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9 IN HER INDIVIDUAL CAPACITY AND AS
10 SUCCESSOR-IN-INTEREST TO JAIME NARANJO

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12 **UNITED STATES DISTRICT COURT**

13 **EASTERN DISTRICT OF CALIFORNIA**

14 ELISA DAHER in her individual capacity and as
15 successor-in-interest to JAIME NARANJO,

16 Plaintiff,

17 v.

18 COUNTY OF SACRAMENTO, SHERIFF JIM
19 COOPER, IN HIS OFFICIAL AND
20 INDIVIDUAL CAPACITY AS COUNTY OF
21 SACRAMENTO SHERIFF, DEPUTY SHERIFF
22 ANDREW SEIDEL, JOHN DOES 1-10,

23 Defendants.

Case No.

COMPLAINT

JURY TRIAL DEMANDED

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1 Plaintiff Elisa Daher alleges as follows:

2 **INTRODUCTION**

3 1. Jaime Naranjo was a beloved husband, father, grandfather, and pillar of his
4 community. When Deputy Andrew Seidel of the Sacramento County Sheriff’s Office (“SCSO”)
5 encountered Mr. Naranjo during a mental-health crisis, he ended Mr. Naranjo’s life, leaving his
6 family and friends reeling from the loss. This case arises from the unnecessary and unlawful
7 killing of Mr. Naranjo, who was suffering from a severe and disabling mental-health crisis when
8 he was fatally shot by Deputy Andrew Seidel.

9 2. On September 28, 2022, Mr. Naranjo’s wife, Plaintiff Elisa Daher, called 911
10 seeking emergency medical services because her husband was suicidal. Just two weeks prior,
11 SCSO was made aware of Mr. Naranjo’s mental illness after SCSO deputies performed a welfare
12 check on him. Nevertheless, SCSO dispatched Deputy Andrew Seidel—a deputy with multiple
13 substantiated allegations of excessive force in his disciplinary record—to respond to Ms. Daher’s
14 plea for emergency assistance with her husband’s mental-health crisis. Deputy Seidel arrived at
15 Mr. Naranjo’s home, saw him outside holding a knife, and, without warning or any attempt to de-
16 escalate, shot and killed Mr. Naranjo while he was covering his face with his own hand. The
17 shooting occurred within 23 seconds of Deputy Seidel’s arrival on scene.

18 3. Moments after Deputy Seidel killed Mr. Naranjo, additional SCSO deputies arrived
19 on scene and raided the Daher-Naranjo home. Some of these deputies detained Ms. Daher, who
20 had just witnessed her husband’s killing, while others entered the Daher-Naranjo home—without
21 Ms. Daher’s consent and without presenting her with a search warrant. Once inside the home,
22 deputies seized personal items and, upon information and belief, seized and/or destroyed
23 surveillance footage captured by Ms. Daher’s home security camera. Ms. Daher was detained for
24 a total of eight hours, first in front of her home and then at the Sheriff’s station. She was
25 prohibited from entering her home despite informing the detaining deputies that she was disabled
26 and needed to access her life-saving medications.

27 4. Deputy Seidel’s killing of Mr. Naranjo is part of broader pattern of needless,
28 preventable violence and disregard for the needs of people suffering from mental disabilities by

1 the SCSO. Over the last decade, there have been several dozen reported instances of excessive
2 and/or lethal force used by SCSO deputies against individuals with known mental-health issues,
3 and likely many more. Still, despite these obvious and well-documented encounters, Defendants
4 County of Sacramento (hereinafter “Sacramento County” or “the County”), SCSO, and Sheriff
5 Jim Cooper, have failed to train SCSO deputies to safely interact with these individuals or
6 otherwise provide them any reasonable accommodations. They have also failed to supervise
7 deputies involved in such encounters and discipline deputies for failing to provide reasonable
8 accommodations and/or using excessive force when interacting with people suffering from
9 mental disabilities.

10 5. Left unchecked, abuse and deadly encounters will persist and disproportionately
11 impact people experiencing mental disabilities in the County of Sacramento. Over 300,000
12 people suffer from mental illness in Sacramento County. Sacramento County is in the second
13 worst quartile of all California counties for death by suicide. In 2021, almost 20% of adults
14 residing in the Sacramento County had been diagnosed with depression.¹ As is the case
15 throughout the country, the lack of mental-health infrastructure has made law enforcement
16 officers the default first responders to behavioral health issues in the Sacramento County.² This
17 default reliance on law enforcement officers has deadly consequences for people suffering from
18 mental disabilities.

19 6. Federal and California law mandate that the County and SCSO’s policies, practices,
20 and customs do not discriminate against individuals suffering from mental disabilities. Title II of
21 the Americans with Disabilities Act and Section 504 of the Rehabilitation Act mandate that
22 public entities, like the County and the SCSO, establish reasonable response alternatives when
23 engaging with individuals suffering from mental disabilities. Such alternatives could have
24 prevented the killing of Mr. Naranjo and reduced the number of lethal or harmful encounters
25

26 ¹ *Adults Ever Diagnosed with Depression, County: Sacramento, Measurement Period: 2021*, Be Healthy Sacramento,
27 <https://www.behealthysacramento.org/indicators/index/view?indicatorId=2867&localeId=271> (last visited September
28 25, 2024).

² See, e.g., Mike Duffy, *Are Mobile Crisis Support Teams the answer for mental health-related 911 calls?*, ABC10
(May 21, 2021), <https://www.abc10.com/article/news/local/sacramento/mobile-crisis-support-teams-mental-health-911/103-e451e12a-0edb-4d6c-9a61-9b67fa31dc70>.

1 between SCSO deputies and people with mental disabilities throughout the County of
2 Sacramento.

3 7. Ms. Daher brings this lawsuit for injunctive relief and monetary damages to hold
4 Defendants County of Sacramento, SCSO, Sheriff Jim Cooper, and the individual deputies
5 accountable for their violations of Mr. Naranjo's and Ms. Daher's rights under the Americans
6 with Disabilities Act ("ADA"), the Rehabilitation Act, the United States Constitution, and
7 California law.

8 **PARTIES**

9 8. Plaintiff Elisa Daher is a member of the public as defined in Cal. Gov. Code §
10 7920.515, and the wife of decedent Jaime Naranjo, a 55-year-old Hispanic man who was shot and
11 killed by SCSO Deputy Seidel on September 28, 2022. Ms. Daher is a resident of the County of
12 Sacramento, California. Ms. Daher was married to Mr. Naranjo at the time of his death and
13 brings this action as Mr. Naranjo's successor-in-interest pursuant to Cal. Civ. Proc. Code §
14 377.30 and on her own behalf.

15 9. Defendant County of Sacramento is located in the State of California. It is a "public
16 entity" as defined in to Cal. Gov. Code § 811.2. Upon information and belief, Defendant County
17 of Sacramento is a recipient of federal funding.

18 10. Defendant SCSO is located in the County of Sacramento, California. Defendant
19 SCSO is a "public entity" as defined in Cal. Gov. Code § 811.2. Upon information and belief,
20 Defendant SCSO is a recipient of federal funding.

21 11. Defendant Sheriff Jim Cooper is and was, at all material times herein, the Sheriff of
22 the County of Sacramento. At all times relevant hereto, Defendant Sheriff Jim Cooper was acting
23 in the course and scope of his official duties as the Sheriff of the County of Sacramento and
24 under the color of state law. In his capacity as Sheriff, Defendant Sheriff Jim Cooper is and was a
25 final policymaking authority for Defendants County of Sacramento and SCSO, including as it
26 relates to the establishment and maintenance of policies and procedures for SCSO and the
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1 training, supervision, and discipline of law enforcement personnel under his command.³

2 Defendant Sheriff Jim Cooper is sued in his individual and official capacities.

3 12. Defendant Deputy Andrew Seidel is and was, at all times material herein, a law
4 enforcement officer employed by Defendants County of Sacramento and SCSO, acting within the
5 scope of his employment and under color of state law. Defendant Seidel is sued in his individual
6 capacity.

7 13. Plaintiff is, at the time of the filing of this Complaint, unaware of the true names and
8 capacities of Defendants DOES 1-10, and therefore sues these Defendants by such fictitious
9 names. Plaintiff is informed and believes and thereon alleges that Defendants DOES 1-10 were
10 employed by Defendants County of Sacramento and SCSO at the time of the conduct and were
11 responsible for some or all of the actions alleged herein, as SCSO deputies, employees, or agents
12 who were involved in the killing of Mr. Naranjo and the subsequent search of the Daher-Naranjo
13 home, and/or the detention of Ms. Daher. Plaintiff will amend her Complaint to state the names
14 and capacities of Defendants DOES 1-10 when they are identified and ascertained. DOES 1-10,
15 at all relevant times hereto, were acting within the scope of their employment with the County of
16 Sacramento and SCSO and under color of state law. They are sued in their individual capacities.

17 14. Plaintiff alleges that each Defendant, through their actions and/or omissions,
18 violated decedent Mr. Naranjo's constitutional and statutory rights; and encouraged, directed,
19 enabled and/or ordered other Defendants to engage in such conduct. Plaintiff further alleges that
20 Defendants, through their actions and/or omissions, violated Plaintiff Elisa Daher's constitutional
21 and statutory rights by unlawfully detaining her and preventing her entry into her own home,
22 refusing her access to life-saving medications, unlawfully searching the residence, and unlawfully
23 seizing Mr. Naranjo and Ms. Daher's property.

24 **JURISDICTION AND VENUE**

25 15. This Court has original jurisdiction over the federal claims pursuant to 28 U.S.C. §
26 1331, in that they arise under the United States Constitution, and pursuant to 28 U.S.C.

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28 _____
³ See Sacramento County Sheriff's Department, General Order 1-15 (Sheriff's Executive Staff).

1 § 1343(a)(3), in that the action is brought to address deprivations, under color of state authority,
2 of rights, privileges, and immunities secured by the United States Constitution.

3 16. This Court has supplemental jurisdiction over the state-law claims asserted herein
4 pursuant to 28 U.S.C. § 1367(a), as those claims are directly related to, and form the same case
5 and controversy as, the federal claims asserted in this action.

6 17. Venue is proper in the United State District Court for the Eastern District of
7 California pursuant to 28 U.S.C. § 1391(b) because Defendants are located in the Eastern District
8 of California and because all of the acts and/or omissions described herein occurred in the
9 Eastern District of California.

10 18. On or about January 24, 2023, Plaintiff, pursuant to Cal. Gov. Code § 910, timely
11 submitted a claim to Defendant County of Sacramento, for damages arising from the injuries
12 suffered as alleged herein. Defendants failed or refused to act on the claim within the time
13 prescribed by Cal. Gov. Code § 911.6.

14 **FACTS**

15 **Mental Health and Law Enforcement Violence in the County of Sacramento**

16 19. Hundreds of thousands of people in Sacramento County grapple with mental illness
17 each day. Sacramento County has a population of 1,578,938. Over 300,000 people in the
18 Sacramento County suffer from mental illness.

19 20. In 2021, almost 20% of adults residing in Sacramento County had been diagnosed
20 with depression.⁴

21 21. With 12 people per every 100,000 dying by suicide, Sacramento County is in the
22 second worst quartile of all California counties for death by suicide.

23 22. According to the 2024 Mental Health Index created by Conduent Healthy
24 Communities Institute, Sacramento County is among the highest need counties for mental and
25 behavioral health services in California.

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⁴ Be Healthy Sacramento, *supra* note 1.

1 23. The high rates of mental illness and interactions with law enforcement are reflected
 2 in the increasing number of mental-health related calls to the SCSO, which increased 89%
 3 between 2019 and 2022.

4 24. In 2019, there were 2,951 mental-health related calls to the SCSO. In 2020, the
 5 number of mental-health related calls rose 25% to 3,681. In 2021, mental-health related calls
 6 jumped 42% to 5,240 calls. And in 2022, there were 5,569 mental-health related calls to SCSO.

7 25. Over the past decade alone, SCSO deputies responding to mental-health related calls
 8 used deadly force in at least several dozen of these encounters.

9 26. Mental illness and law enforcement violence is not unique to Sacramento County.
 10 Approximately 59.3 million adults, almost a quarter of all adults in the United States, experienced
 11 mental illness in 2022.⁵

12 27. Nearly half of all Americans will experience a mental-health condition in their
 13 lifetime.⁶ 22.5 million adults suffer from major depression and 4.8 million children between the
 14 ages of 12 and 17 suffer from major depression, while 3.6 million suffer from severe depression.⁷
 15 About one in twenty American adults experience what is classified as “serious” mental illness.⁸

16 28. People with mental illness are significantly overrepresented in use-of-force incidents
 17 with law enforcement. Individuals with mental disabilities account for only 22% of the national
 18 population. However, 30 to 50 % of use-of-force incidents by law enforcement involve
 19 individuals with mental disabilities.⁹ According to a study by BMC Psychiatry¹⁰ published in
 20

21 ⁵ *Quick Facts and Statistics About Mental Health*, Mental Health America, <https://mhanational.org/mentalhealthfacts>
 (last visited September 17, 2024).

22 ⁶ *Id.*

23 ⁷ *Id.*

24 ⁸ *What is Mental Health?*, American Psychiatric Association, [https://www.psychiatry.org/patients-families/what-is-mental-illness#:~:text=It%20is%20a%20medical%20problem%2C%20just%20like%20heart%20disease%20or%20diabetes.&text=More%20than%20one%20in%20five,\(including%20alcohol%20use%20disorder\)](https://www.psychiatry.org/patients-families/what-is-mental-illness#:~:text=It%20is%20a%20medical%20problem%2C%20just%20like%20heart%20disease%20or%20diabetes.&text=More%20than%20one%20in%20five,(including%20alcohol%20use%20disorder)) (last visited September 20, 2024).

26 ⁹ U.S. Dep’t of Justice & U.S. Dep’t of Health and Human Services, *Guidance for Emergency Response to People with Behavioral Health or other Disabilities*, 2 (May 2023), https://www.justice.gov/d9/2023-05/Sec.%2014%28a%29%20-%20DOJ%20and%20HHS%20Guidance%20on%20Emergency%20Responses%20to%20Individuals%20with%20Behavioral%20Health%20or%20Other%20Disabilities_FINAL.pdf

28 ¹⁰ BMC Psychiatry is a “peer-reviewed journal that considers articles on all aspects of the prevention, diagnosis and management of psychiatric disorders.” *See Join our Editorial Board*, BMC Psychiatry, <https://bmcp psychiatry.biomedcentral.com/join-our-editorial-board> (last visited September 25, 2024).

1 October 2021, “[p]ersons with serious mental illness constitute[d] 17.0% of use of force cases . . .
 2 and 20.2% of suspects injured in police interaction[.]”¹¹ The risk that persons with serious mental
 3 illness will experience police use of force is 11.6 times higher, and the risk of experiencing injury
 4 is 10.7 times higher, relative to persons without serious mental illness.¹²

5 29. These encounters are often deadly. Between 2015 and 2020, nearly one in four
 6 people shot and killed by law enforcement officers had a mental-health condition.¹³ At this rate,
 7 “the risk of being killed during a police incident is 16 times greater for individuals with untreated
 8 mental illness than for other civilians approached or stopped by officers.”¹⁴ But data from
 9 jurisdictions with more robust and consistent reporting practices indicate that individuals with
 10 severe mental illness account for “as many as 1 in 2 fatal law enforcement encounters.”¹⁵

11 30. These killings are avoidable. Most lethal encounters between law enforcement and
 12 individuals with behavioral health disabilities begin either as 911 calls from people concerned
 13 about the well-being of a loved one or neighbor living with a mental illness,¹⁶ or as a report of a
 14 non-violent, misdemeanor crime or “nuisance behavior.”¹⁷ An analysis of officer-involved
 15 shooting deaths in 2015 showed that “in most cases, the police officers who shot [civilians with
 16 mental illness] were not responding to reports of a crime. More often, the police officers were
 17 called by relatives, neighbors, or other bystanders worried that a mentally fragile person was
 18 behaving erratically.”¹⁸

21 ¹¹ Ayobami Lanionu & Phillip A. Goff, *Measuring disparities in police use of force and injury among persons with*
 22 *serious mental illness*, 21 BMC Psychiatry 1, 1 (2021), <https://doi.org/10.1186/s12888-021-03510-w>

22 ¹² *Id.*

23 ¹³ *Police Use of Force*, National Alliance on Mental Illness, <https://www.nami.org/advocacy/policy-priorities/stopping-harmful-practices/police-use-of-force/> (last visited September 25, 2024).

24 ¹⁴ Doris Fuller, et al., *Overlooked in the Undercounted: The Role of Mental Illness in Fatal Law Enforcement*
 25 *Encounters*, Treatment Advocacy Center, 1 (2015), <https://www.tac.org/wp-content/uploads/2023/11/Overlooked-in-the-Undercounted.pdf>.

25 ¹⁵ *Id.*

26 ¹⁶ Emma Frankham, *Mental Illness Affects Police Fatal Shootings*, 17(2) Contexts 70, 70-71 (2018),
 27 <https://doi.org/10.1177/1536504218776970>

27 ¹⁷ Melissa Reuland, et al., *Law Enforcement Responses to People with Mental Illnesses: A Guide to Research-Informed*
 28 *Policy And Practice*, Council of State Governments Justice Center, 5 (2009), <https://csgjusticecenter.org/wp-content/uploads/2020/02/le-research.pdf>.

28 ¹⁸ Wesley Lowery, et al., *Distraught People, Deadly Results*, The Washington Post (Jun. 30, 2015),
<https://www.washingtonpost.com/sf/investigative/2015/06/30/distraught-people-deadly-results/>.

1 31. As the U.S. Department of Justice has recognized, “[l]aw enforcement is too often
2 viewed as the only available entity to respond to emergency calls involving individuals with
3 behavior health disabilities.”¹⁹ But when law enforcement officers lacking adequate mental-
4 health training and de-escalation skills respond to these calls for help, these public-health
5 emergencies escalate into deadly tragedies.

6 32. The prevalence of these deadly encounters underscores the need to provide
7 community-based services to people with disabilities when appropriate as required by the
8 Supreme Court’s decision in *Olmstead v. L.C. ex rel. Zimring*, 527 U.S. 581 (1999). Alternative
9 responses to mental-health crises, such as sufficiently staffed and trained mobile crisis teams and
10 other mental-health specialists, have resulted in fewer deaths.²⁰

11 33. This issue also highlights the need to train law enforcement officers on how to
12 interact with civilians suffering from mental-health disabilities. Traditional law enforcement
13 tactics, such as verbal commands, displays of authority, and threats of physical force, often
14 escalate already-sensitive encounters, causing the individual to present more erratic behavior that
15 may be misperceived as threatening, which in turn may elicit yet more forceful responses.²¹ For
16 example, pointing a gun at a potentially suicidal person will likely trigger that person’s anxiety,
17 which tends to escalate the encounter.²²

18 34. Over the last several years, mental-health professionals, policymakers, and law
19 enforcement leaders have developed several frameworks and training programs designed to
20 improve interactions between officers and individuals with mental-health issues.²³ For instance,
21 nationally recognized police training programs recommend refraining from pointing a weapon at
22

23 ¹⁹ U.S. Dep’t of Justice & U.S. Dep’t of Health and Human Services, *supra* note 9.

24 ²⁰ *How to Successfully Implement a Mobile Crisis Team*, The Council of State Governments (CSG) Justice Center,
(March 2021), https://csgjusticecenter.org/wp-content/uploads/2021/04/CSGJC_Field-Notes_Law-Enforcement_Mobil-Crisis-Team.pdf.

25 ²¹ Kelli E. Canada, et al., *Intervening at the Entry Point: Differences in How CIT Trained and Non-CIT Trained*
26 *Officers Describe Responding to Mental Health-Related Calls*, 48 *Community Mental Health J.* 746 (2012); Robin
27 Shepard Engel, et al., *Further Exploration of the Demeanor Hypothesis: The Interaction of Suspects’ Characteristics*
28 *and Demeanor on Police Behavior*, 17 *Justice Q.* 235 (2000).

²² Chuck Wexler, et al., *Suicide by Cop: Protocol and Training Guide*, *Police Executive Research Forum*, 3 (2024),
<https://www.policeforum.org/assets/SBCTrainingGuide.pdf>.

²³ See Jackson Beck, et al., *Behavioral Health Crisis Alternatives: Shifting from Police to Community Responses*, Vera
Institute of Justice, <https://www.vera.org/behavioral-health-crisis-alternatives> (last visited September 26, 2024).

1 the individual.²⁴ Moreover, when a person with a mental illness has a knife, it is recommended
2 that officers engage in de-escalation techniques, maintain a safe distance, and use available cover,
3 like a police cruiser, a fence, or other objects.²⁵ And having a supervisor on the scene is critical to
4 ensuring the scene remains stable and may reduce the likelihood of the use of deadly force.²⁶

5 35. These crisis intervention and de-escalation practices are not only widely accepted,
6 but have also been shown to be safer for both law enforcement officers and persons with
7 disabilities.²⁷

8 **SCSO's History of Violence Against People Suffering with Mental Disabilities**

9 36. Over the last ten years, SCSO deputies have repeatedly used unnecessary force
10 against people with mental illnesses. For example:

11 (a) On or around March 23, 2024, family members of Christopher Gilmore called
12 911 for emergency medical services after they found Mr. Gilmore cutting
13 himself in his bathroom with a shaving razor. The family informed dispatch that
14 Mr. Gilmore was experiencing a mental-health crisis. SCSO deputies arrived at
15 Mr. Gilmore's residence and when Mr. Gilmore approached the deputies, they
16 shot and killed him.

17 (b) On or around November 20, 2023, Kyrianna Liles, a disabled person with
18 mental-health issues known to the SCSO, thought she heard her missing dog
19 barking in her neighbor's backyard. She walked to her neighbor's backyard
20 holding a knife. Her neighbors asked her to leave the premises, and she did, but
21 her neighbors also called 911. The County of Sacramento's Known Person
22 Finder noted that there were "several mental health calls" concerning Ms. Liles.
23 Two SCSO deputies with less than a week of training were dispatched to the
24

25 ²⁴ See, e.g., Chuck Wexler, *supra* note 22 at 3, 5..

26 ²⁵ *Id.* at 3-4.

27 ²⁶ *Id.* at 4.

28 ²⁷ See, e.g., Katharine Ball, *Public Safety Digest; Salinas Police*, *The Californian*, A3 (June 3, 2014); Melissa Reuland & Jason Cheney, *Enhancing Success of Police-Based Diversion Programs for People with Mental Illness*, *Police Executive Research Forum*, 7 (2005), https://evawintl.org/wp-content/uploads/PERF_enhancing.pdf (finding that for several agencies, CIT implementation has decreased police shootings, assaults and batteries, and "problematic use of force issues").

1 scene. The neighbors told the deputies that they did not feel threatened, that no
2 crime was committed, that they suspected Ms. Liles was experiencing a mental-
3 health crisis, and that they only called 911 because they were worried about her.
4 The deputies walked to Ms. Liles' residence and saw her sitting in her parked
5 vehicle on her cell phone. The deputies attempted to pull Ms. Liles out of her
6 vehicle. Afraid and confused, she turned her vehicle on and began driving away.
7 The deputies fired several gunshots at Ms. Liles, and one hit her in the arm.

8 (c) On or around October 14, 2023, Kaylin Footman, a second-grade teacher, was
9 experiencing a mental-health crisis. Concerned about Ms. Footman's mental
10 state, her mother contacted emergency services with the hopes that they would
11 place her under an involuntary psychiatric commitment to get her some
12 assistance with her mental health. SCSO and EMS responders failed to render
13 aid and then denied her family's pleas to transport her to a mental institution
14 pursuant to California's Welfare and Institution Code § 5150 for involuntary
15 treatment. She was instead, arrested and then booked into the Sacramento
16 County jail where she was incarcerated, without a mental-health evaluation,
17 abused by jail officials, and was denied medical treatment for her deteriorating
18 mental condition, in defiance of a court order directing that Ms. Footman be
19 transferred to a mental institution for medical treatment.

20 (d) On December 6, 2022, 48-year-old Sherrano Stingley, an unarmed and mentally
21 ill Black man, was rendered braindead by Defendant SCSO's personnel,
22 including deputies Freddy Martinez, Rachell Villegas, and Brittany Linde.
23 Sacramento County Sheriff's Department, Report No. 22-360884. Mr. Stingley
24 was experiencing a mental-health episode when he attempted to enter a
25 residence he mistook for his daughter's home. (The daughter's house was a few
26 doors down.) The deputies arrived at the scene and confronted Mr. Stingley,
27 who was confused, had his pants around his legs, and was missing his shoes. Mr.
28 Stingley complied with the deputies' commands to get on the ground. The

1 deputies struck him on the head with a flashlight, forced him to lie prone on the
2 ground, and piled on top of him while pressing body weight on top of his head,
3 chest, and legs. Mr. Stingley struggled to breathe and cried out the name of his
4 daughter before he was rendered unconscious and braindead within minutes. Mr.
5 Stingley died days later. Rather than address the lack of training and
6 inappropriate response, the County of Sacramento and SCSO published a press
7 release and edited video of the officer-involved death incident which portrayed
8 Mr. Stingley negatively and the deputies favorably, and which suggested that the
9 unjustified use of deadly force was justified. The video footage provided to the
10 public was incomplete and limited to the perspective of one deputy, despite the
11 availability of two other angles which showed the deputies' excessive force.

12 (e) On November 21, 2019, a 26-year-old mentally ill man was arrested by
13 Defendant SCSO personnel, including deputies Terrence McDonald, Andrew
14 Neil, David Derouen, Noah Luger, and Matthew Tam. Sacramento County
15 Sheriff's Department, Report No. 19-416979. The man was experiencing a
16 mental-health episode and acting "erratically," including jumping onto a fire
17 truck and yelling, "help me, I need air." Responding deputies instructed the man
18 to lie on the ground, on his stomach, and he complied. The deputies handcuffed
19 the man's arms behind his back. When the handcuffed man continued to move,
20 the deputies put him in a prone restraint position, kneeling on his back as he
21 struggled to breathe and tased him multiple times. He lost consciousness with
22 the deputies on top of him. When medical personnel arrived on scene, they noted
23 that the man was "unresponsive." Thankfully, the man survived. Defendant
24 SCSO deemed the deputies' conduct to be within policy.

25 (f) On May 8, 2017, 32-year-old Mikel McIntyre, an unarmed and mentally ill
26 Black man, was shot and killed by Defendant SCSO personnel, including
27 deputies Jeffrey Wright, Ken Becker, and Gabriel Rodriguez. Sacramento
28 County Sheriff's Department, Report No. 17-150089. Defendant SCSO was

1 familiar with Mr. McIntyre and knew he suffered from mental illness, because
2 SCSO deputies had responded to calls from Mr. McIntyre's family seeking
3 mental-health crisis support for Mr. McIntyre earlier that same day. During the
4 subsequent contact, Mr. McIntyre threw a rock and attempted to flee from the
5 deputies. In response, the deputies shot at him with 26 bullets, killing him.
6 Defendant SCSO deemed the deputies' conduct to be within policy.

7 (g) On or around August 18, 2016, Chad Irwin was suffering from depression and
8 had been under the influence of alcohol and pain medication. He told his wife
9 that he was having suicidal ideations and that he would not return home. Mr.
10 Irwin's wife initially called for emergency medical assistance, but then hung up
11 the telephone and called his mother for assistance. SCSO deputies arrived at Mr.
12 Irwin's residence and were informed that he had been under the influence and
13 was also suicidal. Mr. Irwin eventually returned to his residence where his wife
14 and two daughters were waiting for him along with the SCSO deputies. When he
15 arrived, he was holding a knife in his hand. He told the deputies that he knew
16 that they would kill him. Mr. Irwin took three steps toward one of the deputies,
17 who then fired upon him 11 times, striking Mr. Irwin with six bullets. Defendant
18 SCSO deemed the deputies' conduct to be within policy. Sacramento County
19 Sheriff's Department, Report No. 16-245488.

20 (h) On September 23, 2016, Jesse Attaway, a mentally ill man, was shot and killed
21 by Defendant SCSO personnel, including deputies Andrew Cater and Bao Mai.
22 Sacramento County Sheriff's Department, Report No. 16-285423. Mr. Attaway
23 entered or attempted to enter multiple homes but left without causing any harm
24 to the people or property. Mr. Attaway was walking away when deputies arrived
25 on the scene. The deputies exited their patrol vehicle and approached him after
26 commanding him to stop. Mr. Attaway raised his arms, clasped his hands
27 together in front of him, cocked his head between his arms, and screamed
28 "Ahhh!" Mr. Attaway's mental illness was apparent. Deputy Cater yelled,

1 “Coming at me!” and the deputies fired at least 14 shots at Mr. Attaway, killing
2 him. Defendant SCSO deemed the deputies’ conduct to be within policy.

3 (i) On November 24, 2016, 17-year-old Logan Augustine, a mentally ill boy, was
4 shot and killed by Defendant SCSO’s personnel, including deputy James
5 Schaefers. Sacramento County Sheriff’s Department, Report No. 16-354725.
6 Logan experienced a mental-health episode inside of a 7-11 convenience store
7 and called 911. Logan was cornered inside of the store and held a pocketknife to
8 his own throat. A deputy fired a less-lethal round at him, which caused him to
9 flinch. In response to his non-threatening flinching, Deputy Schaefers fired a
10 gunshot into Logan’s neck, killing him. Defendant SCSO deemed the deputy’s
11 conduct to be within policy.

12 (j) On or around July 11, 2016, 51-year-old Joseph Mann was experiencing a
13 mental-health crisis at around 9:00 a.m. He was described as doing karate moves
14 and zigzagging across the street as he walked away from SCSO deputies,
15 exhibiting clear signs of mental distress. When Mr. Mann ran away from the
16 deputies, they tried to hit him with their patrol vehicles. The deputies asserted
17 that they believed Mr. Mann was carrying a gun, but no gun was recovered.

18 (k) On January 17, 2012, 24-year-old Johnathan Rose, a mentally ill man, was shot
19 and killed in his home by Defendant SCSO personnel, including deputy David
20 McEntire. Sacramento County Sheriff’s Department, Report No. 12-12655. Mr.
21 Rose was schizophrenic and experienced a mental-health episode, prompting his
22 father to call 911 for help in administering Mr. Rose’s medications. Prior to the
23 deputies’ arrival, Mr. Rose took his medications and went to sleep in his bed.
24 Deputy McEntire arrived at Mr. Rose’s home, “brushed” aside his father, and
25 approached Mr. Rose’s bed where he was sleeping. Deputy McEntire woke up
26 Mr. Rose and ordered him to lie face down on the ground to be handcuffed. Mr.
27 Rose refused to lie on the ground but presented his hands to be handcuffed. In
28 response, Deputy McEntire struck him on the head with a flashlight, prompting

1 an altercation. Deputy McEntire was in control and had control over Mr. Rose
2 when, without warning or provocation, he fatally shot Mr. Rose three times at
3 point blank range, killing him. Defendant SCSO deemed the deputy's conduct to
4 be within policy.

5 37. Despite knowing of several past incidents where SCSO deputies responded to
6 mental-health crises with lethal force, and despite knowing SCSO deputies will continue to
7 encounter civilians with mental disabilities, SCSO has failed to meaningfully train its officers on
8 how to serve people with mental disabilities. These inappropriate and deficient responses
9 illustrate a pattern and practice of deliberate indifference to the obvious risks of sending SCSO
10 deputies to respond to the mental-health needs of Sacramento County residents suffering from
11 mental illness and caused Defendant Seidel to use lethal force against Mr. Naranjo without
12 justification.

13 **Defendants Responded to Mr. Naranjo's Mental-Health Crisis with Excessive**
14 **Force**

15 38. Mr. Jaime Naranjo grew up in Sacramento, California and spent the majority of his
16 life as a Sacramento County resident.

17 39. Mr. Naranjo was married to the love of his life, Elisa Daher, for 33 years. Together,
18 they had three children. Mr. Naranjo was also the loving grandfather to twelve grandchildren and
19 the son of Sacramento residents Eliado Naranjo and Estela Paupista.

20 40. Mr. Naranjo was the owner of Naranjo's Maintenance and Landscaping, a
21 Sacramento-based landscaping business, which he and his wife owned and operated for
22 approximately 32 years.

23 41. Mr. Naranjo served as a mentor to several young men in the community. He instilled
24 values of responsibility, honor, and community uplift, and encouraged his mentees to be positive
25 role models to their children and loved ones and pillars of support to their spouses and
26 communities.

27 42. Beyond offering kind and uplifting words, Mr. Naranjo also employed members of
28 the community, including individuals experiencing homelessness.

SCSO Learns of Mr. Naranjo's Mental-Health Disability

1
2 43. For several months prior to the shooting, Mr. Naranjo's mental-health had been in
3 decline. He was not sleeping, he was regularly experiencing hallucinations, and he had lost
4 substantial weight over the course of just a few months.

5 44. On September 11, 2022, one of Mr. Naranjo's customers requested a welfare check
6 from law enforcement after noticing his extreme weight loss and odd behavior, including Mr.
7 Naranjo's claims of being poisoned.

8 45. Several SCSO deputies responded to the call, conducting a welfare check at Mr.
9 Naranjo's home. Three deputies escorted Mr. Naranjo to the sidewalk, away from his family, and
10 asked him questions.

11 46. Mr. Naranjo told the deputies that he thought his wife, Ms. Elisa Daher, had been
12 trying to poison him.

13 47. The deputies asked him if Ms. Daher had a life insurance policy out on him.

14 48. The deputies advised Mr. Naranjo to seek a divorce from Ms. Daher.

15 49. Two other deputies spoke with Ms. Daher. She informed them that Mr. Naranjo had
16 been experiencing hallucinations and had not been able to sleep. Ms. Daher also informed the
17 deputies that Mr. Naranjo was emotionally disturbed and had been prescribed antidepressant
18 medication.

19 50. Upon information and belief, those deputies created an incident report describing
20 this encounter with Mr. Naranjo.

Deputy Seidel Shoots and Kills Mr. Naranjo

21 51. A little over two weeks later, around 8:40 a.m. on September 28, 2022, Mr. Naranjo
22 was experiencing a severe mental-health crisis. He was suffering from hallucinations and
23 expressed that he was suicidal to Ms. Daher.

24 52. Ms. Daher called 911 seeking emergency medical assistance for Mr. Naranjo and
25 told them she was concerned about her husband's welfare.

26 53. Just as she had informed the SCSO deputies who performed the welfare check on
27 Mr. Naranjo earlier that month, Ms. Daher told the 911 dispatcher that Mr. Naranjo had not slept
28

1 in months and was severely sleep deprived. She also informed the dispatcher about the welfare
2 check law enforcement had conducted two weeks prior.

3 54. Ms. Daher further informed the dispatcher that she was outside of the residence,
4 while Mr. Naranjo remained in the house. She stated that no one else was inside the house.

5 55. Mr. Naranjo was not a threat to anyone other than himself.

6 56. The dispatcher asked Ms. Daher to inform him if the situation escalated and if Mr.
7 Naranjo started to pose a threat to her. For the entire duration of the nearly six-minute phone call,
8 Ms. Daher never expressed that she was in danger or that Mr. Naranjo was a danger to anyone
9 else.

10 57. At approximately 8:45 a.m., Deputy Andrew Seidel arrived at the Daher-Naranjo
11 home and was met by Ms. Daher, who was outside of her home.

12 58. Deputy Seidel knew that Mr. Naranjo was experiencing a severe mental-health crisis
13 when he arrived at the Daher-Naranjo home.

14 59. Deputy Seidel did not call for assistance or wait for any other officers to arrive on
15 scene before exiting his patrol vehicle and entering the Daher-Naranjo property.

16 60. Deputy Seidel opened the fence gate and stepped on to the Daher-Naranjo property
17 without additional support or supervision from other SCSO personnel.

18 61. Ms. Daher told Deputy Seidel, again, that there were no other people besides Mr.
19 Naranjo in the house or on the premises.

20 62. When Deputy Seidel entered the yard, Mr. Naranjo appeared at the front doorway of
21 his home. Both of his arms were at his side, and in his right hand, he was holding a knife.

22 63. Deputy Seidel unholstered his firearm and immediately began shouting, "Put it
23 down!" at Mr. Naranjo, apparently commanding him to drop the knife.

24 64. Ms. Daher shouted "Jaime!" at her husband. Deputy Seidel pushed her to the side.

25 65. Mr. Naranjo then raised his right arm while covering one eye with his left hand and
26 walked at a staggered, unsteady pace towards Deputy Seidel.

27 66. Deputy Seidel shouted, "Don't do it! Don't do it!" and then immediately fired five
28 bullets from his department-issued firearm at Mr. Naranjo.

1 67. Mr. Naranjo was already falling to the ground by the time Deputy Seidel fired the
2 third shot. He was lying face-down on the ground when Deputy Seidel fired the fourth and fifth
3 shots.

4 68. Deputy Seidel kept his firearm aimed at Mr. Naranjo, who was lying lifeless on the
5 ground.

6 69. Deputy Seidel then handcuffed Mr. Naranjo as he was dying on his front lawn, with
7 Ms. Daher wailing next to her husband's body.

8 70. From the time Deputy Seidel exited his patrol car until the time he shot Mr. Naranjo,
9 no more than 21 seconds had elapsed.

10 71. Deputy Seidel did not immediately perform any life-saving measures on Mr.
11 Naranjo, who was lying unresponsive and bleeding on the ground.

12 72. Deputy Seidel waited more than a minute before attempting to address Mr.
13 Naranjo's injuries and took several minutes to place a chest seal on some of Mr. Naranjo's bullet
14 wounds.

15 73. EMS eventually arrived at the scene and Mr. Naranjo was transported to a hospital
16 where he was pronounced dead the same day.

17 **SCSO Deputies Raid the Daher-Naranjo Home to Seize Personal Belongings and**
18 **Destroy Evidence**

19 74. As Ms. Daher reckoned with having seen her husband killed by Deputy Seidel,
20 additional SCSO deputies, DOE Defendants 1-10, raided Ms. Daher's home.

21 75. Ms. Daher was not presented with a search warrant.

22 76. The deputies did not seek Ms. Daher's consent to enter or search the residence.

23 77. Once inside, the deputies forbade Ms. Daher and her family members from entering
24 the premises for the next eight hours.

25 78. Ms. Daher suffers from diabetes, liver disease, and Hepatitis-C and relies on various
26 medications to address the symptoms and long-term effects of these conditions.

27 79. Ms. Daher informed the deputies that she had several disabilities and urgently
28 needed to retrieve her medication, which was inside her home.

1 80. The deputies continued to deny her entry into her home, offering her a cigarette as a
2 substitute for her life-saving medicine.

3 81. The deputies forcibly escorted Ms. Daher into a patrol car and transported her to the
4 Sheriff's Office. Once at the station, Ms. Daher was held for several hours without explanation
5 and was not permitted to leave.

6 82. Upon information and belief, while the deputies were in the Daher-Naranjo
7 residence, they confiscated several of Mr. Naranjo's personal belongings, including his Social
8 Security card, driver's license, and other critical identification documents.

9 83. Upon information and belief, the deputies also accessed the home security system to
10 review and then delete video footage depicting Deputy Seidel killing Mr. Naranjo, Ms. Daher's
11 subsequent detention, and the deputies' search of the Daher-Naranjo home.

12 **Defendants County of Sacramento, SCSO, and Sheriff Jim Cooper Failed to**
13 **Adequately Train, Supervise, and or Meaningfully Discipline Defendant Seidel**
14 **Despite His Documented History of Using Excessive Force**

15 84. Defendant Seidel's immediate resort to lethal force against Mr. Naranjo was not the
16 first time he used excessive force while employed by Defendant SCSO.

17 85. Upon information and belief, Defendant Seidel was hired by Defendant SCSO in or
18 around June 2018 and worked at the Main Jail Division until sometime in either late 2021 or
19 early 2022.

20 86. While working at the Main Jail Division, Defendant Seidel was investigated for
21 excessive use of force against detainees on at least three different occasions,²⁸ with at least two of
22 those investigations resulting in disciplinary action.

23 87. On or around August 25, 2019, Defendant Seidel and fellow deputies applied a
24 WRAP restraint device to a mentally ill inmate at the Sacramento County Main Jail. After the

25 ²⁸ See Sergeant Erik Hobbs, *Professional Standards Division Investigation 2019PSD-0543 – Deputy Andrew Seidel*,
26 Sacramento County Sheriff's Department (April 24, 2020),
https://www.dropbox.com/sh/dotf5lqq4p1wmtb/AACKNRPy0n9KmqvE_VbY442Xa?dl=0&title%3D&e=1&preview=2019PSD-0543.pdf; Sheriff Sergeant James Walther, *Sacramento Sheriff's Department Use of Force Report – 2020-138514*, Sacramento County Sheriff's Department (May 3, 2020),
27 https://www.dropbox.com/sh/0tu8s47ezvo4925/AAB0ajUGhjY8Bs2ZhUpi5l_qa?dl=0&title%3D&e=2&preview=20-138514.pdf; Legal Affairs (Sacramento Sheriff), *2021PSD-268*, Sacramento County Sheriff's Department (2021),
28 <https://www.dropbox.com/sh/3mthtu12wtdzfb3/AAD-0VkecV5UHWkHcVEN0nPsa?e=3&dl=0&title%3D>.

1 subject was taken to the ground in a prone position, Defendant Seidel used his knee to strike the
2 inmate in the head, without justification. Defendant Seidel prepared a false report which omitted
3 the excessive force used against the subject. An investigation “sustained” the excessive force
4 allegation. Sacramento County Sheriff’s Department, Professional Standards Division No.
5 2019PSD-0543. Defendant Seidel was ultimately issued a “letter of reprimand.” On April 20,
6 2020, captain Charles Meeks issued a letter of reprimand and ordered Defendant Seidel to attend
7 four additional hours of use of force training.

8 88. On or around April 26, 2021, Defendant Seidel aggressively shoved two different
9 detainees, one of whom was waiting to be assessed by jail medical staff for arm pain. As in 2019,
10 Seidel failed to document these uses of force.

11 89. Noting “a concerning pattern regarding [Seidel’s] decision-making related to his use
12 of force,” the deputies investigating the April 26, 2021 incident recommended adverse action
13 against Defendant Seidel. He was suspended without pay for 24 hours (in January 2022) and
14 prohibited from training other law enforcement officers for the next three years.

15 90. Nevertheless, upon information and belief, Defendant Seidel was promoted in or
16 after January 2022 to SCSO patrol.

17 91. Defendants County of Sacramento, SCSO, and Sheriff Jim Cooper knew or should
18 have known of Defendant Seidel’s documented and “concerning pattern” of immediate escalation
19 to excessive force.

20 92. Upon information and belief, Defendant Seidel was not required to undergo
21 additional use of force training following his use of excessive force on April 26, 2021, nor was he
22 placed on any kind of increased supervision.

23 93. Despite their knowledge of Defendant Seidel’s use of excessive force, Defendants
24 promoted Defendant Seidel from the Main Jail Division to street patrol sometime in or after
25 January 2022.

26 94. Within a few months of his promotion to patrol, Defendant Seidel fatally shot Mr.
27 Naranjo.
28

1 **Defendants County of Sacramento, SCSO, and Sheriff Jim Cooper’s Failure to**
2 **Train Supervise, and Discipline Deputies Engaging with People Experiencing**
3 **Mental Illness**

4 95. Despite the tragic history of violence involving SCSO deputies and people
5 experiencing mental illness, Defendants County of Sacramento, SCSO, and Sheriff Jim Cooper
6 have refused to implement policies and training that would prevent unnecessary violence against
7 people with mental illnesses.

8 96. Upon information and belief, prior to August 6, 2024, SCSO failed to implement
9 and/or maintain an adequate policy related to deputy interactions with individuals suffering from
10 mental illness and/or mental disabilities, including the use of force on these individuals. Sheriff
11 Jim Cooper was either aware or should have been aware of the non-existence or inadequacy of
12 this policy. Regardless of the existence of a policy relating to how officers should interact with
13 mentally ill persons, Sheriff Jim Cooper failed to train and/or supervise SCSO deputies on the
14 necessary skills including, without limitation:

- 15 (a) how to approach persons suffering from mental illness;
- 16 (b) how to speak to persons suffering from mental illness;
- 17 (c) how to interact with persons suffering from mental illness (including using appropriate
18 body language and tone of voice);
- 19 (d) how to respect the personal space of persons suffering from mental illness;
- 20 (e) how to reasonably accommodate the disability of persons suffering from mental illness;
- 21 and
- 22 (f) how to deescalate incidents involving persons suffering from mental illness without use
23 of force and/or without use of lethal force.

24 97. Defendants County of Sacramento, SCSO, and Sheriff Jim Cooper maintained
25 inadequate policies or customs of training, supervision, and discipline of officers under their
26 command related to confrontation with people experiencing or suffering from mental-health
27 crises.

28 98. SCSO regularly received calls for service and assistance with persons undergoing
 mental-health crises and, as a result, Defendants County of Sacramento, SCSO, and Sheriff Jim

1 Cooper knew that SCSO deputies would be first responders tasked with engaging with persons
2 with mental disabilities, including Mr. Naranjo.

3 99. Defendants County of Sacramento, SCSO, and Sheriff Jim Cooper failed to
4 promulgate specific policies and customs and to train officers under their command in the
5 application of necessary policies, including those prescribed by California Peace Officer
6 Standards and Training (“POST”) learning domains, including Learning Domain 20 (Use of
7 Force/De-escalation); POST Learning Domain 26 (Critical Incidents); POST Learning Domain
8 33 (Arrest Methods/Defensive Tactics); and POST Learning Domain 37 (People with
9 Disabilities).

10 100. Defendants County of Sacramento, SCSO, and Sheriff Jim Cooper failed to
11 adequately train, supervise, and discipline officers under their command in critical areas related
12 to mental illness and/or substance-impaired persons, including Deputy Andrew Seidel. For
13 example:

- 14 (a) how and when to call for the assistance of law enforcement officers or other
15 professionals with specialized training in dealing with mental illness, when
16 possible;
- 17 (b) how and when to approach persons suffering from mental disability or substance
18 impairment;
- 19 (c) how and when to speak to persons suffering from a mental disability or
20 substance impairment;
- 21 (d) how and when to interact with persons suffering from mental disability or
22 substance impairment (including using appropriate body language and tone of
23 voice);
- 24 (e) how and when to respect the personal space of persons suffering from mental
25 disability or substance impairment;
- 26 (f) how and when to provide reasonable accommodations for persons suffering
27 from mental disability or substance impairment; and
28

1 (g) how and when to de-escalate incidents involving persons suffering from mental
2 disability or substance impairment without use of force.

3 101. Defendants County of Sacramento, SCSO, and Sheriff Jim Cooper knowingly
4 participated in, acquiesced to, and/or were deliberately indifferent to the creation and
5 maintenance of an informal policy or custom whereby personnel are permitted to mistreat and
6 escalate encounters with mentally ill and/or substance-impaired persons. For example:

7 102. Defendants County of Sacramento, SCSO, and Sheriff Jim Cooper failed to
8 adequately train, supervise, and discipline officers under their command in critical areas related
9 to the use of force, resulting in the following deficiencies:

- 10 (a) the inadequate training of personnel with respect to the use of force;
- 11 (b) the application of excessive and unreasonable use of force against non-
12 threatening persons;
- 13 (c) the inadequate training of personnel with respect to identifying and assessing a
14 person's threat level;
- 15 (d) the employment, retention, supervision, training, control, assignment, and
16 discipline of personnel with dangerous propensities for abusing authority,
17 including Defendant Seidel;
- 18 (e) the maintenance of inadequate procedures for reporting, supervising,
19 investigating, reviewing, disciplining, and controlling misconduct by personnel;
- 20 (f) the inadequate or non-existent discipline of personnel, including imposition of
21 discipline that is disproportional to the magnitude of the misconduct and fails to
22 discourage future misconduct or is tantamount to encouraging misconduct
23 ("slaps on the wrist");
- 24 (g) the determination that unjustified uses of force are "within policy," including
25 incidents that are later determined in court or implied through settlement to be
26 non-compliant with policy or unlawful;
- 27 (h) the inadequate investigation of uses of force, including refusal to consider
28 relevant witness and evidence;

- 1 (i) the untimely, delayed, or prolonged investigation of uses of force, such that
2 determination of culpability, if any, is returned after the period of time during
3 which effective corrective action or meaningful discipline can be taken;
- 4 (j) the refusal to discipline, terminate, or retrain personnel, where uses of force are
5 determined in court or implied through settlement to be non-compliant with
6 policy or unlawful;
- 7 (k) the encouragement, accommodation, or facilitation of a “blue code of silence,”
8 “blue shield,” “blue wall,” “blue curtain,” “blue veil,” “blue line,” “turn a blind
9 eye,” or “code of silence,” pursuant to which personnel do not report errors,
10 misconduct, or crimes and, if questioned about an incident of misconduct
11 involving another officer, claim ignorance of misconduct; and
- 12 (l) the maintenance of a policy of inaction and an attitude of indifference towards
13 ongoing law enforcement use of force incidents, including by failing to
14 discipline, retrain, investigate, terminate, and recommend personnel for criminal
15 prosecution who participate in unlawful uses of force.

16 103. Defendants County of Sacramento, SCSO, and Sheriff Jim Cooper knowingly
17 participated in, acquiesced to, and/or were deliberately indifferent to the creation and
18 maintenance of a culture permitting or encouraging personnel’s use of unreasonable and
19 excessive force, including Defendant Deputy Seidel. For example, in addition to those incidents
20 described above and incorporated herein:

- 21 (a) On October 21, 2017, Mayco Rodrique was arrested and booked into the
22 Sacramento County Main Jail by Defendant SCSO’s personnel, including Jarrod
23 Hopeck and Jeffrey Wilson. Deputy Hopeck intentionally twisted and broke Mr.
24 Rodrique’s arm during the jail intake process. He was confined to a “sobering”
25 cell and denied access to medical staff for 20 minutes, while Deputy Hopeck
26 taunted him through a window on the cell door. The incidents were captured on
27 the jail’s surveillance cameras. Defendant SCSO “exonerated” Deputy Hopeck.
28 Sacramento County Sheriff’s Department, Report No. 17-303197. A civil rights

lawsuit was filed. *Rodrique v. County of Sacramento*, No. 2:17-cv-02698-WBS-EFB (E.D. Cal. filed December 28, 2017). The lawsuit resulted in the disclosure of numerous citizen complaints and dispositions from Defendant SCSO. *See* The Sacramento Bee Editorial Board, *Memo to Sheriff Jones: Abusive deputies should be fired and charged, not protected*, Sacramento Bee (December 27, 2019), <https://www.sacbee.com/opinion/article238722483.html>. The citizen complaint files revealed Defendants County of Sacramento, SCSO, and then-Sheriff Scott Jones were “concealing the violent abuse of inmates by deputies in his jail and allowing the guilty deputies to remain in uniform.” For example, then-Sheriff Jones overruled a recommendation to discipline a subordinate who was captured on camera using excessive use of force and “exonerated” numerous meritorious citizen complaints against personnel. *See* Sam Stanton & Molly Sullivan, *Here's a sample of the abuse claims made against Sacramento County jail deputies*, Sacramento Bee (December 22, 2019), <https://www.sacbee.com/news/investigations/article238544198.html>.

(b) Paul “Scotte” Pfeifer is a former deputy employed by Defendants County of Sacramento, SCSO, and then-Sheriff Scott Jones. Deputy Pfeifer utilized excessive force against persons he encountered on multiple occasions, including by striking them with a department-issued flashlight. Deputy Pfeifer’s assaults were documented and captured on recordings on multiple occasions and resulted in multiple lawsuits, each of which Defendant County of Sacramento settled and paid substantial amounts to injured plaintiffs.²⁹ Defendants County of Sacramento, SCSO, and then-Sheriff Jones failed to adequately supervise, re-

²⁹ *See Treshchuk v. McGinness, Sheriff et al.*, No. 2:09-cv-00691-MCE-EFB (E.D. Cal. filed March 12, 2009) (Deputy Pfeifer struck the plaintiff in her legs multiple times with a flashlight); *Reyes v. County of Sacramento, et al.*, No. 34-2015-00184139-CU-CR-GDS (Sacramento Sup. Ct. filed September 10, 2015) & No. 2:15-cv-02213-JAM-DB (E.D. Cal. filed October 23, 2015) (Deputy Pfeifer was recorded assaulting the plaintiff in the middle of street, striking him multiple times with a flashlight); *Donohue v. Sacramento County Sheriff's Department*, No. 2:15-cv-01488-CKD (E.D. Cal. filed July 10, 2015) (Deputy Pfeifer was recorded assaulting the plaintiff while he was sitting in the driver’s seat of a vehicle surrendering); *see* Denny Walsh and Sam Stanton, *Sacramento County paying \$200,000 in third lawsuit involving flashlight-wielding deputy*, Sacramento Bee (Oct. 12, 2016), <https://www.sacbee.com/news/investigations/the-public-eye/article107619287.html>.

1 train, or discipline Deputy Pfeifer following each of the incidents of misconduct
2 and he was retained as an employee.

3 104. Further sanctioning deputies use of excessive force, Defendants County of
4 Sacramento, SCSO, and Sheriff Jim Cooper only impose minimal, insignificant, and untimely
5 discipline against subordinates, even when misconduct is documented and acknowledged, and
6 only issue discipline when misconduct is documented on recordings. For example, in addition to
7 those incidents described above and incorporated herein:

8 (a) On March 16, 2023, Deputy Antero Reyes incorrectly attempted to move an
9 inmate into the cell of another mentally ill inmate who was assigned to total-
10 separation housing at the Sacramento County Main Jail. The individual informed
11 Deputy Reyes about his housing status to prevent the inmate from entering his
12 cell and presenting a potential threat. In response, Deputy Reyes threatened him,
13 stating, “You square up on me, we’re going to fight;” “Back the fuck up;” “Don’t
14 be a bitch now;” and “Don’t fucking square up on me, I’ll fuck you up.” The
15 individual asked Deputy Reyes if he was physically threatening him, to which
16 Deputy Reyes responded, “Yeah, let’s go.” Deputy Reyes assaulted the inmate,
17 punching him in the face four times in rapid succession. After the assault,
18 Deputy Reyes falsified a report of the incident which attempted to justify his use
19 of force and misrepresented the number of punches he utilized against the
20 inmate. An investigation “sustained” the excessive force allegation. Sacramento
21 County Sheriff’s Department, Professional Standards Division No. 2023PSD-
22 0170. On June 13, 2023, SCSO Captain Vanessa Vaden recommended Deputy
23 Reyes be suspended for 40 hours. For his assault, battery, and falsification of the
24 use-of-force report, Deputy Reyes was only suspended for 40 hours. On July 26,
25 2023, Defendant Sheriff Jim Cooper “affirmed” the proposed discipline.

26 (b) On August 1, 2021, Larry Weigle was involved in a vehicular pursuit that ended
27 when he exited his vehicle and fled on foot. Mr. Weigle was chased and pushed
28 to the ground by Deputy Shayn Bowen. Deputy Bowen mounted Mr. Weigle and

1 pulled his arms behind his back to apply handcuffs. Mr. Weigle surrendered to
2 Deputy Bowen's efforts to arrest him and did not resist. Deputies Hunter
3 Greenwood and Brittany Linde arrived on scene shortly after Mr. Weigle was
4 taken to the ground. Deputy Greenwood kicked Mr. Weigle twice with his foot
5 and stomped on his head, causing his head to hit the ground and bleed. Mr.
6 Weigle was lying motionless and compliant on the ground with his arms behind
7 his back when Deputy Greenwood kicked and stomped him. Deputies Bowen
8 and Linde observed Deputy Greenwood's assault, without justification or cause,
9 but did not intervene. Instead, Deputy Linde created a false pretext for Deputy
10 Greenwood's assault by claiming that Mr. Weigle was resisting when he was
11 not. Later that night, while discussing the incident with another deputy, Deputy
12 Greenwood bragged, "I kaboomed him twice. Gave him the good ol' boot. I
13 mean, he was pretty much done at that point. It wasn't, like—I didn't, like, curb
14 stomp him. I just, like, threw him to the ground and kicked him on the torso
15 once or twice." At the scene, Deputy Linde admitted to her supervisor, that
16 Deputy Greenwood kicked Mr. Weigle. The supervising sergeant and the
17 witnessing deputies all failed to report Deputy Greenwood's use of force as
18 required by SCSO's policy. Deputy Linde submitted a report falsely describing
19 the incident and omitted from her report that Deputy Greenwood had assaulted
20 Mr. Weigle by stomping him twice. The supervising Sergeant was also found to
21 have failed to report use of force incidents on multiple occasions, including in
22 this case. On October 18, 2022, Chief Deputy Santos Ramos recommended
23 Deputy Greenwood receive a 40-hour suspension and recommended Sergeant
24 Cueno receive a 20-hour suspension. However, on November 28, 2022,
25 Undersheriff James Barnes rejected the recommendations and
26 "EXONERATED" Deputy Greenwood. On December 7, 2022, Defendant
27 Sheriff Jim Cooper "affirmed" Undersheriff Barnes' exoneration.
28

1 (c) On March 10, 2020, deputy Spencer Wright was a “ride-along” participant with
2 a Post-Release Community Supervision (“PRCS”) joint task force. Deputies
3 conducted a traffic stop on a vehicle driven by Brandell Sampson. Mr. Sampson
4 was directed to exit his vehicle and to walk backwards with his hands on his
5 head, and he complied. Deputy Wright approached Mr. Sampson from behind
6 and deployed a taser against him, without justification. Deputy Wright then
7 jumped and kicked Mr. Sampson in his back. Mr. Sampson fell to the ground, at
8 which point Deputy Wright struck the subject three times on his head with the
9 butt of the taser handle. An investigation “sustained” the excessive force
10 allegations. Sacramento County Sheriff’s Department, Professional Standards
11 Division No. 2020PSD-0149. On July 6, 2020, Captain James Barnes
12 recommended an 80-hour suspension. On July 10, 2020, Chief Deputy Chet
13 Madison recommended an 80-hour suspension. On July 30, 2020, Undersheriff
14 Erik Maness recommended an 80-hour suspension. On August 20, 2020, Sheriff
15 Scott Jones “affirmed” the proposed discipline.

16 (d) On April 11, 2018, Deputy Daniel Garcia slammed a mentally ill inmate against
17 the wall causing a cut to the inmate’s lip at the Sacramento County Main Jail.
18 Deputy Garcia did not provide medical attention to the inmate for the injury he
19 caused. An investigation “sustained” the excessive force allegation, and found
20 that Deputy Garcia lied in his report and during his interview when he falsely
21 stated that the inmate made a furtive or threatening movement necessitating the
22 assault. Sacramento County Sheriff’s Department, Professional Standards
23 Division No. 2018PSD-245. On August 30, 2018, Captain Eric Buehler
24 recommended Deputy Garcia be suspended for 10 hours. On September 14,
25 2018, Chief Deputy Jennifer Freeworth recommended Deputy Garcia be
26 suspended for 10 hours. On November 15, 2018, Sheriff Scott Jones “affirmed”
27 the proposed discipline.
28

1 (e) On January 8, 2017, Deputy Daniel Brown was startled by mental-health inmate,
2 Cantrarutti, when he punched his cell door in the Sacramento County Main Jail.
3 The subject laughed, when Deputy Brown become startled. Deputy Brown was
4 embarrassed and retaliated against the subject, including by removing him from
5 his cell, tackling him to the ground and punching him, along with several other
6 deputies. An investigation “sustained” the excessive force allegation and found
7 that “the use of force should have never occurred in the first place.” Sacramento
8 County Sheriff’s Department, Professional Standards Division No. 2017PSD-
9 054. On March 30, 2017, Captain Eric Buehler recommended Daniel Brown be
10 suspended for 10 hours. On April 7, 2017, Chief Deputy David Torgerson
11 recommended Daniel Brown be suspended for 10 hours. On July 7, 2017,
12 Sheriff Scott Jones “affirmed” the proposed discipline.

13 (f) On November 21, 2015, a deputy was involved in an excessive force incident
14 which was recorded on video where an inmate, Yasir Mehmood, was punched
15 and kicked by a deputy while he was defenseless and handcuffed at the
16 Sacramento County Main Jail. An investigation “sustained” the excessive force
17 allegation. Sacramento County Sheriff’s Department, Professional Standards
18 Division No. 2015IA-034. The only discipline imposed was issuance of a “letter
19 of reprimand.”

20 105. Sheriff Jim Cooper’s failure to implement and/or to maintain a meaningful policy
21 regarding excessive force, with appropriate sanctions for deputies who violate the policy, resulted
22 in the inadequate training and/or supervision of SCSO deputies who interacted with persons
23 suffering from mental illness. Specifically, Sheriff Jim Cooper’s acquiescence in, and/or
24 deliberate indifference to, the maintenance of an adequate policy contributed to the unreasonable
25 use of force used by SCSO personnel.

26 **Defendants County of Sacramento, SCSO, and Sheriff Jim Cooper Maintain a**
27 **Policy, Practice, and/or Custom of Unreasonable Searches and Seizures.**
28

1 106. Upon information and belief, the SCSO maintains a policy, practice, or custom of
2 detaining civilians without probable cause while conducting warrantless, non-consensual home
3 searches.

4 107. In the years preceding Defendants’ unjustified detention of Ms. Daher and raid of
5 the Daher-Naranjo home, SCSO deputies conducted similarly unjustified searches and seizures
6 on at least three separate occasions:

7 (a) In 2021, SCSO deputies arrested two brothers and then “came to the family’s
8 home and forced their way in without a warrant, claiming they were searching
9 for someone. The officers ransacked the house for the next three hours or more,
10 pointing guns at [the arrestees’ mother], screaming insults and obscenities, and
11 breaking doors, curtains, a bed and a table. They told [the mother] to stay in the
12 home and refused her pleas to use the restroom, which caused her to soil
13 herself.”³⁰

14 (b) In September 2019, an SCSO deputy searched the entirety of a two-story home
15 without a warrant. A California appellate court determined the warrantless
16 search was unlawful, rejecting all three of the deputy’s purported justifications
17 for the warrantless search: (1) the homeowner opened the door; (2) he believed a
18 probationer lived at the home; and (3) the search was a protective sweep.

19 (c) In May 2017, SCSO deputies searching for a murder suspect entered and
20 searched the homes of three of the suspect’s family members, detaining the
21 suspect’s mother, half-sister, and grandmother for several hours in the back of a
22 patrol van before eventually booking them at the Sacramento County Jail. At
23 least one of the homes—the one belonging to the grandmother—was searched
24 with neither consent nor a warrant, and the deputies searched the cell phones of
25 the mother and half-sister hours before they obtained the necessary search
26

27
28 ³⁰ *Tennyson v. Cty. of Sacramento*, No. 2:19-cv-00429-KJM-EFB, 2021 U.S. Dist. LEXIS 99971, at *3 (E.D. Cal. May 25, 2021).

1 warrants. The three women filed a lawsuit against the County in May 2018,
2 which was settled that August.³¹

3 108. These incidents put Defendants County of Sacramento, SCSO, and Sheriff Jim
4 Cooper on notice of the need to improve their search and seizure policies, procedures, and
5 trainings, to provide adequate supervision of deputies performing searches and seizures, and to
6 ensure adequate discipline of deputies who conducted a search or seizure without probable cause
7 and without a warrant, consent, or the presence of exigent circumstances. But Defendants failed
8 to implement these changes, and, as a result, Ms. Daher was unlawfully detained and her home
9 unlawfully searched.

10 **CAUSES OF ACTION**

11 **First Cause of Action**

12 **Title II of the Americans with Disabilities Act – (42 U.S.C. § 12101, *et seq.*)**
13 **(Elisa Daher as Successor-In-Interest to Jaime Naranjo against County of Sacramento,**
14 **SCSO, DOES 1-10, and Sheriff Jim Cooper, in his official capacity.)**

15 109. Plaintiff realleges all prior paragraphs of this Complaint and incorporates the same
16 herein by this reference.

17 110. In 1990, Congress enacted the ADA—a landmark civil rights law—“to provide a
18 clear and comprehensive national mandate for the elimination of discrimination against
19 individuals with disabilities[.]” 42 U.S.C. 12101(b)(1). The ADA has been described as “a
20 milestone on the path to a more decent, tolerant, progressive society.” *Board of Trustees of Univ.*
21 *of Ala. v. Garrett*, 531 U.S. 356, 375 (2001) (Kennedy, J., concurring). Title II of the ADA
22 prescribes that no individual with a disability “shall, by reason of such disability, be excluded
23 from participation in or be denied the benefits of the services, programs, or activities of a public
24 entity, or be subjected to discrimination by any such entity.” 42 U.S.C. §12132.

25 111. The ADA defines “public entity” to include “any State or local government” and
26 “any department, agency, special purpose district, or other instrumentality of a State or States or
27 local government[.]” 42 U.S.C. § 12131(1)(A) and (B). By its plain terms, the ADA applies to
28 law enforcement agencies. *See United States v. Gonzales*, 520 U.S. 1, 5 (1997) (ADA uses the

³¹ *Reynolds, et al. v. County of Sacramento, et al.*, No. 2:18-cv-01150, ECF. Nos. 1, 9 (E.D. Cal. filed May 9, 2018).

1 term “any” in its ordinary “expansive” sense); *Pa. Dep’t of Corrs. v. Yeskey*, 524 U.S. 206, 209
2 (1998) (ADA contains no “exception that could cast the coverage of [law enforcement entities]
3 into doubt”).

4 112. Because law enforcement entities are subject to Title II, they must “make reasonable
5 modifications in policies, practices, or procedures when the modifications are necessary to avoid
6 discrimination on the basis of disability[.]” 28 C.F.R. § 35.130(b)(7)(i). That requirement extends
7 to the arrest of an individual with a disability. In the context of a person with a known psychiatric
8 disability who is in crisis, the ADA requires that police employ widely accepted policing
9 practices that use containment, coordination, communication, and time to seek safe resolutions.
10 In other words, “[i]ncluding individuals with disabilities among people who count in composing
11 ‘We the People,’ Congress understood . . . would sometimes require not blindfolded equality, but
12 responsiveness to difference; not indifference, but accommodation.” *Tennessee v. Lane*, 541 U.S.
13 509, 536 (2004) (Ginsberg, J., concurring).

14 113. At the relevant time, Mr. Naranjo was a qualified individual with a disability within
15 the meaning of 42 U.S.C. § 12312.

16 114. Title II of the ADA includes an affirmative obligation that public entities must make
17 accommodations to people with disabilities.

18 115. Title II of the ADA provides that a public entity may be liable for damages under
19 Title II of the ADA if it intentionally or with deliberate indifference fails to provide a reasonable
20 accommodation to a disabled person. The failure to provide reasonable accommodation
21 constitutes discrimination against the disabled person. A public entity may not disregard the
22 plight and distress of a disabled person by failing to accommodate his or her needs. Title II of the
23 ADA mandates that once an entity is on notice of the need for accommodation, it is required to
24 undertake a fact-specific investigation to determine what constitutes a reasonable
25 accommodation.

26 116. The County and SCSO are public entities that operate services, programs, and/or
27 activities, including law enforcement.
28

1 117. Defendants County of Sacramento, SCSO, and Sheriff Jim Cooper acted with
2 deliberate indifference as they denied Mr. Naranjo the benefits of such services, programs, and/or
3 activities and subjected Mr. Naranjo to unlawful discrimination by, among other things, failing to
4 provide reasonable accommodations for his disabilities. Defendants failed to consider for Mr.
5 Naranjo’s mental illness and did not provide reasonable accommodations for his disabilities,
6 including but not limited to: deploying trained mental-health responders, utilizing appropriate de-
7 escalation tactics, deploying less-lethal weapons.

8 118. The County was aware that the SCSO’s existing policies and practices made it
9 substantially likely that disabled individuals would be denied their federally-protected rights
10 under the ADA in use-of-force interactions with the SCSO and acted with deliberate indifference
11 in failing to prevent or mitigate the denial of those rights.

12 119. The fatal shooting of Mr. Naranjo was a direct and proximate result of the County’s
13 and SCSO’s violations of Title II of the ADA.

14 120. By reason of the aforementioned acts and omissions of Defendants, Plaintiff has
15 suffered loss of love, companionship, affection, comfort, care, and society.

16 121. The County is liable for the damages hereinbefore alleged in an amount to be
17 determined at trial.

18 **Second Cause of Action**
19 **Section 504 of the Rehabilitation Act – 29 U.S.C. § 701, et seq.**
20 **(Elisa Daher as Successor-In-Interest to Jaime Naranjo against County of Sacramento,**
21 **SCSO, and Sheriff Jim Cooper, in his official capacity)**

22 122. Plaintiff repeats and realleges all the preceding paragraphs and incorporates the
23 same herein by this reference.

24 123. Section 504 of the Rehabilitation Act applies to public entities that receive “Federal
25 financial assistance[.]” 29 U.S.C. § 794(a). Section 504 provides that “[n]o otherwise qualified
26 individual with a disability . . . shall, solely by reason of her or his disability, be excluded from
27 the participation in, be denied the benefits of, or be subjected to discrimination under any
28 program or activity.” *Id.* In regard to claims of police misconduct, Title II has been held to be
similar in substance to the Rehabilitation Act. In addition, the ADA provides that the “remedies,

1 procedures, and rights” of the Rehabilitation Act “shall be the remedies, procedures, and rights”
2 provided to plaintiffs under the ADA. 42 U.S.C. § 12133.

3 124. On information and belief, the County and/or the SCSO receive federal funding,
4 including for police services, and are subject to the Rehabilitation Act.

5 125. At the relevant time, Mr. Naranjo was a qualified individual with a disability within
6 the meaning of 42 U.S.C. § 12312.

7 126. Acting with deliberate indifference to Mr. Naranjo’s federal rights, Defendants
8 County of Sacramento, SCSO, and Sheriff Jim Cooper failed to reasonably accommodate his
9 disability; denied him access to the services, programs, or activities of the SCSO on the basis of
10 his disability; and/or otherwise discriminated against him on the basis of his disability.
11 Defendants failed to consider for Mr. Naranjo’s mental illness and did not provide reasonable
12 accommodations for his disabilities, including but not limited to: deploying trained mental-health
13 responders, utilizing appropriate de-escalation tactics, deploying less-lethal weapons.

14 127. The fatal shooting of Mr. Naranjo was a direct and proximate result of the County’s
15 violations of the Rehabilitation Act.

16 128. The County is liable for the damages in an amount to be determined at trial.

17 **Third Cause of Action**

18 **Title II of the Americans with Disabilities Act – 42 U.S.C. § 12101, et seq.**
19 **(Elisa Daher against County of Sacramento, SCSO, and Sheriff Jim Cooper, in his official**
20 **capacity)**

21 129. Plaintiff repeats and realleges all of the preceding paragraphs and incorporates the
22 same herein by this reference.

23 130. At the relevant time, Plaintiff Elisa Daher was a qualified individual with a
24 disability within the meaning of 42 U.S.C. § 12312.

25 131. Defendants County of Sacramento, SCSO, and Sheriff Jim Cooper denied Plaintiff
26 the benefits of such services, programs, and/or activities and subjected her to unlawful
27 discrimination by, among other things, failing to provide reasonable accommodations for her
28 disabilities.

1 132. Plaintiff informed DOES 1-10, who were acting on behalf of the County and SCSO
2 and pursuant to their policies, practices, and/or customs, that she was in need of her life-saving
3 medication, which was located inside of her home, from which she was barred from entering for
4 over eight hours.

5 133. Instead of permitting her access to the medication, or retrieving them for her, DOES
6 1-10, who were acting on behalf of the County and SCSO, offered her cigarettes, made her wait
7 outside for some time, and then forcibly escorted Ms. Daher into a patrol car and transported her
8 to the Sheriff's Office, without allowing her into her home to retrieve her medication, or
9 retrieving it for her. She was then held for several hours, during which time she was not allowed
10 to make arrangements to retrieve her medications, and Defendants provided no other means for
11 her to obtain them. Defendants could have reasonably accommodated her disabilities by
12 permitting her to briefly enter her home or instruct a deputy to retrieve the medication on her
13 behalf, or allow her to make arrangements to have the medication brought to her at the Sheriff's
14 Office, but Defendants willfully and intentionally failed to do so.

15 134. The County was aware that SCSO's existing policies and practices made it
16 substantially likely that disabled individuals would be denied their federally protected rights
17 under the ADA in use-of-force interactions with SCSO deputies and acted with deliberate
18 indifference in failing to prevent or mitigate the denial of those rights.

19 135. The denial of access to Plaintiff's necessary medication, at her home, while being
20 transported, and while being questioned at the Sheriff's office, despite her repeated requests,
21 caused her anxiety and fear about her health, and caused her to sustain physical and emotional
22 injury as a direct and proximate result of the County's and DOES 1-10's violations of Title II of
23 the ADA and the failure to maintain and implement appropriate policies and procedures for
24 responding to requests for accommodations by individuals with disabilities.

25 136. The County is liable for the damages alleged in an amount to be determined at trial.

26 **Fourth Cause of Action**
27 **Section 504 of the Rehabilitation Act – 29 U.S.C. § 701, et seq.**
28 **(Elisa Daher against County of Sacramento, SCSO, and Sheriff Jim Cooper in his official capacity)**

1 137. Plaintiff repeats and realleges all of the preceding paragraphs and incorporates the
2 same herein by this reference.

3 138. Section 504 of the Rehabilitation Act applies to public entities that receive “Federal
4 financial assistance.” 29 U.S.C. § 794(a). Section 504 provides that “[n]o otherwise qualified
5 individual with a disability . . . shall, solely by reason of her or his disability, be excluded from
6 the participation in, be denied the benefits of, or be subjected to discrimination under any
7 program or activity.” *Id.* In regard to claims of police misconduct, Title II has been held to be
8 similar in substance to the Rehabilitation Act. In addition, the ADA provides that the “remedies,
9 procedures, and rights” of the Rehabilitation Act “shall be the remedies, procedures, and rights”
10 provided to plaintiffs under the ADA. 42 U.S.C. § 12133.

11 139. On information and belief, the County and/or the SCSO receive federal funding,
12 including for police services, and are subject to the Rehabilitation Act.

13 140. At the relevant time, Plaintiff was a qualified individual with a disability within the
14 meaning of 42 U.S.C. § 12312.

15 141. Defendants County of Sacramento, SCSO, and DOES 1-10 failed to reasonably
16 accommodate her disabilities; denied her access to the services, programs, or activities of the
17 SCSO on the basis of her disability; and/or otherwise discriminated against him on the basis of
18 her disability. Defendants should have accommodated Ms. Daher’s disability by permitting her
19 entry into her home to retrieve her medication, or alternatively retrieving it for her, or allowing
20 her to make arrangements to have them brought to her at the Sheriff’s Office. They failed to do
21 so.

22 142. The intentional denial of access to Plaintiff’s necessary medication, while at her
23 home, while being transported, and while being questioned at the Sheriff’s Office, despite her
24 repeated requests, caused her fear and anxiety about her health and caused her to sustain physical
25 injury as a direct and proximate result of Defendants County of Sacramento, SCSO, and DOES 1-
26 10 violations of the Rehabilitation Act and the failure to maintain and implement appropriate
27 policies and procedures for responding to requests for accommodations by individuals with
28 disabilities.

1 143. The County is liable for the damages in an amount to be determined at trial.

2 **Fifth Cause of Action**
3 **Excessive Force**
4 **(U.S. Const. Amend. IV; 42 U.S.C. 1983)**
5 **(Elisa Daher as Successor-In-Interest to Jaime Naranjo against Defendant Seidel)**

6 144. Plaintiff repeats and realleges all the preceding paragraphs and incorporates the
7 same herein by this reference.

8 145. On or about September 28, 2022, Deputy Andrew Seidel, an employee of Defendant
9 SCSO, used objectively unreasonable force against Mr. Naranjo.

10 146. Defendant Seidel knew that he was deployed to Mr. Naranjo's home to provide
11 mental-health crisis services—not because Mr. Naranjo was suspected of any crime.

12 147. Defendant Seidel knew that Plaintiff Daher did not fear for her safety, and that she
13 had been adamant when speaking with the 911 dispatcher that Mr. Naranjo only posed a danger
14 to himself.

15 148. Mr. Naranjo did not pose a threat to Defendant Seidel's safety.

16 149. Mr. Naranjo did not pose a threat to Ms. Daher or anyone else's safety.

17 150. When Defendant Seidel arrived at the Daher-Naranjo home, Mr. Naranjo was
18 standing in the doorway of his home, with both hands at his sides.

19 151. Defendant Seidel immediately unholstered his gun and aimed it at Mr. Naranjo,
20 despite knowing that Mr. Naranjo was emotionally and/or mentally disturbed, that Mr. Naranjo
21 was not committing any crime, and that Mr. Naranjo did not pose a threat to anyone's safety.

22 152. Defendant Seidel was required to consider alternative tactics available to him,
23 including reasonable and less intrusive forms of force.

24 153. Defendant Seidel shot Mr. Naranjo without any warning, despite ample opportunity
25 to provide such warning.

26 154. Defendant Seidel shot Mr. Naranjo a total of five times at close range.

27 155. Although all five shots were unreasonable, the third, fourth, and fifth shots were
28 unquestionably unreasonable, and, on information and belief may have unnecessarily contributed
to or been the actual and proximate cause of Mr. Naranjo's death. Mr. Naranjo was already

1 incapacitated and falling to the ground when Defendant fired the third shot and was lying face-
2 down on the ground when Defendant fired the fourth and fifth shots.

3 156. The use of lethal force against a mentally ill person without first attempting to use
4 less intrusive forms of force constitutes an unreasonable use of force.

5 157. Because Defendant Seidel was on notice that Mr. Naranjo was a mentally ill person,
6 he was required to make a greater effort to take control of the situation through less intrusive
7 means.

8 158. Defendant Seidel was required to take Mr. Naranjo's mental health into account
9 when considering the appropriate amount of force to be expended.

10 159. Defendant Seidel is liable for the damages in an amount to be determined at trial.

11 **Sixth Cause of Action**
12 **Excessive Force – *Monell* Liability**
13 **(U.S. Const. Amend. IV; 42 U.S.C. 1983)**
14 **(Elisa Daher as Successor-In-Interest to Jaime Naranjo against County of Sacramento,**
15 **SCSO, and Sheriff Jim Cooper, in his official capacity)**

16 160. Plaintiff realleges and incorporates each and every allegation contained in the
17 preceding paragraphs.

18 161. In violating Mr. Naranjo's Fourth Amendment right to be free from excessive force,
19 Defendant Seidel was acting on behalf of Defendants County of Sacramento, SCSO, and Cooper
20 and pursuant to their customs, practices, policies, and/or procedures.

21 162. At the relevant time, Defendants County of Sacramento, SCSO, and/or Sheriff
22 Cooper had an unlawful municipal policy or custom of its deputies using objectively
23 unreasonable force, particularly against individuals with mental illness and/or individuals of
24 color.

25 163. In addition or in the alternative, County policymakers ratified SCSO deputies'
26 repeated unlawful uses of force, particularly against individuals with mental illness and/or
27 individuals of color, by failing to take corrective action despite their subjective awareness of a
28 pattern of such constitutional violations.

164. In addition or in the alternative, County policymakers knew to a moral certainty that
SCSO deputies would confront the difficult situation of responding to requests for assistance

1 involving persons experiencing mental-health crises, in which a lack of appropriate policies,
2 procedures, and/or practices, including but not limited to policies, procedures, and/or practices
3 relating to alternative and/or co-responses with the County's mobile crisis support team, de-
4 escalation techniques, and access to nonlethal weapons, would frequently result in SCSO
5 deputies using objectively unreasonable and disproportionate force against persons experiencing
6 mental-health crises, and, in failing to establish and/or maintain such policies, procedures, and/or
7 practices, were deliberately indifferent to the constitutional rights of those interacting with its
8 deputies.

9 165. In addition or in the alternative, Defendants County of Sacramento, SCSO, and/or
10 Sheriff Cooper knew that SCSO deputies would respond to calls for service involving persons
11 suffering from mental illness and that such situations could involve the use of force. However,
12 Defendants failed to provide SCSO deputies, including Defendant Seidel, with the training
13 necessary to ensure SCSO deputies would not use excessive force in such situations. In failing to
14 provide the training necessary to prevent SCSO deputies from using excessive force in such
15 situations, Defendants County of Sacramento, SCSO, and/or Sheriff Cooper were deliberately
16 indifferent to the Fourth Amendment rights of civilians, and this deliberate indifference caused
17 Deputy Seidel's violation of Mr. Naranjo's rights.

18 166. In addition or in the alternative, Defendants County of Sacramento, SCSO, and/or
19 Sheriff Cooper failed to supervise SCSO deputies authorized to use force and responding to calls
20 for service involving persons suffering from mental illness. Defendants County of Sacramento,
21 SCSO, and/or Sheriff Cooper inadequately investigated prior constitutional violations involving
22 deputy responses to mental-health related calls for service and/or deputy use of excessive force,
23 and either failed to impose any discipline or failed to impose adequate discipline on the offending
24 SCSO deputies. In failing to adequately investigate and/or discipline these past instances of
25 excessive force against individuals with mental illness, Defendants County of Sacramento,
26 SCSO, and/or Sheriff Cooper were deliberately indifferent to the Fourth Amendment rights of
27 civilians, and this deliberate indifference caused Deputy Seidel's violation of Mr. Naranjo's
28 rights.

1 cause Defendant Seidel to deploy excessive force against Mr. Naranjo, violating Mr. Naranjo's
2 Fourth Amendment rights.

3 172. Defendant Sheriff Jim Cooper knew or reasonably should have known that his
4 subordinates were engaging in acts that would deprive Mr. Naranjo of his constitutional and
5 federal statutory rights and failed to prevent his subordinates, including Defendant Seidel, from
6 engaging in such conduct.

7 173. Defendant Sheriff Jim Cooper disregarded the known or obvious consequence that
8 SCSO's training deficiencies in lawful use of force, and especially lawful use of force when
9 interacting with individuals with mental disabilities, would cause Defendant Seidel to violate Mr.
10 Naranjo's rights, and these training deficiencies actually caused Defendant Seidel to violate Mr.
11 Naranjo's rights. Defendant Sheriff Jim Cooper's personal acts and his failure to supervise
12 subordinates, caused Mr. Naranjo to be deprived of his rights under the laws of the United States.

13 174. Defendant Sheriff Jim Cooper is liable for the damages hereinbefore alleged in an
14 amount to be determined at trial.

15 **Eighth Cause of Action**
16 **Unlawful Search & Seizure**
(U.S. Const. Amend. IV; 42 U.S.C. 1983)
17 **(Elisa Daher against DOES 1-10)**

18 175. Plaintiff realleges and incorporates each and every allegation contained in the
19 preceding paragraphs.

20 176. Defendants DOES 1-10 and each of them, while acting under color of law, deprived
21 Plaintiff of rights under the Fourth and Fourteenth Amendments to be secure in her person, be
22 free from an unlawful or prolonged detention, false arrest, and the search of her home and
23 belongings.

24 177. In addition or in the alternative, Defendants DOES 1-10 present at the scene
25 authorized or failed to intervene to prevent or minimize the unlawful search and seizure.

26 178. On or about September 28, 2022, DOES 1-10, employees of Defendant SCSO,
27 unlawfully entered and searched the Daher-Naranjo home.

28 179. DOES 1-10 did not present Ms. Daher with a search warrant.

1 180. DOES 1-10 did not seek Ms. Daher's consent to enter or search the residence.

2 181. Without a warrant, without any present exception to the warrant requirement, and
3 without probable cause, DOE Defendants entered the Daher-Naranjo home and confiscated
4 various items from the residence, including Mr. Naranjo's Social Security card, driver's license,
5 and other critical identification documents.

6 182. Upon information and belief, DOES 1-10 also accessed the home security system to
7 review and then delete video footage depicting Deputy Seidel killing Mr. Naranjo, Ms. Daher's
8 subsequent detention, and their search of the Daher-Naranjo home.

9 183. DOES 1-10 forbade Ms. Daher and her family members from entering the premises
10 during the course Defendants' unlawful search of the Daher-Naranjo home.

11 184. Ms. Daher informed DOES 1-10 that she urgently needed to retrieve medication
12 from inside her home to treat her various medical conditions.

13 185. DOES 1-10 continued to deny her entry into her home.

14 186. DOES 1-10 forcibly escorted Ms. Daher into a patrol car and transported her to the
15 Sheriff's Office.

16 187. DOES 1-10 held Ms. Daher for several hours without explanation and she was not
17 permitted to leave.

18 188. Defendants subjected Plaintiff to a de facto arrest, in violation of her Fourth
19 Amendment rights, when they detained Plaintiff for at least eight hours, without probable cause,
20 threatened her arrest, and refused her entry into her home after she witnessed the unlawful killing
21 of her husband.

22 189. Defendants lacked reasonable suspicion supported by articulable facts that Plaintiff
23 was engaged in criminal conduct, or that criminal conduct was afoot when they detained Ms.
24 Daher.

25 190. Defendants lacked justification to detain Ms. Daher while they searched her
26 residence because they were not searching the home pursuant to a valid warrant, Ms. Daher did
27 not pose any threat to anyone's safety, Ms. Daher was not the suspect of any crime or
28 investigation, and her detention was unnecessarily painful, degrading, and prolonged.

1 191. DOE Defendants acted under color of law, and both separately and in concert. Each
2 could have intervened to stop the other from committing or continuing the constitutional
3 violation.

4 192. Defendants are liable for the damages hereinbefore alleged in an amount to be
5 determined at trial.

6 **Ninth Cause of Action**
7 **Unlawful Search and Seizure – *Monell* Liability**
8 **(U.S. Const. Amend. IV; 42 U.S.C. § 1983)**
9 **(Elisa Daher against County of Sacramento, SCSO, and Sheriff Jim Cooper in his official**
10 **capacity)**

11 193. Plaintiff realleges and incorporates each and every allegation contained in the
12 preceding paragraphs.

13 194. In violating Ms. Daher’s Fourth Amendment rights to be free from unreasonable
14 search and seizure, DOE Defendants 1-10 were acting on behalf of Defendants the County of
15 Sacramento, SCSO, and Sheriff Jim Cooper and pursuant to their customs, practices, policies,
16 and/or procedures.

17 195. At the relevant time, Defendants the County of Sacramento, SCSO, and/or Sheriff
18 Jim Cooper had an unlawful municipal policy or custom of detaining individuals without
19 reasonable suspicion, subjecting individuals to de facto arrests in the absence of probable cause,
20 entering and searching residences without warrants, exigent circumstances, consent, or even
21 probable cause, and seizing property without warrants and without probable cause.

22 196. In addition or in the alternative, County of Sacramento policymakers ratified SCSO
23 deputies’ repeated unlawful detentions and home searches and seizures by failing to take
24 corrective action despite their subjective awareness of a pattern of such constitutional violations.

25 197. In addition or in the alternative, County of Sacramento policymakers knew to a
26 moral certainty that SCSO deputies would regularly be in the position to detain individuals and/or
27 conduct searches of private residences, in which a lack of appropriate policies, procedures, and/or
28 practices would frequently result in SCSO deputies’ abuses of their authority, and, in failing to
establish and/or maintain such policies, procedures, and/or practices, were deliberately indifferent
to the constitutional rights of those interacting with SCSO deputies.

1 198. In addition or in the alternative, Defendants Sacramento County, SCSO, and/or
2 Sheriff Jim Cooper knew that SCSO deputies would regularly be in the position to detain
3 individuals and/or conduct searches of private residences, yet failed to provide SCSO deputies
4 the training necessary to ensure SCSO deputies would not abuse this authority. In failing to
5 provide the training necessary to prevent SCSO deputies from detaining civilians without
6 reasonable suspicion or probable cause and/or unlawfully conducting home searches and seizing
7 property, Defendants were deliberately indifferent to the Fourth Amendment rights of civilians,
8 and this deliberate indifference caused DOE Defendants 1-10's violations of Plaintiff Daher's
9 rights.

10 199. In addition or in the alternative, Defendants Sacramento County, SCSO, and/or
11 Sheriff Jim Cooper failed to supervise SCSO deputies who were vested with the authority to
12 detain and arrest individuals, search private homes, and seize private property from civilians'
13 homes. Defendants Sacramento County, SCSO, and/or Sheriff Jim Cooper ignored or
14 inadequately investigated prior constitutional violations involving deputy abuse of authority
15 through unlawful, prolonged detentions of civilians and/or unlawful home searches and seizures,
16 and either failed to impose any discipline or failed to impose adequate discipline on the offending
17 SCSO deputies. In failing to provide the supervision and discipline necessary to prevent SCSO
18 deputies from abusing their authority to search and seize, Defendants were deliberately
19 indifferent to the Fourth Amendment rights of civilians, and this deliberate indifference caused
20 Doe Defendants 1-10's violations of Ms. Daher's constitutional rights.

21 200. Defendants the County of Sacramento, SCSO, and/or Sheriff Jim Cooper are liable
22 for the damages hereinbefore alleged in an amount to be determined at trial.

23 **Tenth Cause of Action**
24 **Unlawful Search and Seizure – Supervisory Liability**
25 **(U.S. Const. Amend. IV; 42 U.S.C. § 1983)**
26 **(Elisa Daher against County of Sacramento, Jim Cooper in his individual capacity)**

27 201. Plaintiff realleges and incorporates each and every allegation contained in the
28 preceding paragraphs.

1 202. Plaintiff realleges and incorporates each and every allegation contained in the
2 preceding paragraphs.

3 203. Defendant Jim Cooper, Sherriff for the County of Sacramento, was a supervisor at
4 all times who possessed the authority to restrain, control, and supervise the actions of his
5 subordinates.

6 204. Defendant Sheriff Jim Cooper acquiesced in the unconstitutional conduct of his
7 deputies and knowingly refused to terminate his deputies' repeated instances of unlawful home
8 searches, property seizures, and prolonged detentions, which he knew or reasonably should have
9 known would cause Defendants DOES 1-10 to detain Plaintiff without reasonable suspicion or
10 probable cause, unjustifiably search her home, and unjustifiably seize personal property, in
11 violation of Plaintiff's Fourth Amendment rights.

12 205. Defendant Sheriff Jim Cooper knew or reasonably should have known that his
13 subordinates were engaging in acts that would deprive Plaintiff of her constitutional and federal
14 statutory rights and failed to prevent his subordinates, including Defendants DOES 1-10, from
15 engaging in such conduct.

16 206. Defendant Sheriff Jim Cooper disregarded the known or obvious consequence that
17 SCSO's training deficiencies in lawful search and seizure would cause Defendants DOES 1-10 to
18 violate Plaintiff's rights, and these training deficiencies actually caused Defendant DOES 1-10 to
19 violate Plaintiff Daher's rights under the laws of the United States.

20 207. Defendant Sheriff Jim Cooper is liable for the damages hereinbefore alleged in an
21 amount to be determined at trial.

22 **Eleventh Cause of Action**
23 **Deprivation of Association**
24 **(Elisa Daher against all Defendants)**
(U.S. Const. Amend. I; 42 U.S.C. § 1983)

25 208. Plaintiff realleges and incorporates each and every allegation contained in the
26 preceding paragraphs.

27 209. The First Amendment confers the right to continued association with others.
28 Specifically, the First Amendment protects certain intimate human relationships that presuppose

1 deep attachments and commitments to the necessarily few other individuals with whom one
2 shares not only a special community of thoughts, experiences, and beliefs, but also distinctively
3 personal aspects of one's life.

4 210. Plaintiff shared an intimate human relationship with her husband, Mr. Naranjo, such
5 that her First Amendment rights to continued association with Mr. Naranjo were violated when
6 he was killed by Defendants. Defendants' actions were deliberately indifferent to Plaintiff's First
7 Amendment rights to continued association with Mr. Naranjo.

8 **Twelfth Cause of Action**
9 **Wrongful Death**
10 **(Cal. Code of Civ. Proc. § 377.60; Cal. Gov. Code §§ 815.2 and 820)**
11 **(Elisa Daher against Defendants County of Sacramento, SCSO, and Deputy Seidel)**

12 211. Plaintiff realleges and incorporates each and every allegation contained in the
13 preceding paragraphs.

14 212. Defendant Seidel, while acting within the course and scope of his duty as a police
15 officer employed by the County of Sacramento and SCSO, owed Mr. Naranjo a duty of care to
16 act reasonably when using deadly force against him.

17 213. Defendant Seidel's use of deadly force against Mr. Naranjo was unreasonable and
18 breached the duty of due care owed to Mr. Naranjo.

19 214. Defendants County of Sacramento and SCSO are generally liable through the
20 principles of respondeat superior/vicarious liability for injuries proximately caused by acts or
21 omissions of their employees acting in the scope of their employment.

22 **Thirteenth Cause of Action**
23 **Negligence (Survival Action)**
24 **(Cal. Code of Civ. Proc. § 377.30; Cal. Gov. Code §§ 815.2 and 820)**
25 **(Elisa Daher as Successor-In-Interest against all Defendants)**

26 215. Plaintiff reallege and incorporate each and every allegation contained in the
27 preceding paragraphs.

28 216. Pursuant to Cal. Gov. Code § 820, public employees are liable for their acts or
omissions to the same extent as that of a private person. Pursuant to Cal. Gov. Code § 815.2(a), a
public entity is vicariously liable for the torts of its employees committed within the course and
scope of their employment

1 **Fifteenth Cause of Action**
2 **Interference with Civil Rights**
3 **(Cal. Civ. Code § 52.1; California Government Code §§ 815.2 and 820)**
4 **(Elisa Daher as Successor-In-Interest against all Defendants)**

5 225. Plaintiff realleges and incorporates each and every allegation contained in the
6 preceding paragraphs.

7 226. Codified as Cal. Civ. Code § 52.1, the Bane Act provides a cause of action for
8 interference with constitutional rights through “threat, intimidation, or coercion.” Article I,
9 section 13 of the California Constitution prohibits the excessive use of force to effectuate the
10 unreasonable seizure of a person.

11 227. Defendants Deputy Seidel and DOES 1-10, while acting within the course and scope
12 of their duties as Sheriff’s deputies employed by the County of Sacramento and SCSO interfered
13 with Mr. Naranjo’s constitutional rights secured by the Fourth and Fourteenth Amendments to
14 the U.S. Constitution, the California State Constitution, and the ADA, as described above.

15 **PRAYER FOR RELIEF**

16 WHEREFORE, Plaintiff prays as follows:

- 17 A. For injunctive relief;
- 18 B. For compensatory, general, and special damages, treble damages, civil penalties,
19 nominal damages in an amount according to proof at trial;
- 20 C. For an award of exemplary/punitive damages against Defendants County of
21 Sacramento, Sheriff Jim Cooper, in his official and individual capacity, Deputy
22 Seidel, and DOES 1-10 in an amount sufficient to deter and to make an example
23 of them, because their actions and/or inactions, as alleged, were motivated by evil
24 motive or intent, involved reckless or callous indifference to constitutionally and
25 statutorily protected rights, or were wantonly or oppressively done, and/or
26 constituted oppression and/or malice resulting in great harm;
- 27 D. For leave to amend or supplement the Complaint when the identity of the DOE
28 defendants are discovered and new evidence is uncovered;

- 1 E. For an award of reasonable attorneys' fees and costs, pursuant to 42 U.S.C. § 1988;
2 29 U.S.C. § 794; 42 U.S.C. § 12205; Cal. Civ. Code § 52.1; Cal. Code of Civ. Proc.
3 § 1021.5; and any other statute as may be applicable;
4 F. For interest; and
5 G. For an award of any other further relief, as the Court deems fair, just, and equitable.
6

7 Dated: September 26, 2024

Respectfully Submitted,

8 BRAUNHAGEY & BORDEN LLP

9 By: /s/ Matthew Borden
10 Matthew Borden
11 Kevin Opoku-Gyamfi

12 NATIONAL POLICE ACCOUNTABILITY
13 PROJECT

14 By: /s/ Lauren Bonds (as authorized on 9/26/24)
15 Lauren Bonds
16 Keisha James
17 Eliana Machefsky

18 DISABILITY LAW UNITED

19 By: /s/ Cynthia L. Rice (as authorized on 9/26/24)
20 Cynthia L. Rice
21 Aviance Brown

22 *Attorneys for Plaintiff Elisa Daher in her
23 individual capacity and as successor-in-
24 interest to Jaime Naranjo*
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27
28

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand a jury trial of all claims and causes of action triable before a jury.

Dated: September 26, 2024

Respectfully Submitted,

BRAUNHAGEY & BORDEN LLP

By: /s/ Matthew Borden

Matthew Borden

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PROJECT

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*Attorneys for Plaintiff Elisa Daher in her
individual capacity and as successor-in-
interest to Jaime Naranjo*