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6 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
7 **COUNTY OF LOS ANGELES**

8 STOP LAPD SPYING COALITION
9 Petitioner/Plaintiff

10 v.

11 THE CITY OF LOS ANGELES
12 Respondent/Defendant

Case No.

**VERIFIED PETITION FOR
WRIT OF MANDATE**

**COMPLAINT FOR
TAXPAYER INJUNCTION**

13 **INTRODUCTION**

14 1. Every uniformed Los Angeles Police Department (LAPD) officer wears a badge with a number
15 on it. In February 2023, Petitioner submitted a records request to LAPD asking for a list of those badge
16 numbers matched with officer names. LAPD publishes lists of every officer's full name with a serial
17 number, but these serial numbers are an internal designation that is not displayed publicly on officers.

18 2. LAPD has claimed for 13 months that it needs more time to resolve Petitioner's request.

19 3. It shouldn't take over a year for the City of Los Angeles's largest paid agency – with yearly
20 spending of over \$3.3 billion – to figure out a request for officer badge numbers. But this is how LAPD
21 treats the public's most elementary records requests up to the point when it's sued.

22 4. The real reason for LAPD's failure to resolve this request is neither practical nor legal. It's
23 political: LAPD marks requests from journalists and political critics "High Profile/Noteworthy" and then
24 ignores them. This appears to be why LAPD is ignoring Petitioner's request. In addition to seeking a
25 writ of mandate, Petitioner seeks an injunction to end this arbitrary and discriminatory practice.

26 **FIRST THINGS FIRST**

27 5. Petitioner is a local group that has paid local taxes. Respondent is a local government.
28

1 6. This Court has jurisdiction under Government Code sections 7923.000 through 7923.005 and
2 7923.100 through 7923.115 and Code of Civil Procedure sections 526a and 1085, and venue is proper
3 here under Government Code section 7923.100.

4 **FACTS**

5 7. On February 13, 2023, Petitioner sent LAPD this request: "Please provide a current roster of all
6 sworn personnel listing their full names along with BOTH badge number AND serial number."

7 8. On March 9, 2023, LAPD wrote back: "The Department estimates that it will be able to provide
8 you an update/copies of responsive, non-exempt records by March 31, 2023."

9 9. On March 30, 2023, LAPD wrote: "The Department estimates that it will be able to provide you
10 an update or copies of responsive, non-exempt records by May 2, 2023."

11 10. On May 2, 2023, LAPD wrote: "The Department estimates that it will be able to provide you an
12 update or copies of responsive, non-exempt records by June 2, 2023."

13 11. On June 2, 2023, LAPD wrote: "At this time, the Department estimates that it will be able to
14 provide you a determination by July 3, 2023."

15 12. On July 6, 2023, LAPD wrote: "We estimate that the Department will be able to provide you
16 with a determination by July 31, 2023."

17 13. On July 31, 2023, LAPD wrote: "Please be advised that your request will be re-assigned to a new
18 CPRA Analyst who will provide you with an update by August 31, 2023."

19 14. On August 31, 2023, LAPD wrote: "The Department will provide you with a determination as
20 soon as practicable."

21 15. On September 1, 2023, Petitioner wrote back:

22 It's now been over six months since we filed this request, which seeks nothing more than
23 a roster listing the badge numbers of police officers. It's hard to think of information
24 more public than a badge number. In addition, the names and serial numbers of all these
25 officers is already public.

26 Please produce the requested records by October 9, 2023. If the records are not produced
27 by that date, we are prepared to file a writ petition to enforce this request as
28 constructively denied. But we strongly prefer to avoid unnecessarily wasting legal and
judicial resources on this simple request if avoidable.

1 16. On September 22, 2022, LAPD wrote back: “The Department will provide you with a
2 determination in December 2023.”

3 17. On December 29, 2023, LAPD wrote: “The Department will provide you with a response on or
4 before February 16, 2024.”

5 18. On February 16, 2024, LAPD wrote: “The Department will provide you with a response or
6 update by or before April 19, 2024.”

7 19. LAPD claims it can defy statutory deadlines for this request because ““unusual circumstances”
8 exist with respect to the request due to the need to search for, collect, and review the requested records
9 from other Department entities which are separate from the once [sic] processing the request.”

10 20. There is nothing “unusual” about LAPD’s public records unit needing to gather records from
11 outside that unit. This is true for every single records request: as LAPD stated in response to this very
12 request, “the CPRA unit generally does not possess the records being requested pursuant to a CPRA
13 requests.” So, according to LAPD, this “generally” true fact is also what makes the request “unusual.”

14 21. Petitioner’s counsel flagged this contradiction in a letter to Chief of Police Michel Moore citing
15 the present request. Chief Moore wrote back on March 29, 2023:

16 The Department is aware that it can only invoke the 14-day extension of Government
17 Code 7922.535(b) once per request. Nevertheless, after the Department has provided a
18 determination to a requester, it may under certain circumstances extend the date of the
19 estimated completion of the request (meaning, production of records) in those instances
20 where, for example, it is releasing records on a rolling basis and/or it takes longer than 24
21 days to fully complete the disclosure of all records responsive to a request.

22 22. After Chief Moore stated that LAPD “is aware that it can only invoke the 14-day extension of
23 Government Code 7922.535(b) once per request” except “where, for example, it is releasing records on
24 a rolling basis and/or it takes longer than 24 days to fully complete the disclosure,” LAPD postponed its
25 response deadline *10 more times*, for a year, without producing any records on a rolling basis or at all.

26 23. LAPD hasn’t even “provided a determination” of this request as Chief Moore recognized LAPD
27 must do before LAPD is allowed to “extend the date of the estimated completion of the request
28 (meaning, production of records).” Government Code 7922.55 required LAPD to provide that
determination within 24 days of receiving Petitioner’s request. But LAPD confirmed to Petitioner on
February 16, 2024, that “as of today, the Department has not made a determination regarding your

1 request.”

2 24. The reason for LAPD’s violation of these elementary legal requirements is that LAPD last year
3 segregated Petitioner’s request for noncompliance due to either the request’s content or due to
4 Petitioner’s identity. Petitioner’s request is one of many requests segregated and ignored in this way.

5 **CAUSE OF ACTION**

6 Respondent is violating both the Public Records Act and California Constitution, which gives
7 every Californian “the right of access to information concerning the conduct of the people’s business.”

8 **REQUEST FOR RELIEF**

9 Petitioner respectfully requests that:

- 10 1. This Court issue a writ of mandate compelling the City of Los Angeles to provide
11 Petitioner a determination of whether their request seeks disclosable public records.
12 2. This Court issue a writ of mandate compelling disclosure of all responsive records.
13 3. The Court issue an injunction pursuant to Code of Civil Procedure 526a restraining
14 LAPD’s arbitrary and segregation of public records requests.
15 4. The Court enter an order awarding Petitioner its attorneys’ fees and costs; and,
16 5. The Court award any further relief as is just and proper.

17 DATED: March 17, 2024

Respectfully submitted,

18 LAW OFFICE OF SHAKEER RAHMAN
19 LAW OFFICE OF CATHERINE CHOI

20 By: /s/ Shakeer Rahman

21 Shakeer Rahman
22 Attorney for Petitioner/Plaintiff

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DECLARATION OF HAMID KHAN

I, Hamid Khan, declare that the following is true and correct upon penalty of perjury:

1. I am the lead coordinator of the Stop LAPD Spying Coalition. I am authorized to make this declaration on the Stop LAPD Spying Coalition's behalf.

2. I have read the VERIFIED PETITION FOR WRIT OF MANDATE AND COMPLAINT FOR TAXPAYER INJUNCTION. The facts stated in it are either true and correct of my own personal knowledge, or I am informed and believe that the facts are true and correct and on that basis I allege them to be true and correct.

3. Petitioner has paid taxes that fund City of Los Angeles in the past year. For example, we purchase samosas and other goods from local vendors who collect city taxes with those transactions. I have also personally funded the City of Los Angeles through other taxes in the past year. So have the other members of the Stop LAPD Spying Coalition.

This verification was executed on March 17, 2023, in Los Angeles, California.



HAMID KHAN