

1 RUTAN & TUCKER, LLP
George W. "Bill" Shaeffer, Jr. (State Bar No. 67493)
2 bshaeffer@rutan.com
A. TREVOR BUHR (State Bar No. 318666)
3 tbuhr@rutan.com
611 Anton Boulevard, Suite 1400
4 Costa Mesa, California 92626-1931
Telephone: 714-641-5100
5 Facsimile: 714-546-9035

EXEMPT FROM FILING FEE
PURSUANT TO GOV'T CODE § 6103

6 Attorneys for Defendant
CITY OF LONG BEACH
7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 FOR THE COUNTY OF LOS ANGELES, CENTRAL DISTRICT
10

11 ALBERTO VARGAS, PABLO ORDUNO,

Case No. BC675610

12 Plaintiffs,

ASSIGNED FOR ALL PURPOSES TO:
HONORABLE HOLLY J. FUJIE
DEPARTMENT 56

13 vs.

14 CITY OF LONG BEACH; and DOES 1
through 50, Inclusive,

**DECLARATION OF DARREN LANCE IN
SUPPORT OF DEFENDANT CITY OF
LONG BEACH'S MOTION FOR
SUMMARY JUDGMENT/SUMMARY
ADJUDICATION OF ISSUES**

15 Defendants.
16

Hearing Date

Date: June 12, 2019
Time: 8:30 a.m.
Department: 56

17
18
19
20 Date Action Filed: September 13, 2017
Trial Date: August 26, 2019
21
22
23
24
25
26
27
28

DECLARATION OF DARREN LANCE

I, Darren Lance, declare as follows:

1. I have personal knowledge of the following facts and matters and if called as a witness I could testify thereto.

2. I am making this declaration in support of Defendant City of Long Beach's Motion for Summary Judgment/Summary Adjudication of Issues.

3. Since October 7, 2002, I have been continuously employed as a duly sworn peace officer for the City of Long Beach Police Department (hereinafter "City" and "Police Department"). Since that date, I have been promoted through the ranks. In or about February of 2017, I was promoted to the rank of Lieutenant. In or about February of 2018, I was assigned to the Lieutenant in the Internal Affairs Division. I have continuously held that assignment to date.

4. The Police Department has a database maintained by the Internal Affairs Division in accordance with the retention policies of the City and Police Department which contains all currently pending and historical information identifying the discipline of the Police Department's peace officers and civilians (non-peace officers) for sustained findings of a violation of Police Department policy.

5. Commander Cox is the Division Commander of the Police Department's Internal Affairs Division. Commander Cox is on vacation, and I am the Senior Officer in the Police Department's Internal Affairs Division in Commander Cox's absence. I have the same access to the Police Department's data base maintained by the Internal Affairs Division as Commander Cox.

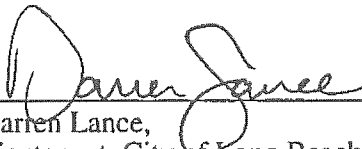
6. Chief Luna was appointed Chief of the Police Department on or about November 22, 2014.

7. I caused a follow up search of the database maintained in the Police Department's Internal Affairs Division for all cases of discipline involving the Police Department's peace officers and civilians (non-peace officers) for sustained findings of untruthfulness during the tenure of Chief Luna as Chief of Police.

8. The search disclosed that commencing November 22, 2014, when Chief Luna was appointed Chief of Police to date, there have been ten different peace officers and two cases

1 involving a civilian employed in the Police Department, where sufficient evidence was established
2 to clearly prove the allegations of untruthfulness. In all twelve cases, Chief Luna recommended the
3 ten peace officers and two civilian employees be dismissed by the City Manager. Two of these
4 peace officers elected to retire in lieu of dismissal. In the other eight instances, Chief Luna
5 recommended to the City Manager the eight peace officers and two civilian employees be dismissed.
6 The City Manager accepted Chief Luna's recommendation, and the ten employees were notified of
7 their dismissal.

8 I declare under penalty of perjury under the laws of the State of California that the
9 foregoing is true and correct. Executed this 3rd day of June, 2019, at Long Beach, California.

10
11 
12 _____
13 Darren Lance,
14 Lieutenant, City of Long Beach Police
15 Department
16 Declarant
17
18
19
20
21
22
23
24
25
26
27
28