

EXHIBIT 26

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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 11 COUNTY OF LOS ANGELES
 12 CENTRAL DISTRICT

13 COUNTY OF LOS ANGELES.

14 Petitioner/Plaintiff.

15 vs.

16 ALEX VILLANUEVA, Sheriff of Los
 Angeles County Sheriff's Department;
 17 CAREN CARL MANDOYAN, an individual;
 LOS ANGELES COUNTY SHERIFF'S
 18 DEPARTMENT; and DOES 1 through 10,
 inclusive,

19 Respondents/Defendants.
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CASE NO. 19STCP00630

**DECLARATION OF ELIEZER VERA IN
 SUPPORT OF
 RESPONDENTS/DEFENDANTS ALEX
 VILLANUEVA AND LOS ANGELES
 COUNTY SHERIFF'S DEPARTMENT'S
 OPPOSITION TO COUNTY OF LOS
 ANGELES' APPLICATION FOR
 TEMPORARY RESTRAINING ORDER
 AND ORDER TO SHOW CAUSE RE
 PRELIMINARY INJUNCTION**

[Filed Concurrently with Opposition to County
 of Los Angeles' Application for Temporary
 Restraining Order and Order to Show Cause re
 Preliminary Injunction]

Date: March 6, 2019
 Time: 8:30 a.m.
 Dept.: 86

1 **DECLARATION OF ELIEZER VERA**

2 I, Eliezer Vera, declare and state as follows:

3 1. I am currently Chief of the Central Patrol Division for the Los
4 Angeles Sheriff's Department ("LASD"). As Chief, I am in command of the
5 following six LASD patrol stations: Avalon, Century, Compton, East Los Angeles,
6 Marina del Rey, and South Los Angeles. I make this declaration in support of
7 Respondents/Defendants Alex Villanueva and LASD's Opposition to the County of
8 Los Angeles' *Ex Parte* Application for Temporary Restraining Order and Order to
9 Show Cause in *County of Los Angeles v. Alex Villanueva, et al.*, Case No.
10 19STCP00630. The facts set forth herein are personally known to me, and if called
11 and sworn as a witness I would testify competently thereto.

12 2. I joined LASD in 1988 and have been a member of the
13 Department for 30 years. I have served as a Deputy Sheriff, Detective, Sergeant,
14 Lieutenant, Captain, and Commander before being promoted to Chief in December
15 2018. Prior to serving with LASD, I served in the United States Marine Corps.

16 3. Attached hereto as Exhibit 1 is a true and accurate copy of a
17 memorandum dated December 27, 2018 from me to Sheriff Alex Villanueva, with
18 the Subject line: Truth and Reconciliation Panel Review of IAB IV#2383392,
19 Deputy Caren Mondoyan Matter. (Deputy Mandoyan's last name is misspelled
20 "Mondoyan.") I had the memorandum prepared by Lieutenant Stacy B. Morgan, the
21 Assistant Sheriff's Aide, to document the review by the Truth and Reconciliation
22 Panel of the LASD of the Department's administrative investigation of allegations
23 of misconduct against Deputy Mandoyan. The Truth and Reconciliation Panel ("the
24 Panel") was formed to review, among other things, the validity of certain
25 disciplinary proceedings against members of the Department such as Deputy
26 Mandoyan, who had been discharged for misconduct in 2016 under the prior Sheriff.
27 The members of the Panel who participated in the review were Assistant Sheriff
28 Timothy Murakami, myself, and Chief Steven Gross. Present during the Panel's

1 discussion were Internal Affairs Bureau Captain Josie Woolum, Principal Deputy
2 County Counsel Christopher Keosian, Advocacy Unit Sergeant Julie Valdes, and
3 Assistant Sheriff's Aide Stacy Morgan.

4 4. The purpose of the Panel review was to review the findings that
5 had been made by LASD which were used as the basis for Deputy Mandoyan's
6 discharge, and also to review the disciplinary action that was enforced against him
7 as the result of those findings. The memorandum documents the Panel's analysis of
8 whether the evidence sufficiently supported each of the charges, and ultimately, in
9 light of the Panel's analysis, what the appropriate discipline should be.

10 5. As noted above, Principal Deputy County Counsel Christopher
11 Keosian attended and observed the Panel's review of Deputy Mandoyan's case.
12 During the Panel's review, at times, Mr. Keosian was asked questions about the
13 process that the Panel was employing to conduct its analysis, and he provided some
14 guidance on our process. He never expressed any concern or objection to our
15 analysis, findings, or ultimate recommendations.

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

18 Executed on this 5th day of March, 2019 at Los Angeles, California.

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21 _____
22 Eliezer Vera

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INDEX OF EXHIBITS TO THE DECLARATION OF STEVEN E. GROSS

Exhibit No.	Description	Pg. No.
A.	Memorandum dated December 27, 2018 from Eliezer Vera, Chief, Central Patrol Division to Alex Villanueva, Sheriff, Subject: Truth and Reconciliation Panel Review of IAB IV#2383392, Deputy Caren Mondoyan (sic) Matter	6-13

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EXHIBIT 1

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT
"A Tradition of Service Since 1850"

DATE: December 27, 2018
FILE NO: IAB IV 2383392

OFFICE CORRESPONDENCE

FROM: ELIZER VERA, CHIEF
CENTRAL PATROL DIVISION

TO: ALEX VILLANUEVA
SHERIFF

SUBJECT: TRUTH AND RECONCILIATION PANEL REVIEW OF IAB IV#2383392,
DEPUTY CAREN MONDOYAN MATTER

The purpose of this memorandum is to document the review of administrative investigation, IV#2383392, involving allegations of misconduct against former Deputy Caren Mandoyan #473892. On December 21, 2018, the case was reviewed by the Truth and Reconciliation panel members, comprised of Assistant Sheriff Timothy Murakami, Chief Elizer Vera, and Chief Steven Gross. Present during the discussion were Internal Affairs Bureau Captain Josie Woolum, County Counsel Christopher Keosian, Advocacy Unit Sergeant Julie Valdes, and Assistant Sheriff's Aide Lieutenant Stacy Morgan.

On September 15, 2016, Mr. Mandoyan received his Letter of Imposition from the Sheriff's Department, notifying him he was discharged from his position of deputy sheriff at the close of business on September 14, 2016. On September 26, 2016, Mr. Mandoyan appealed his discharge to the Civil Service Commission, who granted him a hearing. On January 4, 2018, the appointed hearing officer upheld the Department's termination judgment. Mr. Mandoyan filed objections to the hearing officer's report and on May 16, 2018, the Civil Service Commission of the County of Los Angeles overruled Mr. Mandoyan's objections and adopted as its final decision to sustain the Department with discharge.

On December 21, 2018, the panel members met and discussed the allegations contained in the Department's Letter of Imposition. The committee members reached a consensus that the imposed discipline had been excessive for Mr. Mandoyan's actions and that several of the Department's rulings lacked a factual and corroborated basis. Although the hearing officer and Civil Service Commission ruled in the Department's favor, the foundation for these decisions appeared to be heavily weighted on Ms. Taylor's credibility and presentation during her testimony at the hearing. Mr. Mandoyan elected not to testify during the hearing, his right under Rule 4.11 of the Civil Service Rules; however, this resulted in only Mr. Mandoyan's

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Mondoyan's Internal Affairs Bureau interview being considered, which did not allow for rebuttal or clarifying statements on his behalf.

The panel members reviewed each of the charges brought forth by the Department against Mr. Mondoyan, many of which had no independent witnesses or corroborating evidence toward the events. The panel found the Department was flawed to rule in such a definitive manner based upon conflicting and unsubstantiated statements between two parties. In particular, there was no supporting evidence to confirm a domestic violence incident occurred between Mr. Mondoyan and Ms. Taylor, in September of 2014, except for the undocumented account provided by Ms. Taylor, which Mr. Mondoyan emphatically denied. All photographic evidence submitted by Ms. Taylor was significantly delayed in reporting and could not be date verified; as a result, the panel found the allegations of domestic violence against Mr. Mondoyan to be "Unresolved."

The Department's original charges in this case indicated Mr. Mondoyan attempted to gain entry into Ms. Taylor's residence through a sliding glass door to her balcony; he used a tool/object in an attempt to pry the sliding door off its track system; he attempted to gain entry into the sliding door after Ms. Taylor repeatedly told him to leave; and he attempted to enter Ms. Taylor's bathroom window without her permission. During Mr. Mondoyan's interview, he denied the intent of these actions were ever to attempt entry into Ms. Taylor's apartment or to pry her sliding door off the track. Mr. Mondoyan indicated Ms. Taylor locked him out of the residence during an argument, so he used a "broomstick" to tap on the balcony door in an effort to gain her attention. Mr. Mondoyan also claimed he only opened Ms. Taylor's bathroom window in an attempt to apologize. Mr. Mondoyan testified he never intended to force entry into Ms. Taylor's apartment on any of these occasions. It appeared in the Department's initial review of the case, Mr. Mondoyan's account was summarily dismissed, while full credibility was provided to Ms. Taylor's testimony and her interpretation of Mr. Mondoyan's intent and mindset during the incident. The panel found due to the conflicting explanations provided by both Ms. Taylor and Mr. Mondoyan, the above charges and any associated issues concerning false statements and dishonesty were determined to be "Unresolved."

Conversely, the committee concluded Mr. Mondoyan exercised poor decision making, and acted in an impulsive and immature manner when he entered onto the balcony patio of Ms. Taylor's residence and repeatedly knocked on her window, and when he opened her unlocked bathroom window and engaged in a back and forth exchange, which he claimed was for the purpose of apologizing. Ms. Taylor did not give Mr. Mondoyan permission to either climb onto her balcony or open her window, and she repeatedly told him to

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leave, threatening to call the police. Furthermore, as a law enforcement officer, Mr. Mondoyan was aware of the proper procedure to retrieve personal property from a residence and he should have exhibited better judgement when he attempted to use an object to re-enter Ms. Taylor's residence for the purpose of retrieving his personal belongings. Mr. Mondoyan's actions brought discredit to himself and the Department and the evidence developed in this investigation supports a "Founded" charge on these violations.

Although Mr. Mondoyan was named as a subject in both a Domestic Violence/Stalking report, authored by El Segundo Police Department, and a domestic violence restraining order, filed by Ms. Taylor at the Chatsworth Courthouse, both reports were dismissed a short time later. The Temporary Restraining Order, which was partly granted on July 14, 2015, was dissolved by the Superior Court of California, County of Los Angeles, on August 4, 2015, after Mr. Mondoyan and Ms. Taylor entered into a Dispute Resolution Agreement on July 28, 2015. Additionally, on September 8, 2015, the domestic violence case filed by the El Segundo Police Department was dismissed by Deputy District Attorney Linda Lofffield, who opined there was no evidence regarding a felonious intent or theft intent, and there was insufficient evidence to prove beyond a reasonable doubt that the crime was committed. The panel members determined an individual should not be subjected to discipline based solely upon being named in a police report and/or a temporary restraining order; such discipline would unfairly impact those falsely accused of a crime, without first being proven guilty of such acts. Due to both the restraining order and the criminal charges being dismissed, the panel finds these charges remain "Unresolved."

The panel also reviewed Mr. Mondoyan's failure to notify his immediate supervisor when he was served and named in a domestic violence restraining order on July 22, 2018, which restricted his ability to possess a firearm. The panel noticed at the time of this service, Mr. Mondoyan had already been relieved of duty for 12 days, effective July 10, 2015. On the date of service, Mr. Mondoyan was neither acting in a law enforcement capacity nor did he possess a Department firearm, due to his relieved of duty status. The panel understood the confusion Mr. Mondoyan may have faced regarding making a notification to his supervisor, since Mr. Mondoyan associated the restraining order with the case for which he was already relieved of duty and instead notified his attorney, Michael Goldfeder, of the restraining order service. The panel concluded the charge was "Unresolved," due to Mr. Mondoyan's work status at the time of the service, which lent to his confusion on the need to notify a supervisor.

The panel determined the following charges were "Unfounded" based upon the testimony and findings during the hearing. Former Assistant Sheriff Bobby Denham, the decision maker for the Department, testified he did not

December 27, 2018

consider the allegations of sending the unwanted text messages had been sufficiently linked to Mr. Mondoyan; the panel concurred. Although the Department alleged Mr. Mondoyan made unwanted phone calls to Ms. Taylor, the hearing officer determined the evidence presented did not demonstrate specific unwanted phone calls, due to the dysfunctional relationship between the two parties; the panel also concurred. The hearing officer also did not to support the allegation Mr. Mondoyan used Ms. Taylor's home surveillance camera system, without her knowledge, to observe her activities while she was home. Because Ms. Taylor provided Mr. Mondoyan with the log-on information, including the password, and did not expressly revoke his access, it was established she consented to his access of the camera; the panel concurred. In contrast to the hearing officer's and the Department's initial findings, the panel found there was no evidence Mr. Mondoyan stalked Ms. Taylor when she visited a local restaurant or that he listened to Ms. Taylor engage in a sexual relationship with another man. At the time of the incidents, Mr. Mondoyan and Ms. Taylor resided in the same city, El Segundo. It is not without reason a happenstance encounter could occur when two people reside in such close proximity. Additionally, the hearing officer determined Ms. Taylor consented to Mr. Mondoyan's access to her camera system, which included audio capabilities. Based on the hearing officer's response to the video camera and both parties living in the same city, the panel finds these violations to be "Unfounded."

Mr. Mondoyan admittedly maintained strong emotions for Ms. Taylor and attempted to both contact and reconcile their relationship on multiple occasions. In Mr. Mondoyan doing so, the panel recognizes the serious nature of his actions and concludes Mr. Mondoyan behaved in an irrational, unprofessional, and impulsive manner, which not only brought embarrassment to himself, but to the Department. However, the panel also finds that during his tenure with the Department, Mr. Mondoyan was a productive, well-respected, and highly valued deputy and field training officer. His work ethic and dedication to the Department were evident through the testimony of coworkers and supervisors. After the re-evaluation of the charges brought forth in this investigation, the panel finds the charged do not rise to the level of a "Discharge," and absent additional information in this case, recommends reinstatement for full duty for Mr. Mondoyan, with an imposed twelve days of suspension from duty upon his return. It is with great confidence the panel members believe Mr. Mondoyan can once again be a productive member of the Department, with a bright future as a deputy sheriff.

Attached to this document are the revised charges based upon the panel's discussion

**CAREN MANDOYAN, #473892
DEPUTY SHERIFF
REVISED CHARGES 12/21/2018**

The evidence developed in this investigation **supports** the following:

1. That in violation of Department's Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.15, Conduct Toward Others, on or about or between March 2013 and July 2015, while off duty, Subject Caren Mandoyan, who was involved in a personal/intimate relationship with Deputy Amber Taylor, exercised poor judgment and decision making skills, when he failed to treat her in a respectful, courteous and civil manner, as evidenced by, but not limited to the following:
 - a. entering the balcony/patio area of Deputy Amber Taylor's residence without permission and repeatedly knocked on her sliding glass door, after she told him to leave; and/or,
 - b. using and/or admitting to using a metal tool/object/"pulley" to gain Deputy Taylor's attention and/or to enter Deputy Taylor's residence for the purpose of retrieving his backpack and/or key; and/or,
 - c. opening the bathroom window of Deputy Taylor's residence from the outside and without permission for the purpose of apologizing, after she repeatedly told him to leave.

Subject Mandoyan's behavior brought discredit to himself and the Department

The evidence in this investigations is **does not support** the following and is therefore **Unresolved**:

1. That in violation of the Department's Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations and Orders, as it pertains to 273.5 P.C., Domestic Violence, and/or 594 P.C., Vandalism, and/or 3-01/030.16, Family Violence, on or about September 1, 2014, while off duty, Subject Caren Mandoyan, who had a personal/intimate relationship with Deputy Amber Taylor, exercised poor judgment when he failed to treat her in a respectful, courteous, and civil manner, and/or exercised poor judgement when he antagonized her and engaged in an act of violence against her causing injury, as evidenced by, but not limited to the following:
 - a. pushing and/or grabbing Deputy Taylor by her arm; and/or,
 - b. placing his hand around Deputy Taylor's neck and/or squeezing it, restricting her ability to breath; and/or,

**CAREN MANDOYAN, #473892
DEPUTY SHERIFF
REVISED CHARGES 12/21/2018**

- c. using his foot to stop Deputy Taylor from closing her door as she tried to retreat from his assault; and/or,
 - d. damaging the door to Deputy Taylor's residence.
- 2. That in violation of the Department's Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.15 Conduct Toward Others, and/or 3-01/030.10, Obedience to Laws, Regulations and Orders, as it pertains to 602 P.C., Trespassing, and/or 459 P.C., Burglary); on or about March 2013 to July 2015, while off duty, Deputy Mondoyan, who had a personal/intimate relationship with Deputy Taylor, failed to treat her in a respectful, courteous, and civil manner, and/or exercised poor judgment when he continuously antagonized and harassed her as evidenced by, but not limited to:
 - a. being captured on a video-recording attempting to gain entry into Deputy Taylor's residence through the balcony sliding glass door; and/or,
 - b. using a tool/object "pulley" to pry Deputy Taylor's sliding glass door off of the track system; and/or,
 - c. attempting to gain entry into Deputy Taylor's residence even after Deputy Taylor repeatedly told him to go away; and/or,
 - d. attempting to enter Deputy Taylor's residence through the bathroom window without her permission.
- 3. That in violation of the Department's Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.10, Obedience to Laws, Regulations and Orders, and/or 3-01/050.30, Off-Duty Incidents, on or about July 14, 2015 you brought discredit upon yourself and/or the Department as evidenced by, but not limited to:
 - a. being named as a Domestic Violence/Stalking suspect in an El Segundo Police Department Crime Report (#15-1659); and/or,
 - b. having a domestic violence restraining order filed against him (North Valley District Chatsworth Courthouse under case #YQ023010); and/or,

**CAREN MANDOYAN, #473892
DEPUTY SHERIFF
REVISED CHARGES 12/21/2018**

- c. failing to immediately notify his immediate supervisor and/or watch commander that he was served, and named in, a domestic violence restraining order. The order restraining order restricted his ability to possess firearms
4. That in violation of the Department's Manual of Policy and Procedures Sections 3-01/040.69; Honesty Policy, and/or, 3-01/040.70 Dishonesty/False Statements; and/or, 3-01/040.75 Dishonesty/Failure to Make Statements and/or Making False Statements During Departmental Internal Investigations, on or about July 14, 2016, Subject Mandoyan failed to make truthful, complete, and/or accurate statement in his administrative interview, as evidenced by, but not limited to:
- a. denying that he attempted to enter into Deputy Taylor's residence by way of her sliding glass door; and/or;
 - b. denying that he attempted to enter into Deputy Taylor's residence through her bathroom window.

The evidence in this investigations is **does not support** the following and is therefore **Unfounded**:

1. That in violation of the Department's Manual of Policy and Procedures Sections 3-01/030.10, Obedience to Laws, Regulations and Orders, as it pertains to 273.5 P.C., Domestic Violence, and/or 594 P.C., Vandalism, and/or 3-01/030.16, Family Violence, on or about September 1, 2014, while off duty, Subject Caren Mandoyan, who had a personal/intimate relationship with Deputy Amber Taylor, exercised poor judgment when he failed to treat her in a respectful, courteous, and civil manner, and/or exercised poor judgement when he antagonized her and engaged in an act of violence against her causing injury, as evidenced by, but not limited to:
- a. using Deputy Taylor's home surveillance camera system without her permission or knowledge to observe her activities while she was in her home, and/or,
 - b. following Deputy Taylor without her knowledge as he was accompanied to an eating establishment by another man; and/or,
 - c. listening to Deputy Taylor as she engaged in sexual intercourse with another man.

**CAREN MANDOYAN, #473892
DEPUTY SHERIFF
REVISED CHARGES 12/21/2018**

2. That in violation of the Department's Manual of Policy and Procedures Sections 3-01/030.05, General Behavior; and/or 3-01/030.15 Conduct Toward Others, and/or 3-01/030.10, Obedience to Laws, Regulations and Orders, as it pertains to 602 P.C., Trespassing, and/or 459 P.C., Burglary); on or about March 2013 to July 2015, while off duty, Deputy Mondoyan, who had a personal/intimate relationship with Deputy Taylor and failed to treat her in a respectful, courteous, and civil manner, and/or exercised poor judgment when he continuously antagonized and harassed her as evidenced by, but not limited to:
 - a. generating and/or sending unwanted text messages to Deputy Taylor; and/or,
 - b. making unwanted phone calls to Deputy Taylor.