


Judge again dismisses ex-sheriff's lawsuit over 'do not hire' label

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Connor Sheets



Former L.A. County Sheriff Alex Villanueva testifies at the Sheriff's Civilian Oversight Commission on Jan. 12, 2024.

(Irfan Khan / Los Angeles Times)

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A federal judge has — for the second time — dismissed a \$25-million lawsuit by former Sheriff Alex Villanueva against Los Angeles County alleging that county officials defamed him and violated his rights.

The lawsuit claimed that Villanueva lost out on potential employment opportunities because his personnel file was flagged as “do not rehire” after a county panel determined that he had harassed two officials. Villanueva’s suit claimed that an Internal Affairs Bureau investigation into his conduct was a “sham” that violated his due process rights.

In September, U.S. District Judge Stephen V. Wilson threw out Villanueva's initial suit but left the door open for him to refile because multiple claims remained unresolved.

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Villanueva refiled the case, alleging that he'd suffered emotional distress and that the "do not rehire" notation made it difficult for him to find a job. But Wilson again dismissed the suit, writing in his decision Thursday that there was insufficient evidence to prove Villanueva had been harmed or that the designation had caused him to lose out on a desired position.

"The Court's ruling decisively affirms the County's position from the outset that the former sheriff's lawsuit was completely unfounded," Jason Tokoro, a partner at the Miller Barondess law firm acting as outside counsel for the county, said in an email. "The evidence proved his claims were baseless and had no place in a court of law."

Wilson wrote that although he had dismissed the final remaining federal claim, there are still state matters pending that the court "declines to exercise jurisdiction over."

"We're very pleased that the Sheriff's consequential complaints of defamation and emotional distress will move forward, and that we'll have the opportunity to hold the County of Los Angeles accountable in state court," Carney Shegerian, an attorney for Villanueva, said in a statement.

Villanueva's lawsuit arose after Inspector General Max Huntsman accused the then-sheriff in 2022 of making a "racially based attack" by repeatedly referring to Huntsman by his birth name Max-Gustaf. Villanueva also accused Huntsman of being a Holocaust denier, without providing any evidence to support that claim, which Huntsman denied.

Huntsman's complaint led to a county investigation and the "do not hire" designation, which Villanueva maintains was not justified. In a court filing last month, the former sheriff disputed an assessment by a county-hired expert psychiatrist that described him as having "many attributes of a 'white-collar psychopath.' "

Wilson's 28-page Thursday filing said that Villanueva did not provide sufficient evidence to substantiate key claims and that he failed to show how he was harmed by the county's actions.

The dismissal came on the heels of a filing in the case by lawyers for L.A. County that alleged Villanueva was harassing Sheriff Robert Luna and members of the Board of Supervisors by trying to call them as witnesses at a potential civil trial.

Also on Villanueva's intended witness list was former Times reporter Keri Blakinger, who initially reported on the "do not rehire" designation last year.

Court filings in the case say Villanueva allegedly learned of the allegation that Huntsman was a Holocaust denier from former L.A. Sheriff's Department Det. Mark Lillienfeld, who has also been placed on a "do not rehire" list for unrelated reasons.

A separate complaint around the time of Huntsman's claim was made by Esther Lim — then a justice deputy for county Supervisor Hilda Solis — who argued that Villanueva had shown a pattern of harassing women of color in comments he made during social media livestreams. Her claim also resulted in an investigation and a "do not rehire" designation.

Huntsman and Lim declined to comment Thursday afternoon.

Former Times staff writer Keri Blakinger contributed this report.