

DECEMBER 27, 1995

Los Angeles Times

Couple Accuses Sheriff's Department of Planting Evidence

■ **Law enforcement:** Ex-deputy files claim, saying she was harassed into resigning because of her protests. Her deputy husband contends minorities were targeted.

By KENNETH REICH
TIMES STAFF WRITER

The Los Angeles County Sheriff's Department, beset in recent years by charges of racial discrimination and harassment, was accused Tuesday of falsely arresting and routinely planting evidence on minority group members in heavily black and Latino communities.

"It's happening every day," eight-year deputy Michael G. Osborne asserted at a news conference to announce a legal claim against the department. Osborne, who is on paid leave for stress disability, said he has seen it happen in the Firestone, Lynwood, Compton and Willowbrook communities, all patrolled by deputies.

Osborne's wife, Aurora Alonso Mellado, a five-year deputy who resigned last Friday, filed the damage claim against the county and the Sheriff's Department, charging that she was harassed and forced out after she alleged that her training officer, Deputy Jeffrey Jones, had planted narcotics on suspects. At the news conference, she said that the incident involved two black suspects and that she was asked to write false reports against them.

In her claim, Mellado says that in seven weeks of being trained by Jones as a patrol deputy last summer, she found that he was "engaging in illegal activities, including planting evidence, using throwaway guns, transferring drugs, assaulting and battery of civilians, and violating of suspects' civil rights." Such claims, if rejected by the county, are usually followed by lawsuits.

Since she first made the allegations to department officials, Mellado and Osborne said at the news conference, both have repeatedly received death and other threats directed at them and their two small children from people they believe to be department employees who have access to their unlisted home telephone number and address.

Please see SHERIFF, B3

SHERIFF: Department Misconduct Alleged

Continued from B1

The race-related allegations are reminiscent of testimony by a lead prosecution witness in a string of federal cases in recent years involving drug money skimming. Robert R. Sobel testified that as a former sheriff's sergeant in Lynwood and nearby communities, he frequently arrested African Americans who were simply walking the streets and had committed no crime. Sobel later acknowledged in court lying more than 100 times in his testimony in such cases.

The Sheriff's Department, which videotaped Tuesday's news conference, made only a brief statement about the allegations.

Capl. Jeff Springs, Sheriff Sherman Block's chief spokesman, said: "When the Los Angeles County Sheriff's Department became aware of the allegations, an internal investigation was initiated. Because that investigation is still active and our department has not formally received the complainant's claim, it would be inappropriate

at this time to discuss the specifics of the case."

Jones is on leave and efforts to reach him Tuesday through the department for comment were unsuccessful.

Mellado, Osborne and their attorney, James H. Davis of Los Angeles, said they have been informed that on Nov. 14, Sheriff's Department investigators asked the district attorney to file three criminal charges against Jones in

Osborne said both now believe that as perceived 'snitches' they have no future in the department.

connection with Mellado's complaints against him. They said the district attorney has made no decision on whether to act.

A spokeswoman for Dist. Atty. Gil Garcetti said the office could

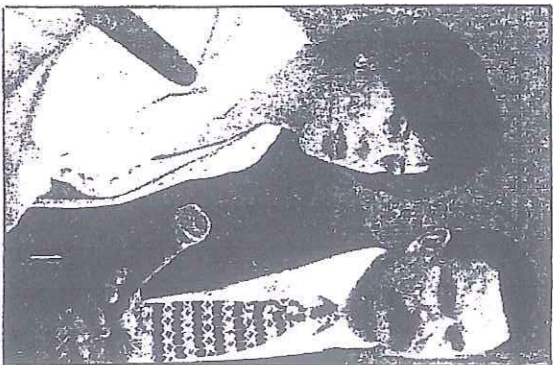
neither confirm nor deny whether charges were pending against Jones. She added, however, that it was not uncommon for weeks to pass before a decision is made on whether to file charges. "Sometimes, further investigation is required, so it can take a long time," she said.

Mellado and Osborne said it has been made clear to them by investigators that if charges are filed against Jones, she will be a principal witness against the deputy.

What has angered them, they said, is that when the death threats began, including threats to her well-being at the sheriff's pistol range where she was temporarily assigned, they could not persuade sheriff's investigators to take action to protect them.

Osborne said both now believe that as perceived "snitches" they have no future in the department.

"If we require deputies to report misconduct of other deputies, then we must protect those who make the complaints," said their attorney, Davis.



CON KERRIS / Los Angeles Times

Aurora Alonso Mellado and husband Michael G. Osborne at their news conference on Tuesday.

ney, Davis.

Osborne said that in his three years at the Century Station, fake drug arrests were very common, most always against minorities, and that one reason is that deputies get overtime pay when they are required to testify in such cases.



PN-CA-003-001

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DARREN THOMAS; MICHAEL
STERLING; KEVIN MARSHALL;
WILLIAM SCOTT; JESUS AVILA;
ERNESTO AVILA; TRACY BATTIS;
AARON BREITIGAM; ANTONIO
CABALLERO; RUBEN CALDERON,
individually and as guardian ad litem for
CHRISTIANA CALDERON, a minor, and
DAVID CALDERON, a minor; CAROLINA
CALDERON; LINDA CALDERON;
JORGE CALDERON; DEMETRIO
CARRILLO; ELZIE COLEMAN;
DOLORES DALTON as guardian ad litem
for RON DALTON, a minor; MARIAN
ENGLISH individually, and as parent and
heir of LAWRENCE JOHNSON, deceased;
SERGIO GALINDO; RAUL GONZALES;
MARCELO GONZALEZ; RICHARD
HERNANDEZ; JEFFERY HOLLIMAN;
SOCORRO HUERTA as guardian ad litem

) Case No. CV 90-5217
)
) **FIRST AMENDED**
) **COMPLAINT FOR**
) **DAMAGES,**
) **INJUNCTIVE AND**
) **DECLARATORY**
) **RELIEF AND**
) **RECEIVERSHIP**
) **(42 U.S.C. §§ 1983, 1985)**
)
) **CLASS ACTION**
)
) **DEMAND FOR JURY**
) **TRIAL**
)

1 for FERNANDO MARTINEZ, a minor,)
 2 ERIC JONES; SANDRA LEONARD and)
 3 CANDI LEONARD, each as heirs of)
 4 WILLIAM LEONARD, deceased;)
 5 YLDEFONZA LORENZANA; ALFREDO)
 6 MAYA, individually and as guardian ad)
 7 litem for IRENE MAYA; RAUL MAYA,)
 8 individually and as guardian ad litem for)
 9 RAUL MAYA, JR., a minor; CARLOS)
 10 MAYA; MARGUERITA MAYA; RUBEN)
 11 MAYA; LUPE MAYA; GILBERT MAYA;)
 12 NATALIE MELENDREZ as guardian ad)
 13 litem for JESSIE MELENDREZ, a minor;)
 14 GREGORIA MENDIBLES; ESTELLA)
 15 MONTOYA, individually and as guardian)
 16 ad litem for REBECCA MONTOYA, a)
 17 minor, MONIQUE TREVIÑO, a minor, and)
 18 CRYSTAL TREVIÑO, a minor; RAPHAEL)
 19 OCHOA; JOSE ORTEGA; DELIA OSITA;)
 20 PATSY PEREZ as guardian ad litem for)
 21 ADOLPHO ALEJADE, a minor, and)
 22 BRIAN ALEJADE, a minor; JULIA POLK,)
 23 Administrator for Estate of LLOYD POLK;)
 24 RITA PRECIADO as guardian ad litem for)
 25 SALVADOR PRECIADO, a minor;)
 26 TERESA RODRIGUEZ, individually and as)
 27 guardian ad litem for ALICE OREJEL, a)
 28 minor and MARIA OREJEL, a minor;)
 ESTELA SANCHEZ; SERGIO SANCHEZ;)
 ALFONSO SANCHEZ; JOSE SANCHEZ;)
 ALFREDO SANCHEZ; CHARLES SCOTT;)
 FRANCISCO TOVAR, individually and as)
 guardian ad litem for the following minors:)
 FRANCISCO TOVAR Jr., a minor,)
 YESENIA TOVAR, a minor; MARCELA)
 TOVAR, a minor, JAIME TOVAR, a minor,)
 JESUS TOVAR, a minor, and HERMAN)
 TOVAR, a minor; ELSA TOVAR; MARTA)
 VELEZ; ALVIN WASHINGTON; and)
 DANNY WILLIAMS, on behalf of)
 themselves and all other persons similarly)
 situated,

Plaintiffs,

vs.

COUNTY OF LOS ANGELES, a public)
 entity; LOS ANGELES COUNTY)
 SHERIFF'S DEPARTMENT, a public entity;)
 CITY OF LYNWOOD, a public entity and a)
 municipal corporation; SHERMAN BLOCK,)
 individually, and as Sheriff of the County of)
 Los Angeles; ROBERT EDMONDS,)
 individually, and as Undersheriff of the)
 County of Los Angeles; JERRY HARPER,

1 individually, and as Assistant Sheriff of the)
 County of Los Angeles; RICHARD)
 2 FOREMAN, individually, and as Assistant)
 Sheriff of the County of Los Angeles;)
 3 BERT J. CUEVA, individually, and as)
 Commander of the Los Angeles County)
 4 Sheriff's Lynwood Station; JUAN)
 ALVARADO; SGT. ANDERSON)
 5 (#160080); PAUL ARCHAMBAULT)
 (#213669); CHARLES BARTON;)
 6 TIMOTHY E. BENSON (#246380); GARY)
 BLACKWELL; STEVE BLAIR (#236778);)
 7 ROBERT BLUME (#273451);)
 BRANDENBURG (#209523); LT. C.)
 8 BRANTLEY; TIMOTHY BROAD;)
 KATHERINE BROWN-VOYER (#258489);)
 9 T. BROWNELL; RICHARD CALZADA;)
 ANTHONY CAMPBELL (#013405);)
 10 SCOTT CARTER (#150582); LT.)
 RICHARD L. CASTRO; JOHN CHAPMAN)
 11 (#220837); JAVIER CLIFT; JOHN)
 CORINA (#213435); DANIEL COOPER;)
 12 DANIELLE CORMIER; JAMES)
 CORRIGAN (#213671); COSTLEIGH)
 13 (#173151); ROBERT DELGADILLO)
 (#230237); FRUSTINO DELVALLE; SGT.)
 14 DEVINE; ROBERT DILLARD; CRAIG)
 DITSCH; STEPHEN DOWNEY (#219137);)
 15 RAYMOND ESQUERRA (#137451);)
 LANCE FRALICK; MICHAEL J. GARCIA)
 16 (#207136); RONALD E. GILBERT)
 (#207131); KELLY (GILL) MCMICHAEL)
 17 (#260309); GIRON (#033144); DOUGLAS)
 GILLIES (#244674); NEILS GITTISARN)
 18 (#236616); TIMOTHY GLOVER; CURTIS)
 GOLDEN; FRANK GONZALES; KEVIN)
 19 GORAN (#222021); CAPTAIN RAYMOND)
 GOTT; RUBEN GRACIA (#213459);)
 20 ALBERT GROTEFEND (#034657);)
 JOSEPH GUZMAN; ALLEN HARRIS;)
 21 SGT. TOMMY HARRIS; T.J. HARVEY)
 (#038535); LT. A. HERRERA;)
 22 HOLBROOK (#209619); JOSEPH)
 HOLMES (#041885); ERIC HUBNER)
 23 (#37190); DALE HUFFMAN (#265013);)
 KEVIN J. KIFF (#235151); J. LESLIE)
 24 (#223389); LOY LUNA (#201663); JASON)
 MANN (#196175); ALLYN LAWRENCE)
 25 MARTIN (#223374); GUY MATO)
 (#188894); SCOTT LEE McCORMICK)
 26 (#248043); ABEL A. MORENO (#195912);)
 JOHN MOSSOTTI (#232692); JACK)
 27 NEIHOUSE; NELSON (#220245);)
 EDWARD M. NORDSKOG (#241276);)
 28 NUNEZ (#067434); RODOLFO O'DELL;)
 O'HARA (#183119); RICHARD OROSCO)

1 (#068734); JAMES PACINA; ANDRE)
 2 PINESETT (#260171); MICHAEL PIPPIN)
 3 (#116212); LT. RADELEFF; DAN RAIMO)
 4 (#207220); JACK RAMIREZ (#211246);)
 5 JEROLD REEVES (#208423); R.A. REED)
 6 (#236792); MICHAEL REYNOLDS;)
 7 RIFKIN (#207195); ALLEN RIPIFY;)
 8 MARTIN RODRIGUEZ; WILLIAM)
 9 ROMAN (#077668); THOMAS A. ROSAS)
 10 (#111632); T. RUNNING; MICHAEL)
 11 SALVATORE (#044852); MICHAEL)
 12 SCHNEIDER (#244092); J. SHEEHY)
 13 (#207157); LARRY SHULTZ; SAMUEL)
 14 SILVA; ELIZABETH SMITH (#222075);)
 15 LT. M. SPARKS; BRIAN STEINWAND)
 16 (#218324); JACK TARASIUK (#244912);)
 17 GREGORY THOMPSON (#196144);)
 18 GERALD RICHARD THOMPSON)
 19 (#238853); GREG THURMAN; PATRICK)
 20 VALDEZ; MICHAEL VOGEL (#186761);)
 BYRON G. WAINIE (#222015); K. WALL)
 (#238868); TODD LAWRENCE)
 WALLACE (#248150); JOHN A. WEST)
 (#248032); JAMES WHITTEN; MICHAEL)
 WILBER; ROBERT WINDRIM; CHRIS)
 JAMES YOUNG (#248084); each of whom)
 is sued individually in his or her official)
 capacity as an agent or employee of the)
 County of Los Angeles; City of Compton)
 Police Officer THOMAS ZAMPIELLO)
 (#128), who is sued individually and in his)
 official capacity; and DOES 1 through 414,)
 each of whom is sued individually and in)
 his or her official capacity as an agent or)
 employee of the County of Los Angeles, or)
 the City of Lynwood,)
 Defendants.

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ASK

1 Lynwood Station, in violation of their rights under the First, Fourth, Fifth, Eighth, Ninth,
2 Thirteenth, and Fourteenth Amendments to the Constitution of the United States of America.
3 As a result of the terrorist-type tactics of the defendant deputies, and the policy makers'
4 tolerance of such tactics, plaintiffs and other members of the class are being irreparably injured,
5 both physically and mentally, and their civil rights are being violated.

6 3. The pattern of official misconduct is attributable to illegal and unconstitutional
7 policies, rules, regulations, practices, customs, or usages [hereinafter "policies and practices"]
8 of the LASD. Policy makers for the COUNTY OF LOS ANGELES, the LASD and the CITY
9 OF LYNWOOD, including the defendants BLOCK, EDMONDS, HARPER, FOREMAN, and
10 CUEVA, were aware of, acquiesced in, tolerated, and tacitly authorized and encouraged, failed
11 to prevent and caused the illegal and unconstitutional terrorist tactics by the defendant deputies.
12 Defendants COUNTY OF LOS ANGELES, LASD, CITY OF LYNWOOD, BLOCK,
13 EDMONDS, HARPER, FOREMAN, and CUEVA have failed to control or discipline deputy
14 sheriffs who use violence, excessive force and unreasonable searches and seizures; have
15 fostered a culture of violence, discriminatory treatment and official misconduct against members
16 of racial and other minority groups; have avoided or minimized the consequences of official
17 misconduct by defendant deputy sheriffs; have discouraged the filing and investigation of
18 civilian complaints; and have otherwise failed to adopt adequate personnel practices to protect
19 the legal and constitutional rights of the plaintiffs and the members of the class. The defendants
20 COUNTY OF LOS ANGELES, LASD, CITY OF LYNWOOD, BLOCK, EDMONDS,
21 HARPER, FOREMAN, and CUEVA have thereby exhibited deliberate indifference to the
22 constitutional rights of the plaintiffs and the members of the class.

23 **JURISDICTION**

24 4. Jurisdiction is conferred upon this Court by 28 U.S.C. §§ 1331 and 1343. Plaintiffs
25 seek declaratory relief pursuant to 28 U.S.C. §§ 2201 and 2202.

26
27 **VENUE**

28 5. Each claim herein arises out of an incident which occurred in or near the City of

1 Plaintiffs allege:

2 **INTRODUCTION**

3 1. This is a civil rights action brought under 42 U.S.C. §§ 1983 and 1985 against the
4 COUNTY OF LOS ANGELES; THE LOS ANGELES COUNTY SHERIFF'S DEPARTMENT,
5 [hereinafter "LASD"]; THE CITY OF LYNWOOD; SHERMAN BLOCK, Sheriff; ROBERT
6 EDMONDS, UnderSheriff; JERRY HARPER, Assistant Sheriff; RICHARD FOREMAN,
7 Assistant Sheriff; BERT J. CUEVA, Commander of the LASD's Lynwood Station [hereinafter
8 "Lynwood Station"]; numerous Los Angeles County deputy sheriffs; and one City of Compton
9 police officer. All individuals are sued individually and in their official capacities. Plaintiffs
10 seek compensatory and punitive damages, as well as equitable relief, including preliminary and
11 permanent injunctions, declaratory relief and an order for receivership of the Lynwood Station.

12 2. Defendant deputies, with the tacit authorization of the defendant policy-makers,
13 have engaged in a pattern of constitutional violations directed against plaintiffs and other
14 members of the class who have been or may be subject to unnecessary or excessive force,
15 illegal searches and seizures or racial discrimination in the law enforcement jurisdiction of the
16 Lynwood Station. The abusive acts include warrantless, harassing arrests and detentions,
17 incidents of excessive force and unwarranted physical abuse against handcuffed and otherwise
18 defenseless detainees (beating, kicking, pushing, striking with flashlights, choking, slamming
19 doors on legs, slapping, shooting to maim); ransacking homes and businesses; incidents of
20 outright torture (interrogation with stun guns, beating victims into unconsciousness, holding a
21 gun in a victim's mouth and pulling the trigger on an empty chamber, pushing a victim's head
22 through a squad car window); quick-stop driving to bang a victim's head against the squad car
23 screen; and uninhibited expressions of racial animus by deputies, including use of epithets such
24 as "niggers" and "wetbacks." The defendant deputies, with the tacit authorization of the
25 defendant policy makers, have engaged in a pattern of using violence and excessive force,
26 making illegal arrests and detentions, conducting unreasonable searches and seizures, and
27 discriminating on the bases of race, ethnicity, color, national origin, age or economic class
28 against the plaintiffs and the members of the class in the law enforcement jurisdiction of the

1 Lynwood, California, and involves Los Angeles County Deputy Sheriffs assigned to or
2 stationcd at the Lynwood Station.

3
4 **PARTIES**

5 **Plaintiffs**

6 6. Plaintiffs DARREN THOMAS, KEVIN MARSHALL, MICHAEL STERLING,
7 WILLIAM SCOTT, ALVIN WASHINGTON, JEFFERY HOLLIMAN, TRACY BATTS, ELZIE
8 COLEMAN, CHARLES SCOTT and DANNY WILLIAMS are African-American males who,
9 at the relevant times hereto, were victims of abuse inflicted upon them at least in part because
10 of their race or color by one or more Los Angeles County Deputy Sheriffs assigned to or
11 stationed at the Lynwood Station, pursuant to the policies and practices referred to in paragraph
12 25, *infra*.

13 7. Plaintiff MARIAN ENGLISH is the mother and heir at law of LAWRENCE
14 JOHNSON, deceased, a fifteen year old African-American youth, killed at least in part because
15 of his race or color by one or more deputy shriffs assigned or stationed at to the Lynwood
16 Station, pursuant to the policies and practices referred to in paragraph 25 *infra*.

17 8. Plaintiff JULIA POLK is the administrator of the Estate of LLOYD POLK, deccascd,
18 who was a Latino man who was the victim of abuse inflicted upon him by one or more of the
19 deputies assigned to the Lynwood Station, pursuant to the policies and practices referred to in
20 paragraph 25, *infra*.

21 9. Plaintiffs MARCELO GONZALEZ; SOCORRO HUERTA as guardian ad litem for
22 FERNANDO MARTINEZ, a minor; JOSE ORTEGA; RICHARD HERNANDEZ;
23 MARGUERITA MAYA; GILBERT MAYA; CARLOS MAYA; LUPE MAYA; RAUL MAYA;
24 RAUL MAYA, JR.; RUBEN MAYA; ALFREDO MAYA, individually and as guardian ad
25 litem for IRENE MAYA, a minor; DELIA OSITA; TERESA RODRIGUEZ, individually and
26 as guardian ad litem for MARIA OREJEL, a minor, and ALICE OREJEL, a minor; GEORGIA
27 MENDIBLES; PATSY PEREZ as guardian ad litem for ADOLPHO ALEJADE, a minor, and
28 BRIAN ALEJADE, a minor; ANTONIO CABALLERO; ERNESTO AVILA; JESUS AVILA;

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when speaking with minority members of the community and denigrate the race, ethnicity and nationality of African-Americans and Latinos members of the community. Racial slurs frequently accompany beatings and other abuse administered by Lynwood deputies. Lynwood deputies intimidate and ridicule African-Americans and Latinos.

j. A group of Lynwood deputies are members of or associate with a neo-nazi, white supremacist gang called the "Vikings," which exists with the knowledge and tolerance of defendant departmental policy makers. Lynwood deputies affiliated with the Vikings gang engage in racially motivated, anti-black, white-supremacist hate crime activities, use racist speech, and glorify and celebrate the use of excessive force and other official misconduct by deputies.

k. An official policy of targeting suspected gangs in the Lynwood area for special attention results in racially motivated harassment. In addition, African-Americans and Latinos, particularly those who are thought to be connected with gangs, are the focus of repeated instances of police brutality, harassment and other abuse.

Retaliation, Cover Charges and Discouragement of Complaints

l. Deputies engage in retaliation and intimidation directed at persons who assert their rights or otherwise question the authority of Lynwood deputies, including confrontations with and retaliatory conduct against plaintiffs in an attempt to convince them to dismiss this action. Particularly when African-Americans or Latinos claim that their rights are being violated and question a deputy's authority, they are likely to be abused.

m. Deputies follow an unwritten policy and practice of charging persons injured in the course of routine stops in order to protect deputies from accusations of brutality, harassment and other misconduct.

n. Witnesses who attempt to file misconduct reports regarding incidents of brutality and other misconduct by Lynwood deputies are discouraged from doing

1 a manner as to fail to reveal or to conceal the misconduct of deputies, including
2 but not limited to using investigative techniques and procedures reasonably
3 known to have such effects.

4 w. Deputies fabricate evidence following incidents involving the improper use
5 of firearms or the use of excessive force, violence, racial and ethnic bias or other
6 misconduct. These practices include but are not limited to using so-called
7 "creative report writing," i.e., filing materially false police reports, and making
8 false statements to prosecution authorities to obtain the filing of false charges
9 and the institution of false and malicious prosecutions against victims of the
10 deputies' misconduct.

11 x. Deputies remove or cover-up their name tags and conceal their identity in
12 incidents involving the improper use of firearms or the use of excessive force,
13 violence or racial and ethnic bias by deputies.

14 y. Deputies adhere to an unwritten "code of silence" which consists of one
15 simple rule: a deputy does not provide adverse information against a fellow
16 deputy. Deputy misconduct is allowed to continue even though witnessed by
17 other deputies. The code of silence, which influences the behavior of many
18 deputies in a variety of ways, violates a deputy's public responsibility to ensure
19 compliance with the law.

20 z. Defendants fail to punish deputies who abide by the code of silence, and fail
21 to protect deputies who break the code of silence from harassment or retaliation
22 by other deputies. Deputies therefore believe that if they fail or refuse to
23 participate in the "code of silence" or fail to cover up or conceal the misconduct
24 of other deputies, that such failures will cause them to be ostracized by other
25 deputies, will adversely affect their ability to get support from other deputies in
26 the field, and will adversely affect their opportunities for promotion and other
27 employment benefits.

28 aa. Defendants have failed adequately to use a number of tools to prevent

1 Municipal Court of the Compton Judicial District, on May 7, 1990, charging plaintiff DARREN
2 THOMAS with violating on April 28, 1990 Penal Code §243(b) (battery on an officer), §§ 69
3 and 148, resisting, delaying, and obstructing a police officer in the discharge of a duty of his
4 office) and Lynwood Municipal Ordinance §3.2 (drinking alcohol on a public street), which
5 accusation each defendant at all times herein mentioned knew, or in the exercise of reasonable
6 care should have known, was false and untrue.

7 39. By reason of the defendants' above-described actions, criminal charges were made,
8 procured and caused to be made, procured, instituted and prosecuted by said defendants and
9 each of them against plaintiff THOMAS maliciously and without probable or reasonable cause
10 and in reckless disregard of his civil and constitutional rights, security, and liberty; and by
11 reason thereof, plaintiff was prosecuted in a jury trial commencing about February 27, 1991,
12 through March 14, 1991, on which latter date, a mistrial was declared by the court, and all of
13 said criminal charges were dismissed by the Court with prejudice.

14 40. By reason of the aforescribed acts and omissions of said defendants and each of
15 them, plaintiff THOMAS was compelled to retain an attorney to represent him through said
16 criminal proceedings, and thereby incurred legal fees and expenses in a sum not yet fully
17 known, but which sum is in excess of \$25,000.

18
19 **Fifth Cause of Action**

20 (42 U.S.C. § 1983, by plaintiff SANDRA LEONARD AND CANDI LEONARD against
21 defendants COUNTY OF LOS ANGELES, LASD, MARTIN, WALLACE, THOMPSON,
22 YOUNG, BENSON, McCORMICK, GILBERT, MORENO, WAINIE, BLUME, BLAIR, WEST,
23 DOWNEY, GITTISARN, DOES 9 through 14)

24 41. On or about February 10, 1990, at or near Brenton Street in the City of Lynwood,
25 California, defendants ALLYN L. MARTIN (#223374), TODD L. WALLACE (#248150),
26 GERALD R. THOMPSON (#238853), CHRIS J. YOUNG (#248084), TIMOTHY E. BENSON
27 (#246380), SCOTT L. McCORMICK (#248043), RONALD E. GILBERT (#207131), ABEL
28 A. MORENO (#195912), BYRON G. WAINIE (#222015), ROBERT BLUME (#273451),

1 STEVE BLAIR (#236778), JOHN A. WEST (#248032), STEPHEN DOWNEY (#219137),
2 NEILS GITTISARN (#236616), and DOES 9 through 14, without necessity or lawful
3 justification, did each knowingly and wilfully shoot and kill WILLIAM LEONARD, the father
4 of plaintiffs SANDRA LEONARD and CANDI LEONARD.

5
6 **Sixth Cause of Action**

7 (42 U.S.C. § 1983, by plaintiff JULIA POLK, Administrator of the Estate of LLOYD
8 POLK, against defendants COUNTY OF LOS ANGELES, LASD, MANN, NORDSKOG,
9 CHAPMAN, BLACKWELL, WILBER, FRALICK, ALVARADO, TARASIUK, THURMAN,
10 REYNOLDS and DOES 15 through 30)

11 42. On or about February 11, 1990, at or near 11162 Virginia in the City of Lynwood,
12 defendants JASON MANN (#196175), EDWARD M. NORDSKOG (#241276), JOHN
13 CHAPMAN (#220837), GARY BLACKWELL, MICHAEL WILBER, LANCE FRALICK,
14 JUAN ALVARADO, and DOES 15 through 25, and each of them, without necessity or lawful
15 justification, and without a warrant, seized, arrested and imprisoned LLOYD POLK for over
16 17 days, and did each knowingly and wilfully kick and beat him repeatedly with billy clubs
17 about the head and body. Defendants filed false and misleading police reports which resulted
18 in Mr. POLK's unwarranted criminal prosecution. Plaintiff is informed and believes and thereon
19 alleges that defendants through false statements and material omissions in their reports,
20 prevented prosecutors from exercising independent judgement in determining whether to
21 prosecute Mr. POLK. Criminal charges against Mr. POLK were dismissed at the conclusion of
22 a preliminary hearing at which the court determined that the prosecutor lacked sufficient cause
23 to bind Mr. POLK over to Los Angeles Superior Court.

24 43. In addition to the damages listed below, plaintiff has incurred legal fees and
25 expenses as a result of Mr. POLK's criminal prosecution.

26 44. On April 15, 1990, Easter Sunday, to intimidate, harass and oppress LLOYD
27 POLK, defendants MICHAEL REYNOLDS, JACK TARASIUK (#244912), and GREG
28 THURMAN arrested and imprisoned Mr. POLK on a spurious charge of attempted murder and

1 assault on a police officer and kept him incarcerated for approximately 72 hours, all without
2 a warrant, lawful process or probable cause. At the end of 72 hours, defendants released Mr.
3 POLK without filing any charges.

4 45. On or about April 22, 1990, to intimidate, harass and oppress Mr. POLK,
5 defendants JASON MANN (#196175), EDWARD M. NORDSKOG (#241276), and DOES 26
6 through 30, and each of them, arrested and imprisoned him for in excess of 12 hours upon a
7 charge of drinking an alcoholic beverage in public, all without a warrant, lawful process or
8 probable cause.

9
10 **Seventh Cause of Action**

11 (42 U.S.C. § 1983, by plaintiff FERNANDO MARTINEZ against defendants COUNTY OF
12 LOS ANGELES, LASD, HARRIS, DELGADILLO, SGT. DEVINE and DOES 31 through 42)

13 46. On or about February 11, 1990, at or near the 5100 block of Beechwood in
14 Lynwood, California, defendants DOES 31 through 37, and each of them, stopped, detained and
15 arrested Mr. MARTINEZ without a warrant or lawful process. These defendants shoved Mr.
16 MARTINEZ'S head into the side window of the deputies' police unit, cracking the window and
17 thereby injuring Mr. Martinez. The defendant deputies with deliberate indifference, gross
18 negligence or reckless disregard of the need for medical attention, failed and refused thereafter
19 to take Mr. MARTINEZ to a doctor and to provide or arrange for medical care or treatment,
20 notwithstanding plaintiff's obvious and immediate need therefor.

21 47. On April 15, 1990, Easter Sunday, in Ham Park, in Lynwood, California, defendant
22 SGT. DEVINE, ALLEN HARRIS, ROBERT DELGADILLO and DOES 38 through 42, and
23 each of them, arrested and imprisoned Mr. MARTINEZ, without a warrant or lawful process,
24 and in the course thereof, this plaintiff was struck in the jaw by one of defendants DOES 38
25 through 42 without necessity or lawful justification.

26 Thereafter, while plaintiff was seated in the back seat of the patrol car with his wrists
27 handcuffed behind his back, one of these defendants drove the patrol car in a reckless and
28 dangerous manner, braking and accelerating suddenly, so as to cause Mr. MARTINEZ' face and

1 head to smash into the metal partition separating the front and back seats of the vehicle.

2 48. At the Lynwood Station, defendants DOES 38 through 42, without necessity or
3 lawful justification, wilfully beat, choked and kicked Mr. MARTINEZ.

4
5 **Eighth Cause of Action**

6 (42 U.S.C. § 1983, by plaintiff JOSE ORTEGA against defendants

7 COUNTY OF LOS ANGELES, LASD, MANN, NORDSKOG, CHAPMAN, BLACKWELL,
8 WILBER, FRALICK, ALVARADO, and DOES 43 through 47)

9 49. On or about February 11, 1990, defendants JASON MANN (#196175), EDWARD
10 M. NORDSKOG (#241276), JOHN CHAPMAN (#220837), GARY BLACKWELL, MICHAEL
11 WILBER, LANCE FRALICK, JUAN ALVARADO, and DOES 43 through 47 seized Mr.
12 ORTEGA without a warrant, dragged him off the front porch of a friend's home at 11144
13 Virginia Avenue in the City of Lynwood, and then wilfully and knowingly struck him in the
14 back with a metal flashlight, all without necessity or lawful justification. Mr. ORTEGA was
15 thereafter released at the scene without any charges being filed, and the deputy sheriffs left the
16 scene.

17 50. After a witness to the beating telephoned a complaint about the beating to the
18 Lynwood Station, deputy sheriffs DOES 43 through 47 returned to the scene and, at the
19 direction of their sergeant (Sgt. Yarborough), transported Mr. ORTEGA to St. Francis Hospital
20 for x-rays and treatment for his injury. At the hospital Mr. ORTEGA was met by defendants
21 MANN and NORDSKOG, who thereupon arrested him, without probable cause, for interfering
22 with a police investigation in violation of Cal. Penal Code § 148 and thereupon took him into
23 custody and denied Mr. ORTEGA medical treatment.

24 51. Defendants then filed false and misleading police reports which resulted in
25 plaintiff's unwarranted criminal prosecution. Plaintiff is informed and believes and thereon
26 alleges that defendants, through false statements and material omissions in their reports,
27 prevented prosecutors from exercising independent judgement in determining whether to
28 prosecute plaintiff.

1 52. In addition to the damages listed below, plaintiff has incurred legal fees and
2 expenses as a result of his criminal prosecution.

3
4 **Ninth Cause of Action**

5 (42 U.S.C. § 1983, by plaintiff AARON BREITIGAM against defendants COUNTY OF LOS
6 ANGELES, LASD, MANN, NORDSKOG, CHAPMAN, BLACKWELL, WILBER, FRALICK,
7 ALVARADO, and DOES 43 THROUGH 47)

8 53. On or about February 11, 1990, at 11144 Virginia Avenue in the City of Lynwood,
9 defendants JASON MANN (#196175), EDWARD M. NORDSKOG (# 241276), JOHN
10 CHAPMAN (#220837), GARY BLACKWELL, MICHAEL WILBER, LANCE FRALICK,
11 JUAN ALVARADO and DOES 43 through 47 seized Mr. BREITIGAM without a warrant,
12 lawful process or reasonable cause and dragged him off the porch and down the driveway
13 (along with plaintiff JOSE ORTEGA), thereby injuring his back, all without necessity or lawful
14 justification, after which plaintiff was released without charges.

15
16 **Tenth Cause of Action**

17 (42 U.S.C. § 1983, by plaintiffs ALVIN WASHINGTON, JEFFERY HOLLIMAN, DANNY
18 WILLIAMS and CHARLES SCOTT against defendants COUNTY OF LOS ANGELES, LASD,
19 RAIMO, BENSON, GORAN, STEINWAND, CORINA, WALL, NELSON, HOLMES, and
20 DOES 48 through 50)

21 54. On or about February 15, 1990, while plaintiffs WASHINGTON, HOLLIMAN and
22 SCOTT were at plaintiff WASHINGTON'S auto repair shop (here and after "shop") in the City
23 of Lynwood, defendants DAN RAIMO (#207220) TIMOTHY E. BENSON (#246380), KEVIN
24 GORAN (#222021), BRIAN STEINWAND (#218524), JOHN CORINA (#213435), JOSEPH
25 HOLMES (#041885), K. WALL (#238868), and NELSON (#220245) and DOES 48 through
26 50 entered into and upon the shop and adjoining property which was then leased or occupied
27 by plaintiff WASHINGTON. Defendants thereafter proceeded to destroy and ransack the shop
28 and plaintiffs' personal property and effects then inside the dwelling, including but not limited

1 to, the destruction of plaintiff WASHINGTON's safe and auto diagnostic computer, the
2 overturning and ransacking of tools, equipment and files, all of which aforescribed acts were
3 wanton, malicious and exceeded the scope of the search warrant under which these defendant
4 deputies were presumably operating.

5 55. During the raid, defendants, and each of them, and DOES 48 through 50, placed
6 the muzzles of their guns to the heads of Mr. HOLLIMAN and Mr. WILLIAMS, kicked Mr.
7 WILLIAMS in the stomach and ribs, ground Mr. HOLLIMAN's face into the ground and
8 stomped on his hand causing the dislocation of his thumb.

9 **Eleventh Cause of Action**

10 (Intentionally Omitted)

11 **Twelfth Cause of Action**

12 (42 U.S.C. § 1983, by plaintiffs MARGUERITA MAYA, GILBERT MAYA, CARLOS MAYA,
13 LUPE MAYA, RAUL MAYA, RAUL MAYA, JR., RUBEN MAYA, ALFREDO MAYA, and
14 IRENE MAYA against defendants COUNTY OF LOS ANGELES, LASD, WHITTEN,
15 CALZADA, COOPER, WINDRIM, PACINA, CORRIGAN, GLOVER, LT. HERRERA,
16 DELVALLE, CHAPMAN, C. BRANTLEY, SPARKS, GOTT, HOLMES, and DOES 51
17 through 66)

18 56. On or about March 1, 1990, defendants JAMES WHITTEN, RICHARD
19 CALZADA, DANIEL COOPER, ROBERT WINDRIM, JAMES PACINA, JAMES CORRIGAN
20 (#213671), TIMOTHY GLOVER, FRUSTINO DELVALLE, JOHN CHAPMAN (#220837), LT.
21 A. HERRERA and DOES 51 through 66 served a search warrant on the residence of these
22 plaintiffs, located at 5160 Cortland Street, in Lynwood, California. The deputies who entered
23 the plaintiffs' home acted under color of a search warrant obtained by defendant JOHN
24 CHAPMAN (#220937) in violation of the Fourth Amendment; and the execution of the warrant
25 was overseen by CAPTAIN RAYMOND GOTT, LT. A. HERRERA, LT. C. BRANTLEY, LT.
26 M. SPARKS, and SGT. JOE HOLMES. The search warrant purporting to authorize the search
27 was facially overbroad in violation of the Fourth Amendment and based upon an affidavit
28 containing known misstatements of material fact. Such warrant was based on underlying facts

1 so lacking in probable cause that any reasonable officer should have known that the warrant
2 was deficient and did not provide sufficient authority to carry out the search. Notwithstanding,
3 the defendants entered the plaintiffs' home, terrorized and humiliated them at gunpoint,
4 ransacked their home and seized items without lawful justification. Defendants detained and
5 questioned plaintiffs without a warrant, lawful process or probable cause.

6 57. Plaintiff CARLOS MAYA was taken into custody during the search of plaintiffs'
7 residence. Upon his release from custody and while he was still at the station deputy defendant
8 DOES 61 through 66 beat plaintiff CARLOS MAYA.

9
10 **Thirteenth Cause of Action**

11 (42 U.S.C. § 1983, by plaintiffs DELIA OSITA, TERESA RODRIGUEZ, ALICE OREJEL,
12 MARIA OREJEL, GREGORIA MENDIBLES, ADOLPHO ALEJADE, BRIAN ALEJADE and
13 ANTONIO CABALLERO against defendants COUNTY OF LOS ANGELES, LASD, DITSCH,
14 GONZALES, GORAN, GUZMAN, O'DELL, RAIMO, RODRIGUEZ, CHAPMAN, HOLMES,
15 HERRERA, BRANTLEY, SPARKS, GOTT and DOES 51 through 66)

16 58. On or about March 1, 1990, defendants CRAIG DITSCH, FRANK GONZALES,
17 KEVIN GORAN (#222021), JOSEPH GUZMAN, RODOLFO O'DELL, DANIEL RAIMO
18 (#207220), MARTIN RODRIGUEZ, and DOES 51 through 66 forcibly entered the residence
19 of these plaintiffs, located at 5174 Sanborn Street, in Lynwood, California, in order to conduct
20 a search pursuant to a search warrant. The deputies who entered the plaintiffs' home acted
21 under color of a search warrant obtained by defendant JOHN CHAPMAN (#220937) in
22 violation of the Fourth Amendment; and the execution of the warrant was overseen by LT. A.
23 HERRERA, LT. C. BRANTLEY, LT. M. SPARKS, CAPT. RAYMOND GOTT and SGT. JOE
24 HOLMES. The search warrant purporting to authorize the search was facially overbroad in
25 violation of the Fourth Amendment and based upon an affidavit containing known
26 misstatements of material fact. Such warrant was based on underlying facts so lacking in
27 probable cause that any reasonable officer should have known that the warrant was deficient
28 and did not provide sufficient authority to carry out the search. Notwithstanding, the

1 defendants entered the plaintiffs' home, terrorized and humiliated them at gunpoint, ransacked
2 the residence, and removed money and other items which were not the subject of the search.
3 Furthermore, defendants detained and questioned plaintiffs without a warrant, lawful process
4 or probable cause. During the search Plaintiff GREGORIA MENDIBLES was bedridden
5 following recent surgery, and, in spite of protests, she was lifted up by the Defendants and
6 forcibly moved within the home against her will.

7
8 Fourteenth Cause of Action

9 (42 U.S.C. § 1983, by plaintiffs ERNESTO AVILA, JESUS AVILA, ESTELLA MONTOYA,
10 REBECCA MONTOYA, MONIQUE TREVIÑO and CRYSTAL TREVIÑO against defendants
11 COUNTY OF LOS ANGELES, LASD, CITY OF LYNWOOD, THOMPSON, STEINWAND,
12 NEIHOUSE, LUNA, HARRIS, CLIFT, CORINA, CHAPMAN, HOLMES, HERRERA,
13 BRANTLEY, SPARKS, GOTT and DOES 51 through 66)

14 59. On or about March 1, 1990, defendants GREGORY THOMPSON (#196144);
15 BRIAN STEINWAND (#218524); JACK NEIHOUSE; SGT. TOMMY HARRIS; JAVIER
16 CLIFT; JOHN CORINA (#213435); and DOES 51 through 66 forcibly entered the residence
17 of these plaintiffs, located at 11121 Pope Street, in Lynwood, California, in order to conduct
18 a search pursuant to a search warrant. The deputies who entered the plaintiffs' home acted
19 under color of a search warrant obtained by defendant JOHN CHAPMAN (#220937) in
20 violation of the Fourth Amendment; and the execution of the warrant was overseen by SGT.
21 JOE HOLMES, LT. A. HERRERA, LT. C. BRANTLEY, LT. M. SPARKS and CAPT.
22 RAYMOND GOTT. The search warrant purporting to authorize the search was facially
23 overbroad in violation of the Fourth Amendment and based upon an affidavit containing known
24 misstatements of material fact. Such warrant was based on underlying facts so lacking in
25 probable cause that any reasonable officer should have known that the warrant was deficient
26 and did not provide sufficient authority to carry out the search. Notwithstanding, the
27 defendants entered the plaintiffs' home, terrorized and humiliated them at gunpoint, and
28 ransacked their home. Defendants detained and questioned plaintiffs without a warrant, lawful

1 process, probable cause, or any lawful basis. Defendants' entry into the premises was
2 unreasonable under the Fourth Amendment and did not comply with the requirements of Penal
3 Code Section 1531.

4
5 **Fifteenth Cause of Action**

6 (42 U.S.C. § 1983, by plaintiffs JORGE CALDERON, CAROLINA CALDERON, LINDA
7 CALDERON, RUBEN CALDERON, DAVID CALDERON, and CHRISTIANA CALDERON
8 against defendants COUNTY OF LOS ANGELES, LASD, GROTEFEND, CARTER,
9 ESQUERRA, ROMAN, OROSCO, RAMIREZ, SALVATORE, GRACIA, GOLDEN,
10 CORMIER, RIPLEY, (GILL) McMICHAEL, GILLIES, WAINIE, RADELEFF, CASTRO,
11 CHAPMAN, HOLMES, HERRERA, BRANTLEY, SPARKS, GOTT and DOES 51 through 76)

12 60. On or about March 1, 1990, defendants ALBERT GROTEFEND (#034657),
13 SCOTT CARTER (#150582), ESQUERRA (#137451), WILLIAM ROMAN (#077668),
14 RICHARD OROSCO (#068734), JACK RAMIREZ (#211246), MICHAEL SALVATORE
15 (#044852), RUBEN GRACIA (#213459), and DOES 51 through 66 entered the residence of
16 these plaintiffs, located at 11125 Pope Street, in Lynwood, California, in order to conduct a
17 search. The deputies who entered the plaintiffs' home acted under color of a search warrant
18 obtained by defendant JOHN CHAPMAN (#220937) in violation of the Fourth Amendment;
19 and the execution of the warrant was overseen by SGT. JOE HOLMES, I.T. A. HERRERA,
20 LT. C. BRANTLEY, LT. M. SPARKS and CAPT. RAYMOND GOTT. The search warrant
21 purporting to authorize the search was facially overbroad in violation of the Fourth Amendment
22 and based upon an affidavit containing known misstatements of material fact. Such warrant
23 was based on underlying facts so lacking in probable cause that any reasonable officer should
24 have known that the warrant was deficient and did not provide sufficient authority to carry out
25 the search. Notwithstanding, the defendants entered the plaintiffs' home, terrorized and
26 humiliated them at gunpoint, and ransacked their home. Defendants detained and questioned
27 plaintiffs without a warrant, lawful process, probable cause, or any lawful basis. Defendants'
28 entry into the premises was unreasonable under the Fourth Amendment and did not comply

1 with the requirements of Penal Code Section 1531. Defendants unlawfully and unreasonably
2 seized plaintiff JORGE CALDERON'S .22 caliber rifle, which rifle they later returned in a
3 damaged and inoperable condition.

4 61. On or about April 6, 1990, in the City of Lynwood, defendants CURTIS GOLDEN,
5 DANIELLE CORMIER, ALLEN RIPLEY, (KELLY GILL) McMICHAEL (#260309),
6 DOUGLAS GILLIES (#244674), BYRON G. WAINIE (#222015), LT. RADELEFT, LT.
7 RICHARD L. CASTRO, and DOES 67 through 76 stopped, detained, arrested or questioned
8 Mr. RUBEN CALDERON without a warrant, lawful process or probable cause. Furthermore,
9 these defendants choked RUBEN CALDERON with a flashlight, slammed a car door on his
10 legs and, while he was jailed at the Lynwood Station, beat him wilfully and without necessity
11 or lawful justification. After RUBEN CALDERON's mother called to complain about this ill
12 treatment, defendants responded by threatening and physically mistreating him causing further
13 injury, pain, suffering, humiliation, and fear.

14
15 **Sixteenth Cause of Action**

16 (42 U.S.C. § 1983, by plaintiffs ELSA TOVAR, FRANCISCO TOVAR, FRANCISCO TOVAR
17 JR., YESENIA TOVAR, MARCELA TOVAR, JAIME TOVAR, JESUS TOVAR and
18 HERMAN TOVAR against defendants COUNTY OF LOS ANGELES, LASD, GROTEFEND,
19 ESQUERRA, SALVATORE, RAMIREZ, GRACIA, ROMAN, CARTER, OROSCO,
20 CHAPMAN, HOLMES, HERRERA, BRANTLEY, SPARKS, GOTT and DOES 51 through 66)

21 62. On or about March 1, 1990, defendants GROTEFEND, ESQUERRA,
22 SALVATORE, RAMIREZ, GRACIA, ROMAN, CARTER, OROSCO and DOES 51 through
23 66 entered the residence of these plaintiffs, located at 11125½ Pope Street, in Lynwood,
24 California, to conduct a search of the home. However, defendants did not have a search warrant
25 authorizing them to search this location, nor did they have any other lawful justification for the
26 search without a warrant. The search warrant the defendants possessed that morning did not
27 authorize entry into the home in which the TOVARs resided. The deputies who entered the
28 plaintiffs' home purported to act under color of a search warrant obtained by defendant JOHN

1 CHAPMAN (#220937) in violation of the Fourth Amendment; and the execution of the warrant
2 was overseen by SGT. JOE HOLMES, LT. A. HERRERA, LT. C. BRANTLEY, LT. M.
3 SPARKS and CAPT. RAYMOND GOTT. The search warrant relied upon by the defendants
4 was facially overbroad in violation of the Fourth Amendment and based upon an affidavit
5 containing known misstatements of material fact. Such warrant was based on underlying facts
6 so lacking in probable cause that any reasonable officer should have known that the warrant
7 was deficient and did not provide sufficient authority to carry out the search. Notwithstanding,
8 the defendants forcibly entered the plaintiffs' home and terrorized and humiliated them at
9 gunpoint, and ransacked their home. Defendants detained and questioned plaintiffs without a
10 warrant, lawful process or probable cause.

11
12 **Seventeenth Cause of Action**

13 (42 U.S.C. § 1983, by plaintiff SERGIO GALINDO against defendants COUNTY OF LOS
14 ANGELES, LASD, SGT. ANDERSON, GIRON, RIFKIN, HOLBROOK, NUNEZ,
15 BRANDENBURG, COSTLEIGH, O'HARA, CHAPMAN, HERRERA, HOLMES, BRANTLEY,
16 SPARKS and GOTT and DOES 51 through 66)

17 63. On or about March 1, 1990, defendants SGT. ANDERSON (#160080), GIRON
18 (#033144), RIFKIN (#207195), HOLBROOK (#209619), NUNEZ (#067434),
19 BRANDENBURG (#209523), COSTLEIGH (#173151), O'HARA (#183119), and DOES 51
20 through 66 entered the residence of this plaintiff, located at 11209 Duncan Avenue, in
21 Lynwood, California, in order to conduct a search pursuant to a search warrant. The deputies
22 who entered the plaintiffs' home acted under color of a search warrant obtained by defendant
23 JOHN CHAPMAN (#220937) in violation of the Fourth Amendment; and the execution of the
24 warrant was overseen by Lt. A. HERRERA and SGT. JOE HOLMES. The search warrant
25 purporting to authorize the search was facially overbroad in violation of the Fourth Amendment
26 and based upon an affidavit containing known misstatements of material fact. Such warrant
27 was based on underlying facts so lacking in probable cause that any reasonable officer should
28 have known that the warrant was deficient and did not provide sufficient authority to carry out

1 defendants LOY LUNA (#210663) and DOES 99 through 107 stopped, detained, arrested and
2 questioned Mr. MELENDREZ without a warrant, lawful process or probable cause. These
3 defendants unlawfully and without probable cause detained and arrested Mr. MELENDREZ,
4 and, in the course of transporting Mr. MELENDREZ to the Lynwood Station, struck and beat
5 Mr. MELENDREZ while he was helplessly handcuffed in the rear seat of these deputies' patrol
6 car. These defendants thereafter handcuffed Mr. MELENDREZ to a swivel chair in the trailer
7 of the station and continued to slap, beat and strike said plaintiff, all without necessity or
8 justification.

9
10 **Twenty-Second Cause of Action**

11 (42 U.S.C. § 1983, by plaintiffs SALVADOR PRECIADO and RAPHAEL OCHOA against
12 defendants COUNTY OF LOS ANGELES, LASD, CITY OF LYNWOOD, HUBNER,
13 REEVES, HUFFMAN, CORINA, HOLMES, and DOES 108 through 122)

14 70. On or about April 17, 1990, in the City of Lynwood, defendants ERIC HUBNER
15 (#37190), JEROLD REEVES (#208423), DALE HUFFMAN (#265013), JOHN CORINA
16 (#213435), and JOSEPH HOLMES (#041885), and DOES 108 through 112 stopped, detained,
17 arrested and questioned plaintiffs without a warrant, lawful process or probable cause. These
18 defendants struck these plaintiffs in the face wilfully and without necessity or lawful
19 justification. Further, one of these defendants shoved a loaded revolver into plaintiff
20 RAPHAEL OCHOA'S mouth for approximately thirty seconds and told him, "Every time you
21 see us we are going to fuck with you."

22 71. On or about April 20, 1990, at or near 11345 Wright Road, Lynwood, defendants
23 DOES 113 through 122 stopped, detained, arrested and questioned these plaintiffs without a
24 warrant, lawful process or probable cause. These defendants beat plaintiff SALVADOR
25 PRECIADO while he was kept in a darkened cell and slammed him into metal lockers wilfully
26 and without necessity or lawful justification.

27 72. On or about April 20, 1990, defendants DOES 113 though 122 entered and
28 searched plaintiff RAPHAEL OCHOA'S residence at 11345 Wright Road, without a warrant

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

DARREN THOMAS, et al.,
Plaintiffs,

vs.

COUNTY OF LOS ANGELES, etc., et al.,
Defendants.

Case No. CV 90-5217 TJH (Ex)

**PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION IN LIMINE
TO EXCLUDE VIKINGS EVIDENCE**

Date: 5/30/95
Time: 10:00 a.m.
Ctm: 17

1764

1 I. INTRODUCTION.

2 When this lawsuit began, plaintiffs did not know who the Vikings were or that for years
3 there had been complaints about a gang of deputies calling themselves "Vikings."¹ All plaintiffs
4 knew is that they were being victimized by systemic acts of criminal misconduct by Lynwood
5 station deputies. But through discovery and investigation, plaintiffs learned what Sheriff's
6 Department brass had known for years -- a gang of Lynwood deputies was operating in violation
7 of "the principles of law enforcement" in "all respects."² The evidence included caucasian
8 deputies proudly wearing tattoos that communicated their gang allegiance and displayed, in some
9 instances, derogatory racial monikers (e.g., "chango fighter"). The Department's official position
10 was that the Vikings did not exist or, if they did exist, it was merely a social club, an informal
11 grouping of deputies for recreational activities.

12 Plaintiffs' discovery has shown that others within the department did not share upper
13 management's official view. Sheriff's Lieutenants Soderberg and Clark were not complaining
14 about a social club when they urged the Department to take action against the Vikings. It was not
15 a social club that caused non-Viking deputies (e.g., African-Americans) to fear for their and their
16 families' safety should it be known that they had complained about the Vikings. And it was not
17 a social club that prompted defendant Capt. Cueva to promise two African-American deputies
18 confidentiality when they complained about the Vikings.

19 In the motion defense counsel adopts their clients' official view and proceeds as if they is
20 no evidence that the Vikings existed as anything other than an innocuous and harmless social club.
21 In other words, defendants ask the Court to do what they have done for years, disbelieve the
22 ultimate point, that policemen can become gangsters, and then to work broadly backward from
23 there, disregarding as irrelevant all of the facts which support such a finding.

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¹ The original complaint does not mention Vikings.

² These are the words of Sheriff's Department Captain (and former Lynwood watch commander) Mike Soderberg.

1 Of course, if there were no evidence to support a finding that the Vikings existed³ as a
2 gang of deputies that embarked on racially-motivated criminal misconduct, defendants do not need
3 the instant motion. The burden of proof is sufficient to cure the problem. Defendants, though,
4 bring the motion because they know that plaintiffs have substantial evidence showing the Vikings
5 for what they really were -- thinly-disguised thugs and racists operating with the imprimatur of the
6 Sheriff's Department.

7 **II. THERE IS SUBSTANTIAL EVIDENCE SHOWING THAT THE LYNWOOD**
8 **VIKINGS EXISTED AS A GANG OF RENEGADE OUT-OF-CONTROL DEPUTIES**
9 **ENGAGED IN CRIMINAL MISCONDUCT.**

10 Mike Soderberg is a Sheriff's Department's Captain. From 1981 through 1983, then-
11 Lieutenant Soderberg was a watch commander at the Lynwood station. Soderberg described the
12 Vikings as an "informal group of deputy sheriffs, mostly from the P.M. and early morning shifts,
13 who got together and drank a lot and raised hell." Soderberg depo. at 39 (see Exhibit A). The
14 formation of the Vikings was, in Lt. Soderberg's opinion, "not only a violation of Sheriff's
15 Department policy but in all respects something against what I believed to be the principles of law
16 enforcement." Soderberg depo, 43. Consequently, Soderberg recommended that the Department
17 investigate the Vikings. Soderberg depo, 42-43. (The Department never did.)

18 Lynwood station commander (1989-92) Bert Cueva, according to defendant deputy Danielle
19 Cormier, described the Vikings in more blunt terms:

20 Captain Cueva[] stated that the Vikings to him symbolize a group of
21 Aryan deputies who rape and pillage the community. Captain Cueva
22 also stated on numerous occasions that he was going to clean this
23 clique up . . . Captain Cueva did in fact attempt to identify members
24 of the Viking group by looking for Viking tattoos on various deputy
25 personnel. . . .

26 12/31/90 Declaration of defendant Danielle Cormier, ¶8 (Exhibit B).

27
28 ³ For purposes of this motion only, plaintiffs presume that the Vikings no longer exist (albeit
the Department's position gives ample cause to the contrary).

1 Because, according to defendant Cormier, Sheriff's management viewed the Vikings as a
2 criminal gang,

3 these deputies [various Vikings] have been branded by the
4 Department as white supremacists, criminals, gangsters, and
5 unsupervisable, insubordinate deputies.

6 12/31/90 Declaration of defendant Danielle Cormier, ¶8 (Exhibit B.)

7 Cueva testified that he was initially prompted to take action when two African-American
8 deputies privately complained about the Vikings symbol. Cueva depo. 161-64 (Exhibit C).
9 Although he was not required to keep the deputies' complaints confidential, Cueva agreed to do
10 so. Cueva depo. at 166. The complaining deputies feared "becom[ing] outcasts with the rest of
11 the personnel at the station." Cueva depo. 167. Cueva himself believed that the complaints of
12 these two Black deputies "could be very, very damaging to them" if other deputies discovered
13 their complaints. Cueva depo. at 168. The two deputies "feared being outcasts." "They feared
14 probably rolling on calls and nobody rolling to back them up should they need assistance." Cueva
15 depo. at 169.

16 Andre Pinesett, an African-American deputy assigned to Lynwood, testified that various
17 Vikings cliques engaged in racist practices. Pinesett depo. at 267-268 (Exhibit D). He said that
18 the good assignments were given to Vikings. Pinesett depo. 270-73. Notwithstanding Mr.
19 Pinesett's reservations about testifying fully about the Vikings because of fear for his and his
20 family's safety, Pinesett depo. at 276-277, he stated there were Vikings who referred to themselves
21 a "OGCF" meaning Original Gangster Chango Fighter. He testified that there were racial
22 comments made to him by the people who identified themselves as OGCF. He explained that
23 "chango" is a Spanish word meaning monkey and that it was applied African-Americans. Pinesett
24 depo. at 280-82. He stated that those deputies affiliated with the Vikings used hand signs. Pinesett
25 depo. at 291. He stated that there was a core group of Vikings that supervisors "didn't mess
26 with" and that they were "generally always in positions of authority within the station whether
27 they be watch deputy, training officer, acting watch sergeant . . ." Pinesett depo. at 295.

28 Additionally, the Court should take judicial notice of the evidence plaintiffs submitted in

1 support of the motion for a preliminary injunction which showed that, in fact, an out-of-control
2 gang of Lynwood deputies were routinely engaging in criminal and racially-motivated misconduct.
3 Thus, there was and is substantial evidence supporting the Court's earlier finding that "a group
4 of Lynwood area deputies . . . are members of a neo-nazi white supremacist gang -- the Vikings -
5 - which exists with the knowledge of the departmental policy makers." Findings of Fact and
6 Conclusions of Law filed October 8, 1991, ¶7.⁴

7 Vikings' membership can be evidenced by tattoos or by wearing insignias. Former
8 Lynwood deputy Gillies testified that Viking pins were available at the station for deputies to wear,
9 which many deputies wore. Gillies depo at 67 (Exhibit E). Of course, many deputies have
10 Vikings tattoos. Gillies depo at 86. It was customary to have a tattoo on or near the ankle.
11 Gillies depo at 87-88. (One of deputies involved in the Fourth Cause of Action who has a Viking
12 tattoo is defendant Danielle Cormier. Gillies depo at 89.⁵) Another former Lynwood deputy,
13 defendant Jason Mann, testified that he had on his left ankle a Viking tattoo bearing Roman
14 numeral XLVIII which means his was the 48th numbered Viking tattoo. Mann depo. at 448
15 (Exhibit F). Mann testified that defendant Javier Clift has a Viking tattoo with the words "Chango
16 Fighter" on it. Mann depo. at 456. Other monikers defendant Mann has seen deputies use in
17 connection with their Viking tattoos are "Dog Head," "PV" and "Mr. Fig." Mann depo. at 455.
18 Mann, however, never saw a Viking tattoo on a Black deputy. Mann depo. at 454.

19 Vikings easily fit the law enforcement definition of a gang. The content and existence of
20 "LVS25" tattoos show the existence of a gang (as well as an individual's membership). Gangs
21 often have "a specific language, code, and hierarchy," and gang names, "usually printed in initials
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25 ⁴ Contrary to defendants' argument, the Ninth Circuit did not vacate this Court's finding on
26 grounds of insufficient evidence. Rather, the Ninth Circuit held that given the conflicting evidence
27 an evidentiary hearing was required before the Court could make the finding for purposes of a
28 preliminary injunction. *Thomas v. County of Los Angeles*, 978 F.2d 504, 509 (9th Cir. 1992).

⁵ Defendants' assertion that "there is no evidence whatsoever that . . . Danielle Cormier . . .
[has] the visage of a 'Viking' tattooed on [her] ankle[.]" Motion at 8:13-18, is simply false.

1 or symbols--are often difficult to discern.”⁶ Both of the legal definitions above require that a
2 gang have a “a common name or symbol.” The code “LVS25” is cryptic; unlike a I.O.O.F.,
3 U.S.N., U.S.M.C., U.S.A.F., ΣAE, ΣX tattoo, whatever pride that is conveyed by this tattoo is
4 meant to be understood by fellow members or the gang-cultured. Consider also Deputy Chapman’s
5 testimony that “A gang member who tattoos a gang name on himself somewhere, I would say is
6 serious about his gang membership.” Chapman depo. at 402-03 (Exhibit H). Police gang files
7 contain descriptions or photographs of tattoos,⁷ and the Attorney General has recognized that gang
8 members may wear tattoos as part of their gang activity.⁸ Defendants’ gang expert Sgt. McBride
9 agreed when he testified that “[t]attoos . . . [were] characteristic of a gang.” McBride depo. at 102
10 (Exhibit I).

11 Within the Sheriff’s Department, the Vikings’ existence was well known. There was, of
12 course, the aforementioned tattoos and pins. Additionally, in the Lynwood station briefing room
13 there was a large flag bearing the term “Vikings.” Gillies depo at 65. The chain of command
14 up through and including Sheriff Sherman Block knew of the Vikings’ proclivities for criminal
15 misconduct. Lt. Soderberg requested that the Department investigate the Vikings in the early
16 1980s. Then-Lt. Roger Clark, through his custodial responsibilities for a former deputy and Viking
17 member Robert Armstrong, learned that the Vikings had a total lack of respect for the black
18 community.⁹ Clark depo. at 56-57 (Exhibit J). Consequently, Clark wrote memos to Division

19 _____
20 ⁶ Miles Corwin, *Deciphering Graffiti Gives Police a Way to Monitor Gangs*, L.A. Times
21 (Home Edition, Metro Section), June 8, 1992 at 1, Pt. B Col. 2.

22 ⁷ Susan L. Burell, *Gang Evidence: Issues for Criminal Defense*, 30 SANTA CLARA L. REV. 739
23 (1990).

24 ⁸ *Id.* at ___ n. 45 (“At the mid level of involvement are the ‘associates,’ who ‘associate with
25 the group for status and recognition.’ They may wear club jackets, attend social functions, and
26 may have tattoos.’”) (citing ATT’Y GEN. YOUTH GANG TASK FORCE, DEPT. OF JUSTICE OF THE
27 STATE OF CALIFORNIA, REP. ON YOUTH GANG VIOLENCE IN CALIFORNIA (June 1981) at 14).

28 ⁹ Robert Armstrong, a former Lynwood deputy, was convicted of second degree murder for
an on-duty shooting of a pregnant African-American, killing her fetus. While Armstrong served
as a trustee at the Department’s Cresenta Valley substation, pursuant to upper management’s
special instructions Lt. Clark had daily conversation with Mr. Armstrong because of concern for
Armstrong’s mental health. Clark depo. 33, 38, 42.

1 Chief Roy Brown and others, describing the dangers he felt were posed by "peer clans" like the
2 Vikings. Clark depo. 99-111. No wonder Sherman Block admitted that it has been common
3 knowledge for years that there was a group of deputies at Lynwood known as the Vikings. Block
4 depo. at 163-64 (Exhibit G).

5 Thus, defense counsel's assertion that "[t]here has never been in this case . . . any
6 competent evidence of the existence of a 'neo-nazi, white supremacist gang,' " is patently false.

7 **III. EVIDENCE OF THE LYNWOOD VIKINGS IS RELEVANT AND ADMISSIBLE.**

8 **A. Introduction.**

9 Relevant evidence is "evidence having *any* tendency to make the existence of *any* fact that
10 is of consequence to the determination of the action more probable or less probable. . . ." Fed.
11 R. Evid. 401 (emphasis added). Regarding the Vikings, the relevance question for the Court is
12 only whether this body of evidence tends to create an inference that legitimately pushes the jury
13 one way or the other on the issue plaintiffs proffer. Plainly, the evidence does.

14 **B. Vikings Evidence Is Admissible To Show Bias.**

15 Vikings evidence typifies the evidence contemplated by the controlling law on bias. In
16 *United States v. Abel*, 469 U.S. 45, 52, 105 S.Ct. 465, 83 L.Ed.2d 450 (1984), the Supreme Court
17 held that, "[p]roof of bias is almost always relevant. . . . A witness' and a party's common
18 membership in an organization, even without proof that the witness or party has personally adopted
19 its tenets, is certainly probative of bias." There the court admitted testimony that the witness
20 belonged to "a secret type prison organization" which required its members to lie, cheat, and steal
21 for each other, as well as deny the existence of the organization. The court also found that a "jury
22 may be permitted to draw an inference of subscription to the tenets of the organization from
23 membership alone," and that "the type of organization in which a witness and a party share
24 membership may be relevant to show bias." 469 U.S. at 53, 54. In elaborating a test for bias
25 evidence, the Court explained that the closeness and the subject matter of the organization would
26 affect "the source and strength" of bias: "If the organization is a loosely knit group having
27 nothing to do with the subject matter of the litigation," the bias inference would be small or nil.
28 (The Court used the Book of the Month Club as an example of the far end of its spectrum. *Id.*)

1 back, handcuffed Mason, and immediately took him back to the
2 Lynwood station where they were met by several deputies, including
3 a lieutenant. The deputy explained Mason's request at the hospital
4 to the lieutenant and asked, "What the hell do I do with him now?"
5 In response, the lieutenant called Mason a "stupid-ass fucking
6 nigger," and told him that they were going to "lose you in the
7 system" until the following Monday. The lieutenant then ordered
8 a deputy to take Mason to the County Jail hospital ward.

9 Mason was released the next afternoon without any shoes,
10 paperwork, or charges against him. However, after his attorneys
11 filed a request that his complaint of police abuse be investigated
12 pursuant to Cal. Penal Code § 832.5, he was informed that charges
13 were being filed against him. He has since been charged with
14 driving under the influence, interfering with a peace officer, and
15 battering a police officer.

16 xii. Jeremiah Randle

17 On June 24, 1991, at approximately 6:30 p.m., Jeremiah Randle
18 -- a 28-year-old African-American who teaches the fifth grade in
19 a Los Angeles public school -- was driving his new red BMW
20 convertible when two Lynwood deputies approached him from behind
21 in a patrol car and pulled him over.¹⁴ One of the deputies
22 approached Randle's car on the driver's side, pointed to the
23 temporary registration displayed on his windshield, and asked if
24 it was the only registration he had. Randle replied that it was,
25

26 ¹⁴Since buying the car approximately two weeks before this
27 incident, Randle had been stopped five times by officers from the
28 California Highway Patrol, the Compton Police Department, and the
Los Angeles County Sheriff's Department. (Declaration of Jeremiah
Randle).

1 that the car was new, and that it was registered in his name. The
2 deputy then asked for his registration and driver's license.

3 After giving his license and registration to the deputy,
4 Randle asked why he had been stopped. The deputy replied, "I don't
5 have to tell you shit!" Randle then told the deputy that he had
6 not broken any laws, and asked if it was department policy to stop
7 and detain people without telling them why. In response, the
8 deputy said, "Shut the fuck up! I don't have to tell you
9 anything." He then took Randle's license and registration back to
10 the patrol car. After a while the deputy came back to Randle's
11 car, handed his license and registration back, and told him that
12 he could go. When Randle asked again why they had stopped him, the
13 deputy said, "Look, nigger, I don't have to tell you shit."

14 As Randle began to start his car and leave, the other deputy,
15 who had been sitting in the patrol car at the computer terminal,
16 shouted that they should not let him go, and that his license had
17 been suspended. Randle responded that his license had not been
18 suspended. The first deputy then ordered Randle to get out of the
19 car and turn around. After Randle complied with these orders, one
20 of the deputies said, "Your black ass is going to jail." While
21 grabbing Randle's arm and pulling it up to the back of his neck,
22 the other deputy said, "Yeah, nigger is going to jail, and going
23 to jail tonight."

24 Randle was then handcuffed and taken to the passenger side of
25 the patrol car, where one of the deputies began kicking him in the
26 side of his right knee. The deputy kicked him there at least eight
27 times, apparently trying to break his leg. During the kicking,
28 while Randle was screaming and yelling out in pain, the deputies

1 called him a "pussy," "bitch," "nigger," and "cry-baby." Randle
2 did not resist the deputies, he did not use force, and he did not
3 threaten to use force at any time during the incident.

4 Other sheriff's deputies arrived in additional patrol cars,
5 including one deputy who said to Randle, "We're not racist; we
6 think everyone should own a nigger." A sergeant arriving in one
7 of the additional cars looked at the deputies, laughed, and said
8 to them, "You guys owe me for this one!" The sergeant later
9 ordered two of the deputies to remove Randle's handcuffs. As they
10 did so, they severely twisted his fingers and wrists.

11 Randle told the sergeant everything that had happened,
12 including that the deputies had "kicked the shit out of me." The
13 sergeant said that he could arrest Randle for resisting arrest and
14 take him to a doctor, or that Randle could take himself to a
15 doctor. The sergeant later told him that he was free to go as soon
16 as a deputy finished writing a ticket. Approximately 20 minutes
17 later, he was given a ticket for wilfully obstructing an officer
18 and for not having a license plate on his vehicle. He was then
19 released at the scene of the incident.

20 As a result of the beating, Randle suffered a severe hematoma
21 on his right knee and possibly a torn ligament. Both wrists were
22 sprained and one may be fractured. He also suffered a shoulder
23 sprain, and his right hand may be broken. He is undergoing further
24 medical examinations and treatment.

25 2. Use of Firearms To Terrorize, Maim, and Kill

26 a. Raids of Homes and Businesses

27 Lynwood deputies have repeatedly used their firearms to
28 terrorize members of the public. In the house and business raids

← Back to Original Article

Deputies in 'Neo-Nazi' Gang, Judge Found : Sheriff's Department: Many at Lynwood office have engaged in racially motivated violence against blacks and Latinos, jurist wrote.

October 12, 1991 | HECTOR TOBAR | TIMES STAFF WRITER

A federal judge has concluded that many Los Angeles County sheriff's deputies at the Lynwood station routinely violate civil rights, are motivated by "racial hostility" and use "terrorist-type tactics" with the knowledge of their superiors.

U. S. District Judge Terry J. Hatter Jr. issued the written finding this week in support of his Sept. 23 order that the Sheriff's Department abide by its own use-of-force policies. The order was temporarily blocked by the U. S. 9th Circuit Court of Appeals, which will decide whether Hatter has the power to supersede Sheriff Sherman Block's authority over the Lynwood station.

In unusually strong language, Hatter found that a "neo-Nazi, white supremacist gang" of deputies--the Vikings--exists at the Lynwood station with the knowledge of department officials. "Policy makers" in the department, Hatter said, "tacitly authorize deputies' unconstitutional behavior."

The judge's findings are directly at odds with how department officials have characterized the Vikings, which they say is a harmless social group.

More than 70 Lynwood residents filed a civil rights lawsuit last September alleging that deputies engaged "in systematic acts of shooting, killing, brutality, terrorism, house-trashing and other acts of lawlessness and wanton abuse of power," especially against Latinos and blacks.

Although testimony has not yet been heard in the case, Hatter has received affidavits from dozens of Lynwood residents who claim to have been victimized by Lynwood deputies.

Sheriff's officials have disputed the allegations, saying many of the plaintiffs were gang members or criminals seeking to discredit deputies.

Deputy Pat Hunter, a Sheriff's Department spokesman, said the judge's finding "is not a new action but substantiation for the action he had previously ordered on Sept. 23." Hunter declined further comment.

Attorneys for the Lynwood plaintiffs applauded the judge's findings.

"After looking at 2,000 pages of the record, the court has found our evidence far more credible," said Constance Rice, Western regional counsel for the NAACP's Legal Defense and Education Fund. "It's a very strong order and a very strong set of findings. He found there is a direct link between department policy and unconstitutional behavior."

In the five-page document, Hatter wrote: "The evidence presented by the plaintiffs is more credible than that presented by the defendants."

Patrick T. Meyers, principal deputy county counsel and a spokesman for the defense, could not be reached for comment.

In issuing the preliminary injunction Sept. 23, Hatter directed the 8,000 officers and 4,000 other employees of the Sheriff's Department to abide by department regulations, especially those that outline when deputies can use force and how to conduct searches.

The judge also asked that the Sheriff's Department begin sending him every brutality complaint lodged against it.

Block opposed the injunction, saying it would, in effect, transform every violation of department guidelines into a federal crime.

On Sept. 24, the federal appeals court issued an emergency stay of Hatter's decision pending arguments scheduled for the first week of December.

In support of his decision, Hatter filed his written findings Tuesday with the appeals court. The document was released to attorneys Thursday.

Among Hatter's key findings:

* Several plaintiffs were charged with crimes after they were allegedly brutalized by deputies. The judge said there is "an unwritten Sheriff's Department policy of charging a person injured (by deputies) in the course of a routine stop." Many of the criminal charges were later dropped because of "unreasonable force" during the arrests.

* In an apparent attempt to persuade the plaintiffs to drop the lawsuit, Lynwood deputies confronted the plaintiffs on several occasions since the case was filed in September, 1990.

* "The actions of many deputies working in the Lynwood substation are motivated by racial hostility," Hatter said. "These deputies regularly disregard the civil rights of individuals they have sworn to protect. Many of the incidents which brought about this motion

involved a group of Lynwood-area deputies who are members of a neo-Nazi, white supremacist gang--the Vikings--which exists with the knowledge of departmental policy makers."

* Many of the deputies and sergeants in Lynwood "intimidate and ridicule blacks and Hispanics."

* "There is a direct link between departmental policy makers, who tacitly authorize deputies' unconstitutional behavior, and the injuries suffered by the plaintiffs."

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FILED
OCT 8 1991
CLARENCE U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
D.C. 11

**United States District Court
Central District of California**

DARREN THOMAS, *et al.*,
Plaintiffs,
v.
COUNTY OF LOS ANGELES,
et al.,
Defendants.

CV 90-5217 TJH (Ex)
**Findings of Fact
and
Conclusions of Law**

Plaintiffs' motion for a preliminary injunction was heard on September 9, 1991 and September 23, 1991, by the Honorable Terry J. Hatter, Jr., United States District Judge. Having fully considered the evidence presented and the arguments of counsel, the Court makes the following findings of fact and conclusions of Law:

FINDINGS OF FACT

1. Plaintiffs filed this civil rights class action suit under 42 U.S.C. §§ 1983 and 1985 to stop, what they perceived to be, the systematic and unjustified

1 shootings, killings, beatings, terrorism, and destruction of property caused by Los
2 Angeles County deputy sheriffs at the Lynwood sub-station.

3 2. A motion to certify the class has not yet been filed.

4 3. Since the date this case was filed, there have been many confrontations
5 between deputy sheriffs and plaintiffs, in an apparent attempt by the deputies to
6 convince plaintiffs to dismiss this action.

7 4. Several plaintiffs were charged with crimes after they were allegedly
8 brutalized by deputies. These individuals were charged pursuant to an unwritten
9 Sheriff's Department policy of charging a person injured in the course of a routine
10 stop. Because of the unreasonable force used in effectuating their arrests, many of
11 these victims had their criminal charges dropped at arraignment, .

12 5. Witnesses who attempted to file misconduct reports regarding some of
13 the brutality incidents were discouraged from doing so by deputies and their
14 superiors.

15 6. Most of the deputies who work in the Lynwood area are permanently
16 assigned to the Lynwood sub-station; however, a significant number of officers,
17 such as reserve officers and members of department-wide bureaus, are not
18 permanently assigned to the Lynwood sub-station, but occasionally work in the
19 Lynwood area.

20 7. The actions of many deputies working in the Lynwood sub-station are
21 motivated by racial hostility; these deputies regularly disregard the civil rights of
22 individuals they have sworn to protect. Many of the incidents which brought about
23 this motion involved a group of Lynwood area deputies who are members of a neo-
24 nazi, white supremacist gang -- the Vikings -- which exists with the knowledge of
25 departmental policy makers.

26 \ \ \

1 8. Deputies, who previously worked in the Lynwood sub-station,
2 acknowledge that during the period they were assigned to Lynwood, it was clear
3 that many of the deputies and sergeants in Lynwood were out to intimidate and
4 ridicule Blacks and Hispanics.

5 9 There is a direct link between departmental policy makers, who tacitly
6 authorize deputies' unconstitutional behavior, and the injuries suffered by the
7 plaintiffs.

8 10. As a result of the terrorist-type tactics of deputies working in
9 Lynwood, and policy makers' tolerance of such tactics, plaintiffs are being
10 irreparably injured -- both physically and mentally -- and their civil rights are being
11 violated.

12 11. The evidence presented by the plaintiffs is more credible than that
13 presented by the defendants.

14 12. To the extent that any of these findings of fact are deemed to be
15 conclusions of law, they are incorporated as conclusions of law.

16 CONCLUSIONS OF LAW

17 1. Plaintiffs have standing to seek injunctive relief because:

18 A. They requested damages as well as injunctive relief (*see Giles*
19 *v. Ackerman*, 746 F.2d 614 (9th Cir. 1984), *cert. denied*, 471 U.S. 1053 (1985));

20 B. They have alleged a persistent pattern of police misconduct in
21 the Lynwood area from which a future threat can be inferred (*see Smith v. City of*
22 *Fontana*, 818 F.2d 1411 (9th Cir. 1987)); and

23 C. Their claims for injunctive relief and damages are based on the
24 same operative facts (*see Smith*, 818 F.2d at 1423).

25 \ \ \

1 2. A preliminary injunction should be issued upon a showing of probable
2 success on the merits and the possibility of irreparable harm, or the existence of
3 serious questions on the merits and that the balance of hardships tips in the moving
4 party's favor. *Vision Sports, Inc. v. Melville Corp.*, 888 F.2d 609, 612 (9th Cir.
5 1989).

6 3. When the public interest is involved, that factor must be treated as
7 "one of the traditional equitable criteria which a court should consider in granting
8 injunctive relief." *Chalk v. United States*, 840 F.2d 701, 711 (9th Cir. 1988).

9 4. Plaintiffs have established their probable success on the merits, based
10 on this Court's finding that the plaintiffs' evidence is more credible than that of the
11 defendants.

12 5. Plaintiffs have also established irreparable harm, based on this Court's
13 finding that the deputies' actions have resulted in irreparable physical and
14 emotional injuries to plaintiffs and the violation of plaintiffs' civil rights.

15 6. This Court has balanced the equities and found that the irreparable
16 injury to plaintiffs that would result from the denial of a preliminary injunction far
17 outweighs any possible injury that such relief could cause defendants.

18 7. The issuance of a preliminary injunction will serve the public interest
19 in that it will prevent, or at least minimize the physical, emotional, and psychologi-
20 cal harm being suffered by plaintiffs and the Lynwood community at the hands of
21 Lynwood area deputies.

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1 8. To the extent that any of these conclusions of law are deemed findings
2 of fact, they are incorporated as findings of fact.

3
4 For all the foregoing reasons, this Court issued the preliminary injunction.

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7 Date: ~~September 30,~~ ^{October 8,} 1991

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11 Terry J. Hutter, Jr.
12 United States District Judge
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1 AND THAT OF OTHER WITNESSES, IF THERE WERE
2 ANY, DO NOT NECESSARILY MEAN THAT THE
3 WITNESS SHOULD BE DISCREDITED.

4 FAILURE OF RECOLLECTION IS COMMON.
5 INNOCENT MISRECOLLECTION IS NOT UNCOMMON.
6 TWO PERSONS WITNESSING AN INCIDENT OR
7 TRANSACTION OFTEN WILL SEE OR HEAR IT
8 DIFFERENTLY. WHETHER A DISCREPANCY
9 PERTAINS TO AN IMPORTANT MATTER OR ONLY TO
10 SOMETHING TRIVIAL SHOULD BE CONSIDERED BY
11 YOU.

12 A WITNESS WHO IS WILLFULLY FALSE IN
13 ONE MATERIAL PART OF HIS OR HER TESTIMONY
14 IS TO BE DISTRUSTED IN OTHERS. YOU MAY
15 REJECT THE WHOLE TESTIMONY OF A WITNESS WHO
16 WILLFULLY HAS TESTIFIED FALSELY AS TO A
17 MATERIAL POINT UNLESS FROM ALL THE EVIDENCE
18 YOU BELIEVE THE PROBABILITY OF TRUTH FAVORS
19 HIS OR HER TESTIMONY IN OTHER PARTICULARS.

20 YOU ARE NOT BOUND TO DECIDE AN ISSUE
21 OF FACT IN ACCORDANCE WITH THE TESTIMONY OF
22 A NUMBER OF WITNESSES, WHICH DOES NOT
23 CONVINCING YOU, AS AGAINST THE TESTIMONY OF A
24 LESSER NUMBER OR OTHER EVIDENCE, WHICH
25 APPEALS TO YOUR MIND WITH MORE CONVINCING
26 FORCE.

27 YOU MAY NOT DISREGARD THE TESTIMONY
28 OF THE GREATER NUMBER OF WITNESSES MERELY

UNITED STATES OF AMERICA
COMMISSION ON CIVIL RIGHTS
SUBPOENA

To David Lynn, Private Investigator
at P.O. Box 1372, Venice, CA 90291

PURSUANT to the authority of Public Law 103-419, 108 Stat. 4338, and Notice of Hearing having been duly published in the Federal Register on August 7, 1996, at 61 F.R. 41125, a copy of which is attached hereto,

YOU ARE HEREBY COMMANDED to be and appear before the United States Commission on Civil Rights, or a duly appointed Subcommittee thereof, at a Hearing for the attendance and testimony of witnesses on September 13, 1996 at 7:45 a.m., at the Crowne Plaza, 3540 South Figueroa Street, Los Angeles, CA 90007, then and there to testify with respect to what you may know relative to a matter of inquiry committed by law to the consideration of said Commission, and not to depart without leave of said Commission, and

DUCES TECUM

YOU ARE HEREBY COMMANDED FURTHER to bring with you and produce before said Commission, or a duly authorized Subcommittee thereof, the following:

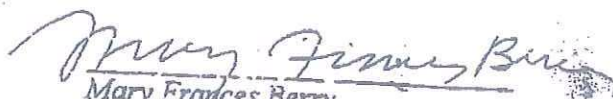
See Attached Exhibit "A"

HEREOF FAIL NOT, as you will answer your default under the pains and penalties in such cases provided for in Section 3(e)(2) of Public Law 103-419, 108 Stat. 4338, as amended, of the Civil Rights Commission Amendments Act of 1994, reproduced herein.

PURSUANT to the Rules on Hearings of the United States Commission on Civil Rights, a copy of which is attached hereto, an office has been established at: 624 Ninth Street, N.W., Room 620, Washington, DC 20425, (202) 376-8351, for return of subpoenas. [For communications to the Commission with respect to the Hearing and this subpoena, contact Stephanie Y. Moore, General Counsel, at the Office of the General Counsel].

Issued by the United States Commission on Civil Rights, and

Given under my hand this the 23rd day of August, 1996.


Mary Frances Berry
Chairperson

200001

Exhibit "A"
SUBPOENA DUCES TECUM

1. Any non-privileged document, including but not limited to, reports, news clippings, press releases, and court documents, in your possession relating to the existence of organized groups within the Los Angeles County Sheriff's Department which have allegedly engaged in illegal activities.

My name is David Lynn. I thank you for this opportunity today to testify and present evidence regarding: *Organized groups within the Los Angeles County Sheriff's Department which have allegedly engaged in illegal activities.*

I have been licensed by the State of California as a Private Investigator for the past seven years. In my practice, I specialize in criminal defense, civil police misconduct cases and international human rights violations. I have worked as an investigator of human rights abuses in the war zones of 7 different countries including El Salvador where I have worked for several human rights agencies including the United Nations. While working for the UN as a Police Homicide Investigator, I was assigned as the Lead Investigator on 17 death squad type murders.^A

My foreign war zone experience has proven extremely valuable to me during my investigations of police brutality cases in Los Angeles County and particularly in Lynwood, California. Lynwood, which is bordered by Watts and unincorporated Compton, are minority communities of mainly Latinos and African Americans, patrolled by a group of deputies known as the Vikings who operate out of the Century (Lynwood) sub-station of the Los Angeles County Sheriff's Department.

During February, 1990, I was assigned to investigate two police abuse cases in Lynwood. ~~By September of that same year, I had documented police misconduct cases involving~~ over 100 minority victims. A class action, civil rights lawsuit was filed by over two dozen civil rights lawyers, including lawyers from Police Watch, NAACP Legal Defense Fund and the Greater Watts Justice Center on behalf of minorities abused by Lynwood

^A Resume and attachments.

deputies and the Vikings. The lawsuit revealed a wave of deputy wanton, "...shooting, killing, brutality, terrorism, house trashing and other acts of lawlessness. B 1-3

Shortly after the filing of the lawsuit, Investigator Reporter, Sabrina Steele, uncovered a clique of deputies known as the "Lynwood Vikings".^C After reviewing further Viking evidence which was subsequently submitted after the filing of the lawsuit, Federal Judge Terry Hatter issued a "*Finding of Fact and Conclusion of Law*," which stated, "The actions of many deputies working in the Lynwood sub-station are motivated by racial hostility; these deputies regularly disregard the civil rights of individuals they have sworn to protect. Many of the incidents which brought about this motion involved a group of Lynwood area deputies who are members of a neo-nazi white supremacist gang - the Vikings - which exists with the knowledge of departmental policy makers."^D

Evidence of deputies involved in gang activities is extensive. I have submitted sworn declarations, depositions and court room testimony of several deputies^{E 1-5} who acknowledge having Viking tattoos on their ankles. I have also submitted a video tape of a Lynwood deputy flashing his gang sign,^F a photograph featured in the Los Angeles County Sheriff's Department union newspaper of several other Lynwood deputies flashing gang signs,^G and a Declaration by Attorney Steven Hauser who just this week

B 1-3 1) Thomas v. County of Los Angeles. 2) Clark v. County of Los Angeles. 3) Palk v. County of Los Angeles.

C Long Beach Press Telegram, 12/2/90.

D Finding in Fact and Conclusion of Law, 10/8/91, Thomas v. County of Los Angeles.

E 1-5 1) Testimony of Deputy Matt Brady, 7/29/96. 2) Testimony of Deputy Richard Westin, 7/24/96. 3) Testimony of Deputy Brian Hunt, 7/29/96. 4) Interrogatory Response of Deputy Javiar Clift, 11/7/91. 5) Deposition of Deputy Juan Alvarado, 5/9/94. 6) Deposition of Deputy Jason Mann, 9/28/93.

F Video tape recorded by Young Crowd Gang Member, Fall of 1989.

G Association for Los Angeles Deputy Sheriff's Incorporated, Dispatcher, 8/90.

observed Viking graffiti located in a portion of the Los Angeles County Criminal Court's Building controlled by Los Angeles County Sheriff's Deputies. The Viking graffiti is located just outside the door to Judge Lance Ito's court room, Department 127.^H

The Viking tattoo, which resembles the Minnesota Vikings insignia of a helmeted blond Aryan looking Viking, is often bordered by a Roman Numeral which signifies the sequential number for that particular Viking's membership as described in sworn testimony by Viking Deputy Matt Brady.^{E 1} Viking Deputy Richard Westin has testified he received his Viking tattoo in 1992 and is numbered 73.^{E 2} In a sworn deposition, Viking Deputy Juan Alvarado, stated he received his Viking tattoo in April of 1994 and it is numbered 92.^{E 5}

Viking Deputy Brian Hunt recently testified concerning Viking gang type hand signs explaining how the index finger and the thumb is utilized to form a "L" for "Lynwood" which is followed by a "V" formed with the index finger and middle finger which stands for "Vikings".^{E 3} During this past year, several residents of Lynwood have informed me the Vikings still flash their gang signs, intimidate residents with verbal death threats, shoot their guns in the air and continue to claim the streets of Lynwood as their turf.

The Vikings not only prey on minority residents in the Lynwood area, but they prey also upon African American deputies and even white supervisors who have tried to crack down on them. Andre Pinesett, an African American Lynwood Deputy, was asked during

^H Declaration of Attorney Steven K. Hauser, 9/12/96.

^{E 1} Testimony of Deputy Matt Brady, 7/29/96.

^{E 2} Testimony of Deputy Richard Westin, 7/25/96.

^{E 5} Declaration of Deputy Juan Alvarado, 5/9/94.

^{E 3} Testimony of Deputy Brian Hunt, 7/29/96.

a deposition in 1994, what the term Viking meant to him. Deputy Pinesett responded, "Well, obviously to me as a black man, it's a racist symbol." Pinesett continued, "You have to understand, I do have some reservation about supplying you with all this information. You have to understand the history of what's gone on there with [Supervisors] people like [Sergeant] Stan White, Sergeant Pippin, Sergeant Dillard, you know. I just have some reservations." "For my safety as well as my family's safety." "[Sergeant] Stan White who had dead dogs killed and put in back of his car, bloody cow tongues hung inside of his locker, shades of coffee thrown in his patrol car, guns pulled on him. Sergeant Pippin receiving a gun in the mail at the station."^J A September 9, 1990, Long Beach Press Telegram article by Sabrina Steele, reported the gun was actually booby trapped to go off in the face of the person who opened it.^K

Deputy Pinesett also described a sub-group of the Vikings known as OGCF which he stated stands for, "Original Gangster Chango Fighter." Viking Deputy Javier Clift in response to a November 7, 1991 interrogatory question, described his tattoo as a Viking with the words "Congo Fighter" tattooed above it along with the numbers 998.^{E 4} According to Deputy Pinesett, "Chongo" is Spanish slang for "Monkey".^J Several Latinos on the streets of Lynwood and elsewhere have told me that "Chongo" is really Spanish slang for "Nigger". Viking Deputy Jason Mann states, the numbers 998 is the radio code for "~~Officer Involved Shooting~~".^{E 6}

^J Deposition of Deputy Andre Pinesett, 11/2/94.

^K Long Beach Press Telegram, 12/9/90.

^{E 4} Interrogatory Response by Deputy Javier Clift, 11/7/91

^J Deposition of Deputy Andre Pinesett, 11/2/94.

^{E 6} Deposition of Deputy Jason Mann, 9/28/93.

In February, 1993, Lynwood sub-station Commander, Captain Bert Cueva, stated in his sworn deposition that two black deputies approached him about how, "The Viking to them was this white, blond-haired, blue-eyed Aryan and was not representative of neither the black members of the department nor the Hispanic members." Captain Cueva also stated for coming forward, the black deputies, "...feared being outcasts. They feared probably rolling on calls and nobody rolling to back them up should they need any assistance."^M

Former Sheriff's Department Lieutenant, Roger Clark, stated in a sworn deposition in January, 1995, that he conducted his own investigation and determined, "In our conversations about the group being motivated strictly on the basis of race, it was clear in our conversations he (referring to a confidential informant Viking) was talking about a black community, contempt for the black community that the group had and, in my view, a total lack of respect for the citizens that lived down there and race. Their race had a lot to do with that lack of respect." When asked if he thought the Vikings were a white supremacist organization, Lt. Clark replied, "That is my personal conviction and observation."^N

A white female tattooed Viking Deputy, Danielle Cormier,^O stated in a December 31, 1991 declaration, "I was present on numerous occasions when the Lynwood station commander, Captain [Bert] Cueva, stated that the Vikings to him symbolize a group of [A]ryan deputies who rape and pillage the community. Captain Cueva also stated on numerous occasions that he was going to clean this clique up and move people out

^M Deposition of Captain Bert Cueva, 2/10/93.

^N Deposition of Lieutenant Roger Clark, 1/20/94.

^O Deposition of Deputy Douglas Gillies, 4/14/94.

as a result of their activities. According to Captain Cueva, the Vikings as a group and as a station symbol, were dead."^{O 1} Consequently, Captain Cueva was the one who was transferred and the Vikings remained and are alive and well to this date.

The Lynwood Vikings are not the only tattooed Deputy Sheriff gang members allowed to operate within Los Angeles County. Testimony from deputies and other witnesses have documented the Tasmanian Devils at the Temple City sub-station,^N Grim Reapers at the Lennox sub-station,^N the Cavemen at the East Los Angeles sub-station,^{P 1} and the Wayside Whities at the Los Angeles County Jail at the Wayside facility in Castaic.^{P 2}

The Lynwood class action lawsuit settled out of court late last year to the tune of \$7.5 million for the plaintiffs and their attorneys plus an additional \$1.5 million dollars targeted for Sheriff's Department reforms. According to a January 6, 1996 Los Angeles Times Article, attorneys for the County estimated that if all the class action Lynwood cases went to trial, the potential damages and attorney fees could have reached \$18.9 million.^Q

In December, 1991, the Los Angeles County Board of Supervisors appointed retired Judge James G. Kolts as Special Counsel for the purpose of reviewing the policies, practices and procedures of the Los Angeles County Sheriff's Department. The results of

^{O 1} Declaration of Deputy Danielle Cormier, 12/31/90.

^N Deposition of Lt. Roger Clark, 1/20/94

^N Deposition of Lt. Roger Clark, 1/20/94

^{P 1} Deposition of Deputy Jason Mann, 11/13/91

^{P 2} Letter written by Attorney George Denny to Sheriff Sherman Block, 5/21/90.

^Q Los Angeles Times, 1/6/96.

the Kolts Report was published in July, 1992, the first of what has become an annual report.^R

The Kolts Report concluded, "In sum, while there may be some support for the allegations that a racist deputy gang existed at Lynwood, there is no persuasive evidence to date." I disagree, and apparently at least some African American deputies, their supervisors, and a Federal Judge also disagree with these findings. I believe Kolts first review of white supremacist deputy gangs was inadequate, but Kolts final analysis of deputy gangs was close to being right on target.

On page 332 of the 1992 Kolts Report it states, "The issue of deputy gangs is inflammatory and should not be allowed to fester. Therefore, we recommend that the LASD take aggressive steps to eradicate offensive station mascots and conduct an immediate, thorough Internal Affairs investigation to identify, root out, and punish severely any lingering gang-like behavior by its deputies."

However, Sheriff Sherman Block, during a deposition in March of 1993 stated, "We have conducted investigations of deputies for misconduct of varying kinds. Whether any of that was gang-type behavior, I can't say at this point." When asked about the correlation between deputies who are involved in misconduct and who sport deputy gang tattoos, the Sheriff responded, "I'm sure that some of them were engaged in misconduct, as others without tattoos were engaged in misconduct. I don't think there's a relationship between the tattoo and conduct."

^R The Los Angeles County Sheriff's Department, A Report by Special Counsel James G. Kolts & Staff, July 1992.

The question was then asked, "In the absence of conducting an investigation, how do you know whether there was such a relationship?" To this question, Sheriff Block responded, "I don't think there is a need for such an investigation."^S

In the Sheriff's Department's, A Response To The Kolts Report, it states, "The Department agrees that any gang-style behavior by deputies is damaging to the Department image and, consequently, its ability to perform its job. The Department is confident that there are no racist deputy gangs or cliques within the organization and therefore disagrees that an Internal Affairs investigation is appropriate."^T

The Sheriff's Department states that deputy gang behavior by deputies is damaging, yet the ranks of the Vikings continue to grow. As I indicated earlier by noting the sequential numbers associated with the Viking tattoos, due to Sheriff Sherman Block's condoning of these deputy gangs and refusal to investigate and root them out as recommended by the Kolts Report in 1992, there have been at least 19 new Vikings recruited into their gang.

It should be noted, the Vikings apparently have taken affirmative action by recruiting at least one African American to their ranks, Brian Hunt, who admits he is the only African American Viking. It should also be noted that Deputy Hunt admits his Viking tattoo is different from that of his fellow white Vikings.^{E 3} There are also Latino Vikings now, and my understanding is that their tattoos also are configured differently from the white Viking tattoos.

^S Deposition of Sheriff Sherman Block, 3/24/93.

^T The Los Angeles County Sheriff's Department, A Response to the Kolts Report, 10/92.

^{E 3} Testimony of Deputy Brian Hunt, 7/29/96.

The most recent member and perhaps the most influential Viking is Deputy District Attorney Craig Richman, who during the murder trial of the man accused of killing Lynwood Viking Steven Blair, stood-up before the jury during closing arguments, stuck a pin on his lapel which depicted the notorious Viking symbol, and then proudly stated, "If I am worthy enough... I am going to become a Viking."^U

Deputy Steven Blair was a Viking as confirmed by the description of his Viking tattoo in his autopsy report.^V Viking Deputy Blair was shot twice in the throat on May 12, 1995, admittedly by Young Crowd gang member, Freddie Fuiava, AKA Smokey, just five days after his homeboy, Jose Nieves was shot in the back, while unarmed, by a Lynwood deputy.^W These shootings were just the latest in a string of shoot-outs between two gangs, namely Young Crowd and Lynwood Vikings. First blood was drawn in 1990 from Lloyd Polk, who I, Lynwood litigation lawyers and Young Crowd gang members believe was executed for his participation in the lawsuit against Lynwood Vikings who murdered Polk in typical drive-by fashion, if you will, a death squad type hit.^{B 3}

Freddie Fuiava's lawyer, Steve Hauser, summed up Fuiava's defense by stating, "This case is not a case of murder of a police officer. But rather it is a case of self-defense by a scared gang member who was illegally threatened with death by an over zealous vigilante Deputy Sheriff."^X

^U Trial Transcripts, 7/19/96.

^V Autopsy Report, No. 95-03649, Deputy Steven Blair.

^W Preliminary Hearing Transcripts, 8/7/95, Judge Bob S. Bowers, Jr.

^{B 3} Polk v. County of Los Angeles

^X Trial Transcripts, 7/9/96

Deputy DA Richman described the prosecution's case as, "When you have no respect for the law, terrible things happen... police officers get killed. And that's exactly what happened here. There was no respect for the law. Smokey and his homeboys were out there armed to the tee, angry, because another one of their homeboys just got killed by a Deputy Sheriff. And they're saying we're going to smoke the next Deputy Sheriff who comes down the street. "...two hours after this conversation takes place, Deputy Blair is lying dead in his own blood on the pavement." "When respect for the law erodes, terrible things happen."^Y

On July 24, 1996, Freddie Fuiava was convicted for the Capital crime of murdering Deputy Blair and is presently on Death Row.

As an investigator who has interviewed combatants in the war zones of Northern Ireland, South Africa, Nicaragua, El Salvador, Chiapas, Mexico and as a combat U. S. Marine veteran of Vietnam, I have found a common thread which links these armed conflicts, rebellions and revolutions. The common denominator is that these individuals, often from the lower stratospheres of economic and social classes, pick up arms and defend themselves against government representatives, whether they be military or police organizations, who abuse their authority and disregard fundamental human rights.

In my work, I have also come in contact with a fair cross section of the 10's of thousands of well armed African American and Latino gang members throughout Los Angeles County. I am here to day, under oath, to warn you of more impending violence.

Violence directed at abusive law enforcement officials, especially those who proudly and

^Y Trial Transcripts, 7/19/96.

defiantly pledge their allegiance to such government sanctioned vigilante gangs as the Los Angeles County Sheriff's Department Vikings.

It mystifies me how society expects inner-city minority youth to respect the law when certain segments of law enforcement engages in gang, vigilante and white supremacist type behavior all of which is subsidized by tax payer dollars.

Deputy District Attorney Craig Richman is absolutely right when he states, "When respect for the law erodes, terrible things happen." It is my expert opinion, that unless the Federal government steps in and brings accountability to this issue, the war in communities like Lynwood will continue. Not only will innocent citizens and traditional street gang members be counted as dead and wounded in this war, but sworn law enforcement personnel who operate outside the Constitution will also, undoubtedly, continue to be present in future body counts.

CHIEF COMPLAINT: *① knee ② arm & mouth pain*

STATUS: NO APPARENT MILD MODERATE SEVERE

CURRENT MEDICATIONS: *NONE*

DRUG SENSITIVITY: No Yes. Specify: *NONE*

VITAL SIGNS: T *97.8* P *75* R *20* BP *153/92*

SEX: MALE FEMALE

DATE OF LAST TETANUS: _____ LNMP: _____ G. P. A. _____

VISUAL ACUITY: OS *1* OD *1*

HOW ARRIVED: Walked Amb Paramedic W C Carried

MEDICAL HISTORY: Asthma/COPD Seizures
 Cardiac No previous medical hx
 Diabetes None available
 Hypertension

PHYSICIAN'S REPORT DICTATED ADDENDUM

and assessed a laceration to forehead.

abrasions to (R) elbow's rd L.O.C.

bruised at scalp line, no cervical tenderness.

skin closure = 7-6/0 Ethilon anterior -

salon of (R) hand - rd N.M.V. - defect -

skin closure = 5/0 Ethilon -

to relaxation and R.O.M. -

Restful physical exam normal -

Costovertebral -

flexion and extension -

INFORMANT: PATIENT FAMILY OTHER _____

INTERPRETER _____

MEDS/TX. GIVEN BY PARAMEDICS: _____

MONITOR	CBC	Hgb	Hct
EKG		WBC	
		POLY	
CHEST X-RAY		STABS	
ABD SERIES		LYMPH	
KUB		MONO	
SKULL	UA:	UWBC	
FACIAL		URBC	
ORBITS		S.A	
NASAL		BACT.	
MANDIBLE	CHEM.	AMY	
XTLC		GLU	
C-SPINE		BUN/CT	
T-SPINE	LYTES	NA	CL
L-S SPINE		K	CO2
RIBS R	ABG	pH	PCO2 PO2
SHOULDER R		FiO2	
HUMERUS R		CARD ENZ.	
ELBOW R		CPK	
FOREARM R		CPK-MB	
WRIST R		PREG. TEST-SERUM/URINE	
HAND R		PT.FTT	
PELVIS		T&C	
HIP R		C&S OF	
FEMUR R		STREP SCREEN	
KNEE R		GRAM STAIN	
TIB-FIB R		WET MOUNT	
ANKLE R		CT	
FOOT R		HOLD	
FINGER			
PULSE OX		% LEVEL	

PHYSICIAN CALLED _____ TIMES CALLED _____ RESPONDED _____ ARRIVED _____

DIAGNOSIS: *① Laceration to forehead ② Laceration to (R) hand - ③ Abrasions to (R) elbow - ④ Contusion to (R) knee*

PHYSICIAN'S ORDERS	NOTED
<i>O. J. C. HANLEY MD 8/24</i>	

CONDITION ON DISCHARGE: Unchanged Improved Expired Good Fair Poor Critical

HOW PATIENT LEFT: _____

DISPOSITION: Discharged LWOT Admitted WITH WHOM _____

AMA Room # _____

Transferred TO: _____

PHYSICIAN'S SIGNATURE: *[Signature]*

NURSE'S SIGNATURE: *[Signature]*

PATIENT IDENTIFICATION: *2-12-00-5 PT 3*

M 500028742

MARTINEZ ANTHONY

J ODEA, M.D.

M 025Y DOB 11-02-70

NO FAMILY DOCTOR

SUBURBAN MEDICAL CENTER
 16453 SOUTH COLORADO AVENUE
 PARAMOUNT, CALIFORNIA 90723
 EMERGENCY DEPARTMENT
 PHYSICIANS' NOTES

2215 Rev. 9/92

White - Charter Medical Records Yellow - Business Office

68

5-26-96
FC 10

EMERGENCY OUTPATIENT DEPARTMENT

PLEASE NOTE: Treatment given in the Emergency Department is offered as primary care ONLY.

Follow-up treatment by a physician is important for your safety. You are urged to follow carefully the instructions given on this sheet.

Within the next 3 days, please see your physician for:

- Exam & Re-evaluation
- Wound Evaluation
- Removal of Sutures
- Further treatment of the condition which brought you here
- You may/may not return to work or school today
- You will need re-evaluation by your physician or "Compensation Physician" prior to returning to work and/or school

INSTRUCTIONS FOR PATIENTS WITH HEAD INJURIES:

Although no evidence of any serious injury is found at this time, contact your physician immediately if any of the following conditions occur. If unable to reach your physician, return to the Emergency Department at once, day or night.

1. Increasing drowsiness or confusion
2. Persistent or increasingly severe headache
3. Persistent vomiting
4. Difficulty in rousing the patient (the patient should be awakened every two hours during the first night)
5. Slowing of pulse
6. Stiffness of neck
7. Drainage of blood or clear fluid from ear or nose
8. Weakness of limbs or loss of co-ordination
9. Convulsions (fits)
10. Unequal size of pupils

TREATMENT RENDERED:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Sutured | <input type="checkbox"/> Tetanus Booster |
| <input type="checkbox"/> X-ray | <input type="checkbox"/> Hypertet & Tetanus Booster |
| <input type="checkbox"/> EKG | <input type="checkbox"/> Medication |
| <input type="checkbox"/> Lab Test | <input checked="" type="checkbox"/> Exam & Evaluation |

CAST CARE

- Elevate injured part to lessen swelling
- Keep dry
- Wait 48 hours for cast to become strong before you allow pressure or weight on any part of cast.
- Frequently wiggle toes or fingers to help prevent swelling
- If part swells anyway or gets cold, blue or numb or if pain increases markedly - check promptly with your physician.

You have been started on Tetanus Immunization Series today
Please complete the series with your private physician

- 1) 1 month from today - 1/2 cc Tetanus Toxoid
- 2) 2 months from today - 1/2 cc Tetanus Toxoid

Referred to: _____ Date: _____ Time: _____
Physician: _____
Address: _____
Phone No. _____

GENERAL INSTRUCTIONS:

- Keep dressing clean and dry
 - Keep injured part elevated as much as possible for _____ day(s)
 - Ice (intermittently) on injured area for _____ hour(s)
 - No weight bearing
 - Re-wrap Ace bandage if too loose or too tight
 - Crutches as needed (they are sold to you)
 - Take _____
 - Dry heat _____
 - Signs of _____ on the alert, look for:
 - Redness _____
 - Heat _____
 - Red Streaks _____
- Contact your physician immediately, if these occur

OTHER SPECIFIC INSTRUCTIONS:

Return to the emergency room if your symptoms worsen.

Received printed instructions for: _____

IMPORTANT NOTICE: Your X-Ray has been read on a preliminary basis. Final consultation and review by the radiologist will be made the following day. If there is any discrepancy in interpretation, you will be notified.

I hereby acknowledge both receipt and understanding of the above instructions

Patient's Signature: [Signature]

Seen by: [Signature]

R.N.

Date: 5/26/76

SUBURBAN MEDICAL CENTER

AFTER CARE INSTRUCTION SHEET EMERGENCY DEPARTMENT

28742-00-5
M. 000028742
MARTINEZ ANTHONY
J. DEB. M.D.
M 025Y DOB 11-02-70
NO FAMILY DOCTOR

PT 3

5-26-96
FC 10

(69)