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8 Attorneys for Plaintiff,

9 JOSEPH WARD-WALLACE

10 **UNITED STATES DISTRICT COURT**

11 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

12 JOSEPH WARD-WALLACE, an
13 individual,

14 Plaintiff,

15 v.

16
17 LOS ANGELES POLICE
18 DEPARTMENT, a public entity;
19 CITY OF LOS ANGELES, a public
20 entity; JOSHUA SPORTIELLO, an
21 individual; EDWARD PEDROZA, an
22 individual,

23 Defendants.

24 **CASE NO.: 2:25-cv-3662**

25 **COMPLAINT FOR DAMAGES**

- 26 1. First Amendment Violation (42 USC §
27 1983);
28 2. Unreasonable Detention in violation of
the Fourth Amendment (42 USC §
1983);
3. Excessive Force in violation of the
Fourth Amendment (42 USC § 1983);;
4. Municipal Liability – (*Monell*, 42 U.S.C.
§ 1983);
5. Negligence;
6. Battery;
7. False Arrest/False Imprisonment;
8. Violation of the Tom Bane Act

DEMAND FOR JURY TRIAL

INTRODUCTION

1
2 1. This is a civil rights action seeking monetary damages brought JOSEPH
3 (“JOE”) WARD-WALLACE by against Defendants LOS ANGELES POLICE
4 DEPARTMENT (“LAPD”), CITY OF LOS ANGELES (“CITY”), OFFICER
5 JOSHUA SPORTIELLO, and OFFICER EDWARD PEDROZA for violating his
6 constitutional rights on April 11, 2024. This action seeks to vindicate JOE WARD-
7 WALLACE’s for Defendants’ attacks on the free speech rights of citizens such as JOE
8 WARD-WALLACE by employing unconstitutional conduct including excessive force,
9 wrongful arrest and unlawful incarceration in jail.

10 2. JOE WARD-WALLACE is a well-known retired firefighter,
11 businessman, owner of South LA Cafe which has several locations throughout Los
12 Angeles. JOE WARD-WALLACE’s constitutional rights were violated when he
13 attempted to exercise his First Amendment rights by reporting a complaint to a LOS
14 ANGELES POLICE DEPARTMENT officer and faced immediate retaliation in the
15 form of excessive force, a violent assault, arrest, and five days in jail.

16 3. Defendants LOS ANGELES POLICE DEPARTMENT, CITY OF LOS
17 ANGELES, OFFICER JOSHUA SPORTIELLO, and OFFICER EDWARD
18 PEDROZA flagrantly violated JOE WARD-WALLACE’s constitutional rights and
19 rattled the Los Angeles community by imprisoning a well-respected community leader.

20 4. Accordingly, this civil rights lawsuit seeks to redress this violation of civil
21 rights, hold OFFICER JOSHUA SPORTIELLO, OFFICER EDWARD PEDROZA,
22 LAPD, and CITY accountable, and uphold the Constitution.

JURISDICTION AND VENUE

24 5. This case is properly heard in United States District Court under federal
25 question jurisdiction, pursuant 28 U.S.C. § 1331, as it is a civil suit which presents
26 questions arising exclusively under federal law.

27 6. Venue is proper within the Central District of California pursuant to 28
28 U.S.C. § 1391(b)(1) and (2) because all Defendants reside within this district and the

1 events and omissions giving rise to Plaintiff' claims occurred within this district.

2 7. Plaintiff presented his government claims on October 10, 2024. The
3 government claim was rejected by operation of law on October 24, 2024. As such,
4 Plaintiff have complied with the California Tort Claims Act requirements with respect
5 to their claims arising under state law.

6 8. With respect to these supplemental state claims, Plaintiff request that this
7 Court exercise supplemental jurisdiction pursuant to 28 U.S.C. § 1367 over such claims
8 as they arise from the same nucleus of facts and circumstances which underlie the
9 federal claims.

10 **PARTIES**

11 9. Plaintiff JOSEPH WARD-WALLACE is and was, at all times relevant
12 hereto, a resident of the County of Los Angeles, California. Plaintiff JOE WARD-
13 WALLACE brings his claims individually on the basis of 42 U.S.C §§ 1983 and 1988,
14 the United States Constitution, federal and state civil rights law and California law.
15 Plaintiff JOE WARD-WALLACE also brings these claims as a Private Attorney
16 General, to vindicate not only his rights, but others' civil rights of great importance.

17 10. Defendant LOS ANGELES POLICE DEPARTMENT is a public entity
18 with the capacity to sue and be sued.¹ At all times relevant to the facts alleged herein,
19 Defendant LOS ANGELES POLICE DEPARTMENT was responsible for law
20 enforcement services in the City of LOS ANGELES.

21 11. Defendant CITY OF LOS ANGELES is a public entity with the capacity
22 to sue and be sued. At all times relevant to the facts alleged herein, Defendant CITY
23 OF LOS ANGELES is and was responsible for assuring that the actions, omissions,
24

25 ¹ The Ninth Circuit has held that California law permits § 1983 claims against
26 municipal police departments. *See Karim-Panahi v. Los Angeles Police Dep't*, 839
27 F.2d 621, 624 n. 2 (9th Cir. 1988) ("Municipal police departments are 'public entities'
28 under California law and, hence, can be sued in federal court for alleged civil rights
violations.).

1 policies, procedures, practices and customs of its employees complied with the laws
2 and the Constitutions of the United States and of the State of California.

3 12. Defendant Officer JOSHUA SPORTIELLO was an employee of LAPD
4 at all relevant times. At all relevant times, Defendant Officer JOSHUA SPORTIELLO
5 was acting under color of law.

6 13. Defendant Officer EDWARD PEDROZA was an employee of LAPD at
7 all relevant times. At all relevant times, Defendant Officer EDWARD PEDROZA was
8 acting under color of law.

9 14. Each of the defendants caused, and is responsible for, the deliberate
10 violation of Plaintiff's rights, among other things, personally participating in the
11 unlawful conduct, acting jointly, or conspiring with others who did so; by ordering,
12 authorizing, acquiescing in, or setting in motion policies, plans, or actions that led to
13 the unlawful conduct, by failing to take action to prevent the unlawful conduct; by
14 failing and refusing to initiate and maintain adequate training and supervision; by
15 failing to enact policies to address the constitutional rights of protesters despite the
16 obvious need for such a policy; and by ratifying the unlawful conduct that occurred by
17 agents and officers under their direction and control, including failing to take remedial
18 or disciplinary action.

19 15. Plaintiff is informed and believes and thereon alleges that each of the
20 Defendants was, at all material times, an agent, servant, employee, partner, joint
21 venturer, co-conspirator, and/or alter ego of the remaining Defendants, and in doing the
22 things herein alleged, was acting within the course and scope of that relationship.
23 Plaintiff are further informed and believe and thereon allege that each of the Defendants
24 herein gave consent, aid, and assistance to each of the remaining Defendants, and ratified
25 and/or authorized the acts or omissions of each Defendant as alleged herein, except as
26 may be hereinafter specifically alleged. At all material times, each Defendant was jointly
27 engaged in tortious activity and an integral participant in the conduct described herein,
28 resulting in the deprivation of Plaintiff's constitutional rights and other harm.

1 16. Plaintiff is informed and believes, and thereupon alleges, that at all times
2 relevant hereto, Defendants, and each of them, acted as the agents, servants, and
3 employees of each of the other defendants.

4 17. In doing each of the acts and/or omissions alleged herein, Defendants, and
5 each of them, acted within the course and scope of their employment.

6 18. In doing each of the acts and/or omissions alleged herein, Defendants, and
7 each of them, acted under color of authority and/or under the color of law.

8 **FACTUAL ALLEGATIONS**

9 19. This claim arises out of an officer-involved incident involving a retired
10 Los Angeles Fire Department Fireman, 62-year-old JOE WARD-WALLACE
11 (“Plaintiff”), which occurred during the evening hours of April 11, 2024, in the parking
12 lot of the 7-Eleven located at 4051 Leimert Blvd., in the City and County of Los
13 Angeles. At or around 10:00 pm, on April 11, 2024, Defendants OFFICERS JOSHUA
14 SPORTIELLO #44262 and EDWARD PEDROZA #44442 (sometimes herein referred
15 to as “Defendant Officers”) while acting under color of law and within the course and
16 scope of their employment with the City of Los Angeles and the Los Angeles Police
17 Department, negligently assessed the circumstances presented to them, and violently
18 confronted Plaintiff JOE WARD-WALLACE without having reason to believe, based
19 on the totality of the circumstances, that Plaintiff was armed with a weapon or a danger
20 to the lives of the officers or others.

21 20. At approximately 10:00 p.m., on April 11, 2024, Plaintiff was driving on
22 Martin Luther King Blvd., in the Leimert Park area, approaching a green traffic light
23 when, without warning, a Los Angeles Police Department patrol vehicle sped through
24 the light without lights and sirens, which caused Plaintiff to urgently slam on brakes.
25 Plaintiff pulled into the 7-Eleven, located at 4051 Leimert Blvd., in the City and County
26 of Los Angeles, where he noticed two Los Angeles Police Department Officers sitting
27 inside their patrol vehicle. Plaintiff requested to speak to the officers and file a report
28 regarding the traffic incident. Defendant Officers exited the vehicle to speak with

1 Plaintiff but refused to allow Plaintiff to file a report.

2 21. Without warning, Defendant Officer JOSHUA SPORTIELLO (“Officer
3 Sportiello”) proceeded to violently and unreasonably assault and battered Plaintiff by
4 acts which included, but were not limited to, intentionally, unjustifiably and forcefully
5 stepping on Plaintiff’s foot and aggressively and violently pushing Plaintiff in his chest
6 area, which severely injured him.

7 22. Moreover, Defendant Officer SPORTIELLO admittedly stated that he
8 intentionally stepped on Plaintiff’s foot and pushed him. Defendant Officer EDWARD
9 PEDROZA had a duty to intervene when Defendant Officer SPORTIELLO used
10 unreasonable force against Plaintiff JOE WARD-WALLACE when Defendant Officer
11 SPORTIELLO assaulted and battered Plaintiff.

12 23. The force used on Plaintiff JOE WARD-WALLACE was excessive and
13 not necessary under the circumstances. In fact, JOE WARD-WALLACE did not
14 present any threat to the safety of the Defendant Officers in any form and JOE WARD-
15 WALLACE should not have been detained nor arrested.

16 24. Furthermore, after Defendant Officer SPORTIELLO assaulted and
17 battered Plaintiff, Defendant Officers falsely detained and arrested Plaintiff for “battery
18 on an officer.” JOE WARD-WALLACE was transported to the Southwest station. On
19 the way to the station, Defendant Officers tightly placed handcuffs on Plaintiff, shoved
20 Plaintiff into the backseat of their patrol vehicle, fastened Plaintiff into a malfunctioned
21 seatbelt, which immediately became unbuckled, intentionally drove the patrol vehicle
22 at high speeds and slammed on brakes numerous times causing Plaintiff to be tossed
23 and thrown in the backseat, which caused severe injuries to his person, specifically his
24 wrist.

25 25. Plaintiff was booked at the Los Angeles Police Department’s Southwest
26 Community Police Station, located at 1546 W. Martin Luther King Jr., Blvd, Los
27 Angeles, California 90062 (“Southwest Division”).

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1 26. Thereafter, Plaintiff was transported and jailed at the 77th Street
2 Community Police Station, located at 7600 S. Broadway, Los Angeles, California
3 90003 (“77th Division”) where Plaintiff spent five days in jail without food because
4 JOE WARD-WALLACE is vegetarian and the food had roaches.

5 27. When JOE WARD-WALLACE was taken to jail, JOE WARD-
6 WALLACE requested to speak to a supervisor to resolve this highly unusual matter.
7 JOE WARD-WALLACE had never been to jail before and entered a completely
8 foreign space. Worst yet, JOE WARD-WALLACE was given food in jail which had
9 roaches preventing JOE WARD-WALLACE from eating. Roaches were also present
10 where JOE WARD-WALLACE was housed in jail.

11 28. Furthermore, JOE WARD-WALLACE was placed in solitary
12 confinement causing JOE WARD-WALLACE to have a panic attack. JOE WARD-
13 WALLACE felt as if he was having a heart attack so JOE WARD-WALLACE used
14 the emergency intercom system to summon help. However, despite using the
15 emergency cell intercom, JOE WARD-WALLACE was ignored by jail staff.

16 29. At no time during the course of these events did Plaintiff, who is a well-
17 respected community leader and owner of a reputable cafe in South Los Angeles, pose
18 any reasonable or credible threat of death or serious bodily harm to Defendant Officers,
19 nor did he do anything to justify the force used against him, and the same was,
20 excessive, unnecessary, and unlawful.

21 30. Prior to and during the time in which unreasonable force was used against
22 him, Plaintiff JOE WARD-WALLACE did not pose a reasonable or credible threat of
23 death or serious bodily harm to Defendant Officers or any other person. Prior to and
24 during the time in which unreasonable force was used against him, Plaintiff did not
25 make any aggressive movements, furtive gestures, or other physical movements that
26 would suggest to a reasonable police officer that he had the will, or the ability, to inflict
27 death or serious bodily harm upon any person.

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1 31. Plaintiff JOE WARD-WALLACE further contends that Defendant
2 Officers were negligently hired, trained, and retained by the City of Los Angeles and
3 the Los Angeles Police Department, in that it was or should have been plainly obvious
4 to the City of Los Angeles and the Los Angeles Police Department that Defendant
5 Officers were dangerous and violent employees, prone to use unreasonable force
6 without reasonable justification, and in a manner that demonstrates callous disregard
7 for the rights and safety of third parties, and to assault and batter persons and/or use
8 unnecessary, unreasonable, and/or unlawful physical force without reasonable
9 justification, and in a manner that demonstrates callous disregard for the rights and
10 safety of third parties, and to assault and batter persons and/or use unnecessary,
11 unreasonable, and/or unlawful physical force without reasonable justification, all of
12 which was a further proximate cause of the severe injuries and damages suffered by
13 Plaintiff.

14 32. Plaintiff JOE WARD-WALLACE further contends that the severe
15 injuries and damages suffered by him were the proximate result of unconstitutional
16 policies, customs, and practices of the City of Los Angeles and the Los Angeles Police
17 Department which include, but are not limited to, unjustifiably using excessive and/or
18 unreasonable force, unjustifiably assaulting and battering non-dangerous individuals,
19 inadequately training and supervising Los Angeles Police Department officers,
20 including Defendant Officers, with respect to the reasonable and proper use of force,
21 and inadequately training and supervising Los Angeles Police Department officers,
22 including Defendant Officers, with respect to the reasonable and proper police
23 procedures for the detention and arrest of non-dangerous individuals, as well as the
24 deliberate and conscious approval, endorsement, and ratification of unconstitutional
25 seizures, unconstitutional uses of excessive force, and other unconstitutional acts by
26 authorized final policymakers with the City of Los Angeles and the Los Angeles Police
27 Department.

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1 33. As a result of the above-alleged conduct, Plaintiff brings forth this
2 Complaint.

3 **FIRST CLAIM FOR RELIEF**

4 **First Amendment Violation**

5 **(42 USC § 1983)**

6 **(By JOE WARD-WALLACE As Against Defendant Officers JOSHUA**
7 **SPORTIELLO and EDWARD PEDROZA)**

8 34. Plaintiff realleges and incorporates by reference each of the forgoing
9 paragraphs of this Complaint with the same force and effect as if fully set forth herein.

10 35. The First Amendment to the Constitution provides in part, “Congress shall
11 make no law...prohibiting the free exercise thereof; or abridging the freedom of
12 speech...or the right of the people peaceably to assemble, and to petition the
13 Government for a redress of grievances.” U.S. Const. amend. I.

14 36. At all relevant times, Plaintiff JOE WARD-WALLACE was engaged in
15 constitutionally protected activity, specifically, attempting to file a complaint with the
16 Los Angeles Police Department vis a vis JOSHUA SPORTIELLO and EDWARD
17 PEDROZA.

18 37. Defendant Officers JOSHUA SPORTIELLO and EDWARD PEDROZA,
19 acting under color of state law, took adverse actions against Plaintiff, including
20 arresting Plaintiff without probable cause. The arrest was done in response to Plaintiff’s
21 exercise of First Amendment rights.

22 38. Defendants’ actions were intended as retaliation against Plaintiff JOE
23 WARD-WALLACE for engaging in constitutionally protected activities. There was no
24 probable cause to arrest Plaintiff JOE WARD-WALLACE for the crime he was
25 arrested for. The decision to arrest JOE WARD-WALLACE for engaging in free
26 speech and political expression would deter any person of ordinary firmness from
27 continuing to engage in such protected activities.

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1 39. Plaintiff JOE WARD-WALLACE's protected activity was a substantial
2 and motivating factor in Defendants' conduct. Defendants' actions were not justified
3 by any legitimate government interest but were intended to have a chilling effect on
4 Plaintiff's free expression and speech and deter the future exercise of his rights.

5 40. As a direct and proximate result of Defendants' acts and/or omissions as
6 set forth above, Plaintiff sustained damages.

7 41. The conduct of Defendants entitles Plaintiff to punitive damages and all
8 damages allowable under 42 U.S.C. § 1983 and as provided by law. Plaintiff does not
9 seek punitive damages against Defendants CITY and LAPD.

10 42. Plaintiff is also entitled to reasonable costs and attorneys' fees under 42
11 U.S.C. § 1988, and other applicable United States laws.

12 **SECOND CLAIM FOR RELIEF**

13 **Unreasonable Detention in Violation of the Fourth Amendment**

14 **(42 U.S.C. § 1983)**

15 **(By JOE WARD-WALLACE As Against Defendant Officers JOSHUA**
16 **SPORTIELLO and EDWARD PEDROZA)**

17 43. Plaintiff realleges and incorporates by reference each of the forgoing
18 paragraphs of this Complaint with the same force and effect as if fully set forth herein.

19 44. The Fourth Amendment to the Constitution provides in part, "[t]he right
20 of the people to be secure in their persons . . . against unreasonable searches and
21 seizures, shall not be violated . . ." U.S. Const. amend. IV. This right prohibits law
22 enforcement from unreasonably detaining an individual any longer than the time it
23 takes to complete the search or in a manner that is reasonable under the circumstances.

24 45. JOE WARD-WALLACE was not suspected of committing any criminal
25 activity, being a threat to anyone, or having a warrant for his arrest. The circumstances
26 of his detention and arrest were solely Defendant Officers JOSHUA SPORTIELLO
27 and EDWARD PEDROZA retaliating for JOE WARD-WALLACE asking to file a
28 complaint, as he was entitled to do.

1 46. JOE WARD-WALLACE was forcefully stepped on and shoved. JOE
2 WARD-WALLACE was handcuffed. JOE WARD-WALLACE was placed in
3 detention in the back of the police vehicle without a properly functioning seatbelt. To
4 prolong the vicious retaliation, JOE WARD-WALLACE was jailed for five days with
5 no food.

6 47. Defendant Officers JOSHUA SPORTIELLO and EDWARD
7 PEDROZA's detention of Plaintiff was excessive, unnecessary, and lacked sufficient
8 justification under Fourth Amendment standards. A reasonable officer on the scene
9 would have recognized that there was no legitimate law enforcement interest in
10 assaulting, detaining, arresting, or jailing JOE WARD-WALLACE.

11 48. As a direct and proximate result of Defendants' acts and/or omissions as
12 set forth above, Plaintiff sustained damages.

13 49. The conduct of Defendants entitles Plaintiff to punitive damages and all
14 damages allowable under 42 U.S.C. § 1983 and as provided by law. Plaintiff does not
15 seek punitive damages against Defendants CITY and LAPD.

16 50. Plaintiff is also entitled to reasonable costs and attorneys' fees under 42
17 U.S.C. § 1988, and other applicable United States laws.

18 **THIRD CLAIM FOR RELIEF**

19 **Excessive Force in Violation of the Fourth Amendment**

20 **(42 USC § 1983)**

21 **(By JOE WARD-WALLACE As Against Defendant Officers JOSHUA**
22 **SPORTIELLO and EDWARD PEDROZA)**

23 45. Plaintiff realleges and incorporates by reference each of the forgoing
24 paragraphs of this Complaint with the same force and effect as if fully set forth herein.

25 46. Defendant Officer JOSHUA SPORTIELLO used excessive force against
26 JOE WARD-WALLACE by unnecessarily and unreasonably forcefully stomping on
27 JOE WARD-WALLACE's foot and pushing him violently in the chest, while acting
28 under color of law, and in clear and well-established violation of the Fourth

1 Amendment to the United States Constitution.

2 47. Furthermore, Defendant Officers JOSHUA SPORTIELLO and
3 EDWARD PEDROZA also used unreasonable and excessive force on JOE WARD-
4 WALLACE when they tightly handcuffed him and proceeded to drive around
5 erratically without a functional seatbelt, causing JOE WARD-WALLACE to suffer
6 wrist injuries.

7 48. Under the same or similar circumstances, no reasonable officer would
8 have used force of the manner and to the extent as that used by Defendant Officers
9 JOSHUA SPORTIELLO and EDWARD PEDROZA against JOE WARD-
10 WALLACE. JOE WARD-WALLACE was not an imminent threat of death or serious
11 bodily injury to any officers or anyone else. JOE WARD-WALLACE was simply
12 trying to file a complaint when Defendant Officers JOSHUA SPORTIELLO and
13 EDWARD PEDROZA used excessive force on him.

14 49. It is clearly excessive to forcefully stomp on someone's foot for simply
15 trying to file a complaint. Defendant Officer JOSHUA SPORTIELLO's use of
16 excessive force on JOE WARD-WALLACE was clearly unreasonable.

17 50. It is clearly excessive strike someone in the chest violently, especially
18 when they are unarmed and simply trying to file a complaint. Defendant Officer
19 JOSHUA SPORTIELLO's use of excessive force on JOE WARD-WALLACE was
20 clearly unreasonable.

21 51. It is clearly excessive to tightly handcuff someone, fail to seatbelt them
22 adequately, then drive around erratically. Defendant Officers JOSHUA SPORTIELLO
23 and EDWARD PEDROZA's use of excessive force on JOE WARD-WALLACE was
24 clearly unreasonable.

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52. As a direct and foreseeable result of having his foot stepped on, struck in the chest by Defendant Officer JOSHUA SPORTIELLO, being handcuffed tightly and driven around erratically without a functional seatbelt, as well as being left in detention for five days without food, Plaintiff has suffered and will continue to suffer, among other things, severe mental, physical, and emotional distress and medical expenses.

53. The use of force and tactics used by Defendant Officers JOSHUA SPORTIELLO and EDWARD PEDROZA, while JOE WARD-WALLACE was simply trying to file a complaint for the unnecessary risks he was already subjected to by the conduct of the driving LAPD officers, was so unreasonable, unnecessary, and excessive as to shock the conscience. By this chosen course of action, Defendants have conducted themselves with: 1) spiteful, ill-willed, and/or harmful purpose; 2) unnecessary harshness and severity amounting to an abuse of authority over another's weakness, disability, or misfortune; and/or 3) complete indifference to Plaintiff's and others' rights and safety in the face of manifest risks thereto.

54. Accordingly, JOE WARD-WALLACE is entitled to recover punitive damages against the individual Defendant Officers JOSHUA SPORTIELLO and EDWARD PEDROZA, in addition to compensation for the severe mental, physical, and emotional pain and suffering to which they subjected him, and all past and future medical expenses, among other things, in order to deter such despicable conduct by the example of their punishment.

FOURTH CLAIM FOR RELIEF

Municipal Liability (*Monell* Claim)

(42 U.S.C. § 1983)

(By JOE WARD-WALLACE As Against Defendants CITY and LAPD)

51. Plaintiff reallege and incorporate by reference each of the forgoing paragraphs of this Complaint with the same force and effect as if fully set forth herein.

52. The unconstitutional actions and/or omissions of Defendant Officers JOSHUA SPORTIELLO and EDWARD PEDROZA, as well as other employees

1 acting on behalf of the Defendants CITY and LAPD, on information and belief, were
2 pursuant to the following customs, policies, practices, and/or procedures of the
3 Defendants CITY and LAPD, stated in the alternative, which were directed,
4 encouraged, allowed, and/or ratified by policymaking officers for the CITY and LAPD:

- 5 A. Using excessive force on an individual who is not a threat nor lawfully
6 under arrested such as JOE WARD-WALLACE;
- 7 B. Unconstitutionally using force on an innocent person such as JOE
8 WARD-WALLACE;
- 9 C. Unconstitutionally arresting innocent citizens such as JOE WARD-
10 WALLACE, without probable cause;
- 11 D. Unconstitutionally retaliating against innocent citizens such as JOE
12 WARD-WALLACE, without probable cause;
- 13 E. Permitting peace officers to conspire to retaliate against free speech;
- 14 F. Racially profiling members of the public and then violating their
15 constitutional rights such as JOE WARD-WALLACE;
- 16 G. Concealing and/or suppressing evidence which could be exculpatory; and
17 H. Initiating prosecution and continuing prosecution of innocent people such
18 as JOE WARD-WALLACE.

19 53. Defendants CITY and LAPD, through their employees and agents, and
20 through their policy-making supervisors, failed to properly hire, train, instruct, monitor,
21 supervise, evaluate, investigate, and discipline Defendant Officers JOSHUA
22 SPORTIELLO and EDWARD PEDROZA, and other Defendants CITY and LAPD
23 personnel, with deliberate indifference to the constitutional rights of JOE WARD-
24 WALLACE and others in similar positions, as described above, and therefore, those
25 rights thereby violated.

26 54. The unconstitutional actions and/or omissions of Defendant Officers
27 JOSHUA SPORTIELLO and EDWARD PEDROZA, and other employees, as
28 described above, were approved, tolerated, and/or ratified by policymaking officers for

1 CITY and LAPD.

2 55. Plaintiff are informed and believe and thereon allege that the details of
3 this incident have been revealed to the authorized policymakers within the CITY and
4 LAPD and that such policymakers have direct knowledge of the fact that JOE WARD-
5 WALLACE was being prosecuted and detained in retaliation for his speech and such
6 conduct was the result of deliberate indifference to his rights to be protected and safe.

7 56. Plaintiff are informed and believe and thereon allege that the details of
8 this incident have been revealed to the authorized policymakers within the CITY and
9 LAPD and that such policymakers have direct knowledge of the fact that JOE WARD-
10 WALLACE was arrested as the result of retaliation for his speech and in deliberate
11 indifference to his rights to be protected and safe.

12 57. Plaintiff are informed and believe and thereon allege that the details of
13 this incident have been revealed to the authorized policymakers within the CITY and
14 LAPD and that such policymakers have direct knowledge of the fact that JOE WARD-
15 WALLACE was unconstitutionally detained as the result of deliberate indifference to
16 their rights to be protected and safe.

17 58. Notwithstanding this knowledge, the authorized policymakers within the
18 CITY and LAPD approved of the conduct and decisions of Defendant Officers
19 JOSHUA SPORTIELLO and EDWARD PEDROZA, and Does 1-10 in this matter,
20 and have made a deliberate choice to endorse such conduct and decisions, and the basis
21 for them, that resulted in constitutional deprivations of JOE WARD-WALLACE.

22 59. By so doing, the authorized policymakers within the Defendants CITY
23 and LAPD have shown affirmative agreement with the individual Defendants' actions
24 and have ratified the unconstitutional acts of the individual Defendants. Furthermore,
25 Plaintiff are informed and believe, and thereupon allege, that policy-making officers
26 for Defendants CITY and LAPD were and are aware of a pattern of misconduct and
27 injury caused by Defendants.

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1 60. The aforementioned customs, policies, practices, and procedures; the
2 failures to properly and adequately hire, train, instruct, monitor, supervise, evaluate,
3 investigate, and discipline; and the unconstitutional orders, approvals, ratification, and
4 toleration of wrongful conduct of Defendants CITY and LAPD were a moving force
5 and/or a proximate cause of the deprivations of JOE WARD-WALLACE's clearly
6 established and well-settled constitutional rights in violation of 42 U.S.C. § 1983.

7 61. Defendants subjected Plaintiff to their wrongful conduct, depriving
8 Plaintiff of rights described herein, knowingly, maliciously, and with conscious and
9 reckless disregard for whether the rights and safety of JOE WARD-WALLACE and
10 others would be violated by their acts and/or omissions.

11 62. Furthermore, "the inadequacy of police training may serve as the basis for
12 § 1983 liability only where the failure to train amounts to deliberate indifference to the
13 rights of persons with whom the police come into contact." *Flores v. County of Los*
14 *Angeles*, 758 F.3d 1154, 1158 (9th Cir. 2014) (quoting *City of Canton v. Harris*, 489
15 U.S. 378, 388 (1989)).

16 63. Plaintiffs claim that they were deprived of their civil rights as a result of
17 the referenced failures of Defendant CITY's and LAPD's failure to train their
18 employees, including Defendant Officers JOSHUA SPORTIELLO and EDWARD
19 PEDROZA..

20 64. Here, Defendant Officers JOSHUA SPORTIELLO and EDWARD
21 PEDROZA, and Does 1-10, did not have the adequate training to ensure they did not
22 violate the constitutional rights of individuals such as Plaintiff. Indeed, the training
23 polices of Defendants CITY and LAPD were deficient and did not sufficiently train
24 their employees.

25 65. As a direct and proximate result of the unconstitutional actions, omissions,
26 customs, policies, practices, and procedures of Defendants CITY and LAPD, as
27 described above, JOE WARD-WALLACE suffered the loss of protected constitutional
28 rights.

66. As a direct and proximate result of Defendants' acts and/or omissions as set forth above, Plaintiff JOE WARD-WALLACE sustained injuries and damages.

67. The conduct of Defendants entitles Plaintiff to punitive damages and all damages allowable under 42 U.S.C. § 1983 and as provided by law. Plaintiff does not seek punitive damages against Defendants CITY and LAPD.

68. Plaintiff JOE WARD-WALLACE is also entitled to reasonable costs and attorneys' fees under 42 U.S.C. § 1988 as well as other applicable United States and California codes and laws.

FIFTH CLAIM FOR RELIEF

For Negligence

(By JOE WARD-WALLACE As Against All Defendants Save LAPD)

69. Plaintiff realleges and incorporates by reference each of the forgoing paragraphs of this Complaint with the same force and effect as if fully set forth herein.

70. The present cause of action is brought pursuant to Cal. Gov. Code §§ 815.2 and 820. Under § 820, as a public employee, the individual Defendant Officers JOSHUA SPORTIELLO and EDWARD PEDROZA are liable for injuries caused by their acts or omissions to the same extent as a private person. Under § 815.2, the defendant public entity, CITY, is vicariously liable for injuries caused by the acts or omissions of its employees, officers, and agents, committed within the course and scope of that employment, including Defendant Officers JOSHUA SPORTIELLO and EDWARD PEDROZA. This cause of action is not alleging direct liability against Defendant CITY, only vicarious liability. *See* Cal. Gov. Code § 815.2(a-b); *Zelig v. County of Los Angeles* (2002) 27 Cal.4th 1112, 1128.

71. Plaintiff claims that Defendant Officers JOSHUA SPORTIELLO and EDWARD PEDROZA were negligent when they arrested JOE WARD-WALLACE as well as for the detention of JOE WARD-WALLACE, and prosecution of JOE WARD-WALLACE.

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1 72. Defendant Officers JOSHUA SPORTIELLO and EDWARD PEDROZA
2 owed Plaintiff JOE WARD-WALLACE a duty of care.

3 73. Such duty of care owed to JOE WARD-WALLACE required Defendant
4 Officers JOSHUA SPORTIELLO and EDWARD PEDROZA to exercise reasonable
5 care when conducting city council meetings, respecting the constitutional rights of
6 members of the public and carrying out official duties.

7 74. Indeed, such duty of care required Defendant Officers JOSHUA
8 SPORTIELLO and EDWARD PEDROZA to refrain from making unreasonable arrests
9 and unreasonable detentions.

10 75. Defendant Officers JOSHUA SPORTIELLO and EDWARD PEDROZA
11 breached one or more of such duties owed to JOE WARD-WALLACE by arresting
12 and detaining JOE WARD-WALLACE.

13 76. Each such breach of duty of care was a substantial factor in causing harm
14 to JOE WARD-WALLACE because the unreasonable arrests and detention tactics,
15 decisions, and non-interventions directly contributed to the harm suffered by JOE
16 WARD-WALLACE.

17 77. Due to the injuries caused by Defendant Officers JOSHUA
18 SPORTIELLO and EDWARD PEDROZA, Plaintiff JOE WARD-WALLACE
19 suffered damages.

20 **SIXTH CLAIM FOR RELIEF**

21 **Battery**

22 **(By JOE WARD-WALLACE As Against All Defendants Save LAPD)**

23 78. Plaintiff realleges and incorporates by reference each of the forgoing
24 paragraphs of this Complaint with the same force and effect as if fully set forth herein.

25 79. The present claim for relief is brought pursuant to Cal. Gov. Code §§
26 815.2 and 820. Under § 820 of the Government Code, as public employees, the
27 individual defendants are liable for injuries caused by their acts or omissions to the
28 same extent as private persons. Under § 815.2 of the Government Code, Defendants

1 CITY and LAPD are liable for injuries caused by the acts or omissions of its employees,
2 agents, and/or detectives committed within the course and scope of their employment.
3 This claim for relief is not alleging direct liability against Defendants CITY and LAPD,
4 only vicarious liability. *See* Cal. Gov. Code § 815.2(a-b); *Zelig v. County of Los*
5 *Angeles* (2002) 27 Cal.4th 1112, 1128.

6 80. The present claim for relief is brought pursuant to Cal. Gov. Code §§
7 815.2 and 820. Under § 820 of the Government Code, as public employees, the
8 individual defendants are liable for injuries caused by their acts or omissions to the
9 same extent as private persons. Under § 815.2 of the Government Code, Defendants
10 CITY and LAPD are liable for injuries caused by the acts or omissions of its employees,
11 agents, and/or detectives committed within the course and scope of their employment.
12 This claim for relief is not alleging direct liability against Defendants CITY and LAPD,
13 only vicarious liability. *See* Cal. Gov. Code § 815.2(a-b); *Zelig v. County of Los*
14 *Angeles* (2002) 27 Cal.4th 1112, 1128.

15 81. By their acts, omissions, customs, and policies, Defendant Officers
16 EDWARD PEDROZA, OFFICER JOSHUA SPORTIELLO, and Does 1-10, each
17 acting in concert/conspiracy, as described above, JOE WARD-WALLACE was
18 subjected to unreasonable and unnecessary force. JOE WARD-WALLACE should
19 have never been arrested and should have not been subjected to force.

20 82. The force used on JOE WARD-WALLACE was unnecessary and
21 excessive on its face.

22 83. The force used on JOE WARD-WALLACE was a substantial factor in
23 causing harm to JOE WARD-WALLACE and caused JOE WARD-WALLACE harm.

24 84. Due to the injuries caused by Defendant Officers JOSHUA
25 SPORTIELLO and EDWARD PEDROZA, Plaintiff JOE WARD-WALLACE
26 suffered damages.

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SEVENTH CLAIM FOR RELIEF

False Arrest/False Imprisonment

(By JOE WARD-WALLACE As Against All Defendants Save LAPD)

85. Plaintiff realleges and incorporates by reference each of the forgoing paragraphs of this Complaint with the same force and effect as if fully set forth herein.

86. The present claim for relief is brought pursuant to Cal. Gov. Code §§ 815.2 and 820. Under § 820 of the Government Code, as public employees, the individual defendants are liable for injuries caused by their acts or omissions to the same extent as private persons. Under § 815.2 of the Government Code, Defendants CITY and LAPD are liable for injuries caused by the acts or omissions of its employees, agents, and/or detectives committed within the course and scope of their employment. This claim for relief is not alleging direct liability against Defendants CITY and LAPD, only vicarious liability. *See* Cal. Gov. Code § 815.2(a-b); *Zelig v. County of Los Angeles* (2002) 27 Cal.4th 1112, 1128.

87. As previously alleged, Defendant Officers JOSHUA SPORTIELLO and EDWARD PEDROZA caused Plaintiff JOE WARD-WALLACE to be wrongfully arrested and wrongfully detained and imprisoned.

88. Plaintiff JOE WARD-WALLACE's arrest, detention and imprisonment was unconstitutional and illegal given that such was based upon Defendant Officers JOSHUA SPORTIELLO and EDWARD PEDROZA fabricating evidence, providing false testimony, suppressing exculpatory evidence, and other unconstitutional and illegal conduct.

89. Plaintiff JOE WARD-WALLACE's detention was unconstitutional and illegal given that such was based upon Defendant Officers JOSHUA SPORTIELLO and EDWARD PEDROZA fabricating evidence, providing false testimony, suppressing exculpatory evidence, and other unconstitutional and illegal conduct.

90. Plaintiff JOE WARD-WALLACE was clearly harmed by being deprived of his freedom and the conduct of Defendant Officers JOSHUA SPORTIELLO and

1 EDWARD PEDROZA was a substantial factor in causing such harm.

2 91. As a direct and proximate result of the aforementioned acts of Defendant,
3 Plaintiff JOE WARD-WALLACE was injured as set forth above, and such injuries
4 entitle Plaintiff to all damages allowable under California law. Plaintiff sustained
5 serious and permanent injuries and is entitled to damages, penalties, costs, and attorney
6 fees under California law, including punitive damages against these individual
7 Defendants.

8 **EIGHTH CLAIM FOR RELIEF**

9 **For Violation of the Tom Bane Civil Rights Act**

10 **(Cal. Civ. Code § 52.1)**

11 **(By JOE WARD-WALLACE As Against All Defendants Save LAPD)**

12 92. Plaintiff realleges and incorporates by reference each of the forgoing
13 paragraphs of this Complaint with the same force and effect as if fully set forth herein.

14 93. The present claim for relief is brought pursuant to Civil Code § 52.1, Cal.
15 Gov. Code §§ 815.2 and 820. Under § 820 of the Government Code, as public
16 employees, the individual defendants are liable for injuries caused by their acts or
17 omissions to the same extent as private persons. Under § 815.2 of the Government
18 Code, Defendant CITY is liable for injuries caused by the acts or omissions of its
19 employees, agents, and/or detectives committed within the course and scope of their
20 employment. This claim for relief is not alleging direct liability against Defendant
21 CITY, only vicarious liability. *See* Cal. Gov. Code § 815.2(a-b); *Zelig v. County of Los*
22 *Angeles* (2002) 27 Cal.4th 1112, 1128.

23 94. By their acts, omissions, customs, and policies, Defendant Officers
24 EDWARD PEDROZA, OFFICER JOSHUA SPORTIELLO, and Does 1-10, each
25 acting in concert/conspiracy, as described above, attempted to interfere with, and
26 violated JOE WARD-WALLACE's rights under California Civil Code § 52.1 and
27 under the United States Constitution and California Constitution as follows:

28 A. The right to due process under Fourteenth Amendment to the United

1 States, including the right to be free from fabrication of evidence and
2 suppression of evidence;

3 B. The right to be free from unreasonable seizure and detention under the
4 Fourth Amendment to the United States;

5 C. The right to enjoy and defend life and liberty; acquire, possess, and protect
6 property; and pursue and obtain safety, happiness, and privacy, as secured
7 by the California Constitution, Article 1, § 1.

8 95. Defendants' violations of JOE WARD-WALLACE's due process rights
9 with deliberate indifference, in and of themselves constitute violations of the Bane Act.
10 Alternatively, separate from, and above and beyond, Defendants' attempted
11 interference, interference with, and violation of JOE WARD-WALLACE's rights as
12 described above, Defendants violated Plaintiff's rights by the following conduct
13 constituting threat, intimidation, or coercion:

14 A. By intentionally seizing, detaining, and arresting Plaintiff without
15 reasonable suspicion or probable cause;

16 B. By intentionally fabricating witness testimony;

17 C. By intentionally prosecuting JOE WARD-WALLACE who Defendants
18 knew was innocent;

19 D. Instituting and maintaining the unconstitutional customs, policies, and
20 practices described herein, when it was obvious that in doing so,
21 individuals such as JOE WARD-WALLACE would be subjected to
22 violations of his due process rights by threat, intimidation, coercion.

23 96. The threat, intimidation, and coercion described herein were done with the
24 specific intent to violate Plaintiff JOE WARD-WALLACE's rights.

25 97. Further, all of Defendants' violations of duties and rights, and coercive
26 conduct, described herein were volitional acts; none was accidental or merely
27 negligent.

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1 98. Further, each Defendant violated JOE WARD-WALLACE's rights with
2 reckless disregard and with the specific intent and purpose to deprive him of his
3 enjoyment of those rights and of the interests protected by those rights.

4 99. As a direct and proximate result of Defendants' violation of California
5 Civil Code § 52.1 and of Plaintiff JOE WARD-WALLACE's rights under the United
6 States and California Constitutions, Plaintiff sustained injuries and damages, and
7 against each and every Defendant is entitled to relief, including punitive damages
8 against all individual Defendants, and all damages allowed by California Civil Code
9 §§ 52 and 52.1 and California law, not limited to costs attorneys' fees, and civil
10 penalties.

11 **PRAYER FOR RELIEF**

12 **WHEREFORE**, Plaintiff requests entry of judgment in his favor and against
13 Defendants as follows:

- 14 A. General Damages in excess of the mandatory amount for jurisdiction in the
15 Unlimited Superior Court;
- 16 B. Non-Economic Damages in excess of the mandatory amount for jurisdiction
17 in the Unlimited Superior Court;
- 18 C. Punitive damages as to the individual defendants;
- 19 D. Attorney's fees pursuant to State Law (CCP § 1021.5 & private attorney
20 general doctrine);
- 21 E. Penalties under the Bane Act;
- 22 F. A multiplier of damages including treble damages pursuant to Civil Section
23 52;
- 24 G. Interest;
- 25 H. All other remedies awarded by the Court;

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I. All other damages, penalties, costs, interest, and attorneys' fees as allowed by 42 U.S.C. §§ 1983 and 1988; and as otherwise may be allowed by California and/or federal law.

Dated: April 24, 2025

**LAW OFFICES OF CHRISTIAN CONTRERAS
A PROFESSIONAL LAW CORPORATION**

By: 
CHRISTIAN CONTRERAS, ESQ.
Attorneys for Plaintiff,
JOE WARD-WALLACE

DEMAND FOR JURY TRIAL

Plaintiff hereby demand a trial by jury on all claims for relief alleged herein.

Dated: April 24, 2025

**LAW OFFICES OF CHRISTIAN CONTRERAS
A PROFESSIONAL LAW CORPORATION**

By: 
CHRISTIAN CONTRERAS, ESQ.
Attorneys for Plaintiff,
JOE WARD-WALLACE