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20 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

21 **FOR THE LOS ANGELES COUNTY - CENTRAL DISTRICT**

22 ART HERNANDEZ, ALFRED GONZALEZ,

) CASE NO: 19STCV33158

23 BENJAMIN ZAREDINI, DAVID CASAS,

) **FIFTH AMENDED COMPLAINT FOR:**

24 LOUIS GRANADOS, MARIO

) 1) **RACIAL DISCRIMINATION IN**

25 CONTRERAS, OSCAR ESCOBEDO,

) **VIOLATION OF FEHA (CAL. GOV.**

26 ARIELA LEMUS, AND THE ACLU

) **CODE SECTION 12940 et. seq.);**

27 FOUNDATION OF SOUTHERN

) 2) **FAILURE TO TAKE ALL**

28 CALIFORNIA, a taxpayer

) **REASONABLE STEPS TO PREVENT**

Plaintiffs,

) **DISCRIMINATION IN VIOLATION**

v.

) **OF FEHA (CAL. GOV. CODE;**

) **SECTION 12940 et. seq.)**

) 3) **HARASSMENT AND HOSTILE WORK**

COUNTY OF LOS ANGELES, a

) **ENVIRONMENT IN VIOLATION OF**

) **FEHA (CAL. GOV. CODE SECTION**

) **12940 et. seq.);**

municipal entity, RAFAEL "RENE" MUNOZ

) 4) **RETALIATION IN VIOLATION OF**

) **FEHA (CAL. GOV. CODE SECTION**

aka BIG LISTO, GREGORY RODRIGUEZ

) **12940 et. seq.);**

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

Jury Trial Demanded

1 PACHECO, DOE 30 SORAYA SANCHEZ,
2 DOE 31 KARLA SEPULVEDA, DOE 32
3 MARCELO ORTEGA, DOE 33 DIANA
4 WOODWARD, DOE 34 EDUARDO MUNIZ,
5 DOE 35 REBECCA CORTEZ, DOE 36 JOE
6 MENDOZA, DOE 37 ERIN ROSARIO, DOE
7 38 JESSICA SANTOS, DOE 39 JOHN
8 SORIA, DOE 40 MIGUEL ORTIZ, DOE 41
9 CLAUDIA PEREZ, DOE 42 BRIAN
10 GOODWIN, DOE 43 MANUEL PALACIOS,
11 DOE 44 JODI HUTAK, DOE 45 PABLO
12 PARTIDA, DOE 46 NOEL LOPEZ, DOE 47
13 CHRISTOPHER MOORE, DOE 48
14 EDMUNDO TORRES, DOE 49 HUGO
15 RAMOS, DOE 50 MARIO CASTRO, DOE
16 51 MANNY NAVARRO, DOE 52 NIKKI
17 HANAMAKI, DOE 53 VINCENT CHOI,
18 DOE 54 HUGO REYNAGA, DOE 55
19 ANTHONY EASTER, DOE 56 JAMES
20 WOLACK, DOE 57 CHRIS BLASNEK, DOE
21 58 ALBERT MALDONADO, 59 TIMOTHY
22 MURAKAMI, DOE 60 LEO SANCHEZ,
23 DOE 61 ELIZABETH AGUILERA, DOE 62
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1 LUIS VALLE, DOE 63 BOBBY DENHAM,
2 AND DOE 64 ANTHONY RIVERA

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5 Defendants.

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8 **INTRODUCTION**

9 1. Deputies, employees of the Defendant County of Los Angeles (“County”), have
10 harassed, terrorized, and retaliated against the individual Plaintiffs for over 4 years. The County
11 has long been aware that its employees harass and retaliate against the Plaintiffs for being
12 whistleblowers, and that County employees have been assaulting, threatening, intimidating, and
13 seeking to kill and/or injure the Plaintiffs since 2017 up to the date of this complaint. In addition,
14 over three years ago, in June 2017, the County began utilizing one of its prime methods to
15 intimidate the Plaintiffs and maintain a hostile work environment: County employee deputies
16 intentionally withheld back up of their fellow deputies on dangerous calls to endanger their
17 fellow deputies’ lives. Since June 2017, the County has done nothing to protect the Plaintiffs
18 from such endangerment of their lives and from the other methods of harassment, including pre-
19 planned assault and battery of some of the Deputy Plaintiffs at an official event and endangering
20 Plaintiff Deputies’ lives by repeatedly withholding back up on dangerous calls.

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23 2. The County has a unique and outrageous problem: A large percentage of law
24 enforcement officers, Los Angeles Sheriff Department (“LASD”) deputies, who work for the
25 County, are members of organized criminal gangs. One such gang, the Banditos, controls
26 LASD’s East Los Angeles Station. Members of the Banditos deny they are a gang. Whether the
27 Banditos are a gang or not is not relevant as to whether the County is liable for the harm caused
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1 to the Plaintiff Deputies. The County is responsible and liable for all wrongful actions by all its
2 employees, including employees who are Banditos gang members. However, the fact that the
3 County employees who are harassing and retaliating against the Plaintiff Deputies are LASD
4 deputies who are gang members creates an extreme and outrageous hostile environment. The
5 individual Defendants are all either shot callers, leaders of the Banditos gang, “prospects” and
6 associates of the Banditos, or either cooperate with them or refuse to speak up about them or take
7 steps to oppose them out of fear, ambition or because they see no point in trying.
8

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

8 7. Deputy gangs (such as the Banditos, the Vikings, the Grim Reapers, 3,000 Boys -
9 whose members committed violence against other deputies and earned their tattoos by breaking
10 the bones of inmates, the 2,000 Boys, the Executioners, the Regulators, the Jump Out Boys -
11 smoke is tattooed over a gun’s barrel for members who have been involved in at least one
12 shooting of a black or Hispanic person, CPT, the Spartans, the Rattlesnakes, the Pirates) are
13 pervasive county-wide, but deputy gangs have a particular stranglehold over the East Los
14 Angeles station. The first known gang of deputies in LASD was the Little Devils, which
15 operated out of the East Los Angeles station. In East Los Angeles, the Little Devils gang was
16 succeeded by the Cavemen gang, which was in turn succeeded by the Banditos gang. As with the
17 first gang, the Little Devils, the Banditos are an illegal racist and sexist criminal organization,
18 excluding African Americans and females from membership. Also, as with the Little Devils, the
19 Banditos target Latino community members as well as Latino deputies for maltreatment,
20 including the Plaintiff Deputies. However, there has been an evolution in that while the Little
21 Devils were dominated by persons identifying as Caucasians, the Banditos gang is comprised of
22 Latino deputies who victimize other Latinos and Latinas and Latina deputies at the East LA
23 Station who aren’t Banditos members including violating Plaintiff Deputies’ civil rights,
24 assaulting and attacking them directly at several locations, putting the Plaintiff Deputies’ life and
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1 limb at risk by withholding backup on dangerous calls, the commission of POBRA violations
2 and other acts of intimidation, harassment and threats of violence against the Plaintiff Deputies.

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

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

3 17. ACLU SoCal has an interest in preventing the illegal expenditure of County
4 funds, including the County’s expenditure of funds on administering, implementing, concealing,
5 and defending the numerous illegal policies and practices addressed in this Complaint. In
6 addition to its interests as a taxpayer in the County, ACLU SoCal as an association that includes
7 members residing in the County, is interested in the deputy violence and misconduct perpetuated
8 through the lack of enforcement of the Defendants’ constitutional, statutory, and administrative
9 duties. There is a substantial public interest in the enforcement of the County’s duties to comply
10 with the U.S. and California Constitutions, state law, and departmental policy, to ensure the
11 safety of County residents and to build trust in LASD.
12

13 18. Plaintiffs ART HERNANDEZ (“Deputy Art Hernandez,” “Deputy Hernandez,”
14 or “Plaintiff Hernandez”) ALFRED GONZALEZ (“Deputy Alfred Gonzalez,” “Deputy
15 Gonzales,” or “Plaintiff Gonzalez”), BENJAMIN ZAREDINI (“Deputy Benjamin Zaredini,”
16 “Deputy Zaredini,” or “Plaintiff Zaredini”), DAVID CASAS (“Deputy David Casas,” “Deputy
17 Casas,” or “Plaintiff Casas”), LOUIS GRANADOS (“Deputy Louis Granados,” “Deputy
18 Granados,” or “Plaintiff Granados”), MARIO CONTRERAS (“Deputy Mario Contreras,”
19 “Deputy Contreras,” or “Plaintiff Contreras”) OSCAR ESCOBEDO (“Deputy Oscar Escobedo,”
20 “Deputy Escobedo,” or “Plaintiff Escobedo”), ARIELA LEMUS (“Deputy Ariela Lemus,”
21 “Deputy Lemus,” or “Plaintiff Lemus”), are current or former Deputies of LASD of Hispanic or
22 Latino heritage (Deputy Zaredini is of mixed heritage) who reported the unlawful conduct of
23 LASD personnel and were retaliated against by LASD (collectively, “Plaintiff Deputies”). The
24 Plaintiffs are residents of and pay taxes to the County.
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1 19. The County is a municipal entity that operates LASD, which is an agency of the
2 County and not a separate entity as it has, at times, alleged.

3 Individual defendants RAFAEL “RENE” MUNOZ aka BIG LISTO (“Big Listo” or
4 “Defendant Munoz”), GREGORY RODRIGUEZ aka G-ROD (“G-Rod” or “Defendant
5 Rodriguez”), DAVID SILVERIO aka SILVER (“Silver” or “Defendant Silverio”), and
6 MICHAEL HERNANDEZ aka BAM BAM (“Bam Bam” or “Defendant Hernandez”), are or
7 were LASD Deputies and members and leaders (“shot callers”) of the criminal cop gang, the
8 “Banditos.” The Banditos gang is comprised of deputies hired and employed by LASD and are
9 residents of the County. They and other Banditos members and Banditos “Prospects” (deputies
10 “chasing the ink” to become tattooed gang members) and “Associates” (females are not allowed
11 to be members of the gang), and other employees of LASD, including the now unmasked Doe
12 Defendants, bullied, discriminated against, retaliated against, filed false charges of misconduct
13 against and took many other steps for harm the Plaintiffs for over 4 years up to and including the
14 date of the filing of this Fifth Amended Complaint. The County is liable for the wrongful
15 conduct of all its employees and managers, including, DOE 1 Ernie Chavez, DOE 2 Richard
16 Mejia, DOE 3 April Tardy, DOE 4 Angelica Estrada, DOE 5 Eric Smitson, DOE 6 Chris Perez,
17 DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 9 Jeff Hamil, DOE 10 Jeff Chow,
18 DOE 11 William Jaeger, DOE 12 Scott Chapman, DOE 13 Raymond Mendoza, DOE 14 Luis
19 Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18
20 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 21 Kelly Porowsky, DOE
21 DOE 22 Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia,
22 DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29
23 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 31 Karla Sepulveda, DOE 32 Marcelo Ortega,
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1 DOE 33 Diana Woodward, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 36 Joe
2 Mendoza, DOE 37 Erin Rosario, DOE 38 Jessica Santos, DOE 39 John Soria, DOE 40 Miguel
3 Ortiz, DOE 41 Claudia Perez, DOE 42 Brian Goodwin, DOE 43 Manuel Palacios, DOE 44 Jodi
4 Hutak, DOE 45 Pablo Partida, DOE 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48
5 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny Navarro, DOE
6 52 Nikki Hanamaki, DOE 53 Vincent Choi, DOE 54 Hugo Reynaga, DOE 55 Anthony Easter,
7 DOE 56 James Wolack, DOE 57 Chris Blasnek, DOE 58 Albert Maldonado, and DOE 59
8 Timothy Murakami, DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, DOE 62 Luis Valle,
9 DOE 63 Bobby Denham, and DOE 64 Anthony Rivera.
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FACTUAL BACKGROUND

14 20. Since the early 1990s, LASD has been plagued with deputies found to have
15 violated the constitutional rights of individuals by using excessive force, conducting illegal
16 searches and seizures, and violating individual rights. It has repeatedly failed to follow laws and
17 departmental policies relating to oversight and accountability, which has allowed for this
18 conduct, including misconduct specifically perpetrated by members of deputy gangs, to continue
19 unchecked. In addition, the County has funded and sanctioned this conduct, with the knowledge
20 that it was occurring and of the harms to the public and individual deputies that resulted.
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23 21. In December 1991, the Board created an investigatory commission (the “Kolts
24 Commission”) and appointed Special Counsel in response to the public uproar over excessive
25 force by deputies to conduct a sweeping inquiry into “the policies, practices and procedures of
26 the Sheriff’s Department, including . . . training, job performance and evaluation, record keeping
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1 and management practices, as they related to allegations of excessive force.”¹ In 1992, the Kolts
2 Commission issued its report, acknowledging the existence of gang-like behavior by various
3 “cliques” within the department, pressed LASD to root out the gangs, and recommended that
4 officials investigate and punish deputies who act like gang members.
5

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

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

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

⁴ *Id.* at p. 103.

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

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13 24. Under Sheriff Baca, deputy gangs ran rampant with little or no accountability for
14 their actions against community members and other deputies. A deputy member of the
15 Regulators gang (he also had Vikings gang ink) operating out of Century Station on multiple
16 occasions aimed his gun at another deputy at the station, threatening to kill him, and was merely
17 given a 15-day suspension. The Vikings gang brutalized minorities, falsely arrested suspects and
18 engaged in wrongful shootings.
19

20 25. Baca’s undersheriff, Paul Tanaka, was an inked member of the Vikings gang for
21 years while serving as one of the department’s top commanders. The Citizen’s Commission also
22 specifically identified Tanaka as enacting policy to undermine attempts to reduce violence and
23 weaken deputy gangs.⁶ Tanaka was also sentenced to prison for conspiracy and obstructing an
24 FBI investigation into deputy jail abuse. But the high-profile convictions did not end corruption
25 at the upper levels of management at the Sheriff’s Department. In 2011, according to Thomas
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⁵ Id. at p. 95.

⁶ See, e.g., Id. at p. 103.

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

15 26. There has been a long history of constitutional violations by LASD being so
16 extreme as to invite scrutiny and legal action from the USDOJ, as the USDOJ has been
17 compelled to move under the Violent Crime Control and Law Enforcement Act of 1994, 42
18 U.S.C. § 141141, to remedy a pattern or practice of misconduct by law enforcement officers. In
19 2012, the USDOJ entered into agreement with the County to stop the abuse and mistreatment of
20 mentally ill detainees in the County’s jails. Despite such an agreement, glaring deficiencies
21 remained as LASD continued to violate the constitutional rights of inmates and in 2013 USDOJ
22 opened a separate investigation to address allegations of use of excessive force against all
23 prisoners.

27 _____
28 ⁷ *ACLU Report Cruel and Unusual Punishment: How A Savage Gang of Deputies Controls L.A. County Jails* (Apr. 2015).

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

1 27. In 2015, the USDOJ was compelled to file a lawsuit against the County, based on
2 LASD’s pattern or practice of using excessive force against inmates, with charges including use
3 of force that was disproportionate to the amount of resistance encountered. This police brutality
4 includes use of force against unresisting or handcuffed prisoners. Deputy gangs have beaten
5 inmates for asking for medical treatment, for the nature of their alleged offenses, and for the
6 color of their skin. They have beaten inmates in wheelchairs. They have beaten an inmate,
7 paraded him naked down a jail module, and purposefully placed him in a cell so he would be
8 sexually assaulted.
9

10
11 28. In 2021, the CAG announced that it is investigating LASD for Civil Rights
12 violations, indicating that its investigation “will seek to determine whether LASD has engaged in
13 a pattern or practice of unconstitutional policing. The California Department of Justice
14 investigation comes on the heels of allegations of excessive force, retaliation, and other
15 misconduct, as well as a number of recent reported incidents involving LASD management and
16 personnel. Today’s action by DOJ also comes in response to the absence of sustained and
17 comprehensive oversight of LASD’s operations.”⁹
18

19
20 **SUMMARY OF INJURIES SUFFERED BY PLAINTIFF DEPUTIES**
21

22 29. The Defendants deprived the Plaintiffs Deputies of their civil rights through
23 racially discriminating, harassing, creating, and maintaining a hostile work environment,
24 assaulting, battering, and retaliating against them for engaging in protected acts and refusing to
25 engage in unlawful conduct. The County is liable for all hostile conduct by its employees and
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28 ⁹ Attorney General Becerra Launches Civil Rights Investigation into the Los Angeles County Sheriff’s Department
(Jan. 2021), available at <https://oag.ca.gov/news/press-releases/attorney-general-becerra-launches-civil-rights-investigation-los-angeles-county>.

1 managers toward the Plaintiff Deputies, whether the individuals retaliating against the Plaintiff
2 Deputies were gang members or not. However, the systemic problem of the deputy gang culture
3 that permeates the LASD, and LASD's customs, policies, practices, regulations, and the lack of
4 enforcement of its own rules, contributed to the injuries and harms suffered by the Plaintiff
5 Deputies.
6 Deputies.

7 30. The Plaintiff Deputies suffered adverse actions that include the following:

8 Dozens of times, the Defendants/Banditos retaliated against the Plaintiff Deputies by
9 failing to provide back-up for the deputies when they were responding to dangerous calls. This
10 unnecessarily placed the Plaintiff Deputies' lives at risk while they were attempting to protect the
11 public. The no back up problem was so pervasive, one deputy, who is not a Plaintiff, would
12 continue working past 12-16 hours at times because he was afraid to leave his partner, Plaintiff
13 Benjamin Zaredini, alone. The County has intentionally never disciplined any deputies at the
14 East Los Angeles Station for intentionally withholding backup. The County actively encourages
15 no accountability for deputies as it has also engaged in a cover up of the no back up problem,
16 lying that it can show from Incident History Reports whether back up was provided or not –
17 when in truth deputies can simply punch into the Mobile Digital Computer inside LASD patrol
18 vehicles used to run checks on vehicles and persons, receive calls for service, write reports, send
19 messages to other patrol vehicles, check map, unit status and unit location and record that they
20 gave back up even though they didn't. Individual Defendants Big Listo, Silver, and G-Rod, and
21 DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 15 Braulio Robledo, Jonathan Rojas,
22 DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 20 Nikolis Perez, DOE 23 Juan Sanchez,
23 DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, and DOE 41 Claudia Perez, intentionally
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1 withheld back up and/or assisted in the withholding of back up to the Plaintiff Deputies through
2 the Dispatch unit.

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

20 32. The Plaintiff Deputies were pressured to quit their jobs or leave the station. The
21 Plaintiff Deputies were told they were not “East LA Material,” i.e., not corrupt enough to be
22 there.

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

7 34. The Plaintiff Deputies were “shaken down” by Defendants, including DOE 15
8 Braulio Robeldo and DOE 18 Andrea Villa, to pay portions of their salaries as “taxes” to the
9 Banditos. The County has covered up the extent the gang tax was imposed by calling these
10 shakedowns “donations,” when the County is fully aware the monies were given involuntary and
11 went into the pockets of the Banditos. The Plaintiff Deputies were overwhelmed with excessive
12 and emergency calls while on duty, directed by members of the Banditos as retaliation against
13 their refusal to engage in unlawful conduct and later as retaliation after the Plaintiff Deputies
14 blew the whistle on the Banditos to their superiors. Plaintiff Louis Granados saw the number of
15 calls he was sent to shoot up exponentially in the summer of 2018, as Defendant Big Listo, and
16 DOE 17 Eldemira Parra, DOE 18 Andrea Villa, and DOE 41 Claudia Perez controlled which
17 deputies got which calls through dispatch and retaliated against Deputy Granados after he and
18 Deputy Zaredini blew the whistle on the Banditos.
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21 35. The Plaintiff Deputies were overloaded with calls by Defendants including Big
22 Listo, and DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 15 Braulio Robledo,
23 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 20 Nikolis Perez, DOE 23
24 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, and DOE 41 Claudia Perez,
25 just at the end of shift so they would have to stay past their worktime.
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1 36. The Plaintiff Deputies were frequently forced to work up to 8 hours over their
2 scheduled shift without compensation.

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

19 38. The Plaintiff Deputies were denied earned promotions and given unearned
20 demotions by leadership in LASD, including Sheriff Villanueva, and Defendants DOE 1 Ernie
21 Chavez, DOE 4 Angelica Estrada, DOE 5 Eric Smitson, DOE 6 Chris Perez, and DOE 59
22 Timothy Murakami.

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

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

3 41. Sheriff Villanueva and Defendants, including DOE 1 Ernie Chavez, gave the
4 Plaintiff Deputies what is euphemistically called within LASD “freeway therapy,” sent to
5 stations far away from their homes when they requested transfers as punishment for being
6 whistleblowers.
7

8 42. The Plaintiff Deputies’ service and careers as LASD deputies were damaged or
9 ruined by the Defendants, and as whistleblowers the Plaintiff Deputies will forever be retaliated
10 against and will be denied promotions.
11

12 43. The Plaintiff Deputies continue to live in fear of deputy violence, given actual
13 threats of violence made against themselves and their families as well as threatening acts and
14 gestures made by members of the Banditos.
15

16 44. The Plaintiff Deputies as whistleblowers have not received the required
17 protections under the law; threats continue to be made against the Plaintiff Deputies up to the
18 filing of this Complaint; three times, dead rats have been left outside the homes of two of the
19 Plaintiffs.
20

21 45. The Defendants continue to retaliate against the Plaintiff Deputies up through the
22 filing of this Fifth Amended Complaint, by making false charges of misconduct, initiating bad-
23 faith internal affairs investigations and imposing illegal discipline of unpaid leave against at least
24 six of the Plaintiff Deputies (Deputies Zaredini, Contreras, Granados, Lemus, Hernandez, and
25 Escobedo) in violation of POBRA, as personally directed and supervised by Sheriff Alex
26 Villanueva, and assisted by Defendants including DOE 1 Ernie Chavez, DOE 2 Richard Mejia,
27 DOE 3 Commander April Tardy, DOE 5 Eric Smitson, DOE 6 Chris Perez, DOE 9 Jeff Hamil
28

1 (IA), DOE 10 Jeff Chow, DOE 11 William Jaeger, DOE 12 Scott Chapman, DOE 21 Kelly
2 Porowsky DOE 31 Karla Sepulveda, DOE 42 Brian Goodwin, DOE 44 Jodi Hutak, DOE 45
3 Pablo Partida, DOE 53 Vincent Choi, DOE 54 Hugo Reynaga, 55 Anthony Easter, DOE 56
4 James Wolack, DOE 57 Commander Chris Blasnek, DOE 58 Albert Maldonado, and DOE 59
5 Timothy Murakami.
6

7 46. Through the filing of this Fifth Amended Complaint, the Defendants continue to
8 retaliate against the Plaintiff Deputies with illegal disciplinary actions as Sheriff Villanueva and
9 other County leaders intentionally broke state law under POBRA to harm the Plaintiff Deputies'
10 careers.
11

12 47. Harm to the Plaintiff Deputies is ongoing and further harm will come to the
13 Plaintiff Deputies unless there is injunctive relief that prohibits Defendants from harming the
14 Plaintiff Deputies and enables the County to institute reforms necessary to end the corrupt
15 pattern and practices of the LASD that violates the rights of community members and the
16 Plaintiff Deputies.
17

18 48. Defendants, through their acts or omissions, have engaged in a pattern or practice
19 of systemic deficiencies. These deficiencies include, but are not limited to, a failure to implement
20 and enforce policies, procedures, and practices regarding proper shootings and use of force, and
21 regarding protection of constitutional rights of community members as well as non-gang member
22 deputies, that appropriately guide and monitor the actions of individual deputy staff; failure to
23 train and supervise adequately staff to prevent the occurrence of wrongful conduct; deficient use
24 of force and other conduct review; failure to investigate adequately incidents in which deputies'
25 use of force and other conduct; failure to discipline adequately deputies who engage in
26 misconduct or to monitor adequately deputy staff who engage in or may be likely to engage in
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1 misconduct; inadequate surveillance of deputies in the field (who should be wearing body
2 cameras at all times when interacting with the public); and failure to implement policies and
3 procedures whereby complaints and other allegations of deputy misconduct are adequately
4 received and investigated.

5
6 49. Plaintiffs Hernandez, Gonzalez, Zaredini, Escobedo, Contreras, Casas, Granados,
7 and Lemus, and ACLU SoCal, bring this action against the County to ensure the County enacts
8 comprehensive, lasting reform of LASD.

9
10 50. LASD is unique in that it has a deputy gang problem to an extent that is not
11 shared by any other law enforcement agency in America.

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

3 **SYSTEMIC DEFICIENCIES THAT CONTRIBUTE TO THE**
4 **PATTERN AND PRACTICE OF UNCONSTITUTIONAL ACTS**
5

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

9 53. The County's systemic deficiencies include, but are not limited to:

- 10 a. failure to hold training officers accountable for abusing trainee deputies;
11 b. failure to adequately investigate allegations of misconduct and hold deputies
12 accountable for provable misconduct;
13 c. failure to criminally investigate deputy misconduct that constitutes a criminal
14 offense;
15 d. failure to adequately investigate uses of force and hold deputies accountable for
16 violations of department policy or the law;
17 e. failure to conduct fair and unbiased investigations, and repeated cover up
18 investigations that are undertaken with pre-ordained results;
19 f. failure to prevent membership of deputies in criminal gangs within the
20 department;
21 g. failure to protect deputies from harassment and racial discrimination by deputy
22 gangs;
23 h. failure to hold deputy gang members accountable for withholding back up to other
24 deputies on dangerous calls;
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1 i. failure to hold deputy gang members accountable for false arrests and
2 detainments, excessive arrests to meet illegal quotas, excessive force, and planting of evidence.

3 j. failure to implement and enforce policies, procedures, and practices regarding
4 deputy membership in criminal gangs that appropriately guide and monitor the actions of
5 deputies;
6

7 k. failure to train and supervise adequately deputies to prevent the occurrence of
8 misconduct;

9 l. deficient misconduct reporting and review;

10 m. failure to investigate adequately incidents in which deputy gang members engage
11 in misconduct against fellow deputies or the public;

12 n. failure to discipline adequately deputies who engage in misconduct or to monitor
13 adequately deputies who engage in or may be likely to engage in misconduct;

14 o. inadequate body cams and video surveillance at the station and in the field;

15 p. failure to implement policies and procedures whereby complaints and other
16 allegations of deputy misconduct are adequately received and investigated.
17

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19 54. The County has repeatedly failed to take reasonable measures to prevent County
20 staff from inflicting serious harm on their fellow deputies and on the public, even in the face of
21 the obvious and substantial risk that staff will inflict such harm and the multiple occasions on
22 which deputy gang members have inflicted such harm. It has additionally continued to fund
23 LASD with the knowledge that its actions violate the law.
24

25 55. The ultimate goal of this lawsuit, in addition to proper monetary compensation for
26 the individual Plaintiff Deputies, is an order of the Court to end the longstanding pattern and
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1 practice of constitutional violations against community members which are perpetuated and
2 enforced by criminal gangs within LASD.

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

11
12 57. The factual allegations set forth above have been known to the County for a
13 substantial period, yet the County has failed to adequately address the conditions described.

14 58. It is imperative for the County to enact immediate reform and stop the ongoing
15 harm. Real reform will save lives and avert future lawsuits that will cost the County and its
16 taxpayers over a billion dollars.
17

18 19 **BACKGROUND**

20 59. For nearly 50 years, LASD has been plagued by membership of its deputies in
21 gangs, also euphemistically referred to as cliques and “secret societies.” As indicated above, at
22 the present time 15-20% of the deputies in the LASD are gang members. While this number may
23 be shockingly high, it severely underestimates the pervasiveness and dominance of the corrupt
24 deputy gang culture throughout the County. Without organized opposition to the deputy gangs
25 and their control of and/or are support by key levers of power – the many inked gang members
26 who are deployed as training officers and indoctrinate new recruits into the gang – the corrupt
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1 deputy culture hangs like a cloud over the entire LASD, which is effectively controlled by
2 deputy gangs enabled by Sheriff Villanueva, Undersheriff Murakami, and other senior
3 management especially at the station level.

4
5 60. LASD has done nothing to address why deputies form and join gangs. There has
6 been no effort by LASD to explore why there is low morale among its deputies across the board
7 and what can be done to boost morale. The low morale at stations makes the prospect of gang
8 membership more enticing to young recruits. Low morale is one of the classic factors that
9 sociologists and other experts have found to be what draws individuals to street gangs and
10 criminal deputy gangs. Other classic motivations include an opportunity to find an identity, to
11 bolster one's self-esteem and to gain a sense of belonging and self-preservation.

12
13 61. LASD has a long and well documented history of being permeated by a culture of
14 corruption, racism, and violence, exemplified by the existence, and conduct of its deputy gangs.
15 The decades-long existence of these gangs, their unlawful conduct against the public, and
16 LASD's unwillingness to meaningfully discipline or remove its violent gang members has been
17 identified by multiple formal commissions tasked with investigating violence in LASD, lawsuits
18 against the County, prosecutions against LASD officials, public commentary, and even a motion
19 by the Board.

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22 62. LASD leadership has not only allowed the illegal conduct of deputy gang
23 members to continue unchecked, but it has also actively participated in that activity and publicly
24 acknowledged and lauded their existence. Moreover, LASD leadership, including current Sheriff
25 Alex Villanueva, have affirmatively taken steps sanctioning the continued existence of these
26 gangs, going so far as to reinstate deputies associated with these gangs who were previously fired
27 for misconduct. The Sheriff has also been aggressively promoting inked gang members up
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1 through the ranks and enabling the dominance of gang culture and perpetuation of retaliation
2 against whistleblowers for decades to come, including by directing that Defendant DOE 59
3 Timothy Murakami, and Sergeant Mark Lillienfeld, Lt. Glenn Walsh, DOE 21 Kelly Porowski,
4 and Todd Bernstein announce a fake and frivolous criminal investigation against current
5 Inspector General Max Huntsman (“Huntsman”). The Sheriff told ICIB to initiate a criminal
6 investigation into Huntsman, but ICIB reported he was just doing his job when he accessed files
7 on personnel. When Villanueva was informed by ICIB there was no basis for an investigation,
8 the Sheriff and Doe 59 Timothy Murakami told the media they were conducting a criminal
9 investigation into Huntsman when, in fact, no investigation was taking place. Through this
10 completely fake investigation, the Sheriff hopes to intimidate the Inspector General into not
11 investigating deputy gangs and doing his job in providing oversight over the Sheriff and LASD.
12 This fake investigation into the head of OIG is not the only one “undertaken” (announced) by
13 the Sheriff. He has committed a series of criminal acts (e.g., extortion) against public officials
14 while at the same routinely directing LASD officials and investigators to conduct biased and
15 fraudulent investigations to cover up deputy gang activity within LASD.

19 63. Sheriff Villanueva commits criminal extortion under California state law against
20 public officials by warning them that he will initiate fake criminal investigations and then
21 defame them by publicly announcing that he is conducting real criminal investigations in an
22 effort to intimidate them into not scrutinizing his and the deputy gang’s conduct, as if the Sheriff
23 and LASD are running a criminal gang outfit and not running a credible law enforcement
24 agency. While County Counsel Mary Wickham was pursuing legal action over the Sheriff
25 rehiring Grim Reaper gang member Caryn Mandoyan, Villanueva retaliated by causing a LASD
26 sergeant to call Ms. Wickham, threaten her with a fake allegation, and warn that she better turn
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1 herself in to avoid being arrested. The Sheriff also personally threatened Huntsman with
2 “consequences” for his engaging in oversight of the Sheriffs’ rehire of Grim Reaper Mandoyan,
3 and then DOE 59 Timothy Murakami publicly announced the fake criminal investigation into
4 Huntsman’s “activities” (doing his job). Murakami proposed to the Board that Huntsman should
5 “recuse” himself from providing oversight of LASD and deputy gangs while LASD continues its
6 fake investigation into Huntsman – in the hopes that Villanueva could avoid any oversight of his
7 illegal conduct regarding deputy gangs. The Sheriff also announced a fake criminal investigation
8 into Diana Teran, the former constitutional policing officer for LASD, as the Sheriff retaliated
9 against her for the termination of his Grim Reaper rehire. Villanueva schemed to get an improper
10 warrant to do a harassing search of Teran’s home, but he called off the illegal act when Ms.
11 Teran was alerted to his efforts. Villanueva attacked County CEO Sachi Hamai as he lied about
12 her involvement in United Way and made a false report on her to the CAG and defamed her on
13 Facebook. Villanueva has made false accusations against the Board, suggesting they had all
14 committed felonies. Villanueva and LASD position themselves above the law and show they are
15 incapable and unwilling to police themselves and their deputy gangs.
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19 64. The culture of deputy gangs, and the corresponding lack of accountability for
20 illegal behavior and violations of departmental policy—is so ingrained in the department, it is the
21 normal, acceptable status quo within LASD. No other standard of morality or behavior will be
22 tolerated by LASD.
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1 67. Deputies in the Banditos deputy gang have repeatedly used unlawful force against
2 its fellow deputies at the East Los Angeles Station. On several occasions since 2016, the
3 Banditos gang knocked other deputies unconscious at the back of the station parking lot or at
4 “the Cap” (the El Capiro bar) across the street from the station. In addition to knocking fellow
5 deputies unconscious (knocking someone unconscious is considered the minimum adequate
6 punishment as well as signal of their apparently unlimited power), the gang has perpetrated other
7 violence against deputies, hitting them, smashing glass over their heads, etc. The Banditos gang
8 administers beatings and knock outs of fellow deputies to intimidate all deputies at the station to
9 conform to LASD’s corrupt gang culture. Prior to 2020, despite the long history of violence
10 against deputies, there had been no disciplinary action taken against the deputy gang members
11 for using violence to keep control of the station. Finally, bowing to public pressure, Sheriff
12 Villanueva terminated Defendants Big Listo, Silverio, and G-Rod for the violent attack on 5 of
13 the Plaintiffs at Kennedy Hall.

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

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

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

14 **Bizarrely Inappropriate Station Logo Encourages the Use of Excessive Force**

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

23 71. This East Los Angeles Station logo was born out of the Chicano Moratorium,
24 Latino community protests in 1970, the wrongful killing of journalist Ruben Salazar by a deputy
25
26

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

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

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

1 and the LASD’s illegal treatment of Latino protesters. Reportedly, the LASD’s white deputies in
2 East Los Angeles saw themselves as being in an outpost in the middle of the desert among the
3 savage Mexicans. So, they had to have a fort with which to defend themselves. At the Chicano
4 protests, helmeted deputies beat protesters with their batons; accordingly, the station logo
5 features a riot helmet and boot, inspired by the beatdown of protesters. The logo also sports a
6 Spanish language expression that means, “always a kick in the pants,” suggesting deputies’
7 should engage in “community policing” by beating community members.
8

9 72. While the logo has taken on different meanings with many deputies over the
10 years, especially as more Latino deputies were hired at the station, there is no objective argument
11 to be made that the logo has ever been professional and appropriate for a credible Sheriff’s
12 Department. Sheriff Alex Villanueva’s predecessor, Sheriff James McDonnell, banned the highly
13 inappropriate logo. However, when Villanueva took power, one of his first acts was to revive
14 the logo, sending the message to the community loud and clear that “old school” policing (i.e.,
15 cracking heads instead of community policing) was back.
16
17
18

19 **The Corrupt Practices and Policies in LASD Led to the Harms Suffered by the**
20 **Plaintiff Deputies**

21 73. The Banditos led by Defendants Big Listo, Silverio, G-Rod, and others including
22 Bandito associate Defendant Doe 4, Angelica Estrada, nicknamed the Pink Hand, a name
23 inspired by the black hand of the Mexican Mafia, and Defendants DOE 7 Vincent Moran, DOE 8
24 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio
25 Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 19
26 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow Kim, DOE 23 Juan Sanchez, DOE
27
28

1 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana
2 Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32
3 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE
4 38 Jessica Santos, DOE 39 John Soria, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43
5 Manuel Palacios, DOE 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres,
6 DOE 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki
7 Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, and DOE 62 Luis Valle,
8 maintained control over the East Los Angeles station for many years.
9
10

11 74. Commencing in 2016 and 2017, the Banditos and Defendants harassed the
12 Plaintiff Deputies based on their race and ethnicity. In 2017, the Defendants began retaliating
13 against the Plaintiff Deputies by withholding back up on dangerous calls. Defendants Big Listo,
14 G-Rod, and Silver, along with several other Banditos and prospects and associates, including
15 Defendants DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 15 Braulio Robledo,
16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 20 Nikolis Perez, DOE 23
17 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 41 Claudia Perez,
18 withheld back up for the Plaintiffs on dozens of dangerous calls. Plaintiffs Granados and
19 Zaredini responded to the withholding of backup and other hostile actions by reporting this to
20 Defendant DOE 2 Richard Mejia, who “conducted an inquiry” into Banditos’ leader Big Listo
21 and reported it to Defendants DOE 5 Eric Smitson and DOE 6 Chris Perez. Mejia provided a
22 whitewashed memo and intentionally downplayed the role of the Banditos in maintaining a
23 hostile work environment, omitting reports to him by deputies of harassment and gang activity
24 by G-Rod, Ban Bam and Silver and other Banditos. Mejia instead limited his focus just on Big
25 Listo and allegations of his bullying and harassment. And, instead of addressing the Banditos
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27
28

1 gang problem, DOE 4 Angela Estrada, DOE 5 Eric Smitson and DOE 5 Chris Perez merely
2 reported to the Banditos, including Big Listo, Silver, and G-Rod, and others, that Deputies
3 Granados and Zaredini had blown the whistle on them and thereafter the acts of retaliation
4 against the Plaintiff Deputies only increased. Mejia and other station leaders did nothing to
5 intervene and protect the whistleblowers.
6

7 75. In 2018, deputy gang members, including Defendants Big Listo, Silver, G-Rod,
8 and Doe 7 Vincent Moran, targeted Plaintiff Alfred Gonzales for assault and battery to make an
9 example of him and to reinforce their ability to act with impunity against deputies at the East LA
10 Station who refused to join the Banditos or stood up to them as they had done with many
11 deputies before. Failing to provoke an attempt at self-defense by Deputy Gonzalez behind the
12 East Los Angeles station to provide “cover” for knocking him unconscious on September 26,
13 2018, Defendants Big Listo, Silver, G-Rod, Bam Bam, and Doe 7 Vincent Moran again sought to
14 provoke Plaintiff Gonzales at a department-sponsored event at Kennedy Hall in East Los
15 Angeles. Kennedy Hall was chosen as a venue by the Banditos for an attack on non-gang
16 member deputies because it lacked sufficient security cameras. In discovery, Plaintiff Deputies
17 were informed the limited security footage from Kennedy Hall parking lot had conveniently
18 gone missing at LASD. The other favored venues, as previously noted, are “The Cap,” a bar
19 across the street from the station also lacking security cameras, and behind the station itself as
20 again no cameras cover that area. At Kennedy Hall, the Banditos gang’s top shot-callers again
21 sought to provoke Plaintiff Gonzales and, when several of the Plaintiff Deputies sought to
22 intervene to defuse the situation, they were then assaulted and battered, with Plaintiff Hernandez
23 and Plaintiff Escobedo knocked unconscious and suffering other injuries, as other Banditos
24 besides Big Listo, G-Rod, Bam Bam and Silver participated in the attacks or cheered them on
25
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28

1 while numerous on-duty deputies in attendance merely watched or failed to act in accordance
2 with their duties as law enforcement officers; e.g., Defendant DOE 47 Christopher Moore,
3 present on-duty and in uniform, armed with his service weapon, assigned to the party to provide
4 for a secure and safe environment, when asked by Alfred Gonzalez to call the East LA Station
5 for assistance, did nothing at all except to report the successful attacks to shot-caller Defendant
6 DOE 13 Raymond Mendoza who was on-duty back at the station.
7

8 76. After the events at Kennedy Hall were reported by the Plaintiff Deputies to their
9 superiors at the East LA Station, the hostile actions of the Banditos against the Plaintiff Deputies
10 not only continued unabated but increased even more. The Plaintiff Deputies were ostracized for
11 being whistleblowers at the station and were labelled “rats” as if LASD is a crime syndicate. The
12 County did not stop the hostile environment even after 7 of the 8 Plaintiff Deputies filed their
13 internal tort claims with the County on March 7, 2019. In fact, retaliation against the Plaintiff
14 Deputies continues up to the moment of the filing of this Fifth Amended Complaint.
15
16

17 77. The County’s ongoing failure to halt deputy criminal gang activity and the gangs’
18 abuses of trainees, and violent assaults of deputies and members of the public, has communicated
19 to the gangs that they can carry out abuse of trainees and brutal assaults of their fellow deputies
20 with impunity. For instance, several deputy gang members operating out of LASD’s Palmdale
21 Station held down another deputy so one of the gang members could shoot the deputy in the leg
22 “to shoot his tattoo off his leg.” There was no disciplinary action taken by the LASD for this
23 violent act by a group of deputies against a fellow deputy.
24

25 78. At present, the deputy criminal gang members can attack other deputies or each
26 other or wrongfully shoot members of the public with little concern for being held accountable.
27
28

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

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

10
11 80. Also, in 2019, the COC made observations on the cop gang problem: Commission
12 member Sean Kennedy spoke out about the “longstanding, widespread problems caused by
13 internal cliques [deputy gangs]” and called for restrictions on the gang’s use of tattoos to
14 establish their strength in numbers dominance of certain stations in the department. Kennedy also
15 stated that deputies’ participation in cliques [gangs] “has generated fifty years’ worth of bad
16 press,” and at least three independent oversight bodies “have voiced serious concerns about
17 cliques [gangs] and management’s failure to address them.”¹⁵ Thus, there has been, and
18 continues to be, as recognized by the Board and COC, bad press and even worse, improper, and
19 illegal behavior and no oversight by the County.
20

21
22 81. Sheriff Villanueva, when he was a candidate for his current position in 2018,
23 pledged to rehire every single deputy of the 196 fired for wrongful conduct over the last 4 years.
24 This was regardless of whether the disgraced deputies were inked gang members and regardless
25

26
27
28 ¹⁴ ASSESSING COUNTY LIABILITY IN SETTLEMENTS INVOLVING SHERIFF “GANGS,” (April 2019), Los Angeles County Board of Supervisors

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

1 of the offences committed by the fired deputies, be it excessive force, false imprisonment, filing
2 false police reports, dishonesty, planting evidence, domestic violence, etc.

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

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

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

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

26 86. LASD deputies engage in a pattern or practice of use of force, including deadly
27 force that is unreasonable, and that pattern, and the pattern of other wrongful conduct, including
28

1 the maintenance of deputy gang membership and accompanying criminal activity, are largely
2 attributable to systemic deficiencies within LASD.

3
4 **The Defendant is Repeatedly Sued for Harms Caused by its Deputy Gangs**

5
6 87. The County has been sued many times over the years by victims of the deputy
7 gangs. The East Los Angeles station generates an inordinate number of lawsuits, harassment
8 claims, and acts of violence, including violence against fellow deputies. The County has been
9 sued before this present lawsuit for allegations regarding the Banditos and those lawsuits long
10 ago called the County's attention to the problem of the presence of criminal gangs in LASD. In
11 2013, the County settled for over \$500,000 with an individual who alleged he was the victim of a
12 frame up by Gregory "G-Rod" Rodriguez who is a Defendant here. Shortly after, the family of
13 Antonine Hunter sued the County for wrongful death, alleging that G-Rod committed an
14 unlawful shooting and killing of Hunter; the County settled the case, reportedly for \$500,000.
15
16

17 88. In 2012, deputies who were members of the Regulators gang shot and killed
18 Arturo Cabrales when he was at home and unarmed. The County settled with Mr. Cabrales'
19 family for \$1.5 million.

20 89. In 2014, Deputy Guadalupe Lopez sued the Defendant County alleging the
21 existence of the Banditos gang and that members "sexually harassed and threatened and
22 demanded sex from her." The County settled with the deputy for \$1,500,000. In 2015, Deputy
23 Rosa Gonzalez sued the County, alleging retaliation after she complained of gender
24 discrimination perpetrated by the Banditos, including Rafael Rene Munoz aka Big Listo, who is
25 a Defendant here. The County settled in 2019 for \$1 million.
26
27
28

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

10
11 91. Under the previous Sheriff, James McDonnell, an IA of Robles was placed on
12 hold until completion of the criminal case. Robles’ criminal case concluded a week before
13 Villanueva took power. It was his responsibility to then immediately launch an IA investigation,
14 but he instead buried the matter. In this case, the failure to hold a deputy accountable may be
15 personal: Robles reportedly calls Villanueva, “dad” and his wife, “mom.” In settlement, the
16 County reportedly paid the mother of the children \$17 million and the father’s lawsuit against the
17 County is still pending at the time of the filing of this Fifth Amended Complaint.
18

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

26 93. In June 2019, the County paid \$7 million to the family of African American
27 Donta Taylor who was wrongfully killed by members of the Executioners gang. The rise of new
28

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

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

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

22 96. Undoubtedly, the County will soon be sued by the victim of a recent May 2019 hit
23 and run by reportedly one of the more notorious Banditos prospects, Defendant DOE 23 Deputy
24 Juan Sanchez. Sanchez engaged in a car chase with a civilian into the city of Montebello.
25 Sanchez chased the driver and caused him to crash into a pole. Sanchez fled the scene, leaving
26 the victim unattended. The Montebello Police Department officers came upon the victim, who
27 told them he had been chased by a cop who took off. Sanchez was not subjected to an IA
28

1 investigation by East Los Angeles Station leadership including Doe 2 Richard Mejia and Doe 1
2 Ernie Chavez, who continue to shield the Banditos at the East Los Angeles Station from being
3 held accountable.

4
5 97. Pending cases against LASD include the family of Paul Rea, the young man who
6 was killed by Defendant DOE 8 Hector “Little Listó” Soto Saavedra as he “chased the ink” to
7 become a gang member and is the Banditos protégé of Defendant Big Listo, and the family of
8 Anthony Vargas, the young man who was repeatedly shot from behind in the head and back by
9 East Los Angeles deputies Banditos prospects, DOE 21 Nikolis Perez and DOE 23 Jonathan
10 Rojas, who were chasing the ink when they killed Mr. Vargas. Following the kills of Rea and
11 Vargas, Rojas, Perez, and Saavedra all recently got inked as Banditos gang members. Similarly,
12 deputies who shot and killed Andres Guardado were prospects of the Executioners gang in
13 Compton. It is not a coincidence that gang member prospects were behind the most recent
14 controversial shootings and killings of Latino residents.
15

16
17 98. Despite County’s leaders’ having actual knowledge of the deputy criminal gang
18 problem for decades, the County has failed to take reasonable measures to halt the abuses by the
19 gang members.
20

21 **The County Has Allowed and Even Encouraged a Hostile Work Environment**

22
23 99. The County has a policy and practice of creating and enabling a hostile work
24 environment at LASD. Employees, including supervisors, make and continue to engage in racist
25 behavior towards the Plaintiff Deputies. Beginning in 2016 and 2017, and on a continuing and
26 ongoing basis up to and including today, the Plaintiff Deputies have been harassed, discriminated
27
28

1 against, and retaliated against for being young, Latino deputies and for challenging and reporting
2 what they reasonably believed were unlawful activities by certain employees of LASD.

3 100. The Banditos control the East Los Angeles Station from the deputy level up, with
4 leaders willfully turning a blind eye to their conduct. Defendant DOE 4 Angelica “Pink Hand”
5 Estrada, with assistance from Staffer Defendant DOE 39 John Soria, controlled scheduling, and
6 assignments, and could even control who got promotions at the station up until recently. The
7 Pink Hand was enabled by station leadership like DOE 5 Eric Smitson and Doe 1 Ernie Chavez
8 who would do the Pink Hand’s bidding on behalf of the Banditos who provided the muscle on
9 the line, intimidating deputies at the station through the Banditos’ strength in numbers and
10 through threats of violence and acts of violence. Shortly after the Plaintiff Deputies began
11 training for LASD, employees including Defendants Big Listo, Silver, G-Rod, and DOE 4
12 Angelica Estrada, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond
13 Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17
14 Eldemira Parra, DOE 18 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22
15 Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE
16 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony
17 Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35
18 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica Santos, DOE 39 John Soria, DOE 40
19 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE 46 Noel Lopez, DOE 47
20 Christopher Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario Castro,
21 DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth
22 Aguilera, and DOE 62 Luis Valle. began targeting them for harassment based on their race,
23 ethnicity, and national origin. The Plaintiff Deputies were also targeted for retaliation after they
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1 blew the whistle on the discrimination, harassment, and hostile work environment. The Plaintiff
2 Deputies were set up to be harmed, with their lives placed in danger by the County's employees.
3 Plaintiffs are informed and believe, and thereupon allege, that the County maintained a pattern or
4 practice of ignoring and/or failing to act promptly to: Investigate harassment complaints; conduct
5 investigations; maintain adequate anti-harassment policies and practices; adequately train leads,
6 supervisors and managers about their policies and procedures, and about how to prevent
7 harassment from occurring; implement an adequate complaint mechanism for receiving and
8 addressing complaints of harassment; and discipline identified harassers. The County also
9 allowed employees against whom harassment complaints have been made to continue working at
10 LASD after nearly taking the lives of some of the Plaintiff Deputies.
11

12
13 101. The Deputy Plaintiffs bring this action to obtain injunctive relief that will finally
14 address the unchecked deputy violence and harassment that have plagued LASD for decades.
15

16 102. In seeking injunctive relief, the Deputy Plaintiffs aim to help provide the
17 County's residents with what they deserve: A LASD that respects their right to be free from
18 unwarranted violence, contributes to instead of undermines public safety, and supports deputies
19 like the Deputy Plaintiffs, who are brave enough and honest enough to take on these difficult
20 responsibilities.
21

22
23 **Inadequate Training, Supervision, and Accountability Leads to Deprivations of**

24 **Constitutional Rights**

25 103. As a direct and proximate result of LASD's systemic failure to provide deputies
26 with adequate training, supervision, accountability, numerous County residents, including
27
28

1 employees of LASD, have been subjected to a repeated pattern of unconstitutional use of force
2 and other wrongful conduct.

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

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

15 106. LASD supervisors lack support from the Sheriff’s office and lack the resources
16 necessary to identify deputy misconduct, help deputies modify their conduct, or correct
17 misconceptions about the proper use of force specifically and proper policing more broadly.
18 LASD’s inadequate system of supervision is caused in part by the high deputy to supervisor
19 ratio, with excessive vacancies in the supervisory ranks. At the same time, deputies routinely get
20 promoted to sergeant with insufficient experience and skills to be supervisors.

21 107. LASD fails to adequately investigate allegations of deputy misconduct. In fact,
22 internal affairs investigations are commonly rigged ahead of time by LASD to ensure the
23 department finds insufficient evidence of wrongdoing against Banditos members or to make false
24

1 addressed by the USDOJ regarding the County jail system. The deputy gangs and the gang
2 culture which dominate LASD are a menace and threat of safety to the public at large as well as
3 to other non-gang member deputies in the department.
4

5 112. LASD deputies engage in repeated pattern of using excessive force, and deadly
6 force, when conducting law enforcement activities in a way that disproportionately affects the
7 County's African American and Hispanic/Latino American residents. Many of these incidents
8 involve the use of deadly force in situations when less or no force is objectively reasonable.
9

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

17 114. LASD deputies regularly subject African American and Latino/Hispanic
18 American residents in Los Angeles County to excessive and unreasonable force, including
19 unnecessary shootings, and this conduct is sanctioned by LASD by refusing to discipline or
20 terminate the offending officers.
21

22 115. Deputies earn membership to, and esteem within, these deputy gangs by
23 committing violence against members of the public and frequently commit acts of excessive
24 force including shooting unarmed residents who pose no objective risk of harm. The deputies are
25 emboldened to engage in these violent acts because LASD has long had an informal policy and
26 practice of refusing to discipline or fire deputies for acts of excessive violence. As a result,
27 throughout the County, many Black and Latino residents live in fear that even a routine
28

1 interaction with deputies will quickly escalate into severe injury or death. This fear is well-
2 founded as there are numerous instances over the past decades in which deputies have engaged
3 in excessive force on persons who were unarmed or posed no threat of death or serious bodily
4 injury to deputies yet received no significant discipline and remained employed by LASD. Not
5 only has LASD not disciplined the violent deputies, but the DA's office, which works hand in
6 hand with the Sheriff, has until just in the past month declined to prosecute any of the deputies.
7

8 116. The following is a non-exhaustive list of incidents in which LASD deputies
9 committed acts of excessive force against the public and, to Plaintiffs' knowledge,¹⁶ were not
10 disciplined or terminated:
11

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

20 b. On or about August 24, 2003, Deondre "Trey" Brunston was killed in a hail of 81
21 bullets, fired by LASD Deputies, 22 of which hit him, and which also fatally wounded a police
22 dog. On information and belief, no deputy was disciplined or terminated for this shooting.
23

24 c. On or about June 13, 2006, LASD deputies fired about 70 rounds into the car
25 occupied by Carl Williams after a chase when he represented no threat to life or serious bodily
26 injury. On information and belief, no deputy was disciplined or terminated for this shooting.
27

28

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

1 d. On or about June 13, 2006, LASD deputies approached Christian Portillo in a
2 parked car and one of the deputies shot him to death. No drugs or weapons were found, but the
3 police say Mr. Portillo had a suspended license. Portillo represented no threat to life or serious
4 bodily injury. On information and belief, no deputy was disciplined or terminated for this
5 shooting.
6

7 e. On or about June 26, 2008, Bryan Moore ran from police, jumping over a fence
8 holding his waist. When officers ordered him to raise his hands, he looked at the deputies, who
9 shot him to death. Mr. Moore represented no threat to life or serious bodily injury. On
10 information and belief, no deputy was disciplined or terminated for this shooting.
11

12 f. On or about September 14, 2009, a deputy chased Darrick Collins up his
13 driveway and into his own backyard, purportedly believing he was a robbery suspect. The deputy
14 fired at Mr. Collins through a wooden gate, fatally hitting him in the back of the neck. Mr.
15 Collins represented no threat to life or serious bodily injury. On information and belief, no
16 deputy was disciplined or terminated for this shooting.
17

18 g. On or about June 16, 2010, deputies shot and killed Dexter Luckett. He was
19 unarmed, and no weapon was recovered at the scene. On information and belief, no deputy was
20 disciplined or terminated for this shooting.
21

22 h. On or about October 10, 2010, a deputy shot and killed Johnathan Cuevas. The
23 deputy stopped next to men walking. Mr. Cuevas ran and fell, then the deputy shot him on the
24 ground. The County settled by paying Mr. Cuevas' family \$875,000. On information and belief,
25 no deputy was disciplined or terminated for this shooting.
26

27 i. On or about October 13, 2011, a deputy shot and killed Darrell Logan. A lawsuit
28 alleged that LASD contained a clique of deputies for whom it was a badge of honor to kill a gang

1 member, which Mr. Logan may have been suspected of being. On information and belief, no
2 deputy was disciplined or terminated for this shooting.

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

7
8 k. On or about January 21, 2012, deputies shot and killed Christian Cobian. Deputies
9 reported that they attempted to stop Mr. Cobian because he was riding a bike with no light, and
10 he ran. No weapon was found. On information and belief, no deputy was disciplined or
11 terminated for this shooting.

12
13 l. On or about March 7, 2012, deputies shot and killed Arturo Cabrales. The County
14 settled with Mr. Cabrales' family for \$1.5 million because it was alleged that the deputies
15 involved shot him when he was at his home, running away, and unarmed. The deputies were
16 alleged to be a part of the Regulators, one of the deputy gangs that operates in South Los
17 Angeles. On information and belief, no deputy was disciplined or terminated for this shooting.

18
19 m. On or about August 28, 2012, deputies shot and killed Tony Louis Francis. The
20 deputy followed Mr. Francis into a driveway and ended up shooting and killing him while he
21 was still inside his vehicle. No gun was found. On information and belief, no deputy was
22 disciplined or terminated for this shooting.

23
24 n. On or about November 10, 2012, deputies shot and killed Jose de La Trinidad.
25 Deputies attempted a traffic stop on a vehicle in which Mr. de la Trinidad was a passenger. After
26 a brief chase, the unarmed de la Trinidad got out of the car and deputies shot him five times in
27
28

1 the back, according to an autopsy. On information and belief, no deputy was disciplined or
2 terminated for this shooting.

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

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

15 q. On or about September 10, 2013, deputies shot and killed Carlos Ernesto Oliva
16 Silva. Deputies were flagged by a bystander who reported a "man with gun" in the vicinity.
17 Although Oliva Silva was not the man they were looking for, deputies confronted him and
18 ultimately shot and killed him after claiming he pointed a gun at them. The autopsy report,
19 however, shows he was shot eight times from behind. The family announced they would file a
20 lawsuit against the LASD and requested the deputy involved—who had shot seven people—be
21 fired. On information and belief, no deputy was disciplined or terminated for this shooting.
22

23 r. On or about April 25, 2014, deputies shot and killed Salvador Martin Palencia
24 Cruz. The deputies shot Mr. Palencia Cruz nine times while Mr. Palencia Cruz held a pastry
25 spatula. A lawsuit was filed against the County. On information and belief, no deputy was
26 disciplined or terminated for this shooting.
27
28

1 s. On or about May 26, 2014, deputies shot and killed Noel Enrique Aguilar after
2 stopping him while he was riding a bicycle, having committed no crime. Deputies disarmed Mr.
3 Aguilar and then shot him to death. The County settled a lawsuit for \$2,970,000. On information
4 and belief, no deputy was disciplined or terminated for this shooting.
5

6 t. On or about June 24, 2014, deputies—including Defendant Gregory G-Rod
7 Rodriguez—shot and killed Antoine Hunter and severely wounded Jeremy Evans. Deputies
8 fired into the stopped vehicle in which Antoine Hunter and Jeremy Evans were seated. At the
9 time, neither Hunter nor Evans were armed. The County settled a lawsuit brought by the
10 decedents' families for a substantial sum. On information and belief, no deputy was disciplined
11 or terminated for this shooting.
12

13 u. On or about July 5, 2015, deputies shot and killed Johnny Ray Anderson. After
14 responding to reports of a prowler, deputies found Anderson and his wife, Kathleen, trespassing
15 in a backyard and fatally shot the unarmed Anderson. On information and belief, no deputy was
16 disciplined or terminated for this shooting.
17

18 v. On or about February 14, 2016, deputies shot and killed Eduardo Rodriguez
19 during a traffic stop, which deputies made during a stolen-vehicle investigation. Rodriguez was
20 unarmed. On information and belief, no deputy was disciplined or terminated for this shooting.
21

22 w. On or about February 24, 2016, a deputy shot and killed Francisco Garcia who
23 was driving away in a car. Garcia was completely unarmed and shot in the back. The County
24 paid a settlement of \$1,750,000 to Garcia's family. On information and belief, no deputy was
25 disciplined or terminated for this shooting.
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1 x. On or about March 16, 2016, deputies shot and killed Christian Rene Medina
2 after responding to a false robbery report. On information and belief, no deputy was disciplined
3 or terminated for this shooting.

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

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

10 aa. On or about August 12, 2018, deputies shot and killed Anthony Vargas, who was
11 not suspected of any crime but fled from the police when deputies attempted to stop him. The
12 shooters were then-Banditos prospects DOE 20 Nikolis Perez and DOE 24 Jonathan Rojas. The
13 shooters and LASD lied as they stated one deputy shot Mr. Vargas from the front, but the
14 autopsy showed Vargas was only shot from behind, repeatedly in the back of his head and back.
15 The deputies claim that he was armed. On information and belief, no deputy was disciplined or
16 terminated for this shooting, even though Perez and Rojas reportedly committed perjury in recent
17 depositions where they denied even knowing of the existence of the Banditos gang: The month
18 after the shooting, Perez and Rojas attended the Kennedy Hall event and huddled with the
19 Banditos gang shortly before the gang committed assaults and batteries against their fellow
20 deputies, Deputies Hernandez, Escobedo, Gonzales, Casas and Contreras. Perez and Rojas
21 participated in withholding backup on Plaintiffs' calls, and they recently became inked Banditos
22 gang members, along with several other deputies who were also chasing the ink.
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1 bb. On or about June 27, 2019, a deputy shot and killed Paul Rea while Rea allegedly
2 very slowly drove his car in the deputy’s direction. It was against policy to shoot a suspect for
3 slowly driving a car in a deputy’s direction and the shooting was wrongful. The deputy involved,
4 DOE 8 Deputy Hector “Little Listo” Soto Saavedra, was then a prospective member of the
5 Banditos gang, and protégé of the gang’s leader, Big Listo. “Little Listo” recently became an
6 inked Banditos gang member. On information and belief, no deputy was disciplined or
7 terminated for this shooting.
8

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

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

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

25 120. Across the board, throughout all its stations, LASD has long failed to sufficiently
26 hold deputies accountable for wrongful conduct.
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1 whistleblowers with rigged IAs whose outcomes are determined ahead of time to make false and
2 malicious charges of misconduct and impose unwarranted discipline, law-abiding deputies have
3 strong disincentives to speak up in the face of the Code of Silence. Sheriff Villanueva does not
4 act on reports from whistleblowers with investigations into the allegations, but instead retaliates
5 against the whistleblowers. In addition to rigged results and cover ups, the pattern, and practices
6 of LASD is to delay investigations for such long periods of time, and so deputies learn that there
7 is little or no accountability for wrongful conduct by deputies. Recently, a deputy working out of
8 the East Los Angeles Station appeared anonymously on CBS news and revealed that deputy gang
9 members routinely plant evidence, including guns, on suspects. Sheriff Villanueva expressed no
10 concerns over the revelations, but instead denounced the whistleblower to the media.
11

12 Undoubtedly, this deputy did not report these revelations directly to Sheriff Villanueva because
13 he knew that he, the whistleblower, and not the deputy gang members, would be disciplined.
14

15 126. LASD routinely uses tolling provisions in POBRA to unnecessarily delay
16 investigations of the most egregious wrongful conduct. Under POBRA, the County can delay
17 initiation of IAs until there is a resolution to criminal and civil cases regarding the same matter.
18 The County does not need to make such use of the tolling provisions for civil cases, but it does
19 so routinely. Accordingly, a deputy who commits a wrongful shooting and takes the life of
20 resident may not be subjected to an IA investigation for several years after the fact, as the civil
21 case works its way through the Courts, witnesses die or memory dims, and so POBRA is now
22 used as a shield by LASD to protect the Banditos and those like them from harm.
23

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

7 128. The systemic flaws in LASD not only result in a failure to hold LASD deputies
8 accountable for instances of excessive force and racially discriminatory policing practices, but
9 also signal to deputies that they have carte blanche to engage in further wrongful conduct.
10

11 129. The existence of deputy gangs throughout LASD and the County underscores
12 there is systemic problem that must be remedied through force by court order or by a voluntarily
13 Consent Decree between the parties to protect the rights of non-gang member deputies and of the
14 public.
15

16 130. LASD suffers from a systemic problem that leads to the deprivations of
17 constitutional rights for members in the community as well as for its non-gang member deputies.
18 The entrenchment of the deputy gang culture is reflected in the fact that the ALADS deputies'
19 union opposes any efforts to curb deputy gang dominance and downplays the gangs' impact on
20 the department culture and practices. It is also reflected by the fact that the Sheriff placed many
21 inked gang members in key positions in his administration and garnered the support of ALADS
22 to get elected with his promise to reinstate all gang members and other disgraced deputies who
23 had been terminated the previous 4 years for wrongful conduct.
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1 **The Pattern and Practice of Deputy Misconduct in LASD**

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

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

15 133. In addition to wrongful shootings and excessive force, as well as the planting of
16 evidence and the framing of civilians, the ability of LASD to police the community is severely
17 harmed, and much crime subsequently goes unpunished. Without trust and cooperation in LASD,
18 law enforcement became less effective, crimes go unsolved, and the safety of both sworn
19 deputies and civilians are jeopardized.
20
21

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

23 **Enacted**

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

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8 **GENERAL ALLEGATIONS: WHAT HAPPENED TO THE PLAINTIFF**
9 **DEPUTIES IS A MICROCOSM OF THE SYSTEMIC PROBLEMS THROUGHOUT**
10 **LASD AND DEMONSTRATES THE NEED FOR MASSIVE REFORM**
11

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

19 136. The Plaintiff Deputies have been injured by the County's unlawful use of force
20 and will continue to be injured absent injunctive relief.
21

22 137. The Banditos gang was born out of and wields its power at the Department's East
23 Los Angeles Station which services communities of unincorporated East Los Angeles, and the
24 City of Commerce, City of Maywood, and City of Cudahy. The Banditos gang has controlled the
25 East Los Angeles station like inmates running a prison yard. For years, the Banditos have
26 specifically preyed upon and targeted young Latino deputies as they begin training as rookie
27 cops, intimidating the trainees into either becoming "Prospects" to join the gang or be forced to
28

1 quit and be “rolled” out of the station. Young Latina deputies are recruited to be Associates of
2 the Banditos since, as women, they can never be members.

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

16 139. Many of the gang members use the lingo, such as “ese,” “chale,” and homes,”
17 etc., associated with Latino street gangs. As is the case with street gangs, when a Banditos gang
18 member indicates that a person is “in the car,” it means that person is one of them. Similarly, the
19 Banditos use the expression “word on the yard,” a prison term used to explain what is being said
20 amongst the prisoners, as if the Banditos are inmate gang members. In addition to the inked
21 Banditos gang members, there are also numerous gang prospects desperate to do anything to
22 impress the inked members. Female deputies are excluded from the gang, but some of the female
23 deputies have been indoctrinated into the gang as “Associates.”

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

18 141. As of the filing of this Fifth Amended Complaint, the Sheriff still allows Banditos
19 prospects to become FTOs and further perpetuate the abuse of trainees and the recruitment and
20 creation of future deputy gang members.

21 142. The Banditos hold their roundtable meetings at the house of DOE 46 Noel Lopez,
22 who is an inked member and proudly goes by the nickname of "Crook." DOE 19 Mark Elizondo
23 also hosts Banditos' meetings at his home. The pecking order is made clear to all at the station as
24

1 the Banditos are given special privileges, such as the preferred parking spaces at the station.
2 Everything at the East Los Angeles station must be “roundtabled” by the Banditos, e.g.,
3 fundraisers, all training parties, staff barbecues, etc. Upon information and belief, Plaintiffs
4 allege that Doe 46 Noel Lopez and Doe 19 Mark Elizondo, along with Big Listo, G-Rod, and
5 Silver, engaged in a conspiracy at these roundtable meetings to plan harm against the Plaintiff
6 Deputies and other deputies as they agreed to impose gang taxes, harass the Plaintiff Deputies, to
7 roll the Plaintiff Deputies out of the station, to overwhelm the Plaintiff Deputies with excessive
8 calls, to withhold back up for the Plaintiff Deputies on dangerous calls, and to physically attack
9 the Plaintiff Deputies at various times and locations. These meetings continued after Big Listo,
10 G-Rod, and Silver left the station in October 2018 when they were put on leaves of absences for
11 committing violent acts against their fellow deputies.
12

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14 143. Like street gangs, the Banditos extract “taxes” from young Latino deputies;
15 Banditos hand trainees empty envelopes and tell them to have filled with money, up to \$2,000 at
16 a time, by the end of the day. The County has tried to cover the extent of extraction of gang taxes
17 and has referred to them as “donations,” as if these are monies voluntarily paid for good causes.
18 Banditos use the tax money for such personal expenses as taking vacations, including to
19 Thailand. Taxes include money raised through fundraisers which are falsely advertised as being
20 for good causes. Other taxes take the form of sexual favors from female deputies. Recently,
21 Banditos prospect, DOE 8 Hector Soto Saavedra (“Little Listo”), led a fundraiser at the station to
22 give money to Big Listo, G-Rod, Silver and Bam Bam to help pay their legal expenses in this
23 case. Anything to do with the station has become a rite of passage and ritual for the Bandidos to
24 extort money from the deputies stationed there.
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1 **The Deputy Gang Culture in LASD Encourages Illegal Acts Against the Public**

2 144. Deputies out of the East Los Angeles Station have generated an excessive amount
3 of stops and arrests in the community because of the pressure from the Banditos to inflate
4 numbers, to satisfy constructive illegal arrest quotas, and for deputies to ignore constitutional
5 protections which require there to be probable cause to stop and arrest civilians.
6

7 145. It is alleged upon information and belief that the Banditos have established and
8 maintain a culture at the East Los Angeles Station where deputies often “work backwards” as the
9 Banditos tell them to do: They decide to arrest civilians, and then go back and come up with the
10 reasonable suspicion and probable cause for making the stop and arrest through planting and
11 manufacture of evidence and other illegal acts. The Prospects seek to “earn their stripes” by
12 committing wrongful acts, and the Prospects are often more vicious than the inked members.
13

14 146. The Banditos are notorious for planting guns on victims. The use of “ghost guns”
15 is so common it has become a station joke anytime there is a report of a gun on suspect to ask if
16 it was a real gun or a ghost gun.
17

18 147. The Banditos give guidance to the young deputies such as: If they steal property
19 from suspects and inmates and later dispose of it, to make sure to “be smart enough to get rid of
20 it outside the station.” Defendant G-Rod bragged that “If they run from me, I make sure they
21 come back with broken bones.” He also advised deputies to carry a bag with them to plant
22 evidence on suspects. If deputies do not follow their orders, the Banditos will try to embarrass
23 them on the department radio, overload them with excessive calls and send them out for extra
24 calls at the end of shift, and exaggerate calls, pretending routine calls are emergencies, etc.
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1 **The Defendants Repeatedly Withheld Back Up on Dangerous Calls in Retaliation**

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

14 149. The Banditos gang, including Defendants Big Listo, G-Rod, and Silver, along
15 with several other Banditos and prospects and associates, including Defendant deputies DOE 7
16 Vincent Moran, DOE 8 Hector “Little Listo” Soto Saavedra, DOE 15 Braulio Robledo, DOE 16
17 Jonathan Rojas, DOE 20 Nikolis Perez, 23 Juan Sanchez, DOE 24 Aaron Abellano, and DOE 25
18 Silvano Garcia, withheld back up for the Plaintiffs on dozens of dangerous calls, with Banditos
19 Associates DOE 17 Eldemira Parra, DOE 18 Andrea Villa and DOE 41 Claudia Perez helping
20 coordinate the withholding of back up from the Dispatch unit. Parra, Villa, and Perez also helped
21 from Dispatch to execute the Banditos’ tactic of retaliation against them by overloading them
22 with excessive calls. These deputies withheld back up on Plaintiffs’ dangerous calls dating back
23 to June 2017. It is alleged upon information and belief that the intentional withholding of back
24 up on dangerous calls to other deputies has contributed to the unnecessary injuries and deaths of
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1 community members who were shot by East Los Angeles deputies. In one such incident, a non-
2 suspect was shot multiple times in the back of the head and back where insufficient back up was
3 ordered by the Banditos.

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5 150. It is notable and disturbing that there have never been any Internal Affairs Bureau
6 investigations and no disciplinary action taken by LASD in relation to incidents where the
7 Banditos or deputy gangs at other stations intentionally withheld back up on dangerous calls. The
8 Banditos routinely placed and place their fellow deputies' lives and the community members'
9 lives at risk. The current Captain, DOE 2 Richard Mejia, ignored the Deputy Plaintiffs'
10 complaints and warnings about back up being withheld dating back to early 2018. Mejia had an
11 obligation to take action to protect his deputies, but he, like other leadership at the East Los
12 Angeles station, have shown a blatant disregard for deputies' safety and lives. After Mejia was
13 reminded about the Banditos' tactic of withholding back up, the Banditos subjected the Plaintiff
14 Deputies, especially Deputy Benjamin Zaredini, to multiple incidents of withheld back up.
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Mejia, DOE 5 Smitson and DOE 6 Perez did nothing to protect the Plaintiff Deputies.

On Multiple Occasions the Banditos Committed Violence Against Fellow Deputies

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

25 152. Over the years, many deputies assigned to East Los Angeles have been forced out
26 by the Banditos or have transferred out to escape the Banditos and the corrupt culture.
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Subsequently, the ratio by which Banditos members, prospects, associates and enablers/deniers

1 outnumber those deputies unwilling to bend has increased exponentially over the years and the
2 quality of law enforcement in East Los Angeles has sharply deteriorated, bringing deputy
3 morale to a historic low point and community confidence in law enforcement crashing down.
4 With good reason, the residents of East Los Angeles and elsewhere in the County have no faith
5 and put no trust in law enforcement. The actions of the bad deputies in LASD and the aggressive
6 efforts by DOE 1 Ernie Chavez, DOE 2 Richard Mejia and Doe 6 Chris Perez and other leaders
7 to ensure the deputy gang members are not held accountable has rendered the communities who
8 entrust LASD to police them, to be unsafe.
9

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11 153. The deterioration at the station helped lead to an evolution of the Banditos where
12 over time it increasingly took on the characteristics of a violent street gang. The nature of the
13 Banditos gang became more violent when, in 2017, Defendant Big Listo succeeded Eric Valdez,
14 “the Godfather,” as the self-proclaimed top shot caller of the gang. By all accounts, Valdez had
15 grown weary of the violent posture of Munoz and his allies, Defendant DOE 4 Angelica “Pink
16 Hand” Estrada, who pulled strings for the Banditos to harass other deputies behind the scenes,
17 David Silverio aka Silver, Gregory Rodriguez aka G-Rod, DOE 25 Silvano Garcia, DOE 51
18 Manny Navarro, DOE 47 Noel “Crook” Lopez and DOE 40 Miguel Ortiz. Valdez was disgusted
19 by the in-your-face bully tactics of Munoz, who forced Valdez out.
20

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22 154. In addition to the Deputy Plaintiffs, who were eventually forced to flee from the
23 station to protect their lives and rights, several other good deputies have escaped from the
24 Banditos and the toxic culture over the last year, further deteriorating the quality of law
25 enforcement in East Los Angeles.
26

27 155. Defendant Silverio and other Banditos were made FTOs so they could harass and
28 bully the trainees and rookies and demand excessive arrests. The 2017 change in Banditos’

1 leadership set the stage for the Banditos, with approval by senior management at the station,
2 DOE 2 Richard Mejia, DOE 5 Eric Smitson, DOE 6 Chris Perez, and DOE 48 Edmundo Torrez,
3 to systematically harass, bully, and discriminate against the young Latino deputies.
4

5 156. The Banditos, including Defendants Big Listo, G-Rod, Silver, Bam Bam, and
6 their prospects and associates, including DOE 4 Angelica Estrada, DOE 7 Vincent Moran, DOE
7 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio
8 Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 19
9 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow Kim, DOE 23 Juan Sanchez, DOE
10 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana
11 Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32
12 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE
13 38 Jessica Santos, DOE 39 John Soria, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43
14 Manuel Palacios, DOE 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres,
15 DOE 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki
16 Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, and DOE 62 Luis Valle have
17 been harassing, bullying, and discriminating against the Plaintiff Deputies from 2016-17 until the
18 present. As soon as the young Latino Plaintiff Deputies began training, they were abused and
19 bullied by the Banditos, who establish control and a power dynamic over new Latino deputies
20 from day one and continue that intimidating relationship past the training period. When the
21 Plaintiff Deputies did not conform to the corrupt culture and instead focused on serving the
22 community and following the law and official LASD policies, the Banditos scorned and
23 terrorized them.
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1 157. The harassment at the station was so unrelenting, the Plaintiff Deputies often
2 dreaded coming in to work as they did their best to stay focused on the work product and block
3 out all the hostility spewed by the Banditos. The County’s management at the East Los Angeles
4 Station did nothing to protect its young, Latino deputies as management ceded complete control
5 of the station to the Banditos gang.
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8 **The Plaintiff Deputies Dreamed of Being Deputies at the East Los Angeles Station**

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

25 159. Deputy Alfred Gonzalez began training at the East Los Angeles Station in May
26 2017. His training officer was veteran Deputy Benjamin Zaredini and initially Zaredini was able
27 to shield him from most of the Banditos’ abuse. However, the Banditos decided that Deputy
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1 Gonzalez' easy going nature made him especially good prey for bullying and after he completed
2 training, they harassed him unrelentingly, at times daily, mocking his appearance, and
3 obsessively trying to break him. Also, in June 2017, Deputy Gonzalez drew the ire of the
4 Banditos when he went against the orders of Big Listo and the gang to endanger the life of fellow
5 young Latino deputy, Plaintiff Art Hernandez when Deputy Hernandez was sent out on his first
6 murder call. Munoz issued orders for all deputies to withhold back upon the murder call and
7 Deputy Gonzalez and his FTO Deputy Zaredini provided back up to Deputy Hernandez. After
8 Deputy Gonzalez defied gang orders to set up Deputy Hernandez to be harmed or killed,
9 Defendants G-Rod, Big Listo Munoz, Silver, and DOE 7 Vincent Moran, obsessed over "rolling"
10 Deputy Gonzalez out of the station. Deputy Gonzalez kept his head up, focused on his work, and
11 maintained his integrity. He would not conform to the corrupt culture at the station and received
12 commendations for preventing suicides but was subsequently blackballed by the gang. Gang
13 leader, Big Listo, was widely known as one of laziest of all deputies at East Los Angeles Station,
14 often "parking it" instead of working, going out of calls, but he and other Banditos bullied
15 Deputy Gonzalez by pressuring him to overwork himself.

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19 160. In the fall of 2017, Big Listo sent shot caller Doe 13 Raymond Mendoza, to
20 confront Deputy Zaredini about not being hostile enough to roll out Deputy Gonzalez. Deputy
21 Zaredini informed Mendoza that Deputy Gonzalez worked hard and did his job, and that Deputy
22 Zaredini would not follow gang orders and pressure him to quit. Mendoza then "checked"
23 Deputy Zaredini for disobeying orders and sucker punched him in the head and knocked him out
24 unconscious behind the back of the East Los Angeles Station. Deputy Zaredini knew that
25 reporting this incident would just mean reporting it to his Banditos' enabling superiors and
26 would likely get him killed in retaliation, so he just got up eventually, cleaned himself off and
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1 each by Defendant Banditos Big Listo, Silver, DOE 7 Vincent Moran, DOE 29 Anthony
2 Pacheco, and DOE 60 Leo Sanchez, and Banditos' Associate DOE 18 Andrea Villa. However,
3 Big Listo and the other Defendants initially treated Deputy Casas very differently than they
4 treated Deputy Gonzalez. The Defendants actively tried to recruit Deputy Casas to the gang. But
5 Deputy Casas' FTO, the Godfather of the Banditos, Eric Valdez, discouraged Deputy Casas from
6 joining the gang. The Godfather recognized that Big Listo, G-Rod, and Silverio had a more
7 violent and ugly mindset and were taking the gang in a more violent and corrupt direction.
8 Deputy Valdez was disgusted with Big Listo and the other newer shotcallers and was
9 disheartened by their loud and "in your face" bullying nature. Deputy Casas tried to
10 diplomatically keep his distance as Big Listo took him aside on two occasions in 2017 and 2018
11 and offered Deputy Casas the opportunity to be his "eyes and ears" in the South part of the
12 precinct, to help intimidate other young Latino deputies, and "regulate" them. Big Listo
13 explained to Deputy Casas that with the large contingent of Banditos, Prospects and Associates,
14 that Big Listo had the "numbers on my side" to control the station. Big Listo explained that there
15 would be no accountability for Deputy Casas' wrongful actions as no one in management would
16 interfere if he joined the Banditos. Leadership at the East Los Angeles station, including
17 Defendants DOE 6 Captain Chris Perez, DOE 5 Lt. Eric Smitson, and DOE 2 Captain Richard
18 Mejia, ensured that up through 2018 Big Listo Munoz could indeed act with impunity, and gave
19 Munoz and the other Banditos a feeling of invincibility. Mejia did go through the motions of
20 superficially investigating Big Listo once, but did too little, too late, and later lied about the role
21 of the other Defendants and the Banditos to lessen his own culpability and to keep himself in
22 good standing with the Sheriff.
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1 two street gang members or go to the gunshot victim call. He did neither. Deputy Hernandez had
2 to let the two street gang members go so he could go to the higher priority call. He went to the
3 City of Maywood on what would turn out to be his first murder call. Big Listo sent out a message
4 to all Banditos and all other deputies to not provide back up to the rookie cop though LASD
5 policy requires such backup (in addition to the practice that deputies usually do provide adequate
6 back up to each other when they are available to do so). Like Silver, Big Listo purposefully did
7 not roll out to Hernandez' first murder call and intimidated other deputies into not going out as
8 well. Numerous deputies did not bother to show up for the call until well after the call was
9 completed. Fortunately, Deputy Zaredini, a veteran deputy, stuck his neck out, and went out
10 with his trainee Deputy Gonzalez to back up Deputy Hernandez on the dangerous call. The
11 Banditos were incensed that Deputy Zaredini, along with Deputy Gonzalez, defied gang orders
12 to endanger Deputy Art Hernandez' life or limb or at least terrify him that such could be his fate
13 again and again.

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17 166. The Banditos felt they needed to further assert their dominance over the station
18 and in the fall of 2017, Defendant Silver joined Big Listo in forcing Plaintiff Art Hernandez and
19 other new Latino deputies to attend yet another meeting with them; at the meeting, the
20 Defendants pressured Plaintiff Art Hernandez and the others, telling them they weren't doing
21 enough to impress Big Listo and the other gang members and that they better conform to their
22 "standards" (accepting him as their gang leader, meeting illegal arrest quotas, etc.), or leave the
23 station. After Big Listo and Silver called a second such meeting, Deputy Art Hernandez did his
24 best to ignore the Banditos. He focused on doing good work and received commendations for
25 making arrests while the Banditos harassed him regularly at the station and looked for an
26 opportunity to physically attack him.
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2 Plaintiffs Oscar Escobedo and Mario Contreras

3 167. The Banditos tried to recruit Plaintiffs Oscar Escobedo and Mario Contreras into
4 the gang, but they made it clear they had no interest in doing so. After Deputy Escobedo was off
5 training, G-Rod tried to recruit him into the gang to be his “eyes and ears” to intimidate young
6 Latino Deputies, but Escobedo made it clear he wanted to be a good cop, and this frustrated Big
7 Listo. The Banditos, including Big Listo, Silver, and G-Rod, began their harassment of Plaintiffs
8 Escobedo and Contreras shortly after their training was completed in 2017. Deputies Escobedo
9 and Contreras were regularly harassed by Defendant Big Listo and other Banditos for almost
10 four years, with Big Listo regularly bombarding Deputies Escobedo and Contreras with hostile
11 messages on the vehicle computer. The purpose of the Banditos’ messages was to interrupt their
12 work and create an unsafe environment. While Big Listo was notorious for “parking it” (sitting
13 in his car engaged in personal business, instead of doing work by going out on calls), and made
14 very few arrests, he pressured others to make as many arrests as possible. Big Listo would harass
15 Deputy Escobedo and Deputy Contreras about their work performance, pretending he was
16 concerned about productivity, but his comments were merely to intimidate and abuse. No matter
17 how hard a deputy worked, not matter how productive the deputy was, Big Listo used the same
18 tactic, telling the deputy in question that he/she did not work hard enough, was not cut out to be
19 at the East Los Angeles station or in LASD, and should quit. Big Listo would later claim that he
20 was trying to “mentor” the young Latino deputies, but surely bullying deputies to become
21 corrupt and commit crimes or else quit the station can hardly be thought of as “mentoring.”
22 There was zero mentoring from Big Listo, who was not their supervisor and had not been
23 assigned as a mentor to them.
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1 168. In the fall of 2018, shortly before the Banditos violent attacks on Deputies
2 Contreras and Escobedo at Kennedy Hall, G-Rod and Big Listo made one last effort to pull
3 Deputy Contreras into the ranks of the Banditos. G-Rod told Deputy Contreras he was going to
4 reassign him to ride with Big Listo in his patrol car. Supervisors and Captains, not deputy gang
5 leaders, are supposed to make these personnel decisions. Deputy Contreras was horrified and
6 went to DOE 2 Richard Mejia to tell him he did not want to ride with Big Listo. Mejia agreed
7 that being partnered with Big Listo was not a good idea, since riding with the shot caller would
8 teach him how to be corrupt and how to do things the wrong way. Mejia suggested that Deputy
9 Contreras ride with DOE 23 Juan Sanchez instead, a deputy actually affiliated with a street gang
10 (not an LASD gang) even before he began working for LASD and widely seen as one of the
11 most vicious and corrupt Banditos' Prospects at the station (Sanchez recently got inked as a
12 Banditos member). Deputy Contreras told Mejia riding with Juan Sanchez would not be any
13 better than being partnered with Big Listo, since they are equally corrupt. Mejia now lies and
14 denies having this conversation with Contreras about Big Listo and Sanchez. Mejia also claims
15 to have forgotten about texts and phone calls in the fall of 2018 from Deputy Escobedo who
16 alerted Mejia, shortly before the Kennedy Hall incident, to the fact that the hostile work
17 environment had not improved, and that the bullying was continuing unabated. When presented
18 with copies of texts from Escobedo about Big Listo at his deposition, Mejia lied that he did not
19 know who or what the texts referred to, as if he were looking up at a blue sky and claiming he
20 could not tell if it were a sky or if it were blue. Mejia knows if he told the truth, he and other
21 LASD leaders would be further acknowledging that they and LASD are responsible for all the
22 harms caused to the Plaintiff Deputies for nearly 4 years, including the events at Kennedy Hall.
23 Mejia also knows that Sheriff Villanueva would likely retaliate against him and "overnight him"

1 to a less desirable job assignment. Mejia has chosen career advancement over integrity as he
2 throws the good deputies of LASD under the bus, fuels the hostile work environment and
3 perpetuates the dominance of deputy gang culture at LASD.
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5 169. Deputies Escobedo and Contreras made it clear to the Banditos that they wanted
6 no part of the gang lifestyle, would not bend to the Banditos' will, and that they were at East Los
7 Angeles Station to do their jobs and to do them well. Both deputies received numerous
8 commendations for excellent police work and the Banditos subsequently shunned them. The
9 Banditos felt threatened by Escobedo's integrity and decided to physically assault him in their
10 time-honored very public tradition. When Big Listo pulled Deputy Escobedo to the ground at
11 Kennedy Hall and started hitting Escobedo in the face, Big Listo told him, "I've been waiting for
12 you." Big Listo indeed waited a long time (over 1.5 years) for that moment.
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16 Plaintiffs Benjamin Zaredini and Ariela Lemus

17 170. Starting in 2017, Plaintiff Ariela Lemus was targeted by the Banditos for her race
18 and gender and was retaliated against for blowing the whistle on the discrimination by the
19 Banditos. Deputy Lemus drew Deputy Zaredini as her FTO when she began training at East Los
20 Angeles Station. Having Deputy Zaredini as her FTO had its pluses and minuses. The plus was
21 that Deputy Zaredini shielded her from abuse as a trainee. The drawback was that protection
22 from Deputy Zaredini stirred hostility from the Banditos and their Prospects and Associates, who
23 said that Deputy Lemus came from "a bad bloodline" for having an FTO with integrity who did
24 not follow gang orders.
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26 171. Deputy Zaredini, who had been at the East Los Angeles Station since 2008, was
27 in fact formerly a Banditos' Prospect himself (Zaredini is of mixed heritage, but the Banditos
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1 recruited him under the mistaken impression that he was “pure” Latino), and respected the
2 Godfather of the Banditos, Eric Valdez. However, just as Valdez would eventually grow weary
3 of Big Listo Munoz and the other bullies gaining power with the Banditos, Plaintiff Zaredini
4 became disenchanted with the Banditos and ashamed of his affiliation with them much more
5 swiftly. Deputy Zaredini cut his ties to the gang as he moved on and received commendations for
6 community service and helped coordinate the Vital Directional Alternatives Interventional
7 program which helps at-risk youth, and the gang felt betrayed by his good work since it deprived
8 them of chances for both real arrests and false arrests and the benefits the Banditos received from
9 both. Born and raised in East Los Angeles, Deputy Zaredini was undeterred by the Banditos’
10 efforts to disrupt his service to the community as he focused on community policing and
11 developing relationships with local businesses and community members that are essential to
12 effective modern-day policing. Deputy Zaredini is passionate about doing good work and
13 helping the community and is outspoken about deputies doing good work. Deputy Zaredini’s
14 outspokenness and his bravery in standing up to the Banditos caused the Banditos to make him a
15 prime target for retaliation. Deputy Zaredini faced repeated retaliation for speaking out about the
16 hostile work environment. On numerous occasions, the Banditos including Big Listo would
17 disrupt Deputy Zaredini’s calls by sighing and hissing over the radio After one such incident,
18 Deputy Zaredini complained to Defendants DOE 6 Captain Perez and DOE 5 Lt. Smitson and
19 they responded by retaliating against him by taking his trainee away from him, thus depriving
20 him of his FTO bonus pay. Perez and Smitson, in violation of LASD policy, did this action
21 without any investigation or inquiry, with no attempt to address the harassment. The Defendants,
22 including DOE 1 Ernie Chavez, and DOE 59 Timothy Murakami, also blocked Deputy
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1 Zaredini's well-deserved and earned promotion to Sergeant. And the Banditos continue non-stop
2 retaliation against him, even at the time of the filing of this Fifth Amended Complaint.

3
4 Plaintiff Benjamin Zaredini's Life Was Repeatedly Put at Risk

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6 172. The gang retaliated and withheld back up on Deputy Zaredini's dangerous calls
7 on about two dozen occasions, putting his life and his partners' lives at risk. Defendants Big
8 Listo, G-Rod, and Silver, along with several other Banditos and prospects and associates,
9 including Defendants DOE 7 Vincent Moran, DOE 8 Hector "Little Listo" Soto Saavedra (now
10 inked as a Bandito), DOE 23 Juan Sanchez (now inked as a Bandito), DOE 24 Aaron Abellano
11 (now inked as a Bandito), and DOE 15 Braulio Robledo (now inked as a Bandito), withheld back
12 up for Deputy Zaredini on dozens of dangerous calls. Big Listo and DOE 17 Eldemira Parra,
13 DOE 18 Andrea Villa, and DOE 41 Claudia Perez directed the withholding of back up through
14 the Dispatch unit.
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17 173. The Defendants withheld back up to Deputy Zaredini for essentially the whole
18 summer of 2018. The only reason Deputy Zaredini had (barely) adequate back up on some of
19 those occasions was because other Plaintiff Deputies went out of their districts, out of their way,
20 to step into the void and provide back up. On many of those instances, the Plaintiff Deputies
21 giving back up to Deputy Zaredini were also without adequate back up, as per LASD policy and
22 practice, there still should have been more cars and deputies assisting the Plaintiff Deputies with
23 the calls.
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25 174. The other Plaintiff Deputies provided back up to Deputy Zaredini even though he
26 was assigned to the North area (East Los Angeles) of the territory policed by deputies at East Los
27 Angeles station, and the other Plaintiff Deputies were assigned to patrol of the South (Maywood,
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1 Commerce, Cudahy). On three of the occasions in 2017 and 2018, rookie deputy Plaintiff Ariela
2 Lemus was also without adequate back up as she was the only deputy providing back up to
3 Zaredini, when according to LASD policy and practice there should have been several cars and
4 deputies there to back them up.
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6 175. Big Listo and several of the other Defendants threatened Deputy Lemus that if she
7 did not bend and conform to the Banditos, she would not be provided back up on her own calls
8 after she completed training, that she would be “left on an island” by herself, to possibly be
9 killed or injured in the streets by criminals. Defendant deputies DOE 17 Eldemira Parra and
10 DOE 18 Andrea Villa were Banditos Associates who would “regulate” (prison jargon for
11 controlling and intimidating) female deputies at the East Los Angeles. Parra and Villa tried hard
12 to regulate Deputy Lemus and make her pay “gang taxes.” However, Deputy Lemus had no
13 interest in conforming to the Banditos’ corrupt culture and no interest in paying a tax through
14 money or sexual favors, and for that she paid a price including constant harassment and having
15 to always look over her shoulder, never knowing if she would have adequate back up. After she
16 blew the whistle on favoritism to Banditos shot caller, DOE 13 Raymond Mendoza, DOE 1
17 Captain Ernie Chavez, a Vikings gang member, told her that he would not discipline Mendoza,
18 because he liked how the Bandito shot caller intimidated and kept the deputies in line. Chavez
19 retaliated against Deputy Lemus by violating her POBRA rights and referring her for a bogus IA
20 investigation based on what the Captain knew to be fake allegations. Chavez, with the knowing
21 and corrupt assistance of Defendants DOE 54 Sgt. Hugo Reynaga and DOE 55 Lt. Anthony
22 Easter, gave Lemus a 2-day suspension for what they knew was a false and malicious allegation
23 of misconduct.
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1 Plaintiff Louis Granados

2 176. Initially, the Banditos did not find Plaintiff Deputy Louis Granados easy to bully.
3 When he first arrived at East Los Angeles station in 2013, on the surface he fit the bill of the
4 typical Banditos' prey as a young Latino deputy. But the Banditos were a bit leery of Plaintiff
5 Granados because, before becoming a Deputy, he was Sgt. Granados of the United States
6 Marines, a war hero who saved hundreds of fellow Marines' lives in battle at a base in Al Asad
7 during the Iraq War. When Iraqi soldiers staged a surprise night attack and a rocket struck their
8 observation tower, Sgt. Granados covered a young Private's body with his own and suffered
9 severe hearing loss and a concussion from the force of the blast while the Private was uninjured.
10 This behavior would be the direct opposite of what might be expected from a member of the
11 Banditos, which pits deputies against other deputies and destroys any sense of camaraderie and
12 shows a complete lack of work ethic. After regaining consciousness from the bombing, Sgt.
13 Granados ran into and through enemy fire to locate and radio back the correct coordinates
14 necessary for the Marine pilots to bomb and destroy the attacking Iraqi platoon and missile
15 launchers before the Iraqi soldiers could overrun the base.
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19 177. After he retired from the Corps, Deputy Granados arrived at East Los Angeles to
20 pursue a career in law enforcement. He was surprised by the perverse abuse perpetrated on the
21 trainees, but he was prepared to handle whatever abuse that would come his way. And the
22 Banditos did abuse him severely and he witnessed the Banditos terrorize other trainees who were
23 told by the Doe 4 Angelica "the Pink Hand" Estrada and the Banditos they were not "East LA
24 [gang] material" and would never be allowed off training and would be forced "to roll out" of the
25 station. And the Defendants made Deputy Granados work 24 hours straight without sleep,
26 putting his life in danger, working harder than anyone at the station while the Banditos told him
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1 he was not working hard enough. Defendant DOE 15 Braulio Robledo and other Banditos
2 prospects forced Granados to pay gang taxes.

3 178. Banditos shot-caller, Defendant DOE 46 Noel “Crook” Lopez tried to intimidate
4 Deputy Granados by blocking his path, and trying to lure him into a violent confrontation, but
5 Deputy Granados did not take the bait. And once Deputy Granados completed training, the
6 Banditos kept their distance from him as by then they had now learned of his military
7 background and combat experience in Iraq and kept their harassment of Deputy Granados to
8 “passive aggressive” acts such as sending him an excessive number of calls during his shift.
9 DOE 17 Eldemira Parra, DOE 18 Andrea Villa, and DOE 41 Claudia Perez worked closely in
10 Dispatch with Big Listo to overwhelm the Plaintiff Deputies including Granados with excessive
11 calls, especially in 2018 after Granados and Zaredini together blew the whistle on the Banditos.
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14 179. Deputy Granados was happy to keep his distance from the Banditos and tried not
15 to let the Banditos distract or overload him through the extra work. But Granados was aware, like
16 everyone else at the station, that the Banditos were harassing and discriminating against the other
17 young Latino deputies and realized he needed to do something about it.
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19 180. By early 2018, Deputy Granados finally lost his patience with the wrongs being
20 committed at LASD. Deputy Granados was long aware that the Banditos’ station-wide reputation
21 (all of the leadership at the station knew of the Banditos, their bullying, and violence) for vicious
22 retaliation to intimidate the younger deputies into silence; but Deputy Granados knew the time
23 had come for him to speak up regardless of what the County and their Banditos employees might
24 do to punish him for it.
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1 **Plaintiffs Benjamin Zaredini and Louis Granados Blow the Whistle on the Defendants**

2 181. Veteran Plaintiffs Zaredini and Granados were both alarmed by the increasingly
3 hostile and violent nature of the gang as their authority and control at the East LA Station, with
4 the full knowledge and tacit if not active consent and support of senior leadership. The veteran
5 Plaintiff Deputies knew there was little or no accountability or supervisory authority to provide a
6 check on the Banditos.
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8 182. Plaintiffs Granados and Zaredini also knew that while some of the Banditos’
9 actions could be seen as “petty,” such as keying cars, using the mafia tactic of removing
10 deputies’ names off their mailboxes and placing transfer slips in the mailboxes, hissing over the
11 radio during the deputies’ calls in on the radio, “no acking” (ignoring) other deputies, etc., the
12 veteran Plaintiff Deputies were cognizant that the Banditos as deputies were all fully armed and
13 trained to kill, that the Banditos had committed violence against their fellow deputies in the past
14 and were depriving minority residents of their civil rights. Subsequently, despite knowing it
15 would be a risk to their careers and possibly their lives, Deputies Zaredini and Granados brought
16 their concerns to their superior officer at the East La Station: Doe 2 Richard Mejia, then a
17 Lieutenant and, as far as they were aware at the time, someone who was independent of the
18 Banditos. The Plaintiffs thought Mejia was the one person in leadership at East Los Angeles they
19 could trust. They did not know at the time that Mejia had prioritized his career advancement over
20 integrity, honesty, and fighting crime.
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23 183. If, up to this point, the County was claiming any ignorance of the depth of the
24 deputy gang problem, they could no longer deny they had notice of the problem and the dangers
25 facing their employees. The County had the responsibility to handle the whistleblowing properly,
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1 and to move swiftly and carefully to protect its employees and the public. The County did not.
2 And it has still not done so at the moment of the filing of this Fifth Amended Complaint.

3 184. In March and April 2018, Plaintiffs Granados and Zaredini met with DOE 2
4 Mejia. Mejia had told deputies he had an “open door” and that they could come to him safely
5 with their concerns, but deputies did not realize that he was only willing to stick his neck and tell
6 the truth so far. Mejia would soon get promoted up the ranks at LASD, and he got promoted by
7 not supporting the law-abiding deputies at the station and by not addressing the deputy gang
8 issue at LASD. Mejia was all too aware that successive leadership, Defendants Doe 6 Captain
9 Chris Perez, and DOE 1 Commander Ernie Chavez, along with many Sheriffs, were apologists
10 and enablers of the deputy gangs, and had and have no interest in ending their dominance at
11 LASD.
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14 185. While Mejia would later go on to downplay the wrongful conduct of the Banditos,
15 and seek to cover it up, at that time, in the Spring and Summer of 2018, he could not ignore the
16 overwhelming evidence demonstrating that there was a hostile work environment created by the
17 Banditos. He was forced by circumstances to at least go through the motions of an inquiry into
18 Big Listo and other Banditos and reportedly interviewed about 20 deputies. As Mejia was aware,
19 but now lies about it, some of the deputies did not talk because of fear of retaliation. But other
20 deputies, including Plaintiff Deputies Lemus, Escobedo, Granados, and Zaredini, and other
21 deputies acknowledged the Banditos problem, and Mejia recommended that LASD initiate an
22 administrative investigation into Big Listo for hazing, bullying, and for creating a hostile work
23 environment. If LASD had followed Lt. Mejia’s recommendations and did an honest
24 investigation not just into Big Listo alone, but into the Banditos, perhaps Big Listo and others
25 would have been disciplined. dozens of withholding of back up on dangerous calls would have
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1 been averted, as would all the other forms of harassment including the violent gang attack that
2 later left two of the Plaintiff Deputies unconscious at Kennedy Hall. But Mejia, DOE 6 Captain
3 Perez, DOE 5 Lt. Eric Smitson, and LASD failed to follow up and to this day cover up the
4 hostile environment and the role and nature of the Banditos.
5

6 186. Immediately after Granados and Zaredini blew the whistle on the gang, Mejia
7 informed Lt. Eric Smitson and the Pink Hand of the whistleblowing, even though Mejia knew
8 these two Defendants were fierce protectors of the Banditos. Subsequently, the Banditos were
9 immediately informed by the Pink Hand and Smitson that Deputy Granados and Deputy
10 Zaredini, and the other Plaintiff Deputies interviewed had told the truth to Mejia. While Mejia
11 made his initial recommendation for an administrative investigation, he made no follow up
12 efforts whatsoever to hold Big Listo and the others accountable, and he allowed the Banditos to
13 retaliate against the Plaintiff Deputies. The Pink Hand went to DOE 5 Lt. Eric Smitson, DOE 6
14 Captain Chris Perez and to DOE 63 Chief Bobby Denham to inform them of what Granados,
15 Zaredini and the others had done and to make sure there was no discipline of the Banditos and no
16 protection provided to the Plaintiff Deputies.
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19 187. As to why Captain Perez, Chief Denham, and Lt. Smitson were covering up for
20 Angelica Estrada aka Pink Hand and the Banditos is unknown, but the Pink Hand has reportedly
21 indicated that she intended to sue the Defendant County for sexual harassment. The Pink Hand's
22 dominance of the management at the East Los Angeles Station was so strong, she was also
23 nicknamed "the Red Queen." To date, there has been no consequences, no discipline of any kind
24 for the deputy who patterned herself after the Black Hand of the Mexican Mafia, and no
25 accountability for those who enabled her, like Denham, Perez, Smitson, and Mejia, and for those
26 who aided her, in harassing the Plaintiff Deputies. This lack of accountability for any of the
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1 Banditos highlights that mafia-like nature of LASD, which does not hold Banditos accountable
2 and retaliates against deputies like the Plaintiff Deputies here for speaking up in the face of the
3 Code of Silence.

4
5 **The Defendants Further Retaliated Against the Whistleblowers**

6 188. In the Spring and Summer of 2018, armed with the knowledge of the
7 whistleblowing, the Banditos and the County moved swiftly to retaliate against the Plaintiff
8 Deputies. As soon as the Pink Hand informed the Banditos that Deputy Granados had blown the
9 whistle, the gang retaliated against him, slamming, and overloading him with other deputies'
10 calls, and Big Listo sent him more of his hostile messages as Big Listo continued to pretend he
11 was concerned about other deputies' work ethic while he himself routinely "parked it." Deputy
12 Granados had just achieved the highest score on a test for promotion, but the Pink Hand and
13 Smitson blocked his promotion in retaliation for his whistleblowing. The Pink Hand informed
14 Deputy Granados there would be no promotion for him, claiming there were suddenly no jobs
15 available though there were many jobs available. Estrada and Defendant DOE 39 John Soria
16 continued to control Scheduling and deny the Plaintiff Deputies' requested days off.

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18
19 189. Immediately after Deputy Zaredini blew the whistle, he was removed from his
20 position as FTO and thus was stripped of his bonus pay. In his Spring/summer 2018 memo, Lt.
21 Mejia admitted it was improper for Deputy Zaredini to be stripped of his FTO position. LASD
22 managers, Defendant DOE 1 Commander (then Captain) Ernie Chavez and Commander Eli
23 Vera, also admitted that the trainee was taken away from Zaredini as part of retaliation against
24 the Plaintiff, and they retroactively gave him his bonus pay. Zaredini also was restored to his
25 position but would be denied an earned promotion to the position of Sergeant by DOE 1 Chavez
26 and DOE 59 Timothy Murakami. The Banditos shunned Granados and Zaredini and made them
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28

1 persona non grata at the station. The Banditos regularly denied back up to Deputy Zaredini and
2 the other Plaintiff Deputies throughout the summer of 2018, and station leadership, including
3 DOE 6 Captain Chris Perez, DOE 2 Lt. Richard Mejia, DOE 5 Lt. Eric Smitson, and DOE 48 Lt.
4 Edmundo Torres (also a Banditos shot caller) did nothing to protect their deputies by ending this
5 practice of withholding backup, of which practice they had actual knowledge.
6

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

5 191. As a result of the County's failure to act, the gang was further emboldened to
6 strike back at the whistleblowers and the other Plaintiff Deputies. The gang now withheld back
7 up on so many of the Plaintiff Deputies' dangerous calls, one of the deputies assigned as a
8 partner to Deputy Zaredini, was reluctant to leave Deputy Zaredini's side even after he had
9 completed more than two shifts straight and was sleep deprived out of fear that Deputy Zaredini
10 would be left alone on a dangerous call and get killed.
11

12 192. Not only did management not investigate Big Listo, but they also made it easy
13 for the gang to escalate its harassment and to terrorize the Plaintiff Deputies by moving Big Listo
14 into Dispatch. Just as LASD gave no discipline for the Defendants not providing back up to their
15 fellow deputies, LASD gave no discipline for Big Listo directing the withholding up of back up
16 and overloading the Plaintiff Deputies with calls from the Dispatch desk.
17

18 193. The failure to provide backup created "close calls" where deputies almost got
19 killed. The retaliatory withholding of back-up became so common, the Plaintiff Deputies went
20 out all calls never knowing if they would have back up. The fact that the Plaintiff Deputies often
21 went out of their patrol areas to provide back up to each other, and saved each other's lives, does
22 not let the County off the hook for liability. The County caused the Plaintiff Deputies severe
23 distress as they were sent out on dangerous calls, always having to look over shoulders, unsure
24 they would get adequate back up. To this day, up to the filing of this Fifth Amended Complaint,
25 the County has still not held any deputies accountable for the failure of multiple deputies to
26 provide back up to their partners, even though deputies withholding back up on calls completely
27
28

1 destroyed morale and harmed effectiveness of law enforcement in East Los Angeles. Deputy
2 gang members know DOE Defendant 2 Captain Richard Mejia and other LASD leaders will not
3 hold them accountable for withholding backup. As confirmed under oath by deputies breaking
4 the Code of Silence, this tactic of withholding back up has been used by the Banditos since at
5 least 2014.
6

7
8 **The Banditos Gang Continued their Harassment of Plaintiffs and Planned to Assert**
9 **their Authority with More Violence and Retaliation Against the Whistleblowers and Other**
10 **Deputies Refusing to Join or Follow the Gang's Rules**
11

12 194. Over the summer of 2018 and into the fall, the tension at the East Los Angeles
13 station grew so thick that any administrator and manager would have noticed it. The contingent
14 of Banditos, Prospects, and Associates at the East Los Angeles station, along with another 55
15 members stationed elsewhere or retired from LASD, had a fierce grip on the station. The
16 Banditos' harassment of the young Latino Plaintiff Deputies and the veterans Granados and
17 Zaredini continued to intensify.
18

19 195. Even Deputy Granados was now aggressively harassed and endangered by the
20 Banditos, who withheld back up on some of his calls. On two of the three incidents, the Banditos
21 withheld backup on dangerous calls to churches, one involving a knife/box-cutter wielding
22 assailant. Plaintiff Deputies Granados and Casas received no back up when they went out on a
23 call where a mentally ill individual was accosting churchgoers. Due to the lack of deputy back
24 up, the churchgoers had to assist Deputies Granados and Casas in subduing the suspect and
25 handcuffing him.
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1 196. On another occasion, Deputy Granados was left to his own on a dangerous call
2 with a man wielding a knife, when there were several other deputies available, including
3 notorious Banditos prospect (now inked gang member), Defendant DOE 23 Juan Sanchez. None
4 of the Banditos went out to assist, putting Deputy Granados' life at risk. In addition, one of the
5 Banditos stole Deputy Granados' tactical bullet proof vest, which protects against rifles.
6 Deputies must buy these vests themselves and Deputy Granados went without this vest for 3
7 months.
8

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

5 198. On September 19, 2018, two deputies from East Los Angeles were shot while on
6 duty. Normally when peace officers' partners are shot, deputies rally around their own and there
7 is unity at the station. However, the Banditos were not interested in the oaths they took to
8 perform their duties and oaths they took to protect and serve, were not interested in camaraderie
9 and in being team players and in loyalty to their fellow deputies and were not interested in their
10 fellow deputies' safety and the communities' safety. Supporters of the deputy gangs in LASD
11 would have the public believe the gangs are about station pride. The gangs in LASD pit deputies
12 against each other, splitting apart any sense of a team of law enforcement having each other's
13 and the community's backs. The Banditos were intensely focused on asserting the gang's
14 dominance through force and endangerment of the lives of other deputies at the East Los
15 Angeles station, and shredded any camaraderie in LASD. The Defendants have no interest in
16 rallying around their fellow deputies unless they are supporters, enablers, or members of the
17 Banditos. They are interested only in harming those who do not bend to their will. And the
18 residents of East Los Angeles have been left without an effective law enforcement agency they
19 can trust. And the entire LASD is tainted by the dominance of deputy gang culture in the
20 department.
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22
23

24 199. Ever since Plaintiff Alfred Gonzalez defied gang orders to withhold back up on
25 Plaintiff Art Hernandez and endanger his life on his murder call in June 2017, the Defendants
26 harassed Deputy Gonzalez to try to roll him out of the station. Behind the East Los Angeles
27 station, on the evening of September 26, 2018, Plaintiff Gonzalez was surrounded by Defendant
28

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

23
24 **The Defendants Attack Several of the Plaintiff Deputies at LASD Event at Kennedy Hall**

25 200. On September 27, 2018, LASD held a department-sponsored event at Kennedy
26 Hall in East Los Angeles for deputies in East Los Angeles, ostensibly to celebrate the completion
27 of training for the new class of trainees. There were over 100 deputies in attendance, including
28

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

21
22 201. Plaintiff Gonzalez attended the party, which started on September 27 and
23 continued into the morning on September 28, 2018. Several Banditos gang members, including
24 shot-caller Defendants Big Listo, G-Rod, Silver, and Bam Bam, and DOE Defendant 7, shot
25 caller Vincent Moran, came to the party with the plan to assault Deputy Gonzalez. The Banditos
26 went to Kennedy Hall, many of them decked out in the same style of gang attire – pendeltons,
27 jeans, boots, and huddled together, along with on-duty deputies, in uniform and armed with their
28

1 service weapons, who were members, Prospects or Associates of the Banditos, and on-duty
2 officers who were not members, Prospects or Associates of the Banditos. Those in Banditos’
3 attire stood out in the large crowd as they glared with hostility towards the Plaintiff Deputies and
4 other young Latino deputies who had not paid enough “respect” to the Banditos. Several other
5 Banditos associates and prospects, including DOE 16 Jonathan Rojas and DOE 20 Nikolis Perez
6 (now both inked members) huddled with the Banditos as they surveyed the crowd and stared
7 other deputies down to intimidate them. The Banditos wanted to send a message to the Plaintiff
8 Deputies and the rest of the station, that by battering Deputy Gonzalez and knocking him
9 unconscious they could drive him out of the station and intimidate the other young Latino
10 deputies and continue to control them or bring them under their control, just as they had done
11 numerous times before and after the event at Kennedy Hall.
12

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

24 203. Then Defendant Bam Bam approached Deputy Gonzalez and told him that he had
25 no problem slapping or punching him in front of everyone because he knew “no one here,”
26 referring to deputies, management, and administration, would say or do anything. This showed
27 the extent of the gang’s control over the East Los Angeles station. By failing to intervene and
28

1 protect its non-gang affiliated employees from its gang employees, LASD’s leadership, including
2 Defendants DOE 6 Chris Perez, DOE 5 Eric Smitson, DOE 48 Edmundo Torrez, DOE 2 Richard
3 Mejia, and DOE 63 Bobby Denham, had led the gang to believe that the Banditos had total
4 control over the station and that its members were above the law.
5

6 204. Bam Bam threatened the lives of Deputy Gonzalez and his family, stating, “I have
7 no problem fucking with you and your family and if I can’t do it directly, I can find someone
8 who can,” and “this is East LA, I grew up here! This is my fuckin station!” Deputy Gonzalez
9 stayed silent and continued to avoid being confrontational.
10

11 205. Later, at approximately 3:30 am, Defendant G-Rod approached Deputy Gonzalez
12 once again in the parking lot and angrily stated that he wanted to speak with him. Deputy
13 Gonzalez continued to remain passive as G Rod tapped on his shoulder and continued to berate
14 and verbally accost him, speaking loudly so all the other Banditos could hear. Deputy Jose
15 Fuentes then stepped in and tried to calm the gang leader down, but G-Rod got right into Deputy
16 Fuentes’ face, and G-Rod then used his head to bump Deputy Fuentes in the forehead and
17 pushed him backward.
18

19 206. Plaintiffs Oscar Escobedo and Art Hernandez also walked over to be
20 peacemakers. Deputy Escobedo grabbed Deputy Fuentes and walked him away. Big Listo turned
21 to Deputy Gonzalez and slammed his body hard into Deputy Gonzales. Deputy Hernandez
22 grabbed G-Rod and asked him calmly to let it go, but G-Rod refused and shook himself loose.
23 Defendant Big Listo then ran over at full speed at Deputy Hernandez. Big Listo took a swing at
24 Deputy Hernandez and missed, then ran into him with his body, knocking him to the ground.
25

26 207. While Deputy Hernandez lay flat on his back on the ground, Big Listo tried to
27 knock him unconscious and began slamming him in the face multiple times with “hammer fists,”
28

1 a swinging blow delivered with the side of the fist, as the remaining Deputy Plaintiffs present
2 tried their best to stop the situation. The other deputies at the party, including those on-duty and
3 witnessing the events, did nothing to intervene, making no effort to stop the Banditos' attack, to
4 arrest them, or to call the station for back up. Deputy Hernandez used self-defense techniques to
5 try to block the powerful blows to his face, refusing to punch back. He somehow remained
6 respectful, asking "Hey, sir, why are you hitting me?"
7

8 208. Before Big Listo could hammer Deputy Hernandez again, Deputy Escobedo
9 grabbed Big Listo's arms to stop him. Big Listo exclaimed, "I've been waiting for you,"
10 indicating further these attacks were premeditated, planned out long before this day at Kennedy
11 Hall. Big Listo saw this as his chance to knock Deputy Escobedo unconscious and starting
12 punching Deputy Escobedo in the face, chest, and shoulders. Deputy Escobedo tried to break
13 free from Big Listo and Defendant Silver snuck up behind Deputy Escobedo and strangled him
14 in a choke hold, causing him to black out.
15
16

17 209. Defendant Bam Bam pushed and shoved Deputy Fuentes from the parking lot to
18 the west sidewalk of Atlantic Boulevard. DOE 15 Braulio Robledo, then a Bandito Prospect
19 (now an inked Bandito gang member), egged on the assault and battery, yelling "Say something
20 now, say something now!" and pushed Deputy Fuentes. Plaintiffs Casas, Contreras, and
21 Gonzalez all tried to intervene as peacemakers, and asked for calm and an end to the Banditos'
22 attack, but the only response they got from the Banditos gang was being verbally assaulted,
23 taunted, and assaulted and battered.
24

25 210. Deputy Daniel Gonzalez (no relation to Plaintiff Alfred Gonzalez) ran over to
26 Deputy Escobedo and helped him escape the choking by pulling Silver's arms off Deputy
27 Escobedo's neck. But in the process Deputy Escobedo fell to the ground and Silver held him
28

1 down so approximately three as yet unidentified Banditos could punch and kick Deputy
2 Escobedo. Deputy Escobedo looked up and saw Defendant Silver holding him down. Deputy
3 Escobedo asked him “Sir, let me go! I’m just trying to separate people! Why are you letting them
4 hit me?!” Deputy Escobedo felt someone punch his face at this time, and he began to cover his
5 face and head with both his arms to protect himself in the manner taught to LASD deputies so he
6 could eventually escape.

8 211. Defendant Banditos and Doe Defendants also ganged up on Plaintiff Hernandez,
9 pushing and hitting him. Deputy Escobedo’s attackers left him to run over and join in the melee
10 against Deputy Hernandez. Deputy Escobedo was able to stand up and struggle over towards
11 those Banditos members beating Deputy Hernandez. Defendant Bam Bam suddenly tried to grab
12 Deputy Escobedo but failed.

14 212. In addition to all the out of uniform deputies standing by and doing nothing,
15 uniformed, on-duty deputy Defendant DOE 47 Christopher Moore, a Banditos Prospect, just
16 watched the attacks and did nothing to help and intervene or arrest the Banditos. Plaintiff Deputy
17 Alfred Gonzalez yelled for Deputy Moore to get units from the station to intervene and stop the
18 attacks. Defendant Moore just stood there and said, “Let me call Ray Ray,” in reference to
19 Banditos shot-caller, DOE 13 Raymond Mendoza. In other words, Deputy Moore was adamant
20 about not calling for help, but rather “sought out guidance” from one of the gang’s leaders,
21 Mendoza, to report on the success of the assault and on how to cover it up. No help for the
22 victims came from Mendoza at the station or at Kennedy Hall except from their own efforts to
23 escape the event and flee for safety.

26 213. Banditos Prospects and Associates cheered on the attacks at Kennedy Hall while
27 dozens of other on-duty and off-duty deputies stood around and watched the ongoing brutal
28

1 attacks, and did nothing to intervene, either out of fear they would be attacked as well or because
2 they supported the attacks. The fact that none of the deputies at the party, including the on-duty
3 deputies who witnessed the events, did anything to intervene, reveals how deeply ingrained the
4 corrupt gang culture and hostile work environment are in LASD.
5

6 214. Meanwhile, Plaintiffs Contreras and Casas tried to hold G-Rod back, but G-Rod
7 slammed his elbow hard into Deputy Contreras' face to try to knock him out and hit Deputy
8 Casas in the chest, with what may have been an object. Deputy Casas thought he may have been
9 stabbed and checked his chest for wounds but did not find any blood. G-Rod ran back towards
10 Deputy Hernandez.
11

12 215. Deputy Hernandez was then blind-sided and sucker-punched in the face by
13 Defendant G-Rod and knocked out cold. Defendants G-Rod and Silver began stomping on and
14 kicking Deputy Hernandez' unconscious body. Defendant Big Listo ran over to join the other
15 Banditos in again attacking Deputy Hernandez.
16

17 216. Bam Bam grabbed Deputy Escobedo by the front of his shirt and pinned him up
18 against a fence outside of the parking lot near the street. Deputy Escobedo could feel that Bam
19 Bam was strangling him with his own shirt. Deputy Escobedo could not breathe and fought for
20 his life as he was strangled and again lost consciousness.
21

22 217. Deputies Gonzalez and Casas tried to pull Bam Bam off Deputy Escobedo as
23 other named Defendants and as yet unknown Doe Defendants pushed and hit them. Plaintiff
24 Gonzalez pulled on Escobedo, while Plaintiff Casas pulled on Bam Bam and remained focused
25 on saving Escobedo's life. Casas and Gonzalez finally gave Deputy Escobedo just enough room
26 to breathe again and regain consciousness, and he was able to slip out of his shirt that was being
27 used to strangle him.
28

1 218. Plaintiff Contreras picked up the still unconscious Deputy Hernandez and pulled
2 him to safety. G-Rod started to walk after Deputy Contreras and reached for his gun in his
3 waistband, but an unidentified female Associate yelled at G-Rod to stop, “Are you serious?! You
4 just got your job back!” and thus averted a deadly escalation of the violence as G-Rod let go of
5 the gun. Deputy Gonzalez took Deputy Escobedo to the front passenger seat of Gonzalez’ car.
6 Plaintiff Casas jumped into the driver’s seat and Deputy Gonzalez got in the backseat and the
7 three deputies escaped from the scene. Plaintiff Hernandez has no memory of what happened
8 after being sucker punched until he came to as he was being placed by Deputy Contreras into a
9 car to escape.
10

11
12 219. Defendant Bandito shot caller DOE 25 Silvano “Cholo” Garcia and Defendants
13 G-Rod, Big Listo, and Silver got into Cholo’s car and, with Cholo driving, went looking for the
14 Plaintiffs to further attack them. The four Banditos went to the East Los Angeles Station, and
15 went car to car, looking for the victims to continue the attack, but fortunately all of the Plaintiff
16 Deputies had fled elsewhere and not to the station. Meanwhile, the Defendants G-Rod, Big
17 Listo, Silver, and Bam Bam then gathered at the back of the East Los Angeles Station, with the
18 Pink Hand reportedly giving guidance, to concoct a false story about their roles in their gang
19 attack.
20

21
22 220. Defendant DOE 47 Moore, like most of the Banditos, Banditos Prospects and
23 Associates would later lie during both the ICIB and IA investigations into Kennedy Hall. At
24 most law enforcement agencies, dishonesty can get you fired. Peace officers are not supposed to
25 be above the law and are expected to be held to a higher standard than regular citizens when it
26 comes to honesty. In some credible law enforcement agencies free of corruption, dishonesty is
27 known as the “death penalty for cops.” At LASD, which is dominated by deputy gang culture, IA
28

1 Investigators knew for a fact that DOE 47 Moore lied, as he claimed he never called DOE 13
2 Mendoza, who had already confirmed to those same IA Investigators that Moore had in fact
3 called him. Other deputies confirmed Moore lied. Yet, the Sheriff and other leaders at LASD,
4 including Defendants DOE 2 Richard Mejia, Doe 11 Captain William Jaeger, DOE 21 Chief
5 Porowsky, and DOE 3 Chief Alice Tardy, knowingly and willfully held no Banditos, Banditos
6 Prospects, and Associates, including Defendants DOE 7 Vincent Moran, DOE 8 Hector Soto
7 Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE
8 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano,
9 DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose
10 Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 34 Eduardo Muniz, DOE
11 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica Santos, DOE 41 Claudia Perez, DOE
12 43 Manuel Palacios, or DOE 47 Christopher Moore, accountable for dishonesty. LASD is
13 captive of its own corruption and its pattern and practices of not holding bad cops accountable
14 for their wrongful conduct. The Sheriff recently lied to the media, claiming that there are fewer
15 deputies disciplined for dishonesty under his leadership because he is somehow doing something
16 right and improving deputy conduct, when in truth he is simply holding fewer deputies
17 accountable for dishonesty.

21
22 221. If the Plaintiff Deputies had handled the attacks on them differently, had not kept
23 their composure and had not acted to attempt to be peacemakers, and had allowed the attacks to
24 turn into a full-out war between opposing camps, there is no question they would have been
25 killed or forced to defend themselves with lethal force. The way the Plaintiff Deputies handled
26 the attacks on them and would later stick their necks out and speak out and file claims about the
27 gang's dominance at tremendous risk to their lives and safety of their families, would make them
28

1 heroes. But to the Banditos and the other deputy gang members in the unforgiving mafia-like
2 culture of LASD, to ALADS, the union, to the Sheriff and senior management, they are “rats.”

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

19
20
21 223. The gang members would later claim to be just older veteran deputies who were
22 trying to mentor less experienced deputies and would lie about their involvement in the Banditos.
23 In their discovery responses and in their testimony in Internal Affairs Investigations, the
24 Defendants have defended themselves by stating their conduct at Kennedy Hall was all work-
25 related, that they were just older employees concerned about and looking out for the supposedly
26 lazier younger deputies.
27
28

1 224. After the Kennedy Hall attacks, Banditos prospects, including Defendant DOE 8
2 Hector “Little Listo” Soto Saavedra exchanged texts, laughing about the “245” (assault and
3 battery) committed when Bam Bam strangled Deputy Escobedo, and advising each other to
4 ‘burn” and “destroy” evidence. There was no discipline from the Sheriff and LASD for this text
5 exchange finding humor in deputies being enabled by a corrupt department to attack their fellow
6 deputies.
7

8 225. While growing up, the Plaintiff Deputies had dreamed of being LASD deputies
9 and specifically in East Los Angeles and knew that their service would come with risks. But they
10 never expected those risks to include fending off criminal gang members within LASD. The
11 Plaintiff Deputies had a hard time trying to explain to their families that their co-workers were
12 deputies who belonged to criminal gangs, that they were harassed and abandoned on dangerous
13 calls without back up by their partners, attacked for being deputies who did their duty by armed
14 criminals in police uniforms who are trained to kill, who are supposed to be upholding the law,
15 or that other deputies were simply too afraid to stand up for what was right or too confused by
16 the culture pervading LASD to know what their true duties were. All of the Plaintiff Deputies are
17 severely emotionally distressed, and they continue to suffer from a myriad of ailments because of
18 the years of harassment that blew up into in ugly attacks by and in front of their fellow deputies,
19 followed by more, unending retaliation: Insomnia, depression, inability to focus, anxiety, panic
20 attacks, high blood pressure, rapid hair loss, etc.
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23 226. After the Kennedy Hall attacks, the Plaintiff Deputies began to regularly have
24 nightmares about their families and themselves being violently attacked by the Banditos, as well
25 as nightmares of being killed in the field when not being provided back up. One of the Plaintiff
26 Deputies expressed to DOE 6 Captain Chris Perez his concerns that the Banditos might attack
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1 the victims and their families at their homes. Captain Perez offered no support other than to
2 suggest to the deputy, as if this were the Wild Wild West, that if the Banditos did come to his
3 house, he should shoot them. The retaliation against Deputy Granados and Deputy Zaredini and
4 the other Plaintiff Deputies, the brutal Kennedy Hall attacks, and the reality that the Banditos
5 could evoke further violence, caused Deputy Granados to experience PTSD as if he has been put
6 through an unrelenting and brutal war by LASD far more traumatic than his real-life war
7 experiences.
8

9 227. The harassment and hostile work environment have been ongoing since 2016, and
10 it has been almost three years since the savage attacks at Kennedy Hall and the Plaintiff Deputies
11 have not received any recognition, support, or protection from the County, from the Sheriff or
12 ALADS, the deputies' union, or any leadership at the East Los Angeles Station or at LASD.
13 Instead, the Sheriff ordered that a false IA be initiated into the Kennedy Hall incident so that he
14 could disguise the Banditos' involvement in it. Deputies Escobedo, Contreras, Cases and Lemus
15 were falsely and maliciously charged with trump-up acts of "misconduct," though they never did
16 any of the acts or failures to act that constituted the alleged misconduct and they were all
17 "disciplined" so as to make it seem that the whole matter had just been an alcohol-fueled
18 disagreement that had somehow gotten out of control. Or, as Doe 3 Alice Tardy told Deputy
19 Hernandez when he asked what he was supposed to have done in response to the attacks: "You
20 shouldn't have gone to the party." Deputy Hernandez should not have gone to the Department-
21 sponsored party that LASD and the people running the East LA Station had made attendance
22 rather important? The Sheriff has not made a single statement showing he has the backs of the
23 deputies he supervises and who were brutally victimized. Instead, the Sheriff's wife, Vivian
24 Villanueva, put out messages to the deputy gang members and their Prospects and Associates at
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1 the East Los Angeles station after the events at Kennedy Hall to keep their heads up and that
2 things will pass and go back to normal after the gang received notoriety in the media.

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

23
24 **The Defendants Moved Quickly to Cover Up the Violent Attacks on Its Employees**

25 229. When the Plaintiff Deputies returned to work on September 28, 2018, the County
26 was already moving to cover up the harassment and retaliation against them, including the
27 violence at Kennedy Hall. Defendant DOE 5 Lt. Eric Smitson, who is now absurdly and
28

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

21
22 230. Of course, in the time-honored tradition of LASD, the Sheriff was admittedly still
23 following the old corrupt playbook: Doe 63 Chief Bobby Denham moved to downplay what
24 happened at Kennedy Hall and ordered ICIB to initiate a fake criminal investigation to bury the
25 matter. After the Sheriff came to power in December 2018, ICIB indeed conducted a rigged
26 investigation designed to exonerate the gang leaders and to hide the existence of their gang.
27 Villanueva likewise ordered IA to conduct a superficial investigation into the Banditos and their
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1 control over the station and made sure the pre-ordained results would downplay the role of the
2 Banditos in maintaining a hostile work environment. The OIG through Huntsman made the
3 admission on behalf of the County that the ICIB “conducted an investigation which almost
4 completely ignored evidence of the involvement of the Banditos which led to the assaultive
5 conduct at Kennedy Hall” and that the investigation into the Banditos was a “cover up” by the
6 Sheriff and LASD. Huntsman further admitted on behalf of the County that LASD ignored
7 substantial evidence that “exists to support the conclusion that the Banditos are a gang-like
8 clique and their influence has resulted in favoritism, sexism, racism, and violence... ICIB did not
9 want to delve into the Banditos’ involvement...”¹⁷
10
11

12 231. More than three years after Plaintiffs Benjamin Zaredini and Louis Granados
13 blew the whistle to Lt. Mejia and others, and almost three years after the Kennedy Hall attacks,
14 LASD, again acting on the Sheriff’s direct orders, conducted a second rigged fake IA
15 investigation that purported to be about the Banditos, but which, of course, resulted in no
16 accountability or discipline for the Banditos for withholding back up, and the investigators again
17 and obsessively avoided any scrutiny of the Banditos gang. In the face of unrelenting public
18 pressure, the Sheriff did terminate three of the gang leaders, Big Listo, G-Rod, and Silver. Gang
19 leader Bam Bam escaped any scrutiny by retiring before the second rigged fake IA, though the
20 Sheriff recently falsely announced at a press conference that he had fired 4 Banditos (including
21 Bam Bam as one of the terminations) after the second rigged IA. In order to make the IA appear
22 to be “even-handed,” and to pad numbers of deputies that LASD could claim were disciplined,
23 and to further retaliate against the Plaintiffs, false and malicious charges of misconduct were
24 manufactured by the Sheriff, DOE 2 Richard Mejia, DOE 3 April Tardy, DOE 9 Jeff Hamill,
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¹⁷ *Office of Inspector General: Analysis of the Criminal Investigation of Alleged Assault by Banditos* (October 2020), available at oig.lacounty.gov.

1 DOE 10 Jeff Chow, DOE 11 William Jaeger, DOE 21 Kelly Porowski, DOE 53 Vincent Choi,
2 and DOE 59 Timothy Murakami against Plaintiffs Oscar Escobedo, Art Hernandez, Mario
3 Contreras and Ariela Lemus, who were given discipline for false and malicious non-existent acts
4 of misconduct in violation of their POBRA rights, causing them to suffer economic harm from
5 unpaid leave and lost overtime, and further emotional distress. None of the Plaintiff Deputies
6 did any of the “acts” or “omissions” which were falsely labeled as misconduct (Art Hernandez
7 “embarrassed the department” by getting sucker punched unconscious?) and for which they were
8 illegally disciplined under POBRA. As noted above, these Plaintiff Deputies and others who
9 have also had false and malicious charges of misconduct brought against them will be filing a
10 complaint against the Sheriff and certain other defendants named here in a separate legal action
11 and will inform that Court that this matter is related to the case presently before this Court and
12 consolidate actions.¹⁸ . A law enforcement agency that valued integrity, honesty, and effective
13 policing, would have hailed all the Plaintiff Deputies as heroes and not perpetuated more
14 retaliation against them.

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18 232. The corruption, harassment, discrimination, and retaliation against the young
19 Latino Plaintiff Deputies and veterans Plaintiffs Louis Granados and Benjamin Zaredini
20 continued unabated without any intervention from the County. Even the brazen attacks at
21 Kennedy Hall or the withholding of backup on dangerous calls, which put the lives of the
22 Plaintiff Deputies at risk, did not prompt the County to finally protect its own. Legal and moral
23 obligations were shoved aside as the County’s leaders looked after their own respective self-
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27 ¹⁸ . Under POBRA, the Superior Courts have jurisdiction over any violation of POBRA and a peace officer can
28 choose to file a complaint in court without being forced to go through the Civil Service process in place for
appealing discipline handed down by their Department (or they can choose to take both paths and then switch only
to one, through the courts or the Civil Service process, as they choose), *Mounger v Gates* (1987), 193 Cal.App. 3rd
1284, at 1254-1257.

1 interests. When the County leaders, the administrators and managers of LASD and everyone in
2 management at the East Los Angeles station had actual knowledge of the illegal conduct prior to
3 and after the withholding of back up on calls and the violent gang attack at Kennedy Hall, it is a
4 reasonable inference that the County intentionally chose not to address the illegality for years,
5 condoned the Banditos' activities and considered their actions to be the standard manner in
6 which police business was and should be conducted by the LASD and therefore contributed to
7 the result of its indifference to the years of harassment, retaliation, threats and violence against
8 the Plaintiff Deputies and other Latino deputies victimized by the Banditos. In the aftermath of
9 the Kennedy Hall attacks, no one employed by the County with the responsibility and ability to
10 address the harassment stopped the hostile work environment even after the March 7, 2019
11 claims related to this present lawsuit were filed, and despite the OIG's Report.
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16 **The Liability of The Defendants Is Not in Question;**

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

18 233. The liability of the Defendants is not in question in this case. It cannot be disputed
19 that members of the Banditos gang and Prospects and Associates, harassed, retaliated, and
20 discriminated against the Plaintiff Deputies and other Latino deputies since 2016, often
21 intentionally withheld back up on dangerous calls and endangered the lives of both deputies and
22 the public, engaged in numerous illegal actions, and retaliated against the whistleblowers,
23 veteran Deputies Benjamin Zaredini and Louis Granados, as well as the young Latino Plaintiff
24 Deputies. While the Banditos lie about whether they are a gang or not, the County is liable
25 regardless of what label is placed on the group. The County allowed and encouraged a hostile
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1 work environment for years and still has not stopped the retaliation against the whistleblower
2 Plaintiff Deputies.

3 234. It cannot be disputed that members of the Banditos gang committed savage
4 violence in a one-sided, pre-meditated gang attack on the Plaintiff Deputies at Kennedy Hall in
5 addition to other deputies, including Deputy Zaredini, before and after the Kennedy Hall event.
6 Such regular violence against deputies by fellow deputies is outrageous and shocking and outside
7 the bounds of human decency but is seen by corrupt LASD as its standard practice in the
8 performance of police duties.
9

10 235. While the Sheriff made many fatal admissions on behalf of the County for
11 liability incurred prior to him assuming the mantle of leadership of the department and the East
12 Los Angeles station (including by saying that the Banditos had “pervasive influence” and “ran
13 roughshod” over the previous captain and “dictated where deputies would be assigned... pretty
14 much they were calling the shots, they were dictating decisions of the station and that has a very
15 bad outcome obviously” – see OIG report), he, along with other leaders including DOE 1
16 Commander Ernie Chavez and DOE 2 Captain Richard Mejia have made matters worse after the
17 Kennedy Hall attacks when the County has not taken any steps to protect its Plaintiff Deputies
18 employees who are the victims of harassment, racial discrimination, and violence perpetrated by
19 the Banditos gang.
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24 **The Sheriff Allowed and Allows the Hostile Work Environment to Continue**

25 236. After the Sheriff took power in December 2018, little or nothing has been done to
26 address the gang problem and to eliminate the hostile work environment. Just two weeks after he
27 assumed the Sheriff’s position, unknown Banditos secretly removed the ammunition from
28

1 Deputy Zaredini’s shotgun hoping he would get shot in the field on a dangerous call. There was
2 no investigation or consequences for this incident, even though it was reported to Mejia, Chavez,
3 and Villanueva. Nor were there consequences for the Banditos’ continuing failure to provide
4 back up on dangerous calls. The Banditos and their prospects failed to provide back up for
5 Deputies Zaredini and Lemus on three more dangerous calls and withheld back up on other
6 Plaintiff Deputies’ calls. While Big Listo, G-Rod, and Silver, the attackers at Kennedy Hall,
7 were out on paid leave, other Banditos and prospects, including DOE 7 Vincent Moran, DOE 8
8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio
9 Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 19
10 Mark Elizondo, DOE 20 Nikolis Perez, Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron
11 Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi,
12 DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo
13 Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38
14 Jessica Santos, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE
15 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos,
16 DOE 50 Mario Castro, DOE 52 Nikki Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth
17 Aguilera, and DOE 62 Luis Valle continued the hostile work environment and the intentional
18 endangerment of their fellow deputies, leading other deputies at the station to ostracize the
19 Plaintiffs and the Plaintiff Deputies and harass and treat and label them as “rats.” No one in
20 management at the East Los Angeles Station, such as Defendants DOE 1 then Captain Ernie
21 Chavez, DOE 2 Lieutenant and later Captain Richard Mejia, DOE 6 Captain Chris Perez, DOE
22 48 Edmundo Torres, and DOE 63 Chief Bobby Denham.

1 237. The County’s failure to protect its deputies even after the Kennedy Hall attacks
2 further emboldened the Banditos and their prospects to further retaliate against the Plaintiff
3 Deputies. Big Listo reportedly bragged that his friend and former training officer, the Sheriff,
4 had his back and would make sure that he and the other Banditos would not be prosecuted by the
5 District Attorney. The individual Defendants to date have not been prosecuted by the District
6 Attorney, because the Sheriff directed ICIB to do a cover up the Kennedy Hall incident and
7 whitewash the involvement of the Banditos (see OIG Report on the “cover up”).
8

9 238. The fact that the Plaintiff Deputies are seen as “rats” for not keeping their mouths
10 shut and for not just letting the gang harm and quite possibly kill them or put them at risk for
11 harm or death and that the Plaintiff Deputies’ chosen careers at the East Los Angeles Station
12 were ruined as they were forced to transfer to other stations to protect themselves and their
13 families, reflects how toxic and corrupt the culture has become in LASD.
14

15 239. In addition to the Plaintiff Deputies, up through Villanueva’s tenure, well into
16 2021 and up to the filing of this Fifth Amended Complaint, there are several other young Latino
17 deputies working out of the East Los Angeles station who have been targeted, bullied, and
18 harassed by the Banditos and their “prospects.” One young Latino deputy was attacked by
19 Bandito prospect (now inked as a gang member), DOE 28 Jose Aceituno, who shoulder-checked
20 the young Latino deputy inside the station. There was no investigation or consequences for
21 Aceituno for this incident and DOE 1 Defendant Commander Ernie Chavez, formerly Captain at
22 the East Los Angeles Station, later lied as he claimed that the incident involved two deputies
23 “playing chicken” walking towards each other in the hallways. Chavez lied to explain why there
24 was no accountability for the Banditos who continue to be allowed by East Los Angeles Station
25 leadership to bully, harass, and intimidate the deputies at the station who refuse to bow down to
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1 the Banditos. Recently, Aceituno tried to shoulder-check yet another deputy in the briefing room
2 and received no consequences from DOE 2 Captain Mejia after this incident was reported to him.

3 240. As the County did nothing to stop the hostile work environment after the Kennedy
4 Hall attacks, the atmosphere at the station continued to deteriorate for months in 2019 and got so
5 bad that even non-Banditos felt intimidated to go along with the corrupt program and some of
6 these deputies started failing to back up the Plaintiff Deputies on dangerous calls. On one such
7 dangerous call, in May 2019, Plaintiff Contreras went out by himself to subdue two suspects in a
8 highly dangerous area as his “backups,” Banditos prospects (now inked as Banditos) Deputies
9 DOE 16 Nikolis Perez and DOE 20 Jonathan Rojas, went out to the call but did not stop their
10 car, mockingly gave Deputy Contreras a signal as if Contreras himself had signaled them that he
11 did not need back up. and proceeded to drive right past Deputy Contreras, leaving him alone,
12 potentially in harm’s way. Defendants Perez and Rojas were in the shooters in the controversial
13 Anthony Vargas killing, where the deputies shot the victim repeatedly from behind and lied
14 about the shooting and lied about their roles with the Banditos.
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18 241. In a deposition in another case, second in command to the Sheriff, Undersheriff
19 Ray Leyva, revealed under oath that the Sheriff had inexplicably made an illegal “settlement”
20 and payoff to Banditos shot caller, Defendant G-Rod, without justification, just months after G-
21 Rod attacked his fellow deputies at Kennedy Hall. G-Rod had been re-hired as a deputy in
22 September 2017 after being terminated for filing a false police report. The County paid over
23 \$500,000 in a settlement with his victim. There was no legal basis to justify the payout to G-Rod
24 in 2019. This shows the continued support for the Banditos by the Sheriff himself.
25

26 242. On February 4, 2019, the Sheriff reinstated Deputy Danny “Batman” Batanero,
27 one of the original ten members of the Banditos’ gang and made him head of his security detail.
28

1 On or about February 2020, the Sheriff hired Banditos shot caller DOE 51 Manny Navarro to be
2 his driver, even though the June 2018 anonymous whistleblower letter named Navarro as one of
3 the leaders and perpetrators involved in the harassment and hostile work environment at the East
4 Los Angeles station directed against the Plaintiff Deputies. Villanueva also promoted Defendant
5 DOE 36 Bandito Joe Mendoza to Commander of LASD Media Relations, giving the deputy
6 gangs control over the spin from the Sheriff's Office issued to the media. Mendoza, with full
7 knowledge that he is making false statements to cover up for the Banditos and their illegal
8 actions against the Plaintiff Deputies and others, dutifully reports the Sheriff's lies to the media
9 covering up the deputy gang problems and the lies that the Sheriff has removed the hostile work
10 environment at the East LA Station and other stations. These lies perpetuate and encourage the
11 continued harassment of the Plaintiffs Deputies, who are currently, up through the filing of this
12 5th Amended Complaint, being mocked and threatened on social media by the Banditos as "rats."

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17 **There Have Been no Consequences for the Wrongdoers as the Sheriff Embraces the**
18 **Corrupt Gang Culture**

19 243. Villanueva responded to the Plaintiff Deputies' tort claim filing by immediately
20 holding an East Los Angeles "Anniversary Celebration," sending a clear message to the County
21 and the Board that his posture was that he and LASD were beyond their control. He falsely
22 claimed it was a celebration that promoted station pride, but it did the opposite as it was a
23 celebration of the station's criminal gangs, including the Banditos. The flyer for the Anniversary
24 event sponsored by the Sheriff bore the title "East Los Gathering," and included the names and
25 contact information for three of Banditos' original ten founding members, Joe "Mariachi" Mejia
26 (the creator of the Banditos' logo and tattoo), Leo Noyola, and Danny Batanero, all of them
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28

1 already retired. The flyer unmistakably features the logos of three department gangs, the
2 Banditos, Little Devils, and the Cavemen.

3 244. At a March 12, 2019 Board meeting, the Sheriff made the bizarre statement
4 about his past service as a deputy in East Los Angeles Station, that “we were all Cavemen.” By
5 all accounts, Villanueva was not a member of the Cavemen gang. However, as a deputy, he
6 looked up to the gang and sought membership in it but was rejected by the gang. Now, he
7 appears to be identifying with the gangs and to have positioned himself as the de facto leader and
8 protector of LASD’s gangs.
9

10 245. When the Sheriff took over the reins of power, he surrounded himself with inked
11 gang members, including his second in command, DOE 59 Under Sheriff Timothy Murakami
12 (Caveman), Caryn Carl Mandoyan (Grim Reaper), and Chief of Staff Larry Del Mese (Grim
13 Reaper), who reportedly recently had his Grim Reaper tattoo lasered off as rumors of FBI
14 investigation of the gangs and that reports that the “Feds are coming for the ink” spread through
15 LASD. When asked by a reporter if his inner circle were inked gang members, the Sheriff replied
16 that he did not know and did not care.
17

18 246. The Plaintiff Deputies wanted to continue working at the East Los Angeles
19 Station, their dream assignment. But as the months wore on after the Kennedy Hall attacks, it
20 became more and more difficult for them to deal with the hostile environment the County failed
21 to address. The Sheriff and ALADS, the deputies’ union, had and have not given the victims any
22 support at all, while continuing to make statements in support of the gangs in the Department.
23

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

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

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18 247. LASD managers, including DOE 56 Commander James Wolack, reviewed the
19 equity panel’s recommendation of retaliation against Mr. Zaredini and appeared to initially
20 acknowledge to Deputy Zaredini and his union representative that there was no evidence.
21 However, DOE 59 Timothy Murakami and the Sheriff then stepped in and Wolack faithfully
22 followed Sheriff Alex Villanueva’s orders to retaliate against Deputy Zaredini and affirmed the
23 7-day suspension.

24
25 248. The retaliation against Deputy Zaredini has been consistent and unrelenting,
26 dating back 4 years ago, to June 2017 when he went against gang orders to set Plaintiff
27 Hernandez up by withholding back up on a dangerous call so he would possibly be killed or
28

1 injured. DOE 64 Chief Anthony Rivera deliberately delayed transferring Deputy Zaredini out of
2 the station when Rivera knew it was necessary to protect him from further retaliation so that the
3 Department could then initiate a third fake, rigged internal affairs investigation against him.
4
5 DOE 31 Defendant Regulator gang associate Karla Sepulveda made a false report against
6 Deputy Zaredini, claiming that Zaredini was “stern” with her as her FTO. As already noted
7 above, LASD has a long history of FTOs abusing their trainees, harassing them, and often
8 depriving them of meals, making them work overtime without pay, and even physically
9 assaulting them – with no consequences. Yet, LASD instigated a fake, rigged IA against Deputy
10 Zaredini, and gave him a 2-day suspension for being “stern.” However, in this instance, LASD
11 was forced to reverse the suspension after a hearing review showed too many blatant
12 irregularities and lies by LASD employees, including the fact that the attempt to discipline
13 Zaredini was past the legally allowed one year statute of limitations under POBRA.
14

15 249. The Defendants continued to retaliate against Plaintiff Granados. Recently, while
16 driving home from work, Deputy Granados came across deputies firing their guns at a suspect.
17 Deputy Granados acted appropriately and pulled his vehicle over and stopped. DOE 33 Diana
18 Woodward wrote up Deputy Granados for misconduct, claiming that he somehow got too close
19 to the scene on purpose, when Woodward knew full well that Granados’ conduct was proper and
20 within policy. Deputy Granados pointed out to Woodward’s supervisor, DOE 58 Sergeant Albert
21 Maldonado, that her statements were completely concocted and retaliatory. Sgt. Maldonado
22 reacted angrily, but had Woodward discard her fake write up. Then, immediately right after DOE
23 11 IA Captain William Jaeger was named as an unmasked Defendant in this case, he and
24 Maldonado revived and escalated the fake charges into an ongoing IA investigation against
25 Deputy Granados, with the threat of disciplinary action now looming.
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1 250. The Defendants continued to retaliate against Plaintiff Deputy Ariela Lemus.
2 After the Kennedy Hall incident, Deputy Lemus made a complaint against DOE 13 Raymond
3 Mendoza and LASD punished her for it. Mendoza is the “AM shot caller” (morning hours) for
4 the Banditos gang and has “the keys” to the station (controls the station). Mendoza has
5 repeatedly engaged in wrongful conduct over the years, without any consequences, as he has
6 been protected from accountability by leadership (including by Defendants DOE 2 Captain
7 Richard Mejia, DOE 5 Lt. Eric Smitson, DOE 6 Captain Chris Perez, and DOE 1 Commander
8 and formerly Captain Ernie Chavez) at the East Los Angeles Station, based on his gang shot
9 caller status. Mendoza has committed assault and battery against other deputies behind the East
10 Los Angeles station and at “the Cap” across the street from the station, including against
11 Deputies Zaredini and Daniel Gonzalez. Deputy Lemus was overloaded with calls, slammed
12 doing Mendoza’s work as well as her own, as Mendoza “parked it” (parked his car outside the
13 service area). Mendoza conducted personal business while on-duty and ordering Deputy Lemus
14 to do his work instead. Deputy Lemus made the mistake of approaching Defendant then-Captain
15 Ernie Chavez with her complaint. He told Deputy Lemus he was happy with how the gang shot
16 caller “controlled the line (i.e., “regulated” it like a competent gang leader) and made it clear he
17 would not hold the shot caller accountable. Then, he moved to retaliate against Deputy Lemus
18 and went looking for a pretext. He found the pretext in a meaningless citizen’s complaint that
19 was properly resolved two months prior. The uninjured citizen complained that Deputy Lemus
20 did not call quickly enough for him to be taken to the hospital. Deputy Lemus’ supervisor, DOE
21 49 Hugo Reynaga, violated protocol and wrote Deputy Lemus up for misconduct, but he then
22 initially “resolved” the matter with “coaching” and laid the matter to rest. However, after
23 Deputy Lemus complained about Mendoza, Chavez ordered retaliation against Deputy Lemus by
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1 dusting off the frivolous citizen complaint. Under the “guidance” of Chavez, Reynaga
2 resurrected the incident and he and DOE 55 Lt. Anthony Easter escalated the frivolous resolved
3 complaint into an Internal Affairs Investigation and Deputy Lemus was “disciplined” with a two-
4 day unpaid suspension.
5

6 251. Chavez recently lied in his deposition and denied that he expressed admiration for
7 shot caller Mendoza keeping the other deputies in line as a shot caller and also claimed that he
8 didn’t order a retaliation against Deputy Lemus. DOE 2 Richard Mejia also recently did his part
9 when deposed in this case and repeatedly lied by desperately fabricating a story that “shot
10 callers” only means “seasoned veterans” to hide the fact that he and other leadership at the
11 station have condoned Banditos running the station like inmates running the prison yard. Mejia
12 told this lie even though he previously admitted in the same deposition that he was aware the
13 term “shot caller” is derived from leaders of the Mexican Mafia and prison gangs. And that
14 Defendants such as Michael Hernandez aka Bam Bam have bragged about being the shot callers
15 of the East Los Angeles Station. When asked to name a single “seasoned veteran” who was not a
16 Bandito, but was called a shot caller, Defendant Mejia repeatedly evaded the question, then
17 absurdly named two deputies, Plaintiff Zaredini and Deputy Edward Hernandez, who have been
18 repeatedly victimized by the Banditos. Mejia shamelessly mentioned these two whistleblowers
19 when he knows have been repeatedly retaliated against under his watch.
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23 252. It is alleged upon information and belief that after the Kennedy Hall incident,
24 Mejia allowed Mendoza to improperly collect bonus pay as an FTO for a year even though
25 Raymond Mendoza did not have a trainee. When asked about this matter, Mejia denied it ever
26 happened.
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1 253. DOE 59 Undersheriff Timothy Murakami was at the center of a recent lawsuit by
2 Deputy Andrew Rodriguez. In the Rodriguez case, the jury found that Murakami retaliated
3 against Deputy Rodriguez by initiating a series of fake Internal Affairs investigations against
4 Rodriguez. The jury awarded Rodriguez \$8.1 million for Murakami’s misconduct, yet the Sheriff
5 didn’t hold the inked Caveman Murakami accountable and did not even bother initiating a rigged
6 IA to exonerate Murakami. The Sheriff simply did nothing. Just as the Sheriff did nothing when
7 Murakami made a racial slur against another deputy (to be contrasted with Villanueva’s 7-day
8 suspension against Deputy Zaredini for the false allegation of a slur.) The County’s OIG recently
9 admitted that Murakami and Villanueva have broken the law and lacked transparency to the
10 point of taking the County down to the level seen in the Baca/Tanaka administration. Instead of
11 terminating Murakami, Villanueva utilizes Murakami to block investigations of the Banditos and
12 other deputy gangs. Huntsman has repeatedly sounded the alarm about current LASD corruption
13 that can only be fixed through court order and intervention by outside governmental authorities.
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18 **The Plaintiff Deputies Had to Demand Transfers Out of the East Los Angeles**
19 **Station to try to Escape the Most Hostile Work Environment**

20 254. The Sheriff, Chavez and Mejia repeatedly lie as they simultaneously claim there
21 is no Banditos gang or problem and that they fixed the Banditos problem when the Sheriff took
22 power in December 2018. These individuals tell their lies despite them knowing there are ample
23 facts to easily rebut their lies. LASD officials are so used to lying and engaging in cover ups with
24 no accountability, they do not hesitate to lie regardless of any evidence that is right in front of
25 them and the public and media. By May 2019, five months into the Sheriff’s reign and three
26 months after filing their government claims, the Plaintiff Deputies could not handle the stress
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1 any longer and demanded transfers out of the East Los Angeles Station to lessen the damage
2 caused to their physical and mental health. LASD refused to grant some of the transfers, but after
3 the Plaintiff Deputies filed supplements to their internal Tort Claims on May 28, 2019,
4 underscoring that the hostile environment was still dominating the station, all of the Plaintiff
5 Deputies were finally approved for transfers.
6

7 255. The Plaintiff Deputies lost confidence in LASD addressing the hostile work
8 environment, so the victims removed themselves from that hostile environment. It should be
9 noted, though, that the County offered four of the Plaintiff Deputies, Ariela Lemus, Mario
10 Contreras, Art Hernandez, and Oscar Escobedo, the option of only moving to another gang
11 dominated station or travelling to a station that is far from their homes. Historically, management
12 at LASD has retaliated against whistleblowers so often by transferring them to far away stations
13 and offices that employees have coined a term for such maltreatment: “Freeway therapy.”
14

15 256. The County had the legal obligation to remove the hostile work environment, but
16 utterly failed to take any steps to do so. And, of course, with 8 more good deputies moving out of
17 the East Los Angeles Station, once again the Banditos’ control at the East Los Angeles Station
18 has only increased (as noted, there are now 100 inked Banditos members and a decision has
19 made to form a new gang at the East Los Angeles Station serving under the Banditos). While the
20 victim Plaintiff Deputies escaped the East Los Angeles Station to less hostile work
21 environments, they and their families remain under severe duress due to fears of further
22 retaliation and the threats to their lives by the Banditos. And the leadership at East Los Angeles
23 Station continued to let the Banditos gang flourish and looked the other way as they harassed and
24 committed violence against other deputies.
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1 257. The Plaintiff Deputies have reason to believe the Banditos gang could commit
2 further violence against them. Bam Bam bragged at Kennedy Hall that he could go to Plaintiff
3 Gonzalez’ house and harm or kill him and/or his family and not suffer consequences.
4

5 258. If any further violence happens to anyone associated with this lawsuit, the
6 Defendants, each, and all of them, will bear tremendous liability for such horrific acts. Recently,
7 DOE 35 Rebecca Cortez attempted to commit battery against Plaintiff Deputy Lemus. Cortez
8 tried to shoulder-check her while she was transporting an inmate at a detention facility, but
9 Lemus moved quickly out of the way. While three of the Banditos were finally held accountable
10 and terminated for the gang attacks at the department-sponsored event at Kennedy Hall, to this
11 day no Banditos have received any discipline for violent acts committed at the East Los Angeles
12 Station. LASD leadership continues to make light of the fact that there are deputy gangs in the
13 department and continue to encourage the gangs to flourish. And the gangs continue to flourish
14 as LASD leaders such as Commander Chavez and Captain Mejia willfully turn a blind eye to
15 gang activity.
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18 259. In his deposition, DOE 2 Richard Mejia repeatedly lied to protect the Banditos
19 and his career advancement and lied about what was reported to him by deputies about the
20 Banditos gang activity in Spring 2018 and lied about the OIG’s Report informing him as Captain
21 that there was substantial evidence that the Banditos are a gang and had influence over the
22 station and caused racism and sexism, and violence. Mejia initially claimed he was not given the
23 Report to review, then admitted he had been given the Report to review and said he had done
24 nothing to act on the Report and never investigated the Banditos. And he admitted he did nothing
25 about the recent inking of ten more Banditos gang members at the station. Instead, he conducted
26 a fake investigation into the matter and lied about the “findings.” The inking of the ten new
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1 Banditos has been confirmed under oath by two deputies who broke the Code of Silence on the
2 Banditos. The Banditos gang is alive and thriving as this 5th Amended Complaint is being filed
3 and new ink continues to scar the East Los Angeles Station and the entire LASD.
4

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

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

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

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

4 272. The County, through its acts or omissions, have engaged in a pattern or practice of
5 systemic deficiencies that resulted in the pattern or practice by LASD deputy gang members to
6 harass young Latino deputies and retaliate against them.
7

8
9 **The Wrongful Conduct Committed by The Defendants Has Been Continuous and Ongoing**
10

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

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

26 ²¹*See Richards*, 26 Cal. 4th at 826 (employer may be liable for entire course of conduct, including acts predating the
statutory period, under the continuing violation doctrine provided at least one of the acts occurred within the
27 statutory period, so long as plaintiff can establish similarity of conduct, reasonable frequency and fact that acts have
not acquired permanence); *Id.* 26 Cal.4th at 823 (recurring incidents are sufficient to establish reasonable frequency
28 component of continuing violation test); *Yanowitz*, 36 Cal. 4th at 1056 (continuing violation doctrine not limited to
harassment claims and may include retaliation claims); *Accardi*, Cal.App.4th at 351 (sexual harassment over 11-year
period included sexist remarks, sexual advances, and being singled-out for unfavorable assignments; the only
incidents occurring within the limitations period were relatively minor, i.e., mishandling her workers compensation

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

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

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

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

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claims, and failure to treat her like other partially disabled employees; nevertheless, employer’s acts were part of a “deliberate pattern of discrimination” entitling employee to recover for harassment over the entire period of her employment); *Watson v. Department of Rehabilitation* (1989) 212 Cal.App3d 1271, 1290-91 (series of discriminatory acts and retaliatory harassment for complaining about discrimination constitutes a continuing violation).

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

2 277. The Sheriff is employed by the County. He serves as the head of LASD and is its
3 top spokesperson. He is responsible for managing, supervising, and disciplining all employees in
4 LASD including LASD deputies.
5

6 278. Sheriff Villanueva is the supervisor of all of the individual Defendants and is
7 responsible for investigations of unlawful conduct including membership in a criminal gang. He
8 is also obligated to take disciplinary action for misconduct and to protect deputies, including the
9 Plaintiff Deputies, against threats, intimidation, and physical violence by LASD employees
10 against them.
11

12 279. Plaintiffs are now in process of unmasking and naming the first of the DOE
13 Defendants identified from discovery to date and anticipate unmasking and naming more DOES
14 as they engage in further discovery. Plaintiffs are well aware that all Defendants have a right to
15 be named on a timely basis and so unmask and name them now to afford them the right to retain
16 counsel and participate in the discovery process which has barely begun in earnest (though in the
17 case of past depositions, the County’s outside counsel has been present and representing them
18 and so has full knowledge of all aspects of this case to date).²²
19

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

1 will further amend this complaint to show their true names and capacities, together with
2 appropriate charging language, when such information has been ascertained. Plaintiffs will file
3 DOE amendments, and/or ask leave of court to amend this Complaint to assert the true names
4 and capacities of these Defendants when they have been ascertained.
5

6 281. Plaintiffs are informed and believe, and upon, such information and belief allege,
7 that each Defendant designated as a DOE was and is in some manner, negligently, wrongfully, or
8 otherwise responsible and liable to Plaintiffs for the injuries and damages hereinafter alleged and
9 that Plaintiffs' damages as herein alleged were proximately caused by their conduct.
10

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

14 283. At all relevant times, Defendants or their predecessors in office have acted or
15 failed to act, as alleged herein, under the color of state law.
16

17 284. Plaintiffs have complied with and/or exhausted any applicable claims, statutes
18 and/or administrative and/or internal remedies and/or grievance procedures or are excused from
19 complying therewith. 7 of the 8 Plaintiff Deputies filed government claims with the County of
20 Los Angeles on March 7, 2019. The 8th, Deputy Ariela Lemus filed a government claim with the
21 County of Los Angeles on June 28, 2019. On August 29, 2019, all the Plaintiff Deputies timely
22 filed a complaint and charge of discrimination with the California Department of Fair
23 Employment and Housing ("DFEH"). The DFEH issued a Right-to-Sue Notice on August 29,
24 2019. Accordingly, the Plaintiff Deputies have timely exhausted their administrative remedies.
25 True-and-correct copies of Plaintiffs' Right-to-Sue Notices are attached to this complaint as
26 Exhibit A.
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FIRST CAUSE OF ACTION FOR
RACE/ETHNICITY DISCRIMINATION IN VIOLATION OF THE CALIFORNIA
FAIR EMPLOYMENT AND HOUSING ACT
(BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY OF LOS
ANGELES)

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

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

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

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

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

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

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

25
26 291. Commencing before and during 2016, and continuing to the present, Defendants
27 created and allowed to exist a racially hostile environment and discriminated against
28

1 the Plaintiff Deputies on the basis of their race. Such discrimination was in violation
2 of Government Code §§12940, et seq. and the public policy embodied therein.

3 292. That Defendants' wrongful treatment of the Plaintiff Deputies was substantially
4 motivated by illegal/race ethnicity animus.
5

6 293. At all times herein mentioned, the County had actual and/or constructive
7 knowledge of the discriminatory conduct levied against the Plaintiff Deputies by the
8 Defendants, by Sheriff Villanueva and prior LASD leadership, Chief Denham,
9 Captains Perez, Mejia and Chavez, Lt. Smitson, employees and other superiors.
10 Moreover, such retaliation, harassment, and discriminatory conduct was also
11 conducted and/or condoned by the Defendants.
12

13 294. As a direct, foreseeable, and proximate cause of Defendants' discriminatory
14 conduct and failure to act, the Plaintiff Deputies suffered and continue to suffer
15 personal physical injury and sickness, fear for their lives, humiliation,
16 embarrassment, anxiety, mental anguish, and emotional distress. The Plaintiff
17 Deputies were required to and did employ and will in the future employ physicians
18 and health care providers to examine, treat and care for the Plaintiff Deputies, and
19 did, and will in the future, incur medical and incidental expenses. The exact amount
20 of full expenses is unknown to the Plaintiff Deputies at this time.
21

22 295. As a direct, legal, and proximate result of the discrimination, the Plaintiff
23 Deputies have suffered immense damages, including severe emotional distress from
24 their lives being regularly threatened and being put in danger, and almost being
25 killed, as well as lost wages and other employment benefits, and other economic
26 damages, in an amount to be proven at trial.
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1 gangs, the Banditos specifically targets and singles out Latino residents to victimize,
2 and Latino deputies for harassment. The Banditos makes the racist assumption that
3 all Latinos are susceptible and open to being recruited into the gang. The Banditos
4 target all new Latino trainees as they start at the East Los Angeles Station. The
5 Banditos abuse the Latino trainees and rookies to break them down and recruit them
6 into the gang. The trainees are pressured to choose between being the bullied or the
7 bully. Many of the young Latino trainees and rookies succumb to the pressure and
8 become corrupt Banditos prospects, “chasing the ink,” engaging in wrongful conduct
9 to earn their stripes. When Latino deputies do not conform to the corrupt deputy gang
10 culture, they are harassed, bullied, and retaliated against by the Banditos
11
12

13 301. Plaintiff Deputies are informed and believe that the County and its employees
14 harassed them based on their race and for reporting and speaking out against
15 wrongful and discriminatory treatment based on their race, speaking out against
16 improper conduct, and for generally attempting to protect and secure their rights and
17 rights of others under the FEHA.
18

19 302. The conduct, statements and acts described herein were an ongoing part of a
20 continuing scheme and course of conduct. The County knew the substance of the
21 above-described facts and circumstances and ratified the wrongs and injuries
22 mentioned herein when it was in its ability to prevent, remedy and/or correct these
23 wrongs. The County continued to ratify and refused to remedy the aforementioned
24 conduct, notwithstanding the fact that its officials, supervisors and/or managing
25 agents knew or reasonably should have known, and know or reasonably should
26 know, of the conduct and its unlawful motivations.
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303. As a direct and proximate result of the County’s conduct, the Plaintiff Deputies have suffered special damages in the form of lost earnings, benefits and/or out of pocket expenses in an amount according to proof at the time of trial. As a further direct and proximate result of the County’s conduct, the Plaintiff Deputies will suffer additional special damages in the form of lost future earnings, benefits and/or other prospective damages in an amount according to proof at the time of trial.

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

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

306. Plaintiff Deputies are entitled to costs and reasonable attorneys’ fees pursuant to California Government Code section 12965(b).

1 HUGO RAMOS, DOE 50 MARIO CASTRO, DOE 51 MANNY NAVARRO, DOE 52 NIKKI
2 HANAMAKI, DOE 53 VICTOR CHOI, DOE 54 HUGO REYNAGA, DOE 55 ANTHONY
3 EASTER, DOE 56 JAMES WOLACK, DOE 57 CHRIS BLASNEK, DOE 58 ALBERT
4 MALONADO, DOE 59 TIM MURAKAMI, DOE 60 LEO SANCHEZ, DOE 61 ELIZABETH
5 AGUILERA, DOE 62 LUIS VALLE, DOE 63 BOBBY DENHAM and DOE 64 ANTHONY
6 RIVERA)
7
8
9

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

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

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

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

1 environment and harassed and continue to harass the Plaintiff Deputies on the basis of
2 their race. Such discrimination was and is in violation of Government Code §§ 12940,
3 et seq. and the public policy embodied therein.
4

5 311. At all times herein mentioned, the County had actual and/or constructive
6 knowledge of the harassing conduct levied against the Plaintiff Deputies by the
7 Defendants, by the Sheriff and prior Sheriffs, Chief Denham, Chief Rivera, Captains
8 Perez, Mejia and Chavez, Lt. Smitson, employees and other superiors. Moreover, such
9 retaliation, harassment, and hostile work environment were also conducted and/or
10 condoned by the Defendants.
11

12 312. During the term of the Plaintiff Deputies' employment, the Plaintiff Deputies were
13 and have been subjected to harassment, including a hostile work environment. The
14 hostile work environment consisted of and continues to consist of racial/ethnic
15 discrimination, harassment, assault and battery and acts setting up the Plaintiff
16 Deputies to be harmed or possibly killed. Defendants Big Listo, Bam Bam, Silver, and
17 G-Rod, along with Doe Defendants, DOE 7 Vincent Moran, DOE 8 Hector Soto
18 Saavedra, DOE 15 Braulio Robledo, Jonathan Rojas, DOE 17 Eldemira Parra, DOE
19 18 Andrea Villa, DOE 20 Nikolis Perez, DOE 21 DOE 23 Juan Sanchez, DOE 24
20 Aaron Abellano, DOE 25 Silvano Garcia, DOE 41 Claudia Perez targeted the Plaintiffs
21 for differential treatment as Latinos, expecting them to or otherwise be ostracized and
22 be subjected to their lives being repeatedly put in danger, as the Defendants
23 purposefully withheld back up on dozens of dangerous calls, with Parra, and Villa,
24 along with Big Listo, using their positions in Dispatch to coordinate the withholding
25 of back up, as well as overloading the Plaintiff Deputies with excessive calls.
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1 313. The Banditos and their Prospects and Associates continued to harass the Plaintiff
2 Deputies in many ways, including through the withholding of back up on dangerous
3 calls, even after the Defendants committed assaults and batteries at Kennedy Hall and
4 Defendants Big Listo, G-Rod, Silver, and Bam Bam were suspended on paid
5 administrative leave. Even though some of gang’s shot callers were no longer at the
6 station in 2019, several other shot callers remained, and their Prospects and Associates
7 (and their superior officers who enabled them and aided them) help maintain the
8 Banditos stranglehold on the station and its culture. The gang’s control of the station
9 continued past the Plaintiff Deputies’ filing of their government claims and filing of
10 this lawsuit. It is alleged upon information and belief that Banditos shot callers, Bam
11 Bam, Big Listo, G-Rod, and Silver still were parties to maintaining the hostile work
12 environment at the East Los Station and in LASD long after they were put on the leave
13 after the Kennedy Hall gang attack. The Banditos, including Defendants Big Listo,
14 Silver, G-Rod, and Silver, Bam Bam, and DOE 4 Angelica Estrada, DOE 7 Vincent
15 Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis
16 Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra,
17 DOE 18 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22
18 Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano
19 Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose
20 Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo
21 Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE
22 38 Jessica Santos, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel
23 Palacios, DOE 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres,
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1 DOE 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki
2 Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, and DOE 62 Luis Valle
3 operate together in an association to target young Latino deputies to intimidate, harass,
4 and control them and DOE 1 Ernie Chavez, DOE 2 Richard Mejia, DOE 3 Commander
5 April Tardy, DOE 5 Eric Smitson, DOE 6 Chris Perez, DOE 7 Vincent Moran, DOE
6 8 Hector Soto Saavedra, DOE 9 Jeff Hamil, DOE 10 Jeff Chow, DOE 11 William
7 Jaeger, DOE 12 Scott Chapman, DOE 21 Kelly Porowsky, DOE 31 Karla Sepulveda,
8 Brian Goodwin, DOE 44 Jodi Hutak, DOE 45 Pablo Partida, DOE 53 Victor Choi,
9 DOE 54 Hugo Reynaga, DOE 55 Anthony Easter, DOE 56 James Wolack, DOE 57
10 Chris Blasnek, DOE 58 Albert Maldonado, DOE 59 Timothy Murakami, DOE 63
11 Bobby Denham, and DOE 64 Anthony Rivera have knowledge of such and failed to
12 end their actions against the Plaintiff Deputies or aided and abetted them and covering
13 up their actions. Plaintiffs allege that the County's employees/agents have worked
14 together and coordinated efforts to maintain a hostile work environment, to mistreat,
15 harm, and intimidate the Plaintiff Deputies.

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

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

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

20 317. Sheriff Villanueva and Doe Defendants including DOE 1 Ernie Chavez, DOE 2
21 Richard Mejia, DOE 3 Commander April Tardy, DOE 5 Eric Smitson, DOE 6 Chris
22 Perez, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 9 Jeff Hamil, DOE
23 10 Jeff Chow, DOE 11 William Jaeger, DOE 12 Scott Chapman, DOE 21 Kelly
24 Porowsky, DOE 31 Karla Sepulveda, Brian Goodwin, DOE 44 Jodi Hutak, DOE 45
25 Pablo Partida, DOE 53 Victor Choi, DOE 54 Hugo Reynaga, DOE 55 Anthony Easter,
26 DOE 56 James Wolack, DOE 57 Chris Blasnek, DOE 58 Albert Maldonado, and DOE
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1 59 Timothy Murakami rigged and/or participated in rigged Investigations to retaliate
2 against the victims and whistleblowers for breaking the Code of Silence and speaking
3 out and reporting the deputy gang members. LASD leaders such as DOE 59 Timothy
4 Murakami, DOE 63 Bobby Denham and Doe 64 Anthony Rivera were aware of these
5 events and took no steps to halt them and took steps to aid in the retaliation. They also
6 delayed or steered transfers to other stations knowing that this would subject the
7 Plaintiff Deputies to further harassment and retaliation.
8

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

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

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

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

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

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

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

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

17 325. Defendants' actions were ratified by managing agents, and were willful, malicious,
18 fraudulent, and oppressive, and were committed with wrongful intent to harm the
19 Plaintiff Deputies in conscious disregard of their rights. The Plaintiff Deputies timely
20 exhausted administrative remedies.
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1 violation of Government Code §§ 12940, et seq. and the public policy embodied
2 therein.

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

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

20 332. As a direct, legal, and proximate result of the Defendants' retaliatory conduct, the
21 Plaintiff Deputies have suffered immense damages, including severe emotional
22 distress from their lives being regularly threatened and being put in danger, as well as
23 lost wages and other employment benefits and other economic damages, in an
24 amount to be proven at trial.
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1 333. As a further legal result of the above-described conduct of Defendants, and each
2 of them, the Plaintiff Deputies have and will continue to incur attorneys' fees and in
3 costs amount according to proof.

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

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11 FIFTH CAUSE OF ACTION FOR
12 UNLAWFUL RETALIATION: LABOR CODE § 1102.5
13 (WHISTLEBLOWER LAW)
14 (BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY OF LOS
15 ANGELES)
16

17 335. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
18 334 paragraphs.

19 336. Cal. Labor Code § 1102.5 prohibits retaliation against any employee for
20 disclosing information, or because the employer believes that the employee disclosed
21 or may disclose information, to a government or law enforcement agency, or to a
22 superior in the employer's organization, so long as the employee has reasonable
23 cause to believe that the information discloses a violation of law or regulation. This
24 statute reflects the "broad public policy interest in encouraging workplace
25 whistleblowers to report unlawful acts without fearing retaliation." *Green v. Ralee*
26 *Eng. Co.* (1998) 19 Cal.4th 66, at 77-78.
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1 337. Commencing before and during 2017, and continuing to the present, Defendants
2 created and allowed to exist a racially hostile environment and retaliated against the
3 Plaintiff Deputies when they spoke out about and blew the whistle on the Banditos
4 and their illegal activity.
5

6 338. The Defendants retaliated against the Plaintiff Deputies for disclosing violations
7 of or noncompliance with state and/or federal labor laws to person (s) with authority
8 over her and/or to other employees who had authority to investigate, discover, or
9 correct the violations or noncompliance, which they had reasonable cause to believe
10 had taken place.
11

12 339. At all times herein mentioned, the County had actual and/or constructive
13 knowledge of the retaliatory conduct levied against the Plaintiff Deputies by the
14 Defendants including Big Listo, Bam Bam, G-Rod, Silver, all DOE Defendants,
15 unnamed and named, including DOE 4 Angelica Estrada, DOE 7 Vincent Moran,
16 DOE 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal,
17 DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18
18 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow
19 Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia,
20 DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno,
21 DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo Ortega, DOE
22 DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica
23 Santos, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel Palacios,
24 DOE 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres, DOE
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28 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki

1 Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, and DOE 62 Luis
2 Valle, , and DOE 1 Ernie Chavez, DOE 2 Richard Mejia, DOE 3 Commander April
3 Tardy, DOE 5 Eric Smitson, DOE 6 Chris Perez, DOE 7 Vincent Moran, DOE 8
4 Hector Soto Saavedra, DOE 9 Jeff Hamil, DOE 10 Jeff Chow, DOE 11 William
5 Jaeger, DOE 12 Scott Chapman, DOE 21 Kelly Porowsky, DOE 31 Karla
6 Sepulveda, Brian Goodwin, DOE 44 Jodi Hutak, DOE 45 Pablo Partida, DOE 53
7 Victor Choi, DOE 54 Hugo Reynaga, DOE 55 Anthony Easter, DOE 56 James
8 Wolack, DOE 57 Chris Blasnek, DOE 58 Albert Maldonado, DOE 59 Timothy
9 Murakami, DOE 63 Bobby Denham, and DOE 64 Anthony Rivera. Moreover, the
10 Sheriff and prior Sheriffs, employees and other superiors ratified such retaliation,
11 harassment, and discriminatory conduct conducted and/or condoned by all the
12 Defendants.

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

20
21 341. As a direct, foreseeable, and proximate cause of Defendants' retaliatory conduct
22 and failure to act, the Plaintiff Deputies suffered physical injury and were often
23 placed in danger of risking the loss of their lives and suffered and continue to suffer
24 humiliation, embarrassment, anxiety, mental anguish, and emotional distress. The
25 Plaintiff Deputies were required to and did employ and will in the future employ
26 physicians and health care providers to examine, treat and care for the Plaintiff
27
28

1 Deputies, and did, and will in the future, incur medical and incidental expenses. The
2 exact amount of full expenses is unknown to the Plaintiff Deputies at this time.

3 342. As a direct, legal, and proximate result of the Defendants' retaliatory conduct, the
4 Plaintiff Deputies have suffered immense damages, including severe emotional
5 distress from their lives being regularly threatened and being put in danger, as well as
6 lost wages and other employment benefits and other economic damages, in an
7 amount to be proven at trial.

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

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

2 ASSAULT

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

4 CONTRERAS, OSCAR ESCOBEDO AND ALFRED GONZALEZ AGAINST

5 DEFENDANTS, COUNTY OF LOS ANGELES, RAFAEL “RENE” MUNOZ aka BIG LISTO,

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

7 MICHAEL HERNANDEZ aka BAM BAM, DOE DEFENDANTS 1-100)

8
9 345. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
10 344 paragraphs.

11
12 346. The actions of the Defendants easily meet all elements of the civil action for
13 assault: “The essential elements of a cause of action for assault are: (1) defendant
14 acted with intent to cause harmful or offensive contact, or threatened to touch
15 plaintiff in a harmful or offensive manner; (2) plaintiff reasonably believed she was
16 about to be touched in a harmful or offensive manner or it reasonably appeared to
17 plaintiff that defendant was about to carry out the threat; (3) plaintiff did not consent
18 to defendant's conduct; (4) plaintiff was harmed; and (5) defendant's conduct was a
19 substantial factor in causing plaintiff's harm.” *So v. Shin* (2013), Cal.App.4th 652, at
20 668-69.
21

22
23 347. The Defendants actions were intentional, in fact, planned out long before the night
24 of the Kennedy Hall event. The acts were overt, as actions and words by the
25 Defendants showed that they intended to harm the Plaintiffs. The Plaintiffs were
26 aware of the dangers of the Defendants’ actions, and once Bam Bam stated that he
27 could slap Plaintiff Gonzalez with impunity (see Paragraph 200 above, threatened the
28

1 well-being and lives of him and his family (see Paragraph 201 above), and then G-
2 Rod began tapping Deputy Gonzales on the shoulder and making threats in a loud
3 voice so everyone at the party could hear (see Paragraph 202 above, and Big Listo
4 informed Deputy Escobedo “I’ve been waiting for you” as he stood and grabbed him
5 (see Paragraph 205 above), and DOE 15 Braulio Robledo shouted at the Plaintiff
6 Deputies under attack and Deputy Fuentes, “Say something now! Say something
7 now!” (see Paragraph 206 above) and finally G-Rod reached for his gun when he
8 saw Deputy Contreras walking past him (see Paragraph 215 above) in between all of
9 the batteries that had been committed that night, the Plaintiff Deputies have
10 demonstrated that all elements for this cause of action have been satisfied.
11
12

13 348. Defendants, Big Listo, G-Rod, Silver, and Bam Bam along with numerous Doe
14 Defendant Banditos gang members, Prospects and Associates, intended to cause and
15 did cause the Plaintiff Deputies to suffer apprehension of an immediate harmful
16 contact. The Plaintiff Deputies did not consent to the Defendants’ acts.
17

18 349. As a direct, foreseeable, and proximate cause of Defendants’ wrongful conduct,
19 the Plaintiff Deputies suffered and continue to suffer humiliation, embarrassment,
20 anxiety, mental anguish, and emotional distress. The Plaintiff Deputies were required
21 to and did employ and will in the future employ physicians and health care providers
22 to examine, treat and care for the Plaintiff Deputies, and did, and will in the future,
23 incur medical and incidental expenses. The exact amount of full expenses is
24 unknown to the Plaintiff Deputies at this time. The Plaintiff Deputies also have
25 suffered a loss of earnings in an amount which has not yet been determined, but
26 which will be added by amendment when it is ascertained.
27
28

1 350. Defendants' acts were done knowingly, willfully, and in accordance with their
2 business-as-usual manner of conducting their law enforcement duties and enforcing
3 their authority and control over the East LA Station. The Plaintiff Deputies are
4 entitled to punitive damages in an amount to be determined by proof at trial.
5

6 351. The County is liable for actions of the Defendants. The Plaintiff Deputies timely
7 exhausted administrative remedies.
8

9 SEVENTH CAUSE OF ACTION FOR

10 BATTERY

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

12 CONTRERAS, OSCAR ESCOBEDO, AND ALFRED GONZALEZ AGAINST COUNTY OF

13 LOS ANGELES, RAFAEL "RENE" MUNOZ aka BIG LISTO, GREGORY RODRIGUEZ aka

14 G-ROD, DAVID SILVERIO aka SILVER, MICHAEL HERNANDEZ aka BAM BAM, DOE

15 DEFENDANTS 1-100
16

17
18 352. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
19 351 paragraphs.
20

21 353. The actions of Defendants Big Listo, Silver, G-Rod, and Bam Bam easily meet all
22 elements of a cause of action for civil battery: "The essential elements of a cause of
23 action for battery are: (1) defendant touched plaintiff, or caused plaintiff to be
24 touched, with the intent to harm or offend plaintiff; (2) plaintiff did not consent to the
25 touching; (3) plaintiff was harmed or offended by defendant's conduct; and (4) a
26 reasonable person in plaintiff's position would have been offended by the touching."
27 *Shin, supra*, at 669.
28

1 354. Members of the Banditos, Defendants Big Listo, G-Rod, Silver, and Bam Bam,
2 came to a department-sponsored event, along with other Banditos gang members,
3 with the intent to physically attack and harm Plaintiff Alfredo Gonzalez as part of
4 their systematic way of punishing uncooperative deputies and reinforcing their
5 authority and control over the East LA Station. Unprovoked, Big Listo, G-Rod,
6 Silver, and Bam Bam and some now unmasked and named, and some as yet
7 unidentified, DOE Defendants did physically attack and harm Plaintiff Deputies
8 Gonzalez, Hernandez, Escobedo, Casas, and Contreras.
9

10 355. The batteries committed by the Defendants included Big Listo shoving Plaintiff
11 Alfred Gonzalez, knocking Plaintiff Art Hernandez to the ground and repeatedly
12 punching him in the face and punching Plaintiff Oscar Escobedo repeatedly in the
13 face, G-Rod punching Plaintiff Art Hernandez, elbowing Plaintiff Mario Contreras in
14 the face, hitting Plaintiff Casas, and sucker punching Plaintiff Hernandez
15 unconscious, and reaching for his gun, Silver strangling Plaintiff Oscar Escobedo
16 unconscious from behind and holding him down so other Doe Defendants, members
17 of the Banditos gang, could hit and kick him, and Bam Bam strangled Plaintiff
18 Escobedo.
19

20 356. Defendants, when on-duty, before the events at Kennedy Hall, planned to cause
21 and did cause the harmful contact with the Plaintiff Deputies' persons at Kennedy
22 Hall.
23

24 357. The Plaintiff Deputies did not consent to the Defendants' violent acts.
25

26 358. As a direct, foreseeable, and proximate cause of Defendants' violent acts, the
27 Plaintiff Deputies suffered severe mental anguish and physical pain and continue to
28

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

8
9 359. Defendants' vicious and violent acts were done knowingly, willfully, and with
10 intent to demonstrate their control of the East LA Station and intimidate non-gang
11 members into cooperating with or not blowing the whistle on the gang.
12

13 360. The Plaintiff Deputies are entitled to punitive damages in an amount to be
14 determined by proof at trial. The County is liable for actions of the other Defendants.
15 The Plaintiff Deputies timely exhausted administrative remedies.
16

17
18 EIGHTH CAUSE OF ACTION FOR

19 NEGLIGENCE BY VICARIOUS LIABILITY

20 (BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY)
21

22 361. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
23 360 paragraphs. Plaintiffs are informed and believe, and on that basis allege that
24 during the over years of discrimination, harassment, bullying and violent attacks by
25 the Banditos and certain Defendants against deputies at the East LA Station
26 including the Plaintiff Deputies, as well as other deputies, rather than acting with
27 malicious intent, might have negligently taken actions, or omitted to take actions the
28

1 commission or omission of which caused harm to the Plaintiff Deputies. The County
2 knew or should have reasonably known, from the OIG's Report, from the settlement
3 of many lawsuits, from media reports, from admissions on the County's behalf by the
4 Sheriff and others, of the conduct of the Banditos towards the Plaintiff Deputies and
5 many other deputies for decades, and also that the Banditos' control of the East LA
6 Station, sanctioned and protected as it was by the Sheriff and many Sheriffs before
7 him, and by DOE Defendants like Chief Denham, Chief Rivera, Captain Perez,
8 Captain Mejia, Commander, but once Captain Chavez and others caused some of the
9 deputies at East LA Station to fail to adequately provide backup, to properly
10 intervene at Kennedy Hall, to withhold from lying to IA investigators, to withhold
11 from reporting many violations of law and policy occurring at the East LA Station
12 that caused harm to the Plaintiff Deputies not only arising from an intent to harm
13 them, but also from an unreasonable and negligent failure to act in accordance with
14 their sworn duties and training as LASD deputies.
15
16
17

18 362. Under the doctrine of respondeat superior, the County is liable here for any such
19 harm caused to the Plaintiff Deputies, as an employer is held vicariously liable for
20 the torts committed by an employee within scope of employment. "A risk arises of
21 the employment when in the context of the particular enterprise an employee's
22 conduct is not so unusual or startling that it would seem unfair to include the loss
23 resulting from it among other costs of the employer's business. In other words, where
24 the question is one of vicarious liability, the inquiry should be whether the risk was
25 one that may fairly be regarded as typical or broadly incidental to the enterprise
26 undertaken by the employer. Tortious conduct that violates an employee's official
27
28

1 duties or disregards the employer’s express orders may nonetheless be within the
2 scope of employment. So may acts that do not benefit the employer or are willful and
3 malicious in nature.” *Mary M v City of Los Angeles* (1991), 54 Cal. 3rd 201, at 209.

4
5 363. “In California, the scope of employment has been interpreted broadly under the
6 respondeat superior doctrine. For example, ‘[t]he fact that an employee is not
7 engaged in the ultimate object of his employment at the time of his wrongful act does
8 not preclude attribution of liability to an employer.’ Thus, acts necessary to the
9 comfort, convenience, health, and welfare of the employee while at work, though
10 strictly personal and not acts of service, do not take the employee outside the scope
11 of employment. Moreover, ‘where the employee is combining his own business with
12 that of his employer, or attending to both at substantially the same time, no nice
13 inquiry will be made as to which business he was actually engaged in at the time of
14 injury, unless it clearly appears that neither directly nor indirectly could he have been
15 serving his employer.’ It is also settled that an employer's vicarious liability may
16 extend to willful and malicious torts of an employee as well as negligence. Finally,
17 an employee's tortious act may be within the scope of employment even if it
18 contravenes an express company rule and confers no benefit to the employer
19 [citations omitted],” *Farmers Insurance Group v. City of Santa Clara* (1995), 11 Cal
20 4th. 992, at 1004.

21
22
23
24 364. With respect to police officers, their employer cannot be vicariously liable for
25 their tortious conduct unless a special relationship exists between the police officer
26 and the victim. Police officers can create that special relationship when they
27 intervene in an existing situation or assume a position of authority over the victim.
28

1 See, e.g., *Lutgu v California Highway Patrol* (2001), 26 Cal.4th 701 (CHP officers
2 had no duty to stop and render aid to a stranded vehicle but having stopped and
3 directed the passengers of the vehicle to park their car on the median where it was
4 then struck by a truck, the CHP was vicariously liable for the negligence of its
5 employees).
6

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

6 366. Over several years’ time, the Banditos and Defendants engaged in violent acts
7 against other deputies, periodically knocking unconscious other deputies behind the
8 East Los Angeles Station, at the Cap, the bar across the street from the station, and at
9 Kennedy Hall. The Banditos knocked Plaintiff Benjamin Zaredini unconscious in
10 2017, long before they knocked Plaintiff Art Hernandez and choked out and
11 strangled Plaintiff Oscar Escobedo unconscious in the fall of 2018 at Kennedy Hall.
12 The Banditos gang, including the Individual Defendants Big Listo, G-Rod, Silver,
13 DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 15 Braulio Robledo,
14 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 20 Nikolis
15 Perez, DOE 21 DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano
16 Garcia, DOE 41 Claudia Perez, had previously withheld back up to the Plaintiff
17 Deputies on dangerous calls, repeatedly and intentionally putting their lives in
18 danger, starting with the withholding of back up for Plaintiff Art Hernandez on his
19 first murder call in June 2017, a year prior to the withholding of back up dozens of
20 times for Plaintiff Benjamin Zaredini and other Plaintiff Deputies in the summer of
21 2018.
22
23
24

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

1 retaliation against the Plaintiff Deputies here began in 2017. The lawsuits alerted
2 County leaders to the fact the Banditos were a gang that controlled the East Los
3 Angeles Station and maintained a hostile work environment.

4
5 368. In the Spring of 2018, Plaintiffs Benjamin Zaredini and Louis Granados went to
6 Lt. Richard Mejia and blew the whistle on the Banditos gang. The whistleblowers
7 reported the bullying by Defendant Rafael Munoz and the other Defendants and
8 Banditos. Lt. Mejia interviewed many deputies, including several of the Plaintiff
9 Deputies, about the Banditos. Of course, Mejia and everyone else at the station
10 already knew about the Banditos. Based on his knowledge, and the information
11 provided him by the whistleblowers, Lt. Mejia recommended that the Captain and
12 LASD conduct an investigation of Munoz and the hostile work environment. No
13 follow up investigation was done, and the Defendant stepped up their retaliation,
14 withholding back up on dozens of dangerous calls, and harassing and bullying the
15 Plaintiff Deputies at the station as well as maliciously filing false charges of
16 misconduct against them and then knowingly imposing discipline on almost all of the
17 Plaintiff Deputies for those malicious and false charges of misconduct.

18
19
20 369. The County's employees, supervisors, and managers had actual notice and
21 warning that the Banditos, including Defendants Big Listo, G-Rod, Silver, and Bam
22 Bam, and DOE 4 Angelica Estrada, DOE 7 Vincent Moran, DOE 8 Hector Soto
23 Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio
24 Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa,
25 DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow Kim, DOE 23
26 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna
27
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1 Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony
2 Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo Ortega, DOE 34 Eduardo
3 Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica Santos,
4 DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE 46
5 Noel Lopez, DOE 47 Christopher Moore, DOE 48 Edmundo Torres, DOE 49 Hugo
6 Ramos, DOE 50 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki,
7 DOE 60 Leo Sanchez, DOE 61 Elizabeth Aguilera, and DOE 62 Luis Valle were part
8 of a deputy gang that was harassing, discriminating against, and creating a hostile
9 work environment targeting young Latino deputies or enabling, aiding and covering
10 up for them, as did DOE 1 Ernie Chavez, DOE 2 Richard Mejia, DOE 3
11 Commander April Tardy, DOE 5 Eric Smitson, DOE 6 Chris Perez, DOE 7 Vincent
12 Moran, DOE 8 Hector Soto Saavedra, DOE 9 Jeff Hamil, DOE 10 Jeff Chow, DOE
13 11 William Jaeger, DOE 12 Scott Chapman, DOE 21 Kelly Porowsky, DOE 31
14 Karla Sepulveda, Brian Goodwin, DOE 44 Jodi Hutak, DOE 45 Pablo Partida, DOE
15 53 Victor Choi, DOE 54 Hugo Reynaga, DOE 55 Anthony Easter, DOE 56 James
16 Wolack, DOE 57 Chris Blasnek, DOE 58 Albert Maldonado, DOE 59 Timothy
17 Murakami, DOE 63 Bobby Denham, and DOE 64 Anthony Rivera. The County
18 should have known that the Banditos had previously engaged in dangerous and
19 inappropriate conduct, that this was the way its employees regularly conducted their
20 law enforcement activities within the scope of their employment and that it was or
21 should have been foreseeable that the Banditos would engage in further harassing
22 and dangerous conduct. The County was informed and aware and warned that there
23 was increasing tension in the station, with the Banditos controlling the station like
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1 inmates running a prison yard. The withholding of back up and the violent attacks
2 that would come at the department-sponsored event at Kennedy Hall, the filing of
3 false and malicious charges of misconduct, the increased withholding of back up on
4 dangerous calls, the increased overloading of the Plaintiff Deputies with work, could
5 not have been a surprise to the County, as such attacks were under the circumstances
6 foreseeable and inevitable because the County's managers tolerated, encouraged and
7 covered up the Banditos' activities and did not move to intervene and prevent the
8 known and rampant criminal gang culture and activities taking place at the East Los
9 Angeles Station and other stations in the LASD for years. The County's managers
10 and supervisors failed to intervene, to protect and warn its deputy employees, the
11 Plaintiff Deputies. Members of the Banditos, including Defendants Big Listo, G-
12 Rod, Silver, and Bam Bam, DOE 4 Angelica Estrada, DOE 7 Vincent Moran, DOE 8
13 Hector Soto Saavedra, DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15
14 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea
15 Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow Kim,
16 DOE 23 Juan Sanchez, DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26
17 Joanna Macs Moran, DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29
18 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE 32 Marcelo Ortega, DOE 34
19 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica
20 Santos, DOE 39 John Soria, DOE 40 Miguel Ortiz, DOE 41 Claudia Perez, DOE 43
21 Manuel Palacios, DOE 46 Noel Lopez, DOE 47 Christopher Moore, DOE 48
22 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario Castro, DOE 51 Manny
23 Navarro, DOE 52 Nikki Hanamaki, DOE 60 Leo Sanchez, DOE 61 Elizabeth
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1 Aguilera, and DOE 62 Luis Valle subjected the Plaintiff Deputies to 4-5 years of
2 harassment and retaliation, maintaining a hostile work environment both before and
3 after the events at Kennedy Hall described above. At the LASD-sponsored event at
4 Kennedy Hall, Defendants attacked the Plaintiff Deputies right in front of numerous
5 deputies employed by the County, many of whom were on-duty, in uniform and
6 armed with their service weapons, who did nothing to intervene and/or stop the
7 attacks, but in many cases encouraged them instead or else just reported on the
8 success of the attack to shot-callers at the East LA Station so that they could begin
9 destroying evidence of the attack and cover it up.
10

11
12 370. At all times material herein that the Defendants, including the named and as yet
13 unidentified Doe Defendants, each, and all of them, were the agents, servants and
14 employees, or ostensible agents, servants, or employees of the County, who owns,
15 controls, supervises, manages and is responsible for LASD.
16

17 371. The County is liable for negligence regarding the conduct of its employees
18 towards Plaintiff Deputies under the doctrine of respondeat superior, as its
19 employees' conduct before, at Kennedy Hall and after that event wasn't an isolated
20 incident of unpredictable personal animus or insane behavior by any of the
21 Defendants towards the particular Plaintiff Deputies who were attacked, but rather
22 part and parcel of the manner in which the County allowed, enabled and covered up
23 the illegal activities as well as violations of LASD policies and rules of the entire
24 Banditos gang for years, thus passing the foreseeability test required to find vicarious
25 liability.
26
27
28

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

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

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

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

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

24 377. As a direct, foreseeable, and proximate cause of the negligence of the County, the
25 Plaintiff Deputies suffered severe mental anguish and physical pain and continue to
26 suffer humiliation, embarrassment, anxiety, mental anguish, and emotional distress.
27 The Plaintiff Deputies were required to and did employ and will in the future employ
28 physicians and health care providers to examine, treat and care for the Plaintiff

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

7
8 NINTH CAUSE OF ACTION FOR

9 INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

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

11 ANGELES RAFAEL “RENE” MUNOZ aka BIG LISTO,

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

13 MICHAEL HERNANDEZ aka BAM BAM, DOE DEFENDANTS DOE

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

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

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

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

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

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

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

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

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

23 SILVANO GARCIA, DOE 26 JOANNA MACS MORAN, DOE 27 JOANANA PALOMBI,

24 DOE 28 JOSE ACEITUNO, DOE 29 ANTHONY PACHECO, DOE 30 SORAYA SANCHEZ,
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1 of deputy gangs. Yet, the County has allowed the gangs to fester and dominate
2 certain stations, as do the Banditos at the East Los Angeles Station. Defendants Big
3 Listo, G-Rod, Silver, and Bam Bam, as well as about 100 other individuals at the
4 East Los Angeles Station and at other stations, including DOE 4 Angelica Estrada,
5 DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 13 Raymond Mendoza,
6 DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE 16 Jonathan Rojas, DOE 17
7 Eldemira Parra, DOE 18 Andrea Villa, DOE 19 Mark Elizondo, DOE 20 Nikolis
8 Perez, DOE 22 Woodrow Kim, DOE 23 Juan Sanchez, DOE 24 Aaron Abellano,
9 DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran, DOE 27 Joanana Palombi,
10 DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE 30 Soraya Sanchez, DOE
11 DOE 32 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35 Rebecca Cortez, DOE 37 Erin
12 Rosario, DOE 38 Jessica Santos, DOE 39 John Soria, DOE 40 Miguel Ortiz, DOE 41
13 Claudia Perez, DOE 43 Manuel Palacios, DOE 46 Noel Lopez, DOE 47 Christopher
14 Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50 Mario Castro,
15 DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki, DOE 60 Leo Sanchez, DOE 61
16 Elizabeth Aguilera, and DOE 62 Luis Valle are members, prospects, and associates
17 of the notorious Banditos gang. Rather than intervening to protect its good deputies,
18 LASD superiors, investigators, and employees, DOE 1 Ernie Chavez, DOE 2
19 Richard Mejia, DOE 3 Commander April Tardy, DOE 5 Eric Smitson, DOE 6 Chris
20 Perez, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 9 Jeff Hamil,
21 DOE 10 Jeff Chow, DOE 11 William Jaeger, DOE 12 Scott Chapman, DOE 21
22 Kelly Porowsky, DOE 31 Karla Sepulveda, Brian Goodwin, DOE 44 Jodi Hutak,
23 DOE 45 Pablo Partida, DOE 53 Victor Choi, DOE 54 Hugo Reynaga, DOE 55

1 Anthony Easter, DOE 56 James Wolack, DOE 57 Chris Blasnek, DOE 58 Albert
2 Maldonado, DOE 59 Timothy Murakami, DOE 63 Bobby Denham, and DOE 64
3 Anthony Rivera, rigged investigations to cover up the Banditos' wrongful conduct
4 and to rigged investigations to retaliate against the Plaintiffs. No other law
5 enforcement agency in the United States is plagued by this problem of police officers
6 forming organized racist, criminal gangs in the department. Heightening the
7 absurdity is the refusal of LASD leadership to hold the gang members accountable
8 and fix the corrupt culture that dominates the department.
9

10
11 381. Any peace officer at any law enforcement agency (other than LASD) would see
12 the existence of organized, racist, criminal deputy gangs that harm its own deputies
13 as well as residents, as being extreme and outrageous. Any member of the public
14 would see deputy gangs as crazy and extreme and outrageous and a shock to the
15 conscience. Instead of upholding the law and department policies and supporting
16 their fellow deputies, the Banditos have established a culture and custom of attacking
17 their fellow deputies. The withholding of backup on dangerous calls, the assaults,
18 and batteries before Kennedy Hall, at that event and after that event, and all of the
19 acts of discrimination, harassment, retaliation, POBRA violations, bullying already
20 set forth above was known to the County and LASD senior management. Neither the
21 County nor LASD senior management including at the East LA Station level ever
22 intervened to ensure adequate back up for the Plaintiff Deputies. The Defendants'
23 conduct destabilized law enforcement in the East Los Angeles community.
24
25

26 382. These circumstances and incidents fit the classic definition of intentional
27 infliction of emotional distress. See *Hughes v Pair* (2009), 46 Cal.4th 1035, at 1050-
28

1 1051.The Defendants’ conduct went beyond just racially profiling an individual,
2 went beyond cruelly mocking an individual, or mere insults, or depriving them of
3 enjoyment. Defendants’ malicious unrelenting attack on the Plaintiff Deputies was
4 extreme and outrageous and willful and utterly beyond the standards of decency and
5 would be seen as such by any reasonable person. Any reasonable person would be
6 horrified by Defendants’ unusual conduct. The idea that a law enforcement agency
7 would allow deputies to form racist gangs that prey on other deputies and residents is
8 not only highly outrageous, but beyond absurd.
9

10
11 383. The idea that police officers would be members of a gang and would terrorize
12 their own co-workers, fellow cops, would be insane to not just the public, but also to
13 peace officers at any other law enforcement agency in the United States. Somehow
14 the culture of LASD has become so warped and so corrupt that LASD leadership has
15 come to accept and even support deputy gangs and their members’ harassment of
16 other deputies.
17

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

22 385. That Defendants should have known that their outrageous conduct would cause
23 any person in society, including the Plaintiff Deputies, severe emotional distress.
24 Defendants’ conduct did cause the Plaintiff Deputies to suffer from mental anguish,
25 anxiety, panic attacks, and depression.
26

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

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

6 388. In engaging in the conduct alleged herein, Defendants acted oppressively,
7 maliciously, fraudulently, and/or outrageously toward the Plaintiff Deputies, with
8 conscious disregard for their known rights and with the intention of causing, and/or
9 willfully disregarding the probability of causing, unjust and cruel hardship to the
10 Plaintiff Deputies. The Plaintiff Deputies timely exhausted administrative remedies.
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12
13 TENTH CAUSE OF ACTION FOR
14 CONSPIRACY TO INTERFERE WITH CIVIL RIGHTS UNDER 42 U.S.C. §1985:
15 DEPRIVATION OF CIVIL RIGHTS UNDER 42 U.S.C. §1983; DEPRIVATION OF
16 CIVIL RIGHTS UNDER CALIFORNIA CIVIL CODE §§ 51 (UNRUH ACT) AND 52.1 (the
17 Bane Act)

18
19 (BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY OF LOS
20 ANGELES, DOE DEFENDANTS 1-100, including recently revealed named DOE Defendants,

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

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

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22 390. Under section 1983 of the United States Code, the County and individual
23 Defendants are liable for subjecting the Plaintiff Deputies to conduct that occurred
24 under color of state law, and this conduct deprived them of rights, privileges, or
25 immunities guaranteed under the 4th, 5th, and 14th Amendments of the Constitution of
26 the United States of America.
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1 391. At all times, the Defendants are deputies and other law enforcement officials who
2 were acting under the color of law. The County and its employees have engaged in a
3 repeated pattern of using force against the Plaintiff Deputies without lawful
4 justification. This pattern is intentional and willful and exhibits a conscious disregard
5 of or deliberate indifference to the rights of the Plaintiff Deputies. This pattern is
6 undertaken pursuant to a policy, custom, or practice that deprives persons of their
7 rights under the Fourth Amendment to the United States Constitution. Similarly,
8 subjecting the Plaintiff Deputies to numerous false charges of misconduct, rigged
9 ICIB and IA investigations that harm the Plaintiff Deputies while shielding the
10 criminal actions of others, thus depriving them of pay, the taking of their property as
11 “donations,” the wrongful refusal to grant earned promotions and the increased
12 salaries that would have resulted from it and other such practices violates the 5th
13 Amendment to the United States Constitution. The Defendants denied the Plaintiff
14 Deputies their civil rights under the 14th Amendment of the United States
15 Constitution by subjecting them to differential and discriminatory treatment based on
16 race and ethnicity, as the Defendants targeted the Plaintiffs for being Latino.

17 392. Under California Civil Code Section 51, the Unruh Civil Rights Act, (a) All
18 persons within the jurisdiction of this state are free and equal, and no matter what
19 their sex, race, color, religion, ancestry, national origin, disability, medical condition,
20 genetic information, marital status, sexual orientation, citizenship, primary language,
21 or immigration status are entitled to the full and equal accommodations, advantages,
22 facilities, privileges, or services in all business establishments of every kind
23 whatsoever. The Banditos, including Defendants Big Listo, G-Rod, and Silver, and
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1 DOE 4 Angelica Estrada, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra,
2 DOE 13 Raymond Mendoza, DOE 14 Luis Carbajal, DOE 15 Braulio Robledo, DOE
3 16 Jonathan Rojas, DOE 17 Eldemira Parra, DOE 18 Andrea Villa, DOE 19 Mark
4 Elizondo, DOE 20 Nikolis Perez, DOE 22 Woodrow Kim, DOE 23 Juan Sanchez,
5 DOE 24 Aaron Abellano, DOE 25 Silvano Garcia, DOE 26 Joanna Macs Moran,
6 DOE 27 Joanana Palombi, DOE 28 Jose Aceituno, DOE 29 Anthony Pacheco, DOE
7 30 Soraya Sanchez, DOE 32 Marcelo Ortega, DOE 34 Eduardo Muniz, DOE 35
8 Rebecca Cortez, DOE 37 Erin Rosario, DOE 38 Jessica Santos, DOE 40 Miguel
9 Ortiz, DOE 41 Claudia Perez, DOE 43 Manuel Palacios, DOE 46 Noel Lopez, DOE
10 47 Christopher Moore, DOE 48 Edmundo Torres, DOE 49 Hugo Ramos, DOE 50
11 Mario Castro, DOE 51 Manny Navarro, DOE 52 Nikki Hanamaki, DOE 60 Leo
12 Sanchez, DOE 61 Elizabeth Aguilera, and DOE 62 Luis Valle operate together in an
13 association to target young Latino deputies to intimidate, harass, and control them,
14 while LASD leaders, and investigators, including the Sheriff, DOE 1 Ernie Chavez,
15 DOE 2 Richard Mejia, DOE 3 Commander April Tardy, DOE 5 Eric Smitson, DOE
16 6 Chris Perez, DOE 7 Vincent Moran, DOE 8 Hector Soto Saavedra, DOE 9 Jeff
17 Hamil, DOE 10 Jeff Chow, DOE 11 William Jaeger, DOE 12 Scott Chapman, DOE
18 21 Kelly Porowsky, DOE 31 Karla Sepulveda, Brian Goodwin, DOE 44 Jodi Hutak,
19 DOE 45 Pablo Partida, DOE 53 Victor Choi, DOE 54 Hugo Reynaga, DOE 55
20 Anthony Easter, DOE 56 James Wolack, DOE 57 Chris Blasnek, DOE 58 Albert
21 Maldonado, DOE 59 Timothy Murakami, DOE 63 Bobby Denham, and DOE 64
22 Anthony Rivera knowingly enabled them and protected them in their activities. The
23 Plaintiff Deputies allege that the County's employees/agents have worked together
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1 and coordinated efforts to deprive the Plaintiff Deputies and members of the public
2 of their constitutional rights under the 4th, 5th and 14 Amendments of the United
3 States Constitution as set forth in Paragraph 391 above, in furtherance of conspiracy
4 to mistreat, harm, and intimidate the Plaintiffs and members of the public.
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6 398. Under California Civil Code Section 52.1, the Tom Bane Civil Rights Act, anyone
7 who by threats, intimidation, or coercion interferes with the exercise or enjoyment of
8 rights secured to citizens of the state of California by the state or federal
9 Constitutions or laws, without regard to whether the victim is a member of a
10 protected class, can bring suit against those depriving them of their civil rights. As
11 set forth in many facts alleged above, LASD leadership enabled the Banditos gang
12 members, associates, and prospects to terrorize the Plaintiff Deputies and deprive
13 them of their civil rights.
14

15 399. The County's culture, custom, and practice of deputy gangs is so ingrained in the
16 department, that many LASD employees, as well as the Sheriff, refuse to recognize
17 or accept how outrageous such "deputy gangs" are: They find them, and the
18 accompanying violent criminal behavior, to be normal, acceptable, and the status
19 quo.
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21 400. The County has repeatedly violated the constitutional rights of the Plaintiff
22 Deputies under the 4th, 5th, and 14th Amendments of the Constitution of the United
23 States of America as set forth in Paragraph 391 above, through its deputy gang
24 employees and its policies and customs. .
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26 401. While undertaking law enforcement practices, the County and its agents utilize
27 criteria or methods of administration that have the effect of subjecting individuals to
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1 discrimination because of their race, color, or ethnicity. The County and its agents
2 engage in law enforcement practices that have a disproportionate impact on African
3 Americans and Latinos in Los Angeles. Plaintiff Deputies, as Latinos, suffered from
4 such effects.
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6 402. The County and its agents engage in a pattern or practice of discrimination that
7 denies African Americans and Latinos in Los Angeles County the full and equal
8 enjoyment of the privileges of the County's law enforcement services. The Plaintiff
9 Deputies, as Latinos, suffered from such effects.
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11 403. As a direct, foreseeable, and proximate cause of Defendants' conspiracy to
12 deprive the Plaintiff Deputies of their constitutional rights, the Plaintiff Deputies
13 suffered severe mental anguish and physical pain and continue to suffer humiliation,
14 embarrassment, anxiety, mental anguish, and emotional distress. The Plaintiff
15 Deputies were required to and did employ and will in the future employ physicians
16 and health care providers to examine, treat and care for the Plaintiff Deputies, and
17 did, and will in the future, incur medical and incidental expenses. The exact amount
18 of full expenses is unknown to the Plaintiff Deputies at this time. The Plaintiff
19 Deputies also have suffered a loss of earnings in an amount which has not yet been
20 determined, but which will be added by amendment when it is ascertained.
21
22

23 404. As a direct, foreseeable and proximate cause of Defendants' violent acts and
24 deprivation of the Plaintiff Deputies' civil rights, the Plaintiff Deputies suffered
25 severe mental anguish and physical pain and continue to suffer humiliation,
26 embarrassment, anxiety, mental anguish, and emotional distress; Plaintiff Deputies
27 were required to and did employ and will in the future employ physicians and health
28

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

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

9 406. The Plaintiff Deputies are entitled to injunctive and Declaratory relief. The
10 Plaintiff Deputies timely exhausted administrative remedies.
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13 ELEVENTH CAUSE OF ACTION TO
14 PREVENT THE ILLEGAL EXPENDITURE OF FUNDS UNDER
15 CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 526a
16 (BY PLAINTIFF ACLU SOCAL AND PLAINTIFF DEPUTIES AGAINST DEFENDANT
17 COUNTY OF LOS ANGELES)
18

19 407. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
20 406 paragraphs.
21

22 408. In addition to the above, LASD has several current policies and practices that
23 contribute to the lack of sufficient oversight of deputies and, ultimately, the
24 conditions that sustain and encourage violent deputy gangs and other forms of
25 unchecked deputy violence against the community.
26

27 409. For instance, LASD's current policy authorizes deputies to use deadly force to
28 defend themselves or others, or to effect the arrest or prevent the escape of a fleeing

1 felon, based upon a reasonable belief that a “suspect represents a significant threat of
2 death or serious physical injury.” *See* LASD Policy 3-10/200.00. This authorization
3 is contrary to state law which limits the use of deadly force to situations where this
4 level of force is actually *necessary* and only under certain stated conditions—all
5 absent from the LASD’s current policy.
6

7 410. In addition to LASD’s illegal use of force policy, its policies, and practices—
8 including its practice of non-compliance with existing disciplinary policies—
9 contributes to and sanctions the continued excessive use of force by deputies. The
10 Board of Supervisors created the office of Constitutional Policing Advisors (“CPA”)
11 to ensure that the department is in compliance with constitutional policing and to
12 enhance internal accountability. It is tasked with, among other things, reviewing
13 ongoing investigations of alleged deputy misconduct and advising on findings and
14 disciplinary decisions. Its functions have been incorporated into LASD’s formal
15 written policies, and consultation with CPA is mandated at various phases in the
16 disciplinary process. *See, e.g.*, LASD Policy 3-04/020.06. Prior to Sheriff
17 Villanueva taking office, he stated his intention of dissolving this office.²³ In
18 response to external public pressure, rather than dissolving the office, he has retained
19 a newly hired Constitutional Policing Advisor, but eliminated any responsibility for
20 her to participate, review, or opine upon ongoing disciplinary matters, in violation of
21 the existing Board LASD policy mandate.
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27 ²³Frank Stoltze, *Alex Villanueva Says He Would Eliminate The LA Sheriff’s Constitutional Policing*
28 *Advisors*.LAist.com, Nov. 21, 2018, available at
https://laist.com/2018/11/21/alex_villanueva_says_he_would_eliminate_the_sheriffs_constitutional_policing_advisors.php.

1 411. In addition to the CPA’s failure to fulfill its duties, the LASD has other
2 documented failures to comply with its own disciplinary policies, allowing deputies
3 who have committed violent acts against the public to remain on the force and
4 receive little or no punishment. For instance, within the past few years, the OIG has
5 reviewed terminations of investigations and found that many were terminated
6 without complying with LASD policy, which permits LASD to cease the disciplinary
7 process only upon submission of a memo detailing independent reasoning that the
8 alleged misconduct did not occur or that all investigative leads have been
9 exhausted.²⁴ See LASD Policy 3-04/020.20. LASD also has repeatedly failed to
10 conduct meaningful investigations into complaints, and there have been hundreds of
11 complaints that have been ignored and not investigated for over a year—long enough
12 for the statute of limitations on administrative discipline to have expired in most
13 cases.²⁵ Additionally, when LASD has received complaints that deputies have
14 committed misconduct constituting a criminal act, including allegations of perjury,
15 LASD has failed to forward those allegations on to the Internal Criminal
16 Investigations Bureau for further investigation, as required by LASD Policy. See
17 LASD Policy 3-04/020.05.

18 412. LASD is also failing to comply with various external oversight mechanisms,
19 further exacerbating the conditions within LASD that contribute to deputy violence.
20 For instance, OIG has reported that it has been effectively locked out of its access to
21 records to perform its oversight functions by the Department’s failure to provide

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

²⁵ See, e.g., *id.* at p. 9.

1 records relating to investigations of deputies or even its own policies, in violation of
2 County Code Sec. 6.44.190(j), which requires that the “Sheriff’s Department . . .
3 shall cooperate with the OIG and promptly supply any information or records
4 requested by the OIG, including confidential peace officer personnel records.”²⁶ It
5 has also failed to comply with its obligations under the Public Records Act and
6 recent amendments to Penal Code Section 832.7, which require the Department to
7 produce certain disciplinary records on request to members of the public. This
8 additional failure was both noted by the OIG and is the subject of ongoing
9 litigation.²⁷

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12 413. LASD deputies’ conduct towards the public, when not outright violent, often
13 remains hostile. This attitude is pervasive particularly against families of those who
14 have been harmed by deputy violence, including those who have lost loved ones
15 because they were killed by deputies. Many family members have reported ongoing
16 harassment from deputies, including deputies repeatedly driving by their homes
17 while giving them the middle finger, showing up at funeral services for the slain
18 loved ones, and interrupting memorial services—all conduct that while not only
19 disgraceful in its own right also violates departmental policy against antagonizing
20 members of the public.²⁸

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25 ²⁶ *County of Los Angeles Office of Inspector General, Los Angeles County Sheriff’s Department Compliance with*
26 *Transparency Law*, Aug. 2019, available at
https://oig.lacounty.gov/Portals/OIG/Reports/LASD_Combpliance_with_Transparency_Law.pdf?ver=2019-08-16-183357-927.

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

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

1 414. In light of the above, the following LASD specific policies and practices violate
2 the law:

- 3 a. LASD has a policy of authorizing deputies to use deadly force in circumstances
4 where such force is unnecessary and therefore in violation of Penal Code Section
5 835a;
6
- 7 b. LASD has a policy or practice of deputies using force against jail inmates that is
8 unreasonable and in violation of the Fourth Amendment to the U.S. Constitution, for
9 the purpose of gaining entrance to, or notoriety in, one of LASD's deputy gangs;
10
- 11 c. LASD has a policy or practice of deputies committing force against members of the
12 public that is unreasonable and in violation of the Fourth Amendment to the U.S.
13 Constitution, for the purpose of gaining entrance to, or notoriety in, one of LASD's
14 deputy gangs;
15
- 16 d. LASD has a policy or practice of failing to investigate complaints into allegations of
17 excessive force or other injuries against the public in violation of Penal Code Sec.
18 832.5(a)(1);
19
- 20 e. LASD has a policy or practice of failing to provide the Office of Inspector General
21 access to records and personnel files for the purpose of providing oversight in
22 violation of County Code Sec. 6.44.190(J);
23
- 24 f. LASD has a policy or practice of failing to comply with requests for records of
25 deputy misconduct and uses of force, in violation of Government Code Sec. 6253
26 and Penal Code Sec. 832.7;

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

- 1 a. LASD has a policy or practice of failing to investigate complaints into allegations of
2 excessive force or other injuries against the public in violation of LASD Policy 3-
3 04/010.25 and 3-04/020.05;
- 4
5 b. LASD has a policy or practice of exonerating deputies without meeting the clear and
6 convincing standard for exoneration, in violation of LASD Policy 3-04/010.25.
- 7
8 c. LASD has a policy or practice of inactivating administrative complaints without a
9 detailed memo specifying “independent reasoning that indicates that the alleged
10 misconduct did not occur or that all investigative leads have been exhausted,” in
11 violation of LASD Policy 3-04/020.20;
- 12
13 d. LASD has a policy or practice of failing to permit the Constitutional Policing
14 Advisors to monitor and review investigative, disciplinary, and other documents, or
15 make a determination that a case requires more investigation, in violation of LASD
16 Policy 3-04/020.06;
- 17
18 e. LASD has a policy or practice of failing to require its department managers to
19 consult with the Constitutional Policing Advisors on all cases they are monitoring, in
20 violation of LASD Policy 3.04/020.06;
- 21
22 f. LASD has a practice of failing to require its division chief or division director to
23 consult with the Constitutional Policing Advisors before making a final
24 determination to inactivate an administrative investigation, in violation of LASD
25 Policy 3.04/020.06
- 26
27 g. LASD has a policy or practice of antagonizing members of the public who have had
28 loved ones killed by LASD deputies in violation of LASD Policy 3-01/030.15;

- 1 h. LASD has a policy or practice of failing to complete investigations 120 days before
2 the expiration of the statute of limitations in violation of LASD Policy 3-04/020.30;
3
4 i. LASD has a policy or practice of failing to investigate misconduct by deputies for
5 criminal conduct, in violation of LASD Policy 3-04/020.05, or presenting them to the
6 District Attorney’s Office or City Attorney’s Office for filing consideration.
- 7 416. The County is illegally expending public funds by performing its duties in
8 violation of the constitutional, statutory, and policy provisions described above. The
9 County is additionally wasting funds through authorizing funds for LASD with the
10 knowledge that those funds are being used to further illegal activities of LASD.
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13 **PRAYER FOR RELIEF**

14 WHEREFORE, Plaintiffs pray that the Court:

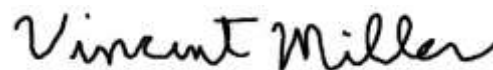
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- 16 1. Declare that the Defendants have engaged in a pattern or practice of
17 conduct by LASD deputies that deprives persons of rights, privileges, or immunities
18 secured or protected by the Constitution or laws of the United States;
19
 - 20 2. Order the Defendants, their officers, agents, and employees to refrain from engaging
21 in any of the predicate acts forming the basis of the pattern or practice of conduct
22 described in this Complaint;
 - 23 3. Preliminary and permanent injunctive relief ordering the Defendants, their officers,
24 agents, and employees to adopt and implement systems that identify, correct, and
25 prevent the unlawful conduct described in this Complaint that deprives persons of
26 rights, privileges, or immunities secured or protected by the Constitution or laws of
27 the United States, including but not limited to changes in policies, investigation,
28

1 training, supervision, and oversight, and the appointment of a special monitor to
2 oversee and report to the Court on the progress of these reforms;

- 3
4 4. For special damages for the Plaintiff Deputies, including but not limited to, lost
5 earnings, benefits and/or out-of-pocket expenses in an amount according to proof at
6 the time of trial, all in an amount set forth above and/or according to proof at the time
7 of trial;
- 8 5. For Deputies Escobedo, Granados, Contreras, Gonzalez, Casas, Hernandez, Zaredini,
9 and Lemus further special damages, including but not limited to, lost future earnings,
10 benefits and other prospective damages in an amount set forth above and/or according
11 to proof at the time of trial;
- 12 6. For Deputies Escobedo, Granados, Contreras, Gonzalez, Casas, Hernandez, Zaredini,
13 and Lemus general damages, including for pain and suffering, in an amount set forth
14 above and/or according to proof at the time of trial, and at a minimum of \$80 million;
- 15 7. For interest: Pre-Judgment and Post-Judgment at the maximum legal rate;
- 16 8. For costs of suit; and attorney's fees under FEHA, Civil Code §1021.5, 42 U.S.C.
17 § 1988, and any other applicable law;
- 18 9. The Plaintiffs further pray that this Court grant such other and further equitable relief
19 as it may deem just and proper.
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24 June 23, 2021

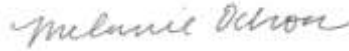
25 THE LAW OFFICES OF VINCENT MILLER

26 

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28 VINCENT MILLER, Attorney for Plaintiff Deputies

1 June 23, 2021

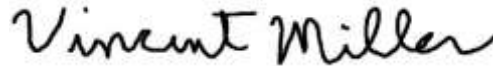
2 THE ACLU FOUNDATION OF SOUTHERN CALIFORNIA

3 

4 _____
5 Peter Bibring, Melanie P. Ochoa, Attorneys for the
6 ACLU Foundation of Southern California

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10
11 DEMAND FOR JURY TRIAL

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13 Dated this June 23, 2021 THE LAW OFFICES OF VINCENT MILLER

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15 _____
16 VINCENTMILLER, Attorney for Plaintiff Deputies