



## Civil Rights Department

2218 Kausen Drive, Suite 100 | Elk Grove | CA | 95758  
800-884-1684 (voice) | 800-700-2320 (TTY) | California's Relay Service at 711  
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

August 1, 2023

Emilia Arutunian  
755 Front Street  
San Diego, CA 92101

**RE: Notice to Complainant's Attorney**  
CRD Matter Number: 202308-21487302  
Right to Sue: Arellano / San Diego Unified School District Police Department et al.

Dear Emilia Arutunian:

Attached is a copy of your complaint of discrimination filed with the Civil Rights Department (CRD) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your Notice of Case Closure and Right to Sue.

**Pursuant to Government Code section 12962, CRD will not serve these documents on the employer.** You must serve the complaint separately, to all named respondents. Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California. A courtesy "Notice of Filing of Discrimination Complaint" is attached for your convenience.

Be advised that the CRD does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Civil Rights Department



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August 1, 2023

**RE: Notice of Filing of Discrimination Complaint**

CRD Matter Number: 202308-21487302

Right to Sue: Arellano / San Diego Unified School District Police Department et al.

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Civil Rights Department (CRD) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to CRD is requested or required.

Sincerely,

Civil Rights Department



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August 1, 2023

Moises Arellano

RE: **Notice of Case Closure and Right to Sue**

CRD Matter Number: 202308-21487302

Right to Sue: Arellano / San Diego Unified School District Police Department et al.

Dear Moises Arellano:

This letter informs you that the above-referenced complaint filed with the Civil Rights Department (CRD) has been closed effective August 1, 2023 because an immediate Right to Sue notice was requested.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this CRD Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Civil Rights Department

1 **COMPLAINT OF EMPLOYMENT DISCRIMINATION**  
2 **BEFORE THE STATE OF CALIFORNIA**  
3 **Civil Rights Department**  
4 **Under the California Fair Employment and Housing Act**  
5 **(Gov. Code, § 12900 et seq.)**

6 **In the Matter of the Complaint of**

7 Moises Arellano

CRD No. 202308-21487302

8 Complainant,

9 vs.

10 San Diego Unified School District Police Department  
11 4100 Normal Street, Room 2148  
12 san diego, CA 92103

13 Alfonso Contreras  
14 4100 Normal Street  
15 san diego, CA 92103

16 Lamont Jackson  
17 4100 Normal Street  
18 san diego, CA 92103

19 Jenifer Gruner  
20 4100 Normal Street  
21 san diego, CA 92103

22 Respondents

23  
24  
25 1. Respondent **San Diego Unified School District Police Department** is an **employer** subject to suit under the California Fair Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.).

26 2. Complainant is naming **Alfonso Contreras** individual as Co-Respondent(s).  
27 Complainant is naming **Lamont Jackson** individual as Co-Respondent(s).  
28 Complainant is naming **Jenifer Gruner** individual as Co-Respondent(s).

3. Complainant **Moises Arellano**, resides in the City of , State of .

4. Complainant alleges that on or about **August 1, 2023**, respondent took the following adverse actions:

1 **Complainant was harassed** because of complainant's ancestry, national origin (includes  
2 language restrictions), color, genetic information or characteristic, other, sexual harassment-  
3 hostile environment, race (includes hairstyle and hair texture).

4 **Complainant was discriminated against** because of complainant's ancestry, color, genetic  
5 information or characteristic, other, sexual harassment- hostile environment, race (includes  
6 hairstyle and hair texture) and as a result of the discrimination was denied hire or promotion,  
7 reprimanded, demoted, denied any employment benefit or privilege, other, denied work  
8 opportunities or assignments, denied or forced to transfer.

9 **Complainant experienced retaliation** because complainant reported or resisted any form  
10 of discrimination or harassment, participated as a witness in a discrimination or harassment  
11 complaint and as a result was denied hire or promotion, reprimanded, demoted, denied any  
12 employment benefit or privilege, other, denied work opportunities or assignments, denied or  
13 forced to transfer.

14 **Additional Complaint Details:** Moises Arellano has been a police officer since 2007 when  
15 he joined the Calexico Police Department. In 2012, Mr. Arellano joined the San Diego  
16 Unified School District Police Department ("SDUSD PD" or "Department") serving as a  
17 Police Officer until 2020 when he was promoted to Detective. Throughout his tenure with  
18 SDUSD PD, Mr. Arellano has served a variety of positions, including Acting Sergeant from  
19 2016 to 2018, and Field Training Officer from 2014 to present.

20 Throughout his tenure, Mr. Arellano has been an exemplary employee, never receiving any  
21 disciplinary actions or warnings. In fact, he has received numerous awards and citations for  
22 his great work within law enforcement.

23 In or about June of 2022, Alfonso Contreras became Chief of Police for SDUSD PD. Upon  
24 information and belief, Mr. Contreras had been in a long-term relationship with one of his  
25 subordinates, Sergeant Jenifer Gruner, at the time he was appointed. Most of the  
26 Department was aware of the relationship at the time of his appointment and made attempts  
27 to inquire to ensure the relationship would not affect their positions and career trajectories  
28 within the Department. Mr. Contreras assured the officers he would act with integrity and  
would not let the relationship affect his management of the Department. Unfortunately,  
those promises did not come to fruition. With Mr. Contreras' appointment to Chief, the  
relationship began to adversely affect the entire Department almost immediately. Indeed,  
the relationship between the two creates divisiveness and a hostile work environment for  
any member of the SDUSD PD who are not in support of Ms. Gruner, do not "take care of  
her," praise her, and support her. The circle of individuals who do support the relationship is  
commonly referred to as "The Club" and given special treatment and privileges. Two such  
individuals include Operations Support Captain, David Landman, and Field Support Captain,  
Ivan Picazo. However, those outside of "The Club" were and continue to be continuously  
harassed, demeaned, undermined, yelled at, defamed, slandered, and have experienced  
numerous other instances of hostile work environment.

Not only do Mr. Contreras and Ms. Gruner use their relationship and position of power to  
adversely affect those not in "The Club," but they also impose problems within their personal

1 relationship on the Department thus creating a hostile work environment. Often times  
2 individuals at the Department can hear the couple yelling and arguing with each other over  
3 clear domestic issues that disguise themselves as work-related issues. Simple, menial  
4 “work-related” disputes often turn into screaming matches. For example, at times Mr.

5 Arellano asked the couple to quiet down when they are fighting so that he may complete his  
6 work. This obviously makes Mr. Arellano uncomfortable and embarrassed to ask in the  
7 workplace.  
8 Mr. Contreras has also given Ms. Gruner immense special privileges due to his high-ranking  
9 position. Those privileges have only intensified since Mr. Contreras’ tenure as Chief,  
10 including taking training time off to attend a Notre Dame football game with Chief Contreras,  
11 (photos of which ended up plastered all over social media), not having to clock in and out of  
12 her shifts, and other privileges. Department members have also noticed Mr. Contreras  
13 allows Ms. Gruner to take extended lunches, go to the nail salon while on duty, leave shifts  
14 early, and wear noncompliant uniforms while on the clock, all without repercussions.  
15 Meanwhile, officers, like Mr. Arellano, feel compelled to remain silent because of their  
16 relationship.

17 Mr. Contreras has also allowed Ms. Gruner the privilege of recording herself in the red book  
18 for time off, whereas everyone else in the Department is required to have their supervisor  
19 record them in the red book. While other officers would have been reprimanded for these  
20 same actions, Mr. Contreras permits Ms. Gruner to openly violate Department policy.  
21 Furthermore, Ms. Gruner has and continues to, abuse and harass her subordinates, often  
22 publicly, in the presence of Mr. Contreras and other officers, without reprimand or discipline.  
23 Mr. Arellano disapproves of the relationship and Ms. Gruner’s special treatment and is  
24 therefore not part of “The Club.” As a result, over the last year, he has been treated like an  
25 outcast and has experienced an extremely hostile work environment despite his consistent  
26 hard work and efforts in building the Department.

27 In 2020, Ms. Gruner began arbitrarily denying Mr. Arellano’s requests for trainings.  
28 These trainings included interrogations, search warrants, and human trafficking, which  
would have been extremely useful for Mr. Arellano’s, and other officers’ professional  
development, growth within the Department, and promotability. The same year, she  
overrode the decision of former Chief Florentino and Captain Picazo to send Mr. Arellano to  
an active shooter approved training. She initially stated she wanted a certified Defensive  
Tactics Instructor to attend the course. However, despite Mr. Arellano being the only  
certified instructor available, she did not allow him to attend, instead saying she wanted “one  
of her guys” to attend before he does. By “my guys,” Mr. Arellano felt Ms. Gruner was  
referring to members of “The Club” who supported her relationship with Mr. Contreras.

After Ms. Gruner’s established her patterned behavior of impeding Mr. Arellano’s  
growth, Mr. Arellano felt that he could no longer advance within the Department. Mr.  
Arellano felt this sentiment so much so that in October 2021, when he was trying to promote  
to Sergeant, he noticed he would need Ms. Gruner, and Mr. Contreras, to make it through  
the selection process. Immediately he felt defeated and withdrew from the process knowing  
it was futile trying to promote through Ms. Gruner and Mr. Contreras.

When Mr. Contreras was promoted to Chief, one of his first actions was eliminating  
detective’s “wellness walks,” which were designed to allow short mental breaks during  
tedious work. Prior to Mr. Contreras’ entry into the Department, officers’ mental health  
awareness was a priority for the Department, but he decided it was no longer going to take

1 priority. Nonetheless, still allowing other Department members to take advantage of the  
2 wellness program in its entirety.

3 In 2022, once Mr. Contreras was promoted to Chief, Ms. Gruner became more open  
4 and bolder about her hostile behavior towards members who were not part of "The Club."  
5 During that time, Mr. Arellano was the only Certified Background Investigation Detective. Mr.  
6 Picazo, Acting Captain at that time, asked Mr. Arellano to take over the background  
7 investigation of a critical case. The investigation would have included address verification, a  
8 home visit, an out-of-county work evaluation, and a final written report and recommendation.  
9 Ms. Gruner, Sergeant at that time, stepped in and overrode Mr. Picazo's orders, instead  
10 giving the opportunity to Campus Officer David Landman, who is a known member of "The  
11 Club," as well as her personal friend. Mr. Arellano tried to approach Ms. Gruner to inquire  
12 about her decision, reminding her that Mr. Landman was not a certified or trained  
13 background investigator and it would be illegal for him to conduct such investigation. He  
14 requested to have the opportunity to conduct the investigation back. Ms. Gruner responded,  
15 "No way I would send you out of town to go do this background check. No way! No way!" Mr.  
16 Arellano feels Ms. Gruner disregarded all due regard and integrity of the Department in the  
17 background process when making her nepotism-based decision.

18 In March 2022, Mr. Arellano started receiving denials for overtime, despite other  
19 officers receiving approval for their investigations. Some officers were even encouraged to  
20 work overtime. Mr. Arellano also submitted a vacation request which was ignored.

21 In May 2022, Mr. Arellano submitted a time-off request to attend an annual gang  
22 conference. Mr. Florentino approved Mr. Arellano's paid time off for training to attend the  
23 conference. However, Ms. Gruner swooped in and attempted to override Mr. Florentino's  
24 approval, telling Mr. Arellano he could not attend the conference. But later, when she  
25 realized Mr. Arellano already attended the conference, she told Mr. Arellano he was  
26 required to provide the Department the training he received upon his return, despite her  
27 denial in the first place. Mr. Arellano was confused about the contradicting direction. Ms.  
28 Gruner insisted multiple times that Mr. Arellano provide all his training to the Department  
and threatened to deduct vacation time from him if he failed to do so.

Ms. Gruner's openly hostile behavior continued when in October 2022, she announced she  
wanted to do a one-on-one coffee with every detective as an open forum. Ms. Gruner met  
with every detective except for Mr. Arellano.

In September 2022, Ms. Gruner submitted a paid training time off request, which was signed  
by Acting Captain, David Landman. However, during the time she was supposed to be at  
training, photos surfaced of her and Mr. Contreras at an airport in Indiana, and then at a  
football game. In June 2023, Ms. Gruner publicly blamed Mr. Arellano for posting the photos  
of her and Mr. Contreras to make her look bad. Mr. Arellano was humiliated and understood  
Ms. Gruner's behavior towards him would continue to worsen because of her ill-conceived  
belief that he posted the photographs.

Furthermore, since Mr. Contreras became Chief, he has stripped Mr. Arellano of certain  
duties without good cause and has given them to less experienced officers. One such  
example includes Mr. Arellano's former duty of creating folders for candidates to receive  
their online application documents. Since Mr. Contreras became Chief, he gave the  
responsibility to Edvokia Sawada and Samson Pak, both of whom have less experience  
than Mr. Arellano.

1 Mr. Contreras stripping Mr. Arellano's duties not only adversely affects Mr. Arellano, but the  
2 Department as a whole and new hires within the Department. Mr. Arellano has been a Field  
3 Training Officer ("FTO") for many years and has had many mentees as a result. But such  
4 duties as a mentor have been stolen from Mr. Arellano since Mr. Contreras became Chief.  
5 Not only does this adversely affect Mr. Arellano's ability to grow within the Department, but it  
6 also hurts the new hires as they no longer have an experienced, esteemed professional to  
7 mentor them.

8 As a result of the Department's hostile and harassing actions, Mr. Arellano has suffered  
9 immense physiological and psychological health ailments, including but not limited to: high  
10 blood pressure requiring medication, sleeplessness, anxiety, and depression resulting from  
11 the department's hostile work environment and harm to his career advancement  
12 opportunities. Mr. Arellano's symptoms are ongoing, and he has been treating for these  
13 issues, attributable to the increasingly hostile work environment within the Department.  
14 "The Club's" most recent display of hostility occurred no more than a month from the date of  
15 this complaint. On July 11 and 12, 2023, the Department hosted an annual summer training  
16 for school resources officers. The 2022 annual summer training was coordinated and run  
17 solely by members of "The Club." This year though, Mr. Contreras claimed the annual  
18 summer training would be open to other members of the Department who wanted the  
19 opportunity. Unfortunately, this was another promise unfulfilled. Instead, the opportunity to  
20 coordinate, run, or conduct trainings was granted only to individuals in "The Club."

21 Given the nature of the Department's promotion process, these opportunities  
22 significantly impact an individual's ability to rank high enough in the process to be selected  
23 for promotion. Thus, individuals not in "The Club" are unable to compete for promotion with  
24 those in "The Club" merely because they do not take care of, praise, and support Mr.  
25 Contreras and Ms. Gruner's relationship.  
26



1 VERIFICATION

2 I, **Emilia Arutunian**, am the **Attorney** in the above-entitled complaint. I have read  
3 the foregoing complaint and know the contents thereof. The matters alleged are  
4 based on information and belief, which I believe to be true.

5 On August 1, 2023, I declare under penalty of perjury under the laws of the State of  
6 California that the foregoing is true and correct.

7 **san diego, California**

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Date Filed: August 1, 2023

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