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**ATTACHMENT TO TORT CLAIM BY
COMPLAINANT COMMANDER ALLEN CASTELLANO**

1 **INTRODUCTION**

2 1. The County of Los Angeles’ Sheriff, ALEX VILLANUEVA (“Villanueva”),
3 committed a multitude of potential crimes which resulted in the harms caused to Complainant
4 Commander ALLEN CASTELLANO (“Complainant”) here. Sheriff Villanueva blocked and
5 stalled an investigation into an excessive Use of Force (“UOF”) incident to obstruct justice and
6 avoid bad publicity for his re-election campaign. When Villanueva got caught and was exposed,
7 he moved to cover up the incident, lying repeatedly, and retaliated against the Complainant and
8 other whistleblowers.
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10 2. The County is plagued by its notoriously corrupt Sheriff, who routinely refuses to
11 comply with the law and allow any oversight of his conduct and his department (“LASD”). The
12 lack of oversight and accountability for the Sheriff has led him to believe that he can act with
13 impunity, with no consequences for his wrongful conduct, and for his gross mismanagement of
14 LASD. In sharp contrast, Complainant is by all objective accounts a highly competent employee
15 with integrity.
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17 3. Complainant is well known in LASD for being critical in his evaluation to
18 identify areas of improvement, manage risks to the Department, identifying procedural errors,
19 and enacting corrective action. He has reviewed and critically critiqued Use of Force (“UOF”)
20 while the unit commander at Pico Rivera and Lakewood, and for the past five years as an area
21 commander for Court Services Division. He has been a panel member on Critical Incident
22 Review, and it was his responsibility to make an early determination on potential policy
23 violations and to mitigate the risks by enacting early corrective action. He was also a panel
24 member for Executive Force Review where he critiqued completed force reviews and rendered
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1 disciplinary decisions. Complainant does not take his responsibilities lightly and does not shy
2 away from unpopular opinions.

3 4. Villanueva has been caught repeatedly lying, as he has announced retaliatory
4 (fake) criminal investigations into several individuals he perceives to be political enemies.
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6 5. Villanueva has repeatedly made public statements disparaging whistleblowers for
7 shedding light of the corruption within his administration, and calls whistleblowers criminals for
8 not reporting his and his staff's misconduct sooner. Villanueva does not encourage
9 whistleblowers to report his own misconduct. He claims to speak truth to power, as long as the
10 truth is not against him, but rather is against who he perceives to be his political enemies.
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12 Villanueva refuses to comply with subpoenas and to testify under oath as he knows if he repeats
13 his public statements under oath, he will be prosecuted for perjury.

14 6. Villanueva regularly uses a certain political tactic against whistleblowers. When
15 the whistle is blown, he immediately denies the allegations and moves to cover up the
16 misconduct. In addition, Villanueva "flips the script" on the whistleblowers and accuses them of
17 the exact wrongdoing they are reporting on. Villanueva then initiates rigged Internal Affairs
18 Bureau ("IAB") investigations against the whistleblowers and/or announces he has a launched a
19 (fake) criminal investigation into them. In addition, Villanueva abuses his access to the media to
20 create a narrative of lies in hopes to get the public to believe what he is saying is the truth.
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23 7. From previous Sheriff Lee Baca (sentenced to prison) and Undersheriff Paul
24 Tanaka (sentenced to prison) to the current Sheriff Alex Villanueva ("Villanueva"), LASD has
25 held itself out as above the law and immune to accountability, with leadership operating with the
26 lack of transparency and audacity of a third world dictatorship and evading any oversight.
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1 8. Villanueva recently retaliated against Complainant and other whistleblowers after
2 they exposed Villanueva's cover up of the use of excessive force by Deputy DOUGLAS
3 JOHNSON against an inmate, ENZO ESCALANTE. However, this is not the first time
4 Villanueva has retaliated against Complainant. Villanueva has long harbored a seething desire
5 for retaliation against Complainant dating back to when Complainant reported Villanueva's
6 misconduct prior to his election as sheriff. In 2015, then a lieutenant, Villanueva mishandled an
7 incident with an inmate and violated Department policy. Villanueva failed to get needed medical
8 aid for an inmate who had been tased by a deputy. Villanueva told IAB investigators a lie that
9 the Complainant, then Captain Castellano, had given him permission to violate Department
10 policy and deviate from routine procedure, and withhold medical aid to an injured inmate. LASD
11 knew this was an outlandish lie and, in late 2016, provided Villanueva with a notice of intent for
12 discipline with a 5-day suspension. Villanueva then delayed the imposition of discipline and
13 proceeded to retire to avoid the suspension in 2018, before the discipline was finalized. After
14 Villanueva was elected sheriff later that year, he moved quickly to conceal evidence of the
15 pending discipline and restricted the IAB investigation from LASD computers. He also
16 announced a (fake) criminal investigation against the person required to oversee his conduct and
17 department, Inspector General Max Huntsman, to intimidate him out of fear Huntsman would
18 release his personnel file. After the election, Villanueva should have voluntarily allowed his
19 discipline to be imposed and served his suspension, but to this day has not done so.

24 9. Upon his election, and throughout his tenure as Sheriff, from 2018 to present,
25 Villanueva told confidants and top aides that he is out for revenge against the Complainant for
26 holding him accountable and blowing the whistle on him. Complainant has not received a
27 promotion or been given any additional job responsibilities since Villanueva was elected sheriff.
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1 In addition, Villanueva pressured Complainant to “volunteer” to be demoted two ranks down to
2 lieutenant to get additional “custody” watch commander experience. Complainant did not take
3 Villanueva up on his “generous” offer.
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5 10. During the Sheriff’s time in office, on May 25, 2020, there was massive national
6 media coverage and public outrage over the killing of George Floyd by Officer Derek Chauvin in
7 Minnesota. Chauvin kept his knee on George Floyd’s neck and head long after it was necessary,
8 and cut off his air, and murdered him. The public outcry led law enforcement agencies to
9 reevaluate this particular use of force. Some agencies began to more deeply scrutinize the use of
10 maneuvers that might have similar outcomes. Sheriff Villanueva, however, falsely claimed in
11 public pronouncements that his department had no issues with the use of force, and that LASD
12 was ahead of the curve and the best law enforcement agency in the United States when it came to
13 monitoring and preventing the excessive use of force.
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15 11. Also in 2020, Los Angeles Lakers basketball star Kobe Bryant and one of his
16 daughters tragically died in a helicopter accident. Deputy Douglas Johnson was one of the
17 deputies who arrived at the scene. Johnson disturbingly took photos of the decedents’ body parts
18 and sent the photos to other deputies, one of whom shared the explicit photos to patrons at a bar.
19 Villanueva instructed the deputies to immediately destroy the evidence and gave no discipline to
20 Deputy Johnson and the other deputies. Just as Sheriff Villanueva continues to engage in
21 wrongful conduct, because no one holds him accountable for it, Deputy Johnson continued to
22 engage in wrongful conduct because the sheriff did not hold him accountable.
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25 12. Two months after the concealment of evidence in the Kobe Bryant photo scandal,
26 Deputy Johnson was transferred to Court Services Division. On March 10, 2021, at San
27 Fernando Courthouse, Deputy Johnson may have engaged in excessive force against inmate,
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1 Enzo Escalante. Escalante alleges that Johnson assaulted him and that this prompted the inmate
2 to strike Johnson and assault him. Deputy Johnson disputes that he shoved Escalante. What is not
3 in dispute is that after Johnson properly restrained Escalante, Johnson then placed his knee on
4 Escalante's head and restricted his breathing long after Escalante stopped resisting the deputy.
5 The incident is reminiscent of how officer Derek Chauvin had improperly cut George Floyd's air
6 off. Here, Escalante survived, but the nature of the deputy's conduct called for a swift criminal
7 and administrative investigation into his conduct. Remarkably, Johnson was placed under
8 criminal investigation for an unrelated incident, on March 9, 2021, just one day prior to this UOF
9 incident.
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12 13. The Complainant was alerted of the Escalante incident and took all the necessary
13 steps to promptly and properly handle the matter. However, Sheriff Villanueva obstructed justice
14 and covered the Escalante incident up and retaliated against the Complainant and others for
15 blowing the whistle on the illegal conduct. The sheriff used his usual political tactic of trying to
16 frame the whistleblowers for his own misconduct.
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18 14. The County's own Inspector General has made the party admission on behalf of the
19 County that Sheriff Alex Villanueva and County employee Deputy Douglas Johnson may have
20 committed the following violations and/or crimes: 1) The First Amendment of the United
21 States Constitution (*See, e.g. Garcetti v. Ceballos*, 547 U.S. 410 (2006) (While a public
22 employer can regulate on-duty speech, the 1st Amendment protects some public speech by
23 employees about their employment including the public reporting of misconduct); The
24 Fourth and Fourteenth Amendments of the United States Constitution protect against police
25 seeking charges without probable cause. (*See, e.g., Thompson v. Clark*, 596 U.S. (2022); The
26 Fourth, Eighth, and Fourteenth Amendments to the United States Constitution prohibiting
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1 the use of excessive force; California Labor Code section 1102.5 prohibiting an employer
2 from retaliating against employees who report potential violations of law to a governmental
3 agency; California Penal Code section 13670 prohibiting law enforcement gangs, including
4 groups of peace officers who engage in a pattern of on duty illegal behavior or behavior
5 which violates fundamental principles of professional policing, and provides for inspector
6 general investigation; California Penal Code section 13510.8, which provides for
7 decertification of a peace officer who participates in a law enforcement gang or fails to
8 cooperate with an investigation of potential police misconduct after January 1, 2022;
9 California Penal Code section 518, which prohibits threatening a public official to influence
10 official duties. In addition to those possible crimes and violations, Complainant alleges upon
11 information and belief that Sheriff Villanueva committed other possible crimes and violations
12 including obstruction of justice.
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15 15. On or about July 2021, Complainant reasonably believed that Villanueva and
16 others at LASD were engaging in illegal conduct, and he felt an ethical responsibility to report
17 said violations. Complainant reported what he reasonably believed to be violations of the law
18 and policy and was retaliated against by Alex Villanueva for doing so, and the County is liable
19 for Complainant's harms under the whistleblower statutes. Villanueva and LASD also violated
20 Complainant's civil rights and due process rights under the Peace Officers' Bill of Rights
21 (POBR).
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1 **STATEMENT OF FACTS**

2 16. Sheriff Villanueva long harbored animosity and a thirst for revenge against
3 Complainant because Complainant reported Villanueva’s misconduct when Villanueva worked
4 for the Complainant in 2015. Villanueva carried this malice into his tenure as sheriff.
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6 17. On March 10, 2021, day two of the Derek Chauvin trial began. Also on March 10,
7 2021, Inmate Enzo Escalante was pushed or guided to a wall by Deputy Douglas Johnson at the
8 San Fernando Courthouse. Escalante then attacked Deputy Johnson, hitting him several times.
9 Deputy Johnson and other deputies took Escalante to the ground and subdued and restrained him.
10 For about 3 minutes after Escalante was restrained and passive, Johnson held his knee onto
11 Escalante’s neck and restricted his breathing, in a fashion like Derek Chauvin did to George
12 Floyd. Escalante struggled to breathe but did not die.
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14 18. On the same day, on March 10, 2021, Captain Robert Jones at the West Bureau
15 called Complainant about the Use of Force (“UOF”) incident after he reviewed the video of
16 Deputy Douglas Johnson’s treatment of inmate Enzo Escalante. Complainant requested that the
17 video be placed in the Division’s shared file for him to review. Captain Jones also revealed that
18 Deputy Johnson was the subject of an Internal Criminal Investigation Bureau (“ICIB”) case
19 which was initiated on March 9, 2021.
20

21 19. After reviewing the video, Complainant had serious concerns that the UOF was
22 excessive and illegal and put the inmate’s life at risk. Complainant notified his supervisor, Chief
23 LAJUANA HASELRIG, who then viewed the video with him. Chief Haselrig concurred that this
24 appeared to be an excessive and dangerous use of force, and as such proper protocols would need
25 to be followed.
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1 20. Complainant and Chief Haselrig discussed how the maneuver by Deputy Johnson
2 looked wrongful and that it bore similarity to the one used by Officer Derek Chauvin against
3 George Floyd. Complainant and Chief Haselrig agreed to ask Assistant Sheriff ROBIN LIMON
4 to show the UOF video to the Sheriff so he would be aware that this was a very serious matter,
5 that it was being referred to ICIB, and that the video could be made public at some point.
6
7 Complainant and Haselrig wanted the sheriff, to be informed and be prepared to respond to the
8 media, and not be caught off guard, if questioned.

9 21. Proper protocols, well known by Sheriff Alex Villanueva, meant that what should
10 happen is a referral for an administrative investigation through the Internal Affairs Bureau
11 (“IAB”), combined with a consultation with ICIB about whether this would be a criminal
12 investigation instead of just an IAB investigation. Given the apparent severity of the conduct on
13 the video, Complainant reasoned that this would end up being an ICIB case. But proper protocols
14 required that IAB would be in the loop at least initially. Subsequently, on March 10, 2021,
15 Complainant informed Captain Robert Jones that an IAB investigation will need to be
16 immediately initiated and to also consult with ICIB. Complainant told Jones to get direction from
17 ICIB on how they wanted to proceed with Deputy Johnson since Johnson already had an active
18 criminal case and ICIB had not wanted him relieved of duty during their other investigation.
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21 22. On the day of the incident, March 10, 2021, Assistant Sheriff Limon came to
22 Complainant’s office and viewed the video in the presence of Chief Haselrig and Complainant.
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24 Limon expressed being troubled by the video. Complainant, Chief Haselrig and Limon agreed
25 that they would proceed with an IAB investigation and an ICIB consultation, and that once they
26 had the video put on a DVD, Limon would take it to the sheriff.
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1 23. On or around March 15, 2021, as soon as Limon received the DVD from
2 Haselrig, Limon went to Villanueva’s office to show him the video of the Escalante incident.
3 Sheriff’s aide, Lieutenant Anthony Blanchard, took the video from Limon and loaded the DVD
4 on his computer and showed the video to Limon, Undersheriff Timothy Murakami, and the
5 sheriff. Murakami and Villanueva, as well as Blanchard joined Limon in expressing dismay over
6 what they saw on the video and the apparent illegal use of excessive force. Villanueva also made
7 note of the failure of the two supervisors, Deputies Brantley and Rodriguez, to intervene. Within
8 days of the UOF incident, Complainant advised Limon that Deputy Brantley, who was
9 supervising Johnson during the incident, was on a list for promotion to become a sergeant.
10 Limon promptly informed the Sheriff and the Sheriff removed Brantley from the list due to his
11 pending status of being a subject of an administrative investigation due to this incident.
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14 24. After viewing the video, Villanueva told Murakami, Blanchard, and Limon that
15 “we” (LASD) “do not need bad media at this time.” Villanueva told Limon that he would
16 “handle the matter,” leading her to believe that the sheriff would do the right thing and follow
17 proper protocol.
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19 25. However, by handling the matter, Villanueva really meant that he would proceed
20 to obstruct justice and direct a cover up of the incident. Villanueva blocked an ICIB investigation
21 and also blocked the filing of assault charges against the inmate Escalante, even though proper
22 procedure required for that to happen promptly. Villanueva knew that if assault charges were
23 filed against the inmate, his defense attorney would have gotten access to the video and the
24 public could see it.
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1 26. On March 10, 2021, Complainant, per procedure, asked that no deputies be
2 allowed to view the video due to possible criminal activity and policy violations associated with
3 the incident. This directive was ignored by West Bureau and Johnson was able to see the video.
4

5 27. On the following day, March 11, 2021, Captain Jones sent Complainant an email
6 entitled, "Request for investigation or Criminal Monitor," verifying his conversation with
7 Complainant on the need for a consult with ICIB. However, the initiating of an IAB investigation
8 was inexplicably delayed and not completed until March 31, 2021, and there was still no ICIB
9 consult at that time. Still, in the first months after the UOF incident, Complainant, Chief Haselrig
10 and Assistant Sheriff Limon were unaware that Villanueva was moving swiftly to cover up the
11 excessive use of force by blocking the investigation.
12

13 28. In March 2021, Complainant, Haselrig, and Limon had conversations with each
14 other concerning Deputy Johnson's excessive use of force, and in June 2021, Chief Haselrig and
15 Assistant Sheriff Limon discussed the delay in the filing of the criminal case against inmate Enzo
16 Escalante.
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18 29. Part of Complainant's duties was to review and finalize UOF packages, but he
19 was not being sent the package to review. Complainant did not hear anything about the direction
20 West Bureau was given by the Sheriff's office until Complainant received the Category 2 use of
21 force package for his review in June 2021. At this moment, Complainant began to be concerned
22 that his direction was not being followed and the referral to ICIB was being delayed or outright
23 blocked.
24

25 30. Complainant noted an odd direction, apparently by Villanueva, for the UOF
26 package to be completed within THREE days, when it normally takes weeks, and was disturbed
27 by the Sheriff's withholding of the criminal case from being presented to the District Attorney.
28

1 Complainant was also concerned when he found out that the UOF case with Johnson was
2 improperly separated from a UOF case against another inmate who was involved in the same
3 incident with Escalante. The other deputy used less aggressive and apparently appropriate force
4 with the other inmate. It is alleged upon information and belief that Villanueva directed the two
5 UOF cases to be split, so the softer one could be the one in the LASD computer system that
6 would be seen by the Inspector General Max Huntsman if he were alerted to the Escalante matter
7 and were to review UOF cases, while the Deputy Johnson matter would be buried and hidden
8 from scrutiny as long as possible. This splitting of the case was done without the knowledge of
9 Complainant or Haselrig or Limon. On June 8, 2021, increasingly troubled by the delays and
10 protocol violations, in consultation with Haselrig, Complainant created a list of questions about
11 the UOF package to be sent back to West Bureau.
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14 31. Due to retaliatory actions and cover ups from Villanueva, there was a shuffling of
15 Captains over West Bureau. Remarkably and unprecedentedly, within an 8-month span, West
16 Bureau had three different captains, four captains within calendar year 2021, and as of April
17 2022, 5 captains within 16-months. Captain Jones was moved to another division and Captain
18 Jacqueline Sanchez became the new unit commander on April 4, 2021. On June 8, 2021,
19 Sanchez held a staff meeting to address issues, including “Unreasonable Force and Duty to
20 Intervene,” especially in light of the George Floyd incident.
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23 32. On June 16, 2021, West Bureau sent back responses to Complainant’s questions
24 about the UOF package. Complainant immediately notified Chief Haselrig of the concerns that
25 he had that the investigation was being steered from others outside the Division – at that time,
26 Complainant inferred this was being done by Villanueva himself, as the sheriff would have been
27 either personally making orders or directing someone else in his office to do so. After 3 months
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1 of Villanueva's delays, Complainant began to be a whistleblower as he was alarmed by
2 violations of laws and policies, the lack of accountability, and the fact that Deputy Johnson's
3 UOF was still not reviewed by ICIB. Delaying the ICIB investigation allowed Deputy Johnson to
4 continue working, putting the safety of inmates at risk.

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6 33. On or about June 16, 2021, out of Assistant Sheriff Limon's office, Lieutenant
7 Steven Ruiz, and unbeknownst to Limon, requested a copy of the incomplete force package
8 (including videos, reports, etc.) to review. Complainant scrutinized Ruiz about the request for an
9 incomplete force review since no previous requests of this nature had ever come from the
10 Assistant Sheriff's office. Nonetheless, the incomplete package was compiled and was received
11 by the Assistant Sheriff's Office on June 18, 2021. Complainant later learned that Ruiz hid the
12 force package from Limon, and that Ruiz sought to gain possession of blank stationary from
13 Limon's office, apparently to forge notes from her. Ruiz never explained this conduct. The
14 Sheriff recently promoted Ruiz to Captain of Major Crimes Bureau, one of the most coveted,
15 highly sought-after positions in Detective Division.

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18 34. On June 16, 2021, Chief Haselrig shared Complainant's concerns with Assistant
19 Sheriff Limon about Captain Sanchez refusing to have the case against inmate Enzo Escalante
20 submitted to the District Attorney's Office for prosecution.

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22 35. On June 21, 2021, Complainant contacted Lieutenant Hernandez and told him he
23 disagreed with the position to not file a criminal case against Escalante and directed him to have
24 the case submitted for prosecution.

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26 36. Complainant talked with Captain Sanchez about the inadequate and alarming
27 responses he received to his review questions from West Bureau. Complainant also told Sanchez
28 that Deputy Johnson needed to be removed from his lockup assignment pending ICIB's direction

1 on how they wanted to proceed (whether to try to interview him immediately or have him
2 relieved of duty). Sanchez later called Complainant and said that Deputy Johnson had been
3 moved out of lockup and into a bailiff position to lessen his contact with inmates. But Sanchez
4 did not move the referral to ICIB forward.
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6 37. It is alleged upon information and belief that Villanueva, or that he had his
7 designee, direct Captains Jones and then Captain Sanchez, and/or their staff, to not make the
8 ICIB referral and to not have the inmate prosecuted, so as to keep the UOF video from being
9 seen by the Office of Inspector General and District Attorney and the public. For sure, the
10 breakdown of proper protocols and procedures failed at West Bureau despite the persistent
11 efforts of Complainant, Chief Haselrig, and Limon to move the cases forward.
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13 38. Complainant at all times followed proper procedures in this matter, including by
14 sending Force Packet Corrections to West Bureau, April 27, 2021, May 4, 2021, June 2, 2021,
15 June 23, 2021, and approved force review on July 13, 2021, only for the efforts of himself,
16 Haselrig, and Limon to be stymied by Villanueva. This was not a “judgment call” by
17 Complainant, Haselrig, and Limon. Others in the department concurred there were problems
18 with the UOF applied by Deputy Johnson. A sergeant investigating the matter determined that
19 Johnson applied pressure to Escalante’s head for an “unreasonable amount” of time and a
20 lieutenant called the restraint tactic unnecessary as Escalante “no longer offered any resistance.”
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23 39. In his final use of force package written in July 2021, Complainant knew he
24 needed to blow the whistle and create a paper trail of the cover up. In his final report,
25 Complainant noted the irregularities and possible crimes being committed by LASD personnel
26 and supported an investigation into the incident. Complainant hoped his report would alert and
27 jump start a proper handling of the Escalante use of force matter. Chief Haselrig shared the same
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1 hope that their blowing the whistle would prompt everything to be righted and be put on proper
2 track. Haselrig reviewed the July 2021 package and signed off on it. However, Complainant's
3 report did not generate the response they hoped, as Villanueva continued to quash the
4 investigation. Complainant hoped that his critical review of the force incident would eventually
5 be seen by the Office of Inspector General through the case review process and feared any
6 internal memorandum written that exposed the cover-up would be discarded.

8 40. Meanwhile, Sheriff Villanueva's other acts of retaliation began to catch up on him
9 and backfire and expose his corruption. Captain ANGELA WALTON reported Villanueva's
10 blatant violation of state laws on COVID. On or about August 2021, she reported retaliation by
11 her supervisor. Three days later, Villanueva sabotaged his cover up of the UOF here by
12 retaliating against Walton and, while she was on a family vacation, moving her to West Bureau,
13 making her the 4th Captain in one year over that bureau. Moving a person with integrity and
14 competence over to this bureau was a huge blunder by Villanueva.

17 41. In October 2021, in the normal course of her duties, after receiving a call from an
18 IAB sergeant, Captain Walton came across the Escalante use of force video and was troubled by
19 what appeared on the video. Captain Walton called Complainant and told Complainant that
20 ICIB had not been consulted during the process yet. Complainant was shocked to be informed
21 that ICIB had still not been consulted with after he had given direction to the previous two
22 captains to send the case to ICIB for review, and had documented that it had not been sent to
23 ICIB it in the July Use of Force package. Complainant directed Captain Walton to consult with
24 ICIB. Complainant and Walton were concerned because if IAB had started their administrative
25 investigation, it could have created difficulties for ICIB to conduct their criminal investigation.
26 On November 9, 2021, ICIB began to review the matter, and Chief Haselrig was able to approve
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1 the ICIB investigation on November 22, 2021. Johnson was off duty due to an injury and when
2 he returned to duty, ICIB tried to interview Douglas Johnson about his involvement in the UOF
3 and after he refused to speak to investigators, he was relieved of duty. Douglas Johnson was not
4 immediately relieved of duty as the Sheriff would later lie about to the media. Johnson was
5 relieved of duty on December 7, 2021.
6

7 42. Complainant followed up with Captain Walton on November 24, 2021, to see if
8 the criminal case against the inmate had been filed. She confirmed it had not. Remarkably,
9 Villanueva had managed to stall the prosecution of the inmate for an obvious assault on Deputy
10 Johnson, solely to keep the public from seeing the video of excessive force. Complainant
11 consulted with Chief Haselrig, and they agreed to have Captain Walton direct investigators to
12 prepare the case for filing against Escalante.
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14 43. Villanueva was horrified the ICIB referral went through because Complainant and
15 Walton did everything right, despite his obstruction. Given that the ICIB request was only
16 referred for consultation in November, 2021, 8 months after he was shown the video by Limon
17 and he immediately recognized the severity of the excessive force, Villanueva was exposed.
18 Villanueva then resorted to his usual tactic of covering up his obstruction of justice, and
19 “flipping the script” onto the whistleblower, the Complainant.
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22 44. The day after final approval of the referral to ICIB on November 22, 2021, on
23 November 23, 2021, Villanueva initiated a rigged IAB investigation against Complainant, to
24 frame him. Given that Villanueva was briefed on the use of force within days of the incident, and
25 Complainant repeatedly reminded and asked those responsible for the ICIB referral to get it
26 done, there is zero possibility that Villanueva honestly thought Complainant made any mistakes.
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28 The move by Villanueva to harm Complainant was done with malice, to cover for his own

1 crimes and mistakes, and to get revenge on Complainant for being a whistleblower and to get
2 back at him for holding him accountable in 2015. Villanueva was well aware that Complainant at
3 all times made proper notifications and provided direction to the unit commander, as required by
4 his duties, according to MPP 3-10/113.00 – Use of Force Review – Area Commander or
5 Division Director Responsibilities.
6

7 45. Villanueva cannot escape civil and criminal liability for this by framing the
8 whistleblowers, as numerous witnesses in addition to Complainant were aware of the Use of
9 Force from the onset or soon after and that it needed to go promptly to ICIB. These witnesses
10 included Sheriff Alex Villanueva himself, Undersheriff Timothy Murakami, Assistant Sheriff
11 Robin Limon, Captain Steven Ruiz (then lieutenant, Aide to Assistant Sheriff Limon), Chief
12 LaJuana Haselrig, Commander Daniel Dyer, Captain Robert Jones, Lieutenant April Cater;
13 (West Bureau operations lieutenant during the incident), Captain Jacqueline Sanchez; Lieutenant
14 Roberto Hernandez (Current West Bureau operations lieutenant), Lieutenant John Lindsay
15 (Court Services Division Aide), and Sergeant Russell Moreno (Court Services Division Aide).
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18 46. Despite the large number of individuals responsible for making sure the case
19 promptly went to ICIB, the IAB investigation directed by Villanueva against Complainant
20 focused only on Complainant, with no other subjects. IAB Lieutenant Eric Smitson even
21 admitted to Complainant that it looked like it was unfairly targeted at Complainant. Since
22 Captain Robert Jones also knew of the UOF on March 10, 2021, and approved the force review,
23 he should have logically been framed by Villanueva at the same time as Complainant. After
24 Villanueva’s aides pointed this out to the sheriff, he made Captain Robert Jones a subject about
25 six weeks later, to try to make the investigation look more legitimate.
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1 47. The rigged IAB against Complainant also did not go through a proper review
2 process. The review was done by Commander Joseph Williams who is the same rank as
3 Complainant. The final review was done by Acting Chief, Commander Jose Rios who was also
4 the decision maker and issued a written reprimand against Complainant. Villanueva and Rios
5 knew Rios' two roles were supposed to be divided between two people, but his decision and
6 review was unilateral. An Assistant Sheriff should have done the Initial review. However,
7 Villanueva clearly feared that if it had been assigned to Assistant Sheriff Limon, she would have
8 caught the impropriety of the investigation when she knew Complainant had Chief Haselrig
9 bring the video of the UOF to her and Limon brought it to Villanueva and viewed it with him.
10 Undersheriff Murakami should have done the final review, but he is the one who instead
11 officially initiated the administrative investigation against Complainant, even though he, too, saw
12 the video with Villanueva, Blanchard, and Limon within a few days of the March 10, 2021,
13 incident. Villanueva also directed that Captain Walton not be interviewed about the instructions
14 Complainant provided to her (which she followed through with) regarding ICIB and filing the
15 criminal case against the inmate. Again, Villanueva did not want her questioned, as he feared she
16 would tell the truth. This case followed no protocols.

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20 48. In his IAB interview, Captain Jones claimed he did not recall having specific
21 conversations with Complainant regarding an ICIB investigation consultation. Jones also stated
22 he did not recall any conversations with Assistant Sheriff Limon about the case. Documentary
23 evidence proves otherwise. Even though Limon was a necessary witness to be interviewed in the
24 investigation, Villanueva directed for her to not be interviewed for this IAB. Villanueva was
25 worried Limon would tell the truth about the obstruction of justice, failure to refer the matter to
26 ICIB, and the subsequent lies and cover up.
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1 49. Despite that the motive for the investigation into Complainant was retaliation and
2 cover up, Commander Jose Rios issued Complainant a written reprimand, for Complainant
3 supposedly failing to properly handle an excessive force case. Villanueva and LASD did this to
4 ensure that Complainant would have a black mark in his file to block him from getting promoted
5 to a higher position within LASD or hired by an outside agency as a Chief of Police.
6

7 50. Escalante was finally charged with assault in February 2022. While upset that
8 Walton and Complainant and the others resurrected the ICIB investigation into Deputy Johnson,
9 Villanueva figured he got away once again with the cover up.
10

11 51. However, on or about March 25, 2022, the Los Angeles Times obtained a copy of
12 the video of the excessive use of force against Escalante, gained access to the Complainant's
13 whistleblower report of July 2021, and ran an exposé of the Villanueva cover up. At that point,
14 Villanueva scrambled to do additional cover up, and began a series of additional lies. Villanueva
15 lied to the LA Times that he only first saw the video in October 2021, to try to minimize the gap
16 between the time he saw the video and when he stopped obstructing the investigation.
17

18 52. The LA Times challenged Villanueva on the timeline, since even if Villanueva
19 had really not seen the video until October, he was still sitting on the ICIB investigation until
20 November 22, 2021. So, on the fly Villanueva then changed the story to that he only saw the
21 video on November 18, four days before the case was sent to ICIB. Villanueva took credit in the
22 media for the referral to ICIB, but it was referred on November 15, 2021, three days before his
23 fake video viewing date. The approval occurred on November 22, 2021, but the referral
24 happened on the 15th.
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26 53. About a week later, Villanueva's office sent a written statement to ABC news
27 stating the viewing date was again October. This was reported as another switching of the dates,
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1 when in truth it was merely a matter of Villanueva's staff not being able to keep up with his lies
2 and the ever-changing story.

3 54. While Villanueva felt he had covered himself by frantically changing the date to
4 November 18, he later realized that even if anyone fell for it, he still had to explain other dates,
5 including that Deputy Johnson was not relieved of duty until December 7, typically an
6 unacceptable 19 days later (although Johnson had been off duty injured when Captain Walton
7 took steps to have him relieved off duty). So, Villanueva began instructing his staff, including
8 Commander Joseph Williams to begin working on a timeline to fit his cover up. Williams
9 contacted Captain Walton while she was out on medical leave and asked her why Deputy
10 Johnson was not relieved of duty on November 18, 2021, when the sheriff supposedly ordered
11 Johnson to be relieved of duty. Captain Walton explained that the sequence of events did not
12 occur as the sheriff has publicly stated, and that the only timeline she could submit, the factual
13 one, did not align with what the sheriff was claiming.

14 55. Williams then called Walton again to tell her she was being moved out of her
15 command at Court Services Division and did not tell her to what assignment she was being
16 banished to by Villanueva. This means there have been 5 Captains in a little over a year to
17 command West Bureau.

18 56. In addition to lying about the date he first saw the video, Villanueva realized that
19 Complainant's whistleblower UOF report of July 2021 stated executives above the rank of chief
20 were directing the UOF investigation. Villanueva looked at those in his office who viewed video
21 back in March 2021, himself, his Undersheriff, and second in command Timothy Murakami, and
22 his Assistant Sheriff, Robin Limon. Villanueva reasoned the smart move would be to frame
23 Limon, rather than admit he was the one who made the decision to obstruct justice.
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1 57. On March 29, 2022, 3 days after denying there was a cover up of the excessive
2 force on Escalante, and after the IAB investigation had been completed, reviewed, and
3 adjudicated with the Complainant receiving discipline, Villanueva announced he was taking
4 action against two of his staff, Assistant Sheriff Limon, as well Complainant’s supervisor, Chief
5 LaJauna Haselrig, implying they, not he, had engaged in the cover up and improper handling.
6 Even after Villanueva purposefully omitted making Limon and Haselrig subjects of the already
7 completed IAB investigation, Villanueva demanded Limon and Haselrig’s immediate retirement,
8 with the option of being demoted if they refused.
9

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11 58. While Complainant did not state Villanueva’s name specifically in his July 2021
12 report, it is a fact supported by multiple witnesses that it was Villanueva himself who viewed the
13 video within days of the March 10, 2021, incident, acknowledged the use of force looked bad
14 and excessive, and that under the law and policy, it had to be investigated, and ICIB consulted
15 promptly. Within days of the March 10, 2021, UOF incident, Villanueva declared that he would
16 “handle it.”
17

18 59. Employing his usual tactics to cover his tracks, Villanueva announced yet another
19 fake investigation, this time an ICIB criminal investigation apparently to try to determine which
20 whistleblower leaked the video to the Los Angeles Times, so the sheriff could retaliate against
21 the whistleblower, and intimidate other whistleblowers to not come forward.
22

23 60. Due to Villanueva’s retaliation, and violation of Complainant’s civil rights, and
24 rights under the Peace Officers’ Bill of Rights, Complainant suffers from severe emotional
25 distress. Complainant has been on medical leave for 3.5 months for hypertension, with his blood
26 pressure spiking to dangerous levels. Complainant has a damaged reputation due to a “founded”
27 investigation which is not supported by facts. On April 18, 2022, Complainant was forced out of
28

1 his unit and reassigned to an unspecified command while on medical leave. Complainant has a
2 logical fear of future retaliation by the Sheriff and the Undersheriff and LASD upon returning to
3 work. Complainant's ability to further his career within the Los Angeles County Sheriff's
4 Department has been severely undermined. Complainant suffers from a loss of substantial future
5 earnings, as he had been preparing for a second career as a Chief of Police and had been recently
6 recruited to apply for a city's Chief of Police position.
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10 April 25, 2022

11 THE LAW OFFICES OF VINCENT MILLER

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15 VINCENT MILLER, Attorney for Complainant
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