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Superior Court of California
County of Los Angeles

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David W. Slayton, Executive Officer/Clerk of Court

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

8 PEOPLE OF THE STATE OF CALIFORNIA,
9 Plaintiff,
10 v.
11 DANIEL FLORES,
12 Defendant.

Case No. 26CJCF04780

**PEOPLE'S REQUEST FOR LONG-
CAUSE COURTROOM
ASSIGNMENT, PEOPLE'S
PRELIMINARY HEARING BRIEF,
AND REQUEST FOR COURT
ORDER**

Date: August 10, 2026
Time: 08:30 AM
Court: Department 30

14 **TO THE HONORABLE JUDGE OF THE ABOVE-ENTITLED COURT, AND ALAN**
15 **JACKSON, ATTORNEY FOR DEFENDANT, DANIEL FLORES:**

17 **I. INTRODUCTION**

18 The People respectfully submit this brief to assist the Court and Counsel in managing the
19 preliminary hearing, and request the Court designate this matter as a long-cause preliminary hearing and
20 assign the matter forthwith. The People additionally request the Court order the People to provide the
21 defense with administrative investigation reports prepared by the Los Angeles Police Department
22 (hereinafter referred to interchangeably as "LAPD" or "Department.") These reports are derived from
23 personnel files but contain statements of percipient witnesses. The People ask the Court to order their
24 release to the defense subject to a protective order.

25 Defendant Daniel Flores is charged with 16 counts of violating Penal Code section 632(A)
26 arising from the surreptitious recording of confidential communications involving 16 separate victims
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1 who were present inside the office of the LAPD Recruitment and Employment Division Personnel
2 History Section (RED PHS.)^{1,2}

3 The People allege defendant, a sworn LAPD officer, secretly recorded portions of numerous
4 workplace conversations occurring within the RED PHS office without the knowledge or consent of the
5 other participants. During the ensuing LAPD criminal and administrative investigations, investigators
6 reviewed 122 audio recordings, interviewed the 16 victims, and documented the circumstances
7 surrounding the creation and subsequent dissemination of the recordings.

8 This case stands for the proposition that the ends do not justify the means, that a sworn LAPD
9 officer cannot use illegal means and violate the law to achieve his purpose, even if that purpose is
10 exposing racist, sexist and homophobic statements. Though such statements are deplorable and those
11 making them should be held accountable,³ the law applies equally to police officers as it does to any
12 individual. If an officer can illegally eavesdrop on fellow officers to record their bigotry, then such a
13 principle would justify an officer planting drugs or lying under oath to convict a known drug dealer or
14 engaging in similar illegal actions to convict a violent gang member.

15 If an officer wants to expose bigotry in his or her workplace, then the officer can go through
16 legitimate channels to make the claim. Here, the evidence will show that defendant could have made a
17 contemporaneous claim with the independent Office of Inspector General (“OIG”) and/or LAPD’s
18 Internal Affairs Division (“IAD”) after the 1st, 5th, 10th, 20th, 35th, 50th, 75th or 100th conversation with his
19 colleagues but chose not to and instead illegally recorded his co-workers 122 times. Had he proceeded
20 down the proper channels, the OIG or LAPD IAD could have conducted a legally valid investigation of
21 the allegations (which ultimately happened). Instead, the evidence will demonstrate that:

22 ¹ RED PHS is responsible for conducting background investigations of prospective LAPD applicants. Personnel assigned to
23 RED PHS review confidential applicant information, conduct interviews, evaluate applicants' qualifications, prepare
24 investigative reports and recommendations, and make hiring recommendations as part of LAPD's police officer selection
25 process. Because RED PHS personnel routinely handle sensitive and confidential information relating to applicants and
26 LAPD operations, employees assigned to the unit execute confidentiality agreements and work within a secure, non-public
27 office environment. The anticipated testimony in this case will include evidence regarding the nature of RED PHS's
responsibilities, the office's physical layout, and the confidentiality practices in place during the relevant period.

² All 16 victims were sworn LAPD officers at the time the recordings were made.

³The LAPD has initiated administrative proceedings against the 16 officers who made such deplorable statements and their
punishments can range from a reprimand to suspension or termination.

1 * defendant's motive to make the recordings was less altruistic and more personally
2 motivated to avoid being transferred to patrol and to reap a financial windfall from suing the City of Los
3 Angeles (winning, as defendant said, the "LAPD Lottery")

4 * defendant intentionally edited the recordings to leave out many of his comments and
5 reactions to what was being said, starting most of the conversations in the middle of the conversation

6 * defendant never protested or objected in any of the 122 recordings to any of the racist,
7 sexist, or homophobic statements made by his co-workers; instead in several of the conversations,
8 defendant participates in the insensitive banter

9 * defendant presented the recordings anonymously to the OIG and at no time has
10 cooperated in LAPD IAD's investigation; instead, defendant has filed a lawsuit against the City of Los
11 Angeles seeking monetary damages

12
13 The anticipated evidence at the preliminary hearing will include testimony from the 16 victims,
14 investigating personnel, documentary evidence, and audio recordings. The witnesses are expected to
15 testify regarding the circumstances under which the recordings were made, their lack of consent to being
16 recorded, the confidential nature of conversations within the RED PHS office, their identification of
17 voices captured on the recordings, and the manner in which defendant was identified as the individual
18 responsible for creating the recordings. The 16 victims will also testify to the context of several racially,
19 homophobic, and sexually charged comments made during these conversations, identifying themselves
20 as speakers, as well as identifying defendant's role and participation in said recordings.

21 Because this matter involves 16 separate victims, numerous audio recordings, substantial
22 documentary evidence, overlapping witness testimony, and other issues, the People have chosen to file
23 this Preliminary Hearing Brief, and further anticipate the preliminary hearing cannot reasonably be
24 completed during a standard preliminary hearing calendar day.

25 Accordingly, the People respectfully request the Court specially set this matter as a long-cause
26 preliminary hearing to permit the orderly and efficient presentation of the evidence. Because the
27

1 administrative investigation reports contain personnel records and the statements of percipient witnesses,
2 the People ask the Court to order the People to provide the reports to the defense subject to a protective
3 order.

4
5 **II. STATEMENT OF FACTS**

6 On October 25, 2021, Flores executed the LAPD's RED Confidentiality Agreement,
7 acknowledging his obligation to maintain the confidentiality of information obtained while assigned to
8 RED PHS.

9
10 Between approximately January 1, 2024, and December 31, 2024, Flores surreptitiously recorded
11 portions of conversations with fellow employees while working within the RED PHS office.

12 On January 18, 2025, OIG received an anonymous letter accompanied by a flash drive
13 containing 122 audio recordings. These items were forwarded to the LAPD. The anonymous complaint
14 alleged serious misconduct occurring within RED PHS between May 2, 2024, and November 11, 2024.
15 The recordings captured conversations occurring among RED PHS personnel during the ordinary course
16 of the workday. The conversations encompassed a broad range of subjects, most of which had nothing
17 to do with any racist, sexist, or homophobic statements, including confidential conversations regarding
18 applicant background investigations, applicant interviews, hiring recommendations, LAPD policies and
19 procedures and routine workplace discussions.

20 In response, the LAPD's IAD, Workplace Investigation Section (WIS), initiated multiple
21 administrative investigations into the allegations contained in the anonymous complaint and the
22 accompanying recordings.⁴ A separate criminal investigation was initiated regarding the manner in
23 which the recordings were made. During the course of these investigations, attorney Gregory Smith
24

25 ⁴ The anonymous complainant's allegations were administrative in nature and did not identify any crime committed by LAPD
26 personnel. Though the racist, sexist and homophobic statements made in the many of the recordings are deplorable, those
27 statements do not rise to the level of hate crimes or any other criminal conduct. As such, those allegations were investigated
administratively and are being dealt with by the LAPD administratively. A separate criminal investigation was initiated to
identify the individual who illegally recorded the conversations without the other parties' consent.

1 identified Flores as his client and the anonymous complainant responsible for making and disseminating
2 the recordings.

3 As part of their investigations, investigators reviewed each of the submitted recordings and
4 interviewed LAPD personnel assigned to RED PHS. Investigators played relevant recordings for
5 employees, who identified their own voices, identified coworkers whose voices appeared on the
6 recordings, and provided the context surrounding the recorded conversations. During these interviews,
7 16 LAPD employees stated they had been recorded without their knowledge or consent.

8 Investigators identified several recurring themes among the victims' statements. Multiple
9 victims stated they believed defendant frequently initiated or participated in workplace conversations
10 before activating a recording device, resulting in recordings which captured only portions of the
11 conversations rather than the complete discussion. Several victims further stated the recordings lacked
12 the full context of the conversations and omitted defendant's own participation immediately preceding
13 the recorded portions. Numerous victims independently identified defendant as the individual who
14 created the recordings based upon his voice sounding closest to the recording device, his practice of
15 answering his desk telephone and identifying himself immediately before recordings ended, and his
16 participation in many of the conversations captured on the recordings.

17 Additionally, the victims consistently told investigators they understood LAPD policy permitted
18 audio recording only in connection with official law enforcement investigations, and they did not know
19 they were being recorded and did not consent to the recording or subsequent dissemination of their
20 workplace conversations.⁵ In addition to the workplace conversations being recorded, several victims
21 identified interviews with prospective hires, including their personal information, being impermissibly
22 captured by defendant in the recordings.
23
24

25 ⁵ Penal Code section 633.5 also provides exceptions to Penal Code section 632(A) to capture evidence of the specific crimes
26 of extortion, kidnapping, bribery, domestic violence, human trafficking, and obscene or threatening phone calls. None of
27 those exceptions apply in this case. Police officers may record confidential communications only when performing their
official duties in criminal investigations. Since defendant was not conducting a criminal investigation, this exception does not
apply as well.

1 The investigation ultimately concluded 16 LAPD employees had been recorded without their
2 consent causing LAPD to refer the matter to the Los Angeles County District Attorney's Office (LADA)
3 for criminal filing consideration.

4 Investigators also reviewed LAPD records to determine whether defendant had previously
5 reported the alleged misconduct through established LAPD reporting mechanisms. Investigators
6 searched internal databases for administrative complaints generated by defendant from his date of hire,
7 March 26, 2013, through January 18, 2025, and determined defendant had not made LAPD aware of the
8 alleged misconduct prior to January 18, 2025. Investigators also searched related records for criminal
9 complaints submitted by defendant pertaining to the 16 victims and reported they did not locate any
10 criminal complaint submitted by defendant regarding personnel assigned to RED PHS. Investigators
11 also determined no anonymous complaints were made to LAPD regarding the content of the recordings.

12 Defendant has not made a statement to LAPD in the criminal investigation or the associated
13 administrative investigations as of this date.

14 On June 12, 2026, defendant filed a civil action in the Los Angeles County Superior Court
15 against the City of Los Angeles alleging harassment, discrimination, retaliation, and related employment
16 claims arising from his assignment to RED PHS. In his complaint, defendant claimed he was subjected
17 to a hostile work environment, citing statements similar to those he secretly recorded and later
18 disseminated. He further claimed he conducted what he believed to be a lawful investigation into
19 misconduct occurring within RED PHS yet failed to identify any crime committed by LAPD personnel
20 which would allow recording without the other parties' consent. Defendant sought compensatory
21 monetary damages, attorney's fees, costs, and other relief.
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1 **III. WITNESSES**^{6,7}

2 The following people may be called as witnesses during the proceedings. The People reserve the right to
3 call additional witnesses not listed below for rebuttal, impeachment, or as otherwise needed.

4 **M.A.**

5
6 M.A. will testify he was assigned to RED PHS in May 2022. After listening to the recordings
7 during the administrative investigations, he identified his own voice and stated he believed defendant
8 was the individual who recorded him without his knowledge. He recognized defendant's voice on the
9 recordings and recalled one recording in which defendant spoke directly to him, leading him to conclude
10 defendant created the recordings. He never gave anyone permission to record or distribute his
11 workplace conversations. M.A. will testify after reviewing the recordings, he believes they capture only
12 portions of conversations and do not reflect the complete context of the discussions which occurred
13 within RED PHS.

14
15 M.A. identified himself as being present where profanity was used. These conversations were
16 about sports and other non-recruit related subjects. M.A. engaged in a conversation regarding Spanish
17 curse words. M.A. is Hispanic. He also engaged in a conversation about the age in which he and others
18 became sexually active. Defendant was a participant and can be heard on the tape. M.A. was also
19 identified as being present for a conversation where the word "dick" was used. He indicated it was a
20 conversation about circumcision, not about a candidate. M.A. was present when the phrase "oral cop"
21 was used during a conversation about professional athletes. M.A. stated no one expressed discomfort
22 with any of these conversations at the time or at any time later.

23 **S.B.**

24
25 S.B. will testify she was assigned to RED PHS in October 2021. She did not give anyone

26 ⁶ All interviews referenced in this motion were recorded.

27 ⁷ Each witness's statement is summarized based on investigative reports, audio recordings, and recorded interviews submitted to LADA.

1 permission to record or distribute her personal or private workplace conversations while assigned to
2 RED PHS. After reviewing the recordings, S.B. believes defendant is the individual who created them
3 based on the content of the recordings. Defendant's voice consistently sounded louder and closer to the
4 recording device than the other participants and she recalled hearing defendant answer his desk
5 telephone, identify himself, and then the recordings would abruptly end. Although she could not
6 identify every recording in which defendant's voice appeared, she repeatedly recognized his voice on the
7 recordings.

8
9 S.B. will testify all personnel assigned to RED PHS signed confidentiality agreements before
10 working in the office and she believed the office itself—with its secured location, closed door, and lack
11 of public access—provided a reasonable expectation of privacy regardless of the subject being
12 discussed. S.B. believes defendant intentionally initiated and participated in conversations before
13 activating the recording device, resulting in recordings capturing only the middle or end of
14 conversations while omitting important context and defendant's own participation.

15 S.B. has had numerous interactions with defendant during their assignment at RED PHS.
16 Defendant made frequent statements about wanting to medically retire from the LAPD, leaving the
17 Department, filing lawsuits against the LAPD, and obtaining “easy money for no work.” S.B. also came
18 to believe defendant frequently fabricated stories about his background. She confronted him on several
19 occasions regarding statements she believed were untrue, including claims about working civil unrest
20 skirmish lines, playing college baseball, and wearing a “Distinguished Expert” shooting medal.

21 S.B. believes these confrontations caused defendant to target her, and she was recorded more
22 frequently because she challenged his credibility.

23
24 S.B. identified herself in conversations related to candidate backgrounds, applicant interviews,
25 television news, current events, and “venting” among the employees in RHD PHS. S.B. will testify
26 about the office culture and “private workplace banter” taking place. Private conversations touched
27

1 upon race, ethnicity, national origin, sexual orientation, stereotypes, supervisors, and other topics.
2 Profanity was used by many individuals in the unit. No one ever appeared bothered or complained
3 about these conversations despite supervisors reminding people to speak up if they were ever offended.
4 None of the conversations contained the expression of actual bias by anyone. The comments were
5 intended to get “a cheap laugh” and made in a joking fashion.

6 S.B. will testify to her own involvement in conversations containing racially charged language.
7 In one conversation, she did an impression of a Black character from the Movie “Green Mile.” She also
8 made insensitive comments which she now realizes were in poor taste. She did not intend to disparage
9 any race or to cause offense but recognizes she used poor judgment.
10

11 S.B. will also testify to recorded conversations related to applicant suitability. Many of these
12 conversations resulted from applicants disclosing criminal histories and other disqualifying information,
13 as well as tattoos, social media posts, and other information obtained in confidential applicant
14 interviews.

15 A.C.
16

17 A.C. will testify he was assigned to RED PHS in 2023. A.C. will testify while assigned to RED
18 PHS, he never gave anyone permission to record or distribute his workplace conversations and was
19 unaware his conversations had been recorded. A.C. will testify conversations among employees
20 assigned to RED PHS were expected to remain private within the office and he did not expect his
21 workplace conversations to be secretly recorded or disseminated outside the Department. A.C. listened
22 to recordings and will identify his voice in some of them. He will describe the statements in these
23 conversations as “joking” and “venting” where only his coworkers were present. A.C. will identify
24 defendant as one of the speakers during a “venting” conversation where defendant used profanity.
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1 **R.D.**

2 R.D. will testify he was assigned to RED PHS and never gave anyone permission to record or
3 distribute his workplace conversations. He was unaware his conversations had been recorded until he
4 was notified during the administrative investigations. After reviewing the recordings, R.D. believed
5 defendant had secretly recorded him without his knowledge or consent and later disseminated those
6 recordings. R.D. will testify conversations among personnel assigned to RED PHS routinely involved
7 LAPD business, applicant investigations, and personal discussions between coworkers. He expected
8 those conversations to remain private within the office.
9

10 R.D. will testify many of the recorded conversations reflected workplace jokes and casual
11 discussions among employees working in close quarters. R.D. identified himself in a conversation about
12 something they had watched on television. Insensitive stereotypes were discussed after seeing a
13 comedian, but none were intended to hurt or disparage anyone. Nor did anyone present take them
14 seriously. . If the comments had been intended to hurt, insult, or disparage anyone present, he would
15 have reported them. When disagreements or concerns arose between coworkers, they generally
16 addressed those matters directly with the individual involved and everyone was aware of the process to
17 make a complaint through a supervisor. The recordings failed to capture the full context of most of the
18 conversations.
19

20 **J.E.**

21 J.E. will testify he was assigned to RED PHS in April 2017. He never gave anyone permission
22 to record or distribute his workplace conversations. After listening to the recordings during the
23 administrative investigation, he believes defendant is the individual who secretly recorded him.
24

25 J.E. will testify defendant appeared to have personal grievances against S.B. and D.J., although
26 he does not know the specific reason why.
27

1 J.E. recalls defendant making repeated statements about wanting to leave the LAPD because of
2 anxiety associated with wearing the police uniform or returning to patrol. Defendant also claimed to
3 have anxiety whenever they deployed, resulting in him being sent home. Defendant discussed becoming
4 a stay-at-home father, referred to winning the "LAPD Lottery," and commented the LAPD had "deep
5 pockets."⁸

6 J.E. identified several candidates' interviews captured in the recordings which touched upon
7 candidate's confidential arrest histories and other sensitive topics. J.E. also identified several instances
8 where defendant was captured using profanity, disparaging other officers, asking whether the suspect
9 described in a story was "Hispanic or Black," and discussing other employees having sex. In one
10 conversation, defendant can be heard saying, "At one point they had, like there was just a group of
11 dudes that were literally bringing chicks to the station off the rooftop and like smashing 'em in their
12 cars, like throughout the parking truck you would see like used condoms, literally on the floor."
13 Defendant then asks "Are we allowed to have sex at work?" Defendant can also be heard recounting a
14 story where he refers to "fucking Crips."

15 J.E. identified himself teasing his former partner insensitively about having molested his cousin,
16 a candidate, as well as making jokes regarding his mastery of English and level of sexual experience.
17 J.E. was also teased about his experience in the Navy, with coworkers joking about oral sex with other
18 males and it "only being gay if the lights are on." No one present reacted in any way demonstrating they
19 were offended by any of the comments. Other inappropriate "locker room" comments were also made
20 by J.E. and others, not directed at candidates. The only sexually charged comment about a candidate
21 resulted from their admission to having frequented massage parlors. A hypothetical discussion ensued
22 regarding whether it was disqualifying, which ultimately led to juvenile sexual banter. One comment
23 made by J.E. pertained to a female candidate weighing 300 pounds and her perceived inability to
24 complete the fitness requirements of the Department. Other recordings captured J.E. discussing movies,
25
26

27 ⁸ The "LAPD Lottery" refers to winning a large monetary judgment against LAPD in civil litigation.

1 a coworker's pregnancy resulting in carpal tunnel syndrome, the spelling of a colleague's name and
2 making fun of "white people," a coworker "going to hell" for making politically incorrect comments,
3 "kissing" a supervisor's "ass," and discussing how a flag looked like the Mexican flag. J.E. was also
4 recorded discussing seafood and "monkey" coffee which is made from monkey feces after they eat fruit.
5 J.E. will also testify to multiple conversations of an inappropriate "locker room" nature where he and
6 colleagues joked about genitalia.

7
8 J.E. will testify these conversations were not related to candidates, just coworkers teasing each
9 other and making fun of themselves.

10 **C.F.**

11
12 C.F. will testify he was assigned to RED PHS in February 2023. He never gave anyone
13 permission to record, share, or otherwise distribute his workplace conversations. C.F. believes
14 defendant was the employee who secretly recorded his conversations without his consent. He reached
15 this conclusion because, in several of the recordings presented to him, defendant's voice can be heard
16 closest to the recording device, and he recalled hearing defendant identify himself while answering his
17 desk telephone immediately before the recordings ended.

18 C.F. will testify he recalls defendant making numerous statements about wanting to leave the
19 LAPD. He specifically remembers defendant saying if he were ever reassigned to patrol, he would
20 resign because wearing a police uniform caused him anxiety. C.F. further recalls defendant discussing
21 remaining off work on injured-on-duty status, wanting to stay home with his children, and pursuing a
22 career change. C.F. recalls an incident when defendant wore a "Distinguished Expert" shooting medal
23 which C.F. questioned. Defendant was unable to explain how he earned the medal and later confessed
24 he was not a "Distinguished Expert," claiming he had been given the medal in the academy because
25 marksman medals were unavailable. Defendant appeared embarrassed after the conversation.

26 C.F. was present on March 17, 2024, for a uniformed special detail during the Los Angeles
27

1 Marathon during which defendant claimed to have an anxiety attack related to wearing a police uniform.
2 Defendant briefly left to seek assistance from a nearby fire station and later returned. This incident
3 reinforced C.F.'s belief that defendant wanted to leave the LAPD due to anxiety over having to wear a
4 uniform.

5 C.F. will testify to hearing his voice on the recordings in conversations where he commented on
6 how strict his father was growing up and quoted his father using the phrase "faggot." C.F. also
7 discussed Marvel movies in one recording. C.F. will also testify to playing hip hop music he knew A.M.
8 did not like to get a rise out of him and laughing when A.M., a Black man, described it as "Ebonics"
9 because he could not understand the words. C.F. and A.M. are friends and have a good relationship.
10 C.F. also recalled discussions about sports in the office and said profanity was not uncommon.

11
12 **B.H.**

13 B.H. will testify he was assigned to RED PHS in October 2024. After reviewing the audio
14 recordings during the administrative investigations, he identified defendant as the individual who
15 secretly recorded him. B.H. recognized defendant's voice because it consistently sounded closest to the
16 recording device during the conversations. He never gave anyone permission to record or distribute his
17 workplace conversations. B.H. described conversations among RED PHS personnel as "playful" and
18 "banter." B.H. identified one conversation which took place the day after the election. The phrases "red
19 room" and "blue room" were used. Someone described the room as a "purple room," referring to
20 political preferences. B.H., who is Asian, identified another Asian employee jokingly saying it was "a
21 yellow room" due to the number of Asian employees. The same employee used the phrase "sweat shop"
22 to describe the long hours worked and productivity of the unit. He stated no one appeared offended by
23 any of these comments or reported being uncomfortable.

24
25 **D.J.**

26 D.J. will testify he was assigned to RED PHS in July 2019 and supervised defendant when they
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1 worked together. He never gave anyone permission to record or distribute his workplace conversations.
2 After reviewing the recordings during the administrative investigations, D.J. identified defendant as the
3 individual who secretly recorded him. He recognized defendant's voice because it consistently sounded
4 closest to the recording device and recalled hearing defendant answer his desk telephone and identify
5 himself immediately before recordings abruptly ended.

6 D.J. believes defendant intentionally manipulated conversations by initiating or participating in
7 discussions about a particular topic before activating the recording device, then ceasing his own
8 participation once the recording began. D.J. recalls defendant engaging in jokes, workplace banter, and
9 discussions which encouraged participation from others before selectively recording only portions of
10 those conversations. D.J. believes the recordings intentionally omitted important context and do not
11 reflect defendant's own involvement in the discussions. D.J. further believes the conversations occurred
12 in a confidential work environment, reinforced by the confidentiality agreement signed by RED PHS
13 personnel. D.J. heard applicant interviews and discussions involving sensitive personal information
14 occurring in the background of some recordings.
15

16 D.J. identified himself in several recordings, making jokes pertaining to his Asian ethnicity. D.J.
17 can be heard doing impressions of Asians speaking, as well as making jokes involving racially charged
18 phrases such as "yellow room," and "Asian invasion." None of these comments were meant to be
19 derogatory. He and his colleagues frequently joked with one another, including commentary and
20 making fun about their own ethnicities and other personal characteristics. None of these jokes were
21 directed at applicants or intended to insult or target anyone present.

22 D.J. never observed or heard anyone expressing discomfort with the conversations which took
23 place amongst the RHD PHS employees, and no one made a complaint to him regarding the
24 conversations.
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1 J.L.

2 J.L. will testify he was assigned to RED PHS in February 2023. He never gave anyone
3 permission to record or distribute his workplace conversations. After listening to the recordings during
4 the administrative investigation, J.L. believes defendant is the individual who secretly recorded him. He
5 reached this conclusion because he heard defendant answer his desk telephone, identify himself by
6 name, and then abruptly end the recording. J.L. also recalled defendant's voice consistently sounded
7 closest to the recording device during the recorded conversations.
8

9 J.L. will testify to hearing his voice during conversations about Disneyland and an iPad. J.L.
10 was also the subject of a joke pertaining to "coming over on a boat." Both J.L. and the person making
11 the joke are Asian. J.L. was not offended by any of the comments he heard on the recordings and was
12 not aware of anyone else being offended or uncomfortable.

13 L.L.

14
15 L.L. will testify he was assigned to RED PHS in September 2024 and served as a supervisor in
16 the unit. He never gave anyone permission to record his personal conversations or distribute those
17 conversations to others. After listening to the recordings, L.L. believed defendant was the person who
18 secretly recorded him and the other RED PHS employees. He based that conclusion on defendant's
19 voice sounding closest to the recording device and because he recalled hearing defendant identify
20 himself while answering his desk telephone immediately before several recordings ended. No one ever
21 made a complaint to him regarding conversations captured in the recordings.

22 L.L. will testify all of his interactions with defendant had been positive prior to learning of the
23 recordings. L.L. will testify he was extremely disappointed his name and reputation had been "dragged
24 through the mud" after his conversations were publicized through major and local media outlets. L.L.
25 believes defendant made the recordings in an effort to sue the LAPD.
26
27

1 L.L. identified conversations he was part of and/or was aware of from the recordings. One
2 conversation pertained to staffing in the unit. Members of the unit were asked to provide their input on
3 individuals being considered for positions in RHD PHS. The opinions and comments of employees
4 about these individuals' suitability to join the unit were captured in a recording which was later
5 disseminated.

6 L.L. also identified his own voice during conversations where he entered the room and
7 employees jokingly said he was "just in time for naked mud wrestling." L.L. responded, "You guys say
8 more inappropriate things." L.L. characterized the conversation as joking and not literal. A similar
9 recorded conversation contained an employee telling L.L., "You missed a lot of sexual shit earlier."
10 L.L. said this was a joke in the same vein. L.L. was recorded telling employees, "You are going to bring
11 down the whole department!" in a joking fashion in response to their claims he was walking in on
12 inappropriate behavior or comments. L.L. admitted to using profanity and hearing others use it but
13 indicated no one seemed offended by it or complained. L.L. also identified himself as commenting on a
14 colleague's choice of music played within the office as well as discussing poker. L.L. will testify RHD
15 PHS was "a tight knit group" who frequently ate lunch together in the office. Many of the conversations
16 which were unrelated to applicants likely took place during the lunch break.

17 L.L. described letter and numbering systems used to identify the gender and race of applicants
18 for statistics. These designations can be heard on the recordings when discussing applicants. After
19 reviewing all the audio recordings, L.L. determined the recordings did not contain conversations which
20 negatively impacted any candidate.

21
22 **A.M.**

23 A.M. will testify he was assigned to RED PHS in November 2023. His voice was captured on
24 the recordings. He believed his conversations with other RED PHS employees were private and
25 confidential. A.M. never gave anyone permission to record or distribute his workplace conversations.
26
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1 After listening to several recordings, A.M. believes defendant is the individual who created the
2 recordings because his voice sounded closest to the recording device and he recalled hearing defendant
3 answer his desk telephone, identify himself as "Daniel," and then immediately stop the recording.

4 A.M. will testify he recalls defendant making statements about wanting to become a stay-at-
5 home father, and discussing receiving a financial payout from the LAPD, including making references to
6 the "LAPD Lottery" and the LAPD's "deep pockets."

7
8 A.M. identified defendant's voice on multiple recordings and recalled him participating in
9 conversations before or during the recorded portions. Specifically, defendant can be heard saying A.M.
10 was the "victim" after A.M. joked about being "trapped" into having sex with a married woman. The
11 comments were made in jest. Defendant is also captured discussing other officers having sex at a police
12 station and asking, "Are we allowed to have sex at work?"

13 A.M. is a Black man. A.M. will testify to making racially charged comments both as a way of
14 poking fun at his own culture and as a way to express his frustration with how negative stereotypes are
15 exacerbated by the conduct of certain suspects. Comments made referencing "Kool Aide," "grape
16 soda," "colored greens," "colored time," and related themes were initiated by him. A.M. also used
17 phrases such as "chocolate" and "midnight" to describe an individual's skin tone. He meant no offense
18 and was not offended when he heard others use these descriptors. A.M. joined an ongoing conversation
19 where he heard the word "monkey." He jokingly asked if the monkey was named "Tyrone." His pun
20 was in reference to having heard Black people called monkeys both in his own community and by
21 others. A.M. also used the phrases "China Flu" and "Obama phone" during a discussion of COVID 19,
22 not to insult any race, but as phrases which had significant meaning during the pandemic. None of his
23 insensitive comments were intended to be derogatory. His colleague D.J. made similar comments and
24 jokes about Asians, being Asian himself. S.B., a Hispanic, also joked about "tacos" and women. Once
25 one person began joking, others would chime in. A.M. was not offended by any of the recorded
26 conversations and did not hear or observe anyone else to be offended. The comments were all made in
27

1 humor within a close group of colleagues.

2 **R.N.**

3
4 R.N. will testify he was assigned to RED PHS in August 2023. He never gave anyone
5 permission to record or distribute his workplace conversations. After listening to the audio recordings
6 during the administrative investigation, R.N. identified defendant as the person he believed secretly
7 recorded his conversations. He reached this conclusion because defendant's voice was present in the
8 background and sounded closest to the recording device.

9
10 R.N. will testify the recordings did not provide the full context of the conversations, capturing
11 portions of conversations and omitting the entirety of the discussions which occurred within RED PHS.

12 R.N. identified his voice in conversations related to potluck meals in the unit. D.J. encouraged
13 people to "bring something from your culture." R.N. and S.B. are Hispanic. The recordings contain
14 jokes about "beans" and Mexican food, made by him and S.B. A portion of a recording captures them
15 talking about their mothers having pots of beans "on the stove." R.N. also identified A.M., a Black man,
16 joking about grape soda and saying, "They're super Black."

17
18 R.N. also identified conversations referencing sexual topics which were the result of applicants
19 answering questions about prostitution, pornography, sexual conduct, massage parlors, and their prior
20 sexual history. R.N. identified some "inappropriate language" as being direct quotes from applicant
21 interviews.

22 R.N. will testify profanity is common among his coworkers but is not intended to be insulting.
23 R.N. will further testify he described a candidate as "rapeable" because it was someone who could be
24 taken advantage of. The use of the phrase "rape" was not in a sexual context. Comments regarding who
25 would interview particular candidates were jokes such as an Asian officer saying, "I'll take the Asians."
26 A comment in the recording saying, "No more Crips" referenced gang affiliation disclosed by applicants
27

1 and investigations. Assignments of candidates were not made by the interviewers and were not done
2 based on race or ethnicity.

3 R.N. was not offended by any of the comments and did not believe anyone else expressed
4 discomfort or offense.
5

6 **D.R.**

7 D.R. will testify he was assigned to RED PHS since July 2024. He never gave anyone
8 permission to record or distribute his workplace conversations. After listening to the recordings during
9 the administrative investigations, D.R. believed defendant was the individual who created the
10 recordings. D.R. believes the recordings captured only portions of conversations which were already in
11 progress and did not reflect the complete context of the discussions. He believes the recordings were
12 manipulated or altered to intentionally remove context from the conversations.
13

14 D.R. will testify he recalls defendant discussing his desire to leave the LAPD and expressing an
15 interest in becoming a firefighter. D.R. believes defendant had an issue with S.B. and recalls defendant
16 would often embellish stories about himself, which S.B. would challenge. He specifically remembers an
17 incident during which defendant claimed to have played college baseball. S.B. checked the college's
18 baseball roster, confronted defendant about the false claim, and defendant appeared visibly upset.

19 D.R. indicated topics such as sexual activity, drug use, race, and gender related issues were often
20 brought up by candidates. RED PHS personnel would sometimes discuss how to handle the
21 information. No one was disqualified due to being a member of a protected class. Conversations about
22 sex also occurred, having no relation to candidates. It was common for personnel to use profanity when
23 talking to each other, but no one seemed offended or expressed any discomfort. Conversations
24 sometimes included complaints about management staff who were "mean" or did not perform their job
25 duties well. None of these conversations were malicious or threatening.
26
27

1 D.R. identified defendant in a conversation using profanity describing a work location and
2 saying, "No offense" to anyone who had worked there. He also identified defendant discussing being
3 "off time," and saying, "It depends on what you know. I'm sorry, it depends on what you're voting for."
4 The conversation appears to be in relation to deducting hours from timecards.

5 D.R. also identified his own voice in conversations about an office potluck and buying
6 chocolates from another employee. D.R. was not offended when the employee called him a "dick" for
7 not purchasing any because they were all joking with one another. D.R. identified himself making a
8 comment about a colleague holding "his Peter," slang for a penis. D.R. made the comment because he
9 had called another employee "Peter" several times when that was not his name. The comment about
10 holding his "Peter" was a joke about his own mistake. D.R. also identified himself discussing the fact
11 he found crab to be a bland food which required seasoning. Other recorded conversations capturing
12 D.R.'s voice pertained to a supervisor letting people leave at a particular time, and a Black colleague
13 mentioning another employee was Black and "he liked him." During a conversation about a colleague's
14 interaction with someone with Down Syndrome, D.R. was recorded describing symptoms of the
15 condition, having taught martial arts to children with Down Syndrome. His comments were not
16 derogatory in nature.

17
18 **P.S.**

19 P.S. will testify he was assigned to RED PHS in January 2023. He never gave anyone
20 permission to record or distribute his workplace conversations. After listening to the recordings during
21 the administrative investigations, P.S. identified defendant as the individual who created the recordings.
22 He recognized defendant's voice because it consistently sounded closest to the recording device and
23 recalled hearing defendant identify himself while answering his desk telephone immediately before
24 several recordings ended. Based upon those observations, he believes defendant secretly recorded, and
25 later distributed, his workplace conversations without his knowledge or consent.
26
27

1 P.S. will testify the recordings failed to capture the complete context of the conversations and
2 reflected only portions of longer discussions which occurred within RED PHS. He will testify defendant
3 frequently participated in conversations before the recordings began and believed important context had
4 been omitted from the recorded portions.

5 P.S. will testify defendant is heard on several recordings, including one where he asks if they are
6 allowed to have sex at work, and during a discussion regarding gay men where defendant can be heard
7 saying, "All I heard was two girls kissing," and "I can see two girls kissing." Defendant then laughs and
8 says, "Go take that dress off!"
9

10 P.S. identified his voice in several conversations involving applicant investigations, weekend
11 plans, sports, supervisors, personal lives, and hiring decisions. P.S. believes race came up in
12 conversations because ethnicity and gender are required fields in the forms they fill out about applicants.
13 Each race and gender has assigned letters and numbers, resulting in employees using those codes as
14 descriptors in conversation. P.S. was present for conversations where D.J. called RED PHS a
15 "sweatshop" and told them to "keep making Nikes." P.S. did not believe the comments were racially
16 motivated. P.S. was also present for a conversation where D.J. joked about wearing multiple pairs of
17 underwear.

18 P.S. was not offended by any of the conversations and did not see or hear any indication that
19 other employees were bothered or offended.
20

21 **E.V.**

22 E.V. will testify she was assigned to RED PHS in March 2020. She never gave anyone
23 permission to record or distribute her workplace conversations. After listening to the recordings, she
24 believes defendant is the individual who secretly recorded her because his voice sounded the clearest
25 and closest to the recording device during the conversations.
26
27

1 E.V. will testify the recordings consist of partial conversations which were already in progress
2 and did not provide the complete context of the discussions. E.V. will also testify defendant made
3 comments about not wanting to work and winning the "LAPD Lottery."

4 E.V. will testify she was present for several recorded conversations, including one where she was
5 asked to provide input on potential transferees into the unit. E.V. also recognized her voice saying, "It's
6 more common in Vegas" while discussing a candidate's prostitution disclosure. E.V. will testify she
7 commented on an overweight candidate, saying they probably signed up to "lose weight" while at the
8 Academy. E.V. will also testify to hearing R.N. conducting an applicant interview in the background of
9 one of the recordings.

10
11 E.V. will testify she was not offended by any of the conversations she was present for and did
12 not observe anyone else appearing uncomfortable or expressing concern.

13 **F.Y.**

14
15 F.Y. will testify he was assigned to RED PHS in 2016. During the administrative investigations,
16 he learned his voice had been captured on recordings made by an anonymous employee. F.Y. never gave
17 anyone permission to record or distribute his workplace conversations.

18 F.Y. identified a conversation relating to his cousin being an applicant and people jokingly
19 saying he had been molested as a child (referring to F.Y. as the perpetrator.) F.Y. was not offended by
20 the joke. F.Y. also identified his voice in a conversation where a coworker was telling a story about a
21 date. F.Y. made a comment. The conversation was just coworkers talking in a friendly conversation.
22 No one expressed offense or discomfort. Another recorded conversation related to various employees'
23 childhood experiences. A female colleague used the phrase "blow job," and F.Y. did not know what the
24 phrase meant. Others explained the phrase to him. F.Y. is Asian. A Hispanic female colleague used the
25 word "Chino" in one recorded conversation. He was not offended because it is the Spanish word for
26 Asian.
27

1 F.Y. also identified a portion of a recording where a colleague is telephonically interviewing a
2 candidate. He can be heard repeating a phone number to the candidate to verify it is the correct number
3 given by the candidate.

4 **Sergeant Juan Chavez**
5

6 At the request of the LADA, LAPD IAD Sergeant Juan Chavez conducted a follow-up
7 investigation to determine whether defendant had previously reported the alleged misconduct of RED
8 PHS personnel through official LAPD channels and to document the LAPD's procedures for reporting
9 employee misconduct. Chavez queried the Department's Records Management System (RMS),
10 Peregrine Technologies, and City of Los Angeles Personnel Department records for criminal complaints
11 submitted by Defendant against the 16 identified victims. Chavez found no evidence defendant ever
12 submitted any criminal complaint concerning the actions of personnel assigned to RED PHS.

13 Sergeant Chavez reviewed LAPD Manual, Volume 1, Section 210.46, which requires every
14 Department employee who becomes aware of possible misconduct to immediately report it to a
15 supervisor or the IAD. The policy further requires employees who observe serious misconduct to take
16 appropriate action to stop the misconduct, regardless of whether a supervisor is present, and emphasizes
17 that every Department employee shares responsibility for preventing and reporting misconduct. The
18 policy provides that failure to report misconduct undermines public trust and the integrity of the
19 Department.
20

21 Chavez also reviewed LAPD Manual, Volume 3, Section 811.25, which establishes the
22 Department's procedures for receiving misconduct complaints. The policy requires a watch commander
23 or supervisor to complete a Complaint Form (CF Form 01.28.00) for complaints received in writing, by
24 telephone, electronically, by audio or video recording, or through other means. The policy further
25 provides procedures for handling anonymous complaints, including the requirement that an investigating
26 officer obtain approval from the Commanding Officer of the Professional Standards Bureau (PSB)
27

1 before attempting to identify an anonymous complainant. The request must contain specific and
2 compelling justification and balance the seriousness of the allegations against the need to preserve the
3 complainant's anonymity.

4 Finally, Chavez reviewed "LAPD's Complaint Investigation: A Guide for Supervisors" (The
5 Guide), which indicates Department employees are permitted to report misconduct anonymously and
6 directs investigators to avoid investigative actions that could discourage employees from reporting
7 misconduct, including attempts to identify anonymous complainants. The Guide further provides
8 complaints may be submitted through multiple reporting channels, including directly to IAD, OIG,
9 supervisors, the Department's online complaint portal, by telephone, by mail, or in person. The Guide
10 states complaints submitted to IAD are subject to oversight by the OIG and anonymous reporting
11 mechanisms are designed to encourage employees to report misconduct without fear of retaliation.
12

13 **Sergeant Jacob Fraijo**

14 At the request of LADA, LAPD IAD Sergeant Jacob Fraijo queried Department resources to
15 determine whether defendant ever made an administrative complaint regarding any of his coworkers in
16 RED PHS. No such complaint was located.
17

18 Sergeant Fraijo will testify defendant made a personnel complaint in 2015, but the investigation
19 revealed the suspect was not an LAPD employee.

20 Sergeant Fraijo will further testify none of the allegations anonymously made by defendant were
21 criminal in nature.
22

23 Among the allegations defendant anonymously made, many were not supported by the audio
24 recordings -- despite defendant's assertion they were. No evidence was found of the following
25 allegations in the recordings:

26 D.J. making inappropriate comments regarding candidates.
27

1 D.J. making inappropriate comments regarding Department employees.

2 S.B. making derogatory comments about a supervisor.

3
4 D.J. making inappropriate comments about Asian women.

5 D.J. improperly selecting Lieutenant B.H.

6
7 D.J. stating Captain McC promoted only Black officers.

8 S.B. falsified September 11 timesheet.

9
10 D.J. falsified S.B.'s time.

11 C.F. inaccurately documented hours.

12
13 S.B. improperly disqualified candidates.

14 A.C. improperly disqualified candidates.

15
16 F.Y. improperly disqualified candidates.

17 J.L. improperly disqualified candidates.

18
19 M.A. improperly disqualified candidates.

20 D.R. improperly disqualified candidates.

21
22 P.S. improperly disqualified candidates.

23 R.N. improperly disqualified candidates.

24
25 E.V. improperly disqualified candidates.

26 L.G. improperly disqualified candidates.

1 J.E. improperly disqualified candidates.

2 C.F. improperly disqualified candidates.

3 A.M. improperly disqualified candidates.

4 S.B. improperly disqualified candidates based on appearance.

5 D.J. improperly disqualified candidates.

6 L.L. improperly disqualified candidates.

7 B.H. improperly disqualified candidates.

8 **CONCLUSION**

9 The People respectfully ask the Court to review and grant the People's requests.

10 Dated: August 7, 2026

11 *Nathan J. Hochman*
12 Nathan J. Hochman
13 DISTRICT ATTORNEY

DECLARATION OF SERVICE

I, the undersigned, hereby declare under penalty of perjury, that the following is true and correct:

I am over eighteen years of age, not a party to the within cause and employed in the Office of the District Attorney of Los Angeles County, with principal offices located at 211 West Temple St, 12th Floor, Los Angeles, California 90012; that the District Attorney is one of the attorneys for the People of the State of California in the above-entitled matter.

On August 7, 2026, I electronically served the attached documents PEOPLE'S REQUEST FOR LONG-CAUSE COURTROOM ASSIGNMENT, PEOPLE'S PRELIMINARY HEARING BRIEF, AND REQUEST FOR ORDER. The documents were transmitted to the electronic service address:

ajackson@WerksmanJackson.com

I declare under penalty of perjury the foregoing is true and correct.

Executed on August 7, 2026, at Los Angeles, California.



(signature)