

1 GIBSON, DUNN & CRUTCHER LLP
MAURICE SUH, SBN 147485
2 msuh@gibsondunn.com
LAUREN M. BLAS, SBN 296823
3 lblas@gibsondunn.com
JEREMY S. SMITH, SBN 283812
4 jssmith@gibsondunn.com
333 South Grand Avenue
5 Los Angeles, CA 90071-3197
Telephone: (213) 229-7000
6 Facsimile: (213) 229-7520

7 Attorneys for Plaintiff
8 KEITH PUCKETT

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

13 KEITH PUCKETT,
14 Plaintiff,
15 v.
16 CITY OF EL SEGUNDO,
17 Defendant.

CASE NO. **24TRCV02121**

**COMPLAINT FOR DECLARATORY
RELIEF, INJUNCTIVE RELIEF, AND
DAMAGES**

JURY TRIAL DEMANDED

1 INTRODUCTION

2 1. The City of El Segundo has a history of racism and racial exclusion that goes back at
3 least a century. In the 1920s, El Segundo was part of a Ku Klux Klan “hotbed,” and it led a campaign
4 to prevent a Black man from leasing beach-front property. Later, the City weaponized racially
5 restrictive real estate covenants and redlining to prevent Black people from owning homes. By 1980,
6 fewer than 50 Black people lived in El Segundo. Today, the number remains conspicuously small.
7 And the Black people who *do* call El Segundo home continue to suffer because of a hidden, insidious
8 practice: racial profiling.

9 2. El Segundo Police Department (ESPD) officers regularly follow, stop, and interrogate
10 Black residents—including Black children—for no reason. Empirical data collected by El Segundo
11 under the Racial and Identity Profiling Act (RIPA) confirms that ESPD is engaged in widespread racial
12 profiling. Even though less than **5%** of El Segundo’s population is Black, more than **20%** of all stops
13 in El Segundo are of Black people. In other words, Black people are stopped by ESPD at more than
14 *five times* their share of the population.

15 3. Plaintiff Keith Puckett has experienced this racial profiling firsthand. He is a husband,
16 a father, an employee of a Fortune 500 company, a small-business owner, and an engaged El Segundo
17 community member. He also happens to be Black.

18 4. In 2021, ESPD racially profiled and unlawfully detained Mr. Puckett twice. During the
19 first incident, an ESPD officer saw Mr. Puckett’s Black friend “hanging out” outside Mr. Puckett’s
20 home. Even though the officer later acknowledged that Mr. Puckett’s friend was doing nothing wrong,
21 he called for backup. Five additional police officers arrived outside Mr. Puckett’s home, in the middle
22 of the night, and questioned him. Eventually, the officers said it was all a simple misunderstanding
23 with the DMV, and then they left.

24 5. Less than two months later, as Mr. Puckett drove to a gym to play basketball with his
25 son, an ESPD officer drove past him in the opposite direction. The officer did a U-turn and stopped
26 Mr. Puckett. Why? Because, according to the officer, the light above Mr. Puckett’s rear license plate
27 wasn’t working. But the officer was traveling in the *opposite* direction when he decided to pull Mr.
28 Puckett over, and as the officer approached Mr. Puckett’s driver-side door, he didn’t even bother to

1 look at the rear license plate. No wonder: the rear license plate light worked perfectly, as the police
2 officer’s own video and Mr. Puckett’s photo of the incident clearly show. When the officer failed to
3 discover any evidence of wrongdoing, he let Mr. Puckett go.

4 6. Racism like this, even if it doesn’t involve the kind of violence that makes national
5 news, is unlawful, unconstitutional, and harmful to everyone who experiences it. The message of each
6 act of racism is clear: Black people are not welcome in El Segundo. That sentiment was unmistakably
7 present in El Segundo’s response to Mr. Puckett’s reports of what had happened to him. When Mr.
8 Puckett reported the first incident, the ESPD Chief of Police lied about having watched footage of it
9 and then mischaracterized what happened. Later, a City councilmember—who had not watched video
10 of the incidents, either—publicly implied that Mr. Puckett lied about his experiences. And when the
11 City conducted an internal investigation of the incidents, the result was all too familiar for Black people:
12 the City found that the officers had engaged in “no wrongdoing.”

13 7. ESPD officers continue to follow Mr. Puckett when driving, which contributes to his
14 sense of unease and vulnerability. Mr. Puckett worries that this treatment—of himself and other Black
15 El Segundo residents, including his son—will never stop. Mr. Puckett therefore brings this action to
16 vindicate his constitutional rights, hold the City accountable for its unlawful conduct, and compel it to
17 stop racially profiling members of the El Segundo community.

18 **PARTIES**

19 8. Mr. Puckett is a 46-year-old Black man who works at Microsoft as a Senior Program
20 Manager. He moved to El Segundo in 2009 so that his then-young son could attend the City’s
21 outstanding schools. When Mr. Puckett arrived in El Segundo, he quickly became an active community
22 member. He has worked as a parent volunteer, PTA member, recreational youth sports coach,
23 basketball coach at his son’s school, volunteer crossing guard, and lunchtime security support member.

24 9. Defendant City of El Segundo is a municipal corporation organized and existing under
25 the Constitution and laws of the State of California. The City is required by law to administer and
26 operate ESPD, and it is responsible for the appointment, control, supervision, training, and discipline
27 of ESPD personnel and employees. It is also required to formulate ESPD policies, practices, and
28 customs. The City is responsible for the actions of ESPD.

1 **JURISDICTION AND VENUE**

2 10. This action falls within the unlimited civil jurisdiction of this Court because the amount
3 in controversy exceeds \$35,000, exclusive of interest, costs, and attorneys' fees.

4 11. As a court of general jurisdiction, this Court has subject matter jurisdiction over the
5 claims alleged in this action. This action is brought pursuant to California law, as well as 42 U.S.C.
6 § 1983, and the Fourth and Fourteenth Amendments to the United States Constitution.

7 12. Venue is proper in this Court because the underlying acts, omissions, injuries, and
8 related facts and circumstances giving rise to the present action occurred in Los Angeles County,
9 California.

10 **FACTUAL ALLEGATIONS**

11 **I. El Segundo's history of racism and racial exclusion.**

12 13. El Segundo has a history of racism and racial exclusion that goes back more than a
13 century. In the 1920s, El Segundo was part of a Ku Klux Klan "hotbed."¹ In 1922, for example, El
14 Segundo residents attended a roughly 12,000-person Klan rally.² And in 1923, the El Segundo Herald
15 noted that members of a local church got "a real thrill" when robed Klan members "walked solemnly
16 down the aisle, asked for prayer and left \$120."³

17 14. Similarly, when Black businessman Titus Alexander tried to lease beach property in
18 1923, "El Segundo residents were outraged."⁴ "City leaders enlisted Hermosa Beach, Redondo Beach
19 and L.A. businessmen to wage a bitter 18-month campaign that included petition drives, a lawsuit and
20 racist smears."⁵ When these efforts succeeded, the El Segundo Herald published an article saying that
21 Mr. Alexander's plan to "elevate[]" Black people "by having them bathe in the sea water lapping El
22 Segundo's beautiful beach" was "rudely shattered."⁶

23 _____
24 ¹ James, 'Black in Mayberry.' *How a Film Exposed Racial Tensions in One of L.A. County's Whitest*
25 *Cities* (July 6, 2021) <[https://www.latimes.com/entertainment-arts/business/story/2021-07-](https://www.latimes.com/entertainment-arts/business/story/2021-07-06/black-in-mayberry-racial-history-el-segundo)
26 [06/black-in-mayberry-racial-history-el-segundo](https://www.latimes.com/entertainment-arts/business/story/2021-07-06/black-in-mayberry-racial-history-el-segundo)> (as of Apr. 2, 2024).

26 ² *Id.*

27 ³ *Id.*

28 ⁴ Sharp, *Big HQ Lease in Pasadena, Tarantino Buys the Vista Theatre & Bon Voyage Mayor Garcetti*
(July 10, 2021) <<https://la.urbanize.city/post/weekly-headlines-july-10-2021>> (as of Apr. 24, 2024).

⁵ *Id.*

⁶ Exhibit B, *post*, page 6.

1 15. In 1939, the Home Owners’ Loan Corporation explained that El Segundo imposed strict,
2 racist real-estate covenants to provide “protection against racial hazards.”⁷ The covenants prevented
3 “any person whose blood is not entirely that of the white race” from owning homes in the City.⁸

4 16. Even after the U.S. Supreme Court abolished racist covenants in 1948, “El Segundo
5 remained solidly white.”⁹ In 1980, fewer than 50 Black people lived in El Segundo.¹⁰ Today, El
6 Segundo remains one of the least diverse cities in California,¹¹ and the number of Black residents
7 remains conspicuously small—just 4.8%¹²—even though El Segundo borders several cities with large
8 non-White populations.¹³

9 17. El Segundo’s small Black population continues to experience pervasive race-based
10 harassment. Recently, a documentary film called *Black in Mayberry*¹⁴ premiered at a local El Segundo
11 museum. The film includes powerful stories of racism experienced by El Segundo residents: a teacher
12 accusing a Black student—who had perfect grades—of smoking marijuana before class; a woman
13 yelling at two Black women who were jogging that they were a “virus” whose lives didn’t matter and
14 who needed to go back to Africa. As if those stories weren’t painful enough, when the museum
15 announced that it would premiere the movie, an anonymous individual threatened to firebomb it. FBI
16 and undercover police officers had to patrol the museum during the premiere.¹⁵ Unfortunately for
17 many Black people, however, local law enforcement provides little comfort. That is particularly true
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19 _____
20 ⁷ James, *supra* note 1.

21 ⁸ *Id.*

22 ⁹ *Id.*

23 ¹⁰ *Id.*

24 ¹¹ See Exhibit C, *post*, page 4.

25 ¹² U.S. Census Bureau, El Segundo city, California
26 <https://data.census.gov/table?q=El+Segundo+city,+California&tid=ACSDP5Y2020.DP05> (last
27 accessed Apr. 24, 2024).

28 ¹³ Neighboring Carson, for example, has a population that is 22.5% Black, 40.3% Hispanic or Latino,
29 25.5% Asian, and 6.3% White, not Hispanic or Latino, while El Segundo’s population is 4.8% Black,
30 18.8% Hispanic or Latino, 10% Asian, and 57.5% White, not Hispanic or Latino. See U.S. Census
31 Bureau, QuickFacts El Segundo city, California; Carson city, California
32 <[https://www.census.gov/quickfacts/fact/table/elsegundocitycalifornia,carsoncitycalifornia/PST04
33 5222](https://www.census.gov/quickfacts/fact/table/elsegundocitycalifornia,carsoncitycalifornia/PST045222)> (last accessed Apr. 24, 2024).

34 ¹⁴ *Black in Mayberry* (Black in Mayberry 2023) <<https://blackinmayberry.org/>>.

35 ¹⁵ *Id.* See also Exhibit C.

1 in El Segundo, where police officers regularly profile and mistreat Black people and regard them with
2 unjustified suspicion. Consider the following incidents reported by El Segundo residents:

- 3 a. An ESPD officer followed a Black El Segundo High School student as she
4 walked to dance practice after school. The officer stopped the student and—
5 while resting his hand on his pistol—asked her what she was doing and where
6 she was going. The student told the officer she was going to dance practice. The
7 officer allowed the student to leave but then followed her for several minutes,
8 leaving her shaken and upset.
- 9 b. ESPD officers followed a resident’s Black sons as they left the campus of El
10 Segundo High School, even though one was wearing his school football
11 uniform. The officers eventually stopped following the boys after their father
12 reported the officers’ conduct.
- 13 c. At least ten ESPD officers surrounded, handcuffed, and detained a Black man
14 after he was seen trying to open a lock box for a property he was showing as part
15 of his real-estate work.
- 16 d. ESPD officers detained a Black teenager and forced him to sit on a curb until a
17 member of a White family confirmed that the teenager was in town visiting their
18 family.
- 19 e. A Black resident’s brothers were staying with her for Thanksgiving. On
20 Thanksgiving morning, the brothers drove to Wal-Mart to buy videogames.
21 ESPD officers pulled the brothers over almost immediately after they left their
22 sister’s house and questioned them. The brothers responded that they were
23 staying with their sister, who lived down the street, for Thanksgiving. After a
24 family member confirmed to ESPD that the brothers were staying with their
25 sister, an officer nonetheless drove to the sister’s home to question her and made
26 insulting comments.

1 **II. ESPD racially profiles Black people.**

2 18. RIPA data collected by ESPD and produced to Mr. Puckett following a FOIA request
3 corroborate these anecdotes and provide compelling evidence of racial profiling in El Segundo.¹⁶ The
4 data reveal, among other things, that although Black people comprise less than 5% of El Segundo’s
5 population, more than 20% of all ESPD stops are of Black people.¹⁷

6 **III. In January 2021, ESPD racially profiles and unlawfully detains Keith Puckett.**

7 19. During the racially charged summer of 2020, while engaged in community outreach as
8 a member of El Segundo for Black Lives, Mr. Puckett met then-Chief of Police Bill Whalen, who
9 encouraged Mr. Puckett to come directly to him with any complaints about ESPD officer misconduct.
10 Mr. Puckett would eventually do so.

11 20. On January 21, 2021, Mr. Puckett’s friend, Jason Nichols, who is Black, was staying at
12 Mr. Puckett’s home in El Segundo. Mr. Nichols’s mother had recently passed away, and Mr. Puckett
13 was helping him get back on his feet. After finishing work late and picking up food, Mr. Nichols drove
14 back to Mr. Puckett’s home and parked in an adjacent alley to eat in his car, in order to avoid waking
15 Mr. Puckett. ESPD Officer Oscar Haro drove past Mr. Nichols and then made a U-turn. Mr. Nichols
16 exited his car and went inside Mr. Puckett’s home. Officer Haro parked behind Mr. Nichols’s car,
17 turned on his high-beam headlights, exited his vehicle, and approached Mr. Nichols’s vehicle with a
18 high-powered flashlight. Seeing no one inside the vehicle, Officer Haro approached Mr. Puckett’s
19 home and called for backup. Over his radio, he explained that he saw at least one male—Black or
20 Hispanic—enter Mr. Puckett’s home. Five additional ESPD officers arrived.

21 21. Mr. Nichols woke Mr. Puckett up and told him that there were six ESPD officers in the
22 alley outside. When Mr. Puckett went outside, Officer Haro asked him if Mr. Nichols’s car belonged
23 to him. Mr. Puckett responded that the car belonged to his friend (Mr. Nichols). Officer Haro asked
24 if the owner was in Mr. Puckett’s house and said: “We’re just trying to check out the vehicle.” Then,
25 shining his flashlight on the hood and windshield of the vehicle, Officer Nichols said, “We see that
26 there’s some damage and stuff.”

27
28 ¹⁶ The available data was collected between August 2, 2021 and September 22, 2022.

¹⁷ See Exhibit A, *post*, Figure 1.

1 22. When Mr. Puckett asked what the issue was, Officer Haro replied that no one was “in
2 trouble.” So Mr. Puckett asked, “Are we good?” Officer Haro replied, “No, we’re not done.”
3 Confused, Mr. Puckett continued to ask what the issue was. Officer Haro replied: “We’re investigating
4 something at the moment. If you want, I can talk to you afterwards.” Officer Haro then said that, “for
5 officer safety,” Mr. Puckett had to wait somewhere else. After Mr. Puckett walked away, an officer
6 can be heard on video saying “of course,” to which Officer Haro replies, “I know, right?”

7 23. A few minutes later, Officer Haro gave Mr. Puckett a new reason for the stop: Mr.
8 Nichols’s license plate came back as stolen, and his vehicle’s VIN number did not match its license
9 plate number. Officer Haro admitted that the situation “could be a simple DMV thing.” Exasperated,
10 Mr. Puckett agreed to ask Mr. Nichols to come outside.

11 24. When Mr. Nichols came outside, Officer Haro told Mr. Nichols that when he passed
12 Mr. Nichols’s car, Mr. Nichols was “kind of just chilling.” Officer Haro admitted that Mr. Nichols
13 was doing nothing wrong but that he ran Mr. Nichols’s license plate anyway because, according to
14 Officer Haro, Mr. Nichols’s license plate number (“J87”) was “such a simple plate, you know?” Officer
15 Haro did not explain why having a simple license plate number justified further inquiry into its owner.

16 25. In any event, Officer Haro told Mr. Nichols that the plate “returned as stolen.” Mr.
17 Nichols explained that there had been a clerical error with his license plate paperwork when his
18 insurance company purchased his old vehicle.

19 26. At 1:36 a.m., after checking Mr. Nichols’s identification and verifying that his car
20 belonged to him and nothing was stolen, the officers told Mr. Nichols to contact the DMV to clear up
21 the paperwork, and then they left.

22 **IV. ESPD Chief Whalen lies about having watched footage of the incident and then**
23 **mischaracterizes what happened to Mr. Puckett.**

24 27. The January 21 incident deeply disturbed Mr. Puckett. He couldn’t get back to sleep
25 that night and had to take the next day off work.

26 28. Remembering Chief Whalen’s offer to listen to complaints about ESPD officer conduct,
27 Mr. Puckett sent him an email, explaining what had happened.
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1 29. In response, Chief Whalen wrote back that he had watched body and dashcam footage
2 of the incident, but then proceeded to mischaracterize it. Chief Whalen claimed that Mr. Nichols was
3 engaging in conduct consistent with criminal activity. He claimed, for example, that after Officer Haro
4 saw him, Mr. Nichols accelerated and sped down the alley, away from Officer Haro.

5 30. These claims stunned Mr. Puckett because, during the incident, Officer Haro said Mr.
6 Nichols’s car was parked during the entire incident and that there were no indications Mr. Nichols was
7 engaged in any criminal activity or attempting to flee.

8 31. On February 10, 2021, Mr. Puckett met with Chief Whalen via Zoom to review the
9 footage of the incident and discuss it further. Soon after beginning to review the footage, however,
10 Chief Whalen abruptly stopped the tape and said he was not prepared to discuss it. Chief Whalen then
11 admitted that, despite his earlier emails to Mr. Puckett, he had never in fact watched the footage.

12 32. Later that day, Chief Whalen emailed Mr. Puckett and apologized for “coming across
13 defensive.” He admitted that even though he wanted “people to feel welcome” in El Segundo and his
14 officers to “perform their duties in a fair and impartial manner,” ESPD had “significantly more work
15 to do.”

16 **V. Less than two months later, ESPD again racially profiles and unlawfully detains Mr.**
17 **Puckett.**

18 33. On March 14, 2021, Mr. Puckett went to Universal Sports Center to help prepare his
19 son for basketball tryouts at El Segundo High School. Mr. Puckett had swapped cars with a friend who
20 had asked to borrow Mr. Puckett’s more gas-efficient vehicle for a long road trip, and so he was driving
21 his friend’s truck that night. To be sure ESPD would have no reason to pull him over, Mr. Puckett
22 thoroughly inspected the truck before driving it. He made sure the registration was up to date and the
23 lights, including the rear license-plate light, were working. This was a habit Mr. Puckett—like many
24 Black drivers—had formed over the years to minimize interactions with law enforcement.

25 34. After arriving at the Center, Mr. Puckett realized he had forgotten some of his son’s
26 basketball equipment, so he drove home to retrieve it. While returning to the Center, Mr. Puckett
27 passed an ESPD police car that was travelling in the opposite direction. After passing Mr. Puckett, the
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1 officer, Jonathan Chavez,¹⁸ made a U-turn and began following him. Footage from Officer Chavez's
2 dashcam shows Mr. Puckett activating his right turn signal, fully stopping at a stop sign, and then
3 making a right turn. The footage shows that the truck's rear lights are functional, and the truck's license
4 plate is clearly illuminated:



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16 35. After turning right, Mr. Puckett drove for about ten seconds before parking in front of
17 the Center. He did not commit any traffic violations.

18 36. Officer Chavez nonetheless parked behind Mr. Puckett and activated his emergency
19 lights and siren.

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28 ¹⁸ Officer Chavez was present during the January 2021 incident as well, though it is not known whether
Officer Chavez recognized Mr. Puckett before pulling him over.

1 37. Officer Chavez approached the driver-side window of the truck without stopping to
2 check—or even look at—the truck’s rear license plate, which was clearly illuminated.



14 38. Officer Chavez said: “The license plate light above your rear license plate isn’t lighting
15 up your plate.” Mr. Puckett insisted that he had “just checked it” before he “left the house.” Officer
16 Chavez responded: “I’m not a big ticket guy; it’s not a big deal. In the meantime, do you have your
17 license and registration and proof of insurance on you?” Mr. Puckett explained that he left his driver’s
18 license in the gym with his son. Officer Chavez then asked for Mr. Puckett’s name, date of birth,
19 address, and driver’s license number and said: “So what I’m going to do is get your information. I’m
20 going to run it like I always do for everybody. And if everything’s good to go, you’ll be on your way.
21 OK?” Mr. Puckett, now frustrated, told Officer Chavez that Officer Chavez “flipped a U-turn” when
22 he “saw a colored person in the car” and then started “following” Mr. Puckett before pulling him over
23 “for no reason.” Mr. Puckett reiterated that he “double checked both lights” to make sure they were
24 working before he left his house. Officer Chavez then asked whether the rear license plate light could
25 have “gone out” while Mr. Puckett was driving.

26 39. After running Mr. Puckett’s information and finding no justification for extending the
27 stop, Officer Chavez said: “Mr. Puckett, thank you for your cooperation. Have a good night.”
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1 40. As Officer Chavez returned to his vehicle, Mr. Puckett exited the truck and inspected
2 its rear license plate. He then indicated to Officer Chavez that the license plate was fully illuminated.
3 Officer Chavez said, “Hold on, let me turn off my lights. Let me turn off my lights.” When he did, the
4 truck’s rear license plate was still clearly illuminated. Officer Chavez then turned his lights back on
5 and drove away without saying anything else.

6 41. Mr. Puckett entered the gym and told his son what happened. He then returned to the
7 truck and took a photograph of the rear license plate. That photograph shows that the rear plate was
8 fully illuminated:



19 **VI. City officials imply that Mr. Puckett is lying about what happened to him.**

20 42. For the second time in two months, Mr. Puckett was deeply distressed and unable to
21 sleep, and he had to take the next day off work.

22 43. Mr. Puckett felt he had to do something. He did not want to contact Chief Whalen again,
23 so he emailed Scott Mitnick, then-City Manager, and Barbara Voss, Deputy City Manager. Mr. Puckett
24 described the pain he was feeling: “I’ve been in El Segundo for 12 years. I volunteer my time with
25 the kids in the community. I do not deserve this type of treatment. I am not a criminal. I am a regional
26 security manager for a Fortune 500 company. I am a small business owner. I’ve had to take three
27 vacation days as these incidents are traumatizing and cause me to lose sleep and are very stressful. My
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1 son is going to start driving in 6 months, I am scared for how ESPD is going to treat him and his friends
2 of color. I'm begging you to do something immediately.”

3 44. The next day, Mr. Mitnick agreed to meet with Mr. Puckett after an upcoming City
4 Council meeting.

5 45. At the City Council meeting, before meeting with Mr. Mitnick, Mr. Puckett spoke about
6 the January 21 and March 14 incidents. He encouraged City Councilmembers to act to ensure that
7 people of color are treated fairly in El Segundo.

8 46. During Mr. Mitnick's subsequent meeting with Mr. Puckett, Mr. Mitnick assured him
9 that the City was taking his complaints seriously. Yet Mr. Puckett did not hear anything about his
10 complaints for almost two months.

11 47. At a May 4, 2021, City Council meeting, Mr. Mitnick announced that ESPD had
12 investigated Mr. Puckett's complaints and found no wrongdoing. The City did not include Mr. Puckett
13 in—or even inform him of—its investigation. When pressed for more detail about the investigation,
14 Mr. Mitnick admitted that it had been “cursory.” He also implied that he was not obligated to
15 investigate Mr. Puckett's claims in more detail because Mr. Puckett had not filed a formal complaint.

16 48. City Councilmember Chris Pimentel publicly asked Mr. Mitnick if Mr. Puckett had lied
17 about the incidents. Mr. Mitnick referred the question to Chief Whalen, who did not deny that Mr.
18 Puckett was lying.

19 49. Mr. Puckett was motivated by Mr. Mitnick's claim that the City was not obligated to
20 investigate the incidents in more detail because Mr. Puckett had not filed a formal complaint. So the
21 next day, May 5, 2021, Mr. Puckett filed formal complaints about both incidents.

22 50. Eleven months later, on April 4, 2022, the El Segundo Human Resources Department
23 communicated to Mr. Puckett that it had found no wrongdoing.

24 **VII. Mr. Puckett delays filing this complaint for almost two years as he tries to negotiate with**
25 **the City and convince it to change its policies.**

26 51. Mr. Puckett did everything he could to avoid this lawsuit. He entered eleven tolling
27 agreements with the City over the course of fourteen months. His counsel repeatedly met with City
28 officials to see if an agreement could be reached about policy changes to improve the treatment of

1 Black people in El Segundo. The City refused. Mr. Puckett plans to continue living in El Segundo, a
2 city he has called home for many years. But ESPD officers continue to follow Mr. Puckett, and Mr.
3 Puckett fears that ESPD will continue its practice of racially profiling Black people and thus violate
4 his constitutional rights again. Mr. Puckett therefore brings this action as a final effort to vindicate his
5 constitutional rights, hold the City accountable for its unlawful conduct, and compel it to stop racially
6 profiling Black people.

7 **MONELL LIABILITY (APPLICABLE TO ALL COUNTS)**

8 52. Mr. Puckett's experiences are not unique or isolated. The City of El Segundo has
9 implemented and continues to implement customs, policies, and/or practices of racial profiling in El
10 Segundo.

11 53. The City of El Segundo has failed and continues to fail to train ESPD officers on their
12 legal duty to avoid racial profiling. That failure to train amounts to deliberate indifference to the
13 constitutional rights of Black people in El Segundo.

14 54. The testimony of El Segundo residents about ESPD's racial profiling, as well as RIPA
15 data indicating that ESPD engages in racial profiling, establish this deliberate indifference.

16 55. The City of El Segundo has policies of inaction in response to its notice of racial
17 profiling in El Segundo. Former City policymakers Scott Mitnick (City Manager) and Bill Whalen
18 (Chief of ESPD), for example, were on actual or constructive notice that ESPD's failure to properly
19 train its officers caused the officers to engage in racial profiling.

20 56. By adopting policies of inaction, the City effectively chose to violate the Constitution
21 of the United States.

22 **FIRST CAUSE OF ACTION**

23 **Violation of the Fourth Amendment of the Constitution of the United States**
24 **(28 U.S.C. § 1983)**

25 *January 21, 2021 Incident*

26 57. Mr. Puckett re-alleges and incorporates by reference the preceding paragraphs of this
27 Complaint.

28 58. Mr. Puckett has a Fourth Amendment right to be free from unreasonable seizure.

1 **THIRD CAUSE OF ACTION**

2 **Violation of the Fourteenth Amendment of the Constitution of the United States**
3 **(28 U.S.C. § 1983)**

4 *January 21, 2021 Incident*

5 70. Mr. Puckett re-alleges and incorporates by reference the preceding paragraphs of this
6 Complaint.

7 71. The Equal Protection Clause of the Fourteenth Amendment prohibits intentional
8 discrimination based on race.

9 72. On January 21, 2021, six officers detained Mr. Puckett outside his home in the middle
10 of the night, despite having no lawful basis to do so.

11 73. The officers intended to discriminate against Mr. Puckett because he is Black.

12 74. The officers acted under color of State law.

13 75. The officers' detention of Mr. Puckett was due to City policies, plans, and/or pervasive
14 patterns of intentional racial profiling, which has a disproportionate effect on Black people. El
15 Segundo's history of racism against Black people, and the RIPA data indicating ESPD is engaged in
16 racial profiling against Black people, are evidence of these policies, plans, and/or pervasive patterns of
17 intentional racial profiling.

18 76. As a direct and proximate result of the officers' unlawful actions, Mr. Puckett endured
19 and continues to endure pain, suffering, and irreparable harm.

20 **FOURTH CAUSE OF ACTION**

21 **Violation of the Fourteenth Amendment of the Constitution of the United States**
22 **(28 U.S.C. § 1983)**

23 *March 14, 2021 Incident*

24 77. Mr. Puckett re-alleges and incorporates by reference the preceding paragraphs of this
25 Complaint.

26 78. On March 14, 2021, Officer Chavez stopped Mr. Puckett despite having no lawful basis
27 to do so.

28 79. Officer Chavez intended to discriminate against Mr. Puckett because he is Black.

1 DATED: June 25, 2024

GIBSON, DUNN & CRUTCHER
MAURICE SUH
LAUREN M. BLAS
JEREMY S. SMITH

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5 By: /s/ Maurice Suh
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7 Attorneys for Plaintiff Keith Puckett
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DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all causes of action.

DATED: June 25, 2024

GIBSON, DUNN & CRUTCHER
MAURICE SUH
LAUREN M. BLAS
JEREMY S. SMITH

By: /s/ Maurice Suh
Maurice Suh

Attorneys for Plaintiff Keith Puckett

EXHIBIT A

EXHIBIT A

Figure 1: El Segundo’s population is 4.8% Black, but stops of Black people account for 20.5% of all ESPD’s stops and 18.6% of its officer-initiated stops.

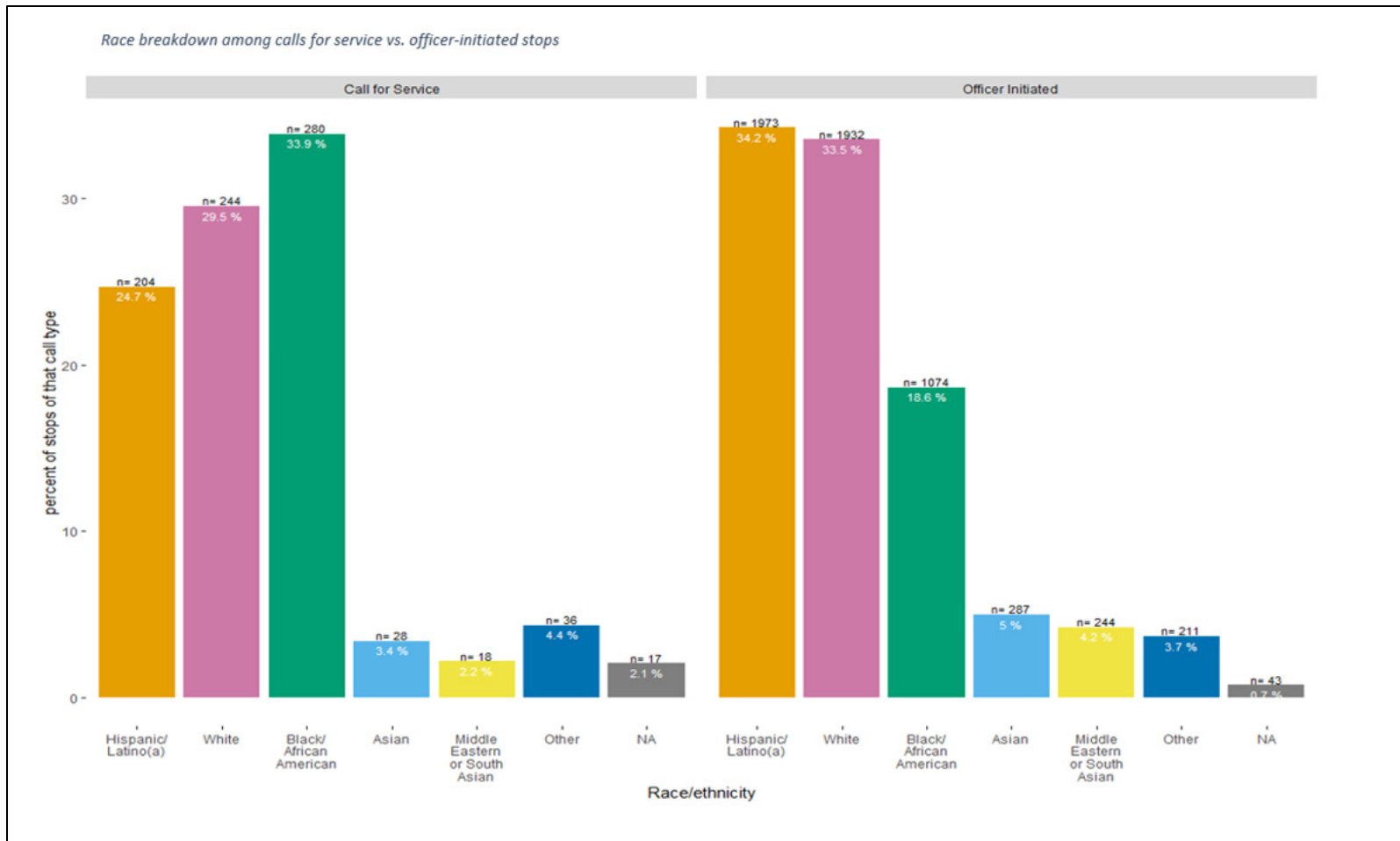


EXHIBIT B

EXHIBIT B



COMPANY TOWN

How El Segundo fought a Black beach resort a century ago



A 1957 aerial view of the Hyperion Water Reclamation Plant, L.A.'s largest sewage treatment facility. In 1923, Los Angeles offered beachfront property to Titus Alexander for a planned beachside resort. LAX is in the background. (Los Angeles Examiner / USC Library / Corbis via Getty Images)

By Meg James
Staff Writer

July 6, 2021 5 AM PT

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Nearly a century ago, Los Angeles leaders offered beachfront property to a prominent Black entrepreneur, Titus Alexander, to build a retreat for the city's fast-growing African American population.

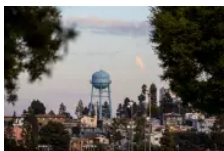
Alexander envisioned opening a Black "amusement resort" on a coastal stretch near the southern tip of present-day Dockweiler State Beach, near the city of El Segundo.

Los Angeles initially agreed in 1923 to lease 200 feet of city-owned beach to Alexander for 15 years. The land was part of a tract that the city purchased in 1892 for the Hyperion Water Reclamation Plant, which remains the city's primary sewage treatment facility.

El Segundo residents were outraged. City leaders enlisted Hermosa Beach, Redondo Beach and L.A. businessmen to wage a bitter 18-month campaign that included petition drives, a lawsuit and racist smears. In 1924, a judge issued a restraining order, temporarily blocking the lease and demanding the L.A. mayor and council members testify why the project should go forward.

Bowing to pressure, L.A. officials backed out of the lease arrangement with Alexander.

"This was another situation where African Americans were foiled," said Black historian Alison Rose Jefferson.



COMPANY TOWN

'Black in Mayberry.' How a film exposed racial tensions in one of L.A. County's whitest cities

July 6, 2021

Alexander's story has come to light as El Segundo reckons with its history of racism. In May, the city's Diversity, Equity and Inclusion Committee recommended a review of El Segundo's troubled past.

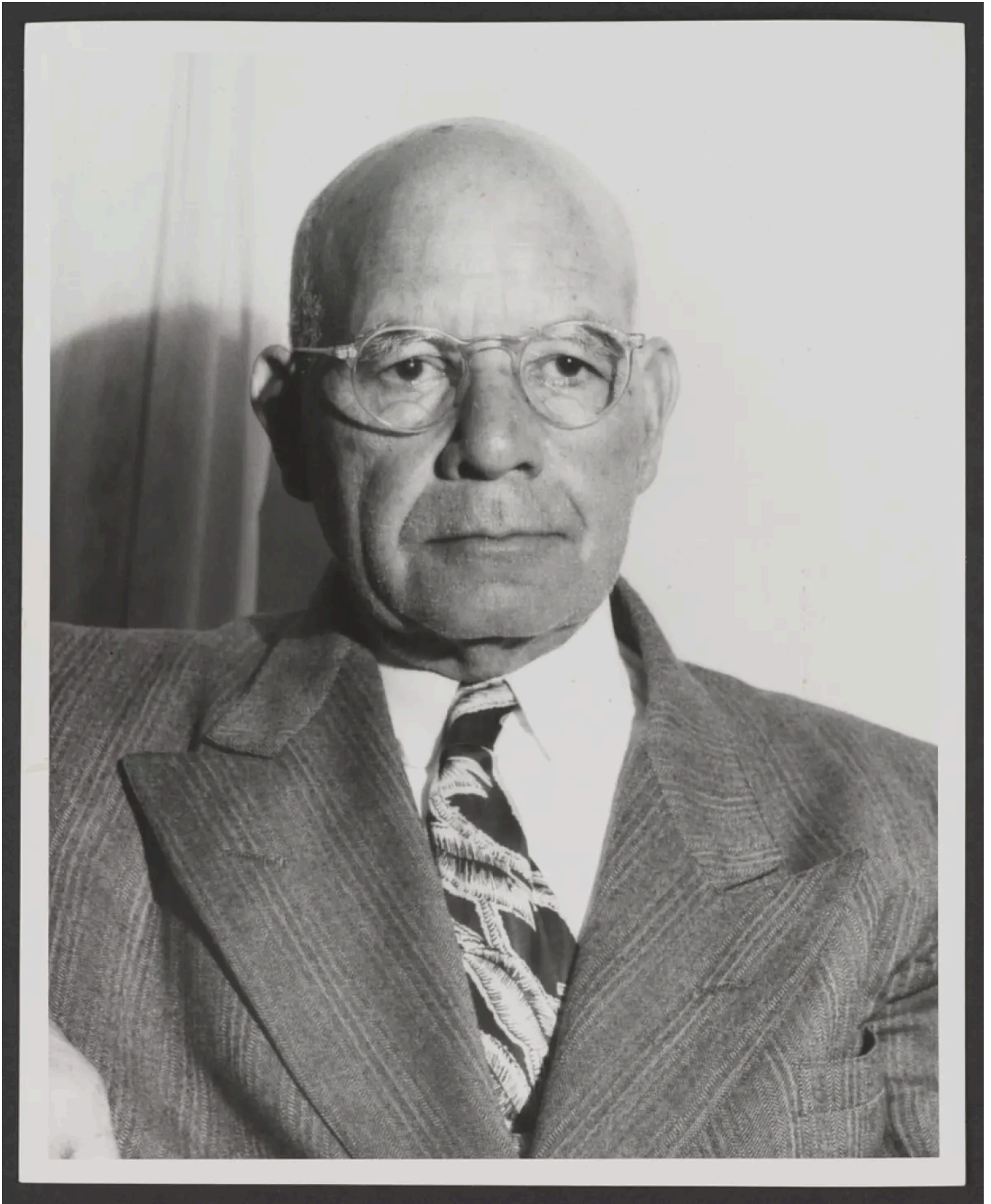
In 1924, officials in neighboring [Manhattan Beach confiscated beachfront property](#) where Willa Bruce had operated a popular hotel, restaurant and dance hall for Black families. Manhattan Beach used eminent domain to condemn and seize more than two dozen properties, claiming an urgent need for a public park. Black families who lived around Bruce's Beach were forced to scatter.

In 1926, the Black-owned Pacific Beach Club in Huntington Beach mysteriously burned to the ground on the eve of its opening.

There was a surge in Ku Klux Klan activity and racism in the 1920s as L.A.'s Black community became more established.

Southerners had been moving to Southern California for job opportunities, and the Black population exploded. At the dawn of the 20th century, Los Angeles had 2,131 Black residents. By 1920, there were 15,579. Many were drawn to California because of anti-discrimination laws, the ability to own property and "because the discrimination was a little less offensive than it was in other places in the U.S.," Jefferson said.

Central Avenue was a bustling business district, and prosperity seemed within reach, Jefferson said.



Titus Alexander planned to build a beach resort, a project opposed by El Segundo. (Golden State Mutual Life Insurance Co. records / Library Special Collections, Charles E. Young Research Library, UCLA)

In the early 20th century, Alexander was a towering figure in Los Angeles.

The Arkansas native, who moved to L.A. in 1897, was a lawyer, the honorary captain of the L.A. Fire Department and an executive at L.A.'s Bureau of Power and Light, said Robin Miskolcze, a Loyola Marymount University English professor who has been studying the history of El Segundo.

Alexander provided leadership during the 1932 Summer Olympics in Los Angeles by helping coordinate events. Later that year, Alexander was honored by the L.A. Chamber of Commerce for his role in "making comfortable all colored athletes who participated in the Olympic Games," according to a 1932 article in *The Times*. He ran unsuccessfully for the L.A. City Council and for a California Assembly seat.

"He was a mover and a shaker," Jefferson said. "He was involved in real estate ventures and he was civically active. He attempted to get more rights, and less discrimination, for African Americans in the city."

His proposed resort also could have been a lucrative business venture. (The city of Los Angeles agreed to lease Alexander the land for about \$500 a year.) Around this time, the Bruce family's operation in Manhattan Beach was thriving, said Jefferson, author of the 2020 book "Living the California Dream: African American Leisure Sites During the Jim Crow Era."

But El Segundo residents would have no part of Alexander's plans.

Like some other Southern California communities, real estate covenants prevented Black people from owning property in El Segundo. Newspaper articles from the 1920s describe minstrel shows and Klan cross burnings on the coastal bluffs.

On Oct. 26, 1923, the *El Segundo Herald* published a front-page story, which began: "Titus Alexander, the gum-shoe Negro whose activities for the 'elevation' of his race by

having them bathe in the sea water lapping El Segundo's beautiful beach is likely to have his idea ... rudely shattered."

El Segundo's city leaders had sent word to their counterparts in Los Angeles that a Black resort "would prove dangerous to the life and property of a large portion of the public," the article read. A Pacific Electric trolley stop was nearby. "Many of the [trolley] patrons are women and children, and it is not considered desirable" for such a resort to operate there, the Herald article read.



CALIFORNIA

A tale of two reckonings: How should Manhattan Beach atone for its racist past?

March 28, 2021

Miskolcze noted the property offered to Alexander wasn't the finest stretch of beach around. It was next to the Hyperion sewage plant, and in the early 1920s the city dumped raw sewage into the ocean.

"This section of beach would have been laden with human waste," said Mickolcze, who is white and a member of Sweat Equity Alliance or SEA Change, an activist group formed this spring to lobby for increased diversity and inclusion in El Segundo.

But in the 1920s, the public was not as concerned about environmental health hazards as it is now, Jefferson said. She noted that several beach communities, including Manhattan Beach and Santa Monica, released untreated waste into the sea.



Foam forms in billowy masses and even blows over the hill to El Segundo from washing machine and dishpan suds effluent at the Hyperion Water Reclamation Plant in 1951. (Los Angeles Examiner / USC Libraries / Corbis via Getty Images)

Opponents of Alexander's proposed resort mounted a "Save the Beaches" campaign, according to a 1925 article in *The Times*.

The article quoted Arthur Eckman, who was a leader of the lawsuit to prevent the city from leasing the land to Alexander.

"Contrary to the belief of some, this movement of ours is not a movement against the colored or any other race, but it is simply a movement to keep the municipally owned beaches open and free to all the public," Eckman said. "We hope to have such beaches placed in the hands of the recreation department of the city."

Staff researcher Julia Franco contributed to this report.

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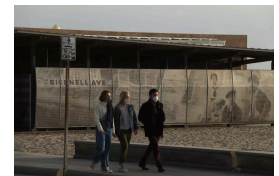
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March 22, 2024



Meg James

Meg James is a senior entertainment industry writer for the Los Angeles Times. She was the lead reporter for The Times’ coverage of the deadly “Rust” shooting on a New Mexico film set in 2021, work recognized by the Pulitzer Prize board as a finalist in breaking news. A member of the Company Town team for two decades, James specializes in covering television, corporate media and investigative projects. She previously wrote for the Miami Herald and the Palm Beach Post. A native of Wyoming, she is a graduate of the University of Colorado and Columbia University.

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EXHIBIT C

EXHIBIT C

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El Segundo, one of Los Angeles County's Whitest Cities



EP McKnight, MEd · Follow

Published in ILLUMINATION-Curated · 5 min read · Jul 9, 2021



251



How a film, *Black in Mayberry*, uncovers the whiteness of El Segundo



Photo by Loopnet.com

“**B**lack in Mayberry” grew out of the Black Lives Matter movement highlighting racial tensions in this coastal community. This film opened amongst threats of the El Segundo Museum of Art being firebombed. The movie shares the experiences of Black people in El Segundo. What could be so bad about that? Unless, there are things happening others have done, shame of and wants all to continue to be a buried secret. Regarding this threat, the FBI was called and undercover police officers patrolled the area during the movie’s premiere at the Brewport Tap House. Nothing happened, but it is all about instilling fear to suppress people of color.

El Segundo is very nostalgic and has a population of 16,600. Much came to the surface when a diverse coalition of residents came out in support of the Black Lives Matter movement as they called on city leaders to stop racial profiling, more inclusive schools and issue an apology for its racist legacy.

Their actions brought out the flag waving hecklers who disrupted last summer's George Floyd demonstrations, howling indignation as the El Segundo's police chief knelt in solidarity with students marching for racial justice. Everything changes, even and all white town like El Segundo, a quiet kept secret, gets a makeover in current times. This town like many others remained a white enclave due to racism, redlining and all the negative strategies' put in place by a city to keep out non-white residents.

El Segundo has been sustained by the oil refinery as Standard Oil opened its second California refinery, now owned by chevron and is the largest producing oil refinery on the West Coast. The workforce was predominantly white early on and strove to remain that way as it was a hotbed for the Ku Klux Klan a century ago. In 1924, a successful Black businessman, Titus Alexander, fought El Segundo to build an oceanfront retreat for Black vacationers. Alike, that same year, Manhattan Beach seized seaside property of a Black family who had built a successful and popular Black resort. All over the many counties in Los Angeles Blacks were prevented from purchasing property or zoned out of their properties.

California real estate covenants prohibited property ownership by anyone who was not of the white race, from African, Asiatic, Mongolian or Mexican descent and should not be allowed in the area unless they were domestic servants.

The federal Home Owners' Loan Act of 1933, created by the government to boost home ownership produced a 1939 map of L.A. County that ranked neighborhoods with letter grades (A to D). Yes, people of color were restricted to "D" areas color-coded red, hence came the term redlining.

Even in the midst of much segregation there is always a few who stand out because they do not abide by the racist consciousness of the masses. Frank L. Snow, then Herald editor, made it clear in this writings that racial intolerance sent a bad message about the town and the fact that 700,000 Black men served in World War II, they are entitle to be treated like human beings. Eventually, housing was integrated but by 1980, there was only 50 black people, (0.5%) versus 89% whites in El Segundo. There has been some changes pertaining to diversity but on a small scale.

In 2019, El Segundo's population was 72% white, 16% Latino, 10% Asian and 3.7% Black. City leaders applauds the diversity of the modern day El Segundo from housing, schools, etc. For the 2020 presidential elections, 64% of the voters voted for Joe Biden.

Some of the residents stated they were blind to racism in their town as George Floyd's murder awakened new activists in the community along with two white attorneys, Anya Goldstein and Amanda Touchton who were instrumental in bringing the national movement home and led a protest against racism, where many passersby cheered and clapped with approval while others feared trouble would come to the town.

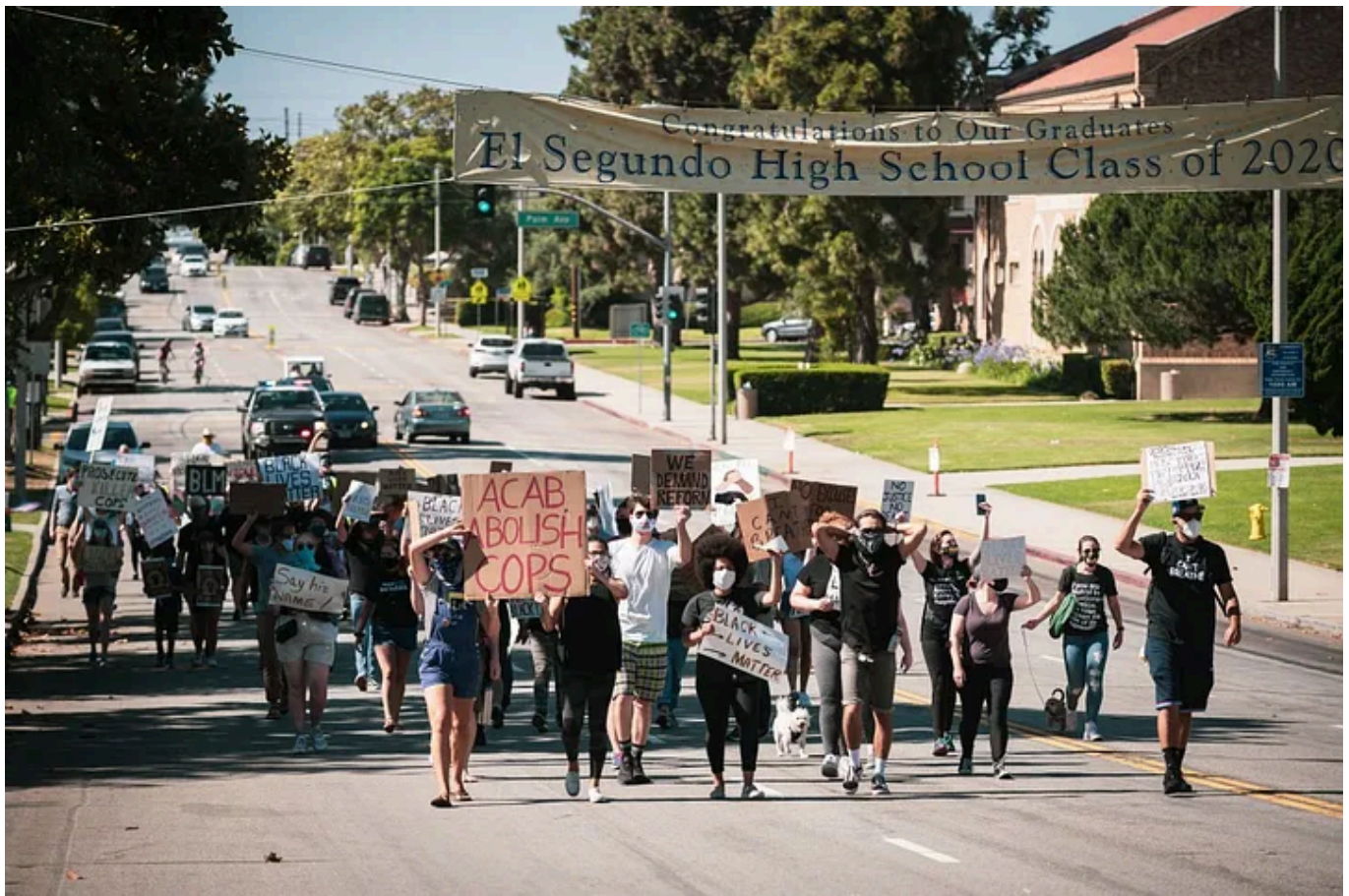


Photo by Mark Knight

Mark Knight, a white research scientist, a three year resident of El Segundo didn't know what all the fuss was all about but made it a point to learn and support his neighbors, photographed the rallies and marches. His photograph conveyed that the marches were just people who wanted equal rights and wanted their voices heard, dispelling some of the negativism in the media and on the news. Knight directed the film "The Black Mayberry", an hour long documentary film depicting the amount of pain Blacks walk around with even in El Segundo.

El Segundo educators moved to bring about racial justice and equality within the El Segundo Unified School District, against parents ideology of remaining the same. The educators champion that Black Lives Matter is not a political issue but a moral one. City leaders took a proactive

stance inclusive of the all-white City Council as the Mayor Boyles spoke to a crowd of about 300 protestors outside city hall on June 2020.



Photo by [Simone Fischer](#) on [Unsplash](#)

From this came the Diversity Equity and Inclusion Committee for social change and to bring about positive change to everyone who work and/or reside in El Segundo letting all know they are equally welcomed. Also, formed was the multiracial group, Sweat Equity Alliance or SEA Change, led by a Black television producer, Ben Watkins, whose sons have faced racial profiling by the police as they walked home from school, another time one son was called the N-word by a classmate.

The new City Manager, Scott Mitnick, as of 2019 is committed to equality and social justice for all residents and visitors of El Segundo no matter their race, gender, age, nationality or orientation. Also, he made it clear all injustices will be investigated and dealt with.

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of bombing the El Segundo Museum of Art for its screening of "Black in Mayberry", a film that exposed racial tensions in El Segundo, one of L.A. County's whitest cities. Change is inevitable, nothing and nowhere remains the same.

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Written by EP McKnight, MEd

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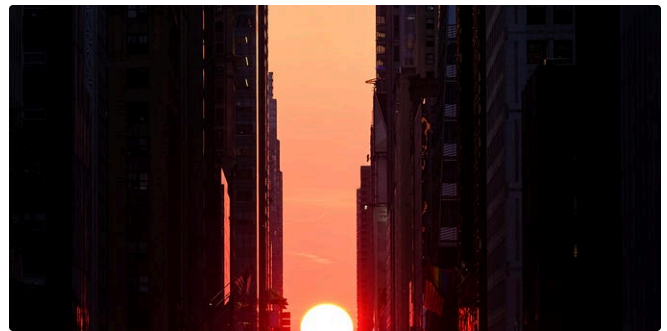
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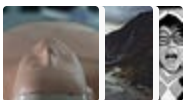
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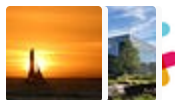
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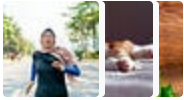
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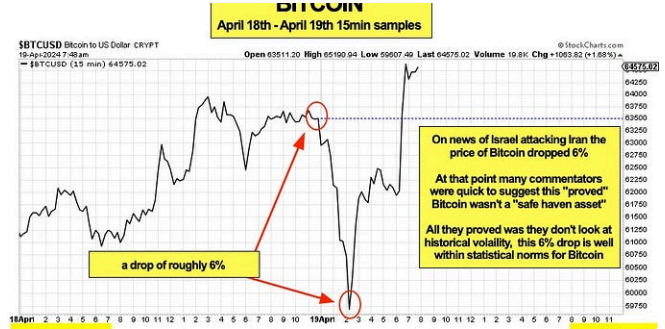
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