled
12 the attacks on them and would later stick their necks out and speak out and file claims about the
13 gang’s dominance at tremendous risk to their lives and safety of their families, would make them
14 heroes. But to the Banditos and the other deputy gang members in the unforgiving mafia-like
15 culture of LASD, to ALADS, the union, to the Sheriff and senior management, they are “rats.”

16
17 223. Later, on the day of the Kennedy Hall attacks, September 28, 2018, Deputy
18 Plaintiffs Hernandez and Escobedo were taken to the emergency hospital. Doctors treated
19 Deputy Escobedo for severe neck pain and strain, dizziness, and nausea due to lack of oxygen
20 from being choked and strangled. He was unable to work for a week. Deputy Hernandez was
21 treated at the hospital for a concussion and got sutures as well. LASD leaders such as Defendants
22 Richard Mejia, Eric Smitson, Chris Perez, and Edmundo Torres bear direct responsibility for the
23 violent attacks and harassment, and hostile work environment from for over a year leading up to
24 Kennedy Hall, and at Kennedy Hall itself. These same leaders and other leadership at LASD,
25 including the Sheriff, DOE Defendant 59 Undersheriff Timothy Murakami, Ernie Chavez,
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1 William Jaeger, Alice Tardy and Kelly Porowski, bear responsibility for the harassment and
2 hostile work environment that continued after Kennedy Hall. The Sheriff has made many
3 admissions about the County's liabilities for all that happened before he became Sheriff in
4 December 2018, but he exacerbated the problem when he became Sheriff, as he sees the deputy
5 gang cops in the department as his base of political support and constituency and acts as the de
6 facto leader of all deputy gangs in the department.

8 224. The gang members would later claim to be just older veteran deputies who were
9 trying to mentor less experienced deputies and would lie about their involvement in the Banditos.
10 In their discovery responses and in their testimony in Internal Affairs Investigations, the
11 Defendants have defended themselves by stating their conduct at Kennedy Hall was all work-
12 related, that they were just older employees concerned about and looking out for the supposedly
13 lazier younger deputies.

15 225. After the Kennedy Hall attacks, Banditos prospects, including Defendant DOE 8
16 Hector "Little Listo" Soto Saavedra exchanged texts, laughing about the "245" (assault and
17 battery) committed when Bam Bam strangled Deputy Escobedo, and advising each other to
18 'burn' and 'destroy' the evidence of the assault and battery. There was no discipline from the
19 Sheriff and LASD for this text exchange finding humor in deputies being enabled by a corrupt
20 department to attack their fellow deputies, and the advice to illegally destroy evidence.

23 226. While growing up, the Plaintiff Deputies had dreamed of being LASD deputies
24 and specifically in East Los Angeles and knew that their service would come with risks. But they
25 never expected those risks to include fending off criminal gang members within LASD. The
26 Plaintiff Deputies had a hard time trying to explain to their families that their co-workers were
27 deputies who belonged to criminal gangs, that they were harassed and abandoned on dangerous
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1 calls without back up by their partners, attacked for being deputies who did their duty by armed
2 criminals in police uniforms who are trained to kill, who are supposed to be upholding the law,
3 or that other deputies were simply too afraid to stand up for what was right or too confused by
4 the culture pervading LASD to know what their true duties were. All of the Plaintiff Deputies are
5 severely emotionally distressed, and they continue to suffer from a myriad of ailments because of
6 the years of harassment that blew up into in ugly attacks by and in front of their fellow deputies,
7 followed by more, unending retaliation: Insomnia, depression, inability to focus, anxiety, panic
8 attacks, high blood pressure, rapid hair loss, etc.

11 227. After the Kennedy Hall attacks, the Plaintiff Deputies began to regularly have
12 nightmares about their families and themselves being violently attacked by the Banditos, as well
13 as nightmares of being killed in the field when not being provided back up. One of the Plaintiff
14 Deputies expressed to DOE 6 Captain Chris Perez his concerns that the Banditos might attack
15 the victims and their families at their homes. Captain Perez offered no support other than to
16 suggest to the deputy, as if this were the Wild Wild West, that if the Banditos did come to his
17 house, he should shoot them. The retaliation against Deputy Granados and Deputy Zaredini and
18 the other Plaintiff Deputies, the brutal Kennedy Hall attacks, and the reality that the Banditos
19 could evoke further violence, caused Deputy Granados to experience PTSD as if he has been put
20 through an unrelenting and brutal war by LASD far more traumatic than his real-life war
21 experiences.

24 228. The harassment and hostile work environment have been ongoing since 2016, and
25 it has been almost three years since the savage attacks at Kennedy Hall and the Plaintiff Deputies
26 have not received any recognition, support, or protection from the County, from the Sheriff or
27 ALADS, the deputies' union, or any leadership at the East Los Angeles Station or at LASD.

1 Instead, the Sheriff ordered that a false IA be initiated into the Kennedy Hall incident so that he
2 could disguise the Banditos' involvement in it. Deputies Escobedo, Contreras, Cases and Lemus
3 were falsely and malicious charged with trump-up acts of "misconduct," though they never did
4 any of the acts or failures to act that constituted the alleged misconduct and they were all
5 "disciplined" so as to make it seem that the whole matter had just been an alcohol-fueled
6 disagreement that had somehow gotten out of control. Or, as Doe 3 Alice Tardy told Deputy
7 Hernandez when he asked what he was supposed to have done in response to the attacks: "You
8 shouldn't have gone to the party." Deputy Hernandez should not have gone to the Department-
9 sponsored party that LASD and the people running the East LA Station had made attendance
10 rather important? The Sheriff has not made a single statement showing he has the backs of the
11 deputies he supervises and who were brutally victimized. Instead, the Sheriff's wife, Vivian
12 Villanueva, put out messages to the deputy gang members and their Prospects and Associates at
13 the East Los Angeles station after the events at Kennedy Hall to keep their heads up and that
14 things will pass and go back to normal after the gang received notoriety in the media.

18 229. For 50 years, LASD has been corrupt and has had a deputy gang problem. During
19 those 50 years, there have been times when the conduct of the deputy gangs has come to the
20 public and media's attention. And whoever the Sheriff has been at the time, he has "greased the
21 squeakiest wheel" and announced to the media and the public that the problem was not as bad as
22 portrayed, but that it nevertheless had been fixed. There has been one lie after another over the
23 last 5 decades, as the deputy gang problem has never stopped plaguing the department. The
24 current Sheriff, Villanueva, has taken it to a whole other level as he has united the deputy gangs
25 under one umbrella as they circle the wagons against anyone trying to scrutinize the deputy gang
26 activity, including the State of California Attorney General, the FBI, the new District Attorney,
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1 the OIG, the COC, the residents of the County, and the media. In the 4-5 years since
2 commencement of the harassment and attacks, very little has come from LASD, other than lies,
3 continued acts of criminal extortion and threats made against the current IG, Huntsman, and
4 others, and ridicule from the County's employee gang cops who attacked the Plaintiff Deputies
5 so viciously, and retaliation by the County against the whistleblowers, as the Sheriff, DOE 1
6 Commander Ernie Chavez, DOE 2 Richard Mejia, DOE 3 Alice Tardy, and other LASD leaders,
7 continue to move aggressively to cover up the County's deputy gang problem.
8

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11 **The Defendants Moved Quickly to Cover Up the Violent Attacks on Its Employees**

12 230. When the Plaintiff Deputies returned to work on September 28, 2018, the County
13 was already moving to cover up the harassment and retaliation against them, including the
14 violence at Kennedy Hall. Defendant DOE 5 Lt. Eric Smitson, who is now absurdly and
15 disturbingly (but perhaps predictably) assigned to the Internal Affairs Bureau, confronted Deputy
16 Art Hernandez, and pressured him to help cover up the incident and to cover up that the Banditos
17 gang had planned and engaged in the attacks. Lt. Eric Smitson "suggested" that Deputy
18 Hernandez lie and state that the Kennedy Hall attacks were just some isolated drunken two-way
19 "altercation" that got out of hand. The Sheriff would later repeat this same lie, this "suggestion,"
20 to DOE 11 Captain William Jaeger, DOE 21 Chief Kelly Porowski, and investigators DOE 10
21 Jeff Chow, DOE 53 Vincent Choi, DOE 9 Jeff Hamil, and DOE 12 Scott Chapman, so they
22 should rig false IA and ICIB investigations to downplay the harms caused by the Banditos and
23 make false and malicious charges of misconduct against Deputies Art Hernandez, Oscar
24 Escobedo, Mario Contreras, and Ariela Lemus. Deputy Hernandez' former FTO, DOE 32
25 Marcelo "Reaper" Ortega, likewise told Hernandez to keep his mouth shut, as did Plaintiff
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1 Contreras' former FTO, DOE 19 Mark Elizondo. On the other hand, Sgt. Eric Valdez told
2 Deputy Hernandez to tell the truth, as even the gang's former Godfather was horrified at how
3 disturbingly corrupt and violent LASD had allowed the Banditos to become under the leadership
4 of Rafael "Big Listo" Munoz. Deputy Hernandez did not succumb to Smitson's pressure and
5 refused to lie for him and LASD and he and the other Plaintiff Deputies would experience
6 ongoing and unending retaliation by the Defendants for continuing to be whistleblowers.
7

8 231. Of course, in the time-honored tradition of LASD, the Sheriff was admittedly still
9 following the old corrupt playbook: Doe 63 Chief Bobby Denham moved to downplay what
10 happened at Kennedy Hall and ordered ICIB to initiate a fake criminal investigation to bury the
11 matter. After the Sheriff came to power in December 2018, ICIB indeed conducted a rigged
12 investigation designed to exonerate the gang leaders and to hide the existence of their gang.
13 Villanueva likewise ordered IA to conduct a superficial investigation into the Banditos and their
14 control over the station and made sure the pre-ordained results would downplay the role of the
15 Banditos in maintaining a hostile work environment. The OIG through Huntsman made the
16 admission on behalf of the County that the ICIB "conducted an investigation which almost
17 completely ignored evidence of the involvement of the Banditos which led to the assaultive
18 conduct at Kennedy Hall" and that the investigation into the Banditos was a "cover up" by the
19 Sheriff and LASD. Huntsman further admitted on behalf of the County that LASD ignored
20 substantial evidence that "exists to support the conclusion that the Banditos are a gang-like
21 clique and their influence has resulted in favoritism, sexism, racism, and violence... ICIB did not
22 want to delve into the Banditos' involvement..."¹⁷
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¹⁷ *Office of Inspector General: Analysis of the Criminal Investigation of Alleged Assault by Banditos* (October 2020), available at oig.lacounty.gov.

1 232. More than three years after Plaintiffs Benjamin Zaredini and Louis Granados
2 blew the whistle to Lt. Mejia and others, and almost three years after the Kennedy Hall attacks,
3 LASD, again acting on the Sheriff's direct orders, conducted a second rigged fake IA
4 investigation that purported to be about the Banditos, but which, of course, resulted in no
5 accountability or discipline for the Banditos for withholding back up, and the investigators again
6 and obsessively avoided any scrutiny of the Banditos gang. In the face of unrelenting public
7 pressure, the Sheriff did terminate three of the gang leaders, Big Listo, G-Rod, and Silver. Gang
8 leader Bam Bam escaped any scrutiny by retiring before the second rigged fake IA, though the
9 Sheriff recently falsely announced at a press conference that he had fired 4 Banditos (including
10 Bam Bam as one of the terminations) after the second rigged IA. In order to make the IA appear
11 to be "even-handed," and to pad numbers of deputies that LASD could claim were disciplined,
12 and to further retaliate against the Plaintiffs, false and malicious charges of misconduct were
13 manufactured by the Sheriff, DOE 2 Richard Mejia, DOE 3 April Tardy, DOE 9 Jeff Hamill,
14 DOE 10 Jeff Chow, DOE 11 William Jaeger, DOE 21 Kelly Porowski, DOE 53 Vincent Choi,
15 and DOE 59 Timothy Murakami against Plaintiffs Oscar Escobedo, Art Hernandez, Mario
16 Contreras and Ariela Lemus, who were given discipline for false and malicious non-existent acts
17 of misconduct in violation of their POBRA rights, causing them to suffer economic harm from
18 unpaid leave and lost overtime, and further emotional distress. None of the Plaintiff Deputies
19 did any of the "acts" or "omissions" which were falsely labeled as misconduct (Art Hernandez
20 "embarrassed the department" by getting sucker punched unconscious?) and for which they were
21 illegally disciplined under POBRA. As noted above, these Plaintiff Deputies and others who
22 have also had false and malicious charges of misconduct brought against them will be filing a
23 complaint against the Sheriff and certain other defendants named here in a separate legal action
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1 and will inform that Court that this matter is related to the case presently before this Court and
2 consolidate actions.¹⁸ . A law enforcement agency that valued integrity, honesty, and effective
3 policing, would have hailed all the Plaintiff Deputies as heroes and not perpetuated more
4 retaliation against them.
5

6 233. The corruption, harassment, discrimination, and retaliation against the young
7 Latino Plaintiff Deputies and veterans Plaintiffs Louis Granados and Benjamin Zaredini
8 continued unabated without any intervention from the County. Even the brazen attacks at
9 Kennedy Hall or the withholding of backup on dangerous calls, which put the lives of the
10 Plaintiff Deputies at risk, did not prompt the County to finally protect its own. Legal and moral
11 obligations were shoved aside as the County's leaders looked after their own respective self-
12 interests. When the County leaders, the administrators and managers of LASD and everyone in
13 management at the East Los Angeles station had actual knowledge of the illegal conduct prior to
14 and after the withholding of back up on calls and the violent gang attack at Kennedy Hall, it is a
15 reasonable inference that the County intentionally chose not to address the illegality for years,
16 condoned the Banditos' activities and considered their actions to be the standard manner in
17 which police business was and should be conducted by the LASD and therefore contributed to
18 the result of its indifference to the years of harassment, retaliation, threats and violence against
19 the Plaintiff Deputies and other Latino deputies victimized by the Banditos. In the aftermath of
20 the Kennedy Hall attacks, no one employed by the County with the responsibility and ability to
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27 ¹⁸ . Under POBRA, the Superior Courts have jurisdiction over any violation of POBRA and a peace officer can
28 choose to file a complaint in court without being forced to go through the Civil Service process in place for
appealing discipline handed down by their Department (or they can choose to take both paths and then switch only
to one, through the courts or the Civil Service process, as they choose), *Mounger v Gates* (1987), 193 Cal.App. 3rd
1284, at 1254-1257.

1 address the harassment stopped the hostile work environment even after the March 7, 2019
2 claims related to this present lawsuit were filed, and despite the OIG's Report.

3 **The Liability of The Defendants Is Not in Question;**

4 **Only the Amount of Damages to Be Paid Is at Issue**

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6 234. The liability of the Defendants is not in question in this case. It cannot be disputed
7 that members of the Banditos gang and Prospects and Associates, harassed, retaliated, and
8 discriminated against the Plaintiff Deputies and other Latino deputies since 2016, often
9 intentionally withheld back up on dangerous calls and endangered the lives of both deputies and
10 the public, engaged in numerous illegal actions, and retaliated against the whistleblowers,
11 veteran Deputies Benjamin Zaredini and Louis Granados, as well as the young Latino Plaintiff
12 Deputies. While the Banditos lie about whether they are a gang or not, the County is liable
13 regardless of what label is placed on the group. The County allowed and encouraged a hostile
14 work environment for years and still has not stopped the retaliation against the whistleblower
15 Plaintiff Deputies.
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18 235. It cannot be disputed that members of the Banditos gang committed savage
19 violence in a one-sided, pre-meditated gang attack on the Plaintiff Deputies at Kennedy Hall in
20 addition to other deputies, including Deputy Zaredini, before and after the Kennedy Hall event.
21 Such regular violence against deputies by fellow deputies is outrageous and shocking and outside
22 the bounds of human decency but is seen by corrupt LASD as its standard practice in the
23 performance of police duties.
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25 236. While the Sheriff made many fatal admissions on behalf of the County for
26 liability incurred prior to him assuming the mantle of leadership of the department and the East
27 Los Angeles station (including by saying that the Banditos had "pervasive influence" and "ran
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roughshod” over the previous captain and “dictated where deputies would be assigned... pretty much they were calling the shots, they were dictating decisions of the station and that has a very bad outcome obviously” – see OIG report), he, along with other leaders including DOE 1 Commander Ernie Chavez and DOE 2 Captain Richard Mejia have made matters worse after the Kennedy Hall attacks when the County has not taken any steps to protect its Plaintiff Deputies employees who are the victims of harassment, racial discrimination, and violence perpetrated by the Banditos gang.

The Sheriff Allowed and Allows the Hostile Work Environment to Continue

237. After the Sheriff took power in December 2018, little or nothing has been done to address the gang problem and to eliminate the hostile work environment. Just two weeks after he assumed the Sheriff’s position, unknown Banditos secretly removed the ammunition from Deputy Zaredini’s shotgun hoping he would get shot in the field on a dangerous call. There was no investigation or consequences for this incident, even though it was reported to Mejia, Chavez, and Villanueva. Nor were there consequences for the Banditos’ continuing failure to provide back up on dangerous calls. The Banditos and their prospects failed to provide back up for Deputies Zaredini and Lemus on three more dangerous calls and withheld back up on other Plaintiff Deputies’ calls. While Big Listo, G-Rod, and Silver, the attackers at Kennedy Hall, were out on paid leave, other Banditos and prospects, including DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi,

1 DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo
2 Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38
3 Jessica Santos, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE
4 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos,
5 DOE 50 Mario Castro, DOE 52 Nikki Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth
6 Aguilera, and DOE 62 Luis Valle continued the hostile work environment and the intentional
7 endangerment of their fellow deputies, leading other deputies at the station to ostracize the
8 Plaintiffs and the Plaintiff Deputies and harass and treat and label them as “rats.” DOE 23 Juan
9 Sanchez made a threat on Deputy Gonzalez and Escobedo’s lives. Sanchez talked to other
10 deputies in the briefing room about different ways to kill rats in painful ways. Then, Sanchez
11 said there were a lot rats at the station as he looked over at Gonzalez and Escobedo so the other
12 deputies would know that he was referring to killing them. No one in management at the East
13 Los Angeles Station, such as Defendants DOE 1 then Captain Ernie Chavez, DOE 2 Lieutenant
14 and later Captain Richard Mejia, DOE 6 Captain Chris Perez, DOE 48 Edmundo Torres, and
15 DOE 63 Chief Bobby Denham.

19 238. The County’s failure to protect its deputies even after the Kennedy Hall attacks
20 further emboldened the Banditos and their prospects to further retaliate against the Plaintiff
21 Deputies. Big Listo reportedly bragged that his friend and former training officer, the Sheriff,
22 had his back and would make sure that he and the other Banditos would not be prosecuted by the
23 District Attorney. The individual Defendants to date have not been prosecuted by the District
24 Attorney, because the Sheriff directed ICIB to do a cover up the Kennedy Hall incident and
25 whitewash the involvement of the Banditos (see OIG Report on the “cover up”).
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1 239. The fact that the Plaintiff Deputies are seen as “rats” for not keeping their mouths
2 shut and for not just letting the gang harm and quite possibly kill them or put them at risk for
3 harm or death and that the Plaintiff Deputies’ chosen careers at the East Los Angeles Station
4 were ruined as they were forced to transfer to other stations to protect themselves and their
5 families, reflects how toxic and corrupt the culture has become in LASD.
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7 240. In addition to the Plaintiff Deputies, up through Villanueva’s tenure, well into
8 2021 and up to the filing of this Fifth Amended Complaint, there are several other young Latino
9 deputies working out of the East Los Angeles station who have been targeted, bullied, and
10 harassed by the Banditos and their “prospects.” One young Latino deputy was attacked by
11 Bandito prospect (now inked as a gang member), DOE 28 Jose Aceituno, who shoulder-checked
12 the young Latino deputy inside the station. There was no investigation or consequences for
13 Aceituno for this incident and DOE 1 Defendant Commander Ernie Chavez, formerly Captain at
14 the East Los Angeles Station, later lied as he claimed that the incident involved two deputies
15 “playing chicken” walking towards each other in the hallways. Chavez lied to explain why there
16 was no accountability for the Banditos who continue to be allowed by East Los Angeles Station
17 leadership to bully, harass, and intimidate the deputies at the station who refuse to bow down to
18 the Banditos. Recently, Aceituno tried to shoulder-check yet another deputy in the briefing room
19 and received no consequences from DOE 2 Captain Mejia after this incident was reported to him.
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23 241. As the County did nothing to stop the hostile work environment after the Kennedy
24 Hall attacks, the atmosphere at the station continued to deteriorate for months in 2019 and got so
25 bad that even non-Banditos felt intimidated to go along with the corrupt program and some of
26 these deputies started failing to back up the Plaintiff Deputies on dangerous calls. On one such
27 dangerous call, in May 2019, Plaintiff Contreras went out by himself to subdue two suspects in a
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1 highly dangerous area as his “backups,” Banditos prospects (now inked as Banditos) Deputies
2 DOE 16 Nikolis Perez and DOE 20 Jonathan Rojas, went out to the call but did not stop their
3 car, mockingly gave Deputy Contreras a signal as if Contreras himself had signaled them that he
4 did not need back up. and proceeded to drive right past Deputy Contreras, leaving him alone,
5 potentially in harm’s way. Defendants Perez and Rojas were in the shooters in the controversial
6 Anthony Vargas killing, where the deputies shot the victim repeatedly from behind and lied
7 about the shooting and lied about their roles with the Banditos.
8

9 242. In a deposition in another case, second in command to the Sheriff, Undersheriff
10 Ray Leyva, revealed under oath that the Sheriff had inexplicably made an illegal “settlement”
11 and payoff to Banditos shot caller, Defendant G-Rod, without justification, just months after G-
12 Rod attacked his fellow deputies at Kennedy Hall. G-Rod had been re-hired as a deputy in
13 September 2017 after being terminated for filing a false police report. The County paid over
14 \$500,000 in a settlement with his victim. There was no legal basis to justify the payout to G-Rod
15 in 2019. This shows the continued support for the Banditos by the Sheriff himself.
16
17

18 243. On February 4, 2019, the Sheriff reinstated Deputy Danny “Batman” Batanero,
19 one of the original ten members of the Banditos’ gang and made him head of his security detail.
20 On or about February 2020, the Sheriff hired Banditos shot caller DOE 51 Manny Navarro to be
21 his driver, even though the June 2018 anonymous whistleblower letter named Navarro as one of
22 the leaders and perpetrators involved in the harassment and hostile work environment at the East
23 Los Angeles station directed against the Plaintiff Deputies. Villanueva also promoted Defendant
24 DOE 36 Bandito Joe Mendoza to Commander of LASD Media Relations, giving the deputy
25 gangs control over the spin from the Sheriff’s Office issued to the media. Mendoza, with full
26 knowledge that he is making false statements to cover up for the Banditos and their illegal
27
28

1 actions against the Plaintiff Deputies and others, dutifully reports the Sheriff's lies to the media
2 covering up the deputy gang problems and the lies that the Sheriff has removed the hostile work
3 environment at the East LA Station and other stations. These lies perpetuate and encourage the
4 continued harassment of the Plaintiffs Deputies, who are currently, up through the filing of this
5 5th Amended Complaint, being mocked and threatened on social media by the Banditos as "rats."
6

7
8 **There Have Been no Consequences for the Wrongdoers as the Sheriff Embraces the**
9 **Corrupt Gang Culture**
10

11 244. Villanueva responded to the Plaintiff Deputies' tort claim filing by immediately
12 holding an East Los Angeles "Anniversary Celebration," sending a clear message to the County
13 and the Board that his posture was that he and LASD were beyond their control. He falsely
14 claimed it was a celebration that promoted station pride, but it did the opposite as it was a
15 celebration of the station's criminal gangs, including the Banditos. The flyer for the Anniversary
16 event sponsored by the Sheriff bore the title "East Los Gathering," and included the names and
17 contact information for three of Banditos' original ten founding members, Joe "Mariachi" Mejia
18 (the creator of the Banditos' logo and tattoo), Leo Noyola, and Danny Batanero, all of them
19 already retired. The flyer unmistakably features the logos of three department gangs, the
20 Banditos, Little Devils, and the Cavemen.
21

22 245. At a March 12, 2019 Board meeting, the Sheriff made the bizarre statement
23 about his past service as a deputy in East Los Angeles Station, that "we were all Cavemen." By
24 all accounts, Villanueva was not a member of the Cavemen gang. However, as a deputy, he
25 looked up to the gang and sought membership in it but was rejected by the gang. Now, he
26
27
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1 appears to be identifying with the gangs and to have positioned himself as the de facto leader and
2 protector of LASD's gangs.

3 246. When the Sheriff took over the reins of power, he surrounded himself with inked
4 gang members, including his second in command, DOE 59 Under Sheriff Timothy Murakami
5 (Caveman), Caryn Carl Mandoyan (Grim Reaper), and Chief of Staff Larry Del Mese (Grim
6 Reaper), who reportedly recently had his Grim Reaper tattoo lasered off as rumors of FBI
7 investigation of the gangs and that reports that the "Feds are coming for the ink" spread through
8 LASD. When asked by a reporter if his inner circle were inked gang members, the Sheriff replied
9 that he did not know and did not care.
10

11 247. The Plaintiff Deputies wanted to continue working at the East Los Angeles
12 Station, their dream assignment. But as the months wore on after the Kennedy Hall attacks, it
13 became more and more difficult for them to deal with the hostile environment the County failed
14 to address. The Sheriff and ALADS, the deputies' union, had and have not given the victims any
15 support at all, while continuing to make statements in support of the gangs in the Department.
16

17 245. The Plaintiff Deputies were under severe duress as the harassment and assaults on
18 the deputies have caused them a myriad of health problems, including severe loss of sleep, high
19 blood pressure, and nightmares of them and their families being murdered by the Banditos. Due
20 to the severe duress, two of the Plaintiff Deputies went to the Emergency Room of a nearby
21 hospital, suffering symptoms of a heart attack, with one of them having either a heart attack or
22 panic attack and the other one apparently having panic/anxiety attacks (three times). Another
23 Plaintiff, Deputy Zaredini, distraught over the County's continued retaliation against the
24 Plaintiffs and continued cover up of the harms caused to the whistleblowers, was almost killed
25 recently in a motorcycle accident where he suffered two broken orbital bones. Deputy Zaredini
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1 continued to be harassed daily, with taunts and his property repeatedly keyed and defaced until
2 he finally left the East Los Angeles station. Deputy Zaredini continues to be denied the earned
3 promotion to Sergeant that Doe 1 Commander and formerly Captain Ernie Chavez and others at
4 LASD have admitted he had earned and deserved. Even though the Plaintiff Deputies escaped
5 from the East Los Angeles Station, Deputy Zaredini and the other Plaintiff Deputies all continue
6 to be subjected to hostility and continue to be ostracized and are routinely called “rats” within
7 LASD. The Banditos twice left dead rats outside Deputy Zaredini’s house and recently left a
8 dead rat outside Deputy Lemus’ home to send the message of a threat on the Plaintiff Deputies’
9 lives from the mob-like deputy gang.
10
11

12 246. The Sheriff and the County continue to retaliate against Plaintiff Zaredini up
13 through the filing of this Fifth Amended Complaint, in an effort to drive Deputy Zaredini out of
14 the department. In an immediate response to the Plaintiffs’ filing their lawsuit, DOE 8, notorious
15 Banditos’ prospect Hector Soto Saavedra aka Little Listo, the protégé of Defendant Big Listo,
16 and now an inked gang member, claimed that Mr. Zaredini called him a homosexual slur over a
17 year before. DOE 42 Deputy Brian Goodwin, DOE 57 Commander Chris Blasnek, and DOE 56
18 Commander James Wolak rigged the investigation to support a 7-day suspension against Deputy
19 Zaredini. Little Listo claimed that DOE 22 Deputy Woodrow Kim was a witness to the alleged
20 “slur”. But even his fellow Bandito, Deputy Kim, confirmed in the IA investigation that Little
21 Listo was lying about the allegation. The Defendant County, DOE 11 William Jaeger, DOE 21
22 Kelly Porowski, DOE 59 Defendant Timothy Murakami and the Sheriff were also aware that
23 Little Listo had lied repeatedly when investigators in the department’s criminal investigation
24 unit, ICIB, questioned him about the Kennedy Hall incident. Yet, three members of the LASD
25 Equity Panel, attorneys Angela Reddock-Wright, Gary Bacio, and Roberta Yang, reviewed the
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1 evidence against Mr. Zaredini (Little Listo's lie contradicted by his partner's testimony) and
2 recommended a 7-day suspension in violation of the Plaintiff's rights under POBRA. Defendant
3 DOE 8 Little Listo Saavedra also tried to initiate a fake Internal Affairs investigation against
4 Plaintiff Alfred Gonzalez right after the Deputy Plaintiffs filed their government claim in March
5 2019, with Little Listo fabricating that he encountered Deputy Gonzales wrongfully sitting in a
6 car with a victim. At least in that instance, even the Captain, DOE 1 Ernie Chavez, laughed off
7 this attempt by Little Listo to retaliate in that manner against the Plaintiff Deputies and the
8 charge went nowhere.

10
11 247. LASD managers, including DOE 56 Commander James Wolack, reviewed the
12 equity panel's recommendation of retaliation against Mr. Zaredini and appeared to initially
13 acknowledge to Deputy Zaredini and his union representative that there was no evidence.
14 However, DOE 59 Timothy Murakami and the Sheriff then stepped in and Wolack faithfully
15 followed Sheriff Alex Villanueva's orders to retaliate against Deputy Zaredini and affirmed the
16 7-day suspension.

18 248. The retaliation against Deputy Zaredini has been consistent and unrelenting,
19 dating back 4 years ago, to June 2017 when he went against gang orders to set Plaintiff
20 Hernandez up by withholding back up on a dangerous call so he would possibly be killed or
21 injured. DOE 64 Chief Anthony Rivera deliberately delayed transferring Deputy Zaredini out of
22 the station when Rivera knew it was necessary to protect him from further retaliation so that the
23 Department could then initiate a third fake, rigged internal affairs investigation against him.
24 DOE 31 Defendant Regulator gang associate Karla Sepulveda made a false report against
25 Deputy Zaredini, claiming that Zaredini was "stern" with her as her FTO. As already noted
26 above, LASD has a long history of FTOs abusing their trainees, harassing them, and often
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1 depriving them of meals, making them work overtime without pay, and even physically
2 assaulting them – with no consequences. Yet, LASD instigated a fake, rigged IA against Deputy
3 Zaredini, and gave him a 2-day suspension for being “stern.” However, in this instance, LASD
4 was forced to reverse the suspension after a hearing review showed too many blatant
5 irregularities and lies by LASD employees, including the fact that the attempt to discipline
6 Zaredini was past the legally allowed one year statute of limitations under POBRA.
7

8 249. The Defendants continued to retaliate against Plaintiff Granados. Recently, while
9 driving home from work, Deputy Granados came across deputies firing their guns at a suspect.
10 Deputy Granados acted appropriately and pulled his vehicle over and stopped. DOE 33 Diana
11 Woodward wrote up Deputy Granados for misconduct, claiming that he somehow got too close
12 to the scene on purpose, when Woodward knew full well that Granados’ conduct was proper and
13 within policy. Deputy Granados pointed out to Woodward’s supervisor, DOE 58 Sergeant Albert
14 Maldonado, that her statements were completely concocted and retaliatory. Sgt. Maldonado
15 reacted angrily, but had Woodward discard her fake write up. Then, immediately right after DOE
16 11 IA Captain William Jaeger was named as an unmasked Defendant in this case, he and
17 Maldonado revived and escalated the fake charges into an ongoing IA investigation against
18 Deputy Granados, with the threat of disciplinary action now looming.
19

20 250. The Defendants continued to retaliate against Plaintiff Deputy Ariela Lemus.
21 After the Kennedy Hall incident, Deputy Lemus made a complaint against DOE 13 Raymond
22 Mendoza and LASD punished her for it. Mendoza is the “AM shot caller” (morning hours) for
23 the Banditos gang and has “the keys” to the station (controls the station). Mendoza has
24 repeatedly engaged in wrongful conduct over the years, without any consequences, as he has
25 been protected from accountability by leadership (including by Defendants DOE 2 Captain
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1 Richard Mejia, DOE 5 Lt. Eric Smitson, DOE 6 Captain Chris Perez, and DOE 1 Commander
2 and formerly Captain Ernie Chavez) at the East Los Angeles Station, based on his gang shot
3 caller status. Mendoza has committed assault and battery against other deputies behind the East
4 Los Angeles station and at “the Cap” across the street from the station, including against
5 Deputies Zaredini and Daniel Gonzalez. Deputy Lemus was overloaded with calls, slammed
6 doing Mendoza’s work as well as her own, as Mendoza “parked it” (parked his car outside the
7 service area). Mendoza conducted personal business while on-duty and ordering Deputy Lemus
8 to do his work instead. Deputy Lemus informed her supervisor, Sgt. Lavoie, but he told her to
9 not “be a snitch” and he refused to help her. Deputy Lemus made the mistake of approaching
10 Defendant then-Captain Ernie Chavez with her complaint. He told Deputy Lemus he was happy
11 with how the gang shot caller “controlled the line (i.e., “regulated” it like a competent gang
12 leader) and made it clear he would not hold the shot caller accountable. Then, he moved to
13 retaliate against Deputy Lemus and went looking for a pretext. He found the pretext in a
14 meaningless citizen’s complaint that was properly resolved two months prior. The uninjured
15 citizen erroneously complained that Deputy Lemus did not call quickly enough for him to be
16 taken to the hospital. Deputy Lemus’ supervisor, DOE 49 Hugo Reynaga, violated protocol and
17 wrote Deputy Lemus up for misconduct, but he then initially “resolved” the matter with
18 “coaching” and laid the matter to rest. However, after Deputy Lemus complained about
19 Mendoza, Chavez ordered retaliation against Deputy Lemus by dusting off the frivolous citizen
20 complaint. Under the “guidance” of Chavez, Reynaga resurrected the incident and he and DOE
21 55 Lt. Anthony Easter escalated the frivolous resolved complaint into an Internal Affairs
22 Investigation and Deputy Lemus was “disciplined” with a two-day unpaid suspension.
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1 251. Chavez recently lied in his deposition and denied that he expressed admiration for
2 shot caller Mendoza keeping the other deputies in line as a shot caller and also claimed that he
3 didn't order a retaliation against Deputy Lemus. DOE 2 Richard Mejia also recently did his part
4 when deposed in this case and repeatedly lied by desperately fabricating a story that "shot
5 callers" only means "seasoned veterans" to hide the fact that he and other leadership at the
6 station have condoned Banditos running the station like inmates running the prison yard. Mejia
7 told this lie even though he previously admitted in the same deposition that he was aware the
8 term "shot caller" is derived from leaders of the Mexican Mafia and prison gangs. And that
9 Defendants such as Michael Hernandez aka Bam Bam have bragged about being the shot callers
10 of the East Los Angeles Station. When asked to name a single "seasoned veteran" who was not a
11 Bandito, but was called a shot caller, Defendant Mejia repeatedly evaded the question, then
12 absurdly named two deputies, Plaintiff Zaredini and Deputy Edward Hernandez, who have been
13 repeatedly victimized by the Banditos. Mejia shamelessly mentioned these two whistleblowers
14 when he knows have been repeatedly retaliated against under his watch.

18 252. It is alleged upon information and belief that after the Kennedy Hall incident,
19 Mejia allowed Mendoza to improperly collect bonus pay as an FTO for a year even though
20 Raymond Mendoza did not have a trainee. When asked about this matter, Mejia denied it ever
21 happened.

23 253. DOE 59 Undersheriff Timothy Murakami was at the center of a recent lawsuit by
24 Deputy Andrew Rodriguez. In the Rodriguez case, the jury found that Murakami retaliated
25 against Deputy Rodriguez by initiating a series of fake Internal Affairs investigations against
26 Rodriguez. The jury awarded Rodriguez \$8.1 million for Murakami's misconduct, yet the Sheriff
27 didn't hold the inked Caveman Murakami accountable and did not even bother initiating a rigged
28

1 IA to exonerate Murakami. The Sheriff simply did nothing. Just as the Sheriff did nothing when
2 Murakami made a racial slur against another deputy (to be contrasted with Villanueva's 7-day
3 suspension against Deputy Zaredini for the false allegation of a slur.) The County's OIG recently
4 admitted that Murakami and Villanueva have broken the law and lacked transparency to the
5 point of taking the County down to the level seen in the Baca/Tanaka administration. Instead of
6 terminating Murakami, Villanueva utilizes Murakami to block investigations of the Banditos and
7 other deputy gangs. Huntsman has repeatedly sounded the alarm about current LASD corruption
8 that can only be fixed through court order and intervention by outside governmental authorities.
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12 **The Plaintiff Deputies Had to Demand Transfers Out of the East Los Angeles**

13 **Station to try to Escape the Most Hostile Work Environment**

14 254. The Sheriff, Chavez and Mejia repeatedly lie as they simultaneously claim there
15 is no Banditos gang or problem and that they fixed the Banditos problem when the Sheriff took
16 power in December 2018. These individuals tell their lies despite them knowing there are ample
17 facts to easily rebut their lies. LASD officials are so used to lying and engaging in cover ups with
18 no accountability, they do not hesitate to lie regardless of any evidence that is right in front of
19 them and the public and media. By May 2019, five months into the Sheriff's reign and three
20 months after filing their government claims, the Plaintiff Deputies could not handle the stress
21 any longer and demanded transfers out of the East Los Angeles Station to lessen the damage
22 caused to their physical and mental health. LASD refused to grant some of the transfers, but after
23 the Plaintiff Deputies filed supplements to their internal Tort Claims on May 28, 2019,
24 underscoring that the hostile environment was still dominating the station, all of the Plaintiff
25 Deputies were finally approved for transfers.
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1 255. The Plaintiff Deputies lost confidence in LASD addressing the hostile work
2 environment, so the victims removed themselves from that hostile environment. It should be
3 noted, though, that the County offered four of the Plaintiff Deputies, Ariela Lemus, Mario
4 Contreras, Art Hernandez, and Oscar Escobedo, the option of only moving to another gang
5 dominated station or travelling to a station that is far from their homes. Historically, management
6 at LASD has retaliated against whistleblowers so often by transferring them to far away stations
7 and offices that employees have coined a term for such maltreatment: “Freeway therapy.”
8

9 256. The County had the legal obligation to remove the hostile work environment, but
10 utterly failed to take any steps to do so. And, of course, with 8 more good deputies moving out of
11 the East Los Angeles Station, once again the Banditos’ control at the East Los Angeles Station
12 has only increased (as noted, there are now 100 inked Banditos members and a decision has
13 made to form a new gang at the East Los Angeles Station serving under the Banditos). While the
14 victim Plaintiff Deputies escaped the East Los Angeles Station to less hostile work
15 environments, they and their families remain under severe duress due to fears of further
16 retaliation and the threats to their lives by the Banditos. And the leadership at East Los Angeles
17 Station continued to let the Banditos gang flourish and looked the other way as they harassed and
18 committed violence against other deputies.
19

20 257. The Plaintiff Deputies have reason to believe the Banditos gang could commit
21 further violence against them. Bam Bam bragged at Kennedy Hall that he could go to Plaintiff
22 Gonzalez’ house and harm or kill him and/or his family and not suffer consequences.
23

24 258. If any further violence happens to anyone associated with this lawsuit, the
25 Defendants, each, and all of them, will bear tremendous liability for such horrific acts. Recently,
26 DOE 35 Rebecca Cortez attempted to commit battery against Plaintiff Deputy Lemus. Cortez
27
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1 tried to shoulder-check her while she was transporting an inmate at a detention facility, but
2 Lemus moved quickly out of the way. While three of the Banditos were finally held accountable
3 and terminated for the gang attacks at the department-sponsored event at Kennedy Hall, to this
4 day no Banditos have received any discipline for violent acts committed at the East Los Angeles
5 Station. LASD leadership continues to make light of the fact that there are deputy gangs in the
6 department and continue to encourage the gangs to flourish. And the gangs continue to flourish
7 as LASD leaders such as Commander Chavez and Captain Mejia willfully turn a blind eye to
8 gang activity.
9

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11 259. In his deposition, DOE 2 Richard Mejia repeatedly lied to protect the Banditos
12 and his career advancement and lied about what was reported to him by deputies about the
13 Banditos gang activity in Spring 2018 and lied about the OIG's Report informing him as Captain
14 that there was substantial evidence that the Banditos are a gang and had influence over the
15 station and caused racism and sexism, and violence. Mejia initially claimed he was not given the
16 Report to review, then admitted he had been given the Report to review and said he had done
17 nothing to act on the Report and never investigated the Banditos. And he admitted he did nothing
18 about the recent inking of ten more Banditos gang members at the station. Instead, he conducted
19 a fake investigation into the matter and lied about the "findings." The inking of the ten new
20 Banditos has been confirmed under oath by two deputies who broke the Code of Silence on the
21 Banditos. The Banditos gang is alive and thriving as this 5th Amended Complaint is being filed
22 and new ink continues to scar the East Los Angeles Station and the entire LASD.
23
24

25 260. The Banditos have not only harassed and violently attacked the law-abiding,
26 honest deputies who work for the County, but also commit many wrongful and criminal acts
27 towards residents. For instance, the new DA, George Gascon, recently announced that he will
28

1 prosecute DOE 46 Defendant Noel Lopez, who is a shot-caller of the Banditos and hosts their
2 roundtable meetings where the gang votes in new members to be inked and approves special
3 retaliations like the event at Kennedy Hall. Lopez goes by the nickname “Crook” and LASD
4 leadership has shown no concern about a cop going around calling himself a criminal for years
5 and has also shown no concern over his harassment of the Plaintiff Deputies and other deputies.
6 The recent indictment of Crook was for something that happened almost 3 years ago and that
7 LASD was aware of almost 3 years ago. It was just before the Kennedy Hall attacks occurred in
8 September 2018, when Crook went out on a call and abetted the falsifying of a police report and
9 lied about the location of a firearm to frame the suspect. DOE 15 Braulio Robledo recently stole
10 money from a professional gambler when he made a traffic stop on him. The victim decided not
11 to press charges out of an understandable fear of retaliation by the deputy gangs. LASD refuses
12 to hold Robledo accountable through even an IA investigation and disciplinary action despite its
13 actual knowledge of his theft. Similarly, LASD did nothing about Defendants Big Listo and
14 Little Listo driving around East Los Angeles to find an innocent resident standing in his yard to
15 brutalize and hospitalize, unprovoked, and then framed him, lying that the suspect attacked the
16 deputies. Instead of acting in the interests of justice, the Sheriff obstructs justice. A deputy who
17 supported his campaign for Sheriff destroyed evidence contained on a victim resident’s phone
18 and then the deputy witness sent the victim an unsigned threatening letter. ICIB got warrants to
19 search the saliva of the residents of the deputy’s home, but the Sheriff obstructed justice and
20 quashed the search. There is no transparency in LASD, and leadership encourages deputies and
21 leadership to repeatedly commit the crime of perjury in their testimonies. There has no discipline
22 for any deputy gang members for dishonesty despite multiple instances of lies in IA and ICIB
23 investigations and under oath at trial and in depositions. DOE 2 Mejia committed perjury in the
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1 civil suit regarding the shooting of Anthony Vargas by now inked Banditos Johnathan Rojas and
2 Nikolis Perez, who are both now unmasked and named Doe Defendants here. Mejia lied and said
3 he only knew of the Banditos from the media but had no knowledge of them otherwise. This
4 testimony from Mejia was contrary to his own IA testimony in 2019. Numerous Banditos and
5 associates, including DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond
6 Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE 17 Eldemira Parra, DOE 18
7 Andrea Villa, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26
8 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony
9 Pacheco, DOE 30 Soraya Sanchez, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37
10 Erin Rosario, DOE 38 Jessica Santos, DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE
11 47 Christopher Moore, lied to ICIB and IA investigators about the Kennedy Hall incident,
12 claiming they saw none of the gang attacks.

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14
15 261. There is no internal check on deputy gangs in LASD. LASD will not and cannot
16 police itself as the department rots from the core as well as from top to bottom.
17

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19 **THE COUNTY’S LIES ABOUT INVESTIGATING THE BANDITOS AND**
20 **SOLVING THE DEPUTY GANG PROBLEM SHOWS IT CANNOT AND WILL**
21 **NOT POLICE ITSELF**
22

23 262. In 2019, 2020, and 2021, the Sheriff lied that he had transferred 36 Banditos out
24 of the East Los Angeles station, when he, in fact, transferred zero Banditos out of the station. He
25 has repeatedly made this false claim to the media. His own Commander, once Captain at the East
26 Los Angeles Station, DOE 1 Ernie Chavez, admitted in a media interview and his deposition that
27 the Sheriff transferred zero Banditos and simply completely lied about it. The Sheriff has also
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1 repeatedly told the media that his first act a Sheriff was to hire Chavez as Captain to “identify the
2 problem players and fix the problem.” Chavez admitted that the Sheriff completely lied about
3 this and never even discussed the Banditos with him, let alone directed him to investigate the
4 Banditos. Chavez admitted that he himself as Captain of East Los Angeles made no effort to
5 identify any Banditos or address the Banditos problem. Chavez also made light of the Banditos
6 and other cop gang gangs like the Executioners and Regulators, claiming that they were like
7 “college fraternities.”
8

9 263. Sheriff Villanueva reasoned that he could fool the media and outside investigators
10 that LASD was policing itself if he could do a faux another investigation and pad the numbers of
11 deputies like he did with his lie that he transferred out 36 Banditos. So, in August 2020, the
12 Sheriff lied and told the media that he was disciplining 26 Banditos for wrongful conduct at
13 Kennedy Hall. In truth, the Sheriff sent notices of intent to terminate three of the Banditos (Big
14 Listo, G-Rod, Silver) who committed battery at Kennedy Hall, and notices to give a handful of
15 days off to a combined total of 6 Banditos Prospects and Banditos Associates: 9 “Banditos,” not
16 26. And what he did not tell the media was that he, DOE 3 April Tardy and DOE 2 Richard
17 Mejia threw some of the victims (Deputies Escobedo, Hernandez, Casas and Lemus) into the mix
18 by imposing unlawful discipline against them for false and malicious charges of misconduct
19 based on rigged IAs, killing two birds with one stone, padding the numbers of deputies he could
20 tell the media he held accountable, and at the same time further retaliate against the Plaintiff
21 Deputies.
22

23 264. Villanueva, Mejia and Tardy and others at LASD gave Plaintiff Art Hernandez
24 and Plaintiff Oscar Escobedo 15 days unpaid suspension for fabricated allegations including that
25 they were intoxicated, embarrassed the department, and somehow contributed to being attacked
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1 and put unconscious. As noted above, when asked what Art Hernandez did wrong at Kennedy
2 Hall, Chief Tardy responded that “You shouldn’t have gone to the party.” By this standard, the
3 Sheriff should have given himself and hundreds of others 15 days off for attending that party at
4 Kennedy Hall. Villanueva, Mejia and Tardy and others at LASD also gave Plaintiff Deputy
5 Lemus 7 days unpaid suspension and Plaintiff Contreras 3 days unpaid suspension based on
6 more fabricated allegations including for supposedly not properly reporting the gang attack to
7 their superiors, when LASD understood any deputies who report the truth on the deputy gangs in
8 LASD are essentially reporting to the deputy gangs themselves and are viciously retaliated
9 against by LASD. And, the Plaintiffs were, in fact, further retaliated against for blowing the
10 whistle about the violent attacks at Kennedy Hall. While ratifying the retaliatory discipline,
11 Mejia called Deputy Contreras to try to pressure him to lie and admit guilt in exchange for
12 receiving training instead of forced days off from work. Mejia lied to Contreras, claiming that
13 others at LASD wanted to punish Contreras more severely (for being elbowed hard in the face by
14 G-Rod?). While the Sheriff was retaliating against the victims with unpaid suspensions for acts
15 they did not do, he gave no punishment for multiple Banditos, Prospects, and Associates for their
16 acts and omissions at Kennedy Hall and for repeatedly lying in the investigations about Kennedy
17 Hall.

21
22 265. The imposition of discipline on the victims of Kennedy Hall by the Sheriff and
23 other defendants was done so with knowing violation of the law under POBRA. The Sheriff’s
24 cynical use of fake rigged IA’s based on non-existent acts of “misconduct” by Plaintiff Deputies
25 both to retaliate against them and to pad the numbers of Banditos-related disciplinary actions in
26 his reports to the media violated the Plaintiff Deputies’ POBRA rights. Only massive reform
27 imposed on LASD from the outside, and through court order, will remake LASD a credible,
28

1 trustworthy, and effective law enforcement agency, that will protect County residents instead of
2 harming them. Such massive reform is past due.

3
4
5 **The Dominance of Deputy Gangs Show a Systemic Problem Within LASD That Violates**
6 **the Civil Rights of Deputies and the Public**

7 266. The County and the Sheriff are responsible for the health and safety of their
8 deputy employees.

9 267. The County and the Sheriff are responsible for the health and safety of the public
10 that is served by their deputy employees.

11 268. 15-20% of the deputies working for LASD are inked gang members.

12 269. At all relevant times, the County, and its agents, including the deputy gang
13 members in LASD, have acted, or failed to act, as alleged herein, under the color of state law.

14 270. The County has repeatedly and consistently disregarded known or serious risks of
15 harm to their deputy employees and to the public served by LASD.

16 271. The County has repeatedly failed to take reasonable measures to protect deputy
17 employees and members of the public against serious harm caused by deputy gangs within
18 LASD.

19 272. The County, through its acts or omissions, have engaged in a pattern or practice of
20 systemic deficiencies that resulted in the pattern or practice by LASD deputy gang members to
21 harass young Latino deputies and retaliate against them.

1 **The Wrongful Conduct Committed by The Defendants Has Been Continuous and Ongoing**

2 273. All of the acts of discrimination, harassment, and retaliation are timely under the
3 continuing violation doctrine because, commencing in 2016 and continuing through the filing of
4 this complaint, the Defendants subjected the Plaintiff Deputies to a series of adverse actions that
5 were similar-in-kind, i.e., were motivated by the same discriminatory or retaliatory animus, even
6 if otherwise different actions,¹⁹ occurred with reasonable frequency, and did not acquire
7 permanence at the earliest until the Plaintiff Deputies were transferred out of the East Los
8 Angeles Station.²⁰ Defendants therefore remain liable for this entire course of conduct, including
9 acts predating any statutory period inasmuch as at least one, and, here, many, of the acts occurred
10 within the statutory period.²¹
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20 ¹⁹ “Similarity” refers to the discriminatory motivation, *not* the form which the discrimination takes. *See Richards v.*
21 *CH2M Hill, Inc.* (2001) 26 Cal. 4th 798, 823. For example, lack of promotion, undesirable job assignments, and
22 harassment over a period of years reflects the same discriminatory animus. *See Id.*

23 ²⁰ *See Richards*, 26 Cal. 4th at 826 (statute of limitations does not begin to run when employee first believes his or her
24 rights have been violated but rather when the unlawful conduct ends, e.g., with the employee’s resignation, or when
25 the employer makes it clear “in a definitive manner” that it will not cease its unlawful conduct).

26 ²¹ *See Richards*, 26 Cal. 4th at 826 (employer may be liable for entire course of conduct, including acts predating the
27 statutory period, under the continuing violation doctrine provided at least one of the acts occurred within the
28 statutory period, so long as plaintiff can establish similarity of conduct, reasonable frequency and fact that acts have
not acquired permanence); *Id.* 26 Cal.4th at 823 (recurring incidents are sufficient to establish reasonable frequency
component of continuing violation test); *Yanowitz*, 36 Cal. 4th at 1056 (continuing violation doctrine not limited to
harassment claims and may include retaliation claims); *Accardi*, Cal.App.4th at 351 (sexual harassment over 11-year
period included sexist remarks, sexual advances, and being singled-out for unfavorable assignments; the only
incidents occurring within the limitations period were relatively minor, i.e., mishandling her workers compensation
claims, and failure to treat her like other partially disabled employees; nevertheless, employer’s acts were part of a
“deliberate pattern of discrimination” entitling employee to recover for harassment over the entire period of her
employment); *Watson v. Department of Rehabilitation* (1989) 212 Cal.App3d 1271, 1290-91 (series of
discriminatory acts and retaliatory harassment for complaining about discrimination constitutes a continuing
violation).

1 **The Harm will Continue Until there is Injunctive Relief; the Plaintiff Deputies Need**
2 **Protection from the Influence of Deputy Gangs Regardless of Station Assignment and/or if**
3 **They Want to Return to Working at the East Los Angeles Station**
4

5 274. Plaintiffs allege the County's violations of the law continue through the filing of
6 this Fifth Amended Complaint. While the Plaintiff Deputies finally escaped the most hostile
7 work environment that was specifically at the East Los Angeles Station, in May 2019, the
8 Plaintiff Deputies were forced into transfers (in some cases, to stations far away from their
9 homes), their careers have been compromised and are sustaining further damage, and they and
10 their family members still remain in danger from retaliation by the Banditos or other deputy gang
11 members, who are armed individuals, with training and the ability to kill, who have made threats
12 to attack them in their homes and taken hostile actions against them at their homes as set forth
13 above.
14

15 275. The Sheriff and the Defendants continue to retaliate against the Plaintiff Deputies,
16 including by breaking the law under POBRA again and again and again, and now the Plaintiff
17 Deputies must initiate a whole new lawsuit to get an injunction to stop any further violation of
18 their POBRA rights.
19

20 276. Until there is injunctive relief, and the County and LASD put an end to deputy
21 gangs, the Plaintiff Deputies, as well the Residents of the County, will continue to be a harmed.
22

23
24 **The County is Liable for the Actions of Sheriff Villanueva and Other Agents**

25 277. The Sheriff is employed by the County. He serves as the head of LASD and is its
26 top spokesperson. He is responsible for managing, supervising, and disciplining all employees in
27 LASD including LASD deputies.
28

1 278. Sheriff Villanueva is the supervisor of all of the individual Defendants and is
2 responsible for investigations of unlawful conduct including membership in a criminal gang. He
3 is also obligated to take disciplinary action for misconduct and to protect deputies, including the
4 Plaintiff Deputies, against threats, intimidation, and physical violence by LASD employees
5 against them.
6

7 279. Plaintiffs are now in process of unmasking and naming the first of the DOE
8 Defendants identified from discovery to date and anticipate unmasking and naming more DOES
9 as they engage in further discovery. Plaintiffs are well aware that all Defendants have a
10 Constitutional right to be named on a timely basis and so unmask and name them now to afford
11 them the right to retain counsel and participate in the discovery process which has barely begun
12 in earnest (though in the case of past depositions, the County's outside counsel has been present
13 and representing them and so has full knowledge of all aspects of this case to date).²²
14

15 280. Plaintiffs are informed and believe and thereupon allege that Defendant DOES 1-
16 100, and each of them, whether individual, corporate, associate or otherwise, some of which are
17 still unknown to Plaintiffs at this time, who therefore sue said Defendants by such fictitious
18 names unless named in this 5th Amended Complaint. Plaintiffs amend the complaint here and
19 will further amend this complaint to show their true names and capacities, together with
20 appropriate charging language, when such information has been ascertained. Plaintiffs will file
21 DOE amendments, and/or ask leave of court to amend this Complaint to assert the true names
22 and capacities of these Defendants when they have been ascertained.
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27 ²² . See, e.g, *Barrows v American Motors Corp.* (1983), 144 Cal.App.3rd 1, at 8 (delay in unmasking and naming doe
28 defendants isn't prejudicial because of mere length of delay from discovering their identities unless defendants can
show specific prejudice, i.e., that delay in naming them actually denied them a right to a fair trial; Court cites cases
where such a finding has been made where doe defendants who were known years before being named, but who
weren't named until the day of trial or just 3 weeks before trial after all discovery had been complete).

1 281. Plaintiffs are informed and believe, and upon such information and belief allege,
2 that each Defendant designated as a DOE was and is in some manner, negligently, wrongfully, or
3 otherwise responsible and liable to Plaintiffs for the injuries and damages hereinafter alleged and
4 that Plaintiffs' damages as herein alleged were proximately caused by their conduct.
5

6 282. Plaintiffs are further informed and believe, and thereupon allege, that at all times
7 relevant hereto, Defendants, and each of them, acted in concert and in furtherance of the interests
8 of each other Defendant.
9

10 283. At all relevant times, Defendants or their predecessors in office have acted or
11 failed to act, as alleged herein, under the color of state law.

12 284. Plaintiffs have complied with and/or exhausted any applicable claims, statutes
13 and/or administrative and/or internal remedies and/or grievance procedures or are excused from
14 complying therewith. 7 of the 8 Plaintiff Deputies filed government claims with the County of
15 Los Angeles on March 7, 2019. The 8th, Deputy Ariela Lemus filed a government claim with the
16 County of Los Angeles on June 28, 2019. On August 29, 2019, all the Plaintiff Deputies timely
17 filed a complaint and charge of discrimination with the California Department of Fair
18 Employment and Housing ("DFEH"). The DFEH issued a Right-to-Sue Notice on August 29,
19 2019. Accordingly, the Plaintiff Deputies have timely exhausted their administrative remedies.
20 True-and-correct copies of Plaintiffs' Right-to-Sue Notices are attached to this complaint as
21 Exhibit A.
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FIRST CAUSE OF ACTION FOR
RACE/ETHNICITY DISCRIMINATION IN VIOLATION OF THE CALIFORNIA
FAIR EMPLOYMENT AND HOUSING ACT
(BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY OF LOS
ANGELES)

285. Plaintiffs re-allege and incorporate by reference the allegations in the preceding 284 paragraphs.

286. In relevant part, California Government Code section 12940(a) provides that it shall be unlawful for an employer to discriminate against an employee in the terms and conditions of his employment because of his race or ethnicity.

287. Plaintiff Deputies Art Hernandez, Alfred Gonzalez, Oscar Escobedo, Mario Contreras, David Casas, Ariela Lemus, Louis Granados and Benjamin Zaredini (of mixed heritage) are Latinos/Hispanics and are thus at all times mentioned herein were in the protected class of persons, i.e., minority race, and engaged in protected activities contemplated by Government Code sections 12940, et. seq.

288. The deputy gang/cliقة/sub-group the Banditos is illegal and virulently racist and sexist on its face, as it does not allow African Americans and women to join as members. The Banditos, like the Mexican Mafia, was co-founded by a Caucasian individual but that does not change the identity of the Banditos as a Latino gang. Like all Latino street gangs, the Banditos specifically targets and singles out Latino residents to victimize, and Latino deputies for harassment. The Banditos makes the racist assumption that all Latinos are susceptible and open to being recruited into the gang. The Banditos target all new Latino trainees as they start at the East Los

1 Angeles Station. The Banditos abuse the Latino trainees and rookies to break them
2 down and recruit them into the gang. The trainees are pressured to choose between
3 being the bullied or the bully. Many of the young Latino trainees and rookies
4 succumb to the pressure and become corrupt Banditos prospects, “chasing the ink,”
5 engaging in wrongful conduct to earn their stripes. When Latino deputies do not
6 conform to the corrupt deputy gang culture, they are harassed, bullied, and retaliated
7 against by the Banditos. Ordinarily, under FEHA, the plaintiff and a defendant such
8 as the County would have a relay of burden-shifting to prove a hostile work
9 environment that leads to racial discrimination, or some other act prohibited by that
10 law: Plaintiff Deputies would have to allege that the work environment is hostile or
11 abusive to them because of their race. The County can rebut that presumption by
12 offering a rational explanation for what is happening and then the Plaintiff
13 Defendants would have the burden of either showing actual discriminatory intent or
14 effect or facts that could lead to a reasonable inference of discriminatory intent or
15 effect. See, e.g., *Guz v Bechtel National, Inc.* (2000), 24 Cal.4th 317, at 354.
16
17 However, if the Plaintiff Deputies can show that the conduct by LASD, the
18 individual Defendants and the County alleged above is severe enough or sufficiently
19 pervasive to alter the conditions of employment and create a work environment that
20 qualifies as hostile or abusive to employees because of their [race],” then no burden
21 shifting takes place. *Cornell v Berkeley Tennis Club* (2017), 18 Cal.App.5th 908, at
22 927, citing *Hope v California Youth Authority* (2005), 134 Cal.App.4th, 577, at 588
23 (note: Plaintiff Deputies have substituted “race” for “obesity” in italics as Cornell
24 was a case in which the issue was obesity, but this doesn’t change the Cornell
25
26
27
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1 Court's line of reasoning and we cannot find a case referring to such pervasive and
2 open racial discrimination that created a hostile workplace environment). Plaintiff
3 Deputies hereby assert that they have indeed shown that the allegations of LASD and
4 the Defendants' actions meet this standard and "since there's no possible justification
5 for harassment in the workplace, an employer cannot offer a legitimate
6 nondiscriminatory reason for it." *Cornell, supra*.

8 289. The Plaintiff Deputies are informed and believe that the County harassed them
9 based on their race and for reporting and speaking out against wrongful and
10 discriminatory treatment based on their race, speaking out against improper conduct,
11 and for generally attempting to protect and secure their rights and rights of others
12 under the FEHA.
13

14 290. FEHA defines "employer" broadly to encompass "any person regularly
15 employing five or more persons, or any person acting as an agent of an employer,
16 directly or indirectly." California Government Code § 12926(d). Here, the County
17 was the employer of the Plaintiff Deputies, and all the individual Defendants were
18 agents of the County. As set forth above, the County discriminated against the
19 Plaintiff Deputies because of their race and ethnicity. Defendants engaged in illegal,
20 intentional discrimination by creating a hostile work environment based on
21 race/ethnicity. The Plaintiff Deputies have regularly complained to the County
22 regarding discrimination, but the County allowed the discrimination to continue.
23

24 291. Commencing before and during 2016, and continuing to the present, Defendants
25 created and allowed to exist a racially hostile environment and discriminated against
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1 the Plaintiff Deputies on the basis of their race. Such discrimination was in violation
2 of Government Code §§12940, et seq. and the public policy embodied therein.

3 292. That Defendants' wrongful treatment of the Plaintiff Deputies was substantially
4 motivated by illegal/race ethnicity animus.

5
6 293. At all times herein mentioned, the County had actual and/or constructive
7 knowledge of the discriminatory conduct levied against the Plaintiff Deputies by the
8 Defendants, by Sheriff Villanueva and prior LASD leadership, Chief Denham,
9 Captains Perez, Mejia and Chavez, Lt. Smitson, employees and other superiors.
10 Moreover, such retaliation, harassment, and discriminatory conduct was also
11 conducted and/or condoned by the Defendants.

12
13 294. As a direct, foreseeable, and proximate cause of Defendants' discriminatory
14 conduct and failure to act, the Plaintiff Deputies suffered and continue to suffer
15 personal physical injury and sickness, fear for their lives, humiliation,
16 embarrassment, anxiety, mental anguish, and emotional distress. The Plaintiff
17 Deputies were required to and did employ and will in the future employ physicians
18 and health care providers to examine, treat and care for the Plaintiff Deputies, and
19 did, and will in the future, incur medical and incidental expenses. The exact amount
20 of full expenses is unknown to the Plaintiff Deputies at this time.

21
22 295. As a direct, legal, and proximate result of the discrimination, the Plaintiff
23 Deputies have suffered immense damages, including severe emotional distress from
24 their lives being regularly threatened and being put in danger, and almost being
25 killed, as well as lost wages and other employment benefits, and other economic
26 damages, in an amount to be proven at trial.
27
28

1 296. As a further legal result of the above-described conduct of Defendants, and each
2 of them, the Plaintiff Deputies have and will continue to incur attorneys' fees and in
3 costs amount according to proof.

4 297. Defendants' actions were ratified by managing agents, and were willful,
5 malicious, fraudulent, and oppressive, and were committed with wrongful intent to
6 harm the Plaintiff Deputies in conscious disregard of their rights. The Plaintiff
7 Deputies timely exhausted administrative remedies.

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11 SECOND CAUSE OF ACTION FOR
12 VIOLATION OF THE CALIFORNIA FAIR EMPLOYMENT & HOUSING ACT –
13 FAILURE TO TAKE ALL REASONABLE STEPS TO PREVENT DISCRIMINATION
14 (BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY OF LOS
15 ANGELES)
16

17 298. The Plaintiff Deputies re-allege and incorporate herein by reference paragraphs 1
18 through 297, inclusive, as if fully set forth herein and further rely on *Cornell*.

19 299. The County failed to take all reasonable steps necessary to prevent the
20 aforementioned discrimination to which the Plaintiff Deputies were subjected in
21 violation of California Government Code Section 12940(k).

22 300. As all LASD and East Los Angeles Station leadership is aware, the deputy
23 gang/clique/sub-group the Banditos is illegal and virulently racist and sexist on its
24 face, as it does not allow African Americans and women to join as members. The
25 Banditos, like the Mexican Mafia, was co-founded by a Caucasian individual but that
26 does not change the identity of the Banditos as a Latino gang. Like all Latino street
27
28

gangs, the Banditos specifically targets and singles out Latino residents to victimize, and Latino deputies for harassment. The Banditos makes the racist assumption that all Latinos are susceptible and open to being recruited into the gang. The Banditos target all new Latino trainees as they start at the East Los Angeles Station. The Banditos abuse the Latino trainees and rookies to break them down and recruit them into the gang. The trainees are pressured to choose between being the bullied or the bully. Many of the young Latino trainees and rookies succumb to the pressure and become corrupt Banditos prospects, “chasing the ink,” engaging in wrongful conduct to earn their stripes. When Latino deputies do not conform to the corrupt deputy gang culture, they are harassed, bullied, and retaliated against by the Banditos

301. Plaintiff Deputies are informed and believe that the County and its employees harassed them based on their race and for reporting and speaking out against wrongful and discriminatory treatment based on their race, speaking out against improper conduct, and for generally attempting to protect and secure their rights and rights of others under the FEHA.

302. The conduct, statements and acts described herein were an ongoing part of a continuing scheme and course of conduct. The County knew the substance of the above-described facts and circumstances and ratified the wrongs and injuries mentioned herein when it was in its ability to prevent, remedy and/or correct these wrongs. The County continued to ratify and refused to remedy the aforementioned conduct, notwithstanding the fact that its officials, supervisors and/or managing agents knew or reasonably should have known, and know or reasonably should know, of the conduct and its unlawful motivations.

1 303. As a direct and proximate result of the County's conduct, the Plaintiff Deputies
2 have suffered special damages in the form of lost earnings, benefits and/or out of
3 pocket expenses in an amount according to proof at the time of trial. As a further
4 direct and proximate result of the County's conduct, the Plaintiff Deputies will suffer
5 additional special damages in the form of lost future earnings, benefits and/or other
6 prospective damages in an amount according to proof at the time of trial.
7

8 304. As a further direct and proximate result of the County's conduct, the Plaintiff
9 Deputies have suffered mental and emotional pain, distress and discomfort, and
10 damages to their occupational reputation, all to their detriment and damage in
11 amounts not fully ascertained but within the jurisdiction of this court and subject to
12 proof at the time of trial. The County allowed and sanctioned and supported
13 harassment of the Plaintiff Deputies up to the point of two of the Plaintiff Deputies
14 getting knocked unconscious by the Banditos gang.
15

16 305. In engaging in the conduct alleged herein, the County acted maliciously towards
17 the Plaintiff Deputies, with conscious disregard for their known rights and with the
18 intention of causing, and/or willfully disregarding the probability of causing, unjust
19 and cruel hardship to the Plaintiff Deputies.
20

21 306. Plaintiff Deputies are entitled to costs and reasonable attorneys' fees pursuant to
22 California Government Code section 12965(b).
23
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1 HUGO RAMOS, DOE 50 MARIO CASTRO, DOE 51 MANNY NAVARRO, DOE 52 NIKKI
2 HANAMAKI, DOE 53 VICTOR CHOI, DOE 54 HUGO REYNAGA, DOE 55 ANTHONY
3 EASTER, DOE 56 JAMES WOLACK, DOE 57 CHRIS BLASNEK, DOE 58 ALBERT
4 MALONADO, DOE 59 TIM MURAKAMI, DOE 60 LEO SANCHEZ, DOE 61 ELIZABETH
5 AGUILERA, DOE 62 LUIS VALLE, DOE 63 BOBBY DENHAM, DOE 64 ANTHONY
6 RIVERA, AND DOE 65 ROBERT LAVOIE)
7
8
9

10 307. Plaintiffs re-allege and incorporate herein by reference paragraphs 1 through 306,
11 inclusive, as if fully set forth herein and continue to rely on *Cornell*.

12 308. At all times mentioned herein, Government Code §§ 12940, et seq. was in full force
13 and effect and was binding upon Defendants. Said law requires Defendants to refrain
14 from harassing any employee based upon race, and ethnicity, and to provide each
15 employee with a working environment free from harassment based on race, ethnicity,
16 and national origin.
17

18 309. At all times mentioned, the Plaintiff Deputies were in the protected class, i.e. a
19 minority race, and engaged in protective activities contemplated by Government Code
20 §§ 12940, et seq. The Plaintiff Deputies are informed and believe that Defendants, and
21 each of them, harassed them based on their race/ethnicity and for reporting and
22 speaking out against wrongful and discriminatory treatment based on their race,
23 speaking out against improper conduct, and for generally attempting to protect and
24 secure their rights of others under FEHA.
25

26 310. Commencing before and during 2016, and continuing to the present, Defendants
27 created and allowed to exist and continue to allow to exist a racially hostile
28

environment and harassed and continue to harass the Plaintiff Deputies on the basis of their race. Such discrimination was and is in violation of Government Code §§ 12940, et seq. and the public policy embodied therein.

311. At all times herein mentioned, the County had actual and/or constructive knowledge of the harassing conduct levied against the Plaintiff Deputies by the Defendants, by the Sheriff and prior Sheriffs, Chief Denham, Chief Rivera, Captains Perez, Mejia and Chavez, Lt. Smitson, Lt. Torres, Sgt. Lavoie, employees and other superiors. Moreover, such retaliation, harassment, and hostile work environment were also conducted and/or condoned by the Defendants.

312. During the term of the Plaintiff Deputies' employment, the Plaintiff Deputies were and have been subjected to harassment, including a hostile work environment. The hostile work environment consisted of and continues to consist of racial/ethnic discrimination, harassment, assault and battery and acts setting up the Plaintiff Deputies to be harmed or possibly killed. Defendants Big Listo, Bam Bam, Silver, and G-Rod, along with Doe Defendants, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 15 Braulio Robledo, Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 20 Nikolis Perez, DOE 21 DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 41 Claudia Perez targeted the Plaintiffs for differential treatment as Latinos, expecting them to or otherwise be ostracized and be subjected to their lives being repeatedly put in danger, as the Defendants purposefully withheld back up on dozens of dangerous calls, with Parra, and Villa, along with Big Listo, using their positions in Dispatch to coordinate the withholding of back up, as well as overloading the Plaintiff Deputies with excessive calls.

1 313. The Banditos and their Prospects and Associates continued to harass the Plaintiff
2 Deputies in many ways, including through the withholding of back up on dangerous
3 calls, even after the Defendants committed assaults and batteries at Kennedy Hall and
4 Defendants Big Listo, G-Rod, Silver, and Bam Bam were suspended on paid
5 administrative leave. Even though some of gang's shot callers were no longer at the
6 station in 2019, several other shot callers remained, and their Prospects and Associates
7 (and their superior officers who enabled them and aided them) help maintain the
8 Banditos stranglehold on the station and its culture. The gang's control of the station
9 continued past the Plaintiff Deputy's filing of their government claims and filing of
10 this lawsuit. It is alleged upon information and belief that Banditos shot callers, Bam
11 Bam, Big Listo, G-Rod, and Silver still were parties to maintaining the hostile work
12 environment at the East Los Station and in LASD long after they were put on the leave
13 after the Kennedy Hall gang attack. The Banditos, including Defendants Big Listo,
14 Silver, G-Rod, and Silver, Bam Bam, and DOE 4 Angelica Estrada, DOE 7 Vincent
15 Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis
16 Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra,
17 DOE 18 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22
18 Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano
19 Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose
20 Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo
21 Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE
22 38 Jessica Santos, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel
23 Palacios, DOE 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres,

DOE 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, and DOE 62 Luis Valle operate together in an association to target young Latino deputies to intimidate, harass, and control them and DOE 1 Ernie Chavez, DOE 2 Richard Mejia, DOE 3 Commander April Tardy, DOE 5 Eric Smitson, DOE 6 Chris Perez, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 9 Jeff Hamil, DOE 10 Jeff Chow, DOE 11 William Jaeger, DOE 12 Scott Chapman, DOE 21 Kelly Porowsky, DOE 31 Karla Sepulveda, Brian Goodwin, DOE 44 Jodi Hutak, DOE 45 Pablo Partida, DOE 53 Victor Choi, DOE 54 Hugo Reynaga, DOE 55 Anthony Easter, DOE 56 James Wolack, DOE 57 Chris Blasnek, DOE 58 Albert Maldonado, DOE 59 Timothy Murakami, DOE 63 Bobby Denham, DOE 64 Anthony Rivera, and DOE 65 Robert Lavoie have knowledge of such and failed to end their actions against the Plaintiff Deputies or aided and abetted them and covering up their actions. Plaintiffs allege that the County's employees/agents have worked together and coordinated efforts to maintain a hostile work environment, to mistreat, harm, and intimidate the Plaintiff Deputies.

314. Defendants Big Listo, Silver, and G-Rod, along with Doe Defendants, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica Santos, DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE 47 Christopher Moore lied about the Kennedy

1 Hall incident and their role in it to perpetuate the dominance of the Banditos at the East
2 Los Angeles Station and to retaliate against the whistleblower Plaintiff Deputies.
3 LASD leadership including DOE 1 Ernie Chavez, DOE 2 Richard Mejia, and DOE 3
4 April Tardy did not hold the other Defendants accountable for lying and covering up
5 the incident at Kennedy Hall and none of the Banditos and no deputy was subjected to
6 disciplinary action for dishonesty, and this all contributed to maintaining the hostile
7 work environment, and perpetuating harassment of the Plaintiff Deputies based on
8 their race and ethnicity. Doe Defendants, including DOE 7 Vincent Moran, DOE 8
9 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15
10 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea
11 Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, Woodrow Kim, DOE 23 Juan
12 Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs
13 Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco,
14 DOE 30 Soraya Sanchez, DOE 32 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35
15 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica Santos, DOE 40 Miguel Ortiz,
16 DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE 46 Noel Lopez, DOE 47
17 Christopher Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario
18 Castro, DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki, DOE 60 Leo Sanchez,
19 DOE 61 Elizabeth Aguilera, DOE 62 Luis Valle, DOE 63 Charlie Denham DOE 64
20 Anthony Rivera, and DOE 65 Robert Lavoie retaliated against the Plaintiff Deputies
21 for blowing the whistle and telling the truth about deputy gangs and the withholding
22 of back up and harassment and the violence committed against the Plaintiff Deputies
23 by the Defendants; after the Kennedy Hall incident all of these Defendants intensified
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1 the hostile work environment at the East Los Angeles Station and ostracized the
2 Plaintiffs, labelling them rats as if LAPD is the mafia.

3 315. LASD leadership enabled the Banditos gang members, associates, and prospects to
4 terrorize the Plaintiff Deputies and harass them based on their being Latino or thought
5 to be Latino; these leaders, including Doe Defendants, DOE 1 Ernie Chavez, DOE 2
6 Richard Mejia, DOE 5 Eric Smitson, DOE 6 Chris Perez, as well as DOE 39 John
7 Soria, who worked for Angelica “Pink Hand” Estrada and carried out her bidding,
8 enabled the Banditos and Defendants by covering up and lying about their activities
9 and quashing investigations into them.
10
11

12 316. LASD leadership, and investigators working for LASD, including Sheriff
13 Villanueva, DOE 1 Ernie Chavez, DOE 2 Richard Mejia, DOE 3 Commander April
14 Tardy, DOE 5 Eric Smitson, DOE 6 Chris Perez, Jeff Hamil, DOE 10 Jeff Chow, DOE
15 11 William Jaeger, DOE 12 Scott Chapman, DOE 21 Kelly Porowsky, DOE 53 Victor
16 Choi, DOE 59 Timothy Murakami, DOE 63 Bobby Denham, and DOE 65 Robert
17 Lavoie rigged investigations to allow the Banditos to escape accountability and
18 continue to operate at the station and maintain a hostile work environment.
19

20 317. Sheriff Villanueva and Doe Defendants including DOE 1 Ernie Chavez, DOE 2
21 Richard Mejia, DOE 3 Commander April Tardy, DOE 5 Eric Smitson, DOE 6 Chris
22 Perez, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 9 Jeff Hamil, DOE
23 10 Jeff Chow, DOE 11 William Jaeger, DOE 12 Scott Chapman, DOE 21 Kelly
24 Porowsky, DOE 31 Karla Sepulveda, Brian Goodwin, DOE 44 Jodi Hutak, DOE 45
25 Pablo Partida, DOE 53 Victor Choi, DOE 54 Hugo Reynaga, DOE 55 Anthony Easter,
26 DOE 56 James Wolack, DOE 57 Chris Blasnek, DOE 58 Albert Maldonado, and DOE
27
28

1 59 Timothy Murakami rigged and/or participated in rigged Investigations to retaliate
2 against the victims and whistleblowers for breaking the Code of Silence and speaking
3 out and reporting the deputy gang members. LASD leaders such as DOE 59 Timothy
4 Murakami, DOE 63 Bobby Denham, Doe 64 Anthony Rivera, and DOE 65 Robert
5 Lavoie were aware of these events and took no steps to halt them and took steps to aid
6 in the retaliation. They also delayed or steered transfers to other stations knowing that
7 this would subject the Plaintiff Deputies to further harassment and retaliation.
8

9 318. The harassing conduct was and is unwelcome and sufficiently severe or pervasive
10 that it had and has the purpose and effect of altering the conditions of the Plaintiff
11 Deputies' employment and creating an intimidating, hostile, and abusive environment.
12

13 319. The environment created by the conduct would have been perceived as
14 intimidating, hostile, abusive, or offensive by a reasonable man in the same position
15 as the Plaintiff Deputies, and the environment created was and continues to be
16 perceived by the Plaintiff Deputies as intimidating, hostile, and abusive. The hostile
17 work environment caused the Plaintiff Deputies' injury, damage, loss, and harm.
18

19 320. The harassment included, but was not limited to, the above-mentioned violent
20 attacks, the verbal and physical harassment, derogatory comments, as well as other
21 harassment.
22

23 321. Said actions and conduct of the Defendants, and each of them, resulted in and
24 continues to cause a hostile work environment and unlawful employment practices
25 pursuant to California Government Code sections 12940, et seq.
26

27 322. As a direct, foreseeable, and proximate cause of Defendants' harassing conduct and
28 failure to act, the Plaintiff Deputies suffered and continue to suffer humiliation,

1 embarrassment, anxiety, mental anguish, and emotional distress. The Plaintiff
2 Deputies were required to and did employ and will in the future employ physicians
3 and health care providers to examine, treat and care for the Plaintiff Deputies, and did,
4 and will in the future, incur medical and incidental expenses. The exact amount of full
5 expenses is unknown to the Plaintiff Deputies at this time.
6

7 323. As a direct, legal, and proximate result of the harassment and hostile work
8 environment, the Plaintiff Deputies have suffered immense damages, including severe
9 emotional distress from their lives being regularly threatened and being put in danger
10 of physical injury and potential death, as well as lost wages and other employment
11 benefits and other economic damages, in an amount to be proven at trial.
12

13 324. As a further legal result of the above-described conduct of Defendants, and each of
14 them, the Plaintiff Deputies have and will continue to incur attorneys' fees and in costs
15 amount according to proof.
16

17 325. Defendants' actions were ratified by managing agents, and were willful, malicious,
18 fraudulent, and oppressive, and were committed with wrongful intent to harm the
19 Plaintiff Deputies in conscious disregard of their rights. The Plaintiff Deputies timely
20 exhausted administrative remedies.
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FOURTH CAUSE OF ACTION FOR
RETALIATION IN VIOLATION OF FEHA
(CAL. GOV. CODE SECTION 12940 et. seq.)

(BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY OF LOS
ANGELES)

326. The Plaintiff Deputies re-allege and incorporate by reference the allegations in the preceding 325 paragraphs and continue to rely on *Cornell*.

327. At all times mentioned herein, Government Code §§ 12940, et seq. was in full force and effect and was binding upon Defendants. Said law requires Defendants to refrain from retaliating against an employee for his/her opposition to employment practices prohibited under FEHA.

328. At all times mentioned, the Plaintiff Deputies were in the protected class, i.e., a minority race, and engaged in protective activities contemplated by Government Code §§ 12940, et seq. The Plaintiff Deputies are informed and believe that Defendants, and each of them, retaliated against them for reporting and speaking out against inappropriate workplace behavior, reporting, and speaking out against wrongful and discriminatory, harassing, and retaliatory treatment based on race, ethnicity, and national origin, speaking out against improper conduct, and for generally attempting to protect and secure their rights of others under FEHA.

329. Commencing before and during 2016, and continuing to the present, Defendants created and allowed to exist a racially hostile environment and retaliated against the Plaintiff Deputies on the basis of their protected activity. Such retaliation was in

violation of Government Code §§ 12940, et seq. and the public policy embodied therein.

330. At all times herein mentioned, the County had actual and/or constructive knowledge of the retaliatory conduct levied against the Plaintiff Deputies by the Defendants, including DOE 4 Angelica Estrada, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica Santos, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, and DOE 62 Luis Valle, by the Sheriff and prior Sheriffs, employees and other superiors, including DOE 1 Ernie Chavez, DOE 2 Richard Mejia, DOE 3 Commander April Tardy, DOE 5 Eric Smitson, DOE 6 Chris Perez, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 9 Jeff Hamil, DOE 10 Jeff Chow, DOE 11 William Jaeger, DOE 12 Scott Chapman, DOE 21 Kelly Porowsky, DOE 31 Karla Sepulveda, Brian Goodwin, DOE 44 Jodi Hutak, DOE 45 Pablo Partida, DOE 53 Victor Choi, DOE 54 Hugo Reynaga, DOE 55 Anthony Easter, DOE 56 James Wolack, DOE 57 Chris

1 Blasnek, DOE 58 Albert Maldonado, DOE 59 Timothy Murakami, DOE 62 Luis
2 Valle, DOE 63 Bobby Denham, DOE 64 Anthony Rivera, and DOE 65 Robert
3 Lavoie and ratified the wrongful conduct and retaliation by the Banditos by
4 conducting fake investigations into the Banditos and rigging investigations as a
5 means to retaliate against the Plaintiffs or else, as identified in full detail above,
6 delaying transfers as part of the retaliation. Moreover, such retaliation, harassment,
7 and discriminatory conduct was also conducted and/or condoned by the Defendants.
8

9 331. As a direct, foreseeable, and proximate cause of Defendants' retaliatory conduct
10 and failure to act, the Plaintiff Deputies suffered physical injury and were often
11 placed in danger of risking the loss of their lives and suffered and continue to suffer
12 humiliation, embarrassment, anxiety, mental anguish, and emotional distress. The
13 Plaintiff Deputies were required to and did employ and will in the future employ
14 physicians and health care providers to examine, treat and care for the Plaintiff
15 Deputies, and did, and will in the future, incur medical and incidental expenses. The
16 exact amount of full expenses is unknown to the Plaintiff Deputies at this time.
17

18 332. As a direct, legal, and proximate result of the Defendants' retaliatory conduct, the
19 Plaintiff Deputies have suffered immense damages, including severe emotional
20 distress from their lives being regularly threatened and being put in danger, as well as
21 lost wages and other employment benefits and other economic damages, in an
22 amount to be proven at trial.
23

24 333. As a further legal result of the above-described conduct of Defendants, and each
25 of them, the Plaintiff Deputies have and will continue to incur attorneys' fees and in
26 costs amount according to proof.
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1 334. Defendants' actions were ratified by managing agents, and were willful,
2 malicious, fraudulent, and oppressive, and were committed with wrongful intent to
3 harm the Plaintiff Deputies in conscious disregard of their rights. The Plaintiff
4 Deputies timely exhausted administrative remedies.
5

6
7 FIFTH CAUSE OF ACTION FOR
8 UNLAWFUL RETALIATION: LABOR CODE § 1102.5
9 (WHISTLEBLOWER LAW)
10 (BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY OF LOS
11 ANGELES)
12

13 335. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
14 334 paragraphs.
15

16 336. Cal. Labor Code § 1102.5 prohibits retaliation against any employee for
17 disclosing information, or because the employer believes that the employee disclosed
18 or may disclose information, to a government or law enforcement agency, or to a
19 superior in the employer's organization, so long as the employee has reasonable
20 cause to believe that the information discloses a violation of law or regulation. This
21 statute reflects the "broad public policy interest in encouraging workplace
22 whistleblowers to report unlawful acts without fearing retaliation." *Green v. Ralee*
23 *Eng. Co.* (1998) 19 Cal.4th 66, at 77-78.
24

25 337. Commencing before and during 2017, and continuing to the present, Defendants
26 created and allowed to exist a racially hostile environment and retaliated against the
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1 Plaintiff Deputies when they spoke out about and blew the whistle on the Banditos
2 and their illegal activity.

3 338. The Defendants retaliated against the Plaintiff Deputies for disclosing violations
4 of or noncompliance with state and/or federal labor laws to person (s) with authority
5 over her and/or to other employees who had authority to investigate, discover, or
6 correct the violations or noncompliance, which they had reasonable cause to believe
7 had taken place.
8

9 339. At all times herein mentioned, the County had actual and/or constructive
10 knowledge of the retaliatory conduct levied against the Plaintiff Deputies by the
11 Defendants including Big Listo, Bam Bam, G-Rod, Silver, all DOE Defendants,
12 unnamed and named, including DOE 4 Angelica Estrada, DOE 7 Vincent Moran,
13 DOE 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal,
14 DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18
15 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow
16 Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia,
17 DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno,
18 DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo Ortega, DOE
19 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica
20 Santos, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel Palacios,
21 DOE 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres, DOE
22 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki
23 Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, and DOE 62 Luis
24 Valle, , and DOE 1 Ernie Chavez, DOE 2 Richard Mejia, DOE 3 Commander April
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1 Tardy, DOE 5 Eric Smitson, DOE 6 Chris Perez, DOE 7 Vincent Moran, DOE 8
2 Hector Soto Saavedra, DOE 9 Jeff Hamil, DOE 10 Jeff Chow, DOE 11 William
3 Jaeger, DOE 12 Scott Chapman, DOE 21 Kelly Porowsky, DOE 31 Karla
4 Sepulveda, Brian Goodwin, DOE 44 Jodi Hutak, DOE 45 Pablo Partida, DOE 53
5 Victor Choi, DOE 54 Hugo Reynaga, DOE 55 Anthony Easter, DOE 56 James
6 Wolack, DOE 57 Chris Blasnek, DOE 58 Albert Maldonado, DOE 59 Timothy
7 Murakami, DOE 63 Bobby Denham, DOE 64 Anthony Rivera, and DOE 65 Robert
8 Lavoie. Moreover, the Sheriff and prior Sheriffs, employees and other superiors
9 ratified such retaliation, harassment, and discriminatory conduct conducted and/or
10 condoned by all the Defendants.
11
12

13 340. The retaliation and threats against the whistleblowers continue up to the filing of
14 this Fifth Amended Complaint, as the Banditos gang has been placing dead rats
15 outside the home of two of the Deputy Plaintiffs' homes, as if the LASD is a mafia
16 operation.
17

18 341. As a direct, foreseeable, and proximate cause of Defendants' retaliatory conduct
19 and failure to act, the Plaintiff Deputies suffered physical injury and were often
20 placed in danger of risking the loss of their lives and suffered and continue to suffer
21 humiliation, embarrassment, anxiety, mental anguish, and emotional distress. The
22 Plaintiff Deputies were required to and did employ and will in the future employ
23 physicians and health care providers to examine, treat and care for the Plaintiff
24 Deputies, and did, and will in the future, incur medical and incidental expenses. The
25 exact amount of full expenses is unknown to the Plaintiff Deputies at this time.
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1 342. As a direct, legal, and proximate result of the Defendants' retaliatory conduct, the
2 Plaintiff Deputies have suffered immense damages, including severe emotional
3 distress from their lives being regularly threatened and being put in danger, as well as
4 lost wages and other employment benefits and other economic damages, in an
5 amount to be proven at trial.
6

7 343. As a further legal result of the above-described conduct of Defendants, and each
8 of them, the Plaintiff Deputies have and will continue to incur attorneys' fees and in
9 costs amount according to proof.
10

11 344. Defendants' actions were ratified by managing agents, and were willful,
12 malicious, fraudulent, and oppressive, and were committed with wrongful intent to
13 harm the Plaintiff Deputies in conscious disregard of their rights. The Plaintiff
14 Deputies timely exhausted administrative remedies.
15

16
17 SIXTH CAUSE OF ACTION FOR

18 ASSAULT

19 (BY PLAINTIFF DEPUTIES ART HERNANDEZ, DAVID CASAS, MARIO

20 CONTRERAS, OSCAR ESCOBEDO AND ALFRED GONZALEZ AGAINST

21 DEFENDANTS, COUNTY OF LOS ANGELES, RAFAEL "RENE" MUNOZ aka BIG LISTO,

22 GREGORY RODRIGUEZ aka G-ROD, DAVID SILVERIO aka SILVER,

23 MICHAEL HERNANDEZ aka BAM BAM, DOE DEFENDANTS 1-100)
24

25 345. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
26 344 paragraphs.
27
28

1 346. The actions of the Defendants easily meet all elements of the civil action for
2 assault: “The essential elements of a cause of action for assault are: (1) defendant
3 acted with intent to cause harmful or offensive contact, or threatened to touch
4 plaintiff in a harmful or offensive manner; (2) plaintiff reasonably believed she was
5 about to be touched in a harmful or offensive manner or it reasonably appeared to
6 plaintiff that defendant was about to carry out the threat; (3) plaintiff did not consent
7 to defendant's conduct; (4) plaintiff was harmed; and (5) defendant's conduct was a
8 substantial factor in causing plaintiff's harm.” *So v. Shin* (2013), Cal.App.4th 652, at
9 668-69.
10

11
12 347. The Defendants actions were intentional, in fact, planned out long before the night
13 of the Kennedy Hall event. The acts were overt, as actions and words by the
14 Defendants showed that they intended to harm the Plaintiffs. The Plaintiffs were
15 aware of the dangers of the Defendants’ actions, and once Bam Bam stated that he
16 could slap Plaintiff Gonzalez with impunity (see Paragraph 200 above, threatened the
17 well-being and lives of him and his family (see Paragraph 201 above), and then G-
18 Rod began tapping Deputy Gonzales on the shoulder and making threats in a loud
19 voice so everyone at the party could hear (see Paragraph 202 above, and Big Listo
20 informed Deputy Escobedo “I’ve been waiting for you” as he stood and grabbed him
21 (see Paragraph 205 above), and DOE 15 Braulio Robledo shouted at the Plaintiff
22 Deputies under attack and Deputy Fuentes, “Say something now! Say something
23 now!” (see Paragraph 206 above) and finally G-Rod reached for his gun when he
24 saw Deputy Contreras walking past him (see Paragraph 215 above) in between all of
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1 the batteries that had been committed that night, the Plaintiff Deputies have
2 demonstrated that all elements for this cause of action have been satisfied.

3 348. Defendants, Big Listo, G-Rod, Silver, and Bam Bam along with numerous Doe
4 Defendant Banditos gang members, Prospects and Associates, intended to cause and
5 did cause the Plaintiff Deputies to suffer apprehension of an immediate harmful
6 contact. The Plaintiff Deputies did not consent to the Defendants' acts.
7

8 349. As a direct, foreseeable, and proximate cause of Defendants' wrongful conduct,
9 the Plaintiff Deputies suffered and continue to suffer humiliation, embarrassment,
10 anxiety, mental anguish, and emotional distress. The Plaintiff Deputies were required
11 to and did employ and will in the future employ physicians and health care providers
12 to examine, treat and care for the Plaintiff Deputies, and did, and will in the future,
13 incur medical and incidental expenses. The exact amount of full expenses is
14 unknown to the Plaintiff Deputies at this time. The Plaintiff Deputies also have
15 suffered a loss of earnings in an amount which has not yet been determined, but
16 which will be added by amendment when it is ascertained.
17

18 350. Defendants' acts were done knowingly, willfully, and in accordance with their
19 business-as-usual manner of conducting their law enforcement duties and enforcing
20 their authority and control over the East LA Station. The Plaintiff Deputies are
21 entitled to punitive damages in an amount to be determined by proof at trial.
22

23 351. The County is liable for actions of the Defendants. The Plaintiff Deputies timely
24 exhausted administrative remedies.
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1
2 SEVENTH CAUSE OF ACTION FOR

3 BATTERY

4
5 (BY PLAINTIFF DEPUTIES ART HERNANDEZ, DAVID CASAS, MARIO
6 CONTRERAS, OSCAR ESCOBEDO, AND ALFRED GONZALEZ AGAINST COUNTY OF
7 LOS ANGELES, RAFAEL “RENE” MUNOZ aka BIG LISTO, GREGORY RODRIGUEZ aka
8 G-ROD, DAVID SILVERIO aka SILVER, MICHAEL HERNANDEZ aka BAM BAM, DOE
9 DEFENDANTS 1-100

10
11 352. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
12 351 paragraphs.

13 353. The actions of Defendants Big Listo, Silver, G-Rod, and Bam Bam easily meet all
14 elements of a cause of action for civil battery: “The essential elements of a cause of
15 action for battery are: (1) defendant touched plaintiff, or caused plaintiff to be
16 touched, with the intent to harm or offend plaintiff; (2) plaintiff did not consent to the
17 touching; (3) plaintiff was harmed or offended by defendant's conduct; and (4) a
18 reasonable person in plaintiff's position would have been offended by the touching.”
19
20 *Shin, supra*, at 669.

21
22 354. Members of the Banditos, Defendants Big Listo, G-Rod, Silver, and Bam Bam,
23 came to a department-sponsored event, along with other Banditos gang members,
24 with the intent to physically attack and harm Plaintiff Alfredo Gonzalez as part of
25 their systematic way of punishing uncooperative deputies and reinforcing their
26 authority and control over the East LA Station. Unprovoked, Big Listo, G-Rod,
27 Silver, and Bam Bam and some now unmasked and named, and some as yet
28

1 unidentified, DOE Defendants did physically attack and harm Plaintiff Deputies
2 Gonzalez, Hernandez, Escobedo, Casas, and Contreras.

3 355. The batteries committed by the Defendants included Big Listo shoving Plaintiff
4 Alfred Gonzalez, knocking Plaintiff Art Hernandez to the ground and repeatedly
5 punching him in the face and punching Plaintiff Oscar Escobedo repeatedly in the
6 face, G-Rod punching Plaintiff Art Hernandez, elbowing Plaintiff Mario Contreras in
7 the face, hitting Plaintiff Casas, and sucker punching Plaintiff Hernandez
8 unconscious, and reaching for his gun, Silver strangling Plaintiff Oscar Escobedo
9 unconscious from behind and holding him down so other Doe Defendants, members
10 of the Banditos gang, could hit and kick him, and Bam Bam strangled Plaintiff
11 Escobedo.
12

13
14 356. Defendants, when on-duty, before the events at Kennedy Hall, planned to cause
15 and did cause the harmful contact with the Plaintiff Deputies' persons at Kennedy
16 Hall.
17

18 357. The Plaintiff Deputies did not consent to the Defendants' violent acts.

19 358. As a direct, foreseeable, and proximate cause of Defendants' violent acts, the
20 Plaintiff Deputies suffered severe mental anguish and physical pain and continue to
21 suffer humiliation, embarrassment, anxiety, mental anguish, and emotional distress,
22 The Plaintiff Deputies were required to and did employ and will in the future employ
23 physicians and health care providers to examine, treat and care for Plaintiff Deputies,
24 and did, and will in the future, incur medical and incidental expenses. The exact
25 amount of full expenses is unknown to the Plaintiff Deputies at this time. The
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1 Plaintiff Deputies also have suffered a loss of earnings in an amount which has not
2 yet been determined, but which will be added by amendment when it is ascertained.

3 359. Defendants' vicious and violent acts were done knowingly, willfully, and with
4 intent to demonstrate their control of the East LA Station and intimidate non-gang
5 members into cooperating with or not blowing the whistle on the gang.
6

7 360. The Plaintiff Deputies are entitled to punitive damages in an amount to be
8 determined by proof at trial. The County is liable for actions of the other Defendants.
9 The Plaintiff Deputies timely exhausted administrative remedies.
10

11
12 EIGHTH CAUSE OF ACTION FOR

13 NEGLIGENCE BY VICARIOUS LIABILITY

14 (BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY)
15

16 361. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
17 360 paragraphs. Plaintiffs are informed and believe, and on that basis allege that
18 during the over years of discrimination, harassment, bullying and violent attacks by
19 the Banditos and certain Defendants against deputies at the East LA Station
20 including the Plaintiff Deputies, as well as other deputies, rather than acting with
21 malicious intent, might have negligently taken actions, or omitted to take actions the
22 commission or omission of which caused harm to the Plaintiff Deputies. The County
23 knew or should have reasonably known, from the OIG's Report, from the settlement
24 of many lawsuits, from media reports, from admissions on the County's behalf by the
25 Sheriff and others, of the conduct of the Banditos towards the Plaintiff Deputies and
26 many other deputies for decades, and also that the Banditos' control of the East LA
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1 Station, sanctioned and protected as it was by the Sheriff and many Sheriffs before
2 him, and by DOE Defendants like Chief Denham, Chief Rivera, Captain Perez,
3 Captain Mejia, Commander, but once Captain Chavez and others caused some of the
4 deputies at East LA Station to fail to adequately provide backup, to properly
5 intervene at Kennedy Hall, to withhold from lying to IA investigators, to withhold
6 from reporting many violations of law and policy occurring at the East LA Station
7 that caused harm to the Plaintiff Deputies not only arising from an intent to harm
8 them, but also from an unreasonable and negligent failure to act in accordance with
9 their sworn duties and training as LASD deputies. Captain Mejia was informed by
10 Plaintiff Lemus in the Spring of 2018 that she was threatened with the withholding of
11 back up, and other deputies notified him as well, but he admitted he asked no follow
12 up questions of Big Listo, even though he also admitted that the withholding of back
13 up was neglect of duty.
14
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17 362. Under the doctrine of respondeat superior, the County is liable here for any such
18 harm caused to the Plaintiff Deputies, as an employer is held vicariously liable for
19 the torts committed by an employee within scope of employment. “A risk arises of
20 the employment when in the context of the particular enterprise an employee’s
21 conduct is not so unusual or startling that it would seem unfair to include the loss
22 resulting from it among other costs of the employer’s business. In other words, where
23 the question is one of vicarious liability, the inquiry should be whether the risk was
24 one that may fairly be regarded as typical or broadly incidental to the enterprise
25 undertaken by the employer. Tortious conduct that violates an employee’s official
26 duties or disregards the employer’s express orders may nonetheless be within the
27
28

scope of employment. So may acts that do not benefit the employer or are willful and malicious in nature.” *Mary M v City of Los Angeles* (1991), 54 Cal. 3rd 201, at 209.

363. “In California, the scope of employment has been interpreted broadly under the respondeat superior doctrine. For example, ‘[t]he fact that an employee is not engaged in the ultimate object of his employment at the time of his wrongful act does not preclude attribution of liability to an employer.’ Thus, acts necessary to the comfort, convenience, health, and welfare of the employee while at work, though strictly personal and not acts of service, do not take the employee outside the scope of employment. Moreover, ‘where the employee is combining his own business with that of his employer, or attending to both at substantially the same time, no nice inquiry will be made as to which business he was actually engaged in at the time of injury, unless it clearly appears that neither directly nor indirectly could he have been serving his employer.’ It is also settled that an employer's vicarious liability may extend to willful and malicious torts of an employee as well as negligence. Finally, an employee's tortious act may be within the scope of employment even if it contravenes an express company rule and confers no benefit to the employer [citations omitted],” *Farmers Insurance Group v. City of Santa Clara* (1995), 11 Cal 4th. 992, at 1004.

364. With respect to police officers, their employer cannot be vicariously liable for their tortious conduct unless a special relationship exists between the police officer and the victim. Police officers can create that special relationship when they intervene in an existing situation or assume a position of authority over the victim. See, e.g., *Lutgu v California Highway Patrol* (2001), 26 Cal.4th 701 (CHP officers

1 had no duty to stop and render aid to a stranded vehicle but having stopped and
2 directed the passengers of the vehicle to park their car on the median where it was
3 then struck by a truck, the CHP was vicariously liable for the negligence of its
4 employees).

5
6 365. In this case, we have years of direct violence, harassment, discrimination,
7 bullying and other harm done to the Plaintiff Deputies and many other deputies over
8 decades committed by other deputies, including their superior officers, with full
9 knowledge of or in some cases as detailed above at the direct orders of senior LASD
10 management, many of which incidents occurred when the Defendants were on-duty
11 and engaged in their official duties (e.g., dispatching the Plaintiff Deputies to
12 respond to dangerous calls and then intentionally withholding backup; on-duty
13 deputies charged with overseeing the safety and security of their fellow deputies at
14 Kennedy Hall either watching the attack without acting, or contacting shot callers at
15 the station or participating in the attacks themselves, subjecting them to fake, rigged
16 IA investigations in violation of their POBRA rights). In some cases, the actions of
17 certain Deputies were clearly intentional, but others fell more towards the mistaken
18 side of negligence. Some of the younger deputies hesitated and had doubts about
19 whether they should do their duty or follow the lead of the Banditos and their
20 Prospects and Associates and so failed by ordinary negligence to fulfill their
21 obligation to do their jobs and protect the Plaintiff Deputies as they would expect
22 their fellow deputies to do. If ever a special relationship exists, it must be said to
23 exist between every member of LASD towards their fellow deputies at all times, but
24 especially when the Plaintiff Deputies are ordered to respond to dangerous calls or
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1 “invited” to the department-sponsored event at Kennedy Hall, thus placing
2 themselves under the promised protection of their superior officers and fellow
3 deputies.
4

5 366. Over several years’ time, the Banditos and Defendants engaged in violent acts
6 against other deputies, periodically knocking unconscious other deputies behind the
7 East Los Angeles Station, at the Cap, the bar across the street from the station, and at
8 Kennedy Hall. The Banditos knocked Plaintiff Benjamin Zaredini unconscious in
9 2017, long before they knocked Plaintiff Art Hernandez and choked out and
10 strangled Plaintiff Oscar Escobedo unconscious in the fall of 2018 at Kennedy Hall.
11 The Banditos gang, including the Individual Defendants Big Listo, G-Rod, Silver,
12 DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 15 Braulio Robledo,
13 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 20 Nikolis
14 Perez, DOE 21 DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano
15 Garcia, DOE 41 Claudia Perez, had previously withheld back up to the Plaintiff
16 Deputies on dangerous calls, repeatedly and intentionally putting their lives in
17 danger, starting with the withholding of back up for Plaintiff Art Hernandez on his
18 first murder call in June 2017, a year prior to the withholding of back up dozens of
19 times for Plaintiff Benjamin Zaredini and other Plaintiff Deputies in the summer of
20 2018.
21
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23

24 367. The Defendant County’s managers and supervisors were put on notice of the
25 Banditos gang when lawsuits were filed by Deputies Rosa Gonzalez and Guadalupe
26 Lopez for conduct that occurred in 2014 and 2015, long before the harassment and
27 retaliation against the Plaintiff Deputies here began in 2017. The lawsuits alerted
28

County leaders to the fact the Banditos were a gang that controlled the East Los Angeles Station and maintained a hostile work environment.

368. In the Spring of 2018, Plaintiffs Benjamin Zaredini and Louis Granados went to Lt. Richard Mejia and blew the whistle on the Banditos gang. The whistleblowers reported the bullying by Defendant Rafael Munoz and the other Defendants and Banditos. Lt. Mejia interviewed many deputies, including several of the Plaintiff Deputies, about the Banditos. Plaintiff Deputy Lemus and other deputies informed Mejia of the Banditos withholding back up on dangerous calls, and Mejia acknowledges the withholding of back up is neglect of duty. Of course, Mejia and everyone else at the station already knew about the Banditos. Based on his knowledge, and the information provided him by the whistleblowers, Lt. Mejia recommended that the Captain and LASD conduct an investigation of Munoz and the hostile work environment. No follow up investigation was done, and the Defendant stepped up their retaliation, withholding back up on dozens of dangerous calls, and harassing and bullying the Plaintiff Deputies at the station as well as maliciously filing false charges of misconduct against them and then knowingly imposing discipline on almost all of the Plaintiff Deputies for those malicious and false charges of misconduct.

369. The County's employees, supervisors, and managers had actual notice and warning that the Banditos, including Defendants Big Listo, G-Rod, Silver, and Bam Bam, and DOE 4 Angelica Estrada, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa,

1 DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow Kim, DOE 23
2 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna
3 Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony
4 Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo Ortega, DOE 34 Eduardo
5 Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica Santos,
6 DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE 46
7 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres, DOE 49 Hugo
8 Ramos, DOE 50 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki,
9 DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, and DOE 62 Luis Valle were part
10 of a deputy gang that was harassing, discriminating against, and creating a hostile
11 work environment targeting young Latino deputies or enabling, aiding and covering
12 up for them, as did DOE 1 Ernie Chavez, DOE 2 Richard Mejia, DOE 3
13 Commander April Tardy, DOE 5 Eric Smitson, DOE 6 Chris Perez, DOE 7 Vincent
14 Moran, DOE 8 Hector Soto Saavedra, DOE 9 Jeff Hamil, DOE 10 Jeff Chow, DOE
15 11 William Jaeger, DOE 12 Scott Chapman, DOE 21 Kelly Porowsky, DOE 31
16 Karla Sepulveda, Brian Goodwin, DOE 44 Jodi Hutak, DOE 45 Pablo Partida, DOE
17 53 Victor Choi, DOE 54 Hugo Reynaga, DOE 55 Anthony Easter, DOE 56 James
18 Wolack, DOE 57 Chris Blasnek, DOE 58 Albert Maldonado, DOE 59 Timothy
19 Murakami, DOE 63 Bobby Denham, DOE 64 Anthony Rivera, and DOE 65 Robert
20 Lavoie. The County should have known that the Banditos had previously engaged in
21 dangerous and inappropriate conduct, that this was the way its employees regularly
22 conducted their law enforcement activities within the scope of their employment and
23 that it was or should have been foreseeable that the Banditos would engage in further
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1 harassing and dangerous conduct. The County was informed and aware and warned
2 that there was increasing tension in the station, with the Banditos controlling the
3 station like inmates running a prison yard. The withholding of back up and the
4 violent attacks that would come at the department-sponsored event at Kennedy Hall,
5 the filing of false and malicious charges of misconduct, the increased withholding of
6 back up on dangerous calls, the increased overloading of the Plaintiff Deputies with
7 work, could not have been a surprise to the County, as such attacks were under the
8 circumstances foreseeable and inevitable because the County's managers tolerated,
9 encouraged and covered up the Banditos' activities and did not move to intervene
10 and prevent the known and rampant criminal gang culture and activities taking place
11 at the East Los Angeles Station and other stations in the LASD for years. The
12 County's managers and supervisors failed to intervene, to protect and warn its deputy
13 employees, the Plaintiff Deputies. Members of the Banditos, including Defendants
14 Big Listo, G-Rod, Silver, and Bam Bam, DOE 4 Angelica Estrada, DOE 7 Vincent
15 Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis
16 Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira
17 Parra, DOE 18 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE
18 Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25
19 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28
20 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32
21 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin
22 Rosario, DOE 38 Jessica Santos, DOE 39 John Soria, DOE 40 Miguel Ortiz, DOE 41
23 Claudia Perez, DOE 43 Manuel Palacios, DOE 46 Noel Lopez, DOE 47 Christopher

1 Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario Castro,
2 DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki, DOE 60 Leo Sanchez, DOE 61
3 Elizabeth Aguilera, and DOE 62 Luis Valle subjected the Plaintiff Deputies to 4-5
4 years of harassment and retaliation, maintaining a hostile work environment both
5 before and after the events at Kennedy Hall described above. At the LASD-
6 sponsored event at Kennedy Hall, Defendants attacked the Plaintiff Deputies right in
7 front of numerous deputies employed by the County, many of whom were on-duty,
8 in uniform and armed with their service weapons, who did nothing to intervene
9 and/or stop the attacks, but in many cases encouraged them instead or else just
10 reported on the success of the attack to shot-callers at the East LA Station so that
11 they could begin destroying evidence of the attack and cover it up.
12
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14 370. At all times material herein that the Defendants, including the named and as yet
15 unidentified Doe Defendants, each, and all of them, were the agents, servants and
16 employees, or ostensible agents, servants, or employees of the County, who owns,
17 controls, supervises, manages and is responsible for LASD.
18

19 371. The County is liable for negligence regarding the conduct of its employees
20 towards Plaintiff Deputies under the doctrine of respondeat superior, as its
21 employees' conduct before, at Kennedy Hall and after that event wasn't an isolated
22 incident of unpredictable personal animus or insane behavior by any of the
23 Defendants towards the particular Plaintiff Deputies who were attacked, but rather
24 part and parcel of the manner in which the County allowed, enabled and covered up
25 the illegal activities as well as violations of LASD policies and rules of the entire
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1 Banditos gang for years, thus passing the foreseeability test required to find vicarious
2 liability.

3 372. The County is liable for over 4 years of wrongful conduct of its employees, as all
4 harms caused to the Plaintiff Deputies were done by other employees acting in the
5 scope of their employment.
6

7 373. The County is vicariously liable for the tortious acts of its employees and
8 managers, even if the County itself was not involved in the act, did nothing to
9 encourage the act, and even may have attempted to prevent it (the County did not
10 attempt to prevent it).
11

12 374. As the employer, the County is liable for any tortious act committed by an
13 employee acting within the scope of employment, whether that tortious act be
14 considered intentional and malicious or negligent.
15

16 375. When the Plaintiff Deputies blew the whistle on the Banditos gang, the County
17 did nothing to protect them and by doing nothing encouraged the Defendants Big
18 Listo, G-Rod, Silver, and Bam Bam, and all of the named DOE Defendants to
19 retaliate against the whistleblowers and the other Plaintiff Deputies as already
20 described in detail in the paragraphs incorporated herein by reference, making the
21 withholding of back up and violent attacks inevitable.
22

23 376. The Sheriff admitted on behalf of the County that the Banditos controlled the
24 Captain of the East Los Angeles Station and the East Los Angeles Station as a whole.
25

26 377. As a direct, foreseeable, and proximate cause of the negligence of the County, the
27 Plaintiff Deputies suffered severe mental anguish and physical pain and continue to
28 suffer humiliation, embarrassment, anxiety, mental anguish, and emotional distress.

1 The Plaintiff Deputies were required to and did employ and will in the future employ
2 physicians and health care providers to examine, treat and care for the Plaintiff
3 Deputies, and did, and will in the future, incur medical and incidental expenses. The
4 exact amount of full expenses is unknown to the Plaintiff Deputies at this time; The
5 Plaintiff Deputies also have suffered a loss of earnings in an amount which has not
6 yet been determined, but which will be added by amendment when it is ascertained.
7 The Plaintiff Deputies timely exhausted administrative remedies.

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11 NINTH CAUSE OF ACTION FOR

12 INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

13 (BY PLAINTIFF DEPUTIES AGAINST ALL DEFENDANTS, COUNTY OF LOS

14 ANGELES RAFAEL “RENE” MUNOZ aka BIG LISTO,

15 GREGORY RODRIGUEZ aka G-ROD, DAVID SILVERIO aka SILVER,

16 MICHAEL HERNANDEZ aka BAM BAM, DOE DEFENDANTS DOE

17 DEFENDANTS 1-100, including recently revealed named DOE Defendants DOE 1 ERNIE

18 CHAVEZ, DOE 2 RICHARD MEJIA, DOE 3 COMMANDER APRIL TARDY, DOE 4

19 ANGELICA ESTRADA, DOE 5 ERIC SMITSON, DOE 6 CHRIS PEREZ, DOE 7 VINCENT

20 MORAN, DOE 8 HECTOR SOTO SAAVEDRA, DOE 9 JEFF HAMIL, DOE 10 JEFF

21 CHOW, DOE 11 WILLIAM JAEGER, DOE 12 SCOTT CHAPMAN, DOE 13 RAYMOND

22 MENDOZA, DOE 14 LUIS CARBAJAL, DOE 15 BRAULIO ROBLEDO, DOE 16

23 JONATHAN ROJAS, DOE 17 ELDEMIRA PARRA, DOE 18 ANDREA VILLA, DOE 19

24 MARK ELIZONDO, DOE 20 NIKOLIS PEREZ, DOE 21 KELLY POROWSKY, DOE 22

25 WOODROW KIM, DOE 23 JUAN SANCHEZ, DOE 24 AARON ABELLANO, DOE 25

1 SILVANO GARCIA, DOE 26 JOANNA MACS MORAN, DOE 27 JOANANA PALOMBI,
2 DOE 28 JOSE ACEITUNO, DOE 29 ANTHONY PACHECO, DOE 30 SORAYA SANCHEZ,
3 DOE 31 KARLA SEPULVEDA, DOE 32 MARCELO ORTEGA, DOE 33 DIANA
4 WOODWARD, DOE 34 EDUARDO MUNIZ, DOE 35 REBECCA CORTEZ, DOE 36 JOE
5 MENDOZA, DOE 37 ERIN ROSARIO, DOE 38 JESSICA SANTOS, DOE 39 JOHN SORIA,
6 DOE 40 MIGUEL ORTIZ, DOE 41 CLAUDIA PEREZ, DOE 42 BRIAN GOODWIN, DOE 43
7 MANUEL PALACIOS, DOE 44 JODI HUTAK, DOE 45 PABLO PARTIDA, DOE 46 NOEL
8 LOPEZ, DOE 47 CHRISTOPHER MOORE, DOE 48 EDMUNDO TORRES, DOE 49 HUGO
9 RAMOS, DOE 50 MARIO CASTRO, DOE 51 MANNY NAVARRO, DOE 52 NIKKI
10 HANAMAKI, DOE 53 VICTOR CHOI, DOE 54 HUGO REYNAGA, DOE 55 ANTHONY
11 EASTER, DOE 56 JAMES WOLACK, DOE 57 CHRIS BLASNEK, DOE 58 ALBERT
12 MALONADO, DOE 59 TIM MURAKAMI, DOE 60 LEO SANCHEZ, DOE 61 ELIZABETH
13 AGUILERA, DOE 62 LUIS VALLE, DOE 63 BOBBY DENHAM, DOE 64 ANTHONY
14 RIVERA, AND DOE 65 ROBERT LAVOIE)

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18 378. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
19 377 paragraphs.

20 379. Here, the Defendants' conduct meets all elements of an action for Intentional
21 Infliction of Emotional Distress, as the Defendants acted intentionally or recklessly
22 towards the Plaintiff Deputies; the Defendants' conduct toward the Plaintiff Deputies
23 was extreme and outrageous; the Defendants' actions were the cause of the
24 Plaintiffs' emotional distress; and the Plaintiff Deputies suffered severe emotional
25 distress.
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1 380. This lawsuit arises out of what are circumstances that are extreme and outrageous
2 on their face: The County employs individuals who are both peace officers and full-
3 fledged gang members. The County has admitted to being long aware of its problem
4 of deputy gangs. Yet, the County has allowed the gangs to fester and dominate
5 certain stations, as do the Banditos at the East Los Angeles Station. Defendants Big
6 Listo, G-Rod, Silver, and Bam Bam, as well as about 100 other individuals at the
7 East Los Angeles Station and at other stations, including DOE 4 Angelica Estrada,
8 DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza,
9 DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17
10 Eldemira Parra, DOE 18 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis
11 Perez, DOE 22 Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano,
12 DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi,
13 DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE
14 32 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin
15 Rosario, DOE 38 Jessica Santos, DOE 39 John Soria, DOE 40 Miguel Ortiz, DOE 41
16 Claudia Perez, DOE 43 Manuel Palacios, DOE 46 Noel Lopez, DOE 47 Christopher
17 Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario Castro,
18 DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki, DOE 60 Leo Sanchez, DOE 61
19 Elizabeth Aguilera, and DOE 62 Luis Valle are members, prospects, and associates
20 of the notorious Banditos gang. Rather than intervening to protect its good deputies,
21 LASD superiors, investigators, and employees, DOE 1 Ernie Chavez, DOE 2
22 Richard Mejia, DOE 3 Commander April Tardy, DOE 5 Eric Smitson, DOE 6 Chris
23 Perez, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 9 Jeff Hamil,

DOE 10 Jeff Chow, DOE 11 William Jaeger, DOE 12 Scott Chapman, DOE 21 Kelly Porowsky, DOE 31 Karla Sepulveda, Brian Goodwin, DOE 44 Jodi Hutak, DOE 45 Pablo Partida, DOE 53 Victor Choi, DOE 54 Hugo Reynaga, DOE 55 Anthony Easter, DOE 56 James Wolack, DOE 57 Chris Blasnek, DOE 58 Albert Maldonado, DOE 59 Timothy Murakami, DOE 63 Bobby Denham, DOE 64 Anthony Rivera, and DOE 65 Robert Lavoie rigged investigations to cover up the Banditos' wrongful conduct and to rigged investigations to retaliate against the Plaintiffs. No other law enforcement agency in the United States is plagued by this problem of police officers forming organized racist, criminal gangs in the department. Heightening the absurdity is the refusal of LASD leadership to hold the gang members accountable and fix the corrupt culture that dominates the department.

381. Any peace officer at any law enforcement agency (other than LASD) would see the existence of organized, racist, criminal deputy gangs that harm its own deputies as well as residents, as being extreme and outrageous. Any member of the public would see deputy gangs as crazy and extreme and outrageous and a shock to the conscience. Instead of upholding the law and department policies and supporting their fellow deputies, the Banditos have established a culture and custom of attacking their fellow deputies. The withholding of backup on dangerous calls, the assaults, and batteries before Kennedy Hall, at that event and after that event, and all of the acts of discrimination, harassment, retaliation, POBRA violations, bullying already set forth above was known to the County and LASD senior management. Neither the County nor LASD senior management including at the East LA Station level ever

1 intervened to ensure adequate back up for the Plaintiff Deputies. The Defendants'
2 conduct destabilized law enforcement in the East Los Angeles community.

3 382. These circumstances and incidents fit the classic definition of intentional
4 infliction of emotional distress. See *Hughes v Pair* (2009), 46 Cal.4th 1035, at 1050-
5 1051. The Defendants' conduct went beyond just racially profiling an individual,
6 went beyond cruelly mocking an individual, or mere insults, or depriving them of
7 enjoyment. Defendants' malicious unrelenting attack on the Plaintiff Deputies was
8 extreme and outrageous and willful and utterly beyond the standards of decency and
9 would be seen as such by any reasonable person. Any reasonable person would be
10 horrified by Defendants' unusual conduct. The idea that a law enforcement agency
11 would allow deputies to form racist gangs that prey on other deputies and residents is
12 not only highly outrageous, but beyond absurd.

13 383. The idea that police officers would be members of a gang and would terrorize
14 their own co-workers, fellow cops, would be insane to not just the public, but also to
15 peace officers at any other law enforcement agency in the United States. Somehow
16 the culture of LASD has become so warped and so corrupt that LASD leadership has
17 come to accept and even support deputy gangs and their members' harassment of
18 other deputies.

19 384. The fact that the Defendants would attack, harass, retaliate, discriminate, and
20 otherwise seek to harm deputies who refused to act unlawfully or bend to the
21 Banditos' will is extreme and outrageous and shocks the conscience.

22 385. That Defendants should have known that their outrageous conduct would cause
23 any person in society, including the Plaintiff Deputies, severe emotional distress.
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1 Defendants' conduct did cause the Plaintiff Deputies to suffer from mental anguish,
2 anxiety, panic attacks, and depression.

3 386. The Sherriff exacerbated the infliction of emotional distress by refusing to fix the
4 gang problem and remove the hostile work environment.

5
6 387. The Plaintiff Deputies remain severely emotionally distressed by the wrongful
7 conduct of the Defendants. All the tortfeasors were acting under agency of the
8 County, which is vicariously liable for intentional infliction of emotional distress
9 directed at the Plaintiff Deputies by all the Defendants and the other Banditos.

10
11 388. In engaging in the conduct alleged herein, Defendants acted oppressively,
12 maliciously, fraudulently, and/or outrageously toward the Plaintiff Deputies, with
13 conscious disregard for their known rights and with the intention of causing, and/or
14 willfully disregarding the probability of causing, unjust and cruel hardship to the
15 Plaintiff Deputies. The Plaintiff Deputies timely exhausted administrative remedies.
16

17
18 TENTH CAUSE OF ACTION FOR
19 CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS UNDER 42 U.S.C. §1985:
20 DEPRIVATION OF CIVIL RIGHTS UNDER 42 U.S.C. §1983; DEPRIVATION OF
21 CIVIL RIGHTS UNDER CALIFORNIA CIVIL CODE §§ 51 (UNRUH ACT) AND 52.1 (the
22 Bane Act)

23
24 (BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY OF LOS
25 ANGELES, DOE DEFENDANTS 1-100, including recently revealed named DOE Defendants,
26 DOE 1 ERNIE CHAVEZ, DOE 2 RICHARD MEJIA, DOE 3 COMMANDER APRIL
27 TARDY, DOE 4 ANGELICA ESTRADA, DOE 5 ERIC SMITSON, DOE 6 CHRIS PEREZ,
28

1 DOE 7 VINCENT MORAN, DOE 8 HECTOR SOTO SAAVEDRA, DOE 9 JEFF HAMIL,
2 DOE 10 JEFF CHOW, DOE 11 WILLIAM JAEGER, DOE 12 SCOTT CHAPMAN, DOE 13
3 RAYMOND MENDOZA, DOE 14 LUIS CARBAJAL, DOE 15 BRAULIO ROBLEDO, DOE
4 16 JONATHAN ROJAS, DOE 17 ELDEMIRA PARRA, DOE 18 ANDREA VILLA, DOE 19
5 MARK ELIZONDO, DOE 20 NIKOLIS PEREZ, DOE 21 KELLY POROWSKY, DOE 22
6 WOODROW KIM, DOE 23 JUAN SANCHEZ, DOE 24 AARON ABELLANO, DOE 25
7 SILVANO GARCIA, DOE 26 JOANNA MACS MORAN, DOE 27 JOANANA PALOMBI,
8 DOE 28 JOSE ACEITUNO, DOE 29 ANTHONY PACHECO, DOE 30 SORAYA SANCHEZ,
9 DOE 31 KARLA SEPULVEDA, DOE 32 MARCELO ORTEGA, DOE 33 DIANA
10 WOODWARD, DOE 34 EDUARDO MUNIZ, DOE 35 REBECCA CORTEZ, DOE 36 JOE
11 MENDOZA, DOE 37 ERIN ROSARIO, DOE 38 JESSICA SANTOS, DOE 39 JOHN SORIA,
12 DOE 40 MIGUEL ORTIZ, DOE 41 CLAUDIA PEREZ, DOE 42 BRIAN GOODWIN, DOE 43
13 MANUEL PALACIOS, DOE 44 JODI HUTAK, DOE 45 PABLO PARTIDA, DOE 46 NOEL
14 LOPEZ, DOE 47 CHRISTOPHER MOORE, DOE 48 EDMUNDO TORRES, DOE 49 HUGO
15 RAMOS, DOE 50 MARIO CASTRO, DOE 51 MANNY NAVARRO, LUIS VALLE AND
16 DOE 52 NIKKI HANAMAKI, DOE 59 TIM MURAKAMI, DOE 60 LEO SANCHEZ, DOE 61
17 ELIZABETH AGUILERA, DOE 62 LUIS VALLE, DOE 63 BOBBY DENHAN AND DOE 64
18 ANTHONY RIVERA, AND DOE 65 ROBERT LAVOIE)

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24 389. The Individual Plaintiff Deputies re-allege and incorporate by reference the
25 allegations in the preceding 388 paragraphs.

26 390. Under section 1983 of the United States Code, the County and individual
27 Defendants are liable for subjecting the Plaintiff Deputies to conduct that occurred
28

1 under color of state law, and this conduct deprived them of rights, privileges, or
2 immunities guaranteed under the 4th, 5th, and 14th Amendments of the Constitution of
3 the United States of America.

4
5 391. At all times, the Defendants are deputies and other law enforcement officials who
6 were acting under the color of law. The County and its employees have engaged in a
7 repeated pattern of using force against the Plaintiff Deputies without lawful
8 justification. This pattern is intentional and willful and exhibits a conscious disregard
9 of or deliberate indifference to the rights of the Plaintiff Deputies. This pattern is
10 undertaken pursuant to a policy, custom, or practice that deprives persons of their
11 rights under the Fourth Amendment to the United States Constitution. Similarly,
12 subjecting the Plaintiff Deputies to numerous false charges of misconduct, rigged
13 ICIB and IA investigations that harm the Plaintiff Deputies while shielding the
14 criminal actions of others, thus depriving them of pay, the taking of their property as
15 “donations,” the wrongful refusal to grant earned promotions and the increased
16 salaries that would have resulted from it and other such practices violates the 5th
17 Amendment to the United States Constitution. The Defendants denied the Plaintiff
18 Deputies their civil rights under the 14th Amendment of the United States
19 Constitution by subjecting them to differential and discriminatory treatment based on
20 race and ethnicity, as the Defendants targeted the Plaintiffs for being Latino.

21
22 392. Under California Civil Code Section 51, the Unruh Civil Rights Act, (a) All
23 persons within the jurisdiction of this state are free and equal, and no matter what
24 their sex, race, color, religion, ancestry, national origin, disability, medical condition,
25 genetic information, marital status, sexual orientation, citizenship, primary language,
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1 or immigration status are entitled to the full and equal accommodations, advantages,
2 facilities, privileges, or services in all business establishments of every kind
3 whatsoever. The Banditos, including Defendants Big Listo, G-Rod, and Silver, and
4 DOE 4 Angelica Estrada, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra,
5 DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE
6 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 19 Mark
7 Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow Kim, DOE 23 Juan Sanchez,
8 DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran,
9 DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE
10 30 Soraya Sanchez, DOE 32 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35
11 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica Santos, DOE 40 Miguel
12 Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE 46 Noel Lopez, DOE
13 47 Christopher Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50
14 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki, DOE 60 Leo
15 Sanchez, DOE 61 Elizabeth Aguilera, and DOE 62 Luis Valle operate together in an
16 association to target young Latino deputies to intimidate, harass, and control them,
17 while LASD leaders, and investigators, including the Sheriff, DOE 1 Ernie Chavez,
18 DOE 2 Richard Mejia, DOE 3 Commander April Tardy, DOE 5 Eric Smitson, DOE
19 6 Chris Perez, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 9 Jeff
20 Hamil, DOE 10 Jeff Chow, DOE 11 William Jaeger, DOE 12 Scott Chapman, DOE
21 21 Kelly Porowsky, DOE 31 Karla Sepulveda, Brian Goodwin, DOE 44 Jodi Hutak,
22 DOE 45 Pablo Partida, DOE 53 Victor Choi, DOE 54 Hugo Reynaga, DOE 55
23 Anthony Easter, DOE 56 James Wolack, DOE 57 Chris Blasnek, DOE 58 Albert

1 Maldonado, DOE 59 Timothy Murakami, DOE 63 Bobby Denham, DOE 64
2 Anthony Rivera, and DOE 65 Robert Lavoie knowingly enabled them and protected
3 them in their activities. The Plaintiff Deputies allege that the County's
4 employees/agents have worked together and coordinated efforts to deprive the
5 Plaintiff Deputies and members of the public of their constitutional rights under the
6 4th, 5th and 14 Amendments of the United States Constitution as set forth in
7 Paragraph 391 above, in furtherance of conspiracy to mistreat, harm, and intimidate
8 the Plaintiffs and members of the public.

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11 398. Under California Civil Code Section 52.1, the Tom Bane Civil Rights Act, anyone
12 who by threats, intimidation, or coercion interferes with the exercise or enjoyment of
13 rights secured to citizens of the state of California by the state or federal
14 Constitutions or laws, without regard to whether the victim is a member of a
15 protected class, can bring suit against those depriving them of their civil rights. As
16 set forth in many facts alleged above, LASD leadership enabled the Banditos gang
17 members, associates, and prospects to terrorize the Plaintiff Deputies and deprive
18 them of their civil rights.

19
20 399. The County's culture, custom, and practice of deputy gangs is so ingrained in the
21 department, that many LASD employees, as well as the Sheriff, refuse to recognize
22 or accept how outrageous such "deputy gangs" are: They find them, and the
23 accompanying violent criminal behavior, to be normal, acceptable, and the status
24 quo.

25
26 400. The County has repeatedly violated the constitutional rights of the Plaintiff
27 Deputies under the 4th, 5th, and 14th Amendments of the Constitution of the United
28

1 States of America as set forth in Paragraph 391 above, through its deputy gang
2 employees and its policies and customs. .

3 401. While undertaking law enforcement practices, the County and its agents utilize
4 criteria or methods of administration that have the effect of subjecting individuals to
5 discrimination because of their race, color, or ethnicity. The County and its agents
6 engage in law enforcement practices that have a disproportionate impact on African
7 Americans and Latinos in Los Angeles. Plaintiff Deputies, as Latinos, suffered from
8 such effects.
9

10 402. The County and its agents engage in a pattern or practice of discrimination that
11 denies African Americans and Latinos in Los Angeles County the full and equal
12 enjoyment of the privileges of the County's law enforcement services. The Plaintiff
13 Deputies, as Latinos, suffered from such effects.
14

15 403. As a direct, foreseeable, and proximate cause of Defendants' conspiracy to
16 deprive the Plaintiff Deputies of their constitutional rights, the Plaintiff Deputies
17 suffered severe mental anguish and physical pain and continue to suffer humiliation,
18 embarrassment, anxiety, mental anguish, and emotional distress. The Plaintiff
19 Deputies were required to and did employ and will in the future employ physicians
20 and health care providers to examine, treat and care for the Plaintiff Deputies, and
21 did, and will in the future, incur medical and incidental expenses. The exact amount
22 of full expenses is unknown to the Plaintiff Deputies at this time. The Plaintiff
23 Deputies also have suffered a loss of earnings in an amount which has not yet been
24 determined, but which will be added by amendment when it is ascertained.
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1 404. As a direct, foreseeable and proximate cause of Defendants' violent acts and
2 deprivation of the Plaintiff Deputies' civil rights, the Plaintiff Deputies suffered
3 severe mental anguish and physical pain and continue to suffer humiliation,
4 embarrassment, anxiety, mental anguish, and emotional distress; Plaintiff Deputies
5 were required to and did employ and will in the future employ physicians and health
6 care providers to examine, treat and care for the Plaintiff Deputies, and did, and will
7 in the future, incur medical and incidental expenses. The exact amount of full
8 expenses is unknown to the Plaintiff Deputies at this time; the Plaintiff Deputies also
9 have suffered a loss of earnings in an amount which has not yet been determined, but
10 which will be added by amendment when it is ascertained.

13 405. The Plaintiffs are entitled to punitive damages in an amount to be determined by
14 proof at trial.

16 406. The Plaintiff Deputies are entitled to injunctive and Declaratory relief. The
17 Plaintiff Deputies timely exhausted administrative remedies.

19 ELEVENTH CAUSE OF ACTION TO
20 PREVENT THE ILLEGAL EXPENDITURE OF FUNDS UNDER
21 CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 526a
22 (BY PLAINTIFF ACLU SOCAL AND PLAINTIFF DEPUTIES AGAINST DEFENDANT
23 COUNTY OF LOS ANGELES)

25 407. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
26 406 paragraphs.

1 408. In addition to the above, LASD has several current policies and practices that
2 contribute to the lack of sufficient oversight of deputies and, ultimately, the
3 conditions that sustain and encourage violent deputy gangs and other forms of
4 unchecked deputy violence against the community.

5
6 409. For instance, LASD’s current policy authorizes deputies to use deadly force to
7 defend themselves or others, or to effect the arrest or prevent the escape of a fleeing
8 felon, based upon a reasonable belief that a “suspect represents a significant threat of
9 death or serious physical injury.” *See* LASD Policy 3-10/200.00. This authorization
10 is contrary to state law which limits the use of deadly force to situations where this
11 level of force is actually *necessary* and only under certain stated conditions—all
12 absent from the LASD’s current policy.

13
14 410. In addition to LASD’s illegal use of force policy, its policies, and practices—
15 including its practice of non-compliance with existing disciplinary policies—
16 contributes to and sanctions the continued excessive use of force by deputies. The
17 Board of Supervisors created the office of Constitutional Policing Advisors (“CPA”)
18 to ensure that the department is in compliance with constitutional policing and to
19 enhance internal accountability. It is tasked with, among other things, reviewing
20 ongoing investigations of alleged deputy misconduct and advising on findings and
21 disciplinary decisions. Its functions have been incorporated into LASD’s formal
22 written policies, and consultation with CPA is mandated at various phases in the
23 disciplinary process. *See, e.g.*, LASD Policy 3-04/020.06. Prior to Sheriff
24 Villanueva taking office, he stated his intention of dissolving this office.²³ In
25
26
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²³Frank Stoltze, *Alex Villanueva Says He Would Eliminate The LA Sheriff’s Constitutional Policing Advisors*.LAist.com, Nov. 21, 2018, available at

1 response to external public pressure, rather than dissolving the office, he has retained
2 a newly hired Constitutional Policing Advisor, but eliminated any responsibility for
3 her to participate, review, or opine upon ongoing disciplinary matters, in violation of
4 the existing Board LASD policy mandate.
5

6 411. In addition to the CPA's failure to fulfill its duties, the LASD has other
7 documented failures to comply with its own disciplinary policies, allowing deputies
8 who have committed violent acts against the public to remain on the force and
9 receive little or no punishment. For instance, within the past few years, the OIG has
10 reviewed terminations of investigations and found that many were terminated
11 without complying with LASD policy, which permits LASD to cease the disciplinary
12 process only upon submission of a memo detailing independent reasoning that the
13 alleged misconduct did not occur or that all investigative leads have been
14 exhausted.²⁴ See LASD Policy 3-04/020.20. LASD also has repeatedly failed to
15 conduct meaningful investigations into complaints, and there have been hundreds of
16 complaints that have been ignored and not investigated for over a year—long enough
17 for the statute of limitations on administrative discipline to have expired in most
18 cases.²⁵ Additionally, when LASD has received complaints that deputies have
19 committed misconduct constituting a criminal act, including allegations of perjury,
20 LASD has failed to forward those allegations on to the Internal Criminal
21
22
23
24
25

26 https://laist.com/2018/11/21/alex_villanueva_says_he_would_eliminate_the_sheriffs_constitutional_policing_advisors.php.

27 ²⁴ *County of Los Angeles Office of Inspector General, Report-Back on LASD Internal Administrative Investigations*
28 *and Dispositions of Disciplinary Actions*, April 11, 2019, available at
https://oig.lacounty.gov/Portals/OIG/Reports/4-11-19ReportBack_1.pdf?ver=2019-04-12-141500-803.

²⁵ See, e.g., *id.* at p. 9.

Investigations Bureau for further investigation, as required by LASD Policy. *See* LASD Policy 3-04/020.05.

412. LASD is also failing to comply with various external oversight mechanisms, further exacerbating the conditions within LASD that contribute to deputy violence. For instance, OIG has reported that it has been effectively locked out of its access to records to perform its oversight functions by the Department's failure to provide records relating to investigations of deputies or even its own policies, in violation of County Code Sec. 6.44.190(j), which requires that the "Sheriff's Department . . . shall cooperate with the OIG and promptly supply any information or records requested by the OIG, including confidential peace officer personnel records."²⁶ It has also failed to comply with its obligations under the Public Records Act and recent amendments to Penal Code Section 832.7, which require the Department to produce certain disciplinary records on request to members of the public. This additional failure was both noted by the OIG and is the subject of ongoing litigation.²⁷

413. LASD deputies' conduct towards the public, when not outright violent, often remains hostile. This attitude is pervasive particularly against families of those who have been harmed by deputy violence, including those who have lost loved ones because they were killed by deputies. Many family members have reported ongoing harassment from deputies, including deputies repeatedly driving by their homes

²⁶ *County of Los Angeles Office of Inspector General, Los Angeles County Sheriff's Department Compliance with Transparency Law*, Aug. 2019, available at [https://oig.lacounty.gov/Portals/OIG/Reports/LASD Compliance with Transparency Law.pdf?ver=2019-08-16-183357-927](https://oig.lacounty.gov/Portals/OIG/Reports/LASD%20Compliance%20with%20Transparency%20Law.pdf?ver=2019-08-16-183357-927).

²⁷ *Id.* *See also Demetra Johnson, et al. v. County of Los Angeles, et al.*, Los Angeles Super. Ct., No. 19STCP04664 (filed Oct. 29, 2019).

1 while giving them the middle finger, showing up at funeral services for the slain
2 loved ones, and interrupting memorial services—all conduct that while not only
3 disgraceful in its own right also violates departmental policy against antagonizing
4 members of the public.²⁸

5
6 414. In light of the above, the following LASD specific policies and practices violate
7 the law:

- 8 a. LASD has a policy of authorizing deputies to use deadly force in circumstances
9 where such force is unnecessary and therefore in violation of Penal Code Section
10 835a;
11
12 b. LASD has a policy or practice of deputies using force against jail inmates that is
13 unreasonable and in violation of the Fourth Amendment to the U.S. Constitution, for
14 the purpose of gaining entrance to, or notoriety in, one of LASD's deputy gangs;
15
16 c. LASD has a policy or practice of deputies committing force against members of the
17 public that is unreasonable and in violation of the Fourth Amendment to the U.S.
18 Constitution, for the purpose of gaining entrance to, or notoriety in, one of LASD's
19 deputy gangs;
20
21 d. LASD has a policy or practice of failing to investigate complaints into allegations of
22 excessive force or other injuries against the public in violation of Penal Code Sec.
23 832.5(a)(1);
24
25
26
27

28 ²⁸Alene Tchekmedyan, "'It's like torture': Families report deputy harassment to sheriff watchdog." LA Times, Nov. 19, 2019, available at <https://www.latimes.com/california/story/2019-11-19/sheriff-deputy-harassment-investigation>.

1 e. LASD has a policy or practice of failing to provide the Office of Inspector General
2 access to records and personnel files for the purpose of providing oversight in
3 violation of County Code Sec. 6.44.190(J);

4
5 f. LASD has a policy or practice of failing to comply with requests for records of
6 deputy misconduct and uses of force, in violation of Government Code Sec. 6253
7 and Penal Code Sec. 832.7;

8 415. In addition to the above, LASD has violated its own published procedures,
9 including the following:

10
11 a. LASD has a policy or practice of failing to investigate complaints into allegations of
12 excessive force or other injuries against the public in violation of LASD Policy 3-
13 04/010.25 and 3-04/020.05;

14 b. LASD has a policy or practice of exonerating deputies without meeting the clear and
15 convincing standard for exoneration, in violation of LASD Policy 3-04/010.25.

16
17 c. LASD has a policy or practice of inactivating administrative complaints without a
18 detailed memo specifying “independent reasoning that indicates that the alleged
19 misconduct did not occur or that all investigative leads have been exhausted,” in
20 violation of LASD Policy 3-04/020.20;

21
22 d. LASD has a policy or practice of failing to permit the Constitutional Policing
23 Advisors to monitor and review investigative, disciplinary, and other documents, or
24 make a determination that a case requires more investigation, in violation of LASD
25 Policy 3-04/020.06;

- 1 e. LASD has a policy or practice of failing to require its department managers to
2 consult with the Constitutional Policing Advisors on all cases they are monitoring, in
3 violation of LASD Policy 3.04/020.06;
4
5 f. LASD has a practice of failing to require its division chief or division director to
6 consult with the Constitutional Policing Advisors before making a final
7 determination to inactivate an administrative investigation, in violation of LASD
8 Policy 3.04/020.06
9
10 g. LASD has a policy or practice of antagonizing members of the public who have had
11 loved ones killed by LASD deputies in violation of LASD Policy 3-01/030.15;
12
13 h. LASD has a policy or practice of failing to complete investigations 120 days before
14 the expiration of the statute of limitations in violation of LASD Policy 3-04/020.30;
15
16 i. LASD has a policy or practice of failing to investigate misconduct by deputies for
17 criminal conduct, in violation of LASD Policy 3-04/020.05, or presenting them to the
18 District Attorney's Office or City Attorney's Office for filing consideration.

19 416. The County is illegally expending public funds by performing its duties in
20 violation of the constitutional, statutory, and policy provisions described above. The
21 County is additionally wasting funds through authorizing funds for LASD with the
22 knowledge that those funds are being used to further illegal activities of LASD.
23

24 **PRAYER FOR RELIEF**

25 WHEREFORE, Plaintiffs pray that the Court:
26

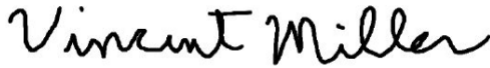
- 27 1. Declare that the Defendants have engaged in a pattern or practice of
28

- 1 conduct by LASD deputies that deprives persons of rights, privileges, or immunities
2 secured or protected by the Constitution or laws of the United States;
- 3 2. Order the Defendants, their officers, agents, and employees to refrain from engaging
4 in any of the predicate acts forming the basis of the pattern or practice of conduct
5 described in this Complaint;
- 6
7 3. Preliminary and permanent injunctive relief ordering the Defendants, their officers,
8 agents, and employees to adopt and implement systems that identify, correct, and
9 prevent the unlawful conduct described in this Complaint that deprives persons of
10 rights, privileges, or immunities secured or protected by the Constitution or laws of
11 the United States, including but not limited to changes in policies, investigation,
12 training, supervision, and oversight, and the appointment of a special monitor to
13 oversee and report to the Court on the progress of these reforms;
- 14
15 4. For special damages for the Plaintiff Deputies, including but not limited to, lost
16 earnings, benefits and/or out-of-pocket expenses in an amount according to proof at
17 the time of trial, all in an amount set forth above and/or according to proof at the time
18 of trial;
- 19
20 5. For Deputies Escobedo, Granados, Contreras, Gonzalez, Casas, Hernandez, Zaredini,
21 and Lemus further special damages, including but not limited to, lost future earnings,
22 benefits and other prospective damages in an amount set forth above and/or according
23 to proof at the time of trial;
- 24
25 6. For Deputies Escobedo, Granados, Contreras, Gonzalez, Casas, Hernandez, Zaredini,
26 and Lemus general damages, including for pain and suffering, in an amount set forth
27 above and/or according to proof at the time of trial, and at a minimum of \$80 million;
28

- 1 7. For interest: Pre-Judgment and Post-Judgment at the maximum legal rate;
2 8. For costs of suit; and attorney's fees under FEHA, Civil Code §1021.5, 42 U.S.C.
3 § 1988, and any other applicable law;
4
5 9. The Plaintiffs further pray that this Court grant such other and further equitable relief
6 as it may deem just and proper.
7

8 June 28, 2021

9 THE LAW OFFICES OF VINCENT MILLER

10 
11

12 VINCENT MILLER, Attorney for Plaintiff Deputies

13 June 28, 2021

14 THE ACLU FOUNDATION OF SOUTHERN CALIFORNIA

15 
16

17 Peter Bibring, Melanie P. Ochoa, Attorneys for the
18 ACLU Foundation of Southern California

19 DEMAND FOR JURY TRIAL

20 Dated this June 28, 2021 THE LAW OFFICES OF VINCENT MILLER

21 
22

23 VINCENTMILLER, Attorney for Plaintiff Deputies
24
25
26
27
28

EXHIBIT A - NOTICES OF RIGHT TO SUE



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758
(800) 884-1684 (Voice) | (800) 700-2320 (TTY) | California's Relay Service at 711
<http://www.dfeh.ca.gov> | Email: contact.center@dfeh.ca.gov

KEVIN KISH, DIRECTOR

August 29, 2019

David Casas
16255 Ventura Boulevard, Suite 625
Encino, California 91436

RE: **Notice of Case Closure and Right to Sue**
DFEH Matter Number: 201908-07391629
Right to Sue: Casas / County of Los Angeles et al.

Dear David Casas,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective August 29, 2019 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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KEVIN KISH, DIRECTOR

August 29, 2019

Benjamin Zaredini
16255 Ventura Boulevard, Suite 625
Encino, California 91436

RE: **Notice of Case Closure and Right to Sue**
DFEH Matter Number: 201908-07392830
Right to Sue: Zaredini / County of Los Angeles et al.

Dear Benjamin Zaredini,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective August 29, 2019 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

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Sincerely,

Department of Fair Employment and Housing



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KEVIN KISH, DIRECTOR

August 29, 2019

Louis Granados
16255 Ventura Boulevard, Suite 625
Encino, California 91436

RE: **Notice of Case Closure and Right to Sue**
DFEH Matter Number: 201908-07394430
Right to Sue: Granados / County of Los Angeles et al.

Dear Louis Granados,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective August 29, 2019 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing



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KEVIN KISH, DIRECTOR

August 29, 2019

Alfred Gonzalez
16255 Ventura Boulevard, 625
Encino, California 91436

RE: **Notice of Case Closure and Right to Sue**
DFEH Matter Number: 201908-07385329
Right to Sue: Gonzalez / County of Los Angeles et al.

Dear Alfred Gonzalez,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective August 29, 2019 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing



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KEVIN KISH, DIRECTOR

August 29, 2019

Ariela Lemus
16255 Ventura Boulevard, Suite 625
Encino, California 91436

RE: **Notice of Case Closure and Right to Sue**
DFEH Matter Number: 201908-07394230
Right to Sue: Lemus / County of Los Angeles et al.

Dear Ariela Lemus,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective August 29, 2019 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing



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August 29, 2019

Art Hernandez
[REDACTED]
[REDACTED]

RE: **Notice of Case Closure and Right to Sue**
DFEH Matter Number: 201908-07382529
Right to Sue: Hernandez / County of Los Angeles et al.

Dear Art Hernandez,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective August 29, 2019 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing



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KEVIN KISH, DIRECTOR

August 29, 2019

Oscar Escobedo
16255 Ventura Boulevard, 625
Encino, California 91436

RE: **Notice of Case Closure and Right to Sue**
DFEH Matter Number: 201908-07384529
Right to Sue: Escobedo / County of Los Angeles et al.

Dear Oscar Escobedo,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective August 29, 2019 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing



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KEVIN KISH, DIRECTOR

September 17, 2019

Mario Contreras
16255 Ventura Boulevard, Suite 625
Encino, California 91436

RE: **Notice of Case Closure and Right to Sue**
DFEH Matter Number: 201909-07592818
Right to Sue: Contreras / County of Los Angeles et al.

Dear Mario Contreras,

This letter informs you that the above-referenced complaint was filed with the Department of Fair Employment and Housing (DFEH) has been closed effective September 17, 2019 because an immediate Right to Sue notice was requested. DFEH will take no further action on the complaint.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this DFEH Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Department of Fair Employment and Housing



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KEVIN KISH, DIRECTOR

August 29, 2019

Vincent Miller
16255 Ventura Boulevard, 625
Encino, California 91436

RE: **Notice to Complainant's Attorney**
DFEH Matter Number: 201908-07392130
Right to Sue: Contreras / County of Los Angeles

Dear Vincent Miller:

Attached is a copy of your **amended** complaint of discrimination filed with the Department of Fair Employment and Housing (DFEH) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq.

Pursuant to Government Code section 12962, DFEH will not serve these documents on the employer. You or your client must serve the complaint.

The amended complaint is deemed to have the same filing date of the original complaint. This is not a new Right to Sue letter. The original Notice of Case Closure and Right to Sue issued in this case remains the only such notice provided by the DFEH. (Cal. Code Regs., tit. 2, § 10022.)

Be advised that the DFEH does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Department of Fair Employment and Housing