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

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

20 Plaintiffs,

21 v.

22 COUNTY OF LOS ANGELES, a
23 municipal entity, RAFAEL "RENE" MUNOZ
24 aka BIG LISTO, GREGORY RODRIGUEZ
25 aka G-ROD, DAVID SILVERIO aka
26 SILVER, MICHAEL HERNANDEZ aka
27 BAM BAM

28 Defendants.

) CASE NO: 19STCV33158
) **SEVENTH AMENDED COMPLAINT**
) **FOR:**
) 1) **UNLAWFUL RETALIATION: LABOR**
) **CODE§ 1102.5 (WHISTLEBLOWER**
) **LAW);**
) 2) **HARASSMENT AND HOSTILE WORK**
) **ENVIRONMENT IN VIOLATION OF**
) **FEHA (CAL. GOV. CODE SECTION**
) **12940 et. seq.);**
) 3) **RETALIATION IN VIOLATION OF**
) **FEHA (CAL. GOV. CODE SECTION**
) **12940 et. seq.);**
) 4) **RACIAL DISCRIMINATION IN**
) **VIOLATION OF FEHA;**
) 5) **FAILURE TO TAKE ALL**
) **REASONABLE STEPS TO PREVENT**
) **DISCRIMINATION IN VIOLATION**
) **OF FEHA;**
) 6) **INTENTIONAL INFLICTION OF**
) **EMOTIONAL DISTRESS;**

-) 7) **ASSAULT;**
- 8) **BATTERY;**
-) 9) **CIVIL RIGHTS VIOLATIONS UNDER STATE CODE § 52.1 (THE BANE ACT)**
- 10) **TAXPAYER SUIT TO PREVENT THE ILLEGAL EXPENDITURE OF FUNDS (CAL. CODE CIV. PROC. 526A)**

Jury Trial Demanded

INTRODUCTION

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1. County managers including the Inspector General, Max Huntsman, Sheriff Alex Villanueva, and high-ranking commanders in the Los Angeles County Sheriff’s Department (“LASD”), have made multiple party admissions that deputies, employees of the County’s Los Angeles County Sheriff’s Department (“LASD”), belong to a cop gang known as the Banditos, and that allegations contained in the Plaintiff’s complaint here are accurate and true.

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2. The members and associates of the Banditos controlled the East Los Angeles station from the deputy level, like inmates running the prison yard. The Banditos’ members singled out Plaintiffs for harassment because they are Latino (and did not harass the non-Latino deputies), terrorized, and retaliated against the individual Plaintiffs for over 4 years. Since June 2017, the Plaintiffs were subjected to daily, unrelenting harassment with the Banditos obsessively focused on subjecting the Plaintiffs to such abuse and severe distress they would quit their jobs. The Banditos threatened the Plaintiffs with violence and committed violence against them, and repeatedly withheld back up for the Plaintiffs on dangerous patrol calls, to put the Plaintiffs’ lives in danger, and to make them fear on a daily basis, for two years, that their partners would cause them to get killed.

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3. Plaintiffs were singled out and discriminated against because they were Latino. Because they were Latino, Plaintiffs were subjected to mistreatment, and the Defendants sought to force them out of the station and their jobs. Other similarly situated deputies who were not Latino, were not subject to this harassment.

4. A second and independent reason why Plaintiffs were subject to this harassment was in retaliation for their reports about conduct illegal under FEHA, with the Plaintiffs making

1 reports on the harassment and race discrimination. The gang did try to recruit at least two of the
2 Plaintiffs, Benjamin Zaredini and David Casas into the gang. But when Zaredini and Casas refused
3 to go along with the harassment of Latino deputies, and instead reported it, they, too, were
4 retaliated against for making reports.

5 5. A third and independent reason the Plaintiffs were subjected to mistreatment was
6 they were also retaliated against for reporting other illegal gang activity, in addition to race- based
7 harassment. Despite fears they would be retaliated against for being whistleblowers, two non-
8 Latino deputies testified under oath in this lawsuit, that at the station they observed the Banditos
9 to be an illegal gang outrageously and disturbingly comprised of fellow deputies, and that the gang
10 harassed Latino deputies, and did not harass the non-Latino deputies. These two deputies
11 confirmed that station leadership was aware of the hostile and toxic work environment, and that
12 the Banditos were bullying and intimidating the Latino deputies. One of these non-Latino Deputies
13 also reported to Lt. Richard Mejia in the Spring 2018 and reported to LASD’s Internal Criminal
14 Investigation Bureau (“ICIB”) in fall of 2018 that he observed the Banditos were maintaining a
15 hostile work environment and harassing the Latino Plaintiffs. The Plaintiffs were further harassed
16 by the Banditos when they continued to speak out about the hostile treatment, race-based
17 discrimination, and illegal conduct by their co-workers.

18 6. LASD leadership retaliated against the Plaintiffs for reporting the hostile work
19 environment and for being whistle blowers on other illegal gang activity. The Plaintiffs broke the
20 Code of Silence when they spoke out about the illegal activity in LASD, and they have paid a
21 painful price for doing so at an agency infamous for destroying the careers of whistleblowers. The
22 retaliation against the Plaintiffs continues through the filing of this 7th amended complaint.

23 7. This action not only seeks redress of the harms caused to the individual Plaintiffs,
24 but also challenges a pattern and practice of unlawful and unconstitutional conduct by the County.
25 The County and LASD and Sheriff Alex Villanueva, have engaged in and continue to engage in a
26 pattern or practice of unlawful police actions and excessive force directed at minority residents in
27 the County, including towards the Plaintiff Deputies.

1 **JURISDICTION AND VENUE**

2 8. This Court has jurisdiction over all state causes of action under Code of Civil
3 Procedure §§ 525, 526, 526a, as well as all claims arising under federal law, pursuant to 28 U.S.C.
4 §§ 1331, and 1345.

5 9. Venue is proper because Defendants are located in the County of Los Angeles, and
6 all the events, actions, or omissions giving rise to these claims occurred in the County of Los
7 Angeles.

8 **PARTIES**

9 10. Plaintiffs ART HERNANDEZ (“Deputy Art Hernandez,” “Deputy Hernandez,” or
10 “Plaintiff Hernandez”) ALFRED GONZALEZ (“Deputy Alfred Gonzalez,” “Deputy Gonzales,”
11 or “Plaintiff Gonzalez”), BENJAMIN ZAREDINI (“Deputy Benjamin Zaredini,” “Deputy
12 Zaredini,” or “Plaintiff Zaredini”), DAVID CASAS (“Deputy David Casas,” “Deputy Casas,” or
13 “Plaintiff Casas”), LOUIS GRANADOS (“Deputy Louis Granados,” “Deputy Granados,” or
14 “Plaintiff Granados”), MARIO CONTRERAS (“Deputy Mario Contreras,” “Deputy Contreras,”
15 or “Plaintiff Contreras”) OSCAR ESCOBEDO (“Deputy Oscar Escobedo,” “Deputy Escobedo,”
16 or “Plaintiff Escobedo”), ARIELA LEMUS (“Deputy Ariela Lemus,” “Deputy Lemus,” or
17 “Plaintiff Lemus”), are current or former Deputies of LASD of Hispanic or Latino heritage
18 (Deputy Zaredini is of mixed Latino and Iranian heritage) who reported the unlawful conduct of
19 LASD personnel and were retaliated against by LASD (collectively, “Plaintiff Deputies”). The
20 Plaintiffs are residents of and pay taxes to the County.

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

23 12. Individual defendants RAFAEL “RENE” MUNOZ aka BIG LISTO (“Big Listo”
24 or “Defendant Munoz”), GREGORY RODRIGUEZ aka G-ROD (“G-Rod” or “Defendant
25 Rodriguez”), DAVID SILVERIO aka SILVER (“Silver” or “Defendant Silverio”), and MICHAEL
26 HERNANDEZ aka BAM BAM (“Bam Bam” or “Defendant Hernandez”), are or were LASD
27 Deputies and members and leaders (“shot callers”) of the criminal cop gang, the “Banditos.”
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1 13. Plaintiff AMERICAN CIVIL LIBERTIES UNION FOUNDATION OF
2 SOUTHERN CALIFORNIA (“ACLU SoCal”) is a non-profit, non-partisan organization located
3 in Los Angeles, California. ACLU SoCal operates with a Board of Directors, employees, and
4 members. ACLU SoCal has tens of thousands of members who reside in Southern California, and
5 many of its members are taxpayers of the County. ACLU SoCal owns property and pays property
6 taxes in the County. ACLU SoCal is dedicated to protecting and expanding the civil rights and
7 civil liberties enshrined in the United States Constitution, the State of California Constitution, and
8 state and federal laws. ACLU SoCal advocates on behalf of the people harmed by unconstitutional
9 policing practices in the County, including practices that disproportionately impact people of color.

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

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

20 15. The Defendants deprived the Plaintiffs Deputies of their civil rights through racially
21 discriminating, harassing, creating, and maintaining a hostile work environment, assaulting,
22 battering, and retaliating against them for being Latino and for speaking out about FEHA and other
23 rule and law violations and for engaging in protected acts and refusing to engage in unlawful
24 conduct. The County is liable for all hostile conduct by its employees and managers toward the
25 Plaintiff Deputies. The systemic problem of the deputy gang culture that permeates the LASD, and
26 LASD’s customs, policies, practices, regulations, and the lack of enforcement of its own rules, and
27 the refusal by the County in 2017, 2018, 2019, 2020, to hold a single Bandito accountable for any
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1 of the bad cop’s wrongful conduct directed at the Plaintiffs, contributed to the injuries and harms
2 suffered by the Plaintiff Deputies.

3 16. While each of the 8 Plaintiffs were mistreated on different timelines and their
4 individual experiences are detailed later in the complaint, a summary of adverse actions by the
5 Defendants against the Plaintiffs are summarized in the following:

6 17. Beginning in 2017, deputies who are members of the Banditos gang harassed the
7 Plaintiffs based on their being Latino, treating the Plaintiffs differently than the non-Latino
8 deputies. Many of the non-Latino deputies as peace officers were wary and did not approve of the
9 extreme and outrageous circumstances of an illegal, racist, reprehensible cop gang run amok at the
10 East Los Angeles Station, as the gang members acted wrongfully with impunity and no
11 accountability. However, the Banditos treated the Plaintiffs differently and did not subject the non-
12 Latinos to this form of harassment.

13 18. Starting in 2017, the Banditos bullied Plaintiffs because they are Latino and
14 subjected the Plaintiffs to abuse, and discriminated against them, not allowing the Plaintiffs, when
15 they were trainees, to eat or sleep for up to 24 hours straight. The Banditos sought to cause so
16 much distress in the Latino deputies that they would be driven to quit their jobs, or at least transfer
17 out of the station. The non-Latino deputies were not subjected to this treatment. The County
18 ratified their bad cops conduct as demonstrated by the fact that not once did it discipline or even
19 initiate a genuine IAB investigation into any of the race-based harassment of the Plaintiffs, in 2017,
20 2018, 2019, 2020, 2021, 2022.

21 19. The Banditos would pressure the Plaintiffs (and not the non-Latino deputies), to
22 work excessive hours under the pretense of pressuring younger Latino deputies to have a “work
23 ethic,” when in truth many of the Banditos were not hard workers themselves. In fact, Big Listo,
24 the gang’s leader, was known for being lazy and “parking it,” while he was supposed to be on
25 patrol. In contrast, the Plaintiffs were all good cops, with many commendations, with some of
26 them among the hardest workers at the station. But it did not matter to the Banditos how hard the
27 Latino Plaintiffs actually worked. The talk of work ethic was purely a tactic to cause the Plaintiffs
28 severe distress, and the tactic worked.

1 20. The Defendants and Defendant employees who maintained the hostile work
2 environment at the East Los Angeles Station from 2017 through 2019 included Banditos, Banditos
3 Prospects and Associates Big Listo, Silver, G-Rod, Angelica Estrada, Vincent Moran, Hector Soto
4 Saavedra, Raymond Mendoza, Luis Carbajal, Braulio Robledo, Jonathan Rojas, Eldemira Parra,
5 Andrea Villa, Mark Elizondo, Nikolis Perez, Woodrow Kim, Juan Sanchez, Aaron Abellano,
6 Silvano Garcia, Joanna Macs Moran, Joanana Palombi, Jose Aceituno, Anthony Pacheco, Marcelo
7 Ortega, Eduardo Muniz, Rebecca Cortez, Erin Rosario, Jessica Santos, John Soria, Miguel Ortiz,
8 Claudia Perez, Manuel Palacios, Noel Lopez, Christopher Moore, Edmundo Torres, Hugo Ramos,
9 Mario Castro, Manny Navarro, Nikki Hannamaki, Leo Sanchez, Elizabeth Aguilera, Luis Valle,
10 and Anthony Rivera.

11 21. Because they were Latino, and unlike the non-Latino deputies, the Plaintiff
12 Deputies were “shaken down” by the Banditos gang members, including by deputies Braulio
13 Robeldo and Andrea Villa, to pay portions of their salaries as gang “taxes” to the Banditos. The
14 County has covered up the extent this gang tax was imposed by calling these shakedowns
15 “donations,” even though the County is fully aware the monies were given involuntary and went
16 into the pockets of the Banditos. This differential treatment causing forfeiture of salary was an
17 adverse employment action and constitutes discrimination, The County repeatedly ratified this
18 conduct in 2017, 2018, 2019, and beyond, and has never held any of their bad cops accountable
19 for gang taxing their Latino employees, the Plaintiffs.

20 22. The Latino Plaintiffs were forever targets at the station for being Latino until they
21 eventually gave in to the harassment and fled the station in 2019. The County has never held any
22 of its bad cops accountable for causing the Plaintiffs to quit the East Los Angeles Station.

23 23. In addition to being harassed for being Latino, the Plaintiffs were further harassed
24 and retaliated against when they spoke out about FEHA violations, for being harassed for being
25 Latino.

26 24. The Banditos also terrorized the Plaintiffs because they did not live up to
27 expectations the gang had of the Plaintiffs because they are Latino. As an African American deputy
28 at the station observed, the Banditos/Defendants made the racist assumption that the Plaintiffs

1 would and should want to be gang members because they are Latino, and the Defendants had the
2 racist expectation for the Plaintiffs to engage in corrupt acts because they are Latino. The Latino
3 Plaintiffs, however, did not fit the gang members' stereotypes of Latinos and were focused instead
4 on being good cops who served the community. The Banditos were incensed that the Plaintiffs
5 were not corruptible. The Plaintiff Deputies refused to conform to the corrupt culture and to
6 perform illegal acts or acts violating LASD's policies.

7 25. The Banditos, including individual Defendants Big Listo, Silver, G-Rod, and Bam
8 Bam, had long used the tactic of withholding back up on dangerous calls to harass Latino deputies,
9 and this practice began at the latest in 2014. With respect to Plaintiffs here, a significant incident
10 happened in April 2017. The leader of the Banditos, Rafael "Big Listo" Munoz, issued orders for
11 the deputies at the station to withhold back up support for Plaintiff Art Hernandez when he was
12 responding to the most dangerous of calls, a shots fired call, that would turn out to be Plaintiff
13 Hernandez' first murder call. Big Listo and Silver and other Banditos withheld back up in the
14 hopes of setting up Plaintiff Hernandez to be killed or at the very least fear for his life by having
15 to face one or more gunmen without support from his partners. Plaintiffs Benjamin Zaredini and
16 Alfred Gonzalez defied gang orders and went out on the call and Hernandez arrived on the scene
17 and handled the call under severe distress, with inadequate call back-up.

18 26. After the Plaintiffs arrived on the scene and secured it, they determined that there
19 was not an active shooter, but the body of a murder victim. Only then did other deputies show up
20 at the scene. Although it turned out there was a dead body instead of an active shooter, and that
21 multiple deputies arrived late to deal with the already secured crime scene, this call without back
22 up caused severe distress to Plaintiffs, and contributed to the pervasive hostile environment, where
23 the Plaintiffs never knew whether they would be abandoned by their partners and be killed out on
24 patrol.

25 27. After Plaintiffs Zaredini and Gonzalez defied gang orders to provide back up on
26 Plaintiff Hernandez' first murder call, the Banditos intensified their obsession with causing so
27 much emotional distress that the Plaintiffs would quit their jobs. Plaintiff Zaredini observed the
28 Banditos harass Latino deputies and he reported the hostile work environment many times to

1 supervisors, but to no avail. The County did nothing to investigate and intervene to protect its
2 employees from its other employees. In the fall of 2017, Bandito shot caller Raymond Mendoza
3 sucker punched Plaintiff Zaredini so that he became unconscious. This took place behind the East
4 Los Angeles Station. The County ratified the wrongful conduct of its bad cops by doing zero
5 investigation into the battery on Zaredini despite LASD leadership's awareness of that and other
6 violent attacks by the Banditos against deputies behind the station and off-site.

7 28. In addition to the 2 years of continuous withholding of back up on dangerous calls
8 being race-based harassment, the resulting inadequate support given to the Plaintiffs also constitute
9 adverse employment actions due to racial discrimination. The fact that this constituted an adverse
10 employment action does not negate the fact they were also part of a pervasive and continuous
11 hostile work environment from 2017-2019. The non-Latino deputies at the station were not
12 similarly subjected to the withholding of back up, and race was a substantial motivating factor why
13 this occurred as to Plaintiffs.

14 29. In the Spring of 2018, the Plaintiffs formally blew the whistle on the Banditos gang,
15 it's race-based hostility, the Defendants' constant bullying of the Latino Plaintiffs, its tactics of
16 withholding back up, their criminal conduct, and use of threats of violence and actual violence.
17 The Plaintiffs reported the misconduct to Lt. Richard Mejia, who claimed he would investigate the
18 matter, but ultimately only went through the motions of investigation. Instead, Mejia and other
19 LASD leadership notified the Banditos they were reported on by the Plaintiffs. By doing no real
20 investigation and holding no bad cops accountable, the County ratified all the wrongful conduct
21 against the Plaintiffs and encouraged the Banditos to retaliate against the Plaintiffs for reporting
22 them to LASD leadership.

23 30. As a result of reporting the FEHA violations, Bnnditos Associate Sgt. Angelica
24 Estrada, "the Pink Hand" of the Banditos and Lt. Eric Smitson and LASD deprived Plaintiff
25 Granados of an earned promotion, and Captain Chris Perez demoted Plaintiff Zaredini by
26 removing his trainee from him and his bonus pay for being a Field Training Officer. These adverse
27 employment actions were not only acts of retaliation under FEHA and whistleblower laws but
28 were also acts of racial discrimination for which race was a substantial motivating factor. While

1 some LASD managers would later admit the action against Zaredini was retaliatory and
2 unjustified, managers made no such acknowledgment on the of illegal denial of Granados'
3 promotion and the County ratified the act.

4 31. After the Plaintiffs blew the whistle on the Defendants because of their race-based
5 discrimination, the Banditos intensified their hostility towards the Plaintiffs, as they retaliated
6 against the Plaintiffs for speaking out about the FEHA violations and for being whistle blowers on
7 the crimes of the Banditos. In the summer of 2018, the Defendants/Banditos withheld back up on
8 Plaintiff Zaredini, over two dozen times. On many of Zaredini's calls, several of the Plaintiffs were
9 the only deputies providing back up. Often, Plaintiffs would drive far out of their patrol area to
10 provide back up for Zaredini. Even with the other Plaintiffs' help on calls, there was often still
11 woefully inadequate back up given the nature of the danger of the call. The no back up tactic was
12 so pervasive, one deputy, who is not a Plaintiff, would continue working past 12-16 hours at times
13 because he was afraid to leave his partner, Plaintiff Benjamin Zaredini, alone. The County has
14 never disciplined any deputies at the East Los Angeles Station for intentionally withholding
15 backup, and continually ratified the misconduct in 2017, 2018, 2019, and beyond.

16 32. The Plaintiffs suffered severe distress from the withholding of back up, every day
17 never knowing when they went out on patrol, from 2017-2019, whether they would have adequate
18 back up on patrol.

19 33. The County actively encouraged no accountability for deputies by engaging in a
20 cover up of the no back up problem, lying about whether Incident History Reports demonstrate
21 whether back up was provided or not – when in truth deputies can simply punch into the Mobile
22 Digital Computer inside LASD patrol vehicles and create a false record that they gave back up,
23 when none was provided. The County also tried to cover up the withholding of back up by
24 maintaining that, if deputies showed up at any time – even long after a danger was dealt with, and
25 the scene secured – then that means there was adequate back up.

26 34. Individual Defendants Big Listo, Silver, and G-Rod, and County employees,
27 Banditos Vincent Moran, Hector Soto Saavedra, Braulio Robledo, Jonathan Rojas, Eldemira Parra,
28 Andrea Villa, Nikolis Perez, Juan Sanchez, Aaron Abellano, Silvano Garcia, and Claudia Perez,

1 intentionally withheld back up and/or assisted in the withholding of back up to the Plaintiff
2 Deputies through the Dispatch unit, in 2017, 2018, 2019.

3 35. The Plaintiff Deputies' work was regularly interrupted as they were harassed with
4 hostile messages on their vehicle computers, particularly by the top "shot caller" of the Banditos,
5 Big Listo. The messages would purport to encourage hard work, while the senders were hardly
6 working themselves. Big Listo would question the work ethic of the Plaintiffs while he was not
7 doing his job, "parking it." The County ratified the constant hostile messages as LASD did zero
8 IAB investigation and gave out no discipline for the conduct of its bad cops.

9 36. The Defendants severely distressed the Plaintiffs by overwhelming them with
10 excessive calls while the Plaintiffs were on duty. Plaintiff Louis Granados saw the number of calls
11 he was sent on shoot up exponentially in the summer of 2018, as Defendant Big Listo, and Banditos
12 associates Eldemira Parra, Andrea Villa, and Claudia Perez controlled which deputies got which
13 calls through Dispatch and retaliated against Deputy Granados after he and Deputy Zaredini and
14 other Plaintiffs blew the whistle on the Banditos. Other Plaintiffs, especially Alfred Gonzalez,
15 were slammed with crime calls when they were in a traffic car and were supposed to only do the
16 crime calls when crime cars were not available. The County did no investigation and gave no
17 discipline for this tactic by the Defendants.

18 37. The Defendants overloaded the Plaintiffs with calls, including emergency calls at
19 the end of their shifts, so they'd be late getting home to their families, and perform unpaid
20 overtime. Banditos and associates including Big Listo, Vincent Moran, Hector Soto Saavedra,
21 Braulio Robledo, Jonathan Rojas, Eldemira Parra, Andrea Villa, Nikolis Perez, Juan Sanchez,
22 Aaron Abellano, Silvano Garcia, and Claudia Perez committed these acts as part of their race-
23 based hostile environment and retaliation for the Plaintiffs speaking up about the FEHA violations.
24 In addition, this tactic also constituted adverse employment actions, and thus were acts of racial
25 discrimination, for which race was a substantial motivating factor. Not once did the County
26 investigate this issue and give any discipline for the misconduct, in ratification of the misconduct.

27 38. The Plaintiff Deputies were frequently forced to work up to 8 hours over their
28 scheduled shift without compensation, and this was both adverse employment action due to racial

1 discrimination, as well as acts in support of a hostile work environment and in retaliation for the
2 Plaintiffs reporting violations of FEHA. The County ratified this practice by holding no bad cops
3 accountable for it.

4 39. In the summer of 2018, Defendant David “Silver” Silverio threatened to assault
5 Plaintiff David Casas. The County conducted no investigation into the threats of violence.

6 40. The Plaintiff Deputies were shunned and ostracized every day, and bullied at the
7 East Los Angeles station, until they fled the station in the summer and fall of 2019. This conduct
8 was taken by Defendants including Big Listo, Silver, G-Rod, and Banditos, Banditos Prospects
9 and Associates. as part of the race-based harassment, and for the Plaintiffs speaking up about the
10 race-based hostile environment and discrimination, as well as for the Plaintiffs being
11 whistleblowers about the rule and policy and law violations.

12 41. Up through the filing of this 7th Amended Complaint, the Plaintiff Deputies remain
13 ostracized in LASD and have been smeared and labeled as “rats” for telling the truth about the
14 race-based hostile work environment, and the illegal gang-like culture and conduct that permeates
15 LASD and the East Los Angeles station. The County ratified the ostracization and bullying by
16 doing zero investigation into it and giving no discipline to its bad cops.

17 42. The Defendants had an extreme obsession with driving Plaintiff Alfred Gonzalez
18 out of the station, tracing back to when he and Zaredini defied gang orders to withhold back up on
19 Plaintiff Hernandez’ first murder call in June 2017, and after the Banditos subsequently sucker
20 punched Zaredini unconscious. The Banditos devised a plan to knock Alfred Gonzalez
21 unconscious, to finally drive him from the station and send a message of intimidation to the other
22 Plaintiffs. On September 26, 2018, Banditos shot callers Big Listo, G-Rod, and Vincent Moran
23 surrounded Gonzalez behind the East Los Angeles Station, the same spot where they had earlier
24 knocked out Zaredini. The Defendants said what they had repeatedly told Gonzalez, that he didn’t
25 work hard enough, that he was “not East LA” material, that he didn’t belong at the station and that
26 he needed to quit. But Gonzalez remained passive and did not defend himself, depriving the
27 Defendants of justification to knock him out.

1 43. The Defendants resumed their plan the next day, on September 27, 2018, where the
2 gang showed up at a department event at Kennedy Hall en masse, to confront Gonzalez. While the
3 Defendants repeatedly approached Gonzalez to harass him, with Bam Bam threatening his life and
4 his families' life, Gonzalez again remained passive, as to not give the Defendants justification to
5 knock him unconscious. However, other deputies, including Plaintiffs Casas, Contreras,
6 Escobedo, and Hernandez tried to act as peacemakers and calm tensions down. Their efforts failed
7 and the Banditos shot callers Big Listo, Silver, G-Rod, and Bam Bam, proceeded to engage in a
8 premediated violent gang attack on five of the Plaintiffs at an LASD event at Kennedy Hall.

9 44. In the early morning hours of September 28, 2018, the shot callers committed
10 assault and battery against Plaintiffs David Casas, Alfred Gonzalez, Art Hernandez, Oscar
11 Escobedo, and Mario Contreras. the natural result of the Defendants being emboldened by the
12 County's failure to do anything to intervene and protect the Plaintiffs and the County's ratification
13 of an over 1-year long campaign of daily, non-stop race-based hostility, bullying, ostracization,
14 intentional endangerment of life, threats, violence, and intimidation against the Plaintiffs.

15 45. Unprovoked, the Defendants committed the following violence against the
16 Plaintiffs: Bam Bam strangled Plaintiff Escobedo unconscious, in an apparent attempt to murder
17 him, as several deputies had to struggle to save Escobedo and pull him from the Defendant's grip.
18 Big Listo shoved Alfred Gonzalez and tackled Plaintiff Art Hernandez, and hit him repeatedly in
19 the face, in an attempt to knock the Plaintiff unconscious. Big Listo also pulled Plaintiff Oscar
20 Escobedo toward him and punched him in the face multiple times. Defendant David Silver choked
21 out Escobedo from behind and held him down so others could hit him. Defendant G-Rod hit David
22 Casas and slammed his elbow into Plaintiff Mario Contreras' face in an attempt to knock him
23 unconscious. G-Rod also sucker punched Plaintiff Art Hernandez unconscious, hitting him in the
24 side of his head and causing him to collapse to the ground, in unconsciousness.

25 46. After the gang attack at Kennedy Hall, LASD and the County ratified the assaults
26 and batteries committed by the Defendants, by rigging the investigation into the Kennedy Hall
27 attack. Deputies and LASD leadership pressured the Plaintiffs to lie and not speak out about the
28 attack. The Plaintiffs refused to lie and LASD was forced to initiate a criminal investigation into

1 the matter through its ICIB. However, the County’s own Inspector General, Max Huntsman, made
2 the party admission for the County that LASD engaged in a criminal cover up of the Kennedy Hall
3 incident and of the Banditos gang’s hostility and harassment of the Plaintiffs.

4 47. Informants confirmed the Inspector General’s finding of a cover up and ratification,
5 as Sheriff Alex Villanueva moved to protect the Banditos and its shot callers. Sheriff Villanueva
6 was elected Sheriff on November 5, 2018, and would not take office until December 2018, but
7 began working through LASD to cover up the “Banditos scandal” before even officially taking
8 office. In November and early December 2018, Villanueva ordered ICIB investigators to not ask
9 witnesses questions about the Banditos, and then later had ICIB report that no witnesses mentioned
10 the Banditos. Villanueva and his wife Vivian Villanueva met with the shot callers and assured the
11 Defendants that the Sheriff would cover up their criminal acts and keep them from being criminally
12 prosecuted. Transcripts from the ICIB investigation show that the investigators did indeed
13 aggressively avoid investigation of the gang. Mr. Huntsman indicated the avoidance of
14 investigating the Banditos removed the motive for the attacks, making it less likely the District
15 Attorney would conclude prospects of prosecution was high enough to support indictment. The
16 report sent from ICIB to the District Attorney also contained glaring inaccuracies, and the false
17 claim that there were inconsistencies in the evidence. Subsequently, the District Attorney gave the
18 Sheriff what he wanted: no prosecutions for the criminal gang attacks on the Plaintiffs.

19 48. In the ICIB investigations, numerous Defendants/Banditos members and associates
20 and prospects blatantly lied to the investigators as they claimed they did not witness the gang
21 attacks that happened right before their eyes. A Banditos Associate, Deputy Barragan absurdly
22 stated that he didn’t see anything at Kennedy Hall but was shocked by what he saw. The
23 investigators did not even bother asking him a follow up question. Sheriff Villanueva and other
24 LASD leaders knew the deputies lied but ratified the lies and gave the deputies no discipline.

25 49. Facing intense media scrutiny and an FBI investigation, after the Plaintiffs filed
26 their Tort Claims in March 2019, Sheriff Villanueva knew he had to pretend to conduct an IAB
27 investigation into the Banditos, the hostile work environment they maintained against the Plaintiffs
28 at the East Los Angeles Station, and the attacks at Kennedy Hall. So, the Sheriff initiated the first

1 of two rigged IAB investigations, purportedly into the Banditos, in Spring of 2019. As a result of
2 this fake IAB, LASD issued no discipline and held no bad cop accountable for the hostile work
3 environment, harassment, discrimination, bullying, overloading with excessive calls, obsessive
4 daily pressure on the Plaintiffs to quit their jobs, repeatedly putting the Plaintiffs' lives in danger
5 through the withholding of back up, the threats of violence and acts of violence at the East Los
6 Angeles Station.

7 50. Sheriff Villanueva and his wife informed the shot callers that while the Sheriff
8 would cover for them to prevent criminal prosecutions, he would need to do a second IAB, this
9 time just into the Kennedy Hall incident. Because of the grave and brazen nature of the Defendants
10 attacks the Plaintiffs, the Sheriff stated that he would need to initially terminate 3 of 4 of the
11 attackers. At the same time, he told the shot callers that they could appeal the terminations to the
12 civil service commission and that LASD would throw the cases to give them a good shot to get
13 their jobs back.

14 51. In addition, when Villanueva ordered the second rigged investigation in April 2020
15 (over 1.5 years after the Kennedy Hall attacks), he directed IAB investigators to ignore the fact
16 that the four attackers all belonged to the same gang and instead pretend the pre-meditated gang
17 attacks were something entirely false: drunken mutual combat. Subsequently, LASD outrageously
18 suspended the victims at Kennedy Hall, claiming they "embarrassed" the department. LASD
19 suspended Plaintiff Art Hernandez for being sucker punched unconscious, suspended Plaintiff
20 Oscar Escobedo for being strangled and choked unconscious, and suspended Plaintiffs Mario
21 Contreras and Ariela Lemus for supposedly not properly reporting the gang attacks to the gang
22 members and gang enablers at the station. By suspending the victims, the Sheriff reasoned that he
23 brilliantly killed two birds with one stone, minimizing the egregiousness of the gang members and
24 setting the stage for the civil service commission to reverse the terminations of Big Listo, G-Rod
25 and Silver, while retaliating against the whistle blowers.

26 52. In response to the Plaintiffs filing their Tort Claim related to this case in March
27 2019, Sheriff Villanueva sponsored an "East Los Angeles Anniversary Celebration," which
28

1 celebrated the three deputy gangs that had operated out of the East Los Angeles station, with the
2 gang logos on the event flier.

3 53. Sheriff Villanueva claimed that he investigated and fixed the Banditos problem in
4 2019. But his own Commander Ernie Chavez admitted in his deposition and to the media that
5 Villanueva lied when he claimed he transferred 36 Banditos out of the station, when he in fact
6 transferred zero, and lied when he stated that his first act of Sheriff was to make Chavez Captain
7 at East Los Angeles Station to investigate the Banditos and fix the hostile work environment, when
8 in fact Villanueva never even discussed the Banditos with Chavez who did zero investigation into
9 the Banditos.

10 54. Based on Villanueva's terminations of 3 of the 4 attackers at Kennedy Hall, the
11 County argues that it did not ratify the harm caused to the Plaintiffs. However, given the
12 circumstances, 3 rigged investigations designed to cover up the Banditos gang and wrongful acts,
13 and to minimize the harms caused by the Banditos, and to set the stage for the three terminations
14 for assault and battery to be reversed, and the fact the County did nothing to investigate 95% of
15 the harms caused by the Banditos and gave no discipline for any those 95% of harms, the claims
16 of non-ratification ring hollow.

17 55. The suspensions and resulting lost pay for Hernandez, Escobedo, Lemus, and
18 Contreras constituted adverse employment actions and were the result of the ending hostile work
19 environment, retaliation for speaking out about FEHA violations and for being whistleblowers,
20 and the racial discrimination.

21 56. As the Sheriff and LASD engaged in their fake investigations and protected and
22 covered for Banditos, the Banditos continued to harass and ostracize the Plaintiffs as "rats" at the
23 station, "no acking" (not acknowledging) the Plaintiffs other than when making hostile references
24 to them. Bandito Juan Sanchez talked about ways "to kill" such rats in the report writing room in
25 front of other deputies, making the Plaintiffs persona non grata status clear, and making clear they
26 needed to always fear for their lives. The Banditos also continued to withhold back up on Plaintiff's
27 dangerous calls. The hostile work environment at the East Los Angeles station was unending and
28 the Plaintiffs suffered unrelenting emotional distress.

1 57. The Plaintiff Deputies endured adverse employment actions as they were
2 wrongfully denied or delayed their requested transfers away from the hostile environment and
3 were forced to endure continuing harassment and discrimination by Sheriff Villanueva and
4 Captains Ernie Chavez and Anthony Rivera, and other LASD leaders.

5 58. The Plaintiff Deputies were further endangered when one or more of the
6 Defendants secretly removed the ammunition from Deputy Zaredini’s shotgun and stole the bullet
7 proof vest owned by Deputy Granados. All of the Plaintiff Deputies faced a work environment so
8 unrelentingly hostile, they eventually had to transfer out of the East Los Angeles station in Spring
9 and summer and fall of 2019 to escape the toxic environment, created and maintained by County
10 managers and employees.

11 59. After they finally allowed the Plaintiffs to transfer from the East Los Angeles
12 Station, Sheriff Villanueva and Ernie Chavez, and LASD further retaliated against the Plaintiffs
13 with adverse employment actions as they and gave them what is euphemistically called within
14 LASD “freeway therapy,” sent to stations far away from their homes when they requested transfers
15 as punishment for being whistleblowers.

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

19 61. After Plaintiff Zaredini cleared all hurdles to be promoted to Sergeant and his
20 promotion was sent to Sheriff Villanueva for approval. Villanueva and his wife nixed the
21 promotion as direct retaliation for Zaredini reporting on the FEHA violations and blowing the
22 whistle on the gang. Lieutenant Carmen Arballo admitted that she and LASD denied a promotion
23 for Plaintiff Louis Granados because he reported the FEHA violations and blew the whistle on the
24 gang. These denials of promotions were adverse employment actions that were directly connected
25 to the hostile work environment and retaliation.

26 62. Plaintiffs Lemus and Granados were subjected to further rigged IAB investigations
27 for fabricated wrongdoing on their part, in further retaliation for reporting FEHA violations and
28 for whistle blower activity.

1 63. The Plaintiff Deputies as whistleblowers have not received the required protections
2 under the law; threats continue to be made against the Plaintiff Deputies up to the filing of this
3 Complaint; three times, dead rats have been left outside the homes of two of the Plaintiffs' homes.
4 The Plaintiff Deputies continue to live in fear of deputy violence, given actual threats of violence
5 made against themselves and their families as well as threatening acts and gestures made by
6 members of the Banditos. While they escaped the specific hostile work environment at the East
7 Los Angeles Station, the severe distress continues as they Plaintiffs face the unending retaliation
8 by LASD, and the department does not protect them from the Banditos.

9 64. The Defendants continue to retaliate against the Plaintiff Deputies up through the
10 filing of this 7th Amended Complaint, by making false charges of misconduct, initiating bad-faith
11 internal affairs investigations and imposing illegal discipline of unpaid leave against at least six of
12 the Plaintiff Deputies (Deputies Zaredini, Contreras, Granados, Lemus, Hernandez, and
13 Escobedo) in violation of the Peace Officer Bill of Rights ("POBR"), as personally directed and
14 supervised by Sheriff Alex Villanueva, and assisted by LASD managers including (now
15 Commander) Ernie Chavez, (now Commander Richard Mejia, Commander April Tardy, Lt. Eric
16 Smitson, Captain Chris Perez, Commander William Jaeger, Commander Kelly Porowsky,
17 Commander James Wolack, Undersheriff Timothy Murakami.

18 65. Villanueva knowingly violated the law under POBR when he suspended the
19 Plaintiffs who were victims at Kennedy Hall. Under POBR, discipline must have been imposed on
20 the Plaintiffs within the one-year statute of limitations. LASD gave the discipline over two years
21 after the victims were attacked.

22 66. The County violated the Plaintiffs' civil rights, and the civil rights of residents, as
23 the County, through their acts or omissions, engaged in a pattern or practice of systemic
24 deficiencies. These deficiencies include, but are not limited to, a failure to implement and enforce
25 policies, procedures, and practices regarding proper shootings and use of force, and regarding
26 protection of constitutional rights of community members as well as non-gang member deputies,
27 that appropriately guide and monitor the actions of individual deputy staff; failure to train and
28 supervise adequately staff to prevent the occurrence of wrongful conduct; deficient use of force

1 and other conduct review; failure to investigate adequately incidents in which deputies' use of
2 force and other conduct; failure to discipline adequately deputies who engage in misconduct or to
3 monitor adequately deputy staff who engage in or may be likely to engage in misconduct;
4 inadequate surveillance of deputies in the field (who should be wearing body cameras at all times
5 when interacting with the public); and failure to implement policies and procedures whereby
6 complaints and other allegations of deputy misconduct are adequately received and investigated.

7 67. The County's systemic deficiencies include, but are not limited to:

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

14 b. failure to hold training officers accountable for abusing trainee deputies;

15 c. failure to adequately investigate allegations of misconduct and hold deputies
16 accountable for provable misconduct;

17 d. failure to criminally investigate deputy misconduct that constitutes a criminal
18 offense;

19 e. failure to adequately investigate uses of force and hold deputies accountable for
20 violations of department policy or the law;

21 f. failure to conduct fair and unbiased investigations, and repeated cover up
22 investigations that are undertaken with pre-ordained results;

23 g. failure to prevent membership of deputies in criminal gangs within the department;

24 h. failure to protect the Plaintiffs and other deputies from harassment and racial
25 discrimination by deputy gangs;

26 i. failure to hold deputy gang members accountable for withholding back up to other
27 deputies, the Plaintiffs, on dangerous calls;

1 j. failure to hold deputy gang members accountable for false arrests and detainments,
2 excessive arrests to meet illegal quotas, excessive force, and planting of evidence.

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

5 l. failure to train and supervise adequately deputies to prevent the occurrence of
6 misconduct;

7 m. deficient misconduct reporting and review;

8 n. failure to investigate adequately incidents in which deputy gang members engage
9 in misconduct against fellow deputies, the Plaintiffs, or the public;

10 o. failure to discipline adequately deputies who engage in misconduct or to monitor
11 adequately deputies who engage in or may be likely to engage in misconduct;

12 p. inadequate body cams and video surveillance at the station and in the field;

13 q. failure to implement policies and procedures whereby complaints and other
14 allegations of deputy misconduct are adequately received and investigated.

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

20 **FACTUAL BACKGROUND**

21 68. All eight individual Plaintiffs were Latino deputies assigned to work at the East Los
22 Angeles Station. As Latinos, they were targeted with unending abuse by the Banditos gang which
23 controls the East Los Angeles Station. The non-Latino deputies were not harassed by the Banditos.
24 By its very nature, the Banditos are a racist gang that victimizes only Latinos, similar to Latino
25 street gangs which typically only victimize Latinos.

26 69. In 2021, the California State Attorney General (“CAG”) began investigating the
27 harms caused to the Plaintiffs caused by the Banditos/Defendants and investigating LASD for
28 Civil Rights violations, announced that its investigation “will seek to determine whether LASD

1 has engaged in a pattern or practice of unconstitutional policing. The California Department of
2 Justice investigation comes on the heels of allegations of excessive force, retaliation, and other
3 misconduct, as well as a number of recent reported incidents involving LASD management and
4 personnel. Today’s action by DOJ also comes in response to the absence of sustained and
5 comprehensive oversight of LASD’s operations.”¹

6 70. Deputy gangs have a particular stranglehold over the East Los Angeles station.
7 While the Banditos still control the East Los Angeles Station, its power recently began
8 transitioning to the 4th and newest gang to arise at the station, under the leadership of Banditos
9 gang member, Miguel Leon.

10 71. “No Accountability” is the guiding principle at the East Los Angeles Station, with
11 personnel proudly displaying a logo titled “Fort Apache,” inspired by the movie about a Lieutenant
12 Colonel ordering a massacre of innocent Native-Americans. The LASD’s deputies in East Los
13 Angeles saw themselves as being in an outpost in the middle of the desert among the “savage
14 Mexicans.” So, they had to have a fort with which to defend themselves. The logo also sports a
15 Spanish language expression that means, “always a kick in the pants,” suggesting deputies’ should
16 engage in “community policing” by beating community members.

17 72. Deputies in the Banditos deputy gang have repeatedly used unlawful force against
18 its Latino deputies. On several occasions since 2016, the Banditos gang knocked other deputies
19 unconscious at the back of the station parking lot or at “the Cap” (the El Capiro bar) across the
20 street from the station. The Banditos gang uses the tactic of putting deputies unconscious to
21 intimidate Latino deputies at the station. Defendant Big Listo and his protégé Hector Soto Saavedra
22 are notorious for driving around East Los Angeles to find random residents to commit unprovoked
23 assaults against.

24 73. There are currently 100 deputies who have been initiated into the Banditos gang,
25 with a Banditos tattoo: a skeleton with a thick mustache wearing a sombrero, bandolier (a pocketed
26 belt for holding bullets) and pistol. Each deputy’s tattoo includes a unique number – for instance,
27

28 ¹ *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 Defendant G-Rod is #86. When on-duty, many of the gang members wear baggy pants; when off-
2 duty, many of the gang members wear the attire (Pendeltons, khakis) of civilian Latino street
3 gangs. Also, as in the law enforcement lingo of criminal street gangs, the Banditos leaders, the
4 ones who call the shots, including Defendants Big Listo, G-Rod, Silver, and Bam Bam, as well as
5 Vincent Moran, Raymond Mendoza, Silvano “Cholo” Garcia, and Noel “Crook” Lopez call
6 themselves “shot callers.”

7 74. The Banditos are a gang in every sense of the word. The gang holds regular
8 “Roundtable” meetings where they plan criminal conduct, and the collusion of gang members is a
9 conspiracy that infringes upon the civil rights of the Plaintiffs as well as residents. The Banditos
10 hold their roundtable meetings at the house of “Crook.” Deputy Noel Lopez proudly goes by the
11 nickname of “Crook.” Bandito Mark Elizondo also hosts Banditos’ meetings at his home. The
12 pecking order is made clear to all at the station as the Banditos are given special privileges, such
13 as the preferred parking spaces at the station. Everything at the East Los Angeles station must be
14 “roundtabled” by the Banditos, e.g., fundraisers, all training parties, staff barbecues, etc.

15 75. Like street gangs, the Banditos extract “taxes” from young Latino deputies;
16 Banditos hand trainees empty envelopes and tell them to have them filled with money, up to \$2,000
17 at a time, by the end of the day. Taxes include money raised through fundraisers which are falsely
18 advertised as being for good causes. Other taxes take the form of sexual favors from female
19 deputies.

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

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

5 78. The Banditos have established and maintain a culture at the East Los Angeles
6 Station where deputies often “work backwards” as the Banditos tell them to do: They decide to
7 arrest civilians, and then illegally come up with the reasonable suspicion and probable cause for
8 making the stop and arrest through planting and manufacturing of evidence and other illegal acts.
9 The Prospects seek to “earn their stripes” by committing wrongful acts, and the Prospects are often
10 more vicious than the inked members.

11 79. The Banditos are notorious for planting guns on victims. The use of “ghost guns”
12 is so common it has become a station joke anytime there is a report of a gun on suspect to ask if it
13 was a real gun or a ghost gun.

14 80. The Banditos give guidance to the young deputies such as: If they steal property
15 from suspects and inmates and later dispose of it, to make sure to “be smart enough to get rid of it
16 outside the station.” Defendant G-Rod bragged that “If they run from me, I make sure they come
17 back with broken bones.” He also advised deputies to carry a bag with them to plant evidence on
18 suspects.

19 81. Most of the Banditos are not in official management positions (although Sheriff
20 Alex Villanueva has been promoting inked gang members up the ranks). The Banditos maintain
21 control through sheer intimidation and strength in numbers, as there is no rival gang at the station,
22 and the individual non-Bandito deputies are left to fend to themselves to try to hold off the gang.
23 The Banditos also maintain control by putting members, Prospects, and Associates in positions of
24 power and influence that even lower ranked deputies can obtain at the station. The positions of
25 Dispatcher, Training/Scheduling Deputy, and FTOs are all vital to help keep the Banditos in
26 control. Historically, the Banditos gang members and Prospects have dominated the FTO and
27 Dispatcher positions. In addition, the Banditos controlled leadership at the station and had them
28 do their bidding. Captain Perez and Lt. Eric Smitson were controlled by the Banditos and Ernie

1 Chavez and Richard Mejia, successive Captains at East Los Angeles Station, have knowingly
2 enabled and/or still enable and covered and/or cover up Banditos’ activities.

3 82. Sheriff Alex Villanueva, as the leader of the LASD, has made many party
4 admissions about the Banditos gang, including that the hostile work environment was “pervasive,”
5 that the Banditos “ran” the East Los Angeles Station and “controlled the Captain,” and that back
6 up was withheld, and the Plaintiffs were harassed and physically attacked due to a lack of
7 supervision, and that supervisors actually contributed to the violence and endangerment of lives:
8 “[s]ome of the supervisors were part of the problem, they were facilitating this and that really made
9 matters even worse—it’s like pouring gasoline on fire... it became toxic – and they did not do
10 their job as supervisors. They just kind of looked the other way, ”² and that the Plaintiff Deputies
11 were subjected to a long running, ongoing hostile work environment, as “pretty much they [the
12 Banditos gang] were calling the shots, they were dictating the decisions of the station and that has
13 a very bad outcome obviously.”³ Villanueva has acknowledged the pervasive influence of the
14 Banditos at the East Los Angeles Station, saying they “ran roughshod” over the previous captain
15 and dictated where deputies would be assigned, enabled by “weak leadership of past
16 administrations.”

17 83. Sheriff Villanueva also admitted on behalf of the County that the County illegally
18 and in violation of FEHA “disproportionately targeted Latino and black deputies.”⁴ Villanueva
19 and Defendant Commander April Tardy also recently admitted that the leaders of the Banditos are
20 “shot callers” (Gang leaders).⁵

21 84. At the same time, while blaming past leadership for negligently allowing the
22 Banditos to terrorize the Plaintiffs, Villanueva has done nothing to curb the Banditos and protect
23 the Plaintiffs, as the Sheriff and LASD have repeatedly ratified the bad cops’ conduct and retaliated
24 against the Plaintiffs. The Sheriff’s recent claims to have addressed the Banditos problem is belied
25

26 ² *Los Angeles County Sheriff’s Deputy Describes Attack by Banditos Clique* (June 2019), available at
27 <https://abc7.com/deputy- cliques- los- angeles- county- sheriffs- department- alex- villanueva- east- la- station/5370629/>

28 ³ *East LA Sheriff’s Deputies File Suit Claiming Harassment, Violence by “Banditos” Clique* (Sept. 2019),
LAIST.com

⁴ *Sheriff Alex Villanueva on Changing the Sheriff’s Department* (June 2019), available at
https://www.youtube.com/watch?v=w1PO__j_cOM

⁵ *Sheriff Villanueva Moves to Fire or Suspend 26 deputies’ Involved in Banditos’ Brawl* (Aug. 2020), abc7.com

1 by the fact that the gang recently inked 10 of their prospects as full-fledged new members of the
2 gang.

3
4 **GENERAL ALLEGATIONS: THE BANDITOS GANG TARGETED THE**
5 **PLAINTIFFS BECAUSE THEY ARE LATINO THEN RETALIATED AGAINST THEM**
6 **WHEN THEY SPOKE OUT ABOUT FEHA AND OTHER LAW VIOLATIONS**

7 85. Plaintiff Deputies Hernandez, Casas, and Contreras grew up in East Los Angeles
8 or in the surrounding area and dreamed of working specifically at the East Los Angeles Station (as
9 did the two veteran Plaintiffs, Deputies Zaredini and Granados), and serving the community they
10 grew up in: Deputy Gonzalez grew up nearby South Los Angeles; Deputy Lemus grew up in El
11 Salvador and wanted to work East Los Angeles because it made her feel close to home. All the
12 Plaintiff Deputies are dedicated to serving and protecting the public, and the young deputies began
13 training at the East Los Angeles station brimming with enthusiasm and idealism. The Banditos
14 felt the Plaintiff Deputies' Latino ethnicity and youth made them particularly vulnerable prey. As
15 soon as the Plaintiffs began training, they were abused and bullied by the Banditos and the
16 Banditos continued that intimidating relationship past the training period.

17 **Plaintiff Alfred Gonzalez**

18 86. Deputy Alfred Gonzalez began training at the East Los Angeles Station in May
19 2017. His training officer was veteran Deputy Plaintiff Benjamin Zaredini. Right off the bat, unlike
20 how the Banditos were treating non-Latino deputies, the Banditos obsessively preyed upon
21 Gonzalez, as they harassed him unrelentingly, on a daily basis, mocking his appearance, falsely
22 accusing him of not working hard enough and not arresting enough people, and obsessively trying
23 to break him down emotionally. Defendants G-Rod, Big Listo Munoz, Silver, and Vincent Moran,
24 and other Banditos, obsessed over "rolling" Deputy Gonzalez out of the station. From the summer
25 of 2017 through 2019, Gonzalez dreaded coming to work every day, as the daily pressure to quit
26 his job caused him an unbearable amount of emotional distress. Deputy Gonzalez was singled out
27 for this treatment because he was Latino.

1 87. In June 2017, the Banditos intensified their abuse and harassment of Deputy
2 Gonzalez after he and Plaintiff Zaredini ignored gang orders to assist with the harassment of
3 Plaintiff Hernandez by withholding back up on Hernandez’ first murder call.

4 88. Deputy Gonzalez tried to keep his head up, focused on his work, and received
5 commendations for preventing suicides. However, Big Listo, and other Banditos, continued to
6 regularly bully Deputy Gonzalez by pressuring him to overwork himself, and would not let up on
7 their efforts to distress him so much he would quit his job.

8 89. In the fall of 2017, Big Listo sent shot caller Raymond Mendoza, to confront
9 Deputy Zaredini about reporting the hostile work environment to supervisors and for not following
10 gang orders to roll out Deputy Gonzalez. Deputy Zaredini informed Mendoza that Deputy
11 Gonzalez worked hard and did his job, and that Deputy Zaredini would not pressure him to quit.
12 Mendoza then “checked” Deputy Zaredini and sucker punched him in the head and knocked him
13 out unconscious behind the back of the East Los Angeles Station. Deputy Zaredini knew that
14 reporting this incident would just mean reporting it to his Banditos’ enabling superiors and would
15 likely get him killed in retaliation, so he just got up eventually, cleaned himself off and went back
16 to work. While Zaredini did not report the matter to protect his safety, news of the knockout
17 rapidly spread throughout the station, and station leadership was well aware of the “rumors,” but
18 did nothing to investigate them. Mendoza has never suffered any consequences for any of his years
19 of misconduct, as Mendoza has been protected by one East Los Angeles Station Captain after
20 another up through Captains Chris Perez, Ernie Chavez, and Richard Mejia.

21 90. For the next year, Deputy Gonzalez did his best to stay out of the path of the
22 Banditos and their prospects, but they would not leave him alone and took a perverse delight in
23 bullying him, with Big Listo berating him for matters such as refusing to file a false police report,
24 and Big Listo and G-Rod and other Banditos telling Gonzalez he did not belong at the station. Big
25 Listo and Banditos Associates would often dispatch priority calls to Deputy Gonzalez, and the
26 other Plaintiff Deputies, knowing their shifts were ending in 10 to 15 minutes, and knowing those
27 calls should have gone to one or two other cars available with other deputies who were just starting
28 their shift. Big Listo Associates would often dispatch crime calls to Deputy Gonzalez when he was

1 in a traffic car and there were crime cars available, to overwhelm Gonzalez with excessive calls.
2 This was often done when Bandito Braulio Robledo was in the crime car, and he would
3 intentionally leave the area so that Deputy Gonzalez was left in the district to take all the crime
4 calls by himself.

5 91. The Banditos' obsession with rolling Deputy Gonzalez' out through extreme duress
6 and distress would later lead the Defendants to plan to batter Deputy Gonzalez in September 2018,
7 and then to follow through and batter him and other Plaintiffs at a department event at Kennedy
8 Hall on September 28, 2018. Plaintiff Gonzalez' life and the life of his family was threatened by
9 Bam Bam at Kennedy Hall and Gonzalez was pushed by Big Listo and then hit several times by
10 unknown Banditos as he helped save Plaintiff Oscar Escobedo's life and pulled him from the
11 strangling grip of Defendant Bam Bam. After Gonzalez reported the truth about the Banditos, he
12 was further shunned and ostracized, and subjected to daily hostility, at the East Los Angeles
13 Station. Gonzalez had to look over his shoulder on a daily basis out of fear of back up being
14 withheld. In response to the Plaintiffs filing their Tort Claim, Bandito Hector Soto Saavedra lied
15 to management that he witnessed Gonzalez sitting in a car with a witness, in an effort to get him
16 wrongly disciplined. In 2019, Gonzalez suffered the first of three panic attacks/heart attacks that
17 would cause him to go to the emergency hospital. LASD would eventually have to give in and
18 transfer him out of the East Los Angeles Station. He remains severely distressed. As a
19 whistleblower, his career is destroyed at LASD, and out of retaliation, he will never be given
20 deserved and earned promotions.

21 Plaintiff David Casas

22 92. Plaintiff Deputy David Casas, also got harassed and abused in training from day
23 one for being Latino, starting in 2016, and was "taxed" by the gang, forced to pay money to the
24 Banditos by Defendants Big Listo and Silver, and Banditos and Associates Vincent Moran,
25 Anthony Pacheco, Leo Sanchez, and Andrea Villa. However, after Casas was off training Big Listo
26 and the other Defendants initially treated Deputy Casas very differently than they treated Deputy
27 Gonzalez. The Defendants actively tried to recruit Deputy Casas to the gang. But Deputy Casas'
28 FTO, the Godfather of the Banditos, Eric Valdez, discouraged Deputy Casas from joining the gang.

1 The Godfather recognized that Big Listo, G-Rod, and Silverio had a hostile mindset and were
2 taking the gang in a more violent and corrupt direction.

3 93. Big Listo offered to make Deputy Casas his “eyes and ears in the South.” Big Listo
4 explained to Deputy Casas that with the large contingent of Banditos, Prospects and Associates,
5 that Big Listo had the “numbers on my side” to control the station. Big Listo explained that there
6 would be no accountability for Deputy Casas’ wrongful actions as no one in management would
7 interfere if he joined the Banditos.

8 94. Deputy Casas stayed focused on doing police work and made it clear he was not
9 interested in joining the gang, receiving numerous commendations for going beyond the call of
10 duty, for putting himself in dangerous situations to apprehend dangerous suspects, and running
11 into a burning building to rescue residents.

12 95. Deputy Casas spoke up to Field Training Officers about the harassment of Latino
13 deputies and other FEHA violations. Deputy Casas subsequently received numerous harassing
14 messages from Big Listo and the other Banditos. The Banditos withheld back up on Casas’
15 dangerous calls including where was the only deputy assisting Plaintiff Granados on a call to a
16 church where there was a mentally ill knife wielding assailant. Defendant Silver threatened Deputy
17 Casas, threatening to batter him in the summer of 2018. The Banditos pushed Casas to quit and
18 leave the station and later battered him at Kennedy Hall in the fall of 2018. At Kennedy Hall, Casas
19 was hit by G-Rod and then hit several times by unknown Banditos as he helped save Plaintiff
20 Oscar Escobedo’s life and pulled him from the strangling grip of Defendant Bam Bam. As with
21 Gonzalez, Casas reported the truth about the Banditos, and was further shunned and ostracized at
22 the East Los Angeles Station. When Casas confided in LASD that his life was in danger, and he
23 did not feel safe, as long as he continued at East Los Angeles, LASD transferred him out of the
24 Station. He remains severely distressed. As is the case with all 8 of the Plaintiffs, as a
25 whistleblower, his career is destroyed at LASD, and out of retaliation, he will never be given
26 deserved and earned promotions.

Plaintiff Art Hernandez

1
2 96. Plaintiff Art Hernandez has been harassed for being Latino (and treated differently
3 than the Non-Latinos) by the Defendants Big Listo, G-Rod, and Silver, as well as by several of the
4 Banditos' Prospects, since 2016 when he began training at the station. Deputy Art Hernandez was
5 regularly harassed by the Banditos' top shot caller, Big Listo, through messages to Deputy
6 Hernandez via the mobile computer inside his patrol vehicle, pretending to be disappointed in
7 Hernandez' work performance, and mocking for not doing things "the East LA way."

8 97. An escalation in the aggression and dangerous tactics of the Defendants occurred
9 in June 2017 when Big Listo and Silver and other Banditos withheld back up on Deputy Hernandez
10 on the first of two dangerous calls for Hernandez that day. Then, Big Listo ordered deputies to
11 withhold back up on Hernandez' first murder call. Plaintiffs Zaredini and Gonzalez defied gang
12 orders to withhold back up, but there was still inadequate back up for an active shooter call. The
13 withholding of back up on the Plaintiffs' calls was designed to severely distress the Plaintiffs on a
14 daily basis as long as they worked at the East Los Angeles Station, and it worked. On a daily basis
15 from June 2017 through 2019, Plaintiffs never knew if they would have adequate back up from
16 their partners on their calls.

17 98. The Banditos, led by Silver and Big Listo called Hernandez and the other young
18 Latino deputies into meetings to threaten and intimidate them. From June 2017 to September 28,
19 2018, the Banditos harassed Hernandez regularly at the station and looked for an opportunity to
20 physically attack him. The Banditos got their opportunity at Kennedy Hall on September 28, 2018,
21 as Big Listo, unprovoked, tackled Hernandez and punched him several times in the face, hammer
22 fisting him as Hernandez asked him, "Sir, you are you hitting me?" and then G-Rod sucker
23 punched him unconscious. G-Rod and other Banditos stomped on Hernandez unconscious body.

24 99. Hernandez reported what happened to Lt. Mejia, but Lt. Smitson pressured
25 Hernandez to lie and claim what happened was drunken, mutual combat. Hernandez' former
26 training officer, Bandito Marcelo "Reaper" Ortega also threatened Hernandez, telling him to shut
27 up about the incident. Hernandez asked Captain Perez for protection from the Banditos, but none
28

1 would be forthcoming from LASD. Perez simply told Hernandez that if they come to his house to
2 kill him, he should use his own gun and shoot them.

3 100. After Hernandez refused to lie about the Banditos, he was subjected to further
4 unrelenting hostility at the East Los Angeles Station, and further withholding of back up on
5 dangerous calls, until he finally escaped the station. LASD then punished him by giving him
6 “freeway therapy,” forcing him to drive to a faraway station, while the gang members were given
7 no discipline for 2 years of daily harassment at the station. Two years later, in violation of POBR,
8 Sheriff Villanueva and LASD further ratified the conduct of the Banditos, as they gave Hernandez
9 a suspension for being a victim at Kennedy Hall. When Hernandez asked Commander April Tardy
10 what he did wrong at Kennedy Hall to cause LASD to suspend him, and Tardy replied, “you made
11 the decision to go to the party.” If that were the real criteria, Sheriff Villanueva and over 100 other
12 deputies who attended the party would have been given suspensions. The real criteria were that
13 Hernandez was Latino and harassed for it, spoke up about the harassment and other FEHA
14 violations, and blew the whistle on illegal activity.

15 101. The Defendant County continued the adverse employment action as it used the
16 suspension of Hernandez for the Kennedy Hall incident as a vehicle to wrongfully terminate him
17 for later getting a DUI, tying the incidents together, and justifying the termination in 2023 as
18 “progressive discipline.” The County also ignored that the severe emotional stress from the
19 harassment and retaliation is what caused Hernandez to develop alcoholism, and ultimately get
20 two arrests and one conviction for a DUI when he was off duty. LASD offered no help for
21 Hernandez. Instead, the County exploited the stress it caused Hernandez.

22 102. As a result of the Plaintiffs’ repeatedly reporting the Banditos, the hostile work
23 environment, and illegal conduct to supervisors and County leadership in 2018, 2019, 2020, the
24 County repeatedly retaliated against the Plaintiffs with adverse employment actions, for several
25 years, up through the filing of this 7th Amended Complaint. The County gave suspensions on
26 trumped up charges, gave undeserved demotions, and blocked promotions on the Plaintiffs. In one
27 case, the County wrongfully terminated Hernandez.

1 103. After Art Hernandez repeatedly reported illegal conduct and the deputy gang the
2 Banditos and filed a claim, the County falsely claimed in 2019 that it wanted to do reform. Instead
3 of doing any reformed as it promised, the County retaliated against Hernandez, giving him a 15-
4 day suspension for reporting illegal conduct, despite the LASD admitting that Hernandez' role in
5 the incident in question was as a "peacekeeper" and he was a victim, knocked unconscious.

6 104. LASD also falsely accused Deputy Hernandez of being dishonest. The truth is that
7 Mr. Hernandez reported perjury committed by an attorney retained by the County and LASD Risk
8 Management deputy, Esmeralda Lopez, who retaliated against Deputy Hernandez by making a
9 false report to SB2 and LASD that Hernandez was dishonest. Mr. Hernandez was cleared of the
10 false charges on this issue by LASD's Constitutional policy Adviser, Eileen Decker. On July 20,
11 2023, the false investigation was ended, but the County continued to make false allegations against
12 Hernandez.

13 105. LASD then used the retaliatory 15 days as "progressive discipline" to justify
14 terminating him on September 1, 2023, effective September 20, 2023, for this DUI.

15 106. After Deputy Hernandez was notified of the termination, and LASD stopped paying
16 him salary, he resigned due to the emotional stress and financial stress, rather than spending two
17 to three years trying to fight the termination on appeal, while not being paid salary by the County.
18 Resigning on September 20, allowed Hernandez to access his vacation and other "banked" salary.
19 This was both a constructive termination and an actual termination because the County already
20 notified him it was terminating him when he resigned.

21 107. LASD dishonestly claims that Hernandez was terminated for a DUI. They
22 terminated him on September 20, 2023, in retaliation for him reporting illegal conduct, fabricating
23 that the termination was for a DUI, when in fact, no other deputy at LASD in the last 5 years had
24 been terminated for an off-duty DUI that didn't result in injury or property damage or some other
25 accompanying wrongful conduct.

26 108. Moreover, after Hernandez was forced out, LASD Risk Management committed
27 crimes to destroy Hernandez' career in all of law enforcement, in October 2023 falsely reporting
28 to the State of California's POST that he was separated from employment facing charges of

1 "dishonesty." The County's Inspector General made an admission for the County that the reports
2 of Hernandez being dishonest were false and false police reporting.

3 109. LASD destroyed Hernandez' career at the age of only 33. The financial damages
4 to Hernandez are about \$10 million in lost salary. The adverse actions against Hernandez in 2023
5 were part of the continuing retaliation against Hernandez and did not require Hernandez to file a
6 new tort claim and get another Right-to-Letter. However, on January 17, 2024, Plaintiff Hernandez
7 filed another tort claim with the County to address the continuing retaliation and adverse
8 employment actions. On April 17, 2024, Plaintiff Hernandez also filed again for a Right-to-Sue
9 letter for FEHA violations.

10 Plaintiffs Oscar Escobedo and Mario Contreras

11 110. The Banditos, including Big Listo, Silver, and G-Rod, engaged in non-stop
12 harassment of Plaintiffs Escobedo and Contreras, from 2017-2019, because they were Latino,
13 treating them differently than the non-Latino deputies. Banditos shot caller Manny Navarro and
14 other Banditos rode Mario Contreras hard based on him being Latino, trying to pressure him to
15 quit and roll out of the station. Deputy Escobedo was subjected to the same harassment. However,
16 after he was off training, G-Rod appeared to try to recruit him into the gang to be his "eyes and
17 ears" to have him join G-Rod and other Banditos to intimidate and harass other young Latino
18 Deputies. However, Escobedo refused to join the gang and engage in illegal activities.

19 111. In addition to the Banditos shunning and bullying Escobedo and Contreras, Big
20 Listo regularly bombarded Deputies Escobedo and Contreras with hostile messages on the vehicle
21 computer, pushing them to work themselves into the ground and make illegal arrests. The purpose
22 of the Banditos' messages was to interrupt their work and create an unsafe environment and cause
23 such severe distress to the Plaintiffs they would quit.

24 112. In the Spring of 2018, the Plaintiffs, including Escobedo, reported the hostile work
25 environment to Lt. Richard Mejia. Mejia claimed he would do a real investigation, but he only
26 went through the motions of doing so, and he and Lt. Smitson and Captain Perez hid the role the
27 Banditos played in the harassment of the Plaintiffs and did nothing to intervene and protect the
28 Plaintiffs. After months of unrelenting harassment where the Banditos withheld backup on over

1 two dozen dangerous calls, in September 2018 Escobedo reported to Mejia that the hostile work
2 environment had not abated. But Mejia ignored the Plaintiff’ concerns, setting the stage for assault
3 and battery on the Plaintiffs. Mejia now lies and claims he does not remember much of his role in
4 the failure to protect the Plaintiffs, and the County’s ratification of the conduct.

5 113. At Kennedy Hall, unprovoked, G-Rod slammed Contreras in the face in an effort
6 to knock him unconscious. Defendant Silver grabbed Escobedo from behind and choked him
7 unconscious and held him so others could hit and kick him. Bam Bam strangled Escobedo
8 unconscious, apparently in an effort to murder him as it took several deputies to break his grip.
9 Big Listo pulled Deputy Escobedo to the ground hit Escobedo in the face, telling him, “I’ve been
10 waiting for you.” 1.5 years is how long the pervasive harassment had been maintained on a daily
11 basis, and the violent attacks on Escobedo were not an aberration, but rather a continuation of the
12 previous 1.5 years of an unrelenting hostile work environment.

13 114. Right after the Kennedy Hall attacks, Banditos and associates, including Hector
14 Soto Saavedra, laughed in text about the “245” (assault and battery) committed when Escobedo
15 was almost strangled to death, and spoke of destroying evidence. Of course, there was no discipline
16 given to these deputies for these acts.

17 115. Despite pressure from the Banditos to lie and cover it up the Kennedy Hall attack
18 and the harassment that led up to it (Bandito Mark Elizondo pressured Contreras to not talk),
19 Escobedo and Contreras reported the truth on Kennedy Hall, and that the hostile work environment
20 did not let up through 2019. The Plaintiffs were subjected to more withholding of back up on
21 dangerous calls, and their lives were threatened as “rats.” In front of Deputy Escobedo and other
22 deputies, Bandito Juan Sanchez speculated in the report writing room as to how to kill such rats as
23 the Plaintiffs.

24 116. Two years after the Kennedy Hall incident, in violation of POBR, past the 1-year
25 statute of limitations, and with malicious intent, LASD suspended victims Contreras (for not
26 reporting the attack by the Banditos to the Banditos) and Escobedo for being choked and strangled
27 unconscious.

Plaintiffs Benjamin Zaredini and Ariela Lemus

1
2 117. Starting in 2017, Plaintiff Ariela Lemus was targeted by the Banditos for being
3 Latina and was treated differently than other deputies of other races and ethnicities, and repeatedly
4 threatened. While she was initially protected from the Banditos to some extent because Plaintiff
5 Zaredini was her training officer and he tried to protect the Latino Plaintiffs, as soon as she was
6 off training, she was continuously bullied for 1.5 years, starting in 2017.

7 118. Deputy Zaredini, who had been at the East Los Angeles Station since 2008, was in
8 fact formerly a Banditos' Prospect himself (Zaredini is of mixed heritage, but the Banditos
9 recruited him under the mistaken impression that he was "pure" Latino). However, just as the
10 gang's Godfather Eric Valdez would eventually grow weary of Big Listo and the other bullies
11 gaining power with the Banditos, Plaintiff Zaredini became disenchanted with the Banditos and
12 ashamed of his affiliation with them. Deputy Zaredini cut his ties to the gang as he moved on and
13 received commendations for community service and helped coordinate the Vital Directional
14 Alternatives Interventional program which helps at-risk youth, focused on being a good cop.
15 Deputy Zaredini faced repeated retaliation for speaking out about the race-based hostile work
16 environment.

17 119. Zaredini faced the wrath of the gang when he defied gang orders to withhold back
18 up on Plaintiff Hernandez' first murder call, and got sucker punched unconscious for speaking out
19 about the harassment of his trainee, Plaintiff Gonzalez.

20 120. The Banditos' harassment of Zaredini was daily and unrelenting from 2017 through
21 2019. The gang was obsessed with causing Zaredini severe distress and succeeded in making him
22 feel he could never rest and had to look over his shoulder every day. An example of one of the
23 many tactics used by the Banditos against Zaredini was the gang members repeatedly crossed
24 Zaredini's name off his mailbox, a tactic used by the mafia to show a person is considered dead.

25 121. On numerous occasions, the Banditos including Big Listo would assign Zaredini
26 excessive calls, including at end of shift, and would disrupt Deputy Zaredini's calls by sighing and
27 hissing over the radio, in an effort to create an unsafe environment for the Plaintiff. After one such
28 incident, Deputy Zaredini reported the Banditos for harassment and a hostile work environment

1 and for preying on younger Latino deputies he tried to protect. In response, Captain Perez and Lt.
2 Smitson retaliated against Zaredini by taking his trainee away from him, thus depriving him of his
3 FTO bonus pay. In violation of LASD policy, LASD took this adverse employment action without
4 any investigation or inquiry and made no attempt to address the harassment. Later, a commander
5 and LASD's Chief admitted that LASD had taken Zaredini's trainee and bonus pay away as an act
6 of retaliation.

7 122. As part of the ongoing hostile environment, and in retaliation for speaking out about
8 the hostile work environment and illegal conduct, Defendants Big Listo, G-Rod, and Silver, along
9 with several other Banditos and prospects and associates, withheld back up on Deputy Zaredini's
10 dangerous calls, including for the entire summer of 2018. Banditos Vincent Moran and Braulio
11 Robledo called deputies into a meeting to order withholding of back up on calls for Deputy
12 Zaredini and the other Plaintiffs. Instead of taking actions to protect Zaredini and the other
13 Plaintiffs, Lt. Mejia and LASD made matters worse by moving Big Listo into the Dispatch Unit,
14 where he could more easily coordinate the withholding of back up and the slamming of excessive
15 calls on the Plaintiffs. Big Listo and associates Eldemira Parra, Andrea Villa, and Perez directed
16 the withholding of back up through the Dispatch unit.

17 123. Despite management's awareness of the hostile work environment and the
18 withholding of back up, management did not intervene and instead actively covered up the hostility
19 and the withholding of back up. Supervisor, Sgt. Robert Lavoie observed Bandito Prospect Juan
20 Sanchez' vandalism call where all units showed up to help with back up and then observed Deputy
21 Zaredini's shooting call two blocks away where no back up was given. Deputy Zaredini told
22 Lavoie, "You see what's going on here." Lavoie responded, "I don't know what you are talking
23 about." Yes, Lavoie, and Mejia, and other LASD leaders knew exactly what was going on. And
24 they did nothing about it.

25 124. The only reason Deputy Zaredini had any form of back up on some of those
26 occasions was because other Plaintiff Deputies went far out of their South districts, out of their
27 way, to step into the void and provide back up in the North. On many of those instances, the
28 Plaintiff Deputies, Granados, Casas, Lemus, Escobedo, Contreras, and Hernandez, giving back up

1 to Deputy Zaredini were also without adequate back up themselves on the same call. As per LASD
2 policy and practice, there still should have been more cars and deputies assisting the Plaintiff
3 Deputies with the calls.

4 125. On multiple occasions in 2017 and 2018, rookie deputy Plaintiff Ariela Lemus was
5 also without adequate back up as she was the only deputy providing back up to Zaredini.

6 126. Big Listo threatened Deputy Lemus that she would not be provided back up on her
7 own calls after she completed training, that she would be “left on an island” by herself, to possibly
8 be killed or injured in the streets by criminals. The Defendants desperately tried to emotionally
9 break down Lemus to cause her to quit her job at the station, and the tactic worked. On a daily
10 basis, for 1.5 years, Lemus went out on patrol to protect the community, but always had to look
11 over her shoulder, never knowing if she would have adequate back up from her partners and not
12 knowing whether she would be killed a result of her partners’ conduct. Lemus continues to suffer
13 extreme distress.

14 127. In the Spring of 2018, Lemus reported the race-based hostile work environment to
15 Lt. Mejia, who admitted she reported the harassment and that she broke down crying, as
16 memorialized in a memo to Captain Perez. However, Mejia hid the role of the Banditos in his
17 memo and he and other managers did nothing to intervene to protect Lemus and the other Plaintiffs
18 from the harassment.

19 128. Deputies Eldemira Parra and Andrea Villa were Banditos Associates who would
20 “regulate” (prison jargon for controlling and intimidating and terrorizing) Latina deputies at the
21 East Los Angeles. Parra and Villa tried hard to regulate Deputy Lemus and forced her to pay gang
22 taxes and, based on her being Latino, pressured her to sell products to raise money for the Banditos.
23 Deputy Lemus was also made aware that Latinas at the station were encouraged to pay taxes
24 through sexual favors, but she refused to participate and give in to the gang.

25 129. During the summer of 2018, like the other Plaintiffs, Lemus faced the wrath of
26 Banditos for reporting the race-based hostile work environment and illegal conduct, as the
27 Banditos repeatedly put the Plaintiffs’ lives in danger. During the Kennedy Hall event, Lemus
28 was on-duty and in uniform and assigned by the department to drive deputies to the party and back

1 to the station. On a return trip, Lemus arrived at Kennedy Hal to a horrifying sight of Banditos
2 surrounding Plaintiff Escobedo with one of the Banditos choking him out. At this point, Lemus
3 feared for her own life, knowing that the murder of Plaintiffs was a logical escalation. Indeed, after
4 the Plaintiffs escaped from the assault and battery and Kennedy Hall, shot caller Silvano Garcia
5 drove the perps, Big Listo, G-Rod, Silber, and Bam, around in his car looking for the Plaintiffs to
6 further attack them.

7 130. Lemus knew LASD leadership was “in the bag’ for the Banditos and reporting the
8 incident to them would essentially be reporting to the gang itself, as happened when the Plaintiffs
9 reported to Mejia in the Spring of 2018. So, when she got back to the station, she reported what
10 she witnessed to a senior deputy who she knew had integrity, Plaintiff Louis Granados. Granados
11 immediately reported to supervisors what Lemus frightfully confided in him.

12 131. After Lemus and Granados reported the Kennedy Hall incident and other hostile
13 acts, they were shunned and ostracized like the other Plaintiffs. The Banditos continued to
14 withhold back up on all the Plaintiffs’ calls through 2019.

15 132. In early 2019, Banditos shot caller Raymond Mendoza abandoned the service area
16 he was sharing with Plaintiff Lemus, leaving her to cover all the calls by herself. Lemus reported
17 this to her supervisor who told her to not “be a snitch.” Lemus reported it to Captain Ernie Chavez,
18 a Vikings gang member. Chavez told Lemus that he would not discipline Mendoza and admitted
19 that Mendoza was a Banditos leader and expressed admiration for him intimidating other deputies.
20 Chavez and LASD then further retaliated against Deputy Lemus for reporting Mendoza, by
21 resurrecting an incident where an uninjured resident complained Lemus hadn’t called to get him
22 medical aid and had been dismissed as frivolous. Chavez violated her POBR rights and referring
23 her for a bogus IA investigation based on what the captain knew to be fake allegations that had
24 already been addressed. Chavez, and Sgt. Hugo Reynaga and Lt. Anthony Easter, gave Lemus a
25 2-day suspension as retaliation.

26 133. Sheriff Villanueva and Mejia and Tardy further retaliated against Plaintiff Lemus
27 for reporting the Kennedy Hall incident and race-based hostile work environment and suspended
28 her for supposedly not properly reporting the Kennedy Hall incident.

1 134. As for Zaredini, he cleared all hurdles to be promoted to Sergeant and the promotion
2 was signed off on by the Chief at LASD. However, Sheriff Villanueva and his wife Vivian
3 interjected themselves into the process and personally blocked Deputy Zaredini’s well-deserved
4 and earned promotion to Sergeant, as retaliation.

5 135. In addition, after Zaredini filed his Tort Claim here in March 2019, Hector Soto
6 Saavedra, the protégé of Big Listo, retaliated for the Banditos by falsely claiming Zaredini had
7 called him a homosexual slur over a year before. Saavedra was well known for repeatedly using
8 that slur himself and witnesses confirmed he lied about Zaredini. Villanueva and LASD knew the
9 allegation had no foundation and was blatantly retaliatory, and LASD nonetheless used the fake
10 allegation as an excuse to give Zaredini a 7-day suspension.

11 136. Deputy Karla Sepulveda, a deputy gang associate of the Regulators, also retaliated
12 on behalf of LASD against Zaredini by claiming he had been “stern” with her as her training
13 officer. The practice at LASD is to allow training officers to abuse trainees, up to slapping and
14 assaulting them, without any discipline, so trying to discipline Zaredini for being stern was
15 ridiculous. After LASD issued Zaredini a two-day suspension for the fake charges, a Captain
16 intervened, and acknowledged the suspension had been given out of retaliation.

17 137. Zaredini continues to suffer from severe distress over the harassment and
18 retaliation. Recently, due to the distress, he was in a one-person motorcycle accident and was
19 almost killed, breaking two orbital bones.

20 Plaintiff Louis Granados

21 138. Initially, the Banditos did not find Plaintiff Deputy Louis Granados easy to break
22 emotionally, as he was prepared to tolerate and endure any abuse that came his way. When he first
23 arrived at East Los Angeles station in 2013, on the surface he fit the bill of the Banditos’ prey as a
24 young Latino deputy. But the Banditos were a bit leery of Plaintiff Granados because, before
25 becoming a Deputy, he was Sgt. Granados of the United States Marines, a war hero who saved
26 hundreds of fellow Marines’ lives in battle at a base in Al Asad during the Iraq War. When Iraqi
27 soldiers staged a surprise night attack and a rocket struck their observation tower, Sgt. Granados
28 covered a young Private’s body with his own and suffered severe hearing loss and a concussion

1 from the force of the blast while the Private was uninjured. This behavior would be the direct
2 opposite of what might be expected from a member of the racist Banditos, which pits deputies
3 against other deputies and destroys any sense of camaraderie. After regaining consciousness from
4 the bombing, Sgt. Granados ran into and through enemy fire to locate and radio back the correct
5 coordinates necessary for the Marine pilots to bomb and destroy the attacking Iraqi platoon and
6 missile launchers before the Iraqi soldiers could overrun the base.

7 139. After he retired from the Corps, Deputy Granados arrived at East Los Angeles to
8 pursue a career in law enforcement. He was surprised by the perverse abuse perpetrated on the
9 Latino trainees, but he was prepared to handle whatever abuse that would come his way. The
10 Banditos did abuse him severely and he also witnessed the Banditos terrorize other Latino trainees
11 who were told by the Banditos Associate Angelica “the Pink Hand” Estrada that they were not
12 “East LA [gang] material” and would never be allowed off training and would be forced “to roll
13 out” of the station. The Defendants made Deputy Granados work 24 hours straight without sleep,
14 putting his life in danger, working harder than anyone at the station while the Banditos told him
15 he was not working hard enough.

16 140. Bandito Braulio Robledo and other Banditos prospects forced Granados and the
17 other Latino Plaintiffs to pay gang taxes.

18 141. Banditos shot caller, “Crook” Lopez tried to intimidate Deputy Granados by
19 blocking his path, and trying to lure him into a violent confrontation, but Deputy Granados did not
20 take the bait.

21 142. Once Deputy Granados completed training, the Banditos started to keep their
22 distance from him as by then they had now learned of his military background and combat
23 experience in Iraq and kept their harassment of Deputy Granados to “passive aggressive” acts such
24 as sending him an excessive number of calls during his shift. Banditos Associates Eldemira Parra,
25 Andrea Villa, and Claudia Perez worked closely in Dispatch with Big Listo to overwhelm the
26 Latino Plaintiffs with excessive calls, especially in 2018 after Granados and Zaredini together blew
27 the whistle on the Banditos.

1 143. Deputy Granados did his best to keep his distance from the Banditos and tried not
2 to let the Banditos distract or overload him through the extra work. But Granados was aware, like
3 everyone else at the station, that the Banditos were harassing and discriminating against the other
4 young Latino deputies and realized he needed to do something about it.

5 144. By early 2018, Deputy Granados finally lost his patience with the wrongs being
6 committed at LASD. Deputy Granados was long aware of the Banditos' station-wide reputation.
7 Further, all the leadership at the station, and the Sheriff's Office, knew of the Banditos and their
8 targeting of Latinos, their bullying, their illegal gang conduct, and violence, and did nothing to
9 protect the young Latino deputies. But Deputy Granados knew the time had come for him to speak
10 up about the FEHA violations and illegal conduct, regardless of what the County and their Banditos
11 employees might do to punish him for it.

12
13 **Plaintiffs Including Zaredini and Granados Blow the Whistle on the Defendants**

14 145. Veteran Plaintiffs Zaredini and Granados were both alarmed by the increasingly
15 hostile and race-based harassing and violent nature of the gang and that their authority and control
16 at the East LA Station was maintained with the full knowledge and tacit if not active consent and
17 support of senior leadership. The veteran Plaintiff Deputies knew there was little or no
18 accountability or supervisory authority to provide a check on the Banditos.

19 146. Plaintiffs Granados and Zaredini also knew that while some of the Banditos' actions
20 could be improperly dismissed by leadership as "petty," such as keying cars, using the mafia tactic
21 of removing deputies' names off their mailboxes to send the message to the Latino deputies that
22 they are considered to be dead at the station, placing transfer slips in the mailboxes to send message
23 the deputies are unwanted at the station, hissing over the radio during the deputies' calls in on the
24 radio to try to disrupt their calls and make them unsafe, "no acking" (ignoring) other deputies, etc.,
25 the veteran Plaintiff Deputies were cognizant that the Banditos caused tremendous harm when all
26 those acts, and more dangerous tactics, created together an unrelenting, daily, pervasive hostile
27 work environment at the East Los Angeles Station, from summer of 2017 to late 2019.

1 147. The Plaintiffs were also aware that from 2017 to 2019 the Latino Plaintiffs had
2 reason to fear for their lives every day they came to work as the Banditos were all fully armed and
3 trained and licensed to kill, that the Banditos had committed violence against their fellow deputies
4 in the past and were depriving minority residents of their civil rights, with excessive force and
5 planting of evidence.

6 148. Subsequently, despite knowing it would be a risk to their careers and possibly their
7 lives, Deputies Zaredini and Granados, in Spring of 2018, brought their concerns to their superior
8 officer at the East La Station: Lt. Richard Mejia, then a Lieutenant and, as far as they were aware
9 at the time, someone who was independent of the Banditos. The Plaintiffs thought Mejia was the
10 one person in leadership at East Los Angeles they could trust. Other Plaintiffs and deputies put
11 their trust in Mejia, as they did not discover until 2020 that Mejia had prioritized his career
12 advancement over integrity, honesty, and fighting crime, and would go on to downplay the
13 Banditos, and only go through the motions of intervening to protect the Banditos.

14 149. In addition to the reporting by Plaintiffs Zaredini and Granados and Lemus and
15 Escobedo and others, a whistleblower sent in an Anonymous letter to the Sheriff's Office,
16 managers at the East Los Angeles Station and Inspector General, detailing the hostile work
17 environment and confirming much of the harms suffered by the Plaintiffs. If, up to this point, the
18 County was claiming any ignorance as to the extent of the deputy gang problem, they could no
19 longer deny they had notice of the problem and the dangers facing their employees. The County
20 had the responsibility to handle the hostile work environment and other FEHA violations and
21 criminal acts properly, and to move swiftly and carefully to protect its employees and the public.
22 The County did not then do so, and it has still not done so as of the filing of this 7th Amended
23 Complaint.

24 150. Mejia was soon promoted up the ranks at LASD, because he refused to intervene
25 and protect the Plaintiffs from the hostile work environment, covered up the Banditos gang, and
26 did not support the law-abiding deputies at the station.

27 151. Despite the fact he simply went through the motions, in the summer of 2018, Mejia
28 did recommend to Captain Perez in a memo that LASD initiate an administrative investigation into

1 Big Listo for hazing, bullying, and for creating a hostile work environment. If LASD had followed
2 up and did an honest investigation into Big Listo and also into the Banditos, Big Listo and other
3 Defendants would have been disciplined, two dozen incidents of withholding of back up on
4 dangerous calls would have been averted, as would all the other forms of harassment that occurred
5 after the Spring of 2018, including the violent gang attack that later left two of the Plaintiff
6 Deputies unconscious at Kennedy Hall.

7 152. Immediately after Granados and Zaredini blew the whistle on the gang, Mejia
8 informed Lt. Eric Smitson and the Pink Hand of the whistleblowing, even though Mejia knew
9 these two Defendants were fierce protectors of the Banditos. Subsequently, the Banditos were
10 immediately informed by the Pink Hand and Smitson that Deputy Granados and Deputy Zaredini,
11 and the other Plaintiff Deputies interviewed had told the truth to Mejia. The Pink Hand and
12 Smitson and LASD immediately denied Granados an earned promotion, despite him having the
13 highest score on the exam and there being open positions to fill. The Banditos also exponentially
14 increased the withholding of back up on dangerous calls, and the slamming of Plaintiffs with
15 excessive calls.

16 153. The Pink Hand's dominance of the management at the East Los Angeles Station
17 was so strong, she was also nicknamed "the Red Queen." To date, there has been no consequences,
18 no discipline of any kind for the deputy who patterned herself after the Black Hand of the Mexican
19 Mafia, and no accountability for those who enabled her, like Chief Bobby Denham, Perez,
20 Smitson, and Mejia, and for those who aided her, in harassing the Plaintiff Deputies. This lack of
21 accountability for any of the Banditos highlights that mafia-like nature of LASD, which does not
22 hold Banditos accountable and retaliates against deputies like the Plaintiff Deputies for speaking
23 up in the face of the Code of Silence.

24 154. LASD continues to deny Granados earned promotions and to initiate fake IAB
25 investigations against him. While Granados was off duty, he witnessed deputies shooting at a
26 resident. Granados properly reported the incident, but Defendant County employee Sgt. Diana
27 Woodward fabricated what Granados told her about how he handled the incident. After Woodward
28

1 was ordered to discard her fraudulent write-up of Granados, County employees resurrected the
2 false charges and initiated a fake IAB against Granados.

3 155. In summer of 2021, Lt. Carmen Arballo point blank admitted that she and LASD
4 was not giving Granados an earned promotion because he reported FEHA violations and was a
5 whistle blower.

6 156. Granados deeply feared that the Banditos would cause the deaths of his co-workers
7 and perhaps some of their family members. The Banditos withheld back up on many of his calls
8 including an incident of assailant at a church with a knife, and parishioners had to help him subdue
9 the suspect, because the Defendants left him short-handed. Granados informed his wife that if he
10 were killed at work to not believe what she was told and investigate the role of the Banditos. When
11 Plaintiff Lemus reported to him that she witnessed one of the Banditos trying to kill one of the
12 Plaintiffs at Kennedy Hall, he believed his fears were coming to fruition.

13 157. After the Kennedy Hall attacks, the Banditos continued to withhold back up for the
14 Granados and the other Plaintiffs. Granados was also alarmed that Bam Bam threatened to attack
15 and perhaps kill Plaintiff Gonzalez' family. Granados escaped from the East Los Angeles Station
16 in early 2019, but the severe distress continued for Granados and the other Plaintiffs. Granados
17 checks his wife's car every morning before he leaves his home, to make sure the Defendants have
18 not boobytrapped the car to kill his wife.

19 158. The retaliation by the Defendants caused Plaintiff Granados to suffer from PTSD
20 as if he had been put through an unrelenting and brutal war by LASD more traumatic than the real-
21 life war experiences where he first suffered PTSD. His long-ago healed wounds of war have been
22 made raw by the Defendant County and its employees.

23
24 **The Wrongful Conduct Committed by The Defendants Has Been Continuous and Ongoing**

25 159. All of the acts of discrimination, harassment, and retaliation are timely under the
26 continuing tort doctrine because, commencing in 2016 and continuing through the filing of this
27 complaint, the Defendants subjected the Plaintiff Deputies to a series of adverse actions that were
28 similar-in-kind, i.e., were motivated by the same discriminatory or retaliatory animus, even if

1 otherwise different actions, occurred with reasonable frequency, and did not acquire permanence
2 at the earliest until the Plaintiff Deputies were transferred out of the East Los Angeles Station.
3 Defendants therefore remain liable for this entire course of conduct, including acts predating any
4 statutory period inasmuch as at least one, and, here, many, of the acts occurred within the statutory
5 period.

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

7 160. The Sheriff is employed by the County. He serves as the head of LASD and is its
8 top spokesperson. He is responsible for managing, supervising, and disciplining all employees in
9 LASD including LASD deputies.

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

15 162. Plaintiffs are informed and believe and thereupon allege that Defendant DOES 1-
16 100, and each of them, whether individual, corporate, associate or otherwise, some of which are
17 still unknown to Plaintiffs at this time, who therefore sue said Defendants by such fictitious names
18 unless named in this 7th Amended Complaint.

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

23 164. Plaintiffs are further informed and believe, and thereupon allege, that at all times
24 relevant hereto, Defendants, and each of them, acted in concert and in furtherance of the interests
25 of each other Defendant.

26 165. At all relevant times, Defendants or their predecessors in office have acted or failed
27 to act, as alleged herein, under the color of state law.
28

1 169. Commencing before and during 2017, and continuing to the present, Defendants
2 created and allowed to exist a racially hostile environment (targeting the Plaintiffs for being Latino,
3 and not subjecting the non-Latino deputies to the same treatment) and an environment where
4 certain deputies, members of the Banditos, were allowed to engage in illegal activity without
5 accountability and along with the County retaliated against the Plaintiff Deputies when they spoke
6 out about and blew the whistle on the Banditos and their illegal activity and policy violations.

7 170. In 2017, the Plaintiffs observed the 100 member Banditos to meet the definition of
8 an illegal gang, an association of 3 or more individuals, working in unison, in a coordinated
9 conspiracy, engaging in criminal conduct. In 2017 and 2018, the Plaintiffs were abused and
10 harassed by the Banditos based on being Latino in violation of FEHA, with the deputy gang
11 members engaging in daily and pervasive harassing acts against the Plaintiffs. The daily
12 harassment including acts such as imposing gang taxes on the Plaintiffs out of their paychecks, to
13 deprive the Plaintiffs of overtime pay as they were made work up to 24 hours straight without sleep
14 or food, to bully them, to overwhelm with excessive calls including at end of shift, to withhold
15 back up for them on dangerous calls, and to threaten them with violence and to commit battery
16 against them. In addition, the Plaintiffs resisted pressure from the Banditos to engage in illegal
17 conduct, such as meeting constructive arrest quotas, making illegal stops and arrests, planting
18 evidence, lying about “phantom guns” being on suspects, falsifying police reports, and engaging
19 in excessive force.

20 171. Starting in June 2017, the Plaintiffs began to speak out to supervisors about the
21 hostile work environment and the fact that they were being harassed based on being Latino. All of
22 management and all deputies at the station were aware of the iron grip control the Banditos kept
23 over the station, their focus on abusing Latino deputies, and their illegal gang activity.

24 172. The County and its employees have engaged in a repeated pattern of using force
25 against the Plaintiff Deputies, committing assault and battery against them, rendering three of them
26 unconscious by sucker punching and choking them, without lawful justification. This pattern of
27 conduct was intentional and willful and exhibited a conscious disregard of or deliberate
28 indifference to the rights of the Plaintiff Deputies. This pattern of conduct was undertaken pursuant

1 to a policy, custom, or practice that deprives persons of their rights under the Fourth Amendment
2 to the United States Constitution. Similarly, giving the Plaintiffs meritless demotions and denying
3 them earned promotions, and subjecting the Plaintiff Deputies to numerous false charges of
4 misconduct, rigged ICIB and IA investigations that harm the Plaintiff Deputies while shielding the
5 criminal actions of others, thus depriving them of pay, the taking of their property as “donations,”
6 the wrongful refusal to grant earned promotions and the increased salaries that would have resulted
7 from it and other such practices violates the 5th Amendment to the United States Constitution.

8 173. The Defendants denied the Plaintiff Deputies their civil rights and equal protection
9 under the 14th Amendment of the United States Constitution by subjecting them to harassing and
10 differential and discriminatory treatment, and hostile work environment, based on race and
11 ethnicity, as the Defendants targeted the Plaintiffs for being Latino. The Defendants and Banditos
12 singled out the Plaintiffs for being Latino and subjected them to an unending and pervasive
13 environment of harassment, as they strove to so emotionally distress the Plaintiffs, they would quit
14 their jobs. While non-Latino deputies were troubled by the mistreatment of their Latino co-
15 workers, the Latino Plaintiffs, and were concerned about a gang of cops outrageously operating
16 out of the station, the non-Latino deputies were not subjected to the same differential treatment as
17 the Plaintiffs. The Plaintiffs were subjected to racial animus.

18 174. The Plaintiffs reported the illegal activity to supervisors in 2017 and 2018. In the
19 Spring of 2018, the Plaintiffs formally complained and reported to Lt. Richard Mejia about FEHA
20 violations and the gang-like illegal conduct of the Banditos. In addition, an anonymous
21 whistleblower sent a letter to the Sheriff’s Office, the Inspector General, and Captain Perez, and
22 the letter was provided to Mejia. The whistleblower letter detailed the hostile work environment
23 long maintained at the East Los Angeles Station. Mejia claimed he was supportive of the Plaintiffs,
24 but only went through the motions of investigating the matter, and did zero follow through,
25 providing no intervention to protect the Plaintiffs. Mejia’s memo to Captain Perez on the
26 whistleblower complaints acknowledged the need to investigate the hostile work environment and
27 the gang’s leader, Defendant Rafael “Big Listo” Munoz, but made no mention of the Banditos
28

1 being reported to be an illegal gang committing illegal activities, and the role of the gang and its
2 conspiracy to control the station and Plaintiff deputies there.

3 175. There was zero follow up by Mejia, Perez, or anyone else at the station, with no
4 investigation into the hostile work environment, and no effort to curb it or protect the Plaintiffs in
5 any way. Station leadership did no follow up even though they observed the intensifying of the
6 hostile work environment after the Plaintiffs did their formal reporting in Spring of 2108, and
7 Plaintiff Escobedo informed Mejia by phone and text in early fall (prior to the Kennedy Hall
8 attacks) that the hostile work environment not only continued unabated but intensified.

9 176. Plaintiffs also reported illegal gang activity to Mejia. Retaliation against the
10 whistleblowers in Spring 2018 for reporting FEHA violations and other illegal conduct was swift
11 and unrelenting and vicious.

12 177. Right after Plaintiff Zaredini, a Field Training Officer at the time, complained of
13 the harassment and other illegal conduct, LASD punished Zaredini by removing his assigned
14 trainee, so he'd lose his bonus pay. The following year several LASD Commanders admitted that
15 the removal of the trainee was improper as it was done in violation of procedure and had no
16 substantive merit behind it and was done solely for retaliatory purposes.

17 178. Moments after Plaintiff Granados complained of the harassment and other illegal
18 conduct, Angelica Estrada, known as the Pink Hand of the Banditos, as inspired by the Black Hand
19 protector of the Mexican Mafia, handed Granados' grievance to Big Listo, the leader of the
20 Banditos. Also, Estrada and her supervisor, Lt. Eric Smitson, suddenly informed Granados that he
21 would not get his pending promotion, despite him having the highest score on the test, and claimed
22 there were no longer any positions to be promoted to, when in fact there were several.

23 179. Immediately after the Pink Hand notified the gang that the Plaintiffs, including
24 Zaredini, Granados, Lemus, and Escobedo, blew the whistle on the FEHA violations and illegal
25 gang activity, retaliation was immediate, as the hostile work environment intensified to the point
26 where the station tension matched that of prisons, with the Banditos staring down the Plaintiffs in
27 the hallways, appearing ready to physically attack them. Defendants Big Listo, Bam Bam, Silver,
28 and G-Rod, along with Banditos prospects and associates purposefully withheld back up on dozens

1 of dangerous calls, with Big Listo and associates, using their positions in Dispatch to coordinate
2 the withholding of back up. The gang essentially withheld back up on all of Zaredini's calls in the
3 entire summer of 2018, as well as the dangerous calls of the other Plaintiffs and repeatedly put
4 their lives in danger. The Banditos also intensified slamming the Plaintiffs with excessive calls
5 including at end of shift, threatened to assault Plaintiff Casas, bombarded the Plaintiffs with hostile
6 messages on the MDC, as they maintained the daily pressure on the Plaintiffs to quit their jobs.

7 180. LASD still did nothing to intervene or protect the Plaintiffs even though everyone
8 at the station observed the station looked and felt like a powder keg that could explode at any
9 moment every day leading up September 26, 2018.

10 181. On or about September 2018, the Banditos, led by Defendants Big Listo and G-
11 Rod, again met, and the gang made plans to knock out Plaintiff Gonzalez, to finally succeed in
12 driving him out of the station, and send a message of intimidation to the other Plaintiffs. On
13 September 26, 2018, Defendants Munoz and G-Rod, along with Banditos shot caller, Vincent
14 Moran, implemented the plan to attack Gonzalez. Big Listo, G-Rod, and Moran ambushed and
15 surrounded Gonzalez behind the East Los Angeles Station where Banditos shot caller, Raymond
16 Mendoza had sucker punched Plaintiff Zaredini unconscious about a year before. The Defendants
17 met with Gonzalez and bullied him, telling him he did not belong at the station and should quit.
18 Gonzalez did not take the bait for getting knocked out, as he stayed passive and did not get caught
19 up in an argument. The shot callers did not knock Gonzalez out that night.

20 182. The gang then planned to attend the "off training" party, at Kennedy Hall where
21 they would resume the plan to attack and knock out Gonzalez in front of over 100 deputies, many
22 of them Banditos and prospects. The County argues Kennedy Hall was not a LASD event, but the
23 County's own Inspector General, Max Huntsman, admitted it was a department event. The flier
24 for the event was approved by Captain Perez, with an East Los Angeles and a patrol car on it and
25 was distributed station wide and at other LASD stations. On-duty deputies were assigned as
26 designated drivers to work the event, driving attendees to the station and back and from their homes
27 and back. On-Duty deputy Christopher Moore, a Banditos prospect, participated in the event.
28

1 183. A large contingent of Banditos came to the event en masse and huddled together,
2 many wearing the attire of street gang members, staring down the Plaintiffs, especially Gonzalez.
3 Defendants Bam Bam, G-Rod, and Silver repeatedly went over to Gonzalez trying to bully him,
4 get under his skin, and try to provoke him so they could knock him out. Gonzalez still did not take
5 the bait and remained calm and passive. A non-Plaintiff, Deputy Jose Fuentes, went over to
6 Gonzalez and the gang to be a friendly peacemaker and tried to calm down the Banditos' tension.
7 G-Rod got in Fuentes' face, almost head butting him. Bam Bam repeatedly shoved Fuentes and
8 Banditos prospect Braulio Robledo threatened him. Plaintiffs Hernandez, Escobedo, Casas, and
9 Contreras then came over also trying to be respectful and friendly peacemakers. But the Banditos
10 came to Kennedy Hall to do a knockout of a deputy and proceeded to complete their plans. Big
11 Listo shoved Gonzalez and tackled Hernandez and repeatedly "hammer fisted" him in the face
12 trying to knock him unconscious while Hernandez just tried to cover himself up, respectfully
13 asking, "why are you hitting me, sir?" Munoz then pulled Escobedo to him and punched him in
14 the chest and face, telling him, "I've been waiting for you." Then Silver grabbed Escobedo from
15 behind and choked him to unconsciousness and held him down so other Banditos could hit him.
16 G-Rod then hit Plaintiff Casas and slammed his elbow hard into Contreras' face in an effort to
17 knock him out, then ran and sucker punched Plaintiff Hernandez unconscious. G-Rod and other
18 Banditos kicked Hernandez' unconscious body. Bam Bam then strangled Escobedo unconscious,
19 as Casas and Gonzalez tried desperately to save his life. Casas and Gonzalez were hit by Banditos
20 as they tried to pry Bam Bam's fingers off Escobedo. Bam Bam's grip was so intense it appeared
21 he was trying to murder Escobedo. Plaintiff Lemus pulled up to the event and was horrified by the
22 sight of a Bandito apparently trying to murder one of the whistle blowers, Escobedo, as this was
23 what she feared the unchecked hostile environment could lead to, all of the Plaintiffs being
24 murdered. Escobedo was finally able to escape with the help of Casas and Gonzalez. After the
25 Plaintiffs escaped Kennedy Hall, Banditos shot caller, Silvano Garcia drove the perpetrators
26 around looking for the Plaintiffs to further attack them.

27 184. The attacks done on the Plaintiffs at Kennedy Hall were a pre-planned,
28 premediated gang attack, as part of a conspiracy of a 100-member gang to maintain the hostile

1 work environment at the station, and to retaliate against the Plaintiffs for reporting FEHA
2 violations and for being whistleblowers.

3 185. At or about 4AM on September 28, 2018, immediately after the attacks, the
4 Plaintiffs contacted Lt. Mejia to report the unprovoked assault and battery, mistakenly thinking
5 Mejia was someone they could trust. That morning all the Plaintiffs reported the incident, including
6 Lemus who told Granados who then reported it to supervisors. Banditos shot caller Ortega
7 pressured Plaintiff Hernandez to lie and not report the incident and Banditos member Mark
8 Elizondo did the same with Contreras. Lt. Smitson also pressured Hernandez to not follow through
9 with reporting the incident, and to lie about it to put it to rest, to state that this was not a one-sided,
10 unprovoked gang attack, as part of a race-based hostile environment but rather a spontaneous
11 drunken, mutual combat.

12 186. Hernandez and the other Plaintiffs refused to lie and would have their careers in
13 LASD ruined as they became “rats,” for speaking out at the mafia-like East Los Angeles Station.

14 187. On or about September 28, 2018, and in October 2018, the Plaintiffs again reported
15 the harassment and hostile work environment, and crimes of assault and battery and other wrongful
16 conduct and law violations to their supervisors and management at LASD, despite pressure applied
17 to them by supervisors and managers to lie and not report the unlawful conduct. The Plaintiffs
18 further reported the hostile work environment and other FEHA violations and other crimes and
19 illegal conduct, including on the filing of false police reports, false arrests and planting guns and
20 other framing of suspects, civil rights violations, and the use of excessive force against residents
21 and deputies, to LASD in interviews with ICIB in 2018 and IAB and the FBI in 2019 and 2020,
22 and in their Tort Claims with the County they filed in 2019 in relation to this case, as well as
23 reporting on the illegal conduct in this lawsuit in 2019, 2020, and 2021.

24 188. In response to the reporting done by the Plaintiffs, the hostile work environment
25 was reinforced and intensified at the East Los Angeles Station through 2019, as even the non-
26 Banditos steered clear of the Plaintiffs as they became persona non grata at the station. The
27 Banditos continued to withhold back up on the Plaintiffs dangerous calls. Banditos openly referred
28 to the Plaintiffs as rats in front of other deputies, and a Banditos member talked of methods on

1 how to kill rats like the Plaintiffs. The Banditos also placed dead rats twice outside Zaredini's
2 home and in front of Lemus' residence, and stole Granados bullet proof vest, and secretly removed
3 the ammunition from Zaredini's shot gun to set him up to be killed, and to send the message that
4 they would be killed, and reinforcing the Plaintiffs' daily fears that could be killed by their partners
5 at the East Los Angeles Station.

6 189. Other than the Kennedy Hall incident, on which LASD conducted a fake and rigged
7 investigations, there have been to date no investigation by the County into any of the other acts,
8 95% of the harassment of the Plaintiffs, which constituted the hostile work environment
9 maintained by the Defendants against the Plaintiffs.

10 190. In retaliation, the Banditos also made fake allegations against the Plaintiffs, such
11 as Banditos member Hector Soto Saavedra suddenly claiming Zaredini called him names over a
12 year before, to provide LASD with ammunition to initiate rigged IAB investigations against the
13 Plaintiffs. LASD took numerous adverse employment actions against the Plaintiffs including
14 giving Zaredini a 7-day suspension based on what were shown to be lies by Saavedra.

15 191. The Plaintiffs were also forced to flee the East Los Angeles Station in 2019 to
16 escape the hostile work environment because the County refused to do anything to intervene and
17 end the harassment against the Plaintiffs. When the County transferred the Plaintiffs out of the
18 East Los Angeles Station, they gave "freeway therapy," to Plaintiffs Escobedo, Contreras, Lemus,
19 and Hernandez. LASD is infamous for forcing whistleblowers to drive far away from home to
20 work locations, to punish them.

21 192. The Plaintiffs lost significant amounts of overtime pay when they were forced to
22 transfer out of the East Los Angeles Station, and Zaredini again lost his Field Training Officer
23 bonus pay. Plaintiff Zaredini applied for and earned a promotion to Sergeant, and the promotion
24 was approved by all necessary parties, but Sheriff Villanueva and his wife personally intervened
25 to retaliate and block the promotion. A commander for LASD recently made the party admission
26 that the denial of promotion was done for purely retaliatory purposes by Villanueva and LASD.

1 193. Zaredini was also given a two-day suspension for purportedly being “stern” with
2 an employee. In that circumstance, a Captain at LASD admitted the suspension was done for purely
3 retaliatory purposes, and the discipline was withdrawn.

4 194. Plaintiff Granados has been denied two deserved promotions and been subjected to
5 a fake IAB charge and is facing discipline based on a fabrication he supposedly did something
6 wrong when he witnessed deputies shooting at a suspect. He has not been told how his conduct
7 was purportedly improper. Lt. Arballo admitted that she and LASD denied Granados a promotion
8 specifically because he is a whistleblower.

9 195. Plaintiff Escobedo was given a suspension for being choked and strangled
10 unconscious at Kennedy Hall and Plaintiff Hernandez was suspended for being knocked over and
11 punched in the face and being sucker punched unconscious, and his unconscious body stomped
12 on, both with the false charges that they “embarrassed” LASD by being victims. Plaintiffs
13 Contreras and Lemus were given suspensions for basically not reporting the Banditos’ misconduct
14 to the Banditos themselves. Lemus was given a suspension for reporting Banditos shot caller
15 Raymond Mendoza for misconduct.

16 196. The Defendants retaliated against the Plaintiff Deputies for disclosing violations
17 of or noncompliance with state and/or federal labor laws to person (s) with authority over her
18 and/or to other employees who had authority to investigate, discover, or correct the violations or
19 noncompliance, which they had reasonable cause to believe had taken place.

20 197. At all times herein mentioned, the County had actual and/or constructive
21 knowledge of the retaliatory conduct levied against the Plaintiff Deputies by the Defendants
22 including Big Listo, Bam Bam, G-Rod, Silver, and Banditos and associates. Moreover, the Sheriff
23 and prior Sheriffs, employees and other superiors ratified such retaliation, harassment, and
24 discriminatory conduct conducted and/or condoned by all the Defendants.

25 198. The retaliation and threats against the whistleblowers continue up to the filing of
26 this 7th Amended Complaint.

27 199. As a direct, foreseeable, and proximate cause of Defendants’ retaliatory conduct
28 and failure to act, the Plaintiff Deputies suffered physical injury and were often placed in danger

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

6 200. As a direct, legal, and proximate result of the Defendants' retaliatory conduct, the
7 Plaintiff Deputies have suffered immense damages, including severe emotional distress and lost
8 wages and other employment benefits and other economic damages, in an amount to be proven at
9 trial.

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

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

17
18 SECOND CAUSE OF ACTION FOR
19 HARASSMENT AND HOSTILE WORK ENVIRONMENT IN VIOLATION OF FEHA
20 (CAL. GOV. CODE SECTION 12940 et. seq.)
21 (BY PLAINTIFF DEPUTIES AGAINST ALL DEFENDANTS, COUNTY OF LOS
22 ANGELES, DEFENDANTS RAFAEL "RENE" MUNOZ aka BIG LISTO,
23 GREGORY RODRIGUEZ aka G-ROD, DAVID SILVERIO aka SILVER,
24 MICHAEL HERNANDEZ aka BAM BAM

25
26 203. Plaintiffs re-allege and incorporate herein by reference paragraphs 1 through 202,
27 inclusive, as if fully set forth herein and continue to rely on *Cornell*.

28 204. At all times mentioned herein, Government Code §§ 12940, et seq. was in full force

1 and effect and was binding upon Defendants. Said law requires Defendants to refrain from
2 harassing any employee based upon race, and ethnicity, and to provide each employee with a
3 working environment free from harassment based on race, ethnicity, and national origin.

4 205. At all times mentioned, the Plaintiff Deputies were in the protected class, i.e., a
5 minority race, and engaged in protective activities contemplated by Government Code §§ 12940,
6 et seq. All the Plaintiffs are Latino (Zaredini is half Latino, half Iranian but the Banditos assumed
7 he was “full-blooded”). The Defendants, and each of them, harassed the Plaintiffs specifically
8 because they are Latino. Sheriff Alex Villanueva made the party admission that the Harassment
9 was “pervasive” as the Banditos “controlled the station” and caused “bad outcomes” to the
10 Plaintiffs. Commander Mejia documented in a memo in 2018 that the Plaintiffs reported a hostile
11 work environment.

12 206. The individual Defendants Big Listo, G-Rod, Silver, and Bam Bam, are shot callers,
13 leaders of the racist, illegal deputy gang, the Banditos. The Banditos ran the East Los Angeles
14 Station from the deputy level, like inmates running the prison yard. The Banditos engaged in
15 criminal conduct, making false arrests and false reports, pushing constructive arrest quotas and
16 illegal arrests, and engaged in excessive force against Latino residents and Latino deputies, the
17 Plaintiffs.

18 207. Here, the Defendants treated the Plaintiffs adversely and differently because they
19 are Latino and did not treat the non-Latino deputies in the same manner. The Defendants/members
20 of the Banditos gang unrelentingly harassed the Plaintiffs from June 2017 to the fall of 2019 at the
21 East Los Angeles Station.

22 208. Certain African American and Asian deputies have observed and have testified
23 under oath that they were not treated in the same manner as the Latino Plaintiffs. For sure, these
24 non-Latino deputies were ethical cops and were concerned about the Banditos, an illegal racist
25 gang that commits crimes and terrorizes Latino deputies, for years committing assault and battery
26 against them and repeatedly putting their lives in danger, with LASD management doing nothing
27 to fix the situation and protect their good Latino cops, or residents. The non-Latino deputies
28

1 observed and reported the manner in which Latino deputies were singled out for discriminatory
2 treatment, as opposed to how the non-Latino deputies were treated.

3 209. The Defendants abused and bullied the Plaintiffs during training, forcing them to
4 work up to 24 hours without sleep or food, and berated and belittled them, and demanded they
5 work harder even if they were the hardest workers at the station, in an effort to overwhelm and
6 emotionally break the Plaintiffs and cause them to quit their jobs and/or leave the station. The
7 Latino Plaintiffs were pressured and bullied into not reporting overtime on the timecards, so they'd
8 work countless hours without pay.

9 210. After the Plaintiffs finished training, the Defendants and Banditos gang continued
10 to abuse and terrorize them, in a daily effort to get them to quit their jobs from 2017-2019. The
11 harassment was pervasive and unrelenting, on a daily basis, from June 2017 to fall of 2019. The
12 non-Latino deputies were not treated in this manner.

13 211. The Defendants and their gang taxed the Plaintiffs, forcing them to pay part of the
14 salary to support gang activities. The Deputy Defendants and their gang regularly commandeered
15 the dispatch unit to "slam" the Plaintiffs with excessive calls, including emergency calls (that
16 should have been assigned to incoming deputies) at end of shift so the Plaintiffs would be late to
17 get home to their families, and work overtime without pay.

18 212. From June 2017 to June 2019, the Plaintiffs went out on dangerous calls on a daily
19 basis never knowing if their purported partners, members of the Banditos, would provide adequate
20 back up to ensure their safety. The Defendants withheld back up for the Plaintiffs on over two
21 dozen calls, repeatedly putting the Plaintiffs' lives in danger. Defendants Big Listo, Silver, and G-
22 Rod, along with other Banditos and associates purposefully withheld back up on dozens of
23 dangerous calls.

24 213. The Defendants engaged in mafia like tactics to send messages to the Plaintiffs to
25 reinforce their fearing for their safety, such as repeatedly crossing out the name of Plaintiff
26 Zaredini on his mailbox, to send the message that Zaredini was dead at the station. To further
27 enhance the Plaintiffs' fear for their safety, the Defendants secretly emptied the ammunition out
28 of Zaredini's shot gun to set him up to be harmed in a gun battle in the field. Likewise, the

1 Defendant stole Plaintiff Granados' bullet proof vest. The Defendants also called the Latino
2 Plaintiffs into meetings to threaten and intimidate them and sent them hostile messages on the
3 patrol car MDC system, to reinforce the daily harassment and bullying.

4 214. The Defendants committed assault and battery against 6 of the Plaintiffs and
5 threatened a 7th one, sucker punching two of them unconscious, and twice choking and strangling
6 a third one unconscious.

7 215. The Defendants shunned and ostracized the Plaintiffs at the station to make clear
8 they were considered dead to everyone else and unwelcome at the station. The hostile work
9 environment intensified to such an extent even the non-Banditos avoided interacting with the
10 Plaintiffs.

11 216. The daily pressure maintained by the Defendants on the Plaintiffs in an effort to
12 overwhelm them with extreme distress and cause them to quit their jobs worked, as the as Plaintiffs
13 did indeed suffer and still severe distress and all of them had to flee from the East Los Angeles
14 Station.

15 217. Commencing before and during 2017, and continuing to the present, Defendants
16 created and allowed to exist and continue to allow to exist a pervasive and continuous racially
17 hostile environment and harassed the Plaintiff Deputies on the basis of their race. Such differential
18 treatment was and is in violation of Government Code §§ 12940, et seq. and the public policy
19 embodied therein.

20 218. At all times herein mentioned, the County had actual and/or constructive
21 knowledge of the harassing conduct levied against the Plaintiff Deputies by the Defendants.
22 Moreover, such harassment, and hostile work environment were also conducted and/or condoned
23 by the County.

24 219. LASD leadership enabled the Banditos gang members, associates, and prospects
25 to terrorize the Plaintiff Deputies and harass them based on their being Latino. LASD leadership,
26 and investigators working for LASD, rigged investigations to allow the Banditos to escape
27 accountability and continue to operate at the station and maintain a hostile work environment.

28 220. Also, as the Plaintiffs reported the FEHA violations at key points in time, including

1 in the Spring of 2018, and then also in 2018, 2019, 2020, and 2021 in reporting to their supervisors
2 and management and in interviews with the FBI and in investigations, the Plaintiffs were likewise
3 met with further harassment as well as fierce retaliation. At the same time, the race-based hostile
4 work environment continued to be unrelenting and maintained through late 2019 at the East Los
5 Angeles Station and up to the present through actions by LASD against the Plaintiffs. The fact that
6 the Plaintiffs were not only harassed but were also retaliated against and thus there were “mixed
7 motives” does not negate that race was and is a “substantial motivating factor” here. Harris v. City
8 of Santa Monica (2013) 56 Cal.4th 203.

9 221. The harassing conduct was and is unwelcome and sufficiently severe or pervasive
10 (on a daily basis since June 2017 through fall of 2019) that it had and has the purpose and effect
11 of altering the conditions of the Plaintiff Deputies’ employment and creating an intimidating,
12 hostile, and abusive environment.

13 222. 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 as the Plaintiff
15 Deputies, and the environment created was and continues to be perceived by the Plaintiff Deputies
16 as intimidating, hostile, and abusive. The hostile work environment caused the Plaintiff Deputies’
17 injury, damage, loss, and harm.

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

20 224. Said actions and conduct of the Defendants, and each of them, resulted in and
21 continues to cause a hostile work environment and unlawful employment practices pursuant to
22 pursuant to California Government Code sections 12940, et seq.

23 225. As a direct, foreseeable, and proximate cause of Defendants’ harassing conduct and
24 failure to act, the Plaintiff Deputies suffered and continue to suffer humiliation, embarrassment,
25 anxiety, mental anguish, and emotional distress. The Plaintiff Deputies were required to and did
26 employ and will in the future employ physicians and health care providers to examine, treat and
27 care for the Plaintiff Deputies, and did, and will in the future, incur medical and incidental
28 expenses. The exact amount of full expenses is unknown to the Plaintiff Deputies at this time.

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

6 227. The emotional distress suffered by the Plaintiffs as a result of the hostile work
7 environment is severe and extreme. All of the Plaintiffs suffer physical symptoms from extreme
8 duress and distress. Plaintiff Granados suffers from PTSD and was hospitalized with a heart attack
9 or panic attack. Plaintiff Zaredini almost died in a single vehicle motorcycle accident, breaking
10 two orbital bones. Plaintiff Casas was transferred because of the severe distress and fear for his
11 safety. Plaintiff Gonzalez has been hospitalized multiple times for heart attacks or panic attacks.
12 Plaintiff Contreras suffers from spiking blood pressure and his doctor has been concerned he will
13 suffer a stroke from the distress caused by the Defendants. Plaintiffs Hernandez, Escobedo, and
14 Lemus also all suffer physical ailments as a result of the severe and extreme, unrelenting distress.

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

18 229. Defendants' actions were ratified by managing agents, and were willful, malicious,
19 fraudulent, and oppressive, and were committed with wrongful intent to harm the Plaintiff
20 Deputies in conscious disregard of their rights. The Plaintiff Deputies timely exhausted
21 administrative remedies, as they applied for a complaint and waived the complaint being heard
22 and were issued Right-to-Sue letters.

THIRD CAUSE OF ACTION FOR
RETALIATION IN VIOLATION OF FEHA
(CAL. GOV. CODE SECTION 12940 et. seq.)
(BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY OF LOS
ANGELES)

230. The Plaintiff Deputies re-allege and incorporate by reference the allegations in the preceding 229 paragraphs and continue to rely on *Cornell*.

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

232. At all times mentioned, the Plaintiff Deputies were in the protected class, i.e., a minority race, and engaged in protective activities contemplated by Government Code §§ 12940, et seq.

233. The Plaintiff Deputies reasonably believed that they were subjected to a hostile work environment based on them bring Latino, as they were treated adversely and differently than were non-Latino deputies. In fact, in 2018, Lt. Richard Mejia documented in a written memo an admission on behalf of the County that the Plaintiffs complained of a hostile work environment and that he advised Captain Perez to initiate an investigation into a hostile work environment. The Plaintiffs subsequently repeated their beliefs that they were subjected to a race-based hostile work environment in reporting in the fall of 2018 to Lt. Mejia that the hostile work environment was continuing and reported to Mejia and Lt. Smitson and others after the Kennedy Hall attacks on them, and then reported a hostile work environment to LASD in their interviews with IAB and ICIB in 2018, 2019, and 2020.

234. The Defendants abused and bullied the Plaintiffs during training, forcing them to work up to 24 hours without sleep or food, and berated and belittled them, and demanded they work harder even if they were the hardest workers at the station, in an effort to overwhelm and emotionally break the Plaintiffs and cause them to quit their jobs and/or leave the station based on

1 them being Latino. The Latino Plaintiffs were pressured and bullied into not reporting overtime
2 on the timecards, so they'd work countless hours without pay.

3 235. After the Plaintiffs finished training, the Defendants and Banditos gang continued
4 to abuse and terrorize them, in a daily effort to get them to quit their jobs from 2017-2019. The
5 harassment was pervasive and unrelenting, on a daily basis, from June 2017 to fall of 2019. The
6 non-Latino deputies were not treated in this manner.

7 236. The Defendants and their gang taxed the Latino Plaintiffs, forcing them to pay part
8 of the salary to support gang activities. The Deputy Defendants and their gang regularly
9 commandeered the dispatch unit to "slam" the Plaintiffs with excessive calls, including emergency
10 calls (that should have been assigned to incoming deputies) at end of shift so the Plaintiffs would
11 be late to get home to their families, and work overtime without pay.

12 237. From June 2017 to June 2019, the Plaintiffs went out on dangerous calls on a daily
13 basis never knowing if their purported partners, members of the Banditos, would provide adequate
14 back up to ensure their safety.

15 238. The Defendants engaged in mafia life tactics to send messages to the Plaintiffs to
16 reinforce their fear for their safety, such as repeatedly crossing out the name of Plaintiff Zaredini
17 on his mailbox. To further enhance the Plaintiffs' fear for their safety, the Defendants secretly
18 emptied the ammunition out of Zaredini's shot gun to set him up to be harmed in a gun battle in
19 the field. Likewise, the Defendant stole Plaintiff Granados' bullet proof vest. The Defendants also
20 called the Plaintiffs into meetings to threaten and intimidate them and sent them hostile messages
21 on the patrol car MDC system, to reinforce the daily harassment and bullying.

22 239. The Defendants committed assault and battery against 6 of the Plaintiffs and
23 threatened a 7th one, sucker punching two of them unconscious, and twice choking and strangling
24 a third one unconscious.

25 240. The Defendants shunned and ostracized the Plaintiffs at the station to make clear
26 they were considered dead to everyone else and unwelcome at the station.

27 241. The daily pressure maintained by the Defendants on the Plaintiffs in an effort to
28 overwhelm them with extreme distress and cause them to quit their jobs worked, as the as Plaintiffs

1 did indeed suffer and still severe distress and all of them had to flee from the East Los Angeles
2 Station.

3 242. Commencing before and during 2017, and continuing to the present, Defendants
4 created and allowed to exist and continue to allow to exist a pervasive and continuous racially
5 hostile environment and harassed the Plaintiff Deputies on the basis of their race. Such differential
6 treatment was and is in violation of Government Code §§ 12940, et seq. and the public policy
7 embodied therein. Sheriff Villanueva admitted the hostile work environment was “pervasive.”

8 243. Starting in June 2017, the Plaintiffs, particularly Benjamin Zaredini, began to
9 speak out about the hostile work environment and the fact that they were being harassed based on
10 being Latino. In the fall of 2017, Zaredini was sucker punched unconscious for him speaking out
11 about how the Plaintiffs were being harassed.

12 244. In the Spring of 2018, Plaintiffs including Granados and Zaredini and Escobedo
13 and Lemus formally complained and reported to Lt. Richard Mejia about the race-based hostile
14 work environment. In response, the Defendants demoted Zaredini and denied Granados a
15 promotion, and intensified the withholding of back up on dangerous calls and slamming the
16 Plaintiffs with excessive calls.

17 245. Plaintiff Escobedo again reported that the hostile environment was continuing to
18 Mejia in early fall of 2018, and Mejia and LASD did nothing to intervene. On or about September
19 28, 2018, after 5 of the Plaintiffs were battered, unprovoked, the Plaintiffs again reported the
20 harassment and hostile work environment to their supervisors and management at LASD. The
21 Plaintiffs further reported the hostile work environment in interviews with ICIB and IAB and the
22 FBI, and in their Tort Claims they filed in relation to this case, in 2018, 2019, 2020, and 2020, as
23 well as reporting on the illegal conduct in this complaint.

24 246. In response to the reporting done by the Plaintiffs, the hostile work environment
25 was reinforced and intensified at the East Los Angeles Station and LASD took numerous adverse
26 actions against the Plaintiffs.

27 247. After the Plaintiffs began reporting FEHA violations, the Defendants intensified
28 their withholding of back up on the Plaintiffs, essentially not giving back up for Plaintiff Zaredini

1 for the whole summer of 2018. Defendants Big Listo, Bam Bam, Silver, and G-Rod, along with
2 other Banditos and associates purposefully withheld back up on dozens of dangerous calls, with
3 Parra, and Villa, along with Big Listo, using their positions in Dispatch to coordinate the
4 withholding of back up.

5 248. The Banditos escalated their bullying and hostile work environment and retaliated
6 against the Plaintiffs for reporting FEHA violations by assaulting and battering 5 of the Plaintiffs
7 at Kennedy Hall.

8 249. LASD leadership, management and investigators intensely retaliated and continue
9 to this day to retaliate against the Plaintiffs for reporting the FEHA violations including hostile
10 work environment and racial discrimination to management. The Plaintiffs lost significant
11 amounts of overtime pay when they were forced to transfer out of the East Los Angeles Station.
12 Plaintiff Zaredini was given an undeserved demotion and lost his trainee bonus pay, was forced to
13 transfer out of the East Los Angeles Station and was subjected to two rigged and improper IAB
14 investigations resulting in a 7-day suspension. Zaredini's forced transfers cost him his Field
15 Training Officer bonus pay. Plaintiff Granados has been denied two deserved promotions and been
16 subjected to a fake IAB charge and is facing discipline. Plaintiff Escobedo was given a suspension
17 for being choked and strangled unconscious at Kennedy Hall and Plaintiff Hernandez was
18 suspended for being knocked over and punched in the face and being sucker punched unconscious,
19 both with the false charges that they "embarrassed" LASD by being victims. Plaintiffs Contreras
20 and Lemus were given suspensions for basically not reporting the Banditos' misconduct to the
21 Banditos themselves. Lemus was given a suspension for reporting Banditos shot caller Raymond
22 Mendoza for misconduct.

23 250. Plaintiffs were retaliated against for reporting and speaking out against
24 inappropriate workplace behavior, discriminatory and harassing treatment of the Plaintiffs based
25 on race, ethnicity, and national origin, and for speaking out and generally attempting to protect
26 and secure the rights of others under FEHA.

27 251. Commencing before and during 2017, and continuing to the present, Defendants
28 County created and allowed to exist a racially hostile environment and retaliated against the

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

3 252. At all times herein mentioned, the County had actual and/or constructive
4 knowledge of the race-based harassing conduct levied against the Plaintiff Deputies by County
5 employees including the individual Defendants and other Banditos and associates.

6 253. Sheriff Villanueva and LASD employees and other superiors, ratified the wrongful
7 conduct and retaliation by the Banditos by conducting fake investigations into the Banditos and
8 rigging investigations as a means to retaliate against the Plaintiffs.

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

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

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

23 257. Defendants' actions were ratified by managing agents, and were willful, malicious,
24 fraudulent, and oppressive, and were committed with wrongful intent to harm the Plaintiff
25 Deputies in conscious disregard of their rights. The Plaintiff Deputies timely exhausted
26 administrative remedies.

1 FOURTH CAUSE OF ACTION FOR
2 RACE/ETHNICITY DISCRIMINATION IN VIOLATION OF THE CALIFORNIA
3 FAIR EMPLOYMENT AND HOUSING ACT
4 (BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY OF LOS ANGELES)

5 258. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
6 258 paragraphs.

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

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

15 261. The Banditos gang specifically targeted Latino deputies, the Plaintiffs, for adverse
16 treatment. The conduct by LASD, the individual Defendants and the County alleged above was
17 severe enough and sufficiently pervasive to alter the conditions of employment and create a work
18 environment that qualifies as hostile or abusive to employees because of their [race]. *Cornell v*
19 *Berkeley Tennis Club* (2017), 18 Cal.App.5th 908, at 927, citing *Hope v California Youth Authority*
20 (2005), 134 Cal.App.4th, 577, at 588. “Since there’s no possible justification for harassment in the
21 workplace, an employer cannot offer a legitimate nondiscriminatory reason for it.” *Cornell, supra.*

22 262. African American and Asian deputies have observed and have testified under oath
23 that they were not treated in the same manner as the Latino Plaintiffs. For sure, these non-Latino
24 deputies as honest cops were concerned about the Banditos, an illegal racist gang that commits
25 crimes and terrorizes Latino deputies, for years committing assault and battery against them and
26 repeatedly putting their lives in danger, with LASD management doing nothing to fix the situation
27 and protect their good Latino cops, or residents. The non-Latino deputies were NOT targets of the
28 Banditos.

1 263. In addition to being discriminated against and subjected to a hostile work
2 environment based on race, the Plaintiffs were also retaliated against for reporting FEHA
3 violations and for blowing the whistle on illegal conduct. In *Harris v. City of Santa Monica*, the
4 California State Supreme Court made clear that with discrimination, there can be more than just
5 race behind how employees are treated. In fact, a Defendant may even have legitimate reasons for
6 taking adverse employment actions against an employee but will still be liable as long as race is a
7 “substantial motivating factor” and that the County would not have made the same decision if race
8 were not a factor. Here, retaliation certainly played a significant role in the adverse treatment of
9 the Plaintiffs. As the Plaintiffs resisted and spoke up about the race-based hostile environment,
10 they were met with fierce retaliation and could have easily lost their lives over it. As the Plaintiffs
11 blew the whistle on the FEHA violations and other unlawful conduct at key points in time,
12 including in the Spring of 2018, and then also in 2018, 2019, 2020, and 2021 in reporting to their
13 supervisors and management and in interviews with the FBI and in investigations, the Plaintiffs
14 were likewise met with fierce retaliation and continue to be retaliated against up through the filing
15 of this 7th Amended Complaint. At the same time, the race-based hostile work environment and
16 discrimination continued to be substantial factors. That Plaintiffs were also harmed and injured for
17 reasons additional to race, does not negate that race was and is a “substantial motivating factor”
18 here. *Harris v. City of Santa Monica* (2013) 56 Cal.4th 203. None of the harms and adverse
19 employment actions taken by the County against the Plaintiffs would have occurred if race and the
20 Plaintiffs being Latino had not been a factor.

21 264. FEHA defines “employer” broadly to encompass “any person regularly employing
22 five or more persons, or any person acting as an agent of an employer, directly or indirectly.”
23 California Government Code § 12926(d). Here, the County was the employer of the Plaintiff
24 Deputies, and all the individual Defendants were agents of the County. As set forth above, the
25 County discriminated against the Plaintiff Deputies because of their race and ethnicity.

26 265. Commencing before and during 2017, and continuing to the present, Defendants
27 created and allowed to exist a racially hostile environment and discriminated against the Plaintiff
28

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

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

5 267. The Plaintiffs employment positions were altered negatively on multiple levels and
6 in multiple instances, including when they were forced to work for up to 24 hours straight without
7 food and sleep, when they were forced to work countless hours while illegally LASD did not pay
8 them overtime pay, they were forced to pay part of their salaries to the employee gang, when they
9 that their lives were repeatedly put at risk when their co-workers withheld back up on over two
10 dozen dangerous calls, when they were given excessive calls and improperly assigned end of shift
11 calls to force them to stay past their shifts without compensation, when they were assaulted and
12 battered to the point of unconsciousness, and when they were forced to transfer out of their chosen
13 work stations and in some instances given "freeway therapy," made to drive every day to far away
14 new stations.

15 268. LASD leadership, management and investigators also implemented discrimination
16 against the Plaintiffs with adverse employment actions. Plaintiffs lost significant amounts of
17 overtime pay when they were forced to transfer out of the East Los Angeles Station. Plaintiff
18 Zaredini was given an undeserved demotion and lost his trainee bonus pay, was forced to transfer
19 out of the East Los Angeles Station and was subjected to two rigged and improper IAB
20 investigations resulting in a 7-day suspension. Station managers have even admitted that the
21 removal of Zaredini's trainee and a two-day suspension for supposedly being "stern" with a trainee
22 were wholly without merit. Zaredini's forced transfers cost him his Field Training Officer bonus
23 pay. Plaintiff Granados has been denied two deserved promotions and been subjected to a fake
24 IAB charge and is facing discipline. Plaintiff Escobedo was given a suspension for being choked
25 and strangled unconscious at Kennedy Hall and Plaintiff Hernandez was suspended for being
26 knocked over and punched in the face and being sucker punched unconscious, both with the false
27 charges that they "embarrassed" LASD by being victims. Plaintiffs Contreras and Lemus were
28 given suspensions for basically not reporting the Banditos' misconduct to the Banditos themselves.

1 Lemus was given a suspension for reporting Banditos shot caller Raymond Mendoza for
2 misconduct.

3 269. At all times herein mentioned, the County had actual and/or constructive
4 knowledge of the discriminatory conduct levied against the Plaintiff Deputies by their co-workers
5 and also by the Defendants, by Sheriff Villanueva and prior LASD leadership, Chief Denham,
6 Captains Perez, Mejia and Chavez, Lt. Smitson, employees and other superiors.

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

14 271. As a direct, legal, and proximate result of the discrimination, the Plaintiff Deputies
15 have suffered immense damages, including severe emotional distress from their lives being
16 regularly threatened and being put in danger, and almost being killed, as well as lost wages and
17 other employment benefits, and other economic damages, in an amount to be proven at trial.

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

21 273. Defendants' actions were ratified by managing agents, and were willful, malicious,
22 fraudulent, and oppressive, and were committed with wrongful intent to harm the Plaintiff
23 Deputies in conscious disregard of their rights. The Plaintiff Deputies timely exhausted
24 administrative remedies.

25 274. The Plaintiff Deputies timely exhausted administrative remedies.
26
27
28

FIFTH CAUSE OF ACTION FOR
VIOLATION OF THE CALIFORNIA FAIR EMPLOYMENT & HOUSING ACT –
FAILURE TO TAKE ALL REASONABLE STEPS TO PREVENT DISCRIMINATION
(BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY OF LOS
ANGELES)

275. The Plaintiff Deputies re-allege and incorporate herein by reference paragraphs 1 through 274, inclusive, as if fully set forth herein.

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

277. As all LASD and East Los Angeles Station leadership is aware, and was aware since 2016, the deputy gang/cliq/ue/sub-group the Banditos is illegal and virulently racist on its face and targeted the Plaintiffs for being Latino. See the second, third, and fourth Causes of Action above on how the Latinos were singled out for differential and adverse treatment based on them Latino.

278. The Plaintiffs formally reported the racial discrimination and other FEHA violations in the Spring of 2018 to station leadership, but other than Lt. Richard Mejia going through the motions of calling for an investigation into the hostile work environment, the County did nothing to intervene and protect the Plaintiffs from ongoing discrimination. The County still to this day has not intervened to prevent racial discrimination.

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

280. As a direct and proximate result of the County's conduct, the Plaintiff Deputies

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

6 281. As a further direct and proximate result of the County's conduct, the Plaintiff
7 Deputies have suffered mental and emotional pain, distress and discomfort, and damages to their
8 occupational reputation, all to their detriment and damage in amounts not fully ascertained but
9 within the jurisdiction of this court and subject to proof at the time of trial. The County allowed
10 and sanctioned and supported discrimination against the Plaintiff Deputies.

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

15 283. Plaintiff Deputies are entitled to costs and reasonable attorneys' fees pursuant
16 to California Government Code section 12965(b).

17 284. The Plaintiff Deputies timely exhausted administrative remedies and were issued
18 Right-to-Sue letters.

19
20 SIXTH CAUSE OF ACTION FOR
21 INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
22 (BY PLAINTIFF DEPUTIES AGAINST ALL DEFENDANTS, COUNTY OF LOS
23 ANGELES RAFAEL "RENE" MUNOZ aka BIG LISTO,
24 GREGORY RODRIGUEZ aka G-ROD, DAVID SILVERIO aka SILVER,
25 MICHAEL HERNANDEZ aka BAM BAM

26 285. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
27 284 paragraphs.

1 286. Here, the Defendants’ conduct meets all elements of an action for Intentional
2 Infliction of Emotional Distress, as the Defendants acted intentionally or recklessly towards the
3 Plaintiff Deputies; the Defendants’ conduct toward the Plaintiff Deputies was extreme and
4 outrageous; the Defendants’ actions were the cause of the Plaintiffs’ emotional distress; and the
5 Plaintiff Deputies suffered severe emotional distress.

6 287. The conduct which gives rise to this cause of action, and which is described above
7 violates FEHA and statutory whistleblower protections and therefore contravenes public policy.
8 That conduct is therefore not part of the so-called employment bargain taking this claim outside
9 of worker’s compensation exclusivity, as the assault and battery and the unrelenting and pervasive
10 harassment from 2017-2019 were part of race-based harassment and discrimination under FEHA.

11 288. Further, the County ratified the conduct here by failing to properly investigate the
12 hostile work environment for years and continuously failed to hold the wrongdoers accountable
13 for their conduct.

14 289. The County engaged in ratification as it did no real investigation and gave no
15 discipline for at least 95% of the harms and harassing conduct alleged in the complaint. From 2017
16 to the Spring of 2018, the Defendants and their gang perpetrated an unrelenting, daily hostile work
17 environment against the Plaintiffs, the non-stop pressure to break the Plaintiffs emotionally so
18 they’ll quit their jobs, the Defendants causing the Plaintiffs to work 24 hours straight without sleep
19 or food and overtime pay, making them pay gang taxes, sucker punching Plaintiff Zaredini
20 unconscious and threatening to assault Plaintiffs Casas and Granados, slamming the Plaintiffs with
21 excessive calls including at end of shift, putting the Plaintiffs’ lives in danger with the withholding
22 of back up on dangerous calls. Despite the County’s awareness of the conduct, the County did
23 nothing to intervene and protect the Plaintiffs. Then in the Spring of 2018, the Plaintiffs formally
24 reported the misconduct. The County still did nothing, only going through the motions of
25 investigation and follow up, and the misconduct continued and intensified, and escalated into the
26 withholding of back up on dozens of calls, and assault and battery on 5 of the Plaintiffs. The
27 Plaintiffs again reported the conduct to the County and the County again did nothing to protect the
28 Plaintiffs from any of the conduct described in this paragraph, as the County conducted a rigged

1 ICIB investigation and two rigged IAB investigations with rigged results. To this day, no
2 employees have been held accountable and given discipline for the above conduct.

3 290. The Kennedy Hall incident was ratified as shown by: 1) The Kennedy Hall attacks
4 (which was just one part of the multiple harms caused by the Defendants) occurred as a result of
5 the County ratifying ALL hostile conduct that happened up until the day of the attacks, and the
6 County not intervening to protect the Plaintiffs before the attacks, 2) the County's own Inspector
7 General admitted that LASD engaged in a cover up of the hostile work environment and racism
8 maintained by the Banditos, and of the attacks at Kennedy Hall, and informants confirmed to the
9 Plaintiffs that Sheriff Villanueva promised the Banditos shot callers/Defendants that he would rig
10 the investigation so there would be no criminal prosecution, causing the District Attorney to not
11 file charges, and, sure enough, the District Attorney did not file, 3) LASD rigged two IAB
12 investigations into the Banditos finding no wrongdoing by the gang, and still did not give any
13 discipline for the ANY of the 95% of wrongful conduct as detailed in the paragraphs above, 4)
14 LASD, to make light of the harms caused by the Defendants, and to retaliate against the victims
15 for reporting the Kennedy Hall incident, gave out meritless discipline to 4 of the Plaintiffs for
16 being attacked, 5) Sheriff Villanueva promised the perpetrators that while he would indicate 3 of
17 the shot callers would be terminated, he promised the perpetrators that the County would throw
18 the case when they appeal to the Civil Service Commission, 6) The Sheriff already set the stage
19 for the 3 terminated perpetrators to get their jobs back, by ordering no investigation be done into
20 the Banditos and the motive for the attacks on the Plaintiffs, and by suspending the victims and
21 allowing the Defendants to argue they should also get just suspensions and not terminations, and
22 7) The shot callers' appeal hearings begin on February 28, and the perpetrators will not get final
23 outcomes on their status through the filing of this 7th Amended Complaint and for months
24 afterward.

25 291. Commander Ernie Chavez has also admitted that LASD and Sheriff Villanueva
26 lied about investigating the Banditos including on the assault and battery committed by the
27 Defendants, and that Villanueva lied repeatedly about transferring 36 Banditos out of the East Los
28 Angeles Station when he in fact had transferred zero.

1 292. Defendant Michael “Bam Bam” Hernandez was right when he predicted at
2 Kennedy Hall that he would never be held accountable for physically attacking the Plaintiffs and
3 was answerable to no one and would not be held to account for trying to strangle Plaintiff Oscar
4 Escobedo to death. That feeling that he and the Banditos could act with impunity came from the
5 County’s ratification of all of their wrongful conduct. Bam Bam received no discipline and was
6 not terminated by the Sheriff as he recently retired before LASD completed its rigged IAB
7 investigation into the matter.

8 293. Over a dozen Banditos and associates as well as the three individual Defendants
9 lied repeatedly about Kennedy Hall during the rigged investigations. None of the Banditos were
10 terminated for dishonesty or were disciplined for any of their 3 years of harassment of the
11 Plaintiffs. To this day, no Defendants have been held accountable even a single time for repeatedly
12 withholding back up on dangerous calls.

13 294. This lawsuit arises out of what are circumstances that are extreme and outrageous
14 on their face: The County employs individuals who are both peace officers and full-fledged gang
15 members. The County has admitted to being long aware of its problem of deputy gangs. Yet, the
16 County has allowed the gangs to fester and dominate certain stations, as do the Banditos at the
17 East Los Angeles Station. Defendants Big Listo, G-Rod, Silver, and Bam Bam, as well as about
18 100 other individuals at the East Los Angeles Station and at other stations are Banditos, rather than
19 intervening to protect its good deputies, LASD superiors, investigators, and employees, rigged
20 investigations to cover up the Banditos’ wrongful conduct and to rigged investigations to retaliate
21 against the Plaintiffs. No other law enforcement agency in the United States is plagued by this
22 problem of police officers forming organized racist, criminal gangs in the department. Heightening
23 the absurdity is the refusal of LASD leadership to hold the gang members accountable and fix the
24 corrupt culture that dominates the department.

25 295. Any reasonable peace officer would agree that the existence of organized, racist,
26 criminal deputy gangs that harm its own deputies as well as residents, as being extreme and
27 outrageous. Any member of the public would see deputy gangs as crazy and extreme and
28 outrageous and a shock to the conscience. Instead of upholding the law and department policies

1 and supporting their fellow deputies, the Banditos have established a culture and custom of
2 attacking their fellow deputies. The withholding of backup on dangerous calls, the assaults, and
3 batteries before Kennedy Hall, at that event and after that event, and all of the acts of
4 discrimination, harassment, retaliation, POBRA violations, bullying already set forth above was
5 known to the County and LASD senior management. Neither the County nor LASD senior
6 management including at the East LA Station level ever intervened to ensure adequate back up for
7 the Plaintiff Deputies. The Defendants' conduct destabilized law enforcement in the East Los
8 Angeles community.

9 296. The Defendants' conduct went beyond just racially profiling an individual, went
10 beyond cruelly mocking an individual, or mere insults, or depriving them of enjoyment.
11 Defendants' malicious unrelenting attack on the Plaintiff Deputies was extreme and outrageous
12 and willful and utterly beyond the standards of decency and would be seen as such by any
13 reasonable person. Any reasonable person would be horrified by Defendants' unusual conduct.
14 The idea that a law enforcement agency would allow deputies to form racist gangs that prey on
15 other deputies and residents is not only highly outrageous, but beyond absurd.

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

19 298. Defendants knew and certainly should have known that their outrageous conduct
20 would cause any person in society, including the Plaintiff Deputies, severe emotional distress.
21 Defendants' conduct did cause the Plaintiff Deputies to suffer from mental anguish, anxiety, panic
22 attacks, and depression.

23 299. As a result of the Defendants' conduct: Plaintiff Granados suffered symptoms of a
24 heart attack and Post Traumatic Stress Disorder, Plaintiff Gonzalez was hospitalized multiple times
25 for heart attack symptoms, Plaintiff Zaredini almost died in a motorcycle accident and broke two
26 orbital bones, Plaintiff Contreras suffered spiking high blood pressure to the point his doctor
27 became highly concerned about a stroke occurring, and these Plaintiffs and Plaintiffs Escobedo,
28 Casas, and Lemus, and Hernandez suffered a myriad of distress related conditions and disorders

1 including severe insomnia, intense reoccurring nightmares about being murdered by the Banditos,
2 unending severe headaches, hair loss, depression, etc. The Banditos/Defendants daily focus for 4
3 years on causing the Plaintiffs so much distress they left the East Los Angeles station was highly
4 successful.

5 300. The Sherriff exacerbated the infliction of emotional distress by refusing to fix the
6 gang problem and remove the hostile work environment.

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

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

16
17 SEVENTH CAUSE OF ACTION FOR

18 ASSAULT

19 (BY PLAINTIFF DEPUTIES ART HERNANDEZ, DAVID CASAS, MARIO
20 CONTRERAS, OSCAR ESCOBEDO AND ALFRED GONZALEZ AGAINST DEFENDANTS

21 RAFAEL “RENE” MUNOZ aka BIG LISTO,

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

23 MICHAEL HERNANDEZ aka BAM BAM

24 303. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
25 302 paragraphs.

26 304. The actions of the Defendants easily meet all elements of the civil action for assault:
27 “The essential elements of a cause of action for assault are: (1) defendant acted with intent to cause
28 harmful or offensive contact, or threatened to touch plaintiff in a harmful or offensive manner; (2)

1 plaintiff reasonably believed she was about to be touched in a harmful or offensive manner or it
2 reasonably appeared to plaintiff that defendant was about to carry out the threat; (3) plaintiff did
3 not consent to defendant's conduct; (4) plaintiff was harmed; and (5) defendant's conduct was a
4 substantial factor in causing plaintiff's harm.” *So v. Shin* (2013), Cal.App.4th 652, at 668-69.

5 305. The Defendants actions were intentional, in fact, planned out long before the night
6 of the Kennedy Hall event. The acts were overt, as the actions and words by the Defendants showed
7 that they intended to harm the Plaintiffs. The Plaintiffs were aware of the dangers of the
8 Defendants’ actions, and once Bam Bam stated that he could slap Plaintiff Gonzalez and go to his
9 home and attack, perhaps kill him and members of his family, and the other individual defendants
10 continued to approach Alfred Gonzalez to try to initiate a physical confrontation and attack, and
11 then the Defendants followed through with going beyond assault to battery, the Plaintiff Deputies
12 have demonstrated that all elements for this cause of action have been satisfied. Unprovoked:
13 Rafael Rene Munoz aka Big Listo shoved Plaintiff Gonzalez, tackled Plaintiff Hernandez and
14 punched him several times in the face, and pulled Plaintiff Escobedo on to him to punched him
15 several times, in an effort to cause them to lose consciousness; Silver choked Escobedo
16 unconscious and held him down so others could hit him; G-Rod reached for his handgun, hit
17 Plaintiff Casas, hit Plaintiff Contreras hard in the face in an effort to cause him to go unconscious,
18 and sucker punched Plaintiff Hernandez unconscious; Bam Bam strangled Escobedo unconscious
19 in an apparent effort to murder him.

20 306. Defendants, Big Listo, G-Rod, Silver, and Bam Bam along with numerous Banditos
21 gang members, Prospects and Associates, intended to cause and did cause the Plaintiff Deputies
22 to suffer apprehension of an immediate harmful contact. The Plaintiff Deputies did not consent to
23 the Defendants’ acts.

24 307. After causing the Plaintiffs apprehension of an immediate harmful contact, the
25 Defendants made the harmful contact repeatedly.

26 308. As a direct, foreseeable, and proximate cause of Defendants’ wrongful conduct, the
27 Plaintiff Deputies suffered and continue to suffer humiliation, embarrassment, anxiety, mental
28 anguish, and emotional distress. The Plaintiff Deputies were required to and did employ and will

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

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

10 310. The conduct which gives rise to this cause of action, and which is described above
11 violates FEHA and statutory whistleblower protections and therefore contravenes public policy.
12 That conduct is therefore not part of the so-called employment bargain taking this claim outside
13 of worker's compensation exclusivity.

14 311. The County ratified the conduct here by failing to properly investigate the hostile
15 work environment for years and continuously failed to hold the wrongdoers accountable for their
16 conduct.

17 312. As explained in the cause of action for Intentional Infliction of Emotional Distress,
18 the County engaged in ratification as it did no real investigation and gave no discipline for at least
19 95% of the harms and harassing conduct alleged in the complaint. To this day, no employees have
20 been held accountable and given discipline for 95% of the wrongful conduct.

21 313. The Kennedy Hall incident was ratified as shown by: 1) The Kennedy Hall attacks
22 occurred as a result of the County ratifying ALL hostile conduct that happened up until the day of
23 the attacks, and not intervening to protect the Plaintiffs before the attacks, 2) the County's own
24 Inspector General admitted that LASD engaged in a cover up of the hostile work environment and
25 racism maintained by the Banditos, and of the attacks at Kennedy Hall, and informants confirmed
26 to the Plaintiffs that Sheriff Villanueva promised the Banditos shot callers/Defendants that he
27 would rig the investigation so there would be no criminal prosecution, causing the District
28 Attorney to not file charges, and, sure enough, the District Attorney did not file, 3) LASD rigged

1 two IAB investigations into the Banditos finding no wrongdoing by the gang, and still did not give
2 any discipline for the ANY of the 95% of wrongful conduct as detailed in paragraph 386 above,
3 4) LASD, to make light of the harms caused by the Defendants, and to retaliate against the victims
4 for reporting the Kennedy Hall incident, gave out meritless discipline to 4 of the Plaintiffs for
5 being attacked, 5) Sheriff Villanueva promised the perpetrators that while he would indicate 3 of
6 the shot callers would be terminated, he promised the perpetrators that the County would throw
7 the case when they appeal to the Civil Service Commission, 6) The shot callers appeal hearing
8 begin on February 28, 2022, and the perpetrators will not get final outcomes on their status through
9 the filing of this 7th Amended Complaint and for months afterward.

10 314. Commander Ernie Chavez has also admitted that LASD and Sheriff Villanueva
11 lied about investigating the Banditos including on the assault and battery committed by the
12 Defendants, and that Villanueva lied repeatedly about transferring 36 Banditos out of the East Los
13 Angeles Station when he in fact had transferred zero.

14 315. Defendant Michael “Bam Bam” Hernandez was right when he predicted at
15 Kennedy Hall that he would never be held accountable for physically attack the Plaintiffs and was
16 answerable to no one and would not be held to account for trying to strangle Plaintiff Oscar
17 Escobedo to death. That feeling that he and the Banditos could act with impunity came from the
18 County’s ratification of all of their wrongful conduct. Bam Bam received no discipline for almost
19 murdering Plaintiff Escobedo and for threatening the life of Gonzalez and his family.

20 316. Over a dozen Banditos and associates as well as three of the individual Defendants
21 lied repeatedly about Kennedy Hall during the rigged investigations. None of the Banditos were
22 terminated for dishonesty or were disciplined for any of their 3 years of harassment of the
23 Plaintiffs. To this day, no Defendants have been held accountable even a single time for repeatedly
24 withholding back up on dangerous calls.

25 317. The Plaintiff Deputies timely exhausted administrative remedies.
26
27
28

1
2
3 EIGHTH CAUSE OF ACTION FOR

4 BATTERY

5 (BY PLAINTIFF DEPUTIES ART HERNANDEZ, DAVID CASAS, MARIO
6 CONTRERAS, OSCAR ESCOBEDO, AND ALFRED GONZALEZ AGAINST RAFAEL
7 “RENE” MUNOZ aka BIG LISTO, GREGORY RODRIGUEZ aka G-ROD, DAVID
8 SILVERIO aka SILVER, MICHAEL HERNANDEZ aka BAM BAM

9 318. Plaintiffs re-allege and incorporate by reference the allegations in the preceding
10 317 paragraphs.

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

17 320. As explained in the causes of action for Intentional Infliction of Emotional Distress,
18 and Assault, the County engaged in ratification of the assault and battery at Kennedy Hall incident
19 as shown by: 1) The Kennedy Hall attacks occurred as a result of the County ratifying ALL hostile
20 conduct that happened up until the day of the attacks, and not intervening to protect the Plaintiffs
21 before the attacks, 2) the County’s own Inspector General admitted that LASD engaged in a cover
22 up of the hostile work environment and racism maintained by the Banditos, and of the attacks at
23 Kennedy Hall, and informants confirmed to the Plaintiffs that Sheriff Villanueva promised the
24 Banditos shot callers/Defendants that he would rig the investigation so there would be no criminal
25 prosecution, causing the District Attorney to not file charges, and, sure enough, the District
26 Attorney did not file, 3) LASD rigged two IAB investigations into the Banditos finding no
27 wrongdoing by the gang, and still did not give any discipline for the ANY of the 95% of wrongful
28 conduct as detailed in paragraph 386 above, 4) LASD, to make light of the harms caused by the

1 Defendants, and to retaliate against the victims for reporting the Kennedy Hall incident, gave out
2 meritless discipline to 4 of the Plaintiffs for being attacked, 5) Sheriff Villanueva promised the
3 perpetrators that while he would indicate 3 of the shot callers would be terminated, he promised
4 the perpetrators that the County would throw the case when they appeal to the Civil Service
5 Commission, 6) The shot callers appeal hearing begin on February 28, 2022, and the perpetrators
6 will not get final outcomes on their status through the filing of this 7th Amended Complaint and
7 any demurrer that may be filed in response.

8 321. The 4th perpetrator at Kennedy Hall, Defendant Michael “Bam Bam” Hernandez
9 was right when he predicted at Kennedy Hall that he would never be held accountable for
10 physically attacking the Plaintiffs and was answerable to no one and would not be held to account
11 for trying to strangle Plaintiff Oscar Escobedo to death. That feeling that he and the Banditos could
12 act with impunity came from the County’s ratification of all their wrongful conduct. Bam Bam
13 received no discipline for almost murdering Escobedo.

14 322. Members of the Banditos, Defendants Big Listo, G-Rod, Silver, and Bam Bam,
15 came to a department-sponsored event, along with other Banditos gang members, with the intent
16 to physically attack and harm Plaintiff Alfredo Gonzalez as part of their maintenance of a hostile
17 work environment, and punishing uncooperative deputies who report their harassment and
18 reinforcing their authority and control over the East LA Station. Unprovoked, Big Listo, G-Rod,
19 Silver, and Bam Bam and some other unidentified Banditos did physically attack and harm
20 Plaintiff Deputies Gonzalez, Hernandez, Escobedo, Casas, and Contreras.

21 323. The batteries committed by the Defendants included Big Listo shoving Plaintiff
22 Alfred Gonzalez, knocking Plaintiff Art Hernandez to the ground and repeatedly punching him in
23 the face and punching Plaintiff Oscar Escobedo repeatedly in the face, G-Rod punching Plaintiff
24 Art Hernandez, elbowing Plaintiff Mario Contreras in the face, hitting Plaintiff Casas, and sucker
25 punching Plaintiff Hernandez unconscious, Silver strangling Plaintiff Oscar Escobedo
26 unconscious from behind and holding him down so other Doe Defendants, members of the
27 Banditos gang, could hit and kick him, and Bam Bam strangled Plaintiff Escobedo.

1 324. Defendants, when on-duty, before the events at Kennedy Hall, planned to cause and
2 did cause the harmful contact with the Plaintiff Deputies' persons at Kennedy Hall.

3 325. The Plaintiff Deputies did not consent to the Defendants' violent acts.

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

12 327. Defendants' vicious and violent acts were done knowingly, willfully, and with
13 intent to maintain the hostile work environment and control of the East LA Station and intimidate
14 non-gang members into cooperating with or not reporting and blowing the whistle on the gang.

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

18
19 NINTH CAUSE OF ACTION FOR
20 DEPRIVATION OF CIVIL RIGHTS UNDER CALIFORNIA CIVIL CODE 52.1 (the
21 Bane Act)
22 (BY PLAINTIFF DEPUTIES AGAINST DEFENDANT COUNTY OF LOS
23 ANGELES

24 329. The Individual Plaintiff Deputies re-allege and incorporate by reference the
25 allegations in the preceding 328 paragraphs.

26 330. Under California Civil Code Section 52.1, the Tom Bane Civil Rights Act, anyone
27 who by threats, intimidation, or coercion interferes with the exercise or enjoyment of rights secured
28 to citizens of the state of California by the state or federal Constitutions or laws, without regard to

1 whether the victim is a member of a protected class, can bring suit against those depriving them
2 of their civil rights. As set forth in many facts alleged above, LASD leadership enabled the
3 Banditos gang members, associates, and prospects to terrorize the Plaintiff Deputies and deprive
4 them of their civil rights.

5 331. The County and its employees have engaged in a repeated pattern of using force
6 against the Plaintiff Deputies, committing assault and battery against them, putting three of them
7 unconscious by sucker punching and choking them, without lawful justification. This pattern is
8 intentional and willful and exhibits a conscious disregard of or deliberate indifference to the rights
9 of the Plaintiff Deputies. This pattern is undertaken pursuant to a policy, custom, or practice that
10 deprives persons of their rights under the Fourth Amendment to the United States Constitution.
11 Similarly, subjecting the Plaintiff Deputies to numerous false charges of misconduct, rigged ICIB
12 and IA investigations that harm the Plaintiff Deputies while shielding the criminal actions of
13 others, thus depriving them of pay, the taking of their property as “donations,” the wrongful refusal
14 to grant earned promotions and the increased salaries that would have resulted from it and other
15 such practices violates the 5th Amendment to the United States Constitution.

16 332. The Defendants denied the Plaintiff Deputies their civil rights under the 14th
17 Amendment of the United States Constitution by subjecting them to harassing and differential and
18 discriminatory treatment, and hostile work environment, based on race and ethnicity, as the
19 Defendants targeted the Plaintiffs for being Latino. As detailed in the above 2nd cause of action for
20 Hostile Work Environment, and the 4th cause of action for discrimination, the Defendants and
21 Banditos singled out the Plaintiffs for being Latino and subjected them to an unending and
22 pervasive harassment environment, as they strove to so emotionally distress the Plaintiffs, they
23 would quit their jobs. On a daily basis from June 2017 to fall 2019, the Defendants bullied,
24 harassed, and abused the Plaintiffs, withholding back up on over two dozen dangerous callings,
25 forcing them to work 24 hours straight without sleep, food, or overtime pay, slam them with
26 excessive calls including at end of shift without overtime pay, force them to pay gang taxes, and
27 commit assault and battery against them.

1 333. The Defendants engaged in racial animus as they signaled out the Plaintiffs for
2 adverse, differential treatment because they are Latino. African American and Asian deputies have
3 observed and have testified under oath that they were not treated in the same manner as the Latino
4 Plaintiffs. For sure, these non-Latino deputies were disappointed in the Banditos, an illegal racist
5 gang that commits crimes and terrorizes Latino deputies, for years committing assault and battery
6 against them and repeatedly putting their lives in danger, with LASD management doing nothing
7 to fix the situation and protect their good Latino cops, or residents. The Defendant County argues
8 erroneously that since these non-Latino deputies find the shocking circumstances of a gang running
9 amok at a law enforcement station extreme and outrageous, and dismaying, this means the non-
10 Latino deputies were targets too, and that therefore the Latino Plaintiffs were not singled out for
11 differential treatment. Any reasonable cop with a shred of integrity would be disgusted by the
12 Banditos and the County's protection of them.

13 334The actionable conduct of section 52.1 can be broken down into three components: (1)
14 an interference, or attempted interference, with (2) the plaintiff's legal rights by (3) threats,
15 intimidation, or coercion.

16 335. Plaintiffs were not only repeatedly threatened by the Defendants that they would
17 withhold back up on dangerous calls, but the Defendants also followed through and put the
18 Plaintiffs' lives in danger. The Defendants also not only threatened assault and violence but carried
19 out violent acts against the Plaintiffs.

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

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

10 338. The Plaintiffs are entitled to punitive damages in an amount to be determined by proof
11 at trial.

12 339. The Plaintiff Deputies are entitled to injunctive and Declaratory relief. The Plaintiff
13 Deputies timely exhausted administrative remedies.

14
15 TENTH CAUSE OF ACTION TO
16 PREVENT THE ILLEGAL EXPENDITURE OF FUNDS UNDER
17 CALIFORNIA CODE OF CIVIL PROCEDURE SECTION 526a
18 (BY PLAINTIFF ACLU SOCAL AND PLAINTIFF DEPUTIES AGAINST DEFENDANT
19 COUNTY OF LOS ANGELES)

20 340. Plaintiffs re-allege and incorporate by reference the allegations in the preceding 339
21 paragraphs.

22 341. The Banditos are one of many deputy gangs in LASD. According to a former high-
23 ranking veteran of LASD who recently testified to the LASD Civilian Oversight Commission
24 ("COC"), currently 15-20% of LASD deputies are members of a gang. Deputy gangs (such as the
25 Banditos, the Vikings, the Grim Reapers, 3,000 Boys - whose members committed violence
26 against other deputies and earned their tattoos by breaking the bones of inmates), the 2,000 Boys,
27 the Executioners, the Regulators, the Jump Out Boys - smoke is tattooed over a gun's barrel for
28

1 members who have been involved in at least one shooting of a black or Hispanic person, CPT, the
2 Spartans, the Rattlesnakes, the Pirates) are pervasive county-wide.

3 342. The Banditos and other deputy gangs not only terrorize the Plaintiffs, but also
4 terrorize County residents as gangs encourage their members to commit illegal acts, including the
5 planting of evidence and the use of excessive force. In fact, all the most recent controversial
6 shootings of County residents have been done by “prospects” of gangs, individuals trying to earn
7 their way into the gangs and get “inked.”

8 399. The tolerance and even endorsement of gangs within LASD is part of a larger
9 pattern of tolerance and endorsement of unconstitutional and unlawful conduct of deputies by the
10 highest ranks of LASD. As set forth below, repeated killings by deputies, lawsuits, actions by the
11 U.S. Department of Justice, and acknowledgement of pervasive problems by County officials have
12 resulted in no meaningful attempts to curb deputies’ unlawful behavior including excessive force,
13 discrimination, false statements, and retaliation against both members of the public and other
14 deputies. To the contrary, the County has repeatedly settled lawsuits resulting from violence,
15 harassment and other forms of misconduct perpetuated by deputy gang members and required non-
16 disclosure agreements to cover up the facts. The County also continues to fund LASD with the
17 knowledge that the department is failing to comply with its duties under the U.S. Constitution,
18 state and local law, and departmental policies intended to protect the public from unnecessary force
19 and intentional harassment and to ensure meaningful accountability for deputies who engage in
20 misconduct including deputy gang members.

21 400. The County and LASD leadership, including Sheriff Alex Villanueva, have delayed
22 and obstructed implementation of reforms ordered by a federal court in a consent decree with the
23 U.S. Department of Justice (“USDOJ”), and have reversed many of the reforms implemented by
24 previous Sheriffs. In addition, Villanueva and other LASD leadership have sought to obstruct
25 lawful oversight of the LASD and its deputies regarding uses of force, illegal searches and seizures,
26 unlawful hiring practices, disciplinary actions, and other policing functions where transparency
27 and accountability are paramount. For example, the LASD has initiated blatantly fake criminal
28 investigations to deter the Office of the Inspector General (“OIG”) from conducting lawful

1 inquiries and perform statutory oversight functions through its personnel. In addition, the LASD
2 has regularly refused to cooperate with inquiries from the COC and the OIG.

3 401. LASD has adopted explicit policies, such as its use of force policy, that directly
4 violate state law in permitting force in circumstances that are *per se* unreasonable pursuant to
5 existing law. And through LASD's repeated violation of County ordinances and its own policies
6 surrounding the investigation and discipline of deputies—both through directives limiting the
7 involvement of mandated oversight entities such as the Constitutional Policing Advisors and the
8 OIG, and its repeated refusal to follow its own policies regarding deactivation of complaints,
9 referrals for criminal investigation, and time limits for completion of investigations—there have
10 been, at minimum, hundreds of unadjudicated or improperly-adjudicated complaints, resulting in
11 deputy misconduct continuing to run unchecked. This is further exacerbated by the documented
12 retaliation against the deputy Plaintiffs who attempt to come forward to challenge the misconduct
13 by others within their ranks—all of which give clear indication to deputies, including, but not
14 limited to gang-affiliated deputies—that violence against the public or even against non-compliant
15 members of LASD is tolerated if not affirmatively encouraged.

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

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

1 404. In 1992, the Kolts Commission issued its report, acknowledging the existence of
2 gang-like behavior by various “cliques” within the department, pressed LASD to root out the
3 gangs, and recommended that officials investigate and punish deputies who act like gang members.
4 to allegations of excessive force.”⁶

5 405. In 2011, according to Thomas Parker, a former FBI agent and Assistant Special
6 Agent in charge of the Bureau’s Los Angeles Filed Office, who oversaw one of the FBI
7 investigations into the force: “There is at least a two-decade history of corruption within the ranks
8 of the LASD (Los Angeles County Sheriff’s Department), no one at the command level... appears
9 to have been held accountable and appropriately punished for failure to properly supervise and
10 manage their subordinate personnel and resources, ” and that, “the misfeasance and malfeasance
11 of LASD... should not be allowed to continue nor to perpetuate itself, as it has apparently done
12 over the past two decades and perhaps longer. To allow this to continue would be nothing short of
13 criminal.”⁷

14 406. Subsequent blue-ribbon panels have issued similar scathing critiques of internal
15 deputy gangs, but LASD failed to implement any of the panels’ reasonable recommendations. In
16 2012, a blue-ribbon commission, the Citizens’ Commission on Jail Violence (“Citizens’
17 Commission”), found a series of abuses by LASD deputies against inmates and other residents of
18 the County often perpetrated or protected by the deputy gangs. The Citizens’ Commission noted
19 that a culture of tolerance and even “tacit approval” of “violent cliques[gangs]”⁸ existed within the
20 department. The Citizens’ Commission sharply criticized LASD for turning a blind eye to the
21 problem and allowing the gangs to use excessive force to the point of breaking bones of inmates
22 in the county jails and on the streets. The Citizens’ Commission emphasized that the County “has
23 known about and failed to address the longstanding problem of deputy cliques.”⁹ It further
24 recognized that LASD “rarely finds or meaningfully punishes dishonesty and failure to report force
25

26 ⁶ *Kolts Commission Report*, p. 1 (July 1992), available at <https://www.clearinghouse.net/chDocs/public/PN-CA-0001-0023.pdf>

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

28 ⁸ *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>.

⁹ *Id.* at p. 103.

1 incidents, 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.”¹⁰

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

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

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

26 410. Baca’s undersheriff, Paul Tanaka, was an inked member of the Vikings gang for
27 years while serving as one of the department’s top commanders. The Citizen’s Commission also
28

¹⁰ Id. at p. 95.

1 specifically identified Tanaka as enacting policy to undermine attempts to reduce violence and
2 weaken deputy gangs.¹¹ Tanaka was also sentenced to prison for conspiracy and obstructing an
3 FBI investigation into deputy jail abuse. But the high-profile convictions did not end corruption at
4 the upper levels of management at the Sheriff's Department.

5 411. In 2017, then Sheriff James McDonnell publicly admitted that LASD had deputy
6 gangs in its midst. LASD's deprivation of rights and obstruction of justice then reached the highest
7 levels of LASD and continue to do so today. For instance, in 2017, former Sheriff Baca was
8 sentenced to three years in federal prison for his role in a scheme to obstruct an FBI investigation
9 of abuses in county jails, in a corruption scandal that has roiled LASD for years. Baca refused to
10 accept responsibility for having overseen and condoned the obstruction ploy carried out by
11 subordinates.

12 412. Also, in 2017, the Banditos stepped up its aggressive and violent activities and
13 began their unending reign of terror against the Plaintiffs. Station and LASD leadership did nothing
14 to curb the abuse of the Plaintiffs, despite the outrageous nature of the tactics used by the Banditos.
15 The Banditos harassed, abused, and bullied the Plaintiffs because they are Latino, and when the
16 Plaintiffs spoke up about the harassment and other illegal conduct of the gang, the Plaintiffs were
17 viciously retaliated against them, withholding back up on over two dozen dangerous calls, and
18 threats of violence and actual violence, with three of the Plaintiffs strangled or knocked
19 unconscious.

20 413. In January 2021, Loyola Law School's Center for Juvenile Law and Policy (CJLP)
21 published a study that detailed the history of 50 years of Deputy Gangs in LASD.¹² Unfortunately,
22 the misfeasance and malfeasance of LASD continues unabated through the filing of this Sixth
23 Amended Complaint.

24 414. The longstanding existence of deputy gangs and unchecked violence puts public
25 safety at risk. The systemic problems in LASD are much bigger and broader than those which was
26 addressed by the USDOJ regarding the County jail system. The deputy gangs and the gang culture
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28 ¹¹ See, e.g., *Id.* at p. 103.

¹² *Fifty Years of "Deputy Gangs" in the Los Angeles County Sheriff's Department* (Jan. 2021), Center for Juvenile Law and Policy.

1 which dominate LASD are a menace and threat to safety to the public at large as well as to other
2 non-gang member deputies in the department.

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

7 416. Deputies also engage in a repeated pattern of using less lethal, but still excessive
8 force against individuals who pose no risk to deputies or others, and in situations in which less
9 severe force is both available and appropriate.

10 417. LASD deputies regularly subject minority residents in Los Angeles County to
11 excessive and unreasonable force, including unnecessary shootings, and this conduct is sanctioned
12 by LASD by refusing to discipline or terminate the offending officers.

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

1 419. The following is a non-exhaustive list of incidents in which LASD deputies
2 committed acts of excessive force against the public and, to Plaintiffs' knowledge,¹³ were not
3 disciplined or terminated:

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

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

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

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

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

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

4 g. On or about June 16, 2010, deputies shot and killed Dexter Lockett. He was
5 unarmed, and no weapon was recovered at the scene. On information and belief, no deputy was
6 disciplined or terminated for this shooting.

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

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

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

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

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

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

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

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

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

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

27 r. On or about April 25, 2014, deputies shot and killed Salvador Martin Palencia
28 Cruz. The deputies shot Mr. Palencia Cruz nine times while Mr. Palencia Cruz held a pastry

1 spatula. A lawsuit was filed against the County. On information and belief, no deputy was
2 disciplined or terminated for this shooting.

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

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

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

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

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

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

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

7 aa. On or about August 12, 2018, deputies shot and killed Anthony Vargas, who was
8 not suspected of any crime but fled from the police when deputies attempted to stop him. The
9 shooters were then-Banditos prospects, now inked Banditos, Nikolis Perez and Jonathan Rojas.
10 The shooters and LASD lied as they stated one deputy shot Mr. Vargas from the front, but the
11 autopsy showed Vargas was only shot from behind, repeatedly in the back of his head and back.
12 The deputies claim that he was armed. On information and belief, no deputy was disciplined or
13 terminated for this shooting.

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

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

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

1 422. This pattern of violence perpetuated against the public—particularly individuals
2 who do not represent a significant threat of harm—reflects a deep-rooted culture of violence within
3 LASD and manifests against deputies who refuse to participate in deputy gangs or inflict
4 unnecessary violence against the public.

5 423. Across the board, throughout all its stations, LASD has long failed to sufficiently
6 hold deputies accountable for wrongful conduct.

7 424. Unless restrained by the Court, LASD’s pattern or practice of using excessive force
8 in a manner that disparately impacts the county’s African and Latino communities will continue.

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

15 426. However, the County has acted with deliberate indifference to deputy gang activity
16 and excessive force and discriminatory police action, as evidenced by the inadequate training,
17 supervision, and accountability.

18 427. In addition to the above, LASD has several current policies and practices that
19 contribute to the lack of sufficient oversight of deputies and, ultimately, the conditions that sustain
20 and encourage violent deputy gangs and other forms of unchecked deputy violence against the
21 community.

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

1 429. In addition to LASD’s illegal use of force policy, its policies, and practices—
2 including its practice of non-compliance with existing disciplinary policies—contributes to and
3 sanctions the continued excessive use of force by deputies. The Board of Supervisors created the
4 office of Constitutional Policing Advisors (“CPA”) to ensure that the department is in compliance
5 with constitutional policing and to enhance internal accountability. It is tasked with, among other
6 things, reviewing ongoing investigations of alleged deputy misconduct and advising on findings
7 and disciplinary decisions. Its functions have been incorporated into LASD’s formal written
8 policies, and consultation with CPA is mandated at various phases in the disciplinary process. *See,*
9 *e.g.,* LASD Policy 3-04/020.06. Prior to Sheriff Villanueva taking office, he stated his intention
10 of dissolving this office.¹⁴ In response to external public pressure, rather than dissolving the office,
11 he has retained a newly hired Constitutional Policing Advisor, but eliminated any responsibility
12 for her to participate, review, or opine upon ongoing disciplinary matters, in violation of the
13 existing Board LASD policy mandate.

14 430. In addition to the CPA’s failure to fulfill its duties, the LASD has other documented
15 failures to comply with its own disciplinary policies, allowing deputies who have committed
16 violent acts against the public to remain on the force and receive little or no punishment. For
17 instance, within the past few years, the OIG has reviewed terminations of investigations and found
18 that many were terminated without complying with LASD policy, which permits LASD to cease
19 the disciplinary process only upon submission of a memo detailing independent reasoning that the
20 alleged misconduct did not occur or that all investigative leads have been exhausted.¹⁵ *See* LASD
21 Policy 3-04/020.20. LASD also has repeatedly failed to conduct meaningful investigations into
22 complaints, and there have been hundreds of complaints that have been ignored and not
23 investigated for over a year—long enough for the statute of limitations on administrative discipline
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26 ¹⁴Frank Stoltze, *Alex Villanueva Says He Would Eliminate The LA Sheriff’s Constitutional Policing*
27 *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.

28 ¹⁵ *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.

1 to have expired in most cases.¹⁶ Additionally, when LASD has received complaints that deputies
2 have committed misconduct constituting a criminal act, including allegations of perjury, LASD
3 has failed to forward those allegations on to the Internal Criminal Investigations Bureau for further
4 investigation, as required by LASD Policy. *See* LASD Policy 3-04/020.05.

5 431. LASD is also failing to comply with various external oversight mechanisms, further
6 exacerbating the conditions within LASD that contribute to deputy violence. For instance, OIG
7 has reported that it has been effectively locked out of its access to records to perform its oversight
8 functions by the Department’s failure to provide records relating to investigations of deputies or
9 even its own policies, in violation of County Code Sec. 6.44.190(j), which requires that the
10 “Sheriff’s Department . . . shall cooperate with the OIG and promptly supply any information or
11 records requested by the OIG, including confidential peace officer personnel records.”¹⁷ It has
12 also failed to comply with its obligations under the Public Records Act and recent amendments to
13 Penal Code Section 832.7, which require the Department to produce certain disciplinary records
14 on request to members of the public. This additional failure was both noted by the OIG and is the
15 subject of ongoing litigation.¹⁸

16 432. LASD deputies’ conduct towards the public, when not outright violent, often
17 remains hostile. This attitude is pervasive particularly against families of those who have been
18 harmed by deputy violence, including those who have lost loved ones because they were killed by
19 deputies. Many family members have reported ongoing harassment from deputies, including
20 deputies repeatedly driving by their homes while giving them the middle finger, showing up at
21 funeral services for the slain loved ones, and interrupting memorial services—all conduct that
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26 ¹⁶*See, e.g., id.* at p. 9.

27 ¹⁷ *County of Los Angeles Office of Inspector General, Los Angeles County Sheriff’s Department Compliance with*
28 *Transparency Law*, Aug. 2019, available at
[https://oig.lacounty.gov/Portals/OIG/Reports/LASD Compliance with Transparency Law.pdf?ver=2019-08-16-183357-927](https://oig.lacounty.gov/Portals/OIG/Reports/LASD%20Compliance%20with%20Transparency%20Law.pdf?ver=2019-08-16-183357-927).

¹⁸*Id.* *See also Demetra Johnson, et al. v. County of Los Angeles, et al.*, Los Angeles Super. Ct., No. 19STCP04664 (filed Oct. 29, 2019).

1 while not only disgraceful in its own right also violates departmental policy against antagonizing
2 members of the public.¹⁹

3 433. In light of the above, the following LASD specific policies and practices violate the
4 law:

5 a. LASD has a policy of authorizing deputies to use deadly force in circumstances
6 where such force is unnecessary and therefore in violation of Penal Code Section 835a;

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 the purpose
9 of gaining entrance to, or notoriety in, one of LASD's deputy gangs;

10 c. LASD has a policy or practice of deputies committing force against members of
11 the public that is unreasonable and in violation of the Fourth Amendment to the U.S. Constitution,
12 for the purpose of gaining entrance to, or notoriety in, one of LASD's deputy gangs;

13 d. LASD has a policy or practice of failing to investigate complaints into allegations
14 of excessive force or other injuries against the public in violation of Penal Code Sec. 832.5(a)(1);

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

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

21 434. In addition to the above, LASD has violated its own published procedures,
22 including the following:

23 a. LASD has a policy or practice of failing to investigate complaints into allegations
24 of excessive force or other injuries against the public in violation of LASD Policy 3-04/010.25 and
25 3-04/020.05;

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28 ¹⁹Alene 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 b. LASD has a policy or practice of exonerating deputies without meeting the clear
2 and convincing standard for exoneration, in violation of LASD Policy 3-04/010.25.

3 c. LASD has a policy or practice of inactivating administrative complaints without a
4 detailed memo specifying “independent reasoning that indicates that the alleged misconduct did
5 not occur or that all investigative leads have been exhausted,” in violation of LASD Policy 3-
6 04/020.20;

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

10 e. LASD has a policy or practice of failing to require its department managers to
11 consult with the Constitutional Policing Advisors on all cases they are monitoring, in violation of
12 LASD Policy 3.04/020.06;

13 f. LASD has a practice of failing to require its division chief or division director to
14 consult with the Constitutional Policing Advisors before making a final determination to inactivate
15 an administrative investigation, in violation of LASD Policy 3.04/020.06

16 g. LASD has a policy or practice of antagonizing members of the public who have
17 had loved ones killed by LASD deputies in violation of LASD Policy 3-01/030.15;

18 h. LASD has a policy or practice of failing to complete investigations 120 days before
19 the expiration of the statute of limitations in violation of LASD Policy 3-04/020.30;

20 i. LASD has a policy or practice of failing to investigate misconduct by deputies for
21 criminal conduct, in violation of LASD Policy 3-04/020.05, or presenting them to the District
22 Attorney’s Office or City Attorney’s Office for filing consideration.

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

1 **PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiffs pray that the Court:

- 3 1. Declare that the Defendants have engaged in a pattern or practice of
4 conduct by LASD deputies that deprives persons of rights, privileges, or immunities
5 secured or protected by the Constitution or laws of the United States;
- 6 2. Order the Defendants, their officers, agents, and employees to refrain from engaging
7 in any of the predicate acts forming the basis of the pattern or practice of conduct
8 described in this Complaint;
- 9 3. Preliminary and permanent injunctive relief ordering the Defendants, their officers,
10 agents, and employees to adopt and implement systems that identify, correct, and
11 prevent the unlawful conduct described in this Complaint that deprives persons of
12 rights, privileges, or immunities secured or protected by the Constitution or laws of
13 the United States, including but not limited to changes in policies, investigation,
14 training, supervision, and oversight, and the appointment of a special monitor to
15 oversee and report to the Court on the progress of these reforms;
- 16 4. For special damages for the Plaintiff Deputies, including but not limited to, lost
17 earnings, benefits and/or out-of-pocket expenses in an amount according to proof at
18 the time of trial, all in an amount set forth above and/or according to proof at the time
19 of trial;
- 20 5. For Deputies Escobedo, Granados, Contreras, Gonzalez, Casas, Hernandez, Zaredini,
21 and Lemus further special damages, including but not limited to, lost future earnings,
22 benefits and other prospective damages in an amount set forth above and/or according
23 to proof at the time of trial;
- 24 6. For Deputies Escobedo, Granados, Contreras, Gonzalez, Casas, Hernandez, Zaredini,
25 and Lemus general damages, including for pain and suffering, in an amount set forth
26 above and/or according to proof at the time of trial, and at a minimum of \$80 million;
- 27 7. For interest: Pre-Judgment and Post-Judgment at the maximum legal rate;
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- 8. For costs of suit; and attorney’s fees under FEHA, Civil Code §1021.5, and any other applicable law;
- 9. The Plaintiffs further pray that this Court grant such other and further equitable relief as it may deem just and proper.

April 17, 2024

THE LAW OFFICES OF VINCENT MILLER

Vincent Miller

VINCENT MILLER, Attorney for Plaintiff Deputies

DEMAND FOR JURY TRIAL

April 17, 2024,

THE LAW OFFICES OF VINCENT MILLER

Vincent Miller

VINCENTMILLER, Attorney for Plaintiff Deputies

1 **PROOF OF SERVICE BY MAIL AND EMAIL**

2 **STATE OF CALIFORNIA**]

3] ss.

4 **COUNTY OF LOS ANGELES**]

5 I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not
6 a party to the action; my business address is 16255 Ventura Boulevard, Suite 625, Encino, CA
7 91436. On April 17, 2024 I served the foregoing document described Plaintiff’s Seventh Amended
8 Complaint on the interested parties in by EMAIL ON:

9
10 DAWYN RENAE HARRISON (SBN 173855)
Interim County Counsel
11 ELIZABETH D. MILLER (SBN 186345)
Assistant County Counsel
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18 2121 Avenue of the Stars, Suite 2600
Los Angeles, California 90067
19 Tel.: (310) 552-4400 | Fax: (310) 552-8400
Email: jtokoro@millerbarondess.com
20

21 DAVID BLANKE, GARY EWELL
(STATE BAR NO. 104050)
22 EWELL, BROWN, BLANKE AND KNIGHT, LLP
111 Congress Avenue, Suite 2800
23 Austin, TX 78701
Telephone: 512-770-4030
24 Facsimile: 877-851-6384

25 I declare under penalty of perjury under the laws of the State of California that the above
26 is true and correct. Executed on April 17, 2024 at Encino, California.

27 

28

Vincent Miller, Attorney for Plaintiffs

EXHIBIT A - NOTICES OF RIGHT TO SUE



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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

KEVIN KISH, DIRECTOR

August 29, 2019

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

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

Dear David Casas,

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

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

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

Sincerely,

Department of Fair Employment and Housing



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

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KEVIN KISH, DIRECTOR

August 29, 2019

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

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

Dear Benjamin Zaredini,

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

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

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Sincerely,

Department of Fair Employment and Housing



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KEVIN KISH, DIRECTOR

August 29, 2019

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

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

Dear Louis Granados,

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

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Sincerely,

Department of Fair Employment and Housing



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KEVIN KISH, DIRECTOR

August 29, 2019

Alfred Gonzalez
16255 Ventura Boulevard, 625
Encino, California 91436

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

Dear Alfred Gonzalez,

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

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Sincerely,

Department of Fair Employment and Housing



DEPARTMENT OF FAIR EMPLOYMENT & HOUSING

KEVIN KISH, DIRECTOR

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August 29, 2019

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

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

Dear Ariela Lemus,

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

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

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Sincerely,

Department of Fair Employment and Housing



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KEVIN KISH, DIRECTOR

August 29, 2019

Art Hernandez
[REDACTED]
[REDACTED]

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

Dear Art Hernandez,

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

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

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Sincerely,

Department of Fair Employment and Housing



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KEVIN KISH, DIRECTOR

August 29, 2019

Oscar Escobedo
16255 Ventura Boulevard, 625
Encino, California 91436

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

Dear Oscar Escobedo,

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

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

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Sincerely,

Department of Fair Employment and Housing



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KEVIN KISH, DIRECTOR

September 17, 2019

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

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

Dear Mario Contreras,

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

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

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Sincerely,

Department of Fair Employment and Housing



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KEVIN KISH, DIRECTOR

August 29, 2019

Vincent Miller
16255 Ventura Boulevard, 625
Encino, California 91436

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

Dear Vincent Miller:

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

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

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

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

Sincerely,

Department of Fair Employment and Housing