



## 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: 202308-21487402  
Right to Sue: Halol / 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: 202308-21487402

Right to Sue: Halol / 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.

This matter may qualify for CRD's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in CRD's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in CRD's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. You may contact CRD's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the CRD matter number indicated on the Right to Sue notice.

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

Sal Michael Halol

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

CRD Matter Number: 202308-21487402

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

Dear Sal Michael Halol:

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.

This matter may qualify for CRD's Small Employer Family Leave Mediation Pilot Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Government Code section 12945.2, has the right to participate in CRD's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in CRD's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact CRD's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@dfeh.ca.gov and include the CRD matter number indicated on the Right to Sue notice.

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



## Civil Rights Department

KEVIN KISH, DIRECTOR

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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 Sal Michael Halol

CRD No. 202308-21487402

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 Jenifer Gruner  
17 4100 Normal Street  
18 san diego, CA 92103

19 Lamont Jackson  
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  
26 to suit under the California Fair Employment and Housing Act (FEHA) (Gov. Code, § 12900 et  
27 seq.).

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

3. Complainant **Sal Michael Halol**, 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, disability (physical, intellectual/developmental, mental  
4 health/psychiatric), family care and medical leave (cfra) related to serious health condition of  
employee or family member, child bonding, or military exigencies, race (includes hairstyle  
and hair texture).

5 **Complainant was discriminated against** because of complainant's ancestry, national  
6 origin (includes language restrictions), color, genetic information or characteristic, other,  
7 sexual harassment- hostile environment, disability (physical, intellectual/developmental,  
8 mental health/psychiatric), family care and medical leave (cfra) related to serious health  
9 condition of employee or family member, child bonding, or military exigencies, race (includes  
10 hairstyle and hair texture) and as a result of the discrimination was denied hire or promotion,  
11 reprimanded, demoted, asked impermissible non-job-related questions, denied any  
employment benefit or privilege, other, denied work opportunities or assignments, denied or  
forced to transfer, denied accommodation for a disability, denied family care and medical  
leave (cfra) related to serious health condition of employee or family member, child bonding,  
or military exigencies.

12 **Complainant experienced retaliation** because complainant reported or resisted any form  
13 of discrimination or harassment, requested or used a disability-related accommodation,  
14 participated as a witness in a discrimination or harassment complaint, requested or used  
15 family care and medical leave (cfra) related to serious health condition of employee or family  
16 member, child bonding, or military exigencies and as a result was denied hire or promotion,  
reprimanded, demoted, asked impermissible non-job-related questions, denied any  
employment benefit or privilege, other, denied work opportunities or assignments, denied or  
forced to transfer, denied accommodation for a disability, denied employer paid health care  
while on family care and medical leave (cfra).

17 **Additional Complaint Details:** Sal Michael Halol has been a police officer for sixteen  
18 years. He started his tenure with the Imperial County Sherriff's Office where he remained for  
19 ten years, before transferring to the San Diego Unified School District Police Department  
20 ("SDUSD PD" or "Department"). Mr. Halol is a Campus Police Officer and Field Training  
Officer assigned to the Southeastern cluster school area.

21 Throughout his tenure, Mr. Halol has been an exemplary employee, receiving numerous  
22 awards and citations for his great work within law enforcement, including the IHeart Radio  
Frontline Hero Award in 2021 and the Crimestoppers Officer of the Year in 2022. He also  
received awards and commendations during his time with the Imperial County Sheriff's  
Office

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  
Department was aware of the relationship at the time of his appointment and made attempts  
to inquire to ensure the relationship would not affect their positions and career trajectories

1 within the Department. Mr. Contreras assured the officers he would act with integrity and  
2 would not let the relationship affect his management of the Department. Unfortunately,  
3 those promises did not come to fruition. With Mr. Contreras' appointment to Chief, the  
4 relationship began to adversely affect the entire Department almost immediately. Indeed,  
5 the relationship between the two creates divisiveness and a hostile work environment for  
6 any member of the SDUSD PD who are not in support of Ms. Gruner, do not "take care of  
7 her," praise her, and support her. The circle of individuals who do support the relationship is  
8 commonly referred to as "The Club" and given special treatment and privileges. Two such  
9 individuals include Operations Support Captain, David Landman, and Field Support Captain,  
10 Ivan Picazo. However, those outside of "The Club" were and continue to be continuously  
11 harassed, demeaned, undermined, yelled at, defamed, slandered, and have experienced  
12 numerous other instances of hostile work environment.

13 Mr. Contreras has also given Ms. Gruner immense special privileges due to his high-ranking  
14 position. Those privileges have only intensified since Mr. Contreras' tenure as Chief,  
15 including taking training time off to attend a Notre Dame football game with Chief Contreras,  
16 (photos of which ended up plastered all over social media), not having to clock in and out of  
17 her shifts, and other privileges. Department members have also noticed Mr. Contreras  
18 allows Ms. Gruner to take extended lunches, go to the nail salon while on duty, leave shifts  
19 early, and wear noncompliant uniforms while on the clock, all without repercussions.  
20 Meanwhile, officers, like Mr. Halol, feel compelled to remain silent because of their  
21 relationship.

22 Mr. Contreras has also allowed Ms. Gruner the privilege of recording herself in the red book  
23 for time off, whereas everyone else in the Department is required to have their supervisor  
24 record them in the red book. While other officers would have been reprimanded for these  
25 same actions, Mr. Contreras permits Ms. Gruner to openly violate Department policy.  
26 Furthermore, Ms. Gruner has and continues to, abuse and harass her subordinates, often  
27 publicly, in the presence of Mr. Contreras and other officers, without reprimand or discipline.  
28 Mr. Halol is not part of "The Club" thus he has been a victim of favoritism, bias, racial  
discrimination, and prejudice.

Mr. Halol is a Filipino male and has experienced extreme racism and bias on the basis of his  
Filipino background. Throughout his tenure with the Department, his direct Sergeant, Ivan  
Picazo, made numerous derogatory comments about Filipinos, often in front of various  
witnesses. For example, Mr. Picazo often mimics a Filipino accent when Mr. Halol walks by  
or asks Mr. Halol if he liked to eat dogs or unborn baby chickens. He has also asked him, on  
numerous occasions, whether he eats "balut," referring to a Filipino dish, which many  
Westernized find offensive. Balut is fertilized duck egg that is boiled and eaten in the shell.  
The consumption of balut is considered cruel in Western culture because the egg is boiled  
and eaten while the embryo is developing inside. This means that when the egg is cracked  
open, the partially formed duck embryo inside is visible, including the bones, beak, and  
feathers. Mr. Picazo would often ask "How many balut did you eat today" often in front of  
other officers. Mr. Halol is understandably traumatized by being publicly made fun of and  
humiliated for his ethnic background, especially in front of his colleagues and friends. Still,  
he smiles as a defensive mechanism to not show weakness in front of his peers. Mr. Halol  
has felt incredibly uncomfortable making a formal complaint against Mr. Picazo as Mr.  
Picazo is his supervisor, in charge of completing his performance evaluations, determining  
his raises, signing off on his overtime, and approving his requested time off. Furthermore,

1 the treatment is often in front of other supervisors, including Chief Contreras, all of whom fail  
2 to stand up against it, making Mr. Halol understand and feel as if Mr. Picazo, a known  
3 member of "The Club," is untouchable. Mr. Picazo's ongoing harassing behavior and racially  
4 discriminatory and harassing comments have caused Mr. Halol anxiety, sleep deprivation,  
5 and extreme emotional distress.

6 Notably, during Summer 2021, Mr. Halol experienced severe health ailments landing him in  
7 the emergency room, where doctors found approximately one gallon of fluid in his right lung.  
8 The doctors diagnosed Mr. Halol with Tuberculosis, which, pursuant to California Labor  
9 Code Section 3212.6, is a qualifying presumptive work-related injury when it develops or  
10 manifests itself during a period while that member is in the service. It is industry standard to  
11 place officers with Tuberculosis on paid administrative disability leave to allow them to  
12 recover from the condition. Mr. Halol was entitled to compensation for full hospital, surgical,  
13 medical treatment, and disability indemnity. Rather than advising Mr. Halol to file a Worker's  
14 Compensation claim pursuant to California Labor Code and industry standards, Mr.  
15 Contreras illegally forced Mr. Halol to use all of his sick, vacation, and "comp." time. Mr.  
16 Halol was too mentally and physically defeated to try to stand up to Mr. Contreras at that  
17 time and did as he was instructed. To add insult to injury, Mr. Picazo mocked Mr. Halol's  
18 ailment, with further racial discrimination, by laughingly stating he would get Tuberculosis  
19 also if he went to the Philippines and "had sex with a ladyboy."

20 As a result of the persistent racist remarks, Mr. Halol suffers from emotional distress,  
21 embarrassment, humiliation, mental and physical anguish, lack of concentration, lack of  
22 interest, lack of motivation, excessive drinking after work, and questions his decision to be a  
23 police officer.

24 In addition to the ongoing racist comments, Mr. Picazo took advantage of Mr. Halol's  
25 vulnerability on several occasions, including in 2019 when he asked Mr. Halol to conduct  
26 background checks, instructing him to work through Saturdays, in front of witnesses, and  
27 then refused to approve the overtime on his timecard. Mr. Halol was never paid for the  
28 overtime he worked.

Another such example was towards the end of 2022 when Mr. Picazo harassed Mr. Halol  
into taking a position he did not want. From October 2022 to November 2022, Mr. Halol was  
Acting Sergeant for the north patrol. Mr. Picazo called Mr. Halol into his office and told him  
that he was going to Field Training Officer ("FTO") School the following week. Mr. Halol told  
Mr. Picazo that he did not want to be a full-time FTO but offered his training to Mr. Lozano.  
As a favor to be a team player, Mr. Halol offered to help the Department as an FTO on an  
as-needed basis. Mr. Picazo told Mr. Halol if he did not attend the FTO training, he would  
have no chance to be promoted to sergeant if he applied in December of 2022. Specifically,  
Mr. Picazo said, "It's what you do here for school police that will get me promoted to  
sergeant." Mr. Halol questioned Mr. Picazo's comments, bringing up other officers, such as  
Acting Captain David Landman, who had been promoted to Acting Sergeant and then  
Captain from just being a campus police officer. Mr. Halol pointed out that Mr. Landman  
and Mr. Halol were hired at the same time at school police and were never an FTO at  
SDUSD PD, but Mr. Landman was already a sergeant. Mr. Picazo ignored Mr. Halol's  
comments, merely stating his name had already been placed on the list to attend, and that  
the Department may lose money and the spot in the class if he did not attend. Mr. Halol  
ultimately attended the training against his will due to Mr. Picazo's guilt, harassing, and  
manipulating tactics.



1 In addition to being pressured to attend trainings he did not want, Mr. Halol has been denied  
2 trainings and passed over for his requested transfers as a result of not being part of "The  
3 Club." Mr. Halol has applied to attend various trainings he did want which would help his  
4 career development, including trainings related to teen drug trends, fentanyl training, active  
5 shooter training, and gang training, all of which would improve his school's safety, but were  
6 denied by Ms. Gruner and Mr. Picazo without clear reasoning. Meanwhile, Ms. Gruner and  
7 Mr. Picazo approved trainings for other officers who are part of "The Club." Ms. Gruner's  
8 denial of these trainings has been detrimental to Mr. Halol's growth and development within  
9 the Department, as it has inevitably limited his qualifications and respective ability to apply  
10 for and receive promotions.

11 Each year, the SDUSD PD administration team publishes a list of available transfers within  
12 the Department. Transfer determinations have always been made by seniority. This year,  
13 however, this historical process was not followed. Mr. Halol was looking forward to the list,  
14 as he was the most senior officer in the position and was supposed to get the first selection  
15 for the school of his choice. At the briefing regarding the same, Captain Picazo and Chief  
16 Contreras announced that Scripps Ranch High School, Kearny Mesa High School,  
17 Clairmont High School, and Madison High School were available for transfers (respectively,  
18 Mr. Halol's first, second, and third choice schools).

19 Mr. Halol had recently expressed concern about his safety in working in his current district,  
20 where he also lives, due to a few occasions where he ran into people he has arrested and  
21 gang members he has dealt with. He spoke to Sergeant Robert Bonilla, Sergeant Keith  
22 Boyd, Ms. Gruner, and Mr. Picazo regarding his concerns and was especially looking  
23 forward to a transfer. However, after the lineup, Mr. Picazo asked Mr. Halol to come into his  
24 office and told him that the Scripps Ranch High School principal did not want him to be the  
25 school's campus police officer and that they were going to keep the current officer there. Mr.  
26 Halol explained he had more seniority over the current officer, but Mr. Picazo said he did not  
27 believe he would be a good fit and his request was being denied.

28 Mr. Halol then asked Mr. Picazo, if he could transfer to his second-choice school, Kearny  
Mesa High School. Mr. Picazo said that the school did not want him either and he wouldn't  
be a good fit because there were rumors about him and the principal. He was informed that,  
again, he was being passed up for a less senior officer and, again, did not receive a real  
reason for why the principal was supposedly against Mr. Halol. Mr. Picazo told Mr. Halol the  
only schools available for his transfer were Point Loma High School and Lincoln High  
School, neither of which he requested or wanted.

Mr. Halol left the conversation unfinished to attend an appointment, however, upon his  
return to work later that day, a Department memo had been issued stating that Mr. Halol  
would be transferring to Point Loma High School, without his request or consent. The memo  
had been signed by Mr. Contreras. Mr. Halol was dumbfounded and taken aback by this  
differential treatment, complete failure to acknowledge his requests for transfer despite his  
seniority, and refusal to follow historical practices for transfers. Furthermore, Mr. Halol  
learned that the officers chosen in his place who had less seniority than him at the SDUSD  
PD were all white.

Also in October 2022, Mr. Picazo allowed Mr. Lozano to attend an out-of-county training,  
and the same week, denied Mr. Halol for the same training. When Mr. Halol asked why they  
denied him while approving Mr. Lozano, Mr. Picazo merely responded that his requested

1 training was “not consistent with the needs of the Department”, despite the fact that the trainings were the same POST training standards and laws.

2 As a result of the Department’s differential treatment, hostility, harassment, and  
3 discrimination, Mr. Halol has suffered and continues to suffer emotional distress, anxiety,  
depression, trouble focusing, trouble sleeping, and self-confidence issues.

4 “The Club’s” most recent display of hostility occurred no more than a month from the date of  
this complaint. On July 11 and 12, 2023, the Department hosted an annual summer training  
5 for school resources officers. The 2022 annual summer training was coordinated and run  
solely by members of “The Club.” This year though, Mr. Contreras claimed the annual  
6 summer training would be open to other members of the Department who wanted the  
opportunity. Unfortunately, this was another promise unfulfilled. Instead, the opportunity to  
7 coordinate, run, or conduct trainings was granted only to individuals in “The Club.”

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

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1 VERIFICATION

2 I, **emilia arutunian**, am the **Attorney** in the above-entitled complaint. I have read the  
3 foregoing complaint and know the contents thereof. The matters alleged are based  
4 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, CA**

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Date Filed: August 1, 2023

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