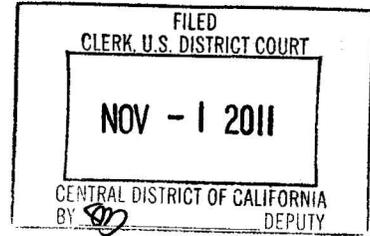


1 David B. Sapp (SBN 264464)  
dsapp@aclu-sc.org  
2 Peter Bibring (SBN 223981)  
pbibring@aclu-sc.org  
3 ACLU FOUNDATION OF  
SOUTHERN CALIFORNIA  
4 1313 West Eighth Street  
Los Angeles, California 90017  
5 T: (213) 977-9500, F: (213) 977-5297



6 Bert Voorhees (SBN 137623)  
bv@tvlegal.com  
7 TRABER & VOORHEES  
128 N. Fair Oaks, Suite 204  
8 Pasadena, CA 91103  
T: (626) 585-9611, F: (626) 585-1400

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

10 K.L. by her Guardian Ad Litem Osiel Lopez;  
11 ANTHONY PARKER; L.P., by his Guardian  
12 Ad Litem Juana Farfan; C.M., by his Guardian  
13 Ad Litem Christine Clavesilla; GIOVANNI  
14 PABLO; A.F. by her Guardian Ad Litem  
15 Cristina Pablo; ALEJANDRO BARAJAS;  
16 and M.A. by her Guardian Ad Litem Araceli  
Terracena, on behalf of themselves and all  
17 those similarly situated,

18 Plaintiffs,

19 vs.

20 CITY OF GLENDALE; COUNTY OF LOS  
ANGELES; CITY OF LOS ANGELES;  
21 MICHAEL ROCK, in his individual and  
official capacities; OFFICER RILEY, in his  
22 individual capacity; OFFICER BICKELLS, his  
individual capacity; OFFICER QUINTERO,  
23 his individual capacity; OFFICER PARK, his  
individual capacity; THOMAS VAN HOOFF,  
24 in his official and individual capacity; GILDA  
DAVIS, in her individual capacity; JENNIFER  
25 EARL, in her individual and official capacities;  
HAGOP EULMESSEKIAN, in his individual  
26 capacity; CAROLINE SWEENEY, in her  
individual capacity; ARA MGRDICHIAN, in  
27 his individual capacity; ALEX GARCIA, in his  
individual capacity; and DOES 1-30, in their  
28 individual capacities,

Defendants.

CASE NO.:  
CV-11-08484 ODW (SHx)

CLASS ACTION

**FIRST AMENDED  
COMPLAINT**

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U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIF.  
LOS ANGELES

**INTRODUCTION**<sup>1</sup>

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1. It is not against the law to be a Latino high school student. Yet, on Friday, September 24, 2010, administrators at Hoover High School (“HHS”) in Glendale, California, in coordination with officers from the Glendale Police Department (“GPD”), the Los Angeles Police Department (“LAPD”), and the Los Angeles County Probation Department (“Probation Department”), acted as though it were, when they rounded up, interrogated, photographed, and collected personal information from approximately 56 students solely because they are or appear to be Latino.

2. At the start of the lunch period, school administrators rounded up students into two classrooms, where approximately a dozen armed uniformed and plainclothes police officers were stationed. Police officers, probation officers, and school administrators proceeded to detain the students for between 30 and 90 minutes. During that time, the police officers interrogated the students about their personal information and activities, forced them to pose for mock “mug shots,” threatened them with recurring police visits, told students to “sit down and shut up” when they asked why they were being detained, and in some cases searched students and their belongings without consent. Police and administrators told the students that they could not leave until they had submitted to interrogation, and enforced this order with armed police officers stationed around the classrooms and by the classroom doors.

3. During their detention, police officers told various students that they could no longer eat lunch at certain tables on school property; that they could no longer spend time with their Latino classmates who had also been targeted; that the

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<sup>1</sup> The allegations of this Complaint are based on information and belief, unless otherwise specified.

1 police officers would show up at their houses at 6 a.m. if the students did not  
2 provide their personal information as the officers demanded; that they were on a  
3 “gang list” and that the police would keep their photographs and information  
4 collected during the operation on file; that if the students got in trouble in the  
5 future, the police would easily identify them based on the information they were  
6 collecting; and that their personal information was being collected so that the  
7 officers could assess whether the students were “on the right path.”

8         4. At the time they were targeted, the students were doing nothing  
9 wrong. They were not violating any laws or school rules, and the school officials  
10 and law enforcement officers who conducted the operation had no basis to believe  
11 any of the students were engaged in unlawful conduct.

12         5. All of the students whom Defendants targeted are or appear to be  
13 Latino, even though the student body at HHS is only about 25 percent Latino.  
14 Additionally, in identifying students who were to be detained in a classroom on the  
15 first floor, HHS administrators ordered a group of Latino males sitting at a cluster  
16 of tables to report to a classroom, while allowing another student sitting at those  
17 tables, who does not appear to be Latino, to remain outside. Although this student  
18 regularly sits with the group of Latino students, he was not required to report to the  
19 classroom because he does not appear to be Latino. Finally, Defendant Michael  
20 Rock, a captain in GPD who approved the operation, responded to concerns that  
21 Defendants had targeted only Latino students by stating that, at the time  
22 Defendants planned and executed the roundup of the Latino students, they planned  
23 to conduct a similar operation targeting Armenian students.

24         6. This operation was illegal and violated the rights of the students  
25 whom Defendants targeted. It also was harmful to the students, many of whom  
26 were terrified and intimidated by the show of force and believed they might be  
27 arrested, even though they had broken no laws and had not violated any school  
28 rules. Finally, the operation undermined trust between school officials and law

1 enforcement officers, on the one hand, and students, parents and the community,  
2 on the other hand. Those harms were compounded by the refusal of administrators  
3 at HHS and within Glendale Unified School District and supervisory officers  
4 within GPD and LAPD to confirm, in writing, that any information collected by  
5 HHS or the police during the September 24 operation had been destroyed or to  
6 acknowledge formally that the operation was a mistake and that similar operations  
7 would not occur in the future.

8         7. The government employees who planned, coordinated, and executed  
9 this operation acted under color of state law and used their positions of authority  
10 not only to violate the rights of Plaintiffs and their peers, but also to intimidate  
11 students, most of whom were minors, into changing behavior that was not illegal  
12 and forcing them to stop hanging out with certain other students at HHS, even  
13 though they were not breaking any laws by associating with their friends. This  
14 outrageous conduct is all the more offensive because it occurred at school, which is  
15 supposed to be a safe place with a welcoming environment that supports academic  
16 success, and occurred with the active involvement of school administrators, who  
17 are supposed to be educators first and foremost. In a free society, such coercive  
18 tactics cannot and should not be tolerated.

19         8. Although each Defendant took an active role in planning and  
20 executing the roundup, the plan for the roundup was based on similar roundups  
21 that Los Angeles County Probation officers regularly plan and conduct at other  
22 schools.

23         9. Plaintiffs seek injunctive relief and declaratory relief on behalf of  
24 themselves and a class of similarly situated students whom Defendants subjected to  
25 detention, interrogation, threats, photographing, and in some cases search, because  
26 of their race and without their consent, at Hoover High School on September 24,  
27 2010. Additionally, the named Plaintiffs seek compensatory and punitive damages  
28 for themselves against Defendants for the violations of numerous rights during the

1 September 24 roundup.

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**JURISDICTION**

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10. Plaintiffs' claims for declaratory, injunctive, and monetary relief are brought pursuant to the Fourth and Fourteenth Amendments to the Constitution of the United States; 42 U.S.C. § 1983; 42 U.S.C. § 1985; Article 1, Sections 7 and 13 of the California Constitution; and Cal. Civ. Code §§ 52 and 52.1.

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11. This Court has jurisdiction over Plaintiffs' federal claims under 28 U.S.C. §§ 1331, 1343, and 2201. The Court has supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367. Declaratory relief is authorized under 28 U.S.C. §§ 2201 and 2202.

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12. All administrative remedies have been exhausted. Plaintiffs have each filed administrative claims for damages under the California Government Claims Act, based on the violations of California law alleged in this complaint, and those claims have been denied.

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**VENUE**

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13. Venue is proper in the Central District of California under 28 U.S.C. § 1391(b) because all of the acts and/or omissions complained of herein occurred or will occur in the District.

21

22

**PARTIES**

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14. Plaintiff K.L. is a 16-year old resident of Los Angeles County, California. K.L. was a tenth-grade student at HHS at the time of the roundup.

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15. Plaintiff Anthony Parker is an 18-year old resident of Los Angeles County, California. Mr. Parker was a tenth-grade student at the time of the roundup.

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16. Plaintiff L.P. is a 16-year old resident of Los Angeles County,

1 California. L.P. was a tenth-grade student at the time of the roundup.

2 17. Plaintiff C.M. is a 17-year old resident of Los Angeles County,  
3 California. C.M. was an eleventh-grade student at the time of the roundup.

4 18. Plaintiff Giovanni Pablo is an 18-year old resident of Los Angeles  
5 County, California. Mr. Pablo was an eleventh-grade student at the time of the  
6 roundup.

7 19. Plaintiff A.F. is a 16-year old resident of Los Angeles County,  
8 California. A.F. was a tenth-grade student at the time of the roundup.

9 20. Plaintiff Alejandro Barajas is an 18-year old resident of Los Angeles  
10 County, California. Mr. Barajas was an eleventh-grade student at the time of the  
11 roundup.

12 21. Plaintiff M.A. is a 17-year old resident of Los Angeles County,  
13 California. M.A. was a tenth-grade student at the time of the roundup.

14 22. Defendant Michael Rock is and was at all relevant times a Captain in  
15 GPD and Supervisor of the Detective Division, acting in the course and scope of  
16 his employment and under color of state law. As more fully set forth herein,  
17 Defendant Rock personally approved of and authorized the seizure, search,  
18 detention, interrogation, and/or collection and maintenance of personal data  
19 relating to one or more of the Plaintiffs. Defendant Rock is sued in his individual  
20 and official capacities.

21 23. Defendant Officers Riley, Bickells, Quintero, Park, and Does 1-10 are  
22 and at all relevant times were, duly appointed and employed as police officers by  
23 the GPD and were at all relevant times acting in the course and scope of their  
24 employment and under color of state law. As more fully set forth herein, each of  
25 these defendants participated in the seizure, search, detention, interrogation, and/or  
26 collection and maintenance of personal data relating to one or more of the  
27 Plaintiffs. These police officers are sued in their individual capacities.

28 24. Defendant City of Glendale ("City") is a municipality duly organized

1 under the laws of the State of California. At all relevant times, the Glendale Police  
2 Department was a branch or agency of City. Liability under California law for  
3 Defendant City and its employees is based on California Government Code § 815.2  
4 and § 820. Plaintiffs timely filed a tort claim with Defendant City and therefore  
5 complied with the California Government Claims Act.

6 25. Defendant Los Angeles County (“County”) is a municipality duly  
7 organized under the laws of the State of California. At all relevant times, the Los  
8 Angeles Probation Department was a branch or agency of County. Liability under  
9 California law for Defendant County and its employees is based on California  
10 Government Code § 815.2 and § 820. Plaintiffs timely filed a tort claim with  
11 Defendant County and therefore complied with the California Government Claims  
12 Act.

13 26. Defendant City of Los Angeles is a municipality duly organized under  
14 the laws of the State of California. At all relevant times, the Los Angeles Police  
15 Department was a branch or agency of the City of Los Angeles. Liability under  
16 California law for Defendant City of Los Angeles and its employees is based on  
17 California Government Code § 815.2 and § 820. Plaintiffs timely filed a tort claim  
18 with Defendant City of Los Angeles and therefore complied with the California  
19 Government Claims Act

20 27. Defendant Officers Does 11-20 are, and at all relevant times were,  
21 duly appointed and employed as police officers by the LAPD, acting in the course  
22 and scope of their employment and under color of state law. As more fully set  
23 forth herein, each of these defendants participated in the seizure, search, detention,  
24 interrogation, and/or collection and maintenance of personal data relating to one or  
25 more of the Plaintiffs. These officers are sued in their individual and official  
26 capacities. Liability under California law for Defendant City of Los Angeles and  
27 its employees is based on California Government Code § 815.2 and § 820.  
28 Plaintiffs timely filed a tort claim with Defendant City of Los Angeles and

1 therefore complied with the California Government Claims Act.

2 28. Defendant Thomas Van Hoof is and was at all times duly appointed  
3 and employed by the Los Angeles County Probation Department as a supervising  
4 probation officer, in which capacity Defendant Van Hoof directs school-based  
5 probation officers. As more fully set forth herein, Defendant Van Hoof was  
6 involved in the planning and the seizure, search, detention, interrogation, and/or  
7 collection and maintenance of personal data relating Plaintiffs, and was present at  
8 HHS and in at least one of the rooms during the roundups. He is sued in his  
9 individual and official capacities.

10 29. Defendant Gilda Davis is and was at all relevant times duly appointed  
11 and employed by the Los Angeles Probation Department as a school-based  
12 probation officer and was at all relevant times acting in the course and scope of her  
13 employment and acting under color of state law. As more fully set forth herein,  
14 Defendant Davis was involved in the planning and the seizure, search, detention,  
15 interrogation, and/or collection and maintenance of personal data relating to one or  
16 more of the Plaintiffs. She is sued in her individual capacity.

17 30. Defendant Jennifer Earl is and was at all relevant times employed by  
18 the Glendale Unified School District as Principal at Hoover High School. All  
19 actions taken by Defendant Earl at Hoover High School were taken while acting in  
20 the course and scope of her employment and were taken under color of state law.  
21 As more fully set forth herein, Defendant Earl was involved in the planning and the  
22 seizure, search, detention, interrogation, and/or collection and maintenance of  
23 personal data relating to one or more of the Plaintiffs. She is sued in her individual  
24 and official capacities.

25 31. Defendant Hagop Eulmessekian is and was at all relevant times  
26 employed by the Glendale Unified School District as an Assistant Principal at  
27 Hoover High School. All actions taken by Defendant Eulmessekian at Hoover  
28 High School were taken while acting in the course and scope of his employment

1 and were taken under color of state law. As more fully set forth herein, Defendant  
2 Eulmessekian was involved in the planning and the seizure, search, detention,  
3 interrogation, and/or collection and maintenance of personal data relating to one or  
4 more of the Plaintiffs. He is sued in his individual capacity.

5 32. Defendant Caroline Sweeney is and was at all relevant times  
6 employed by the Glendale Unified School District as an Assistant Principal at  
7 Hoover High School. All actions taken by Defendant Sweeney at Hoover High  
8 School were taken while acting in the course and scope of her employment and  
9 were taken under color of state law. As more fully set forth herein, Defendant  
10 Sweeney was involved in the planning and the seizure, search, detention,  
11 interrogation, and/or collection and maintenance of personal data relating to one or  
12 more of the Plaintiffs. She is sued in her individual capacity.

13 33. Defendant Ara Mgrdichian is and was at all relevant times employed  
14 by the Glendale Unified School District as a Counselor. All actions taken by  
15 Defendant Mgrdichian at Hoover High School were taken while acting in the  
16 course and scope of his employment and were taken under color of state law. As  
17 more fully set forth herein, Defendant Mgrdichian was involved in the planning  
18 and the seizure, search, detention, interrogation, and/or collection and maintenance  
19 of personal data relating to one or more of the Plaintiffs. He is sued in his  
20 individual capacity.

21 34. Defendant Alex Garcia is and was at all relevant times employed by  
22 the Glendale Unified School District as a Counselor. All actions taken by  
23 Defendant Garcia at Hoover High School were taken while acting in the course and  
24 scope of his employment and were taken under color of state law. As more fully  
25 set forth herein, Defendant Garcia was involved in the planning and the seizure,  
26 search, detention, interrogation, and/or collection and maintenance of personal data  
27 relating to one or more of the Plaintiffs. He is sued in his individual capacity.

28 35. Defendants Does 21-25 are and were at all relevant times employed

1 by the Glendale Unified School District and acting under color of state law and in  
2 the course and scope of their employment. Does 21-25 were involved in the  
3 planning and the seizure, search, detention, interrogation, and/or collection and  
4 maintenance of personal data relating to one or more of the Plaintiffs. They are  
5 sued in their individual capacities.

6 36. Defendants Does 26-30 are and were at all relevant times employed  
7 by the County of Los Angeles Probation Department and acting under color of  
8 state law and in the course and scope of their employment. Does 26-30 were  
9 involved in the planning and the seizure, search, detention, interrogation, and/or  
10 collection and maintenance of personal data relating to one or more of the  
11 Plaintiffs. They are sued in their individual capacities.

12  
13 **FACTUAL ALLEGATIONS**

14 37. Approximately 2,100 students attend HHS. The student body is  
15 diverse. About 57 percent of the students are Caucasian (of which 43 percent are  
16 of Middle Eastern, primarily of Armenian descent); 25 percent are Latino; 9  
17 percent are Asian; 7 percent are Filipino; and 2 percent are of other backgrounds.<sup>2</sup>

18 38. Various groups of friends and classmates eat lunch in different places  
19 around the campus. One group of mostly Latino students, including Plaintiffs K.L,  
20 Parker, L.P., C.M., Pablo, A.F., and M.A., regularly ate lunch at a cluster of tables  
21 on the first floor of HHS. Another group of mostly Latino students, including  
22 Plaintiff Barajas, regularly ate lunch on the second floor of HHS.

23 **The Roundup of Latino Students on September 24, 2010**

24 39. Before the lunch period on Friday, September 24, 2010, gang officers  
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26 <sup>2</sup> Hoover High School History and Info, available at  
27 <http://www.hooverhs.org/23191091185641103/site/default.asp> (last visited  
28 October 11, 2011).

1 from GPD and LAPD arrived at HHS and stationed themselves in two classrooms,  
2 which were near the tables where the two groups of mostly Latino students  
3 regularly ate lunch. As the students walked to the tables, HHS administrators  
4 stopped them and directed them to the classrooms, one on the first floor and one on  
5 the second floor.

6 40. Two HHS administrators – Defendants Eulmessekian and Mgrdichian  
7 – approached the students on the first floor and told them that they needed to attend  
8 a “meeting.” The administrators then escorted the students into a classroom where  
9 at least four uniformed GPD officers and one plainclothes police officer were  
10 waiting. These officers included Defendants Bickells, Riley, Quintero, and Park.  
11 Also in the room were Defendant Sweeney, an assistant principal, and Defendant  
12 Davis, the school-based probation officer, and, for a portion of the incident,  
13 Defendant Earl. Plaintiffs K.L, Parker, L.P., C.M., Pablo, A.F., and M.A., and  
14 approximately 20 other students – all of whom are Latino – were corralled into this  
15 first-floor classroom. Armed and uniformed police officers were stationed near the  
16 classroom’s two doors, and other police officers, as well as HHS administrators,  
17 were arrayed around the room. Toward the end of the incident, three or four  
18 officers wearing LAPD uniforms entered the room and helped process the students.

19 41. Meanwhile, on the second floor, an HHS administrator – Defendant  
20 Garcia – directed students into the second-floor classroom. At least three LAPD  
21 officers, one GPD officer, and an HHS administrator were waiting inside. As in  
22 the first floor classroom, armed and uniformed police officers were stationed near  
23 the classroom’s entrance, and other police officers, as well as HHS administrators,  
24 were arrayed around the room. Officers in this classroom frisked many of the  
25 students as they were brought into the room. In total, approximately 25 Latino  
26 students, including Plaintiff Barajas, were detained in the second-floor classroom.

27 42. In both classrooms, police officers told students that the police would  
28 interview each student and that they had to provide the police with their personal

1 information. The students were informed that they could not leave the classroom  
2 until they had provided their information.

3 43. The police officers in both rooms then interrogated students  
4 individually. Officers demanded students' personal information such as their  
5 name, address, phone number, hair and eye color, age, weight, and birthday. The  
6 officers asked about any tattoos or scars, took notes based on the students'  
7 responses, and took photographs of students' tattoos. Officers also asked students  
8 about criminal involvement, including whether they had ever been arrested or  
9 placed on probation. Some officers used their police radios to relay information  
10 that students provided.

11 44. During the individual interrogations, officers in both classrooms wrote  
12 notes of what students told them on white index cards. The officers then took  
13 "mug shots" of each student by instructing the student to hold up the card with his  
14 or her information, facing out, and then taking a photograph of the student with the  
15 card. Each one of the Plaintiffs was interviewed and photographed in this manner.  
16 When one student objected and said that he wanted the information that had been  
17 collected shredded because he had done nothing wrong, the police ignored him and  
18 took his picture before releasing him.

19 45. During the operation, police officers told various students that they  
20 were on a "gang list," that the police were gathering the students' photographs and  
21 personal information so the police could easily identify the students if they got in  
22 trouble in the future, and that the students' personal information was being  
23 collected so that the officers could assess whether the students were "on the right  
24 path." Defendants also asserted that the students who had been targeted either  
25 belonged to or admired particular gangs.

26 46. While the students were detained, the police officers threatened the  
27 students and used their official authority to intimidate the students into complying  
28 with their demands, including, but not limited to the following:

- 1 • When one student raised his voice and asked why the police were targeting  
2 only one race, a police officer handcuffed the student and announced to the  
3 rest of the students, “This is what happens to tough guys,” as police officers  
4 removed the student from the classroom.
- 5 • When other students asked why they were being detained, a police officer  
6 told them, “Be quiet and keep your mouths shut.”
- 7 • Another police officer told the students that they could no longer sit together  
8 at lunch or hang out with each other in or outside of school and that, if they  
9 did, the police would come back and the students would be in “even more  
10 trouble.”
- 11 • When another student protested that he was not a gang member, a police  
12 officer proceeded to interrogate the student over his objections.
- 13 • When one male student tried to refuse to have his picture taken, the officers  
14 threatened him and the other students, saying that if the students did not  
15 cooperate, the officers would have to go to their homes at 6 a.m. and tell  
16 their parents that the students were associating with gang members and  
17 would obtain the students’ information then.

18 47. During the operation, police officers confiscated several students’ cell  
19 phones and held them until the students were released. Officers reviewed text  
20 messages on at least one student’s phone. Neither the police nor the school  
21 administrators asked for the consent of these students to search their cell phones,  
22 nor did police or administrators have any reasonable basis to suspect that the cell  
23 phones contained contraband or evidence of wrongdoing.

24 48. During the operation, Defendants also confiscated the backpacks of  
25 several students, including Plaintiffs K.L. and A.F., searched the bags, and  
26 removed student IDs that had been kept in the bags. Neither the police nor the  
27 school administrators asked for the consent of these students to search their  
28 backpacks, nor did police or administrators have any reasonable basis to suspect

1 that the bags contained contraband or evidence of wrongdoing.

2 49. During the time the students were detained in the classrooms,  
3 Defendants made it clear that the students were not free to leave. When one  
4 student asked why he was there and stated that he wanted to leave, a police officer  
5 told him to “sit down and shut up,” while Defendant Eulmessekian told him that he  
6 needed to be interviewed before he could leave. When another student asked to  
7 use the bathroom, a police officer told her that she could not leave the room until  
8 after her interview. When a third student protested that the police were intruding  
9 on their lunch period, Defendant Eulmessekian called security officials who then  
10 brought food for the students to the classroom. Finally, Plaintiff K.L.’s sister  
11 learned that students, including her sister, were being questioned by police and  
12 went directly to HSS to request an early dismissal for her sister. When the school  
13 employee at the front office contacted Defendant Eulmessekian via radio to notify  
14 him that K.L. needed to report to the front office for early dismissal, Defendant  
15 Eulmessekian told the police officers that K.L. had to be interrogated and  
16 photographed because she had to leave the classroom. Only after she had been  
17 interrogated and photographed was she allowed to leave.

18 50. Students on the first floor were detained between about 60 and 90  
19 minutes. Students on the second floor were detained for between about 30 and 60  
20 minutes. Many students missed most or all of their fifth-period classes following  
21 the lunch period because the police did not let them leave until they were  
22 interviewed and photographed.

23 **Defendants Conspired to Violate Plaintiffs’ Rights by Targeting Them**  
24 **Because They Are or Appear to Be Latino and by Detaining and Searching**  
25 **Them without Individualized Suspicion**

26 51. Based on the execution of the roundup and the interaction of the  
27 various officers, the operation was clearly coordinated among the various  
28 government agencies involved, with the police officers from GPD and LAPD

1 arriving just prior to lunch and positioning themselves in classrooms near where  
2 the targeted students typically sat for lunch. School administrators identified the  
3 students who were required to enter the classrooms for interrogation as they  
4 approached the tables, and Defendant Davis maintained a list of the students who  
5 were detained during the operation. When the police officers who had been  
6 stationed in the classroom on the second floor finished interrogating the students  
7 on the second floor, they proceeded downstairs to the first floor classroom to assist  
8 the school administrators and police officers in processing the remaining students.

9       52. Defendants targeted the students because they were or appeared to be  
10 Latino. One student who is part Filipino and does not appear Latino regularly sat  
11 at the tables on the first floor. This student was not instructed by the police  
12 officers or school administrators to join the other students with whom he regularly  
13 sits, and he continued to eat lunch while the other students, all of whom are or  
14 appear to be Latino, were detained and interrogated in the classroom. Defendant  
15 Rock later suggested that Defendants had not targeted only Latino students because  
16 they had planned a similar operation at HHS targeting Armenian students.

17       53. In total, approximately 56 students – all Latino, and all of whom were  
18 on school property and engaged in ordinary and proper activities associated with  
19 attending school – were directed to enter one of the two classrooms, detained,  
20 interrogated, threatened, and in many cases photographed and searched.  
21 Defendants never identified any particular reason to believe that plaintiffs or any  
22 other students in either room had violated any school policy, rule, or regulation or  
23 had otherwise engaged in any unlawful conduct, nor did they have any such reason  
24 or belief.

25       54. In coordinating and executing the roundup, the individual Defendants  
26 abused their authority, took advantage of the weakness of Plaintiffs' position to  
27 violate Plaintiffs' rights, and acted with willful and conscious disregard of the  
28 Plaintiff's rights and with knowledge that their conduct would cause emotional

1 harm to Plaintiffs.

2 **Defendants' Actions Caused Plaintiffs Emotional Harm**

3 55. The event left many of the students traumatized, fearful that they  
4 would be arrested or detained in the future as a consequence of being targeted in  
5 this operation, and wondering why only they – and not their non-Latino classmates  
6 – had been targeted by the police and HHS administration.

7 56. Some of the Plaintiffs and other students became terrified from the  
8 moment they first entered the classrooms filled with school administrators and  
9 armed police officers, and remained terrified while Defendants held them there  
10 against their will and subjected them to abusive language, invasive questioning,  
11 and threats of further police action. Plaintiffs felt powerless and humiliated while  
12 police questioned them, photographed tattoos, and forced them to pose for mock  
13 mug shots. Because the officers told the students that they would come back if the  
14 students continued hanging out together and that their photographs would be kept  
15 in a gang file, Plaintiffs and other students believed that the police and school had  
16 somehow marked them as gang members.

17 57. Following the incident, Plaintiffs and other students continued to  
18 suffer from fear and shock. Plaintiffs variously lost their appetites, became  
19 withdrawn around family, and stopped spending time with friends or sitting  
20 regularly at the lunch tables. At least one Plaintiff became concerned about  
21 associating with a cousin whom Defendants also detained in the roundup.  
22 Plaintiffs remain fearful that the police and school administrators are watching  
23 them and will follow through on their threats to engage in further action.

24 58. Students, teachers and administrators at HHS act differently toward  
25 Plaintiffs since Defendants targeted them in the September 24 roundup. Plaintiffs  
26 feel that teachers, administrators and even other students at HHS have identified  
27 them as troublemakers because they were targeted in the roundup, and Plaintiffs no  
28 longer view their high school as a safe and supportive environment. Indeed, one

1 Plaintiff transferred to another school in part because of how administrators treated  
2 him on September 24 and afterwards.

3 59. Because Defendants targeted them in the roundup and collected  
4 information on them, Plaintiffs also fear that they have been identified by police as  
5 gang members or likely criminals. Since the roundup, the police have stopped at  
6 least one Plaintiff and questioned him about affiliating with the same gang he had  
7 been questioned about during the roundup, even though the police had never asked  
8 about him about gang affiliation before the roundup.

9 60. The roundup has also affected the hopes and aspirations of the high  
10 school students whom Defendants detained. Among Plaintiffs are students who  
11 want to join the military or become police officers, but who now fear that because  
12 of Defendants' actions they have been placed on lists as gang members that will  
13 prevent them from attaining their goals.

#### 14 **Defendants' Shifting Explanations for the Roundup**

15 61. During the weeks that followed the roundup, parents and family  
16 members of the targeted students and other adults spoke with various Defendants,  
17 including Defendants Earl, Rock, and Davis, as well as with other representatives  
18 of GUSD, about the roundup on several occasions. The parents and other adults  
19 expressed concerns about the roundup, sought additional information about its  
20 planning and execution, and requested that Defendants ensure that all information  
21 collected during the roundup was destroyed.

22 62. Defendants responded to the expressed concerns with shifting and  
23 conflicting explanations of who had initiated the roundups and what purpose they  
24 served. School officials (including Defendant Earl) first maintained that the police  
25 had requested the roundup and that they did not have a list of the students targeted  
26 or that the list had been destroyed, but later admitted having such a list. GPD  
27 officials (including Captain Rock) told Plaintiffs and others that the roundup was  
28 an "educational seminar" intended to teach them the risks of gang involvement and

1 that the operations had been requested by the school. Other Defendants stated that  
2 the idea for the roundup had come from Defendant Davis, the school-based  
3 probation officer assigned to HHS.

4 63. For months after the September 24 incident, Plaintiffs, their parents,  
5 and others repeatedly requested written confirmation from Defendants that the  
6 information gathered in the roundups would be destroyed and not retained in any  
7 of Defendants' files. Although various Defendants initially agreed and stated that  
8 the September 24, 2010 operation was a mistake, they later retracted their offer to  
9 provide such written confirmation that all information collected would be  
10 destroyed, and none was ever provided.

11 **The September 24, 2010 Roundup Is Part of a Custom and Practice by the**  
12 **Probation Department and GPD of Detaining Students Based on Their Race**  
13 **or Ethnicity and without Individualized Suspicion of Wrongdoing**

14 64. Similar roundups have been conducted at the behest of school-based  
15 probation officers on other campuses in Los Angeles County, and those operations  
16 served as the model for the September 24 roundup at HHS. The plan for the  
17 roundup was approved by Defendant Van Hoof, who supervises school-based  
18 probation officers for the County, and who was personally present during the  
19 September 24 roundup and approved the manner in which the roundup was  
20 conducted.

21 65. In the days following the roundup, Defendant Rock, in responding to  
22 concerns that the GPD had discriminatorily targeted Latino students, stated that  
23 GPD intended to conduct similar operations targeting Armenian students at HHS.

24  
25 **CLASS ALLEGATIONS**

26 66. Plaintiffs K.L., Parker, L.P., C.M., Pablo, A.F., Barajas, and M.A.  
27 bring all claims for injunctive and declaratory relief on behalf of themselves and all  
28 other persons similarly situated, pursuant to Federal Rule of Civil Procedure 23.



1 Amendment to the United States Constitution during the operation conducted at  
2 Hoover High School on September 24, 2010.

3 72. Defendants were acting under color of state law, thereby violating 42  
4 U.S.C. § 1983.

5  
6 **SECOND CAUSE OF ACTION**

7 **Violation of 42 U.S.C. § 1983**

8 **(Discrimination on Account of Race, Ancestry or National Origin in Violation**  
9 **of the Equal Protection Clause of the Fourteenth Amendment)**

10 73. Plaintiffs incorporate by reference the foregoing paragraphs of this  
11 Complaint as though fully set forth herein.

12 74. Defendants, acting in concert with one another, targeted Plaintiffs in  
13 the roundup because of their race, ancestry, or national origin during the operation  
14 conducted at Hoover High School on September 24, 2010, in violation of the Equal  
15 Protection Clause of the Fourteenth Amendment.

16 75. Defendants were acting under color of state law, thereby violating 42  
17 U.S.C. § 1983.

18  
19 **THIRD CAUSE OF ACTION**

20 **Violation of 42 U.S.C. § 1985(3)**

21 **(Conspiracy to Violate Civil Rights)**

22 76. Plaintiffs incorporate by reference the foregoing paragraphs of this  
23 Complaint as though fully set forth herein.

24 77. In planning and executing the roundup at Hoover High School on  
25 September 24, 2010, Defendants conspired to target students who are or appear to  
26 be Latino and then to detain and interrogate only the targeted students, without  
27 lawful justification, thereby depriving them of their right to equal protection under  
28 the law.



1 13 of the California Constitution during the operation conducted at Hoover High  
2 School on September 24, 2010.

3  
4 **SIXTH CAUSE OF ACTION**

5 **Violation of California Civil Code § 52.1**

6 84. Plaintiffs incorporate by reference the foregoing paragraphs of this  
7 Complaint as though fully set forth herein.

8 85. Defendants threatened, intimidated, and coerced plaintiffs in a manner  
9 that interfered with their exercise and enjoyment of rights secured by the  
10 Constitution and laws of the United States and rights secured by the Constitution  
11 and laws of the State of California, including but not limited to their rights to be  
12 free from unreasonable searches and their right to equal protection of the laws.

13 86. Defendants' conduct described above interfered and/or attempted to  
14 interfere with Plaintiffs' exercise and/or enjoyment of their rights secured by the  
15 Constitution and laws of the United States and by the Constitution and laws of the  
16 state of California, in violation of California Civil Code § 52.1.

17  
18 **REQUEST FOR RELIEF**

19 Plaintiffs respectfully request that this Court grant the following relief:

20 A. Certify a class for all claims for injunctive and declaratory relief in  
21 this Complaint pursuant to Federal Rule of Civil Procedure 23, in accordance with  
22 the allegations in this Complaint and the forthcoming class certification motion;

23 B. Issue an injunction prohibiting Defendants, and all those acting in  
24 concert with them or acting under their supervision or control, from detaining,  
25 searching, seizing the belongings of, interrogating, or photographing students at  
26 Hoover High School, without probable cause or reasonable suspicion to believe  
27 that the student has violated a valid school rule or has violated the law, or based on  
28 their race, ethnicity, or national origin;

1 C. Issue an injunction requiring the Defendants to destroy or return any  
2 information about Plaintiffs and the Plaintiff class gathered by Defendants during  
3 the September 24, 2010 roundup, to ensure that no information about Plaintiffs and  
4 the Plaintiff class gathered during the September 24, 2010 roundup is retained in  
5 any file, database, or other system maintained by Defendants or to which  
6 Defendants have access, and to clear Plaintiffs of any wrongdoing in connection  
7 with the September 24, 2010 roundup before any entities with whom Defendants  
8 have shared information about the roundup;

9 D. Award Plaintiffs compensatory and general damages, in an amount to  
10 be proven at trial, against the City of Glendale, the County of Los Angeles, and the  
11 City of Los Angeles and against each of the individual Defendants sued in his or  
12 her personal capacity;

13 E. Award Plaintiffs exemplary damages for violations of California law  
14 and punitive damages for violations of federal law, each in an amount to be proven  
15 at trial, against each of the individual Defendants sued in his or her personal  
16 capacity;

17 F. Award statutory damages and penalties to Plaintiffs pursuant to  
18 California Civil Code §§ 52 and 52.1(b) against the City of Glendale, the County  
19 of Los Angeles, and the City of Los Angeles, and against each of the individual  
20 defendants sued in his or her personal capacity;

21 G. Declare that Defendants' conduct, as described in this Complaint,  
22 violated the rights of Plaintiffs and the Plaintiff class under the constitutions and  
23 laws of the United States and the State of California;

24 H. Award Plaintiffs their costs, expenses and reasonable attorney's fees  
25 pursuant to 42 U.S.C. § 1988, California Civil Codes §§ 52(b) and 52.1(h),  
26 California Code of Civil Procedure § 1021.5, and any other appropriate statutory  
27 basis; and  
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I. Grant such other relief as the Court may deem just and proper.

Respectfully Submitted,

ACLU FOUNDATION OF SOUTHERN CALIFORNIA

Dated: October 21, 2011

By:   
David B. Sapp  
Attorneys for Plaintiffs

TRABER & VOORHEES

Dated: October 21, 2011

By:  (ds)  
Bert Voorhees  
Attorneys for Plaintiffs