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2003 NOV -3 PM 3:59

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

UNITED STATES OF AMERICA,

Plaintiff,

CITY OF LOS ANGELES,
CALIFORNIA, BOARD OF POLICE
COMMISSIONERS OF THE CITY OF
LOS ANGELES,
and the LOS ANGELES POLICE
DEPARTMENT,

Defendants..

00-11769

C.A. No.

COMPLAINT

GAF

(100)

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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

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

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

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

FACTUAL ALLEGATIONS

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

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

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

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

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- a. failing to implement policies, procedures, and practices regarding use of force that appropriately guide and monitor the actions of individual LAPD officers;
- b. failing to train LAPD officers adequately to prevent the occurrence of misconduct;
- c. failing to supervise LAPD officers adequately to prevent the occurrence of misconduct;
- d. failing to monitor adequately LAPD officers who engage in or may be likely to engage in misconduct;
- e. failing to implement policies and procedures whereby complaints and other allegations of LAPD officer misconduct are adequately received and investigated;
- f. failing to investigate adequately incidents in which an LAPD officer uses force;
- g. failing to fairly and adequately adjudicate or review citizen complaints, and incidents in which an LAPD officer uses force; and
- h. failing to discipline adequately LAPD officers who engage in misconduct.

CAUSE OF ACTION

12. Through the actions described in paragraphs 8-11 above, the defendants have engaged in and continue to engage in a pattern or practice of conduct by LAPD officers that deprives persons of rights, privileges, or immunities secured or protected 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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