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Superior Court of California,  
County of Los Angeles  
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David W. Slayton,  
Executive Officer/Clerk of Court,  
By J. Nunez, Deputy Clerk

7 Attorneys for Plaintiffs  
8 JANE DOES and JOHN DOES 1 through 200, inclusive  
9

10 **SUPERIOR COURT FOR THE STATE OF CALIFORNIA**  
11 **COUNTY OF LOS ANGELES**

12 JANE DOES and JOHN DOES 1 through  
13 200, inclusive,

14 Plaintiffs,

15 vs.

16 CITY OF LOS ANGELES, a government  
17 entity; and DOES 1 through 100, inclusive,

18 Defendants.

CASE NO.: 23STCV21284

**COMPLAINT FOR DAMAGES**

1. Negligence (Government Code § 815.2)
2. Failure to Perform Mandatory Duties  
Established by Law (Government Code §  
815.6)
3. Negligence Per Se (Government Code §  
815.6)

**DEMAND FOR JURY TRIAL**

19  
20 COMES NOW Plaintiffs, JANE DOES and JOHN DOES 1 through 200, inclusive, and  
21 hereby demands a trial by jury, and based on information and belief complains and alleges as  
22 follows:

23 **THE PARTIES**

24 1. At all times relevant hereto, Plaintiffs JANE DOES and JOHN DOES, 1 through  
25 200 inclusive, are or were employed with the Los Angeles Police Department (“the LAPD” or  
26 “Department”) and were competent adults. Plaintiffs include over 140 current LAPD Police  
27 Officers/retired LAPD Police Officers. Plaintiffs JANE DOES and JOHN DOES 1 through 200  
28 true names and identities must be kept confidential for the purposes of this Complaint.

1 Plaintiffs’ need for anonymity outweighs both the prejudice to the Defendants and the public’s  
2 interest in knowing their identity. Plaintiffs anticipate seeking concurrence from Defendants for  
3 entry into a protective order to prevent the unnecessary disclosure of Plaintiffs’ real names in the  
4 public record. Thereafter, Defendants can be made aware via discovery of the true names of  
5 Plaintiffs and how the circumstances presented have harmed Plaintiffs surrounding these causes of  
6 action.

7 2. Plaintiffs are informed and believe and thereon allege that, at all times relevant  
8 hereto, Defendant CITY OF LOS ANGELES (“City” or “Defendant”) was/is a public entity  
9 violating laws within the State of California in the County of Los Angeles. At all times pertinent  
10 hereto, Defendant City owned, controlled, and operated the law enforcement agency known as  
11 the CITY OF LOS ANGELES POLICE DEPARTMENT (“LAPD”).

12 3. Plaintiffs are informed and believes and thereupon alleges that Defendants DOES 1  
13 through 100, inclusive, and each of them, at all times relevant hereto, were individuals or public,  
14 business, and/or other entities whose form is unknown committing torts in and/or engaged in  
15 purposeful economic activity within the County of Los Angeles, State of California.

16 4. The true names and capacities of Defendants DOES 1 through 100, and each of  
17 them, whether individual, corporate, associate or otherwise, are unknown to Plaintiffs at this time,  
18 therefore Plaintiffs sue said Defendants by such fictitious names. Plaintiffs will file DOE  
19 amendments, and/or ask leave of court to amend this complaint to assert the true names and  
20 capacities of these Defendants when they have been ascertained. Plaintiffs are informed and  
21 believe, and upon such information and belief alleges, that each Defendant herein designated as  
22 a DOE was and is in some manner, negligently, recklessly, wrongfully, or otherwise, responsible  
23 and liable to Plaintiffs for their injuries and damages hereinafter alleged, and that Plaintiffs’  
24 damages as herein alleged were proximately caused by their conduct.

25 5. Plaintiffs are informed and believe, and thereon allege, that at all times material  
26 herein the Defendants, and each of them, were the agents, servants, or employees, or ostensible  
27 agents, servants, and employees of each other Defendant, and as such, were acting within the  
28 course and scope of said agency and employment or ostensible agency and employment, except  
on those occasions when Defendants were acting as principals, in which case, said Defendants;  
and each of them, were negligent in the selection, hiring, and use of the other Defendants.



**GENERAL ALLEGATIONS**

1  
2 13. Plaintiffs JANE DOES and JOHN DOES 1 through 200, are over 140 current  
3 and former LAPD police officers who have worked recently in either an undercover or  
4 surveillance capacity wherein their identities were kept secret in order to perform their duties as  
5 LAPD officers.

6 14. At all times relevant to this claim, Plaintiffs are/were undercover officers or  
7 officers who work(ed) sensitive assignments wherein their identities were hidden to perform  
8 their duties as officers employed by the Los Angeles Police Department ('LAPD or 'the  
9 department'). Plaintiffs are serving/served in a variety of different units including but not  
10 limited to: Major Crimes Division; ATF Gun Violence Reduction Task Force; Gangs and  
11 Narcotics Division; METRO; Human Trafficking Units; LAPD Task Force Units that work with  
12 federal agencies; and various vice and other narcotic units throughout the LAPD. Plaintiffs  
13 are/were qualified for the positions they hold/held by reason of their education and training  
14 though the LAPD. Defendants and its agents violated their statutory duties to Plaintiffs in  
15 committing acts or omissions related to releasing the names, photographs, serial numbers, and  
16 other personal identification information of Plaintiffs to the public without Plaintiffs' consent.

17 15. There are safety exceptions to any Public Records Act request and Defendants  
18 and their agents violated their statutory duties to Plaintiffs in ignoring these statutory safety  
19 exceptions such as those referenced in California Government Code §§ 6255(a); 3307.5(A); and  
20 California Penal Code § 832.7. Said statutory exceptions should have been argued and utilized  
21 for Plaintiffs who were both current and former LAPD officers who recently had their true  
22 identities hidden while performing their jobs and for which photographic disclosures with serial  
23 numbers and other personal identification information would pose a "significant danger to the  
24 physical safety of the peace officer." Defendants' negligent and reckless conduct is ongoing.  
25 These actions and omissions by Defendants and their agents made it so that Respondent City of  
26 Los Angeles is not immune from liability, as it is vicariously liable for their employees' conduct  
27 by said employees failing to perform mandatory duties. Said employees thereby violated Govt.  
28 Code § 815.2 and Govt. Code § 1222 as they engaged in grossly negligent/improper acts and/or  
willful omissions that has caused irreparable life-threatening harm to Plaintiffs and their  
families by ignoring or failing to appreciate the significance of statutory safety exceptions to

1 any Public Records Act request. Unfortunately, the information which Defendants and their  
2 agents disseminated has been produced by third parties on the internet and likely copied for all  
3 those who intend to inflict harm on Plaintiffs and their families.

4 16. Defendants CITY OF LOS ANGELES and DOES 1 through 100 fell below the  
5 standard of care in protecting Plaintiffs true identities given their special relationship with  
6 Plaintiffs and in doing so violated various mandatory statutory duties. The Defendants were in  
7 the role of a special relationship to protect Plaintiffs' photographs, serial numbers and personal  
8 identities from disclosure given their undercover/surveillance status in service of the LAPD.  
9 Defendants' failures to keep Plaintiffs identities concealed consisted of various actions and  
10 omissions leading to negligence, failures to perform mandatory duties and negligence per se.

11 17. The actions and omissions referenced above commenced on or about September  
12 2022, when in response to a Public Records Act request by an organization known as Stop  
13 LAPD Spying Coalition, then City Attorney Mike Feuer agreed to provide information  
14 responsive to the request, but specifically advised that the photographs of those LAPD officers  
15 working in an undercover capacity as of July 2022 could not be included. (Ignored were the  
16 hazards posed to undercovers who previously worked undercover prior to July 2022, or other  
17 LAPD non-undercover officers who worked sensitive dangerous surveillance assignments.)  
18 Thereafter, individuals from the Office of the Chief of Police, the Office of Constitutional  
19 Policing; and the LAPPL, also all breached their duties to Plaintiffs by not taking an active role  
20 in preventing the negligent/reckless release of photographs and personal identification  
21 information of Plaintiffs who served/or were serving as undercover officers or working sensitive  
22 assignments wherein their identities had been or are concealed. On or about March 2023,  
23 Defendants and their agents, released the photographs, serial numbers, and personal  
24 identification information of more than 9,300 officers(excluding some), but including that of  
25 Plaintiffs JANE DOES and JOHN DOES 1 through 200, despite the fact that Plaintiffs are/were  
26 undercover officers or officers who work(ed) sensitive assignments wherein their identities  
27 were hidden to perform their duties as officers employed by the LAPD. Defendants and their  
28 agents violated their duties to Plaintiffs by ignoring statutory exceptions to the Public Records  
Act which considers officer safety for those working sensitive secretive assignments such as  
Plaintiffs where "disclosure of the record would pose a significant danger to the physical safety

1 of the peace officer.” The Mayor, Karen Bass admits that this was “an egregious  
2 mistake.” The Chief of Police, Michael Moore stated on Fox 11 news, “We made a mistake,  
3 we made a big mistake. I deeply regret this mistake ever happened. We have had people who  
4 have taken the list and are now criminally we believe making threats against the safety of  
5 officers calling for a bounty and awarding a bounty for individuals who will go out and kill a  
6 cop.” “The 2 things we messed up on, 1, we should have told our people when we reached that  
7 settlement, and we should have told them the basis for it. Secondly, when we provided the list,  
8 we made a mistake and that we did not identify all the individuals in the organization who were  
9 involved in sensitive undercover investigation that should have been kept from that.”

10 18. Plaintiffs never consented to the disclosures of their photographs, serial numbers,  
11 or identities as a public safety officer for public release. Prior to the Department’s release  
12 Plaintiffs have gone through great lengths to keep their identities concealed. Plaintiffs have all  
13 performed undercover operations and/or plain clothes surveillance where their identity was  
14 concealed. Plaintiffs are serving/served in a variety of different units including but not limited  
15 to: Major Crimes Division; ATF Gun Violence Reduction Task Force; Gangs and Narcotics  
16 Division; METRO; Human Trafficking Units; LAPD Task Force Units that work with federal  
17 agencies; and various vice and other narcotic units throughout the LAPD. Plaintiffs performed a  
18 variety of different covert roles for the Department often working extremely dangerous  
19 operations involving the most dangerous criminals, leading to the interference with lucrative  
20 schemes and/or arrests and prison sentences. Criminals knew what Plaintiffs looked like either  
21 through personal interactions or video surveillance but had no reason to know that Plaintiffs  
22 were actually police officers. With Plaintiffs true identities concealed prior to the photo release  
23 these various criminal operations could not clearly identify Plaintiffs as police officers.  
24 Plaintiffs were involved either in the arrest of these criminals and/or interference with their  
25 lucrative schemes. Many of the criminals that Plaintiffs have helped to put away are from  
26 dangerous organizations that have been known to take it personal when their operations are  
27 disrupted due to the infiltration of an undercover. Due to the photo release, Plaintiffs now  
28 reasonably fear retribution from these criminals which may involve harassment, intimidation,  
injury, and or death to themselves and their families. In addition to criminals recognizing their  
photos, criminals can also use facial recognition system technologies capable of matching a

1 human face from a digital image or video frame against a database of faces. Such a system is  
2 typically employed to authenticate users through ID verification services, and work by  
3 pinpointing and measuring facial features from a given image. In the current age of technology,  
4 facial recognition software can be utilized to cross reference released photos to any surveillance  
5 cameras. Facial recognition is constantly updated with newer software and versions for more  
6 clarity and resolutions. As such, Plaintiffs both currently employed and retired need to be in a  
7 state of constant stress which they did not have prior to the negligent/reckless photo release.

8 19. Plaintiffs at no time provided any consent to the dissemination of their  
9 photographs, serial numbers, and personal identification information. Following said  
10 disclosures, Plaintiffs' photographs, serial numbers, and personal identification information  
11 were posted throughout the internet. Thereafter, Plaintiffs were subjected to irreparable life-  
12 threatening harm by third parties such as actual threats from the website Killercop.com. In fact,  
13 Killercop.com posted on its Twitter.com page offering bounties on the lives of male LAPD  
14 officers (said to be \$1,000.05) and female LAPD officers (said to be \$2,000.10). The damage  
15 has been done and Plaintiffs are forever at risk because the websites that contain the photos and  
16 personal identification information of Plaintiffs can be copied and stored. Prior to the photo  
17 release, Plaintiffs identities were concealed. As a result of being unmasked, Plaintiffs now  
18 reasonably fear future harassment, intimidation, injury, and death to themselves and their  
19 families. Plaintiffs will now need to do what is necessary to protect themselves and their  
20 families' lives.

21 20. Plaintiffs, JANE DOES and JOHN DOES 1 through 200 inclusive, have suffered  
22 both general and special damages in the past and present and will continue to suffer such  
23 damages in the future for an unknown period of time. The death threats made against Plaintiffs  
24 and future threats against Plaintiffs have adversely affected Plaintiffs' personal health and well-  
25 being. Plaintiffs have suffered extensive general damages in the form of anxiety, anguish, and  
26 mental suffering. As a result of the actions caused by Defendants some Plaintiffs may now have  
27 to choose an early retirement which will adversely affect their income, pension, and other  
28 benefits. Other Plaintiffs may incur other financial damages related to the cost of having to deal  
with the threats to themselves and possibly harm to their immediate families. Plaintiffs'  
damages are continuing and, in an amount, not yet determined, but far in excess of the

1 jurisdictional minimum of \$25,000. Defendants' wrongful conduct and the effects of  
2 Defendants' wrongful conduct are continuing and ongoing.

3  
4 **FIRST CAUSE OF ACTION**  
5 **NEGLIGENCE § 815.2**

6 **(BY PLAINTIFFS DOES 1 THROUGH 200 AGAINST ALL DEFENDANTS)**

7 21. Plaintiffs re-allege and incorporate by reference each and every allegation  
8 contained in paragraphs 1–20 of this complaint as though fully set forth herein again.

9 22. Defendant CITY OF LOS ANGELES is and was, at all times relevant to this  
10 complaint, a City which owns, operates and/or manages the Los Angeles Police Department and  
11 the Los Angeles City Attorney's office. "A public entity is liable for injury proximately caused  
12 by an act or omission of an employee of the public entity within the scope of his employment if  
13 the act or omission would, apart from this section, have given rise to a cause of action against  
14 that employee or his personal representative." (Gov. Code § 815.2) "Except as otherwise  
15 provided by statute (including Section 820.2), a public employee is liable for injury caused by  
16 his act or omission to the same extent as a private person." (Gov. Code § 820(a))

17 23. Defendants, acting through managing agents, had a duty to protect both current  
18 and former LAPD officers who had served in an undercover capacity and/or performed  
19 surveillance wherein their true identities had been concealed. By virtue of their employment and  
20 service with the LAPD, Plaintiffs entrusted the CITY OF LOS ANGELES and DOES 1 through  
21 100 to continue to make every effort to conceal their true identities and to help prevent them  
22 from any disclosure of their personal public records which would pose a significant danger to  
23 the physical safety of these peace officers. As such, Defendants were in a special relationship  
24 with Plaintiffs and owed Plaintiffs a special duty of care to protect their true identities.  
25 Defendant, by and through their managers, agents, and employees, knew or reasonably should  
26 have known that the disclosure of photographs and other personal identification information of  
27 both current and former undercover officers and those who worked surveillance would place  
28 Plaintiffs and their families lives at greater risk. These violations were in the course and scope  
of their employment, causing Defendant to be vicariously liable under the above referenced  
California Government Code Section 815.2.

1           24.     Plaintiffs JANE DOES and JOHN DOES, 1 through 200, are over 140 current  
2 and former LAPD officers that never consented to the disclosures of their photographs, serial  
3 numbers, or identities as a public safety officer for public release. Prior to the Department’s  
4 release Plaintiffs have gone through **great lengths to keep their identities concealed**. Plaintiffs  
5 have all performed undercover operations and/or plain clothes surveillance where their identity  
6 was concealed. Plaintiffs are serving/served in a variety of different units including but not  
7 limited to: Major Crimes Division; ATF Gun Violence Reduction Task Force; Gangs and  
8 Narcotics Division; METRO; Human Trafficking Units; LAPD Task Force Units that work with  
9 federal agencies; and various vice and other narcotic units throughout the LAPD. Plaintiffs’  
10 identities were concealed as they performed extremely dangerous operations often dealing with  
11 some of the most dangerous criminals and organizations, leading to the interference with  
12 lucrative schemes and/or arrests and prison sentences. Criminals knew what Plaintiffs looked  
13 like either through personal interactions or video surveillance but had no reason to know that  
14 Plaintiffs were police officers. With Plaintiffs true identities concealed prior to the photo release  
15 these various criminal groups could not clearly identify Plaintiffs as police officers. Plaintiffs  
16 were involved either in the arrest of these criminals and/or interference with their lucrative  
17 schemes. Due to the photo release, Plaintiffs now reasonably fear retribution from these  
18 extremely dangerous criminals which may involve harassment, intimidation, injury, and death  
19 to themselves and their families. Plaintiffs both currently employed and retired need to be in a  
20 state of constant stress which they did not have prior to the negligent/reckless photo release.

21           25.     Defendants CITY OF LOS ANGELES and DOES 1 through 100 fell below the  
22 standard of care in protecting Plaintiffs true identities. The Defendants were in the role of a  
23 special relationship to protect Plaintiffs’ photographs, serial numbers and personal identities  
24 from disclosure given their undercover/surveillance status in service of the LAPD. Individuals  
25 from the City Attorney’s Office, Office of the Chief of Police, the Office of Constitutional  
26 Policing; and the LAPPL all breached their duties to Plaintiffs by not taking an active role in  
27 preventing the negligent/reckless release of photographs and personal identification information  
28 of Plaintiffs who served/or were serving as undercover officers or working sensitive  
assignments wherein their identities had been or are concealed. Plaintiffs at no time provided  
any consent to the dissemination of their photographs, serial numbers, and personal

1 identification information. Following said disclosures, Plaintiffs' photographs, serial numbers,  
2 and personal identification information were posted throughout the internet. Thereafter,  
3 Plaintiffs were subjected to irreparable life-threatening harm by third parties such as actual  
4 threats from the website Killercop.com. In fact, Killercop.com posted on its Twitter.com page  
5 offering bounties on the lives of male LAPD officers (said to be \$1,000.05) and female LAPD  
6 officers (said to be \$2,000.10). Prior to the photo release, Plaintiffs identities were concealed.  
7 As a result of being unmasked, Plaintiffs now reasonably fear future harassment, intimidation,  
8 injury, and death to themselves and their families. Plaintiffs will now need to do what is  
9 necessary to protect themselves and their families' lives. Defendants' negligent and reckless  
10 conduct is ongoing.

11 26. As a result of the above-described gross negligence, Plaintiffs have suffered, and  
12 continue to suffer shock, emotional distress, loss of enjoyment of life; possible early retirement,  
13 a different career path, the costs of enhanced protection, and the costs of possibly moving in  
14 order to keep themselves and their families safe.

15 **SECOND CAUSE OF ACTION**  
16 **FAILURE TO PERFORM MANDATORY DUTIES ESTABLISHED BY LAW**  
17 **GOVERNMENT CODE § 815.6**  
18 **(BY PLAINTIFFS DOES 1 Through 200 AGAINST ALL DEFENDANTS)**

19 27. Plaintiffs re-allege and incorporate by reference each and every allegation  
20 contained in paragraphs 1–26 of this complaint as though fully set forth herein again.

21 28. Defendant CITY OF LOS ANGELES is and was, at all times relevant to this  
22 complaint, a City which owns, operates and/or manages the Los Angeles Police Department and  
23 the Los Angeles City Attorney's office.

24 29. The conduct of Defendant CITY OF LOS ANGELES, and DOES 1 through 100  
25 and its managers, supervisors, agents, and employees, are governed by numerous statutes,  
26 ordinances, rules, regulations, and other legal provisions. These statutes, ordinances,  
27 regulations, and other legal provisions were enacted for the purpose of protecting Public Safety  
28 Officers against the risk of injury sustained by Plaintiffs and establish mandatory duties on the  
part of CITY OF LOS ANGELES and DOES 1 through 100.

30. From September 2022 through at least March 2023, Defendant CITY OF LOS  
ANGELES, and DOES 1 through 100 its managers, supervisors, agents, and employees, failed

1 to follow and breached the mandatory duties these statutes, ordinances, rules, regulations and  
2 other legal provisions mandated, including but not limited to those articulated in California  
3 Government Code §§ § 6254(c); 6255(a); 3307.5(A); 1222 and California Penal Code §  
4 832.7(B)(6)(D). Individuals from the City Attorney’s Office, Office of the Chief of Police, the  
5 Office of Constitutional Policing; and the LAPPL all breached their mandatory duties to  
6 Plaintiffs by not taking an active role in preventing the negligent/reckless release of  
7 photographs and personal identification information of Plaintiffs who served/or were serving as  
8 undercover officers or working sensitive assignments wherein their identities had been or are  
9 concealed. Defendants and all of them ignored their statutory duties and the foreseeable risk of  
10 harm posed to Plaintiffs and failed to take reasonable efforts to perform its mandatory duties  
11 under these statutes thereby committing several acts and omissions related to the release of  
12 photographs and other personal identification information of Plaintiffs JANE DOES and JOHN  
DOES, 1 through 200 causing them significant harm.

13 31. With respect to the production of Public Records under the Public Records Act,  
14 at all times relevant hereto, California Government Code § 6254(c) provided:

15 “Except as provided in [Sections 6254.7](#) and [6254.13](#), this chapter does not require the disclosure  
16 of any of the following records:(c) Personnel, medical, or similar files, the disclosure of which  
17 would constitute an unwarranted invasion of personal privacy.”

18 32. Moreover, at all times relevant hereto, **California Government Code § 6255(a)**  
19 provided:

20 “The agency shall justify withholding any record by **demonstrating** that the record in question is  
21 exempt under express provisions of this chapter or that on the *facts of the particular case the*  
22 *public interest served by not disclosing the record clearly outweighs the public interest served*  
23 *by disclosure of the record.*” (emphasis added)

24 33. Defendants ignored their mandatory duties under California Government Code  
25 §§ 6254(c) and 6255(a) by not withholding photographs and other personal identification  
26 information of current and former undercover officers and/or other non-undercover officers who  
27 worked sensitive dangerous surveillance assignments where their identities had been concealed.  
28 Public safety officers who had their true identities concealed while performing work for the City

1 of Los Angeles absolutely had a reasonable expectation of privacy to keep their true identities  
2 concealed. Defendants City of Los Angeles and DOES 1 through 100 absolutely breached their  
3 mandatory duties by failing to protect those rights of privacy. In addition, the public interest  
4 would have been served by not disclosing these records which clearly outweighed the public  
5 interest served by disclosure and disclosure has caused the potential of great harm to Plaintiffs  
6 and their families. Defendants City of Los Angeles and DOES 1 through 100 also absolutely  
7 breached their mandatory duties by failing to protect Plaintiffs greater public interest right in  
8 maintaining concealment of their true identities.

9 34. At all times relevant hereto, California Government Code § 3307.5(a) provided:  
10 “No public safety officer shall be required **as a condition of employment** by his or her  
11 employing public safety department or other public agency to consent to the use of his or her  
12 photograph or identity as a public safety officer on the Internet for any purpose if that officer  
13 *reasonably believes that the disclosure may result in a **threat, harassment, intimidation, or***  
14 ***harm to that officer or his or her family.***” (emphasis added)

15 35. Defendants ignored their mandatory duties under California Government Code §  
16 3307.5(a) by not seeking consent from Plaintiffs and producing photographs and other personal  
17 identification information of current and former undercover officers and/or other non-  
18 undercover officers who worked sensitive dangerous surveillance assignments where their  
19 identities had been concealed. Defendants failed to allow Plaintiffs the opportunity to challenge  
20 the production despite the obvious fact that “disclosure may result in a **threat,** harassment,  
21 intimidation, or harm to that officer or his or her family.” By not giving Plaintiffs said  
22 opportunity, Defendants violated their mandatory statutory duties.

23 36. At all times relevant hereto, California Penal Code §832.7(b)(1)(6)(D) provided:  
24 “(b) (1) Notwithstanding subdivision (a), subdivision (f) of Section 6254 of the Government  
25 Code, or any other law, the following peace officer or custodial officer personnel records and  
26 records maintained by a state or local agency shall not be confidential and shall be made  
27 available for public inspection pursuant to the California Public Records Act (Chapter 3.5  
28 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code): (6) An  
agency shall redact a record disclosed pursuant to this section only for any of the following  
purposes: (D) *Where there is a **specific, articulable, and particularized** reason to believe that*

1 *disclosure of the record would pose a significant danger to the physical safety of the peace*  
2 *officer, custodial officer, or another person.”* (emphasis added)

3           37. Defendants ignored their mandatory duties under California Penal Code §  
4 832.7(b)(1)(6)(D) by not withholding photographs and other personal identification information  
5 of current and former undercover officers and/or other non-undercover officers who worked  
6 sensitive dangerous surveillance assignments where their identities had been concealed. Here  
7 there was a specific, articulable, and particularized reason to believe that disclosure of the  
8 record would pose a significant danger to the physical safety of the current and former peace  
9 officers who were currently working in an undercover capacity and/or had their identities  
10 concealed and yet Defendants and all of them failed to take requisite action to prevent the  
11 disclosure of these photographs and other personal identification information. These violations  
12 were in the course and scope of their employment, causing Defendant to be vicariously liable  
13 under the above referenced California Government Code Section 815.6.

14           38. At all times relevant hereto, California Government Code §1222 provided:  
15 “Every willful omission to perform any duty enjoined by law upon any public officer, or person  
16 holding any public trust or employment, where no special provision is made for the punishment  
17 of such delinquency, is punishable as a misdemeanor.” Plaintiffs allege that Defendants engaged  
18 in willful omissions which caused Plaintiffs harm as described herein.

19           39. Plaintiffs JANE DOES and JOHN DOES, 1 through 200, are over 140 current  
20 and former LAPD officers that never consented to the disclosures of their photographs, serial  
21 numbers, or identities as a public safety officer for public release. Prior to the Department’s  
22 release Plaintiffs have gone through great lengths to keep their identities concealed. Plaintiffs  
23 have all performed undercover operations and/or plain clothes surveillance where their identity  
24 was concealed. Plaintiffs are serving/served in a variety of different units including but not  
25 limited to: Major Crimes Division; ATF Gun Violence Reduction Task Force; Gangs and  
26 Narcotics Division; METRO; Human Trafficking Units; LAPD Task Force Units that work with  
27 federal agencies; and various vice and other narcotic units throughout the LAPD. Plaintiffs’  
28 identities were concealed as they performed extremely dangerous operations often involving the  
most dangerous criminal organizations and leading to the interference with lucrative schemes  
and/or arrests and prison sentences. Criminals knew what Plaintiffs looked like either through

1 personal interactions or video surveillance but had no reason to know that Plaintiffs were  
2 actually police officers. With Plaintiffs true identities concealed prior to the photo release these  
3 various criminal organizations could not clearly identify Plaintiffs as police officers. Plaintiffs  
4 were involved either in the arrest of these criminals and/or interference with their lucrative  
5 schemes. Due to the photo release, Plaintiffs now reasonably fear retribution from these  
6 criminals which may involve harassment, intimidation, injury, and death to themselves and their  
7 families. Plaintiffs both currently employed and retired need to be in a state of constant stress  
8 which they did not have prior to the negligent/reckless photo release.

9 40. Plaintiffs, JANE DOES and JOHN DOES 1 through 200 inclusive, seek both  
10 general and special damages and will continue to suffer such damages in the future for an  
11 unknown period of time. The death threats made against Plaintiffs and future threats against  
12 Plaintiffs have adversely affected Plaintiffs' personal health and well-being. Plaintiffs have  
13 suffered extensive general damages in the form of anxiety, anguish, and mental suffering. As a  
14 result of the actions caused by Defendants some Plaintiffs may now have to choose an early  
15 retirement which will adversely affect their income, pension, and other benefits. Other Plaintiffs  
16 may incur other financial damages related to the cost of having to deal with the threats to  
17 themselves and possibly harm to their immediate families. Plaintiffs' damages are continuing  
18 and, in an amount, not yet determined, but far in excess of the jurisdictional minimum of  
19 \$25,000. Defendants' wrongful conduct and the effects of Defendants' wrongful conduct are  
20 continuing and ongoing.

21 **THIRD CAUSE OF ACTION**

22 **NEGLIGENCE PER SE**

23 **GOVERNMENT CODE §815.6**

24 **(BY PLAINTIFFS DOES 1 Through 200 AGAINST ALL DEFENDANTS)**

25 41. Plaintiffs re-allege and incorporate by reference each and every allegation  
26 contained in paragraphs 1–40 of this complaint as though fully set forth herein again.

27 42. Defendant CITY OF LOS ANGELES is and was, at all times relevant to this  
28 complaint, a City which owns, operates and/or manages the Los Angeles Police Department and  
the Los Angeles City Attorney's office.

43. The conduct of Defendant CITY OF LOS ANGELES, and DOES 1 through 100  
and its managers, supervisors, agents, and employees, are governed by numerous statutes,  
ordinances, rules, regulations, and other legal provisions. These statutes, ordinances,

1 regulations, and other legal provisions were enacted for the purpose of protecting Public Safety  
2 Officers against the risk of injury sustained by Plaintiffs and establish negligence per se on the  
3 part of CITY OF LOS ANGELES and DOES 1 through 100.

4 44. From September 2022 through at least March 2023, Defendant CITY OF LOS  
5 ANGELES, and DOES 1 through 100 its managers, supervisors, agents, and employees, failed  
6 to follow and breached these statutes, ordinances, rules, regulations and other legal provisions  
7 mandated, including but not limited to those articulated in California Government Code §§ §  
8 6254(c); 6255(a); 3307.5(A); 1222 and California Penal Code § 832.7(B)(6)(D). Individuals  
9 from the City Attorney’s Office, Office of the Chief of Police, the Office of Constitutional  
10 Policing; and the LAPPL all breached their duties to Plaintiffs by not taking an active role in  
11 preventing the negligent/reckless release of photographs and personal identification information  
12 of Plaintiffs who served/or were serving as undercover officers or working sensitive  
13 assignments wherein their identities had been or are concealed. Defendants and all of them  
14 ignored their statutory duties and the foreseeable risk of harm posed to Plaintiffs and failed to  
15 take reasonable efforts to perform its mandatory duties and committed negligence per se under  
16 these statutes by committing several acts and omissions related to the release of photographs  
17 and other personal identification information of Plaintiffs JANE DOES and JOHN DOES, 1  
18 through 200 causing them significant harm.

19 45. With respect to the production of Public Records under the Public Records Act,  
20 at all times relevant hereto, California Government Code § 6254(c) provided:

21 “Except as provided in [Sections 6254.7](#) and [6254.13](#), this chapter does not require the disclosure  
22 of any of the following records:(c) Personnel, medical, or similar files, the disclosure of which  
23 would constitute an unwarranted invasion of personal privacy.”

24 46. Moreover, at all times relevant hereto, California Government Code § 6255(a)  
25 provided:

26 “The agency shall justify withholding any record by demonstrating that the record in question is  
27 exempt under express provisions of this chapter or *that on the facts of the particular case the*  
28 *public interest served by not disclosing the record clearly outweighs the public interest served*  
*by disclosure of the record.”* (emphasis added)

1           47. Defendants ignored their mandatory duties under California Government Code  
2 §§ 6254(c) and 6255(a) by not withholding photographs and other personal identification  
3 information of current and former undercover officers and/or other non-undercover officers who  
4 worked sensitive dangerous surveillance assignments where their identities had been concealed.  
5 Public safety officers who had their true identities concealed while performing work for the City  
6 of Los Angeles absolutely had a reasonable expectation of privacy to keep their true identities  
7 concealed. Defendants City of Los Angeles and DOES 1 through 100 absolutely breached their  
8 mandatory duties by failing to protect those rights of privacy. In addition, the public interest  
9 would have been served by not disclosing these records which clearly outweighed the public  
10 interest served by disclosure and disclosure has caused the potential of great harm to Plaintiffs  
11 and their families. Defendants City of Los Angeles and DOES 1 through 100 also absolutely  
12 breached their mandatory duties by failing to protect Plaintiffs greater public interest right in  
13 maintaining concealment of their true identities.

14           48. At all times relevant hereto, California Government Code § 3307.5(a) provided:  
15 “No public safety officer shall be required as a condition of employment by his or her  
16 employing public safety department or other public agency to consent to the use of his or her  
17 photograph or identity as a public safety officer on the Internet for any purpose *if that officer*  
18 *reasonably believes that the disclosure may result in a threat, harassment, intimidation, or*  
19 *harm to that officer or his or her family.*” (emphasis added)

20           49. Defendants ignored their mandatory duties under California Government Code §  
21 3307.5(a) by not seeking consent from Plaintiffs and producing photographs and other personal  
22 identification information of current and former undercover officers and/or other non-  
23 undercover officers who worked sensitive dangerous surveillance assignments where their  
24 identities had been concealed. Defendants failed to allow Plaintiffs the opportunity to challenge  
25 the production despite the obvious fact that “disclosure may result in a threat, harassment,  
26 intimidation, or harm to that officer or his or her family.” By not giving Plaintiffs said  
27 opportunity, Defendants violated their mandatory statutory duties.

28           50. At all times relevant hereto, California Penal Code §832.7(b)(1)(6)(D) provided:  
“(b) (1) Notwithstanding subdivision (a), subdivision (f) of Section 6254 of the Government  
Code, or any other law, the following peace officer or custodial officer personnel records and

1 records maintained by a state or local agency shall not be confidential and shall be made  
2 available for public inspection pursuant to the California Public Records Act (Chapter 3.5  
3 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code): (6) An  
4 agency shall redact a record disclosed pursuant to this section only for any of the following  
5 purposes: (D) *Where there is a specific, articulable, and particularized reason to believe that*  
6 *disclosure of the record would pose a significant danger to the physical safety of the peace*  
7 *officer, custodial officer, or another person.”* (emphasis added)

8 51. Defendants ignored their mandatory duties under California Penal Code §  
9 832.7(b)(1)(6)(D) by not withholding photographs and other personal identification information  
10 of current and former undercover officers and/or other non-undercover officers who worked  
11 sensitive dangerous surveillance assignments where their identities had been concealed. Here  
12 there was a specific, articulable, and particularized reason to believe that disclosure of the  
13 record would pose a significant danger to the physical safety of the current and former peace  
14 officers who were currently working in an undercover capacity and/or had their identities  
15 concealed and yet Defendants and all of them failed to take requisite action to prevent the  
16 disclosure of these photographs and other personal identification information.

17 52. At all times relevant hereto, California Government Code §1222 provided:  
18 “Every willful omission to perform any duty enjoined by law upon any public officer, or person  
19 holding any public trust or employment, where no special provision is made for the punishment  
20 of such delinquency, is punishable as a misdemeanor.” Plaintiffs allege that Defendants engaged  
21 in willful omissions which caused Plaintiffs harm as described herein.

22 53. In committing the acts and omissions alleged in this Cause of Action, Defendant  
23 City and its employees did not do what might reasonably be expected of a governmental entity  
24 or person of ordinary prudence, acting under similar circumstances, who desired to comply with  
25 the law thereby making the City liable for negligence per se. These violations were in the course  
26 and scope of their employment, causing Defendant to be vicariously liable under the above  
27 referenced California Government Code Section 815.6 for Negligence Per Se.

28 54. Plaintiffs JANE DOES and JOHN DOES, 1 through 200, are over 140 current  
and former LAPD officers that never consented to the disclosures of their photographs, serial  
numbers, or identities as a public safety officer for public release. Prior to the Department’s

1 release **Plaintiffs have gone through great lengths to keep their identities concealed.** Plaintiffs  
2 have all performed undercover operations and/or plain clothes surveillance where their identity  
3 was concealed. Plaintiffs are serving/served in a variety of different units including but not  
4 limited to: Major Crimes Division; ATF Gun Violence Reduction Task Force; Gangs and  
5 Narcotics Division; METRO; Human Trafficking Units; LAPD Task Force Units that work with  
6 federal agencies; and various vice and other narcotic units throughout the LAPD. Plaintiffs’  
7 identities were concealed as they performed extremely dangerous operations often involving  
8 criminals from the most dangerous criminal organizations and leading to the interference with  
9 lucrative schemes and/or arrests and prison sentences. Criminals knew what Plaintiffs looked  
10 like either through personal interactions or video surveillance but had no reason to know that  
11 Plaintiffs were actually police officers. With Plaintiffs’ true identities concealed prior to the  
12 photo release these various criminal groups could not clearly identify Plaintiffs as police  
13 officers. Plaintiffs were involved either in the arrest of these criminals and/or interference with  
14 their lucrative schemes. Due to the photo release, Plaintiffs now reasonably fear retribution  
15 from these criminals, often affiliated with the most dangerous criminal organizations which may  
16 involve harassment, intimidation, injury, and death to themselves and their families. Plaintiffs  
17 both currently employed and retired need to be in a state of constant stress which they did not  
18 have prior to the negligent/reckless photo release.

19 55. Plaintiffs, JANE DOES and JOHN DOES 1 through 200 inclusive, seek both  
20 general and special damages and will continue to suffer such damages in the future for an  
21 unknown period of time. The **death threats** made against Plaintiffs and future **threats** against  
22 Plaintiffs have adversely affected Plaintiffs’ personal health and well-being. Plaintiffs have  
23 suffered extensive general damages in the form of anxiety, anguish, and mental suffering. As a  
24 result of the actions caused by Defendants some Plaintiffs may now have to choose an early  
25 retirement which will adversely affect their income, pension, and other benefits. Other Plaintiffs  
26 may incur other financial damages related to the cost of having to deal with the **threats** to  
27 themselves and possibly harm to their immediate families. Plaintiffs’ damages are continuing  
28 and, in an amount, not yet determined, but far in excess of the jurisdictional minimum of  
\$25,000. Defendants’ wrongful conduct and the effects of Defendants’ wrongful conduct are  
continuing and ongoing.

**PRAYER**

WHEREFORE, Plaintiffs seek judgment against all Defendants, and each of them, on all Causes of Action for:

1. Physical, mental, and emotional injuries, pain, distress, suffering, anguish, fright, nervousness, grief, anxiety, worry, shame, mortification, injured feelings, shock, humiliation and indignity, as well as other unpleasant physical, mental, and emotional reactions, damages to reputation, and other non-economic damages, in a sum to be ascertained according to proof;

2. Health care, services, supplies, medicines, health care appliances, modalities, and other related expenses in a sum to be ascertained according to proof;

3. Loss of wages, income, earnings, earning capacity, support, domestic services, benefits, and other economic damages in a sum to be ascertained according to proof;

4. Other actual, consequential, and/or incidental damages including but not limited to costs related to heightened protection in a sum to be ascertained according to proof;

5. Attorney fees and costs of suit. The success of Plaintiffs in this action will result in the enforcement of an important right affecting the public interest in that a significant benefit will be conferred on a large class of persons, that is, protecting all undercover peace officers and other officers working surveillance from the distribution of their photographs and other personal identification information, the burden of private enforcement of said benefit are such as to make appropriate the award of attorney fees pursuant to California Code of Civil Procedure §1021.5.

6. Costs of suit herein incurred;

7. Pre-judgment interest; and

8. Such other and further relief as the Court may deem just and proper.

Dated: September 5, 2023

NAIR PC, A Professional Law Corporation

By: 

Abel Nair, Esq.  
Attorneys for Plaintiffs  
JANE DOES AND JOHN DOES 1 through 200,  
inclusive

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**DEMAND FOR JURY TRIAL**

Plaintiffs hereby demand a jury trial.

Dated: September 5, 2023

NAIR PC, A Professional Law Corporation

By: 

Abel Nair, Esq.  
Attorneys for Plaintiffs  
JANE DOES AND JOHN DOES 1 through 200,  
inclusive



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**SERVICE LIST**

*Jane Does and John Does 1 through 200, inclusive v. City of Los Angeles, et al.*

Via Certified Mail:

**Defendant, City of Los Angeles**

City Clerk's Office  
City of Los Angeles, City Hall  
200 N. Spring Street, Room 395  
Los Angeles, CA 90012

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