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10 **ATTACHMENT TO TORT CLAIM BY**  
11 **COMPLAINANT FORMER ASSISTANT SHERIFF**  
12 **ROBIN LIMON**  
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1 **INTRODUCTION**

2 1. On March 29, 2022, the County of Los Angeles’ Sheriff, ALEX VILLANUEVA  
3 (“Villanueva”) retaliated against Complainant Robin Limon, who was at the time an Assistant  
4 Sheriff. Villanueva demanded and forced Assistant Sheriff Limon to choose between two  
5 poisonous options: retire or be demoted four ranks, to lieutenant. The reasons for the Sheriff’s  
6 misconduct were twofold, to retaliate against the Complainant for being a whistleblower on  
7 several instances of illegal and other wrongful conduct and to further his cover up of an  
8 excessive use of force incident.

9 2. Villanueva recently retaliated against Complainant and other whistleblowers after  
10 they exposed Villanueva’s cover up of the use of excessive force by Deputy DOUGLAS  
11 JOHNSON against an inmate, ENZO ESCALANTE.

12 3. On March 10, 2021, at San Fernando Courthouse, Deputy Johnson may have  
13 engaged in excessive force against inmate Enzo Escalante. Escalante alleges that Johnson  
14 assaulted him and that this prompted the inmate to strike Johnson and assault him. Deputy  
15 Johnson disputes that he shoved Escalante. What is not in dispute is that after Johnson properly  
16 restrained Escalante, Johnson then placed his knee on Escalante’s head and restricted his  
17 breathing long after Escalante stopped resisting the deputy. The incident is reminiscent of how  
18 officer Derek Chauvin had improperly cut George Floyd’s air off. Here, Escalante survived, but  
19 the nature of the deputy’s conduct called for a swift criminal and administrative investigation  
20 into his conduct. Remarkably, Johnson was placed under criminal investigation for an unrelated  
21 incident, on March 9, 2021, just one day prior to this UOF incident.

22 4. Whistleblower Allen Castellano, a Commander, was alerted of the Escalante  
23 incident and he, his supervisor, LaJuana Haselrig and Complainant took all the necessary steps to  
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1 handle the matter promptly and properly. However, Sheriff Villanueva obstructed justice and  
2 covered the Escalante incident up and retaliated against the Complainant and others for blowing  
3 the whistle on the illegal conduct. The sheriff once again used his usual political tactic of trying  
4 to frame the whistleblowers for his own misconduct.

5         5.         One of the reasons why Villanueva is maliciously targeting the Complainant is  
6 because she has personal knowledge of Villanueva covering up the UOF incident. Complainant  
7 brought the DVD video of the Use of Force (“UOF”) incident on or about March 15, 2021, to  
8 Villanueva’s office and watched the video with him. Villanueva blocked a criminal investigation  
9 into the matter, lied about the incident and claims he did not watch the video until November  
10 2021 to fit a fake timeline.

11         6.         Another reason why Villanueva is targeting Complainant is there has been a  
12 history of the Complainant reporting and raising concerns about wrongful conduct, including  
13 Villanueva’s habit of retaliating against people with differing opinions and whistleblowers.  
14 During Complainant’s tenure as Assistant Sheriff, she has witnessed and endured abusive, racist,  
15 and sexist language used by the Sheriff. This language has been used to describe various  
16 Department members, elected and appointed officials, and members of the public.

17         7.         Over the past three years the Complainant has pleaded with the Sheriff to  
18 collaborate with the Board of Supervisors and Office of Inspector General to be transparent,  
19 ethical, collaborative, and provide only the best of services to the residents of Los Angeles  
20 County. The Sheriff had declined Complainant’s requests and continuously verbally berates and  
21 attacks these entities and individuals by calling them various names and using derogatory  
22 language, as he abuses power.  
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1           8.       The Complainant continuously over the last three years urged the Sheriff to allow  
2 the Department executives (Captains, Commanders, Chiefs and Assistant Sheriffs) the ability to  
3 develop, mentor and promote members who are qualified for various positions within the  
4 Department. The Sheriff stated that it is “His Department!” and “He and Vivian” (his wife, who  
5 is not employed by the department) will select people as they see fit because Vivian “is a very  
6 good judge of character.” The Complainant and various department executives have witnessed  
7 the Sheriff take photos of promotional and transfer lists and send them to his wife for approval or  
8 disapproval. Complainant has also witnessed names removed from the promotional lists and  
9 denied earned promotions at the order of Vivian Villanueva. The sheriff has ignored  
10 Complainant reporting this is improper and illegal conduct.

11           9.       Despite reports and concerns by the Complainant, the Sheriff has repeatedly  
12 promoted individuals who are not qualified for the positions and have been found to have  
13 committed wrongful acts or are under investigation for having done wrongful, even illegal acts.

14           10.      Complainant adamantly disagreed with the promotion of a Lieutenant to the rank  
15 of Captain. Complainant expressed serious concerns regarding this employee’s prior founded  
16 administrative investigations and allegations of sexual misconduct, but Villanueva still promoted  
17 him to Captain. There have been numerous sexual misconduct allegations against this Captain  
18 while at his currently assigned station.

19           11.      Complainant adamantly disagreed with the promotion of another Lieutenant to the  
20 rank of Captain. It was very well known by various Department executives that this employee  
21 was listed as a suspect of very serious criminal charges, yet the Sheriff promoted him to the rank  
22 of Captain. After the Complainant reported on the impropriety of the matter, this Captain was  
23 eventually removed by LASD from his command and relieved of duty.  
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1           12.     Complainant adamantly disagreed with the promotion of yet another Lieutenant to  
2 the rank of Captain. This employee was listed as a suspect in a very serious criminal charge  
3 involving a minor, yet Sheriff Villanueva promoted him. Due to the reporting of the Complainant  
4 and her continuous efforts, this Captain was eventually removed from his command and  
5 terminated.

6           13.     Complainant adamantly disagreed with the promotion of a notorious Lieutenant to  
7 the rank of Captain. Complainant advised the Sheriff that this employee had not met the  
8 requirements to apply for Captain and the application process had already been closed. In  
9 addition, there were allegations of fraud against this employee. Yet, the Sheriff improperly  
10 instructed staff to reopen the application period for the captain position again so she could apply.  
11 She was subsequently placed as an Acting Captain. This employee later would become the  
12 subject of an administrative investigation for numerous issues including violating laws under  
13 FEHA and for being involved in a lieutenant promotional exam cheating scandal. The Sheriff has  
14 indicated he plans to eventually promote her to an Assistant Sheriff position.  
15

16           14.     Complainant advised the Sheriff that another lieutenant was not performing to  
17 standards and was going to be placed on a unit level performance mentoring program. The  
18 Sheriff retaliated against the current station captain and transferred him and promoted the  
19 unqualified employee to replace him. This employee has since been promoted to Commander,  
20 despite concerns raised by Complainant.

21           15.     In late 2020, it was alleged Undersheriff Timothy Murakami used a derogatory  
22 racial slur in Japanese to describe Black people. During an Equity Oversight Panel review it was  
23 discovered a Sergeant heard Murakami's use of the term and failed to report it. The panel  
24 determined the Sergeant should receive discipline for his failure to report. Complainant advised  
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1 the Sheriff of the panel's findings and proposed discipline for both the Sergeant and Murakami.  
2 Sheriff stated that Murakami would not be disciplined or even investigated. Complainant  
3 disagreed with the Sheriff and stated that it was unfair for Murakami not to be disciplined if the  
4 Sergeant was disciplined for not reporting his wrongful act.

5 16. Retired Commander Eli Vera fell out of favor with the Sheriff for providing  
6 opposing viewpoints during his administration and advising the Sheriff to start to engage in  
7 ethical conduct. Vera went on an approved medical leave of absence. The Sheriff stated to the  
8 Complainant he wanted Vera to retire and not come back to work. Complainant advised the  
9 Sheriff to not illegally retaliate against Vera.

10 17. Vera returned to work after his approved leave. The Sheriff told the Complainant  
11 that he wanted Vera out of the Central Patrol Division because he had "too much of a following  
12 with the deputies." The Complainant advised the Sheriff that Vera should be allowed to remain  
13 in Central Patrol. The Sheriff disagreed and had Vera transferred to the Technology and Support  
14 Division. The Complainant soon realized that Vivian Villanueva had wanted to retaliate against  
15 Vera and have him moved and urged the Sheriff to do so.

16 18. Complainant was tasked with handling contract renewal negotiations with the Los  
17 Angeles Community College District (LACCD). After numerous discussions and meetings with  
18 LACCD representatives, Complainant informed the Sheriff of the status of the negotiations and  
19 recommended terminating the contract. Complainant had concerns with the staffing model and  
20 the safety of LASD employees, faculty, and students with the requested cuts to the contract by  
21 LACCD. The Sheriff agreed with the Complainant and her assessment of the concerns. Days  
22 later, the Complainant received instruction from the Sheriff to continue with the contract  
23 negotiations. Complainant learned from the Sheriff that his campaign manager (Javier  
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1 Gonzalez) had been in ongoing discussions with an LACCD board member. The Sheriff had  
2 sent Complainant text messages “*from my campaign guy regarding CCB*” “*Until we win our re*  
3 *elect ppl will test us. Can I tell them you all will counter propose and maybe set some triggers?*  
4 *He said cut a bit and they will sign it.*” It was clear to the Complainant that the Sheriff and his  
5 campaign manager had improperly taken over negotiations. Complainant advised the Sheriff that  
6 it may be illegal to involve his campaign in negotiations for a County contract. The Sheriff  
7 dismissed the Complainant’s concerns.

8           19. Eli Vera announced his candidacy for Los Angeles County Sheriff, and the  
9 Sheriff began to plot how to demote him by any means. Complainant advised the Sheriff not to  
10 demote Vera because there were no performance issues. Sheriff wanted to find any  
11 administrative issues to demote Vera for, but when none were found, he demoted him simply for  
12 running a campaign for sheriff against him. The Sheriff did this despite the advice of the three  
13 Assistant Sheriffs and against the Constitutional Policing Advisor and county counsel’s advice.

14           20. Complainant disagreed with what appeared to be the retaliatory transfer of a  
15 Captain, initials E.H. E.H. was tasked with finding administrative violations on a Detective,  
16 initials J.S., who did nothing wrong at all and it was obvious to all of those around the Sheriff.  
17 J.S. was the investigator on a stolen gun case in which Vera’s wife had been the victim. The thief  
18 was caught, and confessed, and got convicted. When E.H. stated the case had been previously  
19 looked at for administrative violations, J.S. was investigated, with no violations found. E.H.  
20 questioned the reason for another (obviously fake) administrative investigation and was then  
21 transferred in retaliation. This was all done by the Sheriff, despite Complainant reporting  
22 concerns. Villanueva apparently targeted J.S. in the hopes his fake investigation could be used to  
23 falsely claim wrongful conduct by Vera was discovered.  
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1           21.     A Sergeant, initials J.R., was selected to a bureau as a team leader. This was  
2 approved and vetted through the chain of command through the Chief and the Complainant. J.R.  
3 had been training with the bureau, given a start date, purchased uniforms, given all equipment  
4 and a vehicle. Complainant gave the Sheriff a folder with J.R.'s background information, for  
5 final approval, as the Sheriff's standing order of approving every transfer in the department. The  
6 Sheriff improperly denied his transfer because he had previously worked at Century Station and  
7 simply based on that was labeled a friend of Eli Vera. Complainant voiced her concerns and was  
8 ignored by the Sheriff.

9           22.     A Lieutenant, initials J.G. was qualified and approved and vetted through the  
10 chain of command through the Chief and the Complainant for a promotion to a coveted position.  
11 J.G. attended the required training, but was improperly removed from the selection process, by  
12 the Sheriff in retaliation, in violation of First Amendment rights, because the Sheriff discovered  
13 he donated money to Eli Vera's campaign.

14           23.     In early July 2021, the Sheriff insisted on promoting a Sergeant to a highly  
15 coveted position, despite there being no position to promote him into at that time. The  
16 Complainant told the Sheriff that she was against the promotion and assignment and considered  
17 it improper. The Sheriff went ahead and promoted the sergeant to lieutenant. Approximately two  
18 months later, while the employee was on a probationary period for his promotion, he was  
19 arrested by the Beverly Hills Police Department for committing domestic violence against his  
20 wife, in public, while drinking alcohol with his firearm on him. The following week, during a  
21 meeting with the Sheriff and other Department executives, the Complainant raised concerns  
22 about the employee, and the Sheriff was dismissive and said that the Sheriff's wife, Vivian  
23 Villanueva, talked to the employee's wife and it was now "a big nothing." The Sheriff then  
24 ordered the Complainant to sign off on the employee coming back to work. The Complainant  
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1 disagreed and said that the Department should wait until the criminal monitor and IAB  
2 investigation is complete. This angered the Sheriff and he ignored Complainant's concerns.  
3 Chief Chris Marks and then Commander Holly Francisco approached Complainant separately,  
4 numerous times, to inquire about bringing the employee back to work. Complainant refused to  
5 go along with the impropriety and stated her position that he would not be brought back to work  
6 until the completion of an IAB investigation. On February 28, 2022, the Complainant was called  
7 by the Sheriff and again asked the status of the case. Complainant told the Sheriff that she would  
8 not bring the employee back until the completion of the IAB investigation. On March 10, 2022,  
9 the Complainant was called into the Sheriff's office. The Complainant reiterated that she was not  
10 going to bring the employee back until the completion of the IAB investigation due to the  
11 numerous policy violations. However, the sheriff ordered the Complainant to bring the  
12 employee back to work the following Sunday, stating, "I am ordering you!"

13  
14 24. The Complainant warned and advised the Sheriff against naming Captain John  
15 Burcher his new Chief of Staff. Burcher has been lurking around the Sheriff's office and not  
16 tending to his work at his assignment. The Sheriff assigned him as the Chief of Staff position  
17 regardless of the warnings.

18 25. On June 18, 2020, Resident Andres Guadardo was killed in a controversial  
19 shooting by LASD deputies. Burcher began improperly posting on social media that the  
20 shooting was rightful. Burcher included several disparaging and expletive filled remarks, despite  
21 the investigation not being completed.

22 26. While he was the Captain at Transit Services Bureau, Burcher also tried to cover  
23 up a deputy stalking a resident. From his patrol car, a deputy spotted a woman driving her car  
24 and ran her license plate to find her address. He then tried to "pick up" on the woman and when  
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1 that failed, tried to “pick up” on the woman’s mother. Burcher tried to minimize the deputy’s  
2 discipline without an investigation, using a predisposition settlement agreement, but  
3 Complainant intervened and got the matter referred to the Internal Criminal Investigations  
4 Bureau for criminal investigation and there ultimately was a 25-day suspension for the deputy.

5         27. The Complainant urged the Sheriff to put a hold on Burcher’s promotion, but  
6 Sheriff indicated that he would continue with his improper plan and promote Burcher to  
7 Commander. Complainant raised concerns over a corrupt and incompetent worker being  
8 promoted, but the Sheriff ignored her concerns. Although assigned to the Community  
9 Partnerships Bureau, Burcher proudly claims he is the Commander for the Sheriff’s Community  
10 Advisory Council (CAC) and works full-time on the sheriff’s re-election campaign, while  
11 illegally being paid by the County. Burcher’s poor work performance was continuously reported  
12 by the Complainant and others to the Sheriff directly. Burcher does not report to the office as  
13 scheduled. Burcher missed various meetings and was ineffective in his staff work. When  
14 Complainant reported this to the Sheriff, she was again dismissed with the sheriff saying  
15 Burcher’s work with the CAC and re-election were more important.  
16

17         28. On March 21, 2022, two female employees who work and report directly to the  
18 Sheriff, reported to the Sheriff they were subjected to harassment and multiple repeated  
19 violations of the Policy of Equality by Burcher. The Sheriff did nothing to protect those  
20 employees. When Undersheriff Murakami was confronted by the Complainant, she was told  
21 Burcher was admonished to stay away from the alleged victims. He did not stay away from the  
22 victims. Burcher has since been named by Villanueva as the Special Projects Commander  
23 reporting directly to Murakami and continues to openly work on the Sheriff’s re-election  
24

1 campaign during hours, he is supposed to be working for LASD. The Sheriff ignored  
2 Complainant's concerns this conduct was illegal.

3         29.     The Complainant warned the Sheriff numerous times about a certain Lieutenant,  
4 who utilized various Department resources and during county time worked on various efforts of  
5 the Sheriff's re-election campaign. Using the guise of the LASD Community Advisory Council  
6 (CAC), this employee and Burcher during work hours organized various events where political  
7 campaign activities were taking place in violation of Department policy, and possibly in  
8 violation of the law. The Complainant warned the Sheriff numerous times regarding these  
9 violations, but the Sheriff disregarded these warnings. This employee is currently under  
10 administrative investigation for an allegation stemming from a family violence incident.

11         30.     The Sheriff has consistently utilized Department resources to further his re-  
12 election political campaign. Homeless Outreach Services Team (HOST), Mental Evaluation  
13 Team (MET) and beach patrol teams were deployed into areas not patrolled by LASD. The  
14 Complainant and other Department executives warned the Sheriff against this practice, as it was  
15 a use of County dollars and resources for work LASD should not be doing without invitation  
16 from LAPD. The Sheriff's campaign manager helped come up with the idea that it would help  
17 with raising money for his re-election campaign and secure votes by making it look like he was  
18 cracking down on homeless people and solving the homeless problem. The Sheriff stated that he  
19 would deploy LASD deputies to tourist destinations because "that's where the money is at."  
20 Venice, Santa Monica, Hollywood, and Olvera Street areas were selected by the Sheriff and his  
21 campaign manager. The Complainant continuously urged against this practice, as it was  
22 depleting resources from contract cities and county areas, where LASD was supposed to be using  
23 its resources to protect residents. The Sheriff ignored these warnings by the Complainant.  
24

1           31.     November 2021, Sheriff requested to view disturbing, criminal activity,  
2 surveillance videos from Transit Services Bureau’s Metro lines. He then stated he was going to  
3 hold a press conference and release the videos to the media. Complainant informed him  
4 surveillance video was the property of Metro and could not be released by him. The Sheriff  
5 dismissed Complainants’ warning. It was not until Complainant pleaded with him to not re-  
6 victimize the victims which included two violent sexual assaults that the Sheriff did the press  
7 conference without showing the videos.

8           32.     During Memorandum of Understanding MOU negotiations with an employee  
9 union, of which Complainant was tasked to attend on behalf of Sheriff Villanueva, Complainant  
10 was directed by Undersheriff Timothy Murakami to improperly offer to give additional bonus  
11 pay to a class of employees, because the Sheriff demanded it. Complainant refused because such  
12 an offer would be illegal and considered “direct dealing” without the union proposing it.

13           33.     Undersheriff Murakami, acting on the Sheriff’s direction, gave permission for a  
14 former employee to receive statistical information from a civilian employee to be used for  
15 political activity against District Attorney Gascon. When the Complainant became aware she  
16 quickly stopped it from being provided and informed the Undersheriff it was unethical and  
17 against policy.

18           34.     As stated above, Complainant is also a first-hand witness with personal  
19 knowledge of Sheriff Villanueva blocking and stalling an investigation into an excessive Use of  
20 Force (“UOF”) incident to obstruct justice and avoid bad publicity for his re-election campaign.

21           35.     In November 2021, Complainant received a telephone call from Chief Kelly  
22 Porowski, Professional Standards Division (PSD) who advised the Complainant regarding  
23 Commander Castellano’s review of the UOF at issue here. Porowski advised Complainant that  
24

1 Castellano had written in his July report that someone "above the rank of Chief " had improperly  
2 directed the splitting of the two UOF cases. The Complainant demanded that Chief Porowski  
3 interview the Complainant on that day about what happened with the UOF incident and the  
4 investigation that should have happened. Chief Porowski refused, saying the Complainant had  
5 nothing to do with it. The Complainant was positive the focus of the investigation was  
6 Castellano due to his previous history of holding then Lieutenant Villanueva (Sheriff)  
7 accountable for wrongful conduct. The Chief and Villanueva did not want the Complainant to be  
8 interviewed because she was a witness to the fact that Villanueva himself had seen the video and  
9 that Castellano did nothing wrong.

10  
11 36. Villanueva regularly uses a certain political tactic against whistleblowers. When  
12 the whistle is blown, he immediately denies the allegations and moves to cover up the  
13 misconduct. In addition, Villanueva "flips the script" on the whistleblowers and accuses them of  
14 the exact wrongdoing they are reporting on. Villanueva then initiates rigged Internal Affairs  
15 Bureau ("IAB") investigations against the whistleblowers and/or announces he has a launched a  
16 (fake) criminal investigation into them and denies earned promotions and gives unfair demotions  
17 to the whistleblowers. This is what happened with UOF incident here.

18 37. When the Sheriff's cover up was exposed by the media in March 2022, the Sheriff  
19 panicked and lied that he had not seen the video of the excessive force until October 2021. In  
20 truth, the Sheriff saw the video in March 2021. And the Complainant has first-hand knowledge  
21 of this because she is the person who brought him the video and watched it with him.

22 38. The County's own Inspector General has made the party admission on behalf of the  
23 County that Sheriff Alex Villanueva and County employee Deputy Douglas Johnson may have  
24 committed the following violations and/or crimes: 1) The First Amendment of the United States

1 Constitution (*See, e.g. Garcetti v. Ceballos*, 547 U.S. 410 (2006) (While a public employer can  
2 regulate on-duty speech, the 1st Amendment protects some public speech by employees about  
3 their employment including the public reporting of misconduct); The Fourth and Fourteenth  
4 Amendments of the United States Constitution protect against police seeking charges without  
5 probable cause. (*See, e.g., Thompson v. Clark*, 596 U.S. (2022); The Fourth, Eighth, and  
6 Fourteenth Amendments to the United States Constitution prohibiting the use of excessive force;  
7 California Labor Code section 1102.5 prohibiting an employer from retaliating against  
8 employees who report potential violations of law to a governmental agency; California Penal  
9 Code section 13670 prohibiting law enforcement gangs, including groups of peace officers who  
10 engage in a pattern of on duty illegal behavior or behavior which violates fundamental principles  
11 of professional policing, and provides for inspector general investigation; California Penal Code  
12 section 13510.8, which provides for decertification of a peace officer who participates in a law  
13 enforcement gang or fails to cooperate with an investigation of potential police misconduct after  
14 January 1, 2022; California Penal Code section 518, which prohibits threatening a public official  
15 to influence official duties. In addition to those possible crimes and violations, Complainant  
16 alleges upon information and belief that Sheriff Villanueva committed other possible crimes and  
17 violations including obstruction of justice.

18  
19 39. Complainant was retaliated against by Villanueva for reporting Villanueva's  
20 misconduct and for pushing for LASD and the Sheriff to do the right thing. The County is liable  
21 for Complainant's harms under the whistleblower statutes. Villanueva and LASD also violated  
22 Complainant's civil rights and due process rights under the Peace Officers' Bill of Rights  
23 (POBR). In addition, the Complainant will sue the Sheriff separately for defamation. As part of  
24 his cover up, the Sheriff maliciously lied and framed Complainant and put her in a false light, to

1 make it look like she did the cover up instead of the Sheriff. The Sheriff is personally liable for  
2 defamation.

3  
4 **STATEMENT OF FACTS**

5 40. On March 10, 2021, day two of the Derek Chauvin trial began. Also on March 10,  
6 2021, Inmate Enzo Escalante was pushed or guided to a wall by Deputy Douglas Johnson at the  
7 San Fernando Courthouse. Escalante then attacked Deputy Johnson, hitting him several times.  
8 Deputy Johnson and other deputies took Escalante to the ground and subdued and restrained him.  
9 For about 3 minutes after Escalante was restrained and passive, Johnson held his knee onto  
10 Escalante's neck and restricted his breathing, in a fashion like Derek Chauvin did to George  
11 Floyd. Escalante struggled to breathe but did not die.

12  
13 41. On the same day, on March 10, 2021, Captain Robert Jones at the West Bureau  
14 called Castellano about the Use of Force ("UOF") incident after he reviewed the video of Deputy  
15 Douglas Johnson's treatment of inmate Enzo Escalante. Castellano notified his supervisor, Chief  
16 LaJuana Haselrig, who then viewed the video with him. Castellano and Haselrig asked the  
17 Complainant to view the video and she concurred that this appeared to be an excessive and  
18 dangerous use of force, and as such proper protocols would need to be followed.

19 42. Castellano and Complainant and Chief Haselrig discussed how the maneuver by  
20 Deputy Johnson looked wrongful and that it bore similarity to the one used by Officer Derek  
21 Chauvin against George Floyd. Complainant agreed to show the UOF video to the Sheriff.  
22 Complainant and the others wanted the Sheriff to be aware of this very serious matter, that it was  
23 being referred to ICIB, and that the video could be made public at some point. For the sake of the  
24

1 safety of residents, it was imperative for the sheriff to address this matter right away and  
2 reinforce policies against excessive uses of force by deputies.

3 43. Proper protocols, well known by Sheriff Villanueva, meant that what should  
4 happen is a referral for an administrative investigation through the Internal Affairs Bureau  
5 (“IAB”), combined with a consultation with ICIB about whether this would be a criminal  
6 investigation instead of just an IAB investigation. Castellano, Chief Haselrig and Complainant  
7 agreed that they would proceed with an IAB investigation and an ICIB consultation.

8 44. Lieutenant April Carter confirms that on the same day of the UOF incident, on  
9 March 10, 2021, Captain Robert Jones told her that the Assistant Sheriff, the Complainant, told  
10 him to proceed with the ICIB consultation. Also, on the same day, on March 10, 2021,  
11 Castellano informed Captain Jones that an IAB investigation will need to be immediately  
12 initiated and to also consult with ICIB.

13 45. On or around March 15, 2021, as soon as Complainant received the DVD from  
14 Haselrig, Complainant went to Villanueva’s office to show him the video of the Escalante  
15 incident. Sheriff’s aide, Lieutenant Anthony Blanchard, took the video from Complainant and  
16 loaded the DVD on his computer and showed the video to Complainant, Undersheriff Timothy  
17 Murakami, and the Sheriff. Murakami and Villanueva, as well as Blanchard joined Complainant  
18 in finding the apparent illegal use of excessive force troubling. Villanueva also made note of the  
19 failure of the two supervisors, Deputies Brantley and Rodriguez, to intervene. Within days of the  
20 UOF incident, Complainant advised the Sheriff that Brantley, who was supervising Johnson  
21 during the incident, was on a list for promotion to become a sergeant. The Sheriff removed  
22 Brantley from the list due to his pending status of being a subject of an administrative  
23 investigation due to this incident.  
24



1           46.     After viewing the video, Villanueva told Murakami, Blanchard, and Complainant  
2 that “we” (LASD) “do not need bad media at this time.” Villanueva told the Complainant that he  
3 would “handle the matter,” leading her to believe that the sheriff would do the right thing and  
4 follow proper protocol. Complainant informed Castellano and Haselrig that she showed the  
5 video to the Sheriff.

6           47.     However, by “handling the matter,” Villanueva really meant that he would  
7 proceed to obstruct justice and direct a cover up of the incident. Villanueva blocked an ICIB  
8 investigation and also blocked the filing of assault charges against inmate Escalante, even though  
9 proper procedure required for that to happen promptly. Villanueva knew that if assault charges  
10 were filed against the inmate, his defense attorney would have gotten access to the video and the  
11 public could see it.

12           48.     On the following day, March 11, 2021, Captain Jones sent Castellano an email  
13 entitled, “Request for investigation or Criminal Monitor,” verifying his conversation with  
14 Castellano on the need for a consultation with ICIB. However, the initiating of an IAB  
15 investigation was inexplicably delayed and not completed until March 31, 2021, and there was  
16 still no ICIB consult at that time. Still, in the first months after the UOF incident, the  
17 Complainant was unaware that Villanueva was moving swiftly to cover up the excessive use of  
18 force by blocking the investigation.

19           49.     In March 2021, Complainant, Castellano, and Haselrig had conversations with  
20 each other concerning Deputy Johnson’s excessive use of force. Castellano informed Captain  
21 Jones to follow up with the ICIB referral. In June 2021, Chief Haselrig and Complainant  
22 discussed the delay in the filing of the criminal case against inmate Enzo Escalante, and  
23 Complainant became increasingly alarmed.  
24

1           50. Complainant and Castellano were troubled by the Sheriff's withholding of the  
2 criminal case from being presented to the District Attorney. Complainant and Castellano were  
3 also concerned when he found out that the UOF case with Johnson was improperly separated  
4 from a UOF case against another inmate who was involved in the same incident with Escalante.  
5 The other deputy used less aggressive and apparently appropriate force with the other inmate. It  
6 is alleged upon information and belief that Villanueva directed the two UOF cases to be split, so  
7 the softer one could be the one in the LASD computer system that would be seen by the  
8 Inspector General Max Huntsman if he were alerted to the Escalante matter and were to review  
9 UOF cases, while the Deputy Johnson matter would be buried and hidden from scrutiny as long  
10 as possible. This splitting of the case was done without the knowledge of Complainant,  
11 Castellano or Haselrig.

12           51. Due to retaliatory actions and cover ups from Villanueva, there was a shuffling of  
13 Captains over West Bureau. Remarkably and unprecedentedly, within an 8-month span, West  
14 Bureau had three different captains, four captains within calendar year 2021, and as of April  
15 2022, 5 captains within 16-months. Captain Jones was moved to another division and Captain  
16 Jacqueline Sanchez became the new unit commander on April 4, 2021. On June 8, 2021,  
17 Sanchez held a staff meeting to address issues, including "Unreasonable Force and Duty to  
18 Intervene," especially in light of the George Floyd incident.

19           52. On June 16, 2021, West Bureau sent back responses to Castellano's questions  
20 about the UOF package. Castellano immediately notified Chief Haselrig of the concerns that he  
21 had that the investigation was being steered from others outside the Division – at that time,  
22 Castellano inferred this was being done by Villanueva himself, as the sheriff would have been  
23 either personally making orders or directing someone else in his office to do so. After 3 months  
24

1 of Villanueva's delays, Complainant, Haselrig, and Castellano began to be whistleblowers on the  
2 UOF as they were alarmed by violations of laws and policies, the lack of accountability, and the  
3 fact that Deputy Johnson's UOF was still not reviewed by ICIB. Delaying the ICIB investigation  
4 allowed Deputy Johnson to continue working, putting the safety of inmates at risk.

5         53. Complainant grew increasingly concerned about Villanueva's conduct.  
6 Complainant had witnessed the Sheriff on multiple occasions engage in improper and even  
7 illegal conduct. Complainant believed that if the Sheriff was delaying the criminal investigation,  
8 he was putting residents' lives at risk. The UOF by Johnson should have been investigated  
9 completely and if Deputy Johnson engaged in wrongful conduct, he needed to be held  
10 accountable. If this potential method of use of force was being used by other deputies, the Sheriff  
11 needed to train them and make sure the practice was stopped. The Sheriff has tried to make light  
12 of the incident, stating that the inmate did not die. However, after Derek Chauvin murdered  
13 George Floyd, law enforcement agencies were enlightened about this particular type of use of  
14 force used by Chauvin and Johnson. What had been an accepted practice in some agencies in the  
15 past was no longer seen as appropriate. Law enforcement agencies now recognized that this  
16 tactic could prove to be lethal. Villanueva should have acted on this excessive UOF immediately  
17 and protected the County's residents.

18         54. Complainant thought that had Villanueva acted promptly and properly on this  
19 troubling video of what appeared to be an excessive use of force, the Sheriff could have  
20 prevented future excessive uses of force by deputies. In March 2021, Villanueva should have  
21 issued a warning and reminder to deputies within the department to not use excessive force. In  
22 April 2021, another troubling use of force occurred, this time against a disabled resident.  
23  
24

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

11           56.     On June 16, 2021, Chief Haselrig shared Castellano’s concerns with Complainant  
12 about Captain Sanchez refusing to have the case against inmate Enzo Escalante submitted to the  
13 District Attorney’s Office for prosecution. Sanchez has admitted that she did not send the case to  
14 the district attorney, despite the video being such strong and obvious evidence of the inmate  
15 committing assault against the deputy. Sanchez said it would “open a pandora’s box” to send the  
16 Inmate’s case to the DA.

17           57.     On June 21, 2021, Castellano contacted Lieutenant Hernandez and told him he  
18 disagreed with the position to not file a criminal case against Escalante and directed him to have  
19 the case submitted for prosecution. But Sanchez did not move the referral to ICIB forward,  
20 despite her knowing and admitting that Deputy Johnson used the same maneuver that Derek  
21 Chauvin used to murder George Floyd.

22           58.     It is alleged upon information and belief that Villanueva, or that his designee,  
23 directed Captains Jones and then Captain Sanchez, and/or their staff, to not make the ICIB  
24

1 referral and to not have the inmate prosecuted, so as to keep the UOF video from being seen by  
2 the Office of Inspector General and District Attorney and the public. For sure, the breakdown of  
3 proper protocols and procedures failed at West Bureau despite the persistent efforts of  
4 Complainant, Castellano, and Chief Haselrig, to move the cases forward.

5         59. Haselrig and Castellano at all times followed proper procedures in this matter.  
6 Castellano sent Force Packet Corrections to West Bureau, April 27, 2021, May 4, 2021, June 2,  
7 2021, June 23, 2021, and approved force review on July 13, 2021, only for the efforts of himself,  
8 Haselrig, and Complainant to be stymied by Villanueva. This was not a “judgment call” by  
9 Complainant, Castellano, and Haselrig. Others in the department concurred there were problems  
10 with the UOF applied by Deputy Johnson. A sergeant investigating the matter determined that  
11 Johnson applied pressure to Escalante’s head for an “unreasonable amount” of time and a  
12 lieutenant called the restraint tactic unnecessary as Escalante “no longer offered any resistance.”

13  
14         60. By July 2021, Castellano and Haselrig knew it was time to blow the whistle on  
15 obstruction of the investigation. Subsequently, in his final use of force package written in July  
16 2021, Castellano created a paper trail of the cover up. In his final report, Castellano noted the  
17 irregularities and possible crimes being committed by LASD personnel and supported an  
18 investigation into the incident. Castellano hoped his report would alert and jump start a proper  
19 handling of the Escalante use of force matter. Chief Haselrig shared the same hope that their  
20 blowing the whistle would prompt everything to be righted and be put on proper track. Haselrig  
21 reviewed the July 2021 package and signed off on it. However, Castellano’s report did not  
22 generate the response they hoped, as Villanueva continued to quash the investigation.

23         61. Meanwhile, Sheriff Villanueva’s other acts of retaliation began to catch up on him  
24 and backfire and expose his corruption. Captain ANGELA WALTON reported Villanueva’s

1 blatant violation of state laws on COVID. On or about August 2021, she reported retaliation by  
2 her supervisor. Three days later, Villanueva sabotaged his cover up of the UOF here by  
3 retaliating against Walton and, while she was on a family vacation, moving her to West Bureau,  
4 making her the 4<sup>th</sup> Captain in one year over that bureau. Moving a person with integrity and  
5 competence over to this Bureau was a huge blunder by Villanueva.

6           62. In October 2021, in the normal course of her duties, after receiving a call from an  
7 IAB sergeant, Captain Walton came across the Escalante use of force video and was troubled by  
8 what appeared on the video. Captain Walton called Castellano and told Castellano that ICIB had  
9 not been consulted during the process yet. Castellano was shocked to be informed that ICIB had  
10 still not been consulted after he had given direction to the previous two captains and he directed  
11 Captain Walton to consult with ICIB. Castellano and Walton were concerned because if IAB had  
12 started their administrative investigation, it could have created difficulties for ICIB to conduct  
13 their criminal investigation. On November 9, 2021, ICIB began to review the matter, and Chief  
14 Haselrig was able to approve the ICIB investigation on November 22, 2021. Johnson was off  
15 duty due to an injury and when he returned to duty, ICIB tried to interview Douglas Johnson  
16 about his involvement in the UOF and after he refused to speak to investigators, he was relieved  
17 of duty. Douglas Johnson was not immediately relieved of duty as the Sheriff would later lie  
18 about to the media. Johnson was relieved of duty on December 7, 2021.

19  
20           63. Castellano followed up with Captain Walton on November 24, 2021, to see if the  
21 criminal case against the inmate had been filed. She confirmed it had not. Remarkably,  
22 Villanueva had managed to stall the prosecution of the inmate for an obvious assault on Deputy  
23 Johnson, solely to keep the public from seeing the video of excessive force. Captain Walton  
24 directed investigators to prepare the case for filing against Escalante.

1           64. Villanueva was horrified the ICIB referral went through because Complainant,  
2 Castellano, Haselrig and Walton did everything right, despite his obstruction. The ICIB request  
3 was only referred for consultation in November 2021, 8 months after Villanueva was shown the  
4 video by Complainant and he immediately recognized the severity of the excessive force. And  
5 Villanueva was exposed. Villanueva then resorted to his usual tactic of covering up his  
6 obstruction of justice, and “flipping the script” onto the whistleblowers.

7           65. The day after final approval of the referral to ICIB on November 22, 2021, on  
8 November 23, 2021, Villanueva initiated a rigged IAB investigation against Castellano, to  
9 pretend he made a mistake in the UOF matter. Given that Villanueva was briefed on the use of  
10 force within days of the incident, and Castellano repeatedly reminded and asked those  
11 responsible for the ICIB referral to get it done, there is zero possibility that Villanueva honestly  
12 thought Castellano made any mistakes. Villanueva was well aware that Castellano, at all times,  
13 made proper notifications and provided direction to the unit commander, as required by his  
14 duties, according to MPP 3-10/113.00 – Use of Force Review – Area Commander or Division  
15 Director Responsibilities.

16           66. Villanueva cannot escape civil and criminal liability for this by framing the  
17 whistleblowers, as numerous witnesses in addition to Complainant were aware of the Use of  
18 Force from the onset or soon after and that it needed to go promptly to ICIB. These witnesses  
19 included Sheriff Alex Villanueva himself, Undersheriff Timothy Murakami, Commander Allen  
20 Castellano, Captain Steven Ruiz (then lieutenant, Aide to Complainant, Assistant Sheriff), Chief  
21 LaJuana Haselrig, Commander Daniel Dyer, Captain Robert Jones, Lieutenant April Carter;  
22 (West Bureau operations lieutenant during the incident), Captain Jacqueline Sanchez; Lieutenant  
23  
24

1 Roberto Hernandez (Current West Bureau operations lieutenant), Lieutenant John Lindsay  
2 (Court Services Division Aide), and Sergeant Russell Moreno (Court Services Division Aide).

3 67. Despite the large number of individuals responsible for making sure the case  
4 promptly went to ICIB, the IAB investigation directed by Villanueva against Castellano focused  
5 only on Castellano, with no other subjects. IAB Lieutenant Eric Smitson even admitted to  
6 Castellano that it looked like it was unfairly targeted at Castellano. Since Captain Robert Jones  
7 also knew of the UOF on March 10, 2021, and approved the force review, he should have  
8 logically been framed by Villanueva at the same time as Castellano. After Villanueva's aides  
9 pointed this out to the sheriff, he made Captain Robert Jones a subject about six weeks later, to  
10 try to make the investigation look more legitimate.

11 68. The rigged IAB against Castellano also did not go through a proper review  
12 process. Among other issues, an Assistant Sheriff, the Complainant, should have done the initial  
13 review. However, Villanueva clearly feared that if it had been assigned to Complainant, she  
14 would have caught the impropriety of the investigation when she knew Castellano had Chief  
15 Haselrig bring the video of the UOF to her, and Complainant brought it to Villanueva and  
16 viewed it with him. Villanueva also directed that Captain Walton not be interviewed about the  
17 instructions Castellano provided to her (which she followed through with) regarding ICIB and  
18 filing the criminal case against the inmate. Again, Villanueva did not want her questioned, as he  
19 feared she would tell the truth. This case followed no protocols.

20 69. In his IAB interview, Captain Jones said he did not recall having specific  
21 conversations with Castellano regarding an ICIB investigation consultation. Documentary  
22 evidence proves otherwise. Even though Complainant was a necessary witness to be interviewed  
23 in the investigation, Villanueva directed for her to not be interviewed for this IAB. Villanueva  
24



1 was worried the Complainant would tell the truth about the obstruction of justice, failure to refer  
2 the matter to ICIB, and the subsequent lies and cover up.

3 70. Despite that the motive for the investigation into Castellano was retaliation and  
4 cover up, Commander Jose Rios issued Castellano a written reprimand, for Castellano  
5 supposedly making a mistake and failing to properly handle an excessive use of force case.  
6 Villanueva and LASD did this to ensure that Castellano would have a black mark in his  
7 personnel file to block him from getting promoted to a higher position within LASD or hired by  
8 an outside agency as a Chief of Police.

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

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

18 73. 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 officially approved by ICIB. Villanueva  
22 took credit in the media for the referral to ICIB, but it was actually referred to ICIB at the latest  
23  
24

1 on November 9, 2021, nine days before his fake video viewing date. The approval occurred on  
2 November 22, 2021, but the ICIB consultation request began on November 9<sup>th</sup>.

3 74. About a week later, Villanueva's office sent a written statement to ABC news  
4 stating the viewing date was again October. This was reported as another switching of the dates  
5 by the sheriff, when in truth it was merely a matter of Villanueva's staff not being able to keep  
6 up with his lies and the ever-changing story.

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

18 76. Williams then called Walton again to tell her she was being moved out of her  
19 command at Court Services Division and did not tell her to what assignment she was being  
20 banished to by Villanueva. This was clearly an act of retaliation. This means there have been 5  
21 Captains in a little over a year to command West Bureau.

22 77. In addition to lying about the date he first saw the video, Villanueva realized that  
23 Castellano's whistleblower UOF report of July 2021 stated executives above the rank of chief  
24

1 were directing the UOF investigation. Villanueva looked at those in his office who viewed the  
2 video back in March 2021, himself, his Undersheriff, and second in command Timothy  
3 Murakami, and his Assistant Sheriff, the Complainant. Villanueva reasoned the smart move  
4 would be to frame the Complainant, especially in light of her other whistleblowing and refusal to  
5 engage in wrongful conduct, rather than admit he was the one who made the decision to obstruct  
6 justice.

7 78. On March 29, 2022, 3 days after denying there was a cover up of the excessive  
8 force on Escalante, and after the IAB investigation had been completed, reviewed, and  
9 adjudicated with the Castellano receiving discipline, Villanueva changed his story once again,  
10 and admitted his administration engaged in a cover up. This was quite a remarkable admission by  
11 the Sheriff in the middle of all his lies: that the County of Los Angeles engaged in a criminal  
12 cover up of an excessive use of force.

13 79. However, at the same time, in a defamatory frame up, the sheriff claimed the  
14 cover up was done by his staff and not himself. He announced he was taking action against two  
15 of his staff, Complainant, as well Castellano's supervisor, Chief LaJauna Haselrig,  
16 communicating that they, not he, had engaged in the cover up and improper handling of the  
17 UOF. Even though Villanueva did not make Complainant and Haselrig subjects of the already  
18 completed IAB investigation, Villanueva demanded Complainant and Haselrig's immediate  
19 retirement, with the option of being demoted if they refused. At the moment of retaliating and  
20 intimidating Complainant with this ultimatum, Villanueva blurted out that Deputy Johnson was  
21 involved in the Kobe Bryant accident scene photo scandal. Villanueva was clearly contemplating  
22 that his failure to discipline Johnson for that incident, and the failure to put Johnson out on leave  
23 on the other criminal investigation, may have allowed the UOF against Escalante to occur. If you  
24

1 do not hold people accountable for their wrongful conduct, they are likely to repeat it. Likewise,  
2 Villanueva himself has not been held accountable for over three years of wrongful conduct. And  
3 this has led to a severe abuse of government power. Villanueva maliciously demoted  
4 Complainant by several ranks and forced Haselrig out of her job, to cover up his own role, and to  
5 retaliate against the whistleblowers. Villanueva also improperly promoted his Lieutenant Aide  
6 Anthony Blanchard to Captain, and immediately promoted Holly Francisco two ranks to  
7 Assistant Sheriff.

8           80. Also, employing his usual tactics to cover his tracks, Villanueva announced yet  
9 another fake investigation, this time an ICIB criminal investigation apparently to try to determine  
10 which whistleblower leaked the video to the Los Angeles Times, so the sheriff could retaliate  
11 against the whistleblower, and intimidate other whistleblowers to not come forward.

12           81. On April 25, 2022, Commander Castellano filed a tort claim with the County of  
13 Los Angeles, confirming all the allegations on the UOF made here by Complainant. Villanueva  
14 responded by lashing out at Castellano and the Sheriff lied about the allegations and the timeline  
15 of events. Villanueva made more defamatory statements about Complainant as well as Haselrig  
16 and Castellano and others, sending a strong message that Villanueva once again is retaliating  
17 against whistleblowers, instead of protecting the whistleblowers and conducting a fair and honest  
18 investigation into the claims made by the whistleblowers. The Sheriff also lashed out and made  
19 false allegations of criminal conduct against a Los Angeles Times reporter, his campaign  
20 opponent Eli Vera, and the Inspector General Max Huntsman, in a further effort to avoid scrutiny  
21 of himself, and intimidate the media and whistleblowers. A day after clearly naming the reporter,  
22 Vera, and Huntsman as “subjects” of a criminal investigation, the Sheriff lied and said he didn’t  
23 say what he said, even though it is on video.  
24

