

FILED

2009 NOV -3 PM 3:59

U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

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IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

19 UNITED STATES OF AMERICA,  
 20 Plaintiff,  
 21  
 22 CITY OF LOS ANGELES,  
 23 CALIFORNIA, BOARD OF POLICE  
 24 COMMISSIONERS OF THE CITY OF  
 25 LOS ANGELES,  
 26 and the LOS ANGELES POLICE  
 27 DEPARTMENT,  
 28 Defendants.

00-11769

C.A. No.

COMPLAINT

GAF

(10/2)

1 The United States of America alleges:

2 1. The United States brings this action under 42 U.S.C.  
3 § 14141 to remedy a pattern or practice of conduct by law  
4 enforcement officers of the Los Angeles Police Department that  
5 deprives persons of rights, privileges, and immunities secured or  
6 protected by the Constitution or laws of the United States. The  
7 defendants, through their acts and omissions, are engaging in a  
8 pattern or practice of conduct by LAPD officers of subjecting  
9 individuals to uses of excessive force, false arrests, and  
10 improper searches and seizures. The defendants have failed  
11 adequately to train, supervise, and monitor police officers; to  
12 investigate, review and evaluate use of force incidents; to  
13 accept complaints of misconduct, investigate alleged misconduct,  
14 and appropriately discipline officers who are guilty of  
15 misconduct; and to implement effective systems to ensure that  
16 management controls adopted by the Los Angeles Police Department  
17 are properly carried out. Accordingly, the United States seeks a  
18 judgment granting injunctive and declaratory relief for the  
19 defendants' violations of law.

20 DEFENDANTS

21 2. The Defendant City of Los Angeles ("City") is a  
22 chartered municipal corporation in the State of California.

23 3. The Defendant Board of Police Commissioners of the City  
24 of Los Angeles is a board of five appointed members that is  
25 responsible for the supervision, control, regulation and  
26 management of the Los Angeles Police Department.

27 4. The Defendant Los Angeles Police Department ("LAPD") is  
28 a law enforcement agency operated by the City.

JURISDICTION AND VENUE

1  
2 5. This Court has jurisdiction of this action under  
3 28 U.S.C. §§ 1331 and 1345.

4 6. The United States is authorized to initiate this action  
5 pursuant to 42 U.S.C. § 14141.

6 7. Venue is proper in the Central District of California  
7 pursuant to 28 U.S.C. § 1391, as the defendants reside in and the  
8 claims arose in the Central District of California.

FACTUAL ALLEGATIONS

9  
10 8. The defendants, through their acts or omissions, have  
11 engaged in and continue to engage in a pattern or practice of  
12 conduct by LAPD officers of using excessive force against persons  
13 in Los Angeles.

14 9. The defendants, through their acts or omissions, have  
15 engaged in and continue to engage in a pattern or practice of  
16 conduct by LAPD officers of falsely arresting persons in Los  
17 Angeles without probable cause.

18 10. The defendants, through their acts or omissions, have  
19 engaged in and continue to engage in a pattern or practice of  
20 conduct by LAPD officers of improperly stopping, searching, and  
21 seizing persons in Los Angeles.

22 11. The defendants are, through their acts or omissions,  
23 engaging in a pattern or practice of systemic deficiencies that  
24 has resulted in the pattern or practice by LAPD officers of uses  
25 of excessive force, false arrests, and improper searches and  
26 seizures, described in paragraphs 8-10 above. These systemic  
27 deficiencies include, but are not limited to:

28 //

- 1 a. failing to implement policies, procedures, and  
2 practices regarding use of force that  
3 appropriately guide and monitor the actions of  
4 individual LAPD officers;
- 5 b. failing to train LAPD officers adequately to  
6 prevent the occurrence of misconduct;
- 7 c. failing to supervise LAPD officers adequately to  
8 prevent the occurrence of misconduct;
- 9 d. failing to monitor adequately LAPD officers who  
10 engage in or may be likely to engage in  
11 misconduct;
- 12 e. failing to implement policies and procedures  
13 whereby complaints and other allegations of LAPD  
14 officer misconduct are adequately received and  
15 investigated;
- 16 f. failing to investigate adequately incidents in  
17 which an LAPD officer uses force;
- 18 g. failing to fairly and adequately adjudicate or  
19 review citizen complaints, and incidents in which  
20 an LAPD officer uses force; and
- 21 h. failing to discipline adequately LAPD officers who  
22 engage in misconduct.

23 CAUSE OF ACTION

24 12. Through the actions described in paragraphs 8-11 above,  
25 the defendants have engaged in and continue to engage in a  
26 pattern or practice of conduct by LAPD officers that deprives  
27 persons of rights, privileges, or immunities secured or protected  
28 by the Constitution (including the Fourth and Fourteenth

1 Amendments) or the laws of the United States, in violation of 42  
2 U.S.C. § 14141.

3 PRAYER FOR RELIEF

4 13. The Attorney General is authorized under 42 U.S.C.  
5 § 14141 to seek declaratory and equitable relief to eliminate a  
6 pattern or practice of law enforcement officer conduct that  
7 deprives persons of rights, privileges, or immunities secured or  
8 protected by the Constitution or laws of the United States.

9 WHEREFORE, the United States prays that the Court:

10 a. declare that defendants have engaged in a pattern or  
11 practice of conduct by LAPD officers that deprives persons of  
12 rights, privileges, or immunities secured or protected by the  
13 Constitution or laws of the United States, as described in  
14 paragraphs 8-11 above;

15 b. order the defendants, their officers, agents, and  
16 employees to refrain from engaging in any of the predicate acts  
17 forming the basis of the pattern or practice of conduct as  
18 described in paragraphs 8-11 above;

19 c. order the defendants, their officers, agents, and  
20 employees to adopt and implement policies and procedures to  
21 remedy the pattern or practice of conduct described in paragraphs  
22 8-11 above, and to prevent LAPD officers from depriving persons  
23 of rights, privileges, or immunities secured or protected by the  
24 Constitution or laws of the United States; and

25 d. order such other appropriate relief as the interests of  
26 justice may require.

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