LOS ANGELES COUNTY
SHERIFF’S DEPARTMENT

CASE ANALYSIS

ALEX VILLANUEVA, SHERIFF
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I. Executive Brief

The Los Angeles County Sheriff’s Department (Department) provides law enforcement services for a policing jurisdiction encompassing over 4,000 square miles and employs approximately 18,000 personnel tasked with a multitude of duties. All organizations experience employee-related incidents, and the Sheriff’s Department is no exception. The Department maintains a number of protocols and processes which administers checks and balances to identify and resolve issues. These checks and balances are critical in maintaining the integrity of the organization, provided due process is afforded to the public as well as to personnel within the Department. When a failure in due process occurs, the public’s trust in the organization falters. As part of Sheriff Alex Villanueva’s campaign commitment in 2018, he affirmed his intent to ensure the Department’s commitment to due process includes all citizens as well as the Department’s own employees.

Subsequently, after Alex Villanueva was sworn in as the Sheriff of Los Angeles County, he directed an analysis of various Department units, processes, and protocols. In July 2019, the Office of Inspector General authored a 36-page report regarding the investigation and subsequent discipline of a former employee. As a result, the Department initiated an analysis of this case and its findings. The Department returned with numerous examples of “exculpatory” evidence. For purposes of this report, exculpatory evidence includes information which had been unknown, information which was available but not considered by the Department in its investigation and subsequent adjudication of this case, and/or information which had not been provided or presented during the Civil Service Hearing process.

The analysis led to the discovery of new information which would have directly refuted some of the allegations against the former employee.
Additionally, information had been uncovered by the Department at critical phases in the proceedings, but inexplicably had not been disclosed to the defendant’s legal counsel or made part of the Internal Affairs investigation. Some examples of the findings include, but are not limited to:

- Originally, the sustained findings were to not terminate the employee. Rather, Department executives proposed a 20 – 25-day suspension.
- The Constitutional Policing Advisor in the case indicated she was indecisive about the level of discipline to be imposed but stated it was reasonable for the employee to sustain a 25-day suspension versus being terminated.
- The prosecuting Sergeant in the case, during the Civil Service Hearing, wrote an email to her supervisors indicating the hearing officer was “not buying the Department’s DV [Domestic Violence] Theory”.
- A missing video, withheld by the complainant from investigators, was determined to be up to 18 minutes in length. This missing video could encompass up to 94% of the incident which occurred on the Complainant’s patio.

An objective review of the information in this report offers the perspective the indicated case suffered a systemic lack of due process, in correlation to the employee disciplinary proceedings. The integrity of any law enforcement organization is built upon a foundation of fairness, objective principles, and integrity for the public it serves as well as for its own employees. Furthermore, the information in this report is indicative of systemic issues within the Department’s internal investigative culture and requirements to provide due process. The analysis of this individual case encompassed thousands of documents and concluded a breakdown in due process occurred.
II. Introduction

In July 2019, the Office of Inspector General (OIG) published a report entitled Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process (the OIG Report).¹ This 36-page Report focused almost exclusively on the reinstatement process of one individual, former Los Angeles County Deputy Sheriff Caren Mandoyan.

This report is not intended to re-litigate the Mandoyan case. Rather, its purpose is to provide interested parties information which may have been omitted, minimized, or otherwise inaccurately portrayed.

The OIG derived the majority of its information contained in their Report from the public domain.² In particular, a news organization obtained various administrative case files and Civil Service Hearing transcripts via a Public Records Act request.

Information in the public domain does not necessarily constitute a complete record, nor does it encompass all of the information which was available to the OIG in its oversight role.

¹ Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019.
² Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019; various administrative case files, Civil Service Hearing transcripts, and Civil Service Commission documents produced pursuant to the Los Angeles Times’ Public Records Act request, p. 4-14, 16, 18, 21, 23-33.
The OIG Report also discussed what Sheriff Villanueva previously referred to as the *Truth and Reconciliation Process*.³ This process was intended to identify those cases in which:

- A Department employee (sworn or civilian) had been improperly disciplined under standards unilaterally and improperly implemented in 2013 and 2016⁴ and/or;
- Evidence showed an administrative investigation utilized a lack of due process.

This report’s information presented an analysis of the OIG Report and a case evaluation of the Department’s internal administrative investigation and discipline processes. Transparency requires the acknowledgement of all perspectives on any issue to maintain the public and Department employees’ confidence in the Department’s internal and external processes.

Regardless of social, political, or economic factors, due process is required not only in criminal investigations but in administrative investigations as well. Appropriate analysis is presented in this report to provide context to various aspects of the information discussed.

This report summarizes various aspects, procedures, and considerations utilized in the investigative and discipline process.

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³ Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019, p. 2.

⁴ Attachment 2, Los Angeles County Employee Relations Commission, Hearing Officer Report, *In the Matter of: Association for Los Angeles Deputy Sheriffs (ALADS) v. Los Angeles County Sheriff’s Department*, date filed - August 31, 2018, p. 11-13.
III. Administrative Investigations

A. Department’s Administrative Investigation Process Explained

Complaints of suspected misconduct by Department employees, both sworn and civilian, are generally handled and managed by the Department’s Professional Standards Division. The Department’s Internal Affairs Bureau (IAB) investigates allegations of Department policy violations. Investigations performed by the IAB are referred to as administrative investigations. The administrative investigation process is dictated by legal statutes, the Peace Officer Bill of Rights (POBR), the Department’s Manual of Policy and Procedures (MPP), and the Administrative Investigations Handbook.

If the allegations are criminal in nature, the Department’s Internal Criminal Investigations Bureau (ICIB) first conducts a criminal investigation to determine if there were any violations of law. If a criminal violation is determined to have occurred, the case may be presented to the District Attorney’s Office for consideration of a criminal prosecutorial filing. After the completion of an internal criminal investigation, an administrative investigation is generally initiated to identify any potential violations of Department policy.

Once initiated, the Internal Affairs Bureau handles administrative investigations to conclusion, with the exception of cases involving: the death of a subject, the retirement of a subject, the conviction of a crime, or other exceptional factors.

5 California Legislative Information; Public Officers and Employees 1000-3599 Chapter 9.7. Public Safety Officers 3300-3313
The Internal Affairs Bureau does not make determinations on the matters it investigates, but rather acts as a ‘finder of facts.’ If the subject of an administrative investigation faces a lower level of discipline (written reprimand to 15 days), a Lieutenant assigned to the subject’s unit of assignment may conduct the investigation.

Once an administrative investigation is completed, the investigative case file is sent to either the Unit Commander of the subject’s unit of assignment or the Chief of the respective Division. At this point, a process is initiated to facilitate a determination on the case based on the findings. The seriousness of the potential discipline, connected with the allegations, determines whether the Unit Commander or the Division Chief renders the determination of findings.7

**B. Statutory Timelines for Administrative Investigations**

Under the POBR, in order to impose any discipline against a sworn peace officer, the employing agency must impose discipline within a one year period. This one-year time limit starts from the date the Department or agency is notified or made aware of the misconduct.8 This period is known within the Department as the *statute date*. In the Department, the *notification date* is the date an employee of the rank of Sergeant or higher becomes aware of the matter. This date is also referred to as the *Department knowledge date*.

After being notified of possible misconduct, the Internal Affairs Bureau normally initiates an administrative investigation.

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7 Once determinations are made in administrative cases, they are classified as either ‘founded’, ‘unfounded’, ‘unresolved’, or ‘exonerated.’

8 The one-year period may be extended. In cases where an administrative investigation commenced and criminal conduct was later suspected, the administrative investigation is placed on hold so the criminal matter can be investigated. This is known internally as ‘tolling’. In such cases, the one year statute does not apply.
Upon completion of the administrative investigation, and if the Unit Commander or Division Chief concludes some or all of the allegation(s) in a case are founded, the Department’s Guidelines for Discipline Handbook is referenced to determine the level of discipline to be imposed. This handbook lists ranges of discipline the Department can take against an employee, which includes:

- Written Reprimand
- Suspension
- Salary Step Reduction
- Bonus Removal
- Reduction (Demotion)
- Discharge

A Division Chief must review discipline cases which could result in more than 15 days of suspension or termination. Once the Division Chief renders a preliminary discipline recommendation, the case is presented to the Department’s Case Review Committee.

C. Case Review Committee

The Case Review Committee meets as needed on a regular basis to review cases and determines the level of discipline that will be imposed, if any. If so, the Committee determines the level of discipline. Generally, the Committee consists of the Undersheriff and two Assistant Sheriffs. Committee members are provided the original case investigation files in advance for review. The members are then given a presentation by the Division Chief who reviews the Internal Affairs Bureau case in its entirety. The Chief, or his/her designee, also provides a preliminary discipline recommendation.

Additionally, the Department’s Advocacy Unit prepares a disposition sheet in advance which formally lists the allegations against the employee. The disposition sheet states the discipline level ranges based upon the Guidelines.
for Discipline Handbook. The Committee members must sign the disposition sheet once a decision on the level of discipline to be imposed has been reached.

**D. After a Determination Has Been Reached**

After the level of discipline has been decided by the Case Review Committee, a letter of intent is sent to the employee explaining the Department’s rationale behind its decision, the intended discipline, and date of imposition. At this point, the employee can either accept the discipline or request a Skelly hearing.⁹

A Skelly hearing is an internal appeals process where an employee has the opportunity to provide additional information to the Division Chief who originally reviewed the case. After the Skelly hearing, the Division Chief has the option to reduce, vacate, or leave intact the original discipline. Upon the conclusion of a Skelly hearing, a letter of imposition sent to the employee states the specific date the imposed discipline will take effect. Should the employee disagree with the Chief’s decision in the Skelly hearing, the employee can request a hearing before the Civil Service Commission.

The Civil Service Commission is an independent administrative appeals body established to help ensure the Los Angeles County Civil Service Rules are applied in a fair and impartial manner. The Commission considers appeals cases regarding disciplinary actions on discharges, reductions in rank, and suspension cases exceeding five days.¹⁰

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⁹ A Skelly hearing must be provided to a County employee with civil service rights prior to the imposition of discipline. An employee’s Skelly rights entitle the employee to due process consisting of: (1) notice of the intended disciplinary action; (2) a copy of all materials upon which the action is based; and (3) an opportunity to respond orally or in writing before the effective date of the disciplinary action. This hearing is named after the case of Skelly v. State Personnel Board (1975) 15 Cal.3d 194.

¹⁰ [http://civilservice.lacounty.gov/LinkClick.aspx?fileticket=0S1cgmvCyYY%3D&portalid=16](http://civilservice.lacounty.gov/LinkClick.aspx?fileticket=0S1cgmvCyYY%3D&portalid=16)
E. Guidelines for Discipline – Controversy

The *Meyers-Milias-Brown Act*, as cited in California Government Code §§ 3500-3511, dictates the governing body of a public agency (and boards and commissions designated by law) *shall* provide each recognized employee organization the opportunity to meet and confer regarding any changes to conditions of employment. Such changes include matters related to modification(s) of ordinances, rules, and regulations. The *Meyers-Milias-Brown Act* also encompasses changes to disciplinary guidelines.

The Department maintains a Memorandum of Understanding (MOU) with the designated public employee’s labor union. The Association for Los Angeles Deputy Sheriffs (ALADS) MOU states both parties agree to recognize and protect the rights listed in the *Myers-Milias-Brown Act*. Despite this agreement between the parties, ALADS alleged and prevailed in an unfair labor practice against the Department for having violated the agreement by failing to meet and confer regarding the new disciplinary guidelines established in 2013 and 2016.

An Office of Independent Review (OIR) recommendation for enhancing disciplinary guidelines resulted in the first set of new guidelines. The revised guidelines for discipline were published on February 17, 2013. In December 2013, the OIR published the 11th Annual Independent Review of the Sheriff’s Department.

11 https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=3504.5.&lawCode=GOV
The OIR Report indicated employee discharges stemming from discipline had increased significantly from the past five years and were more than triple the previous year. Despite the marked increase in employee discharges, the Department never met and conferred with the respective employee unions regarding these changes.

Upon taking office on December 3, 2018, Sheriff Villanueva rescinded the 2013 and 2016 discipline guidelines and reverted to the previously agreed upon pre-2013 guidelines. The pre-2013 discipline guidelines were vetted through the labor unions and legally compliant with the Meyers-Milias-Brown Act.¹⁴

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¹⁴ Attachment 2, Los Angeles County Employee Relations Commission, Hearing Officer Report In the Matter of: Association for Los Angeles Deputy Sheriffs (ALADS) v. Los Angeles County Sheriff’s Department, date filed - August 31, 2018, p. 11-13.
The Sheriff’s decision resolved two Employee Relations Commission (ERCOM) complaints lodged against the Department for its failure to meet and confer regarding the 2013 and 2016 discipline guidelines. Nonetheless, numerous former Department employees were previously disciplined or discharged under the 2013 and 2016 guidelines. Due to the pending appeal, Sheriff Villanueva complied with the decision of the ERCOM when he reverted the Sheriff’s Department back to the pre-2013 discipline guidelines.

In August 2019, the OIG released a report titled Los Angeles County Sheriff’s Department Compliance with Transparency Law. In relation to the Mandoyan case, the OIG Report stated:

- “Both versions of the Guidelines for Discipline allow for discharge if a deputy is found to have provided false statements to Internal Affairs investigators.”

Due to the founded allegation of false statements against Mandoyan, the OIG Report asserted both versions of the guidelines allowed for discharge of the employee.

The statement made in the August 2019 OIG Report rightly acknowledged that the 2016 and pre-2013 guidelines both allow for discharge; however, there is an apparent distinction.

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15 Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019, p. 12.

Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
Under the 2016 guidelines, discharge was *mandatory* for false statements, while the pre-2013 guidelines provided for a *suspension of 16 days up to discharge*. Additionally, the Division Chief and his designee determined the allegation that Mandoyan lied to investigators was initially unresolved.¹⁶

### IV. Case Review Process – Mandoyan Case

Caren ‘Carl’ Mandoyan was originally hired as a Reserve Deputy Sheriff ¹⁷ by the Department in the year 2000. In 2006, he transitioned to a full-time Deputy Sheriff assigned to the Inmate Reception Center. In 2007, he transferred to the West Hollywood Sheriff’s Station.

In December 2012, Mandoyan began a dating relationship with a Deputy Sheriff (herein referred to as the Complainant¹⁸). On June 23, 2015, the Complainant formally reported that Mandoyan had been stalking her to a Department Lieutenant. Pursuant to established policy and procedures, the Sheriff’s Department subsequently initiated a Policy of Equality (POE) investigation regarding the matter.¹⁹

On July 14, 2015, the Complainant filed a police report with the El Segundo Police Department. The allegations were related to an alleged domestic incident and stalking.

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¹⁶ Attachment 6, Truth and Reconciliation Memo from Chief December 27, 2018.

¹⁷ Reserve Deputy Sheriffs are volunteer members of the Department who go through the same hiring process as full-time deputies. There are three levels of Reserve Deputies, III, II and I, with level I being equivalent to a full-time deputy.

¹⁸ Complainant is the designation given to the reporting employee for internal administrative investigations. The employee who is alleged to have committed any misconduct is identified as the Subject.


Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
The El Segundo Police Department initiated a criminal investigation regarding the allegations and subsequently, Mandoyan was placed on paid administrative leave by the Sheriff’s Department. The District Attorney’s Office declined to file criminal charges against Mandoyan due to insufficient evidence.

Thereafter, the Department initiated an administrative investigation which ultimately resulted in Mandoyan’s discharge on September 14, 2016. Mandoyan’s discharge and subsequent Civil Service process took place during a period of time when the Department changed the disciplinary guidelines without the mandated meet and confer process. During Sheriff Villanueva’s 2018 election campaign and post-inauguration, he vehemently expressed his concerns regarding the levels of discipline which may have been improperly imposed on all discipline cases. His concerns centered on the Department’s reliance on an improper standard of discipline, and lack of impartial progressive discipline.

On December 21, 2018, Sheriff Villanueva formed an ad hoc Case Review Panel (the Panel) consisting of Department executives to audit pending and adjudicated discipline-related cases. Mandoyan’s case was the first case reviewed by the Panel.

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20 Attachment 8, El Segundo Police Report authored by Officer July 14, 2015.
21 Attachment 9, Los Angeles County District Attorney Charge Evaluation Worksheet regarding Case Number The document was signed by Complaint Deputy September 8, 2015.
22 Attachment 10, Letter of Imposition from Chief to Subject Mandoyan, September 15, 2016.
23 Attachment 2, Los Angeles County Employee Relations Commission, Hearing Officer Report, In the Matter of: Association for Los Angeles Deputy Sheriffs (ALADS) v. Los Angeles County Sheriff’s Department, date filed - August 31, 2018, p. 11-13.
Pursuant to an analysis of the facts and related information in the case, the Panel reinstated Mandoyan to the position of Deputy Sheriff on December 28, 2018.24

Following Mandoyan’s reinstatement, the Office of Inspector General released a Report in July 2019, which was critical of the Case Review Process and the reinstatement of Mandoyan.

On December 4, 2018, one day after being sworn in as Sheriff of Los Angeles County, Sheriff Villanueva received a letter from Inspector General Privacy IG Privacy echoed Sheriff Villanueva’s concerns about the disciplinary process. IG Privacy wrote:

“The status quo has given us a discipline system that often fails due to understaffing, [and] a lack of transparency that leads to distrust between the public and deputies...” 25

In an effort to amend the disciplinary process, Sheriff Villanueva executed a Case Review Process.26 The Case Review Process was implemented to determine if Department employees had any discipline unfairly imposed against them, given the facts in each case.

24 Attachment 6, Truth and Reconciliation Memo from Chief Privacy December 27, 2018.
26 As distinguished from the Case Review Panel discussed earlier.
A. Ad Hoc Case Review Panel Confers Regarding Mandoyan

An ad hoc Case Review Panel (the Panel) was formed to review previous cases where discipline was improperly imposed. The Panel was comprised of an Assistant Sheriff and two Division Chiefs. Mandoyan’s case was the first to be reviewed.

After gathering background information on Mandoyan’s case, the Case Review Panel met on December 21, 2018. The former Captain of Internal Affairs Bureau was also in attendance. The Panel conducted an analysis of the original case file and evaluated the due process or potential lack thereof. The Panel also evaluated information they believed was exculpatory and was undisclosed when the initial decision makers originally adjudicated the case. Based on this analysis, which took into account the pre-2013 discipline standards, the Panel found the administrative allegations against Mandoyan did not rise to the level of discharge.

On December 27, 2018, a Department memorandum was generated, reflecting the Panel’s findings. On December 28, 2018, Caren Mandoyan was reinstated as a Deputy Sheriff.

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27 Attachment 6, Memorandum from Chief to Sheriff Alex Villanueva, December 27, 2018.
28 Attachment 12, Memorandum from former Advocacy Lieutenant to former Internal Affairs Bureau Captain January 17, 2019, p. 1-7.
V. The Allegations against Mandoyan

A. Relationship Timeline

The Complainant began her career with the Department as a Deputy Sheriff in the year 2006. As a trained and armed Deputy Sheriff, she gained extensive knowledge of law enforcement practices through her assignments at the Facility, the Bureau, and the Sheriff’s Station.

In December 2012, the Complainant and Mandoyan began dating. By the Complainant’s own admission, their relationship was toxic and unstable. The terms “rocky,” “off and on,” and “hot and cold” were used when describing their complex dating relationship. Arguments accompanied by short-lived breakups were common; however, by most accounts the relationship ended between December 2014 and January 2015. Refer to case analysis timeline for details.

B. Domestic Incident Allegations

On September 1, 2014, the Complainant was at a restaurant near her home with a personal friend, The Complainant invited Mandoyan to join her and at the restaurant.

29 Attachment 13, Civil Service Commission Hearing transcript of Complainant, July 26, 2017, p. 70.
30 Attachment 14, Internal Affairs Bureau interview transcript of Complainant, June 24, 2016, p. 17.
31 Attachment 15, Civil Service Commission Hearing transcript of Complainant, September 27, 2017, p. 135.
32 Attachment 16, Case Analysis Timeline incorporating relevant dates and times.
33 Attachment 17, Internal Affairs Bureau interview transcript of July 21, 2016, p. 2.
While off duty, Mandoyan drove to the restaurant and joined them. At some point during the evening, the Complainant and Mandoyan began arguing. The Complainant described the tone of their conversation as “contentious.”

Mandoyan left his car parked at the location and walked with the Complainant and Witness 1 back to the Complainant’s apartment. Shortly after they arrived at the Complainant’s apartment, Witness 1 left for the evening.

The events that occurred following Witness 1’s departure are uncertain due to inconsistencies in statements between the Complainant, Mandoyan, witness Witness 2 and witness Witness 1. Evidentiary issues and a delay in reporting have also created discrepancies related to the events which occurred on the evening of September 1, 2014.

After Witness 1 left the Complainant’s apartment, the Complainant and Mandoyan continued to argue. The Complainant claimed Mandoyan grabbed her cell phone and pushed her in the chest. She also alleged he grabbed her by the back of the neck, pushed her face down onto the couch, and squeezed her neck with his hand. At some point during the struggle, the Complainant alleged Mandoyan grabbed her jeans and pulled on them, causing her pants to rip. The Complainant stated she went into her bedroom and he followed her.

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35 Attachment 9, Los Angeles County District Attorney Charge Evaluation Worksheet regarding Case Number September 8, 2015.
36 Attachment 8, El Segundo Police Report authored by Officer July 14, 2015, p. 3.
37 Attachment 19, El Segundo Police Department interview transcript of Complainant, July 20, 2015, p. 8.
The Complainant claimed she tried to close the door, but he stopped her by placing his foot near the door. This allegedly caused damage to the bottom edge of the door. The two continued to argue at the threshold of the door until he entered the bedroom and began trying to rip up the clothing located in her closet.\(^{38}\)

The Complainant did not contact law enforcement until July 14, 2015 (the following year), 10½ months after the alleged incident occurred. The Complainant reported the alleged incident to the El Segundo Police Department after being directed to do so by a Sheriff’s Department employee.\(^{39}\)

The El Segundo Police Department investigated the Complainant’s initial report of stalking as well as the additional allegation of domestic violence. During her interview with El Segundo Police detectives on July 20, 2015, the Complainant stated after she told Mandoyan to leave her apartment, he left the location and took her cell phone with him. The Complainant later told Internal Affairs Bureau detectives she used an old cell phone to take pictures of alleged injuries sustained to her neck and arms.\(^{40}\)

The Complainant did not take photographs of her jeans or the alleged damage to the clothing located in her closet. At a later date, she took a photograph of the damaged door and submitted that photo to investigators. While a member of the public would not be expected to know what to do, at the time of the alleged incident, the Complainant was a trained and experienced Deputy Sheriff, having been employed by the Department for eight years.

\(^{38}\) Attachment 20, Internal Affairs Bureau interview transcript of Complainant, June 24, 2016, p. 32-34.
\(^{39}\) Attachment 21, El Segundo Police Department 911 call transcript. p. 1.
\(^{40}\) Attachment 20, Internal Affairs Bureau interview transcript of Complainant, June 24, 2016, p. 35-36.
She was trained in the proper handling of domestic violence incidents, reporting procedures, and the need to document incidents in a timely manner.

Approximately two hours after the alleged domestic incident described above, the Complainant told investigators she began searching for Mandoyan to retrieve her phone. She told investigators she drove to the restaurant parking lot where Mandoyan had left his car and found him sitting inside of the vehicle. Ultimately, the Complainant and Mandoyan returned to her apartment, smoked cigarettes together, and talked for about an hour. The Complainant told investigators that Mandoyan apologized to her and returned her phone.\footnote{Attachment 20, Internal Affairs Bureau interview transcript of Complainant, June 24, 2016, p. 43-44.}

\section{C. September 3, 2014: Mandoyan's\par

On September 3, 2014, two days after the alleged domestic incident, Mandoyan had\footnote{Attachment 22, Internal Affairs Bureau interview transcript of Mandoyan, July 14, 2016, p. 20.}. After his\footnote{Attachment 23, Civil Service Commission Hearing interview transcript of Complainant, July 26, 2017, p. 169-170.}, Mandoyan indicated the Complainant took care of him while he\footnote{Attachment 24, Internal Affairs Bureau interview transcript of Subject Mandoyan, July 14, 2016, p. 6.}.

\section{D. December 27, 2014: The Patio Incident and the Missing Video Recording}

Despite the alleged domestic incident months prior, the Complainant and Mandoyan continued dating. Mandoyan would reportedly spend the night at the Complainant’s apartment three to five days a week.\footnote{Attachment 25, Internal Affairs Bureau interview transcript of Subject Mandoyan, July 14, 2016, p. 81.} The Complainant also gave him a key to her apartment.\footnote{Attachment 26, Internal Affairs Bureau interview transcript of Subject Mandoyan, July 14, 2016, p. 81.}
On December 27, 2014, the Complainant and Mandoyan were involved in an argument while he was visiting with her inside the apartment. At some point, Mandoyan stepped outside of the apartment and onto the second story patio.

When Mandoyan stepped outside onto the patio, the Complainant locked the sliding patio door. Mandoyan asked the Complainant to let him back inside, but she refused. Mandoyan was unable to leave the location because his duty handgun, keys (including his key to the apartment), and backpack were still located inside with the Complainant. While Mandoyan was locked outside, the Complainant began recording him on her cell phone.

1. Videos of December 27, 2014

The Complainant provided three videos of the December 27, 2014 patio incident involving Mandoyan to investigators. Based on meta-data obtained from the videos and the file naming conventions automatically assigned by the cellphone, a fourth video was determined to be missing. This video was identified as video file number ‘701’. The length of this missing video may have been up to 18 minutes.

Although attempts were made by investigators to retrieve the video, it is unknown why the Complainant never provided missing video ‘701’ or details of what the recorded video contained. The following are transcripts of the December 27, 2014 videos obtained during the investigation:

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46 Attachment 25, Internal Affairs Bureau interview transcript of Subject Mandoyan, July 14, 2016, p. 81.
47 Attachment 22, Internal Affairs Bureau interview transcript of Subject Mandoyan, July 14, 2016, p. 21-22.
a. **Video 700 (December 27, 2014 at 3:56 PM – 19 seconds in length)**

This video depicts Mandoyan in the patio area (no words were spoken between the Complainant and Mandoyan).

b. **Video 701 (December 27, 2014 – Up to 18 minutes in length)**

  **STATUS OF VIDEO: “Missing”**

This video was never provided to the El Segundo Police Department, Internal Affairs Bureau, or to the Civil Service Hearing by the Complainant or by the Complainant’s cousin, Witness 2. The Complainant allegedly had emailed copies of the videos to Witness 2.

c. **Video 702 (December 27, 2014 at 4:15 PM – 27 seconds in length)**

Video 702 depicts Mandoyan in the patio area. The following verbal exchange can be heard between the Complainant and Mandoyan:

- **Mandoyan:** “Ohhh Really”
- **Complainant:** “Yeah”
- **Mandoyan:** “Go ahead”
- **Complainant:** “I’m going to”
- **Mandoyan:** “Go Ahead”
- **Mandoyan:** **Inaudible**
d. Video 703 (December 27, 2014 at 4:15 PM – 19 seconds in length)

Video 703 depicts Mandoyan in the patio area. The following verbal exchange occurred between the Complainant and Mandoyan:

Complainant: “Stop”
Mandoyan: “What”
Complainant: “What do you think I’m doing?”
Mandoyan: “Recording me”
Complainant: “Yeah I am”
Complainant: “Stop trying to break into my house”
Mandoyan: “Ohh ok”
Complainant: “Ok film me filming you”

Of note is the tone and demeanor between Mandoyan and the Complainant in the videos. The Complainant’s speech in the videos appeared casual, and there did not seem to be any sense of apprehension while the Complainant and Mandoyan filmed each other. The Complainant did not contact law enforcement before, during, or shortly after this incident. Months later, while being interviewed by the El Segundo Police Department, the Complainant made no reference to being fearful. The El Segundo Police investigator introduced the notion that the Complainant was afraid.

The investigator commented, “Well it seems like you were afraid because you brought the video out” 50 to which the Complainant responds “Yeah. Well, I had to get some sort of tangible proof that this is what’s going on.”

<table>
<thead>
<tr>
<th>VIDEO ID NO.</th>
<th>VIDEO SCREENSHOT WITH METADATA</th>
<th>LENGTH OF VIDEO</th>
<th>DATE / TIME OF OCCURRENCE</th>
</tr>
</thead>
</table>
| 700         | ![Screen Shot](image1.png)     | 19 Seconds      | December 27, 2014
|             |                                |                 | Start Time: 3:56 pm       |
| 701         | ![Missing Video](image2.png)   | Unknown Length  | December 27, 2014
|             |                                | Video up to     | Start time unknown        |
|             |                                | 18 minutes      | 18 minute gap between     |
|             |                                |                 | Video 700 and Video 702   |
| 702         | ![Screen Shot](image3.png)     | 27 Seconds      | December 27, 2014
|             |                                |                 | Start Time: 4:15 pm       |
| 703         | ![Screen Shot](image4.png)     | 19 Seconds      | December 27, 2014
|             |                                |                 | Start Time: 4:15 pm       |

*Table 2 Chart depicting video recordings on December 27, 2014*
Video ‘702’, which is 27 seconds in length, was cited as compelling evidence by the Civil Service Hearing Officer in his decision. This video was discussed at length in the OIG Report and was eventually released to the media. What has not been discussed, until this report, is the 18-minute gap between videos ‘700’ and ‘702’.

The contents of missing video ‘701’ may have added important context to the Complainant and Mandoyan’s interaction on the patio and its ultimate resolution. Video ‘700’ (19 seconds long) only depicts Mandoyan standing outside on the patio. Video ‘702’ (27 seconds long) depicts Mandoyan allegedly trying to open the sliding glass patio door. Video ‘703’ (19 seconds long) depicts Mandoyan standing outside while holding a broom handle. Mandoyan then began recording the Complainant as she was recording him. Missing video ‘701’ may have provided important perspective and context of the incident to the Case Review Panel and Civil Service Hearing Officer, especially due to its potential length of time (up to 18 minutes).

One of the issues raised by the Civil Service Commission Officer, in his decision to uphold Mandoyan’s termination, was the recorded video(s) never depicted Mandoyan asking for his property back. Mandoyan’s property had been inside the apartment at the time. The Hearing Officer’s comments are relevant as Mandoyan stated he was merely trying to retrieve his property containing his car keys and duty handgun from inside the apartment. A video corroborating Mandoyan’s statement may have had an impact on the Hearing Officer’s ruling.51

During the entire 19-minute encounter, only 65 seconds of the incident had been video recorded and provided to investigators.

The Civil Service Officer and Case Review Panel ultimately based their decision, in part, on only 6% of the 19-minute long encounter.

It is unknown why investigators did not investigate the existence or possible deletion of missing video ‘701’ further. When investigators asked Witness 2 if she had missing video ‘701’, Witness 2 responded, “Yes, sir. I know I do. I made sure that I saved them on the flash drive.” Although Witness 2 was adamant about having the missing video saved on a flash drive, she never provided video ‘701’ to investigators.

Table 3 (below) is a chart depicting the duration of the incident compared to the length of the submitted videos.

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52 Attachment 29, Email subject: Privacy from: Detective Privacy to: Sergeant Investigator July 12, 2016 at 3:30 pm.
53 Attachment 30, Email subject: Administrative investigations involving Deputy [Complainant], from: Witness 2 to: Sergeant Investigator July 13, 2016 at 6:46 pm.
55 The investigator was not interviewed for this report.
E. December 27, 2014: The Dating Relationship Ends

On the evening of December 27, 2014, the Complainant went to work. Despite the incident on her apartment patio a few hours earlier, the Complainant texted Mandoyan on that same night and on the following day at least 19 times.

The Complainant texted Mandoyan she loved him and also asked him to help her write a police report. The following morning, the Complainant asked Mandoyan to buy her clothing and hand warmers while he was out shopping.
In a text message she sent him on December 28, 2014, the Complainant asked Mandoyan to call her when he was not busy.57

Sometime in December of 2014, the Complainant and Mandoyan ended their dating relationship. Despite being broken up, they maintained a personal relationship.58 59 They continued texting and calling each other using statements such as “I love you” and “love u to.”60

![Image of text messages]

*Figure 1 text messages between Complainant and Mandoyan December 27, 2014, five (5) hours after the patio incident.*

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57 Attachment 33, Text messages to and from the Complainant and Subject Mandoyan, December 27-28, 2014.
59 Attachment 25, Internal Affairs Bureau interview transcript of Subject Mandoyan, July 14, 2016, p. 82.
60 Attachment 33, Text messages to and from the Complainant and Subject Mandoyan, December 27-28, 2014.

Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
Figure 2 text messages between Complainant and Mandoyan December 28, 2014, nine (9) hours after the patio incident.

Figure 3 text messages between Complainant and Mandoyan December 28, 2014, the morning after the patio incident.
1. January 25, 2015: Contact with Complainant

On the evening of January 25, 2015, Mandoyan texted the Complainant asking her for assistance in gaining access to a venue while she was at work. Based upon text messages submitted into evidence, the Complainant asked an unknown person to let Mandoyan into the location. At 10:14 pm, the Complainant texted Mandoyan “I’m here” which he replied via text, “Ok…I’m gonna (sic) walk down…”

During the Complainant’s Civil Service Hearing testimony, the Complainant testified that on the evening of January 26, 2015, she left work 30 minutes early without notifying a supervisor.

She later claimed she left work early without authorization because she had been “afraid when Mandoyan showed up uninvited” to her work. The Complainant expressed this fear despite the text messages she exchanged with Mandoyan that night indicating they were going to meet up at 10:14 pm that same evening. At 3:14 am, Mandoyan called the Complainant and had a two-minute conversation. According to Mandoyan’s cell phone log, upon the conclusion of Mandoyan’s prior phone call, she immediately called Mandoyan back and spoke with him for an additional 26 minutes.

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61 Complainant was assigned to the .

62 Attachment 35, Text message conversation to and from the Complainant and Subject Mandoyan, January 25, 2015.


Shortly after their phone calls, Mandoyan arrived at the Complainant’s apartment to continue their conversation. He asked her to let him inside her apartment to talk, but she refused. Mandoyan then tried speaking with her through her bathroom window. The Complainant then began video recording him. Although the videos are dark and difficult to decipher, the Complainant can be heard asking Mandoyan to leave her residence. He subsequently complied and left the location.

The District Attorney’s Office declined to file criminal charges against Mandoyan, regarding the allegation he attempted to enter the apartment citing “…no felonious intent, no theft intent…”

While this recorded incident was shorter in duration than the previously recorded patio incident, some trends emerged that call the credibility of the videos into question.

Approximately six minutes elapsed between the time the Complainant began recording Mandoyan at the bathroom window to when she stopped recording. She recorded seven videos during that time period. Similar to the patio incident, one video in the sequence was never turned over to investigators. Some of these videos are only seconds long, while missing video ‘782’ may be up to four minutes in length.

At one point in the recorded portion of the video, the Complainant stated, “I’m calling the cops,” then she momentarily shut the video camera off. As in the


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66 Attachment 9, Los Angeles County District Attorney Charge Evaluation Worksheet regarding Case Number, September 8, 2015.
case with the patio incident, the Complainant did not call law enforcement before, during, or shortly after the incident. The Complainant only called law enforcement when ordered to do so by a Sheriff's Department employee months after the incident.67

Upon analysis of the December 27, 2014 and January 25, 2015 videos, a similar pattern emerged. Both incidents had missing videos and both were recorded in a similar fashion, with the video being shut off and restarted multiple times, as depicted in Table 4 below.

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67 Attachment 8, El Segundo Police Report #Privacy authored by OfficerPrivacy July 14, 2015.
### VIDEOS RECORDED BY COMPLAINANT - JANUARY 26, 2015

<table>
<thead>
<tr>
<th>VIDEO ID NO.</th>
<th>VIDEO SCREENSHOT WITH METADATA</th>
<th>LENGTH OF VIDEO</th>
<th>DATE / TIME OF OCCURRENCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>777</td>
<td><img src="image777" alt="Image" /></td>
<td>3 Seconds</td>
<td>January 26, 2015</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Start Time: 3:49 am</td>
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<tr>
<td>778</td>
<td><img src="image778" alt="Image" /></td>
<td>7 Seconds</td>
<td>January 26, 2015</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Start Time: 3:49 am</td>
</tr>
<tr>
<td>779</td>
<td><img src="image779" alt="Image" /></td>
<td>14 Seconds</td>
<td>January 26, 2015</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Start Time: 3:50 am</td>
</tr>
<tr>
<td>780</td>
<td><img src="image780" alt="Image" /></td>
<td>73 Seconds</td>
<td>January 26, 2015</td>
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<td></td>
<td></td>
<td></td>
<td>Start Time: 3:50 am</td>
</tr>
<tr>
<td>781</td>
<td><img src="image781" alt="Image" /></td>
<td>53 Seconds</td>
<td>January 26, 2015</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Start Time: 3:51 am</td>
</tr>
<tr>
<td>782</td>
<td><img src="image782" alt="Image" /></td>
<td>Unknown Length</td>
<td>January 26, 2015</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Video up to</td>
<td>Start time unknown</td>
</tr>
<tr>
<td></td>
<td></td>
<td>4 Minutes</td>
<td>4 Minute Gap</td>
</tr>
<tr>
<td>783</td>
<td><img src="image783" alt="Image" /></td>
<td>29 Seconds</td>
<td>January 26, 2015</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Start Time: 3:55 am</td>
</tr>
</tbody>
</table>

*Table 4 Chart depicting video recordings on January 26, 2015*
As depicted in Table 5 below, out of a nearly seven-minute encounter (419 seconds), only 43% (179 seconds) of the encounter was recorded and provided to investigators. Up to four-minutes, or over half (57%), of the video was identified as missing from the sequence of recorded events. There was no explanation as to what occurred during that time period.

Table 5 Length of videos recorded on January 26, 2015
VI. Complainant Calls and Threatens Mandoyan

A. June 3, 2015: Memorandum from Mandoyan

On June 3, 2015, while working at the South Los Angeles Sheriff’s Station, Mandoyan received a telephone call from the Complainant. The Complainant began yelling, cursing, and threatening Mandoyan. She told him:

“You can say goodbye to your job, you fucking idiot. You’re a fucking idiot. When I’m done with you you’re going to need a psych (psychological) approval to get your job back. You’re a stupid motherfucker.”

The Complainant added that he was a “basehead”68 and stated she was going to call his Watch Commander69 and tell him he had broken into her home. She also threatened to make up incidents by saying she would tell the Watch Commander “anything else that I want”. Mandoyan immediately notified his supervisor who ordered him to document the conversation in a Department memorandum.70 During Mandoyan’s Civil Service Hearing, the Complainant admitted to making these statements to him because she was upset.71

68 A derogatory term referring to an abuser of narcotics.
69 Generally refers to the on duty Lieutenant at a Department facility.
70 Attachment 36, Memorandum: Mandoyan to Lieutenant - Subject: Phone call I received from [Complainant], June 3, 2015.
71 Attachment 37, Civil Service Commission Hearing transcript of Complainant, September 27, 2017, p. 161-162.
B. June 23, 2015: The Complainant Notifies the Department

On June 23, 2015, the Complainant filed a Policy of Equality (POE) violation report with her supervisor against Mandoyan. She accused Mandoyan of stalking her, breaking into her apartment, and preventing her from obtaining a promotion as an investigator with the Special Victims Bureau (SVB).

At the time the Complainant filed the POE, she did not disclose her most serious allegation of Mandoyan assaulting her in 2014. Furthermore, she did not disclose she possessed photos allegedly related to the incident. Since the Complainant alleged Mandoyan stalked her in the city of El Segundo, the Complainant was advised by her supervisor to contact the El Segundo Police Department to file a report.

C. July 14, 2015: The Complainant Notified the El Segundo Police Department

On July 14, 2015, the Complainant dialed 911 to report allegations against Mandoyan. The following is a transcript of the 911 call received by the El Segundo Police Department:

Dispatch: “Police Dispatch. May I help you?”

Complainant: “Yeah. I need to have someone come out and take a report.”

Dispatch: “What kind of report?”

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73 The Special Victims Bureau is a unit within the Department which employs Detectives who investigative crimes related to sexual assault, child molestation, and child abuse.
75 There was no emergent situation; however, for reasons unknown, the Complainant dialed 911 instead of calling the non-emergency business number.
Complainant: “It’s like a stalking and like domestic violence, and my ex tried to break into my house.”

Dispatch: “Okay. What’s your address?”

Complainant: “It isn’t emergent. It’s [privacy redacted]”

Dispatch: [privacy redacted]

Complainant: “Yeah. (INAUDIBLE).”

Dispatch: “When did this happen?”

Complainant: “Well, it’s happened over the last eight months.”

Dispatch: “What happened that made you dial today?”

Complainant: “Well, I’m, I’m a deputy; he’s a deputy. And he wouldn’t, he hadn’t stopped leaving me alone, so I had to get our Department involved. And I filed a restraining order today, and he was relieved of duty on Friday. And our Internal Criminal Affairs needs me to get a police report.”

Dispatch: “Okay. For what agency?”

Complainant: “L.A. County.”

Dispatch: “And what’s your name?”

Complainant: [privacy redacted]

Dispatch: Your last name? [privacy redacted]

Complainant: [privacy redacted] yeah.”

Dispatch: “What’s your phone number?”

Complainant: [privacy redacted]

Dispatch: “So he didn’t make any, any threats or show up there today at all?”

Complainant: “No.”

Dispatch: “Okay. I’ll send an officer over.”

Complainant: “Thank you.”
Dispatch: “All right.”

Contrary to the Complainant’s claims of a past domestic incident during the 911 call to the El Segundo Police Department, the Los Angeles County Sheriff’s Department was still unaware of the alleged domestic violence incident.

D. September 8, 2015: Criminal Case Rejected by the District Attorney’s Office

At the conclusion of the El Segundo Police Department’s criminal investigation, the case was submitted to the Los Angeles County District Attorney’s Office for filing consideration.

The case was reviewed by Deputy District Attorney from the Victim Impact Program (VIP), along with Head Deputy District Attorney VIP prosecutors specialize in the field of domestic violence and have extensive training and experience in domestic violence cases. On September 8, 2015, the District Attorney’s Office declined to file any criminal charges against Mandoyan due to insufficient evidence. The District Attorney’s Office provided the following explanation:

“On 7/14/15 the victim/ex GF reported that the suspect/ex BF got angry on 9/1/14 and grabbed her by the back of her neck and pushed her face down on the couch. He then ripped her jeans off of her body, then grabbed her by her neck with one hand squeezing her neck for about 15 to 30 seconds. She was able to fight him off and get away.”

76 Attachment 9, Los Angeles County District Attorney Charge Evaluation Worksheet regarding Case Number September 8, 2015.
She has provided photos of minor injuries (bruises/redness) to her neck and back of her arm that she states were caused by him during the described assault and the pictures taken by her after the assault. No witness to assault and 10 and 1/2 month delayed reporting. Victim provided video she took of him on two occasions trying to get into house. She saw him, told him to go away and that she was videotaping him and he left. No evidence regarding a felonious intent or theft intent. Both are sworn law enforcement and case was reviewed by me and referred to me. Insufficient evidence to prove BRD [beyond reasonable doubt]. Internal affairs continues to investigate.”

VII. The Administrative Investigation

On the same day (September 8, 2015) the District Attorney’s Office refused to file criminal charges against Mandoyan, the Los Angeles County Sheriff’s Department initiated an administrative investigation related to the allegation(s).

Although the Internal Affairs Bureau initiated the administrative investigation on September 8, 2015, the assigned IAB detective did not start working on the case until late June 2016, nine months after the case had been opened.

In July 2016, IAB interviewed the Complainant and several witnesses. Pursuant to these interviews, numerous inconsistencies became apparent.

There were significant differences between numerous statements made by the Complainant compared with those made by the witnesses.

77 Attachment 38, Internal Affairs Bureau Investigator’s Log, p. 1.
Most of the inconsistencies centered on who the Complainant spoke with immediately after the various incidents.

A. Inconsistent Witness Statements

This section of the report identifies witness statements which contradict the Complainant’s statements. This raises questions about the OIG Report’s assertion that “multiple witnesses corroborated the [Complainant’s] specific allegations.”

1. **Witness 2**

   Witness 2, the Complainant’s cousin, made statements and gave testimony which had been considered credible by the Sheriff’s Department Case Review Panel and the Civil Service Hearing Officer. A review of various reports and transcripts raises questions related to the veracity of **Witness 2** reliability.

   - **July 20, 2015:** The Complainant first identified **Witness 2** during her initial interview with El Segundo Police Department detectives. In the El Segundo Police Department report, the Complainant stated she “[S]poke to her cousin immediately after being choked.”

   - **July 29, 2015:** El Segundo Police Department’s Detective interviewed **Witness 2** by telephone about her knowledge of the alleged September 1, 2014 incident.

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78 Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019, p. 8.


Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
Witness 2 told Detective the Complainant contacted her “...in September of 2014”. Witness 2 also stated the Complainant told her Mandoyan “...got physical with her”. Witness 2 said the Complainant did not go into any detail with her about the alleged incident.  

At first glance, these statements by Witness 2 appear credible. When compared with statements she made to the Sheriff’s Department’s Internal Affairs Bureau investigator, one year after the 2015 incident, inconsistencies appear. Specifically:

- **July 13, 2016**: Witness 2 stated the Complainant told her about the alleged assault. “They had gotten into an argument. I don’t even remember what the argument was about, but he was trying to get her phone and in the process, he was just pulling at her and her skirt had gotten ripped, her clothes were torn. Just trying to get to her phone and just being an argument.”

On July 20, 2015, the Complainant specifically stated to El Segundo Police Department detectives that her jeans had been ripped from the button down to the legs. This statement is inconsistent with Witness 2’s statement on July 13, 2016 regarding the Complainant wearing a skirt. At no time did Witness 2 ever state Mandoyan had choked the Complainant.

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80 Attachment 8, El Segundo Police Report Supplement No  reported by Detective July 29, 2015, p. 3.
82 Attachment 19, El Segundo Police Department interview transcript of Complainant, July 20, 2015, p. 8.
Taking both of Witness 2 statements into consideration, a significant conflict is identified in the Complainant’s July 2016 interview with the Internal Affairs Bureau investigator. During this interview, the Complainant repeatedly stated she had not told anybody about the alleged domestic incident between herself and Mandoyan. The IAB transcript below states specifically what the Complainant told the investigator:

Investigator: “Okay. And just to be clear, you, on the date of that incident, you never called El Segundo...”

Complainant: “I never called El Segundo. I never called anybody.”

Investigator: “Did you ever, did you call Witness 1 after this incident and let her know what happened after she had left?”

Complainant: “No, no.”

Investigator: “Okay.”

Complainant: “I never told anybody”

Investigator: “About this?”

Complainant: “Right.”

Another area of concern about the veracity of Witness 2 statements arose when she appeared to be caught in a lie. Witness 2 testified she went on a ride-along with the Complainant at the Privacy Station.

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83 Attachment 20, Internal Affairs Bureau interview transcript of Complainant, June 24, 2016, p. 37.
84 Attachment 20, Internal Affairs Bureau interview transcript of Complainant, June 24, 2016, p. 40.
85 A ride-along allows both potential deputy applicants and citizens to ride in a patrol car with a deputy during some or all of their shift.
In her interview with the Internal Affairs Bureau, Witness 2 stated on the day of her ride-along, Mandoyan [physically] showed up 5-6 times during the shift.\(^{86}\)

In her Civil Service Hearing testimony, under cross-examination by Mandoyan’s attorney, Witness 2 stated (without any explanation for the disparity in her statements), Mandoyan only showed up once during that evening to eat with her and the Complainant. Witness 2 then stated that Mandoyan had been calling and texting the Complainant.\(^{87}\)

2. Witness 1

Witness 1 was with the Complainant and Mandoyan on the evening of September 1, 2014, prior to the alleged domestic incident. In July 21, 2016 Internal Affairs interview, she stated she spoke with the Complainant on the night of the incident.

Witness 1 said she attempted to call the Complainant on her cell phone when she arrived home, but the Complainant did not answer. She eventually spoke with the Complainant later that night. Refer to the transcript excerpt below:\(^{88}\)

> “And then you had mentioned that later that night you actually spoke to her, correct?”

> “Yes.”

> “How, how much later do you think that was?”

> “Well, I spoke to her, well, I spoke to her and found out that she, that [Mandoyan] had had her phone and I think not too much later after that, like, maybe, like, a couple hours after I had texted her.”

\(^{86}\) Attachment 32, Internal Affairs Bureau interview transcript of Witness 2, July 13, 2016, p. 6.
\(^{87}\) Attachment 39, Civil Service Commission Hearing transcript of Witness 2, July 24, 2017, p. 132.
\(^{88}\) Attachment 17, Internal Affairs Bureau interview transcript of Witness 1, July 21, 2016, p. 7.
“And, go ahead.”

“She, she had an old cell phone that was still working she didn’t use much, I think she had ended up calling me from that phone. And, and kind of asked me if, if I had gotten a call from her phone or, or if, you know, if I had texted her and I told her, yes, I texted you that I got home, this and that, and that’s how I found out that she didn’t have her regular phone at that time.”

statements regarding speaking with the Complainant are inconsistent with what the Complainant told the Internal Affairs Bureau investigator. As indicated in the excerpt below, the Complainant repeatedly told the IAB investigator she did not speak with anyone the night of the alleged domestic incident.\(^89\)

“Okay. And just to be clear, you, on the date of that incident, you never called El Segundo…”

Complainant: “I never called El Segundo. I never called anybody.”

Investigator “All right.”

Complainant: “And I wouldn’t, I did have any means to call anybody.”

After the Complainant stated to the Internal Affairs Bureau investigator she had not called anyone, the investigator asked the Complainant specifically about calling\(^89\) The investigator asked, “Did you call after this incident and let her know what happened after she had left?” The Complainant responded with, “\(\text{No, no... I never told anybody.}\)”\(^90\)

\(^89\) Attachment 20, Internal Affairs Bureau interview transcript of Complainant, June 24, 2016, p. 37.

\(^90\) Attachment 20, Internal Affairs Bureau interview transcript of Complainant, June 24, 2016, p. 40.
statement conflicts with the Complainant’s. When asked if she called anyone that night, as stated earlier, the Complainant claimed she had no means to do so.

The OIG Report references this telephone call again, stating both the Complainant and a friend Witness 1 each made statements that they spoke about the incident on the night it occurred. Contrary to the OIG Report, the Complainant and Witness 1 statements do not corroborate the reports they made claiming they spoke on the evening of the alleged incident.

Regarding the choking allegation, Witness 1 told the Internal Affairs Bureau investigator the Complainant and Mandoyan “had gotten semi-physical” and they “kind of tussled.”

Investigator: “And then what did [Complainant] tell you specifically about, you had mentioned some physical activity between the two of them, what, what was that activity that she told you about?”

Witness 1: “That, that they, they got in a bigger fight and were shouting at each other and, and she shut the bedroom door and locked him out and he tried to make his way through the bedroom door, and kicked, you know, a partial hole in the bedroom door, you know, that was after, you know, they had kind of tussled and she, he had torn her jeans, and, you know, she was telling him to get, you know, get into the bedroom and lock him out, I think that was at the, that was the point when he took her cell phone and stuff and, and left. I don’t exactly remember how it reached that point, I just remember there was a lot of accusations going around.”

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91 Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019, p. 6.
92 Attachment 17, Internal Affairs Bureau interview transcript of Witness 1, July 21, 2016, p. 5-6.
Up to this point, **Wit 1** did not mention the Complainant telling her that Mandoyan choked her until the IAB investigator asked her a leading question, “Did, did she mention anything about him attempting to either choke her or punch her or anything like that?”

At this stage in her interview, she stated the alleged altercation between the Complainant and Mandoyan took place after he took the Complainant’s phone. Below is an excerpt from **Wit 1** interview with the Internal Affairs Bureau investigator:

**Inve**

“Did, did she mention anything about him attempting to either choke her or punch her or anything like that?”

**Wit 1**

“I, I think that happened after he came back. Cause she tried to chase him down when he took off with her phone and walked, so she went back to the apartment and later on he came back and, and I think that that was when point when, when that happened.”

Throughout the interview, **Wit 1** statements were often inconsistent and contradicted the Complainant’s sequence of events. It should be noted, **Wit 1** had not been present during the alleged domestic incident on September 1, 2014. **Wit 1** only stated what the Complainant allegedly told her had occurred after she left the Complainant’s apartment. Furthermore, **Wit 1** did not testify at Mandoyan’s Civil Service Hearing; thus, the Hearing Officer did not hear a first-hand account of **Wit 1** statements, including the inconsistencies between **Wit 1** and the Complainant’s statements.
3. Complainant Inconsistent Statements

The Complainant initially told the El Segundo Police Department Mandoyan forced his way into her bedroom, removed clothing from her closet, and started ripping them. During the Internal Affairs interview, she stated he never entered the bedroom and remained at the threshold of the room.

During the same interview, she changed her statement and said Mandoyan did enter the bedroom and unsuccessfully attempted to rip up her clothing inside her closet.

The Complainant also told the El Segundo Police Department Mandoyan damaged her bedroom door by kicking it to prevent it from closing. During the administrative investigation, she stated Mandoyan had not kicked the door, but merely put his foot in a position to prevent the door from closing. Mandoyan stated the door was very thin and had been previously damaged.

Since the Complainant did not take any photos of the inside of her bedroom, it is unclear if the allegation(s) that he entered her bedroom and tore her clothing ever occurred.

There were further inconsistencies found when the Complainant alleged Mandoyan undermined her efforts to secure a position within the Department’s Special Victims Bureau (SVB).

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93 Attachment 8, El Segundo Police Report authored by Officer July 14, 2015, p. 3.
94 Attachment 20, Internal Affairs Bureau interview transcript of Complainant, June 24, 2016, p. 34.
95 Attachment 20, Internal Affairs Bureau interview transcript of Complainant, June 24, 2016, p. 32.
96 Attachment 40, Internal Affairs Bureau interview transcript of Subject Mandoyan, July 14, 2016, p. 18.
The Complainant later admitted she never applied for a position with SVB.\textsuperscript{97} This negated the allegation that Mandoyan attempted to prevent her from obtaining the position.

**B. Stalking and Harassment Allegations**

Although the Complainant accused Mandoyan of stalking and harassing her in person and via telephone,\textsuperscript{98} there was insufficient evidence to prove either criminal charge. By all accounts and as noted by the Civil Service Hearing Officer, the Complainant and Mandoyan’s relationship had been dysfunctional.\textsuperscript{99} Additionally, the Complainant’s allegations did not meet the criteria for a criminal charge of stalking under California Penal Code §646.9.

The District Attorney’s Office never charged Mandoyan for the crimes of stalking or harassment as the District Attorney did not consider these allegations for filing consideration.\textsuperscript{100}

**C. Preponderance of Evidence**

The lack of a timely medical examination of the Complainant excluded potential evidence to determine if a domestic incident had occurred.

\textsuperscript{97} Attachment 41, Civil Service Commission Hearing transcript of Complainant, September 27, 2017, p. 86.
\textsuperscript{100} Attachment 9, Los Angeles County District Attorney Charge Evaluation Worksheet regarding Case Number, The document was signed September 8, 2015.
Based on the inconsistencies within a multitude of statements, lack of witnesses, lack of medical documentation, delays in reporting, tainting of potential evidence, and the opinion of the District Attorney’s Office, it is extremely difficult to determine conclusively if a domestic incident had occurred.
VIII. A Flawed Investigation and Unethical Conduct

In the past, Sheriff Villanueva made public comments indicating Mandoyan had been denied due process, and a prosecuting Department employee withheld exculpatory evidence during Mandoyan’s Civil Service Hearing. In response to the Sheriff’s comments, the OIG Report stated, “These criticisms are not supported by the available evidence.”\(^{101}\) Additionally, the July 2019 OIG Report stated the following:

> “Moreover, even the Sheriff’s ‘Truth and Reconciliation Panel,’ which re-evaluated the Mandoyan case, made no mention of due process violations, a rushed Department investigation, or the hiding of exculpatory evidence in its analysis and recommendation that Mandoyan be reinstated.”\(^ {102}\)

There was evidence; however, available to the OIG prior to the publication of their report supporting the statements made by Sheriff Villanueva.

**A. Administrative Investigation Concerns**

The Department’s Administrative Investigations Handbook, utilized by the Internal Affairs Bureau, clearly directs Department investigators not to ask leading questions when conducting interviews. The handbook defines leading questions as “…a question that contains the answer.”

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\(^{101}\) Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019, p. 11.

\(^{102}\) Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019, p. 17.
The Internal Affairs Bureau investigator in the Mandoyan case not only asked leading questions but suggested answers he was looking for. Per the Department’s Administrative Investigations Handbook, this type of questioning is explicitly prohibited.

Throughout his investigation of the Mandoyan case, if a witness did not recall a specific incident, the IAB investigator would often ask the question multiple times or in various forms until he obtained the answer he appeared to be striving for. The investigator asked leading questions in at least two interviews. Below is an example of some of the leading questions the investigator had asked:

1. **Internal Affairs Bureau Complainant Interview: June 24, 2016**

   **Investigator**: “Okay. When he made, did he eventually enter the bedroom?”

   **Complainant**: “No, it was kind of right there at the threshold of the living room and the bedroom.”

   **Investigator**: “Was there ever him throwing clothes or something to that...”

   **Complainant**: “Oh yes, that’s right, he did. Thank you.”

2. **Internal Affairs Bureau **Interview: July 18, 2016

   **Witness 4**, a Department employee, was an acquaintance of Mandoyan and the Complainant. The Complainant and **Witness 4** were former colleagues and friends. A few months after the Complainant and Mandoyan broke up, Mandoyan began an intimate relationship with **Witness 4**. This relationship lasted for about a month.\(^{103}\)

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\(^{103}\) Attachment 8, El Segundo Police Report # authored by Officer July 14, 2015.
After the relationship with Mandoyan and Witness 4 ended, Witness 4 and the Complainant rekindled their friendship.

The Complainant and Witness 4 friendship became so close, Witness 4 assisted the Complainant in filing a temporary restraining order against Mandoyan. Witness 4 even served Mandoyan with the temporary restraining order on behalf of the Complainant.

After learning about Witness 4 past intimate relationship with Mandoyan, the investigator asked the witness if anything happened that she felt she should report. Witness 4 gave a clear answer “No”. Instead of moving forward with the interview, the investigator continued with, “I mean would you…” Again, Witness 4 responded with “No”. The investigator asked once again, “Is there any crime you can think of that you’d be willing to try and prosecute him for anything?” Witness 4 stated “No” two additional times.104

3. Internal Affairs Bureau Interview: July 21, 2016

During her interview with the Department’s Internal Affairs Bureau, Witness 1 stated the Complainant told her that Mandoyan and the Complainant “…had gotten semi-physical” and they “kind of tussled.” The investigator responded with: “Did she mention anything about him attempting to choke her?” Only at this point, Witness 1 thought she recalled that happening, but did not say it definitely happened.105

105 Attachment 17, Internal Affairs Bureau interview transcript of Witness 1, July 21, 2016, p. 5-6.
B. Exculpatory Evidence Withheld

This section identifies exculpatory information in the Mandoyan case which was available but was apparently withheld by the Department in 2017.

1. Exculpatory Evidence – General Information

Exculpatory evidence is defined as evidence which will clear or tend to clear an accused defendant from guilt. This includes any evidence favorable to the accused, such as evidence that negates a defendant’s guilt, evidence which would reduce a defendant’s potential sentence, or any evidence relating to the credibility of a witness.

For purposes of this report, exculpatory evidence includes information which had been unknown, or information which was available but not considered or presented by the Department in its investigation and subsequent adjudication of this case.

C. Deputy Interview

Deputy, an employee of the Department, was acquainted with both the Complainant and Mandoyan at the time of their dating relationship. In a news story dated March 30, 2019, ABC 7 reporters Miriam Hernandez and Lisa Bartley reported Deputy told them she had worked with both Mandoyan and the Complainant and had tried to mediate their disputes.

The ABC 7 article quoted as saying:

“She (the Complainant) was concerned about breaking up with him” which the Complainant replied – “I don’t want to break his heart.”

Privacy says her law enforcement training kicked in and she pressed the female deputy... (and asked her) was she afraid of him... had she been abused?”

“I specifically asked her – ‘have you been hit... have you been pushed.’

“She made it crystal clear to me - no, I have not been hit, I have not been pushed. I would be the one who would kick his [Mandoyan’s] ass.”

The March 30, 2019 ABC 7 news story quoted Mandoyan’s attorney stating recorded interview with the Department, along with the report, had been “lost”.

Mandoyan’s attorney stated this exculpatory evidence had not been disclosed or presented at Mandoyan’s Civil Service Commission Hearing. This information was discovered by Mandoyan’s attorney only after the televised ABC 7 news story. The OIG Report acknowledged the existence of statements; however, other than an email to the Department seeking information about the interview, the OIG did not appear to investigate the matter any further.


108 Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019, p. 23.

109 Attachment 43, Email subject: Channel 7 Mandoyan Interview, from: Privacy to: Privacy cc: Privacy June 21, 2019 at 9:11 am.
1. **Deputy Privacy Came Forward in 2017**

During her ABC 7 interview on March 30, 2019, Deputy Privacy stated that in September 2017, she had been contacted via telephone by Sergeant Privacy. Deputy Privacy recalled Sergeant Privacy telling her she was recording the call, and Deputy Privacy assumed Sergeant Privacy worked at the Internal Affairs Bureau. Deputy Privacy went on to say she provided Sergeant Privacy the same information she later told ABC 7 in 2019, that the Complainant told her (Privacy) Mandoyan had not physically abused her and stated:

“I have not been hit, I have not been pushed. I would be the one who would kick his ass.”

2. **Disclosure of Deputy Privacy Statements**

Deputy Privacy statements were considered exculpatory in nature. Mandoyan’s attorney did not call Deputy Privacy as a witness at the Civil Service Hearing because he was unaware of Sergeant Privacy interview of Deputy Privacy. He was not provided with a documented statement, a synopsis of their telephone conversation nor an interview log indicating Sergeant Privacy and Deputy Privacy ever spoke. By withholding Deputy Privacy statements from Mandoyan’s attorney, Mandoyan was denied his due process.

The 5th Amendment states no person shall be deprived of life, liberty or property without due process of law\(^\text{110}\).

\(^{110}\) In certain circumstances government employment rights constitutes a property interest protected by due process.
The 14th Amendment was later ratified to expand this requirement to the states. Included in this due process clause is the right to present evidence and the right to call witnesses. Supreme Court case law has expanded the scope of these rights to include the course of one’s employment.

Although Civil Service proceedings in Los Angeles County are considered administrative hearings as opposed to judicial proceedings, Civil Service rules state in part,

> “Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs...”

Additionally, because the Public Safety Officers’ Procedural Bill of Rights Act, Cal. Gov’t Code § 3300 et seq., provides an officer with protections similar to those provided criminal defendants by criminal law procedural and discovery rules, the appellate court is persuaded that Cal. Gov’t Code § 3303(g)’s reference to reports and complaints provides officers with protections similar to those enjoyed by criminal defendants, including the rights to raw notes and tape-recorded statements of witnesses preserved by police department.  

In California Court of Appeal case Hinrichs v. County of Orange, the officer was entitled to discovery of any non-confidential reports or other documents created and collected by the Orange County Sheriff’s Department in the course of investigating the officer’s alleged misconduct.

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Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
The *Hinrichs* court stated the Orange County Sheriff’s Department’s noncompliance with its statutory duty to disclose non-confidential reports was not a harmless error, where the officer specifically alleged that the Orange County Sheriff’s Department had obtained a written statement from another officer stating that the accused officer’s breath smelled only of medicine on the day in question, and the Orange County Sheriff’s Department in its answer denied the allegation. As related to the Mandoyan case, Mandoyan was likely entitled to disclosure of Deputy’s statements about the domestic violence allegations. Withholding this information may have violated Mandoyan’s due process rights and limited his attorney’s ability to present a comprehensive defense.

**D. Sergeant Role at the Civil Service Hearing**

Sergeant worked for the Department’s Advocacy Unit and was assigned to litigate the Mandoyan Civil Service Hearing. Although not an attorney, Sergeant responsibility was to function much like a prosecutor, representing the Department’s purported interests during the hearing. The Mandoyan hearing was the first time Sergeant represented the Department in a discharge case.

1. **Sergeant Withheld Exculpatory Information from Mandoyan’s Counsel**

Sergeant did not disclose or provide Mandoyan’s attorney with the exculpatory information obtained from Deputy. The audio recording of this critical interview, any notes, and/or reports believed to have been generated by Sergeant have not been found.

Had this exculpatory evidence been submitted, Mandoyan’s attorney would have had the opportunity to call Deputy to appear as a witness to testify about what the Complainant told her regarding the alleged domestic
incident. The Hearing Officer would have been able to assess Deputy first-hand conversation with the Complainant in determining the credibility of the Complainant.

Under any reasonable standard of objectivity and related Department policies, Sergeant had an obligation to advise Mandoyan’s attorney of Deputy statements promptly; however, the information was never provided.

Harm To Ongoing Matter


Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
F. Nexus between Privacy Statement and the Civil Service Hearing

Deputy Privacy confirmed the date of her interview with Sergeant Privacy was September 26, 2017. This date was one day prior to the Complainant’s cross-examination at the Civil Service Hearing. Depicted in Table 6 is a timeline of the Civil Service Hearing dates cross-indexed with the telephone interview with Deputy Privacy.

Table 6 Timeline of Sergeant Privacy Interview of Privacy

- July 24, 2017 - Civil Service Hearing
- July 25, 2017 - Civil Service Hearing
- July 26, 2017 - Civil Service Hearing
- September 26, 2017 - Privacy provided telephonic statement to Privacy. Complainant said: "I have not been hit, I have not been pushed. I would be the one to kick his ass."
- September 27, 2017 - Civil Service Hearing Complainant Testimony
- September 28, 2017 - Privacy Email to Executives Identifying Weaknesses in Case
- September 29, 2017 - Civil Service Hearing
- January 4, 2018 - Civil Service Decision

Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
G. OIG’s Actions Regarding Interview

On June 14, 2019, the Department sent a letter to Inspector General requesting a delay in the publication of the pending July 2019 OIG Report. The Department requested the delay due to a number of concerns the Department had with the accuracy of the Report’s content.

The Department was concerned about why the OIG draft report did not mention the existence of Deputy ABC 7 news interview. In response, the OIG contacted the Department on June 17, 2019, to formally inquire about any information in the Department’s possession related to Deputy statements. At the time of their request, the Department referred the Office of Inspector General to the original ABC 7 news story.

The OIG Report’s only reference to Deputy statements was a footnote on page 23, which read in part:

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116 Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019, p. 23, footnote 91.
“The Office of Inspector General requested that the Department provide the Office of Inspector General with evidence of this interview. In response the Department provided a link to a March 30, 2019 ABC 7 newscast in which the witness was identified as Privacy and a general denial that the Department had any recollection of such an interview or possessed evidence of the interview.”

The Department’s emailed response to the OIG regarding Deputy Privacy statements was not a denial that it ever had possessed the interview. Instead, the Department’s email stated, “Both the taped interview and report were ‘lost’ and never mentioned at civil service.”

H. Sergeant Privacy Emailed Management Stating Her Concerns

On September 28, 2017, two days after interviewing Deputy Privacy Sergeant Privacy sent an email to former Division Chief Privacy and Constitutional Policing Advisor Privacy. In this email, she provided an update on the progress of the Mandoyan hearing and made numerous observations in which she assessed the credibility of the witnesses and the viability of the Department’s position in the case. In this email, Sergeant Privacy indicated the Department’s case was extremely problematic, and the ruling by the Hearing Officer could go either way, in favor of the defendant or the Department. Some of the comments written by Sergeant Privacy in the email were:

118 Attachment 43, Email subject: Channel 7 Mandoyan Interview, from: Privacy to: Privacy cc: Privacy June 21, 2019 at 9:11 am.
119 Attachment 46, Email subject: Mandoyan Update, from: Privacy to: Privacy cc: Privacy Privacy September 28, 2017 at 10:50 am.
1. **Regarding the Complainant’s Credibility:**

   - The Hearing Officer did “not appear to be very impressed” with the Complainant’s testimony.
   - Three Lieutenants and two Deputies testified to Mandoyan’s outstanding performance and reputation as a Deputy Sheriff.
   - Two of the Lieutenants who had supervised the Complainant “testified very critically” about the Complainant’s character, “describing her as a problem employee whom they don’t trust and perceive as disloyal to the Department.”
   - The Complainant was very “vague on dates and some facts.”

2. **Regarding the Alleged Domestic Incident:**

   From the Hearing Officer’s comments, Sergeant wrote “…he is not buying the Department’s DV theory and has expressed concern that it’s an attempt by the Department to bolster [Complainant’s] credibility.”

3. **Regarding the Alleged False Statements:**

   Sergeant also wrote, “As far as lying about the attempted entries into her apartment, I don’t believe the Department has been able to meet its burden regarding Charge 4(b) and (d).” 120

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120 Attachment 46, Email subject: Mandoyan Update, from: to: cc: September 28, 2017 at 10:50 am.
I. Reinstatement Versus Rehire

This OIG Report indicated the Department made statements in court filings that Mandoyan had been rehired rather than reinstated.\textsuperscript{121} According to the OIG, the distinction between reinstating an employee as opposed to being rehired is significant.

Unlike a reinstatement, when rehiring an individual, the Department is permitted to revisit aspects of the applicant’s fitness for rehire.

Elements of the rehiring process can include fitness or medical requalification and an updated background investigation. In the context of Mandoyan’s rehiring, the OIG stated that in evaluating his fitness for duty, the Department should have considered statements Mandoyan made in a call between himself and the Complainant.

The OIG Report referenced noteworthy aspects of this call in a two-paragraph footnote in which the OIG makes two significant statements:

- The telephone call was recorded illegally by the Complainant, and because of this, the Hearing Officer advised the Department the formal record could not include the recording.
- California laws prevent the recording of calls without both parties giving consent, with specific exceptions for certain criminal investigations.

The OIG, in its report, did not indicate the call had been recorded illegally during an argument between the Complainant and Mandoyan. The Complainant only provided a portion of the telephone call to the Department.

\textsuperscript{121} Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019, p. 31.
The above statements by the OIG are accurate; however, additional context is required as to the laws and their significance to the call. Specifically:

- There are very few exceptions to surreptitiously recording a telephone call without someone’s knowledge or consent. These exceptions did not apply to the telephone recording(s) made by the Complainant.
- The Complainant recorded this call almost 2½ years prior to her claim of an alleged domestic incident.
- In the Mandoyan case, there was no domestic violence exception because the District Attorney’s Office did not charge him with domestic violence.
- The Complainant illegally recorded Mandoyan.
IX. Constitutional Policing Advisor Influences Mandoyan Case

In the Mandoyan case, the original intent for discipline was a 20 to 25 day suspension. When CPA interjected herself, she ultimately recommended a disposition of termination. Below is a chronology of the events leading up to the August 12, 2016 Case Review Committee meeting:

<table>
<thead>
<tr>
<th>DATE</th>
<th>EMAIL COMMUNICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 25, 2016</td>
<td>The Internal Affairs Bureau administrative investigation was completed and sent to Chief Mandoyan’s Division Chief.</td>
</tr>
</tbody>
</table>
| Aug 8, 2016 12:22 pm | Commander sent an email to Chief and CPA with an attached document. wrote: “I have attached my initial thoughts regarding this case for review and discussion.”  
The four-page document was titled “Mandoyan Presentation” and provided a brief synopsis of the allegations, statements, information, and potential implications. This document stated: “The recommended discipline is 20 Days.” |
| Aug 8, 2016 12:42 pm | Commander sent another email with an attachment to Chief and CPA in which he wrote “Updated version”. The attachment had a similar synopsis which indicated: “The recommended discipline is 20 Days.” |
| Aug 8, 2016 2:54 pm | OIG Attorney emailed CPA asking what level of discipline the Department was seeking. CPA responded: “We are currently in discussions. It is a case I am monitoring.” |

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122 Attachment 47, Email subject: Mandoyan Presentation 080816, from: to: cc: Attachments: Mandoyan Presentation 080816, August 8, 2016 at 12:25 pm.
123 Attachment 48, Email subject: Re: Dispositions, from: to: August 8, 2016 at 3:04 pm.
<table>
<thead>
<tr>
<th>DATE</th>
<th>EMAIL COMMUNICATIONS</th>
</tr>
</thead>
</table>
| Aug 8, 2016 6:20 pm | Lieutenant Privacy sent an email to Advocacy Unit in which he wrote:  
“I met with the Chief Privacy, Commander Privacy and Privacy about this case today. The Chief would like to see: Founded: General Behavior, Conduct Toward Others, Failure to Report, Family Violence. Unresolved: Dishonesty unless you see something different or something we aren’t.”<sup>124</sup> |
| Aug 11, 2016 10:18 am | The Advocacy Unit sent an email to Lieutenant Privacy along with a revised disposition with the dishonesty charge as ‘Founded.’<sup>125</sup> |
| Aug 11, 2016 10:19 am | Commander Privacy forwarded the same email to CPA Privacy followed by Chief Privacy at 10:20 am.<sup>126</sup> |

<sup>124</sup> Attachment 49, Email subject: Mandoyan Case, From Privacy to Privacy cc: Privacy Dated August 8, 2016 at 6:20 pm.

<sup>125</sup> Attachment 50, Email subject: fwd Mandoyan from: Privacy to: Privacy cc: Privacy Attachments: Mandoyan Dispo Adv.docx, August 11, 2016, 10:18 am.

<sup>126</sup> Attachment 51, Email subject: fwd Mandoyan, from: Privacy to: Privacy August 11, 2016 at 10:19 am.

Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
<table>
<thead>
<tr>
<th>DATE</th>
<th>EMAIL COMMUNICATIONS</th>
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</thead>
<tbody>
<tr>
<td>Aug 11, 2016 11:01 am</td>
<td>CPA emailed Commander “Thanks for forwarding. I reviewed and provided some suggested redlined edits on the attached. Please advise if you are unable to see my edits/comments.” The revised document attached to her email had minor edits; however, she added a comment in the margin near the dishonesty allegation section. The comment added to the document is below:</td>
</tr>
<tr>
<td>Aug 11, 2016 11:22 am</td>
<td>Commander sent CPA an email which stated: “Thanks for the quick review. The Chief and I concur with the recommended changes. I have also forwarded the revised Dispo Sheet to the advocacy for review and update.”</td>
</tr>
<tr>
<td>Aug 11, 2016 11:28 am</td>
<td>Unaware Commander and CPA had already exchanged emails in which CPA recommended changing the discipline to ‘discharge’, Lieutenant emailed Commander</td>
</tr>
</tbody>
</table>

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127 Attachment 52, Disposition Sheet, p. 4.
130 Attachment 54, Email subject: from: to: August 11, 2016 at 11:28 am.
<table>
<thead>
<tr>
<th>DATE</th>
<th>EMAIL COMMUNICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug 9, 2019 9:26 am</td>
<td>Lieutenant Privacy sent Advocacy Unit an email stating “Did you get to read the case? What are your guys thoughts on the honest of his statements in his interview. Are they strong enough to charge. [O]r is unresolved the best route to go?”</td>
</tr>
<tr>
<td>Aug 11, 2016 11:48 am</td>
<td>Commander Privacy replied to Lieutenant Privacy with a one-word response: “Unresolved” (referring to Commander Privacy’s desire to keep the findings regarding dishonesty as unresolved).</td>
</tr>
<tr>
<td>Aug 11, 2016 11:50 am</td>
<td>Lieutenant Privacy sent an email to the Advocacy Unit and copied CPA Privacy and Commander Privacy “Chief Privacy” and Commander Privacy would like the False Statement charge to be “Unresolved”.</td>
</tr>
</tbody>
</table>

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131 Attachment 55, Email subject: Mandayan Case, from: Privacy to: Privacy cc: Privacy August 9, 2016 at 9:26 am.
132 Attachment 54, Email subject: re: Mandayan Dispo Advocacy, from: Privacy to: Privacy August 11, 2016 at 11:48 am.
133 Attachment 54, Email subject: fwd: Mandayan Dispo Advocacy, from: Privacy to: Privacy cc: Privacy Privacy August 11, 2016 at 11:50 am.

Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
<table>
<thead>
<tr>
<th>DATE</th>
<th>EMAIL COMMUNICATIONS</th>
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</table>
| Aug 11, 2016 12:03 pm| CPA Privacy sent an email to Commander Privacy:  
\quad Hate to be *wishy-washy*, but I just reviewed the video again and it is clear he is trying to break in with the metal tool and is not using it to knock, i.e. it is clear he lied. I suspect the IG will bring this up at the Case Review. You may want to have two disposition worksheets ready, one with founded for false statements and one with unresolved. There is probably enough evidence to support the false statements. I think *the reason I was good with the 25 days and going unresolved* is because this is a messy case for which it will likely be difficult to convince a hearing officer that the deputy should be discharged. Having said that, his conduct does seem completely inappropriate and disturbing, particularly given the fact that he also tried to break in to Witness 4’s home. On the other hand (more wishy washy-ness), Witness 4 may not make a very good witness. Ultimately, *I concur with whatever decision you decide to make – both ways to handle are reasonable*. I would recommend the Chief look at the videos of him trying to break into the house and contrast the videos with his statements about what he was doing.  
\quad 134 |
| Aug 11, 2016 12:07 pm| Commander Privacy sent an email to Lieutenant Privacy and copied CPA Privacy and Chief Privacy:  
\quad He wrote: “...Let’s prepare two Dispo Sheets regarding the False Statements. One with the charge unresolved and one with the charge as founded...”  
\quad 135 |

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134 Attachment 54, Email subject: fw: Privacy Mandoyan Dispo Advocacy, from: Privacy Privacy August 11, 2016 at 12:02 pm.


Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
<table>
<thead>
<tr>
<th>DATE</th>
<th>EMAIL COMMUNICATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug 11, 2016</td>
<td>**Commander ** forwarded <strong>CPA</strong> email to <strong>Lieutenant</strong> and wrote: “This is the reasoning behind my last email. The Chief and I agree.” 136</td>
</tr>
<tr>
<td>12:08 pm</td>
<td></td>
</tr>
<tr>
<td>Aug 11, 2016</td>
<td><strong>Commander</strong> responded to <strong>CPA</strong> and wrote: “The Chief and I concur. We have directed Advocacy to prepare two functional Dispo Sheets.” 137</td>
</tr>
<tr>
<td>12:15 pm</td>
<td></td>
</tr>
<tr>
<td>Aug 11, 2016</td>
<td><strong>CPA</strong> sent an email to Office of Inspector General Attorneys and <strong>Privacy</strong> with a message which simply said “FYI”. Attached to the email was a single Case Disposition Sheet with a disposition designated as “Discharge”. The email did not include the second disposition sheet reflecting a suspension of 25 days. 138</td>
</tr>
<tr>
<td>3:02 pm</td>
<td></td>
</tr>
<tr>
<td>Aug 12, 2016</td>
<td>At the Case Review Committee meeting, a memorandum was signed indicating Mandoyan was to be discharged. The Sheriff, two Assistant Sheriffs, and a Division Chief signed this memorandum. 139</td>
</tr>
</tbody>
</table>

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136 Attachment 57, Email subject: fwd **Mandoyan Dispo Advocacy**, from: **Mandoyan Dispo Advocacy**, to: **August 11, 2016 at 12:08 pm**.

137 Attachment 54, Email subject: fwd **Mandoyan Dispo Advocacy**, from: **Mandoyan Dispo Advocacy**, to: **August 11, 2016 at 12:15 pm**.

138 Attachment 58, Email subject: fwd **Disposition**, from: **Mandoyan Dispo Adv.-Final.docx, image001.jpg**, to: **August 11, 2016 at 3:02 pm**.

139 Attachment 59, Signed Disposition Sheet from former **Chief**, recommending Discharge for Subject Mandoyan, August 12, 2016.
Harm To Ongoing Matter

Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
Harm To Ongoing Matter

Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
Harm To Ongoing Matter

Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
Harm To Ongoing Matter

Redactions pursuant to applicable Federal, State, County, Local and Civil statutes or regulations.
XI. Sergeant Privacy and the Management Decisions Policy

Advocacy Unit Sergeant Privacy acted in the capacity of a prosecutor representing the interests of the Department in the Mandoyan Civil Service Hearing. On April 11, 2018, approximately eight months after the Mandoyan Civil Service Hearing, Sergeant Privacy sent a three-page email to Lieutenant Privacy who was the aide of former Professional Standards Division Chief Privacy. This email was titled Involuntary Transfer. In this email, Sergeant Privacy indicated former Chief Privacy was upset with her for voicing her opinion and pointing out weaknesses in an unrelated discharge case in March 2018. As a result, her email indicated former Chief Privacy directed Lieutenant Privacy to communicate to Sergeant Privacy that she was “no longer welcome at Advocacy” and needed to find a new assignment. In her email, Sergeant Privacy wrote such an involuntary transfer was punitive, even though statutes prohibit punitive transfers.160

Sergeant Privacy email indicated when she refused to transfer out of the Advocacy Unit voluntarily, she was told by Lieutenant Privacy that Chief Privacy was “not pleased” with her response. Sergeant Privacy indicated Lieutenant Privacy was told to convey a message to her. Sergeant Privacy believed the message indicated if she did not leave the Advocacy Unit, the Department would initiate two administrative investigations against her. In this email, Sergeant Privacy wrote she considered this message as a “threat” from Chief Privacy.160

160 Attachment 76, Email subject: Involuntary Transfer, from: Privacy to: Privacy, April 11, 2018 at 3:22 pm, p. 2.
According to Sergeant Privacy April 11, 2018 email, she was provided with a five-day notice of her involuntarily transfer out of the Advocacy Unit. She was told the move was occurring because she was not, “Meeting performance expectations of Advocacy and not supporting the Department.” Sergeant Privacy email included the following statement:\textsuperscript{161}

“I also understand that I am merely a sergeant expressing an opinion based on my experience, and sometimes my opinions are disregarded by decision makers. Once a decision is made, I have always worked in support of the Department’s decision.”

Sergeant Privacy email offers a snapshot into the dynamics within the Professional Standards Division under the management of former Division Chief Privacy. In this case, once Sergeant Privacy conveyed to executives potential weaknesses in an unrelated discharge case, she was almost immediately expelled from the unit and threatened with an administrative investigation(s). Numerous selected excerpts from Sergeant Privacy email are listed below:\textsuperscript{162}

1. “On March 19, 2018 at approximately 9:30 AM, you called me into your office. You, Lt. Privacy and I were present. You notified me that I am no longer welcome at Advocacy and need to find a new assignment. This was being directed by Chief Privacy as a result of events at EFRC on 3/15/18.”

\textsuperscript{161} Attachment 76, Email subject: Involuntary Transfer, from: Privacy to: Privacy April 11, 2018 at 3:22 pm, p. 2-3.

\textsuperscript{162} Attachment 76, Email subject: Involuntary Transfer, from: Privacy to: Privacy April 11, 2018 at 3:22 pm, p. 1-3.
2. “…..Chief condescending tone and confrontational demeanor toward me when I merely did my job as an Advocate and pointed out some potential weaknesses with the Department’s case.”

3. “You explained that Division would assist me in finding a new assignment, as Chief has lost confidence in my judgment and no longer wants me working here.”

4. “I was not willing to voluntarily transfer out of Advocacy. I explained that this decision to move me is clearly punitive, and pointed out that POBRA [Peace Officer Bill of Right’s] prohibits punitive transfers.”

5. “You told me that Chief was not pleased with my response. Although she is not willing to transfer me against my will, she asked you to convey to me that two recent events memo and EFRC incident) were still ‘actionable’ and you suggested that that might change my willingness to leave Advocacy. I understood ‘actionable’ to be a threat to open up administrative investigations should I not agree to leave. Since I have at all times been dedicated and loyal to the Department and have done absolutely nothing in violation of policy or the mission of the Department, I explained that my decision was unchanged.”

6. “…..you once again called me into your office. You told me you were just going to ‘cut to the chase.’ You gave me a five day notice, informing me that I was being transferred to Employee Relations effective Tuesday. You explained that this move is based on a determination that I am not ‘meeting performance expectations’ of Advocacy and not supporting the Department.”
7. “A review of my performance record – the quantity and quality of my work – clearly contradicts such a conclusion. At all times I have been courageous and honest in pointing out weaknesses in cases to assist decision makers in arriving at the best possible decisions. I understand that to be my role as an Advocate. I have never acted unilaterally, and my expressed opinions for which I am now being criticized have been supported by others within Advocacy.”

8. “I also understand that I am merely a sergeant expressing an opinion based on my experience, and sometimes my opinions are disregarded by decision makers. Once a decision is made, I have always worked in support of the Department’s decision.”

Department investigators, and those who are involved in all aspects of the discipline process, must be objective and be given the latitude to make independent assessments of the evidence and facts. When executives or management intrudes upon this objectivity, the due process may be compromised. Manual of Policies and Procedures section ‘3-01/030.14 Management Decisions’ had the potential to negatively impact this due process.
XII. The OIG Supports the Management Decisions Policy

In their August 2019 report titled Los Angeles County Sheriff’s Department Compliance with Transparency Law, the OIG wrote:

“MPP 3-01/030.14 Management Decisions had already been implemented by the Department. This prohibited department executives from undermining lawful decisions of the Department and from intervening in matters which were outside of the intervening executive’s responsibility.”

The earlier referenced statement by the OIG indicated MPP 3-01/030.14 only applied to Department executives. Although the first few paragraphs reference Department executives, paragraph seven references all employees, as indicated below:

“...It is a violation of this section and of section 3-01/030.37 of this manual and subjects the employee to discipline, to intervene in a matter outside one’s responsibility. This includes, but is not limited to: assisting any employee in an attempt to circumvent discipline by providing testimony on behalf of the employee at any administrative hearing or proceeding...”

While the first few paragraphs of this policy may conform with commonly accepted standards of conduct for executives in any organization, it is unclear why the Department would put in place, a policy that seemingly prevents any employee from a basic right to due process. These basic rights include

163 Attachment 73, Office of Inspector General County of Los Angeles, Los Angeles County Sheriff’s Department Compliance with Transparency Law, August 2019, p. 7.
testifying on someone’s behalf or providing their opinion on the validity of evidence.
XIII. OIG Questions the Panel’s Timeline

The Office of Inspector General Report incorporated a section titled The Truth and Reconciliation Process. This section of the Report focused on the timeline and presumed methodology the ad hoc Case Review Panel employed in making their determinations regarding the Mandoyan case.

The OIG Report stated the [Case Review] process took a mere 25 days (inclusive of weekends and a holiday) to analyze the Mandoyan case, while the original Mandoyan investigation took approximately an entire year. Various excerpts from the OIG Report focusing on the Case Review Panel’s timeline are listed below:

- “…an investigation and administrative review process spanned over 14 months. "An almost 500-page Internal Affairs Investigation file...14 taped and transcribed interviews.”
- “In approximately 25 days, the Truth & Reconciliation Panel overturned a year-long process involving hundreds of pages of interviews, documents and other exhibits…”
- “…this is a very short time frame within which to conduct a full and thorough review of the prior administrative process…”

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165 Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019, p. 20.
166 Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019, p. 8, 17-20.
• “Historically, the LASD struggled to make evidence-based discipline decisions rapidly.”

Given the volume of documents and other evidence in the Mandoyan case file, combined with the “over a year-long administrative process…”, the OIG Report inferred the 25 days it took the Panel to complete its review of the case was insufficient.\textsuperscript{167}

A more in-depth analysis of the facts presents a different perspective. The study concluded the Case Review Panel took an appropriate amount of time in its analysis and decision-making process.

\textbf{A. Timeline for the Department’s Administrative Investigation}

Although the Office of Inspector General Report referenced the investigation and subsequent administrative review taking “…over 14 months,”\textsuperscript{168} a detailed review of the timeline in the Mandoyan case depicts a different story.

It appears the Office of Inspector General conflated the El Segundo Police Department’s criminal investigation with the Department’s administrative investigation. As previously indicated, pursuant to Los Angeles County Sheriff’s Department policies, if initiating a criminal investigation, an administrative investigation is not typically opened until \textit{after} the criminal investigation has been concluded (including the judicial phase if resulting criminal charges are filed).

\textsuperscript{167} The Office of Inspector General’s Report also addressed the legality of the Department entering into a settlement agreement with Subject Mandoyan along with his reinstatement. As these matters are currently the subject of litigation, they are not addressed herein.

\textsuperscript{168} Attachment 1, Office of Inspector General County of Los Angeles, Initial Implementation by the Los Angeles County Sheriff’s Department of the Truth and Reconciliation Process, July 2019, p. 8.
B. Timeline for the Department’s Executive Deliberation Process

Between July and September 2015, the Mandoyan case was investigated by the El Segundo Police Department and subsequently submitted to the District Attorney’s Office for filing consideration. The El Segundo Police Department’s criminal investigation took place between July 14, 2015, and September 8, 2015, totaling 56 days. On or about September 8, 2015, the District Attorney’s Office prepared a Charge Evaluation Worksheet stating there will be no criminal charges filed against Mandoyan based on a lack of sufficient evidence to prove the allegations beyond a reasonable doubt. On the same day, September 8, 2015, the Department opened an administrative investigation case into the Mandoyan matter.

According to the Internal Affairs Bureau Investigator’s Log of the Mandoyan case, the department knowledge date was identified as June 23, 2015, and the Department completed the administrative investigation on July 25, 2016. The one-year, or statute date, was identified as August 16, 2016.

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169 The Charge Evaluation Worksheet listed PC as the charge.
170 Attachment 9, Los Angeles County District Attorney Charge Evaluation Worksheet regarding Case Number. The document was signed by Complaint Deputy on September 8, 2015.
171 Attachment 38, Internal Affairs Bureau Investigator’s Log, p. 1.
172 Under the POBR, in order to impose any discipline against a sworn peace officer, the employing agency (Department) must impose discipline within one year, starting from the date the department or agency first became notified or aware of the misconduct. This period is known within the Department as the ‘statute date’.
173 This date took into account a 57-day ‘tolling’ period during which time the El Segundo Police Department and the Los Angeles County District Attorney’s Office were reviewing the matter with respect to potential criminal violations.
The period between June 23, 2015, and July 25, 2016, encompassed a total of **398** days. Excluding the dates of the criminal investigation, this places the duration of the Department’s investigation at **342** days.

The above information establishes the actual investigation length. The time the investigator actually worked on the Mandoyan case was only **34** days and **not** one year as expressed in the OIG Report. Approximately 90% of the 342 days the investigation was open, no investigators worked on the case due to other priority cases.\(^{174}\)

In 2016, at the Case Review Committee meeting, the Department originally took **18** days to review, deliberate, and ultimately decide to discharge Mandoyan. In contrast, and as stated by the OIG, the ad-hoc Case Review Panel took **25** days to conduct their 2018 analysis and determine what the Panel believed to be appropriate discipline.

When examining this comprehensive timeline, it seems reasonable to conclude the 2018 Case Review Panel took an appropriate amount of time to conduct a thorough review. Below is a listing of key dates and events in the administrative investigation process:

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\(^{174}\) This is not a unique situation and no inference whatsoever should be drawn relative to the investigator’s diligence. The investigator was not consulted with in preparation of this report. The Department’s Internal Affairs Bureau investigators carry significant caseloads and their cases are often prioritized based on emergent conditions, political implications, statute deadlines, etc.
# Mandoyan Case - Investigative Timetable

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<th>Event</th>
<th>Start</th>
<th>End</th>
<th>Total Days</th>
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<tr>
<td><strong>ORIGINATION</strong></td>
<td></td>
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</tr>
<tr>
<td>Department Received &amp; Evaluated POE Claim</td>
<td>6/23/2015</td>
<td>7/15/2015</td>
<td>22</td>
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<tr>
<td>El Segundo PD Criminal Investigation</td>
<td>7/14/2015</td>
<td>9/8/2015</td>
<td>56</td>
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<tr>
<td>Department Opened Administrative Investigation</td>
<td>9/8/2015</td>
<td>11/2/2015</td>
<td>55</td>
</tr>
<tr>
<td>Investigator Received File (worked other cases)</td>
<td>11/2/2015</td>
<td>6/21/2016</td>
<td>232</td>
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<tr>
<td><strong>INVESTIGATION</strong></td>
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<tr>
<td>Investigation Commenced / Completed</td>
<td>6/21/2016</td>
<td>7/25/2016</td>
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<td><strong>INITIAL DISPOSITION - CASE REVIEW COMMITTEE</strong></td>
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<tr>
<td>Division Chief Received Case and made preliminary determination, Case Review Committee final determination</td>
<td>7/25/2016</td>
<td>8/12/2016</td>
<td>18</td>
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<tr>
<td><strong>CASE REVIEW PANEL - REVIEW</strong></td>
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*Table 7: Summary of Mandoyan Case Timeline*
XV. Conclusion

The decision to reinstate Mandoyan encompassed a detailed analysis of the case, which is further corroborated by newly discovered exculpatory information, as identified in this report. This new information would have strengthened and even further affirmed the ad hoc Case Review Panel’s decision making process. If this new information had been made available during the original Case Review Panel meeting, held on August 12, 2016, Mandoyan may not have been terminated. Additionally, if this newly discovered exculpatory information had been presented during Mandoyan’s Civil Service proceedings, the Hearing Officer may have reinstated him as a Deputy Sheriff. Some of the newly discovered exculpatory information includes, but is not limited to, the following:

1. At the time of the Case Review Committee decision, a Department policy existed preventing employees, under specific circumstances, from assisting another employee with their criminal or administrative investigation (Repealed MPP 3-01/030.14).

2. The Mandoyan case was originally prepared as a Non-Discharge case.

3. CPA Privacy wrote an email to Commander Privacy describing herself as wishy-washy regarding the discipline in the Mandoyan case.

4. Commander Privacy forwarded CPA Privacy wishy-washy email and wrote: “This is the reasoning behind my last email. The Chief and I agree.” This email was related to maintaining the False Statements allegation as Unresolved.

5. The original proposed discipline was for a suspension of 20 days. It was later amended to reflect a suspension of 25 days, then, ultimately, a disposition of termination.

6. Regarding the allegation of false statements, CPA Privacy wrote, “I was good with the 25 days and going unresolved.”
7. CPA Privacy sent an email regarding the decision to terminate or give a 25-day suspension. She wrote: "I concur with whatever decision you decide to make – both ways are reasonable."

8. Lieutenant Privacy sent an email stating: "Chief Privacy and Commander Privacy would like the False Statement charge to (reflect) Unresolved."

9. The day before the Case Review Panel hearing, CPA Privacy added a comment to the disposition sheet indicating Mandoyan should be discharged for false statements.

10. Deputy Privacy told Sergeant Privacy the Complainant had stated: "I have not been hit, I have not been pushed. I would be the one who would kick his [Mandoyan’s] ass."

11. During the Civil Service Hearing, Sergeant Privacy sent an email to Department managers indicating the Hearing Officer was "not buying the Department’s DV theory."

12. During the Civil Service Hearing, Sergeant Privacy sent an email stating, "I don’t believe the Department has been able to meet its burden" regarding the false statements allegation.

Harm To Ongoing Matter

14. Months after the Mandoyan Civil Service Hearing, the prosecuting Sergeant believed she had been threatened with an administrative investigation because she voiced her concerns on the weaknesses of an unrelated discipline case.

15. The Complainant did not report the allegation of a domestic incident until 10½ months after the incident allegedly occurred, limiting and calling into question potential evidence.

16. Mandoyan was never charged by the Los Angeles County District Attorney’s Office for any criminal misconduct.
The totality of information in this report provides an in-depth view of the circumstances, facts, and Department culture during the time period surrounding the Mandoyan case. The significant amount of exculpatory information referenced in this report has identified evidence which could have had a significant impact on the adjudication process of this case. This exculpatory information may have provided critical insight during each of the previous decision making milestones. Although this report has presented factual information related to one particular case, this report’s ultimate value was in exposing systemic issues within the investigative and disciplinary processes of the Department.