

COMPLAINT – LAUREN LARSEN

Employee: Lauren Larsen (Eldridge)
Santa Clara Police Department

Complainant: Garrett Bondaug
[ADDRESS REDACTED]

Police Report: 11-12465

Please note that within two weeks from this incident a **filing of an official complaint was attempted but records of the incident and a complaint form were denied Mr. Bondaug by officer Steven Ernst** who was working the front records desk at Santa Clara Police Department. A letter from Records Manager, Gina McWilliam, on behalf of the acting Police Chief, Kevin Kyle, is attached to this complaint.

A Santa Clara County Grand Jury, in its 2012-2013 Final Report, found that the City of Santa Clara and its police department (1) did not provide Public Access to Complaint Procedure and (2) did not provide either online, in the lobby or by request Public Access to Complaint Form. Subsequently, it wasn't until **September 25, 2013** when Mayor Jamie Matthews, City Manager Julio Fuentes, and Police Chief Michael Sellers confirmed that the Grand Jury's findings were acknowledged and Grand Jury recommendations for remedy implemented. A copy of the City of Santa Clara's response to *"2013-2013 Santa Clara County Civil Grand Jury, Law Enforcement Public Complaint Procedures"* is attached to this complaint.

INCIDENT/TIME: December 2, 2011

INCIDENT CASE NUMBER: 11-12465

INCIDENT LOCATION: [redacted] Wilson Court, Santa Clara, CA 95051

EMPLOYEES INVOLVED (IF KNOWN): Gregory Deger, Colin Stewart, Thomas Nelson, Lauren Larsen (Eldridge), David Schneider, Cory Morgan, Derek Rush, Wahid Kazem, Jamie Ellis.

WITNESSES: Daniela [REDACTED], Sandra [REDACTED], Tatiana [REDACTED]

Complaint against Lauren Larsen, Santa Clara Police Department

1. Larsen made her report or conducted police business in less than a truthful and/or cooperative manner.
2. Larsen failed to complete reports accurately and completely.
3. Larsen knowingly violated California Penal Code 118.1
4. Larsen did not report use of force accurately either orally or in writing, as required by SCPD.
5. Larsen's conduct harmed and discredited is reputation and that of the department.
6. Larsen committed perjury.

THE FOLLOWING HAPPENED:

1. **Conducted Police Business in a Less Than Truthful Manner and was Uncooperative.** Upon arriving at the [redacted] Scene, Larsen (then known as Lauren Eldridge) was purportedly assigned to collect statements from potential witnesses. Larsen contacted two neighbors of Ms. [DANIELA]'s home and intentionally fabricated inaccurate statements. **I ask that an independent investigator consider the below facts in finding that Larsen intentionally violated department policy** while responding to an alleged 415(d) on December 2, 2011 at [redacted] Wilson Court.

a) Neighbor Claire [REDACTED], who did not witness the physical interactions on December 2, 2011, stated in her deposition *"I—to me, and let me see if I can put this into words, it felt like – I didn't put in into words as nicely when you asked me, like when you asked me: Did alcohol play a role in this? I felt like she was trying to drop that hint: "oh, this is the reason." "Oh, he, we did this." It felt like she was specifically trying to put that in my head, hoping I would say, "Yes."* (page 21, lines 2-9)

b) Mrs. [Claire] would also continue: *"She was saying, you know, "Did he" – or did we say – Did you hear us say, "Stop resisting?" "Did you hear us say," Whatever? "She told me about the incident like that so I knew there was an incident."* (page 25, lines 7-10)

c) Neighbor Tristan [TRISTAN], who did witness limited interactions on December 2, 2011 was also contacted by Lauren Larsen. In both his deposition and through testimony he firmly contests statements that Larsen made in her report. In Larsen's report she states that Mr. [TRISTAN] "...could also hear another male yelling but could not make out what was being said." ***Mr. [TRISTAN] testified that he didn't say that to Larsen.*** (page 18, lines 21-25)

d) Larsen also put in quotes, "You guys are being a bunch of pussies!" In Mr. [TRISTAN]'s deposition and in Court testimony Mr. [TRISTAN] testified, ***"I don't remember saying it."*** (page 19, lines 17-21)

e) **Continuing with more falsified statements**, Larsen wrote in her report of Mr. [TRISTAN], "[TRISTAN] was able to peek around the patrol vehicle see who the male was, he recognized him as a neighbor (suspect) who lived at [redacted] Wilson Court." (page 20, lines 7-11) Yet in his deposition Mr. [TRISTAN] testified (pages 6 & 7, lines 24-7)...

Q: The gentlemen in the room – or one of the gentlemen in this room is Garrett Bondaug. Have you ever met him before? A: **I don't believe so.**

Q: Do you know if you've ever seen him before? A: **No.**

Q: Do you know anyone who lives at [redacted] Wilson Court? A: **No.**

Q: The individual who is in this room , do you remember seeing him at all that night?

A: **No.** (page 16, lines 12-14)

- f) **These are also the facts concerning Lauren Larsen’s knowingly false statements** and as to why Mr. [TRISTAN] couldn’t have recognized or identified Mr. Bondaug...
- I. From 1982-1988 Mr. Bondaug was a minor and lived in Sunnyvale, CA, not in the City of Santa Clara.
 - II. June 1988, Mr. Bondaug left for active service in the U.S. Marine Corps (8 years).
 - III. September 1988, Mr. [TRISTAN] is born.
 - IV. After his service and through December 2, 2011, Mr. Bondaug never resided on Wilson Court nor did he ever live in Santa Clara, CA.
 - V. **It is not believable that Mr. [TRISTAN] would have stated to Larsen that he knew, had met, or recognized Mr. Bondaug when, in fact, Mr. Bondaug left the City of Santa Clara before Mr. [TRISTAN] was born. This is an intentional fabrication and complete lie created by Larsen.**

2. False Police Report. Larsen’s Police Report is Full of Inconsistencies. I ask that an independent investigator consider the below facts in finding that Larsen made her report and/or conducted police business in less than a truthful and/or cooperative manner intentionally violating department policy.

- a) In her official police report Larsen writes, “Dr. Jan Vobecky evaluated Bondaug and determined that his injuries were superficial and minor.” There is no note in any part of the Valley Medical Center transcripts that any of the medical staff spoke with Larsen.
- b) Larsen surreptitiously made an audio recording of Mr. Bondaug while Mr. Bondaug was in care of medical professionals. Mr. Bondaug was never made aware that he was being recorded. Facts that Larsen intentionally left out of her police report are...
 - i. Mr. Bondaug clearly stated that he had been “banged on a cop car.” Without knowledge of Larsen’s unauthorized audio recording, Mr. Bondaug would go on to testify that after being handcuffed, Colin Stewart slammed him on a police car and hit him in the face – this audio recording corroborates Mr. Bondaug’s testimony that he was beaten after he was handcuffed and restrained. **Larsen intentionally left this fact out of her police report to avoid reporting this excessive use of force to SCPD. The evidence exists; I ask that an independent investigator look into it.**

- ii. Larsen is a firsthand witness to Mr. Bondaug's statement "like I've explained we haven't done shit, no one's threatened anybody at my mom's house" but **intentionally leaves that statement out of her report even though she knew the call for service was a 415(d) so that it never reaches the desk of her supervisors.**
- iii. Larsen knew that Mr. Bondaug and the medical staff at Valley Medical Center had already established that he had no known allergies. Despite knowing that fact, Larsen falsely wrote in both her police and 11550 Supplemental Report "[bondaug] Stated earlier in investigation that he was allergic to alcohol." **Medical staff records plainly contradict Larsen's false accusation.**
- iv. In the Suspect Interview section of the 11550 Supplemental Report, Larsen knows that **Mr. Bondaug has never had prior drug related arrests but she intentionally did not mark that section.** Mr. Bondaug can clearly be heard stating that he "didn't drink shit" but, again, **Larsen intentionally refused to indicate "no" or even interview Mr. Bondaug about his last alcohol consumption, if any.**

3. Knowingly, and Intentional, Wrongful Arrest for H&S 11550 Under the Influence of Narcotics.

While at the scene, neither Stewart, Deger, Nelson, Rush or any other officer observed that Mr. Bondaug showed symptoms of being under the influence of a controlled substance. None of the witnesses, EMT-paramedic, firefighter-paramedics observed or accused Mr. Bondaug of being under the influence of narcotics. Larsen is complicit with Deger in formulating a false accusation and arrest of Mr. Bondaug for being under the influence of narcotics. **I ask that an independent investigator consider the facts below and find that Larsen wrongfully booked Mr. Bondaug for H&S 11550 and was in fact complicit in assisting Deger to arrest Mr. Bondaug for H&S 11550 and then colluded with fellow officers and supervisors to cover up the illegal and unconstitutional arrest.**

- a) Derek Rush, a sergeant with SCPD, testified that without a blood sample 11550s are never processed to be sent to the district attorney's office. In addition to audio recording of Larsen not obtaining blood evidence...
 - i. Larsen writes on her 11550 Supplemental Report that blood sample is REFUSED.
 - ii. Larsen instructs crime lab technologist R. Soria to write REFUSED on the physiological specimen request form.

- iii. There is no drug paraphernalia found on Mr. Bondaug or within Mr. Bondaug's vehicle.
 - iv. There are no drugs found on Mr. Bondaug's person, in his vehicle, or at the scene.
 - v. Mr. Bondaug has no history of using controlled, illegal, substances.
- b) Possessing firsthand knowledge that H&S 11550 is never sent to the DA for prosecution, that there is no physical evidence of Mr. Bondaug being factually under the influence of narcotics, and Larsen was so very confident that there was never any drugs involved that she didn't even look for them. **Larsen corroborated with Deger to undeservingly book Mr. Bondaug as under the influence of narcotics when they knew the 647(f) wouldn't work.**
- c) Officer Chris Bell was not at the [redacted] Wilson Court scene on December 2, 2011. Officer Bell was tasked to take injury pictures of Deger and Stewart at the Santa Clara Police Department and of Mr. Bondaug at Valley Medical Center.
- d) Larsen was at the scene when firefighter-paramedics and the EMT-paramedic evaluated Mr. Bondaug for responsiveness, communication, being alert and oriented times four (Ox4) which is the patient knowing "person, place, time and event" (page 21, lines 5-15). **That same section documents that Mr. Bondaug was able to answer the most simple of questions and had normal speech, a complete contradiction of Larsen's report.**
- e) The EMT-paramedic and hospital staff, all trained medical professionals, also measured and documented Mr. Bondaug's pulse at 110 which they considered normal. **Their medical training and years of experience contradict Larsen's police report.**
- f) Paramedic, Medefessor, and hospital staff independently from each other documented Mr. Bondaug's skin was normal and health, aside from the police assault, was normal.
4. **Omission of Facts, Embellishment of a Police Report, False Testimony.** Throughout this entire ordeal, Larsen has intentionally and incompetently failed to distinguish facts from fiction in an attempt to seem credible. Even if independent from other acts of misconduct found in this complaint, **Larsen's failure to competently and accurately report facts - either orally or in writing as required by Santa Clara Police Department – is grounds for termination. I ask that an independent investigator consider the below facts in finding that Larsen intentionally omitted facts, embellished her police report, and knowingly testified falsely.**

- a) **Santa Clara Police Manual section 26.3.3(BB)** provides: Testifying, making reports or conducting police business in a less than a truthful and/or cooperative manner is **grounds for discipline**.
- b) **Every independent witness** that Larsen interviewed **testified that she [Larsen]** was either (1) **trying to get them to acquiesce to statements** she wanted them to make or (2) that **Larsen wrote in her police reports statements that independent witnesses never made**.
- c) **Larsen** helped put Mr. Bondaug into the back of the ambulance, was with him during the paramedic evaluation, and **was sitting next to Mr. Bondaug when nurses and doctors at the hospital examined him**. All medical assessment of Mr. Bondaug resulted in normal pulse rate, normal skin, regular speech, normal behavior, and the ability to answer simple questions. **Larsen knowingly falsified her police report and 11550 supplemental report to wrongly accuse Mr. Bondaug of being under the influence of a controlled substance**.
- d) While surreptitiously recording her and officer Bell's conversation with Mr. Bondaug, Larsen can clearly be heard sitting very close to Mr. Bondaug. Officer Bell, further away from Bondaug than Larsen was, openly stated "you've got quite a bump on your head." **Larsen knowingly and intentionally falsified her testimony in Court that she did not notice the multiple head wounds on Mr. Bondaug's head and body** even though she was right next to him the whole time and witnessed pictures being take of his wounds.
- e) In Larsen's report she claims to have conducted a Romberg test on Mr. Bondaug while he was in the care of VMC medical staff. According to many medical publications to include the Journal of Postgraduate Medicine, A Romberg Test is neurological proprioception exam always performed by trained clinicians when a subject is standing. There is no documentation or instruction given for a Romberg Test to be administered on a patient who's lying in a bed, handcuffed to a rail, and whose head is suffering from bruising and swelling after sustaining multiple hard impacts and abrasions. In addition to VMC staff not observing or giving permission for Larsen to conduct a neurological exam on Mr. Bondaug; Mr. Bondaug testified that Larsen never did this; he was handcuffed to the bed the entire time. **Larsen lied in her police report, through deposition, and in Court testimony that she performed a Romberg Test on Mr. Bondaug**.
- f) Larsen maintains that Mr. Bondaug's pupils were dilated to an extent consistent with a subject who is under the influence of narcotics. Her version of Mr. Bondaug's condition is overwhelmingly contradicted by EMT-paramedic, firefighter-paramedic, and trained VMC

medical staff in their testimony that Mr. Bondaug was fine. **To try and support her knowingly false report and accusation**, Larsen's testimony in Court is that she never once noticed head wounds, to include a black eye, which Mr. Bondaug had sustained at the hands of SCPD. **Larsen is outrageously lying as her despicable lack of integrity is refuted by officer Bell's voice on Larsen's recording, pictures taken by officer Bell of Mr. Bondaug's face and head, and Mr. Bondaug's testimony.**

5. **Larsen's conduct is harming and discredits her own reputation and that of the department. In conjunction with the facts detailed above and the claim of perjury made below, I ask that an independent investigator also look into the official records held by the City and Police Department of Santa Clara where the investigator may find Larsen has a documented history of excessive force and false arrests. I believe Larsen's employment as a peace officer puts at risk the liberty and safety of all who reside, visit or pass through the City of Santa Clara and sullies the good name and reputation that other officers in Santa Clara are trying to maintain.**

- a) Larsen's 11550 evaluation is conducted in such an incompetent manner that her lack of proficiency puts the liberties of all citizens at risk.
- b) The fact that an idea of HS11550 didn't come up until after (1) Deger discovered that a 647(f) was inappropriate and (2) after multiple phone calls were exchanged between **Deger and Larsen illuminates a conspicuous cover up.**
- c) Similar to the Lisa Steed matter (Utah State Highway Patrol), **Larsen's lack of integrity, professionalism and competence will likely be called into question with every future case she's remotely involved on.**

6. **Larsen Committed Perjury.**

PENAL CODE SECTION 118. (a) Every person who, having taken an oath that he or she will testify, declare, depose, or certify truly before any competent tribunal, officer, or person, in any of the cases in which the oath may by law of the State of California be administered, willfully and contrary to the oath, states as true any material matter which he or she knows to be false, and every person who testifies, declares, deposes, or certifies under penalty of perjury in any of the cases in which the testimony, declarations, depositions, or certification is permitted by law of the State of California under penalty of perjury and willfully states as true any material matter which he or she knows to be false, is guilty of perjury.

118.1. Every peace officer who files any report with the agency which employs him or her regarding the commission of any crime or any investigation of any crime, if he or she knowingly and intentionally makes any statement regarding any material matter in the report which the officer knows to be false, whether or not the statement is certified or otherwise expressly reported as true,

is guilty of filing a false report punishable by imprisonment in the county jail for up to one year, or in the state prison for one, two, or three years. This section shall not apply to the contents of any statement which the peace officer attributes in the report to any other person.

- a) **There is plenty indirect evidence** in the form of Larsen's own incompetent interactions, evaluations and report writing that, **at the very least; Larsen is guilty of perjury by omission.**
- b) **Direct evidence shows that Larsen intentionally fabricated a relationship between two parties that simply couldn't have existed.** If Larsen would have made a report to the effect, *Mr. [TRISTAN] believes he recognized Mr. Bondaug as a visitor to Wilson Court* that may have been believable as inadvertent. To make an assertion that two people actually knew, or knew of, each other is simply trying to create a relationship that factually does not exist.
- c) Mr. Bondaug was never, and has never been, under the influence of a controlled substance. Every medical professional involved with this matter on December 2, 2011 refutes that charge. The fact that **Larsen carries her knowingly false accusations from her police reports through to testimony in Court validates her willingness to knowingly make false statements about material facts while under oath.**

Out of every police report that has been written, and contradicted, by Santa Clara police officers during this incident, Larsen's offers the most concrete evidence that she wrongfully accused and booked Mr. Bondaug as being under the influence of narcotics. She recorded his voice as normal and on that recording officer Bell and Mr. Bondaug are having a casual conversation. Adding to all that, Larsen is surrounded at VMC by medical staff that didn't witness Larsen making the observations that she documents in her report and somehow none of her accusations end up on the surreptitious recording she makes. I ask that an independent investigator consider all the above in determining that Larsen conducted police business in a false knowingly, intentionally, and wrongful arrested Mr. Bondaug for H&S 11550. She also embellished her police report, falsified testimony, and committed perjury and discredits her own reputation and that of the Santa Clara Police Department.

As guaranteed by Santa Clara Police Department's policy for responding to citizen Commendation, Inquires or Complaints policy: I expect to receive written notification every 30 days regarding the progress of the investigation all the way through completing a findings report.

Garrett Bondaug
[ADDRESS AND CONTACT INFORMATION REDACTED]