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12 **UNITED STATES DISTRICT COURT**
13 **SOUTHERN DISTRICT OF CALIFORNIA**

14 HAKIMKHALFANI WEBB,

15 Plaintiff,

16 vs.

17 CITY OF SAN DIEGO;

18 SAN DIEGO POLICE

19 OFFICER MICHAEL HAGEN

20 (#1148);

21 SAN DIEGO POLICE

22 OFFICER ADRIAN

23 VILLANUEVA (#1759),

24 Defendants.

Case No.: '26CV3641 AGS VET

COMPLAINT

FOR INJUNCTIVE RELIEF,

DAMAGES, AND

DEMAND FOR JURY TRIAL:

1. 42 U.S.C. § 1983: Fourth Amendment; Unlawful search and seizure of a person – June 2025;
2. 42 U.S.C. § 1983: Fourth Amendment; Unlawful seizure of property;
3. 42 U.S.C. § 1983: Fourth Amendment; Unlawful search and seizure of a person – January 2026;
4. 42 U.S.C. § 1983: Equal Protection;

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5. 42 U.S.C. § 1983: Policy of Failure to Train/Failure to Prevent Violations of Law;
6. Bane Act: Cal. Civ. Code § 52.1;
7. Negligence;
8. False Arrest Without Warrant by Peace Officer;
9. Conversion;
10. Trespass to Chattels.

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1 **There are two Americas.**

2 **One America . . . is the habitat of millions of people who**
3 **have . . . freedom and human dignity for their spirits. .**
4 **.. But there is another America. This other America has**
5 **a daily ugliness about it that transforms the buoyancy**
6 **of hope into the fatigue of despair. . . .**

7 **Somewhere we must come to see that human progress**
8 **never rolls in on the wheels of inevitability, it comes**
9 **through the tireless efforts and the persistent work of**
10 **dedicated individuals**

11 *– Rev. Martin Luther King, Jr.*
12 Grosse Pointe High School, March 14, 1968

13 **I. INTRODUCTION**

- 14 1. This is a civil rights action brought by a law-abiding, 62-year-old,
15 Black man.
- 16 2. Hakimkhalfani Webb is a U.S. Citizen who honorably served in
17 the U.S. Marine Corps for over 21 years and then in the reserves
18 for 9 additional years.
- 19 3. Mr. Webb has dedicated his life to serving and fighting to preserve
20 the fundamental values promised by the U.S. Constitution to all
21 in the United States.
- 22 4. He has no criminal history whatsoever.
- 23 5. Since retiring from the Marines, Mr. Webb has continued his law-
24 abiding life as a local business owner here in San Diego County.
- 25 6. On June 14, 2025, Mr. Webb was unlawfully stopped, detained,
26 handcuffed, photographed, and searched during a pretextual
27 traffic stop while on his way to the office after leaving a work site.
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1 7. Defendants San Diego Police Officers Michael Hagen and Adrian
2 Villanueva stopped, questioned, handcuffed, photographed, and
3 illegally searched Mr. Webb without his consent, then falsely
4 arrested him, unlawfully seizing the legally-possessed firearm he
5 uses for work, and wrongly charging him with a criminal offense
6 for a weapon he lawfully possesses.

7 8. Defendant City of San Diego, in deciding whether to proceed with
8 the criminal charges against Mr. Webb, confirmed that the firearm
9 was in fact properly registered to him—and that the police
10 erroneously seized it from him.

11 9. Nonetheless, Defendant City of San Diego retained possession of
12 Mr. Webb’s firearm and required him to pay the State of California
13 to issue a “Law Enforcement Release” to get his firearm back.

14 10. Mr. Webb finally recovered his firearm (which he uses for work as
15 a security guard) almost six months after it was taken from him,
16 in December 2025.

17 11. Then on January 24, 2026, Mr. Webb was *again* unlawfully
18 detained during *another* pretextual traffic stop by Defendant San
19 Diego Police Officer Villanueva.

20 12. During this second traffic stop, Mr. Webb was again removed from
21 his vehicle, handcuffed, and photographed.

22 13. Mr. Webb was released without any citation.

23 14. Mr. Webb simply seeks to live and work in San Diego County
24 without fear of arbitrary, race-based searches and seizures.
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1 15. As a law-abiding veteran, business owner, father, and
2 grandfather, he has always sought to be a contributing member of
3 society.

4 16. Mr. Webb is seeking injunctive relief and damages for Defendants'
5 repeated violations of his rights, privileges and immunities
6 secured by 42 U.S.C. § 1983, the Fourth and the Fourteenth
7 Amendments to the U.S. Constitution, and the Constitution and
8 laws of the State of California.

9 **II. THE PARTIES**

10 17. Plaintiff Hakimkhalfani Webb is a resident of San Diego County.

11 18. Defendant Officer Michael Hagen (#1148) at all times relevant to
12 this Complaint was a police officer with the City of San Diego
13 Police Department (SDPD).

14 19. Defendant Officer Adrian Villanueva (#1759) at all times relevant
15 to this Complaint was a police officer with the City of San Diego
16 Police Department (SDPD).

17 20. Defendant City of San Diego is a municipality located in San Diego
18 County, within the Southern District of California.

19 **III. JURISDICTION AND VENUE**

20 21. This Court has jurisdiction to hear this matter pursuant to
21 28 U.S.C. §§ 1331, 1343(a)(3) & (4).

22 22. This Court has supplemental jurisdiction over the state law claims
23 under 28 U.S.C. § 1367(a).

24 23. Venue is appropriate in this Court because all the events that give
25 rise to this suit occurred in San Diego County, California.
26 28 U.S.C. § 1391.
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1 24. Prior to filing this complaint, Mr. Webb timely filed a claim for
2 damages pursuant to California Gov't Code § 900.4, *et seq.* with
3 Defendant City of San Diego on November 17, 2025 (for the June
4 2025 stop) and then again on February 11, 2026 (for the January
5 2026 stop).

6 25. Defendant City of San Diego denied his claims on March 30, 2026.

7 26. This suit is timely filed.

8
9 **IV. RELEVANT STATUTORY PROVISIONS**

10 27. The Ku Klux Klan Act, now known commonly as 42 U.S.C. § 1983,
11 “Civil action for deprivation of rights” provides in relevant part:

12 Every person who, under color of any statute, ordinance,
13 regulation, custom, or usage, of any State . . . , subjects, or
14 causes to be subjected, any citizen of the United States . . . to
15 the deprivation of any rights, privileges, or immunities
16 secured by the Constitution and laws, shall be liable to the
17 party injured in an action at law, suit in equity, or other
proper proceeding for redress

18 28. The Tom Bane Civil Rights Act, Cal. Civ. Code § 52.1 provides in
19 relevant part:

20
21 (b) If a person . . . , whether or not acting under color of law,
22 interferes by threat, intimidation, or coercion, or attempts to
23 interfere by threat, intimidation, or coercion, with the
24 exercise or enjoyment by any individual or individuals of
25 rights secured by the Constitution or laws of the United
26 States, or of the rights secured by the Constitution or laws of
27 this state . . .
28

(c) Any individual whose exercise or enjoyment of rights secured by the Constitution or laws of the United States, or of rights secured by the Constitution or laws of this state, has been interfered with, or attempted to be interfered with, as described in subdivision (b), may institute and prosecute in their own name and on their own behalf a civil action for damages

V. Mr. Webb: a veteran of the U.S. Marine Corps, a local business owner, a father, and a grandfather with no criminal history whatsoever.

29. Hakimkhalfani Webb was born and raised in Texas.

30. He has two sisters and two brothers.

31. Mr. Webb’s father was a Baptist preacher who was elected and served as the first Black member of his local school board.

32. His father was also a small business owner (auto mechanic and car sales).

33. Mr. Webb’s mother worked at home raising the five children:



Mr. Webb as an infant with his parents, older sisters, and older brother. His younger brother is not yet born at the time of this photograph.

1 34. At 18-years-old, Mr. Webb joined the U.S. Marine Corps.
2 35. He served honorably for 21 years.
3 36. During Mr. Webb's time in the Marines, he had three combat
4 deployments: to Beirut, in Desert Storm, and to Iraq.
5 37. Mr. Webb retired and was honorably discharged from the Marines
6 after 21 years in 2002:



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Mr. Webb during his years of service.

38. He then served in the reserves for an additional 9 years, until 2011.

1 39. Mr. Webb is the father to three daughters.

2 40. He is a grandfather to two granddaughters:



14 *Mr. Webb with his oldest sister, his middle and youngest daughters, his*
15 *two granddaughters, and his former spouse.*



27 *Mr. Webb's three daughters.*

28

1 41. Mr. Webb is a local business owner.

2 42. He has no criminal history whatsoever.

3 **VI. First illegal stop and seizure: Mr. Webb is subjected to a**
4 **pretextual traffic stop for a missing license plate, a**
5 **wrongful arrest for carrying a legally registered firearm,**
6 **and an unlawful “inventory search” which yields . . .**
7 **nothing at all.**

8 43. In the early morning hours of June 14, 2025, Mr. Webb was on his
9 way to his office after leaving a work site.

10 44. Mr. Webb operates All Point Security, a business he has owned in
11 San Diego County since 2001.

12 45. As a security guard, Mr. Webb owns a lawfully-registered 9mm
13 semi-automatic Glock pistol—a tool that he has used for work
14 since 2001.

15 46. Since he was leaving a work site, Mr. Webb had the Glock with
16 him in the vehicle.

17 47. Defendant SDPD Officers Hagen and Villanueva initiated a
18 pretextual traffic stop on Mr. Webb.

19 48. Mr. Webb immediately complied and stopped his vehicle.

20 49. Defendant SDPD Officers Hagen and Villanueva indicated that
21 the purported reason for the traffic stop was that Mr. Webb’s work
22 truck was missing its front license plate.

23 50. On information and belief, at least one factor used by Defendant
24 Officers Hagen and Villanueva in deciding to initiate a traffic stop
25 for a missing front license plate was Mr. Webb’s identity as a Black
26 driver.

1 51. Mr. Webb had recently replaced the front bumper on his work
2 truck and had not yet had the opportunity to affix the front license
3 plate to the front bumper (the plate was in the cab of his truck).

4 52. Defendant SDPD Officers Hagen and Villanueva unholstered
5 their firearms as they approached Mr. Webb.

6 53. Upon seeing Mr. Webb's Glock pistol, Defendant SDPD Officers
7 Hagen and Villanueva pointed their firearms at Mr. Webb.

8 54. Mr. Webb was terrified for his safety, he had his hands raised,
9 explained that he was a security guard, that he had a permit for
10 the weapon, and that his Glock was used for his work.

11 55. Defendant Officer Hagen repeatedly told Mr. Webb that he would
12 shoot Mr. Webb.

13 56. Mr. Webb told Defendant Officer Hagen that he understood he
14 could shoot him and thus he would do exactly as instructed.

15 57. Defendants Hagen and Villanueva removed Mr. Webb from his
16 vehicle, handcuffed him, and placed him in the SDPD patrol car.

17 58. On information and belief, at least one factor used by Defendant
18 Officers Hagen and Villanueva in determining to remove
19 Mr. Webb from his vehicle was his identity as a Black driver.

20 59. On information and belief, at least one factor used by Defendant
21 Officers Hagen and Villanueva in determining to handcuff
22 Mr. Webb was his identity as a Black driver.

23 60. On information and belief, at least one factor used by Defendant
24 Officers Hagen and Villanueva in determining to place Mr. Webb
25 in their patrol car was his identity as a Black driver.

26 61. Defendant SDPD Officers Hagen and Villanueva asked for consent
27 to search Mr. Webb's work truck.
28

1 62. Because Mr. Webb had been informed that he was pulled over for
2 a *traffic* violation (the missing front license plate), and not
3 understanding what a *traffic* violation had to do with a search of
4 his work truck, Mr. Webb declined to give Defendant SDPD
5 Officers Hagen and Villanueva permission to search his work
6 truck.

7 63. On information and belief, at least one factor used by Defendant
8 Officers Hagen and Villanueva in requesting consent to search
9 Mr. Webb's work truck during a traffic stop was his identity as a
10 Black driver.

11 64. Defendant SDPD Officer Hagen then explained to Mr. Webb that
12 he was being arrested because his Glock was not registered to him.

13 65. This claim was surprising to Mr. Webb as his Glock has been
14 lawfully registered to him since he purchased it more than two
15 decades prior (in 2001) and the Glock has been in his possession
16 since that time.

17 66. Because of his profession, Mr. Webb has been required to qualify
18 every two years with California's Department of Consumer
19 Affairs, Bureau of Security and Investigative Services (BSIS) for a
20 permit to carry an exposed firearm.

21 67. The 9mm Glock is one of the weapons he was qualified by BSIS to
22 carry for work.

23 68. He had this permit on him when he was stopped.

24 69. For over two decades, Mr. Webb also qualified to have a concealed
25 weapons permit.

26 70. Defendant SDPD Officer Villanueva appeared to question Officer
27 Hagen as to how Mr. Webb could have received a conceal carry
28

1 permit for 2020 to 2022 issued by the San Diego County Sheriff's
2 Department for the Glock and the BSIS permit, if the weapon was
3 not properly registered to him.

4 71. Notwithstanding this obvious inconsistency, Defendant Officer
5 Hagen proceeded to arrest Mr. Webb.

6 72. Defendant Officers Hagen & Villanueva informed Mr. Webb that
7 they no longer needed his consent since they could now conduct an
8 "inventory search" of his work truck.

9 73. Defendant Officers Hagen & Villanueva conducted an exhaustive
10 and intensive search of Mr. Webb's work truck.

11 74. No contraband whatsoever was found.

12 75. Mr. Webb was subjected to a prolonged stop that was not justified
13 by either the purported traffic enforcement purpose or the
14 purported firearm registration issue.

15 76. Mr. Webb was forced to submit to being photographed during this
16 stop by Defendant Officers.

17 77. Despite having been informed that Defendant Officers Hagen and
18 Villanueva were performing an "inventory search" of his vehicle,
19 Mr. Webb was provided no "inventory" of what was in his vehicle.

20 78. Mr. Webb is—and has always been—a law-abiding citizen.

21 79. After finding no contraband whatsoever in his vehicle, Defendant
22 Officers Hagen and Villanueva decided to release Mr. Webb from
23 handcuffs and the patrol vehicle.

24 80. Mr. Webb was given a misdemeanor citation for a violation of
25 25850(c)(6) of the California Penal Code for allegedly not being the
26 registered owner of the Glock pistol.

- 1 81. He was *not* cited for failing to have his front license plate affixed
2 to his work truck.
- 3 82. He was instructed to appear in court on September 10, 2025 at
4 8:30 a.m.
- 5 83. Defendant Officers Hagen and Villanueva took possession of
6 Mr. Webb’s Glock that he uses for work.
- 7 84. Neither Defendant Officer Hagen nor Officer Villanueva provided
8 Mr. Webb a receipt or any proof of their seizure of his Glock
9 firearm.
- 10 85. Because he was wrongly facing criminal charges that could
11 jeopardize his liberty and livelihood, Mr. Webb hired an attorney
12 to defend him on the criminal case.
- 13 86. On September 11, 2025, following a request by his counsel,
14 Defendant City of San Diego informed Mr. Webb that it did not
15 intend to issue charges against him for a violation of 25850(c)(6)
16 of the California Penal Code.
- 17 87. At least as early as September 18, 2025 (but likely considerably
18 earlier because Defendant City had already made the
19 determination that it was not proceeding with the charges),
20 Defendant City knew that “the firearm was registered to
21 [Mr.] Webb” and thus that the charge of having an unregistered
22 firearm was completely erroneous.
- 23 88. Defendant City knew that Defendant Officers Hagen and/or
24 Villanueva “did not include the entire serial number” when
25 checking the registration of the Glock in California’s Department
26 of Justice Automated Firearms System at the scene of Mr. Webb’s
27 first detention.
- 28

1 89. Because Mr. Webb was without the Glock he uses for his
2 employment from June 2025 until December 2025, he was unable
3 to bid on a number of employment contracts that he would have
4 otherwise sought to obtain had the weapon not been taken from
5 him.

6 90. On September 15, 2025, since Defendant City formally indicated
7 it was not pursuing charges against Mr. Webb, he requested SDPD
8 return his Glock to him.

9 91. SDPD did not return the firearm to Mr. Webb but instead
10 indicated that if he wanted the firearm returned he would need to
11 obtain a Law Enforcement Release from California's Department
12 of Justice to get his Glock back.

13 92. Mr. Webb was required to pay California's Department of Justice
14 for this Release.

15 93. His request for a Release was submitted to California's DOJ on
16 September 27, 2025.

17 94. Mr. Webb finally received the Release in the mail from California's
18 DOJ on November 20, 2025.

19 95. On November 26, 2025, SDPD indicated the earliest Mr. Webb
20 could make an appointment to retrieve his firearm was December
21 4, 2025.

22 96. Mr. Webb was able to finally retrieve his unlawfully seized firearm
23 from SDPD on December 4, 2025.

24 97. On January 23, 2026, Mr. Webb sent a request to Defendant City
25 to seal and destroy the records of his wrongful arrest for
26 possessing his lawfully registered Glock.

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1 **VII. Second illegal stop: Mr. Webb is subjected to yet another**
2 **pretextual traffic stop, removed from his vehicle,**
3 **handcuffed, and forced to undergo “mug-shot” type**
4 **photographs in the street.**

5 98. On January 24, 2026, the day after Mr. Webb submitted his
6 request to seal and destroy evidence of his wrongful arrest, he was
7 driving in South San Diego when he passed a marked San Diego
8 Police patrol vehicle driven by Defendant Officer Villanueva.

9 99. After passing Defendant Officer Villanueva, Mr. Webb saw
10 Defendant Officer Villanueva make a U-turn and start following
11 his vehicle.

12 100. Mr. Webb encountered three stop signs.

13 101. Knowing he was being followed by police, he stopped fully and
14 completely at each stop sign, in accordance with all traffic laws.

15 102. After the third stop sign, Defendant Officer Villanueva activated
16 the lights on his patrol vehicle and initiated a traffic stop.

17 103. On information and belief, at least one factor used by Defendant
18 Officer Villanueva in deciding to initiate a traffic stop on Mr. Webb
19 was his identity as a Black driver.

20 104. Mr. Webb immediately complied with the request to stop.

21 105. Mr. Webb was informed that he was stopped for rolling through a
22 stop sign.

23 106. Mr. Webb did not in fact roll through a stop sign.

24 107. Indeed, Mr. Webb was never cited for this supposed traffic
25 violation.

26 108. Instead, he was subjected to a prolonged stop without justification.
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1 109. Defendant Villanueva once again removed Mr. Webb from his
2 vehicle.

3 110. On information and belief, at least one factor used by Defendant
4 Officer Villanueva in determining to remove Mr. Webb from his
5 vehicle during the traffic stop was his identity as a Black driver.

6 111. Despite being totally compliant during the traffic stop, Mr. Webb
7 was again handcuffed.

8 112. On information and belief, at least one factor used by Defendant
9 Officer Villanueva in determining to handcuff Mr. Webb during
10 the traffic stop was his identity as a Black driver.

11 113. He was taken to the front of a San Diego Police patrol vehicle.

12 114. Mr. Webb was forced to have his picture taken by Defendant
13 Officer Villanueva, the same officer who had stopped him seven
14 months earlier.

15 115. On information and belief, at least one factor used by Defendant
16 Officer Villanueva in determining to photograph Mr. Webb during
17 the traffic stop was his identity as a Black driver.

18 116. Mr. Webb was forced to have his picture taken “mug-shot” style,
19 from the front and from the side.

20 117. During this traffic stop, Mr. Webb was surrounded by a number of
21 other uniformed, armed SDPD officers.

22 118. Mr. Webb was detained for about a half of an hour.

23 119. He was then released without any citation whatsoever.

24 120. The failure to issue a traffic citation, combined with the
25 handcuffing and photographing of Mr. Webb, are consistent with
26 the stop of Mr. Webb being pretextual in nature and based, at least
27 in part, on his race and not his violation of any traffic laws.
28

1 121. Again, Mr. Webb had committed no traffic violations.

2 122. But he was stopped anyway.

3 123. He was not cited with any traffic violations.

4 124. But he was handcuffed and photographed as if he had committed
5 a crime.

6 125. Mr. Webb is a law-abiding resident of San Diego County.

7 126. Law-abiding residents of San Diego County who are White do not
8 expect to get handcuffed and have mug-shot pictures taken of
9 them at roadside, as Mr. Webb did, even if they do roll through a
10 stop sign (which Mr. Webb did not).

11 127. Mr. Webb seeks to live and work in peace.

12 128. The repeated race-motivated pretextual stops that he is subjected
13 to are demoralizing and embarrassing.

14 129. The repeated race-motivated pretextual stops have caused him
15 and continue to cause him anxiety, distress, and a “fatigue of
16 despair.”

17 130. Mr. Webb seeks—as a Black driver on the streets of San Diego—
18 to be subjected to the same rules and to be afforded the same rights
19 and privileges as White drivers on the streets of San Diego.

20 131. Through this action, Mr. Webb seeks a future in which he is not
21 arbitrarily stopped on the basis of his race.

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1 **VIII. The City of San Diego knows—and has known—that its**
2 **police force uses race as a factor to determine who to stop**
3 **and search: San Diego Police stop and search Black drivers**
4 **at a rate that far outpaces their relative proportion in the**
5 **community and at a rate that is disparate to the stop and**
6 **search rate to which non-Hispanic White drivers are**
7 **subjected.**

8 132. The Racial and Identity Profiling Act (RIPA) of 2015 requires law
9 enforcement agencies in California to report data on all vehicle
10 and pedestrian stops to the Attorney General’s Office. *See* Cal.
11 Gov. Code § 12525.5.

12 133. On information and belief, according to Defendant City of San
13 Diego’s own RIPA data, from November 27, 2023 through May 26,
14 2026, out of all vehicle stops where data was provided by SDPD,
15 approximately 14.13% of individuals involved in vehicle stops
16 were Black even though only 5.6% of San Diego’s population is
17 Black. *See* “RIPA police stop data-race of persons stopped”, City of
18 San Diego, Datasets, *available at*
19 [https://data.sandiego.gov/datasets/police-ripa-](https://data.sandiego.gov/datasets/police-ripa-race/#dataDictionary)
20 [race/#dataDictionary](https://data.sandiego.gov/datasets/police-ripa-race/#dataDictionary) (last visited June 9, 2026); “RIPA police stop
21 data-basic details”, City of San Diego, Datasets, *available at*
22 <https://data.sandiego.gov/datasets/police-ripa-stops/> (last visited
23 June 10, 2026); U.S. Census Bureau, QuickFacts, San Diego City,
24 California, *available at*
25 [https://www.census.gov/quickfacts/fact/table/sandiegocitycaliforni](https://www.census.gov/quickfacts/fact/table/sandiegocitycalifornia/PST045224)
26 [a/PST045224](https://www.census.gov/quickfacts/fact/table/sandiegocitycalifornia/PST045224) (last visited June 9, 2026).¹

26 ¹ The analyses of Defendant City’s RIPA data for the 2023 through 2026
27 time period are all made “on information and belief” because this data
28

1 134. This means that Black individuals in San Diego are subjected to
2 vehicle stops by SDPD on average about 2.52 times more than
3 would be expected based on their relative share of the population
4 (or about 152%).

5 135. In contrast, on information and belief, according to Defendant City
6 of San Diego’s own RIPA data, from November 27, 2023 through
7 May 26, 2026, out of all vehicle stops where data was provided by
8 SDPD only about 34.5% of vehicles stops involved non-Hispanic
9 White individuals even though 40.9% of San Diego’s population is
10 non-Hispanic White. See “RIPA police stop data-race of persons
11 stopped”, City of San Diego, Datasets, *available at*
12 [https://data.sandiego.gov/datasets/police-ripa-](https://data.sandiego.gov/datasets/police-ripa-race/#dataDictionary)
13 [race/#dataDictionary](https://data.sandiego.gov/datasets/police-ripa-race/#dataDictionary) (last visited June 9, 2026); “RIPA police stop
14 data-basic details”, City of San Diego, Datasets, *available at*
15 <https://data.sandiego.gov/datasets/police-ripa-stops/> (last visited
16 June 10, 2026); U.S. Census Bureau, QuickFacts, San Diego City,
17 California, *available at*
18 [https://www.census.gov/quickfacts/fact/table/sandiegocitycaliforni](https://www.census.gov/quickfacts/fact/table/sandiegocitycalifornia/PST045224)
19 [a/PST045224](https://www.census.gov/quickfacts/fact/table/sandiegocitycalifornia/PST045224) (last visited June 9, 2026).

20 136. On information and belief, during these vehicle stops by SDPD,
21 Black individuals are over 300% more likely than non-Hispanic
22

23 was analyzed without the assistance of an expert at this point in the
24 proceedings and necessarily relies on the reliability of the RIPA
25 information as provided by SDPD. Significantly, Mr. Webb has *not* been
26 able to find either of his own June 2025 or January 2026 stops in SDPD’s
27 publicly available RIPA data so there may be a question as to the
28 reliability of the data itself or human error related to the input of the
RIPA data as maintained.

1 White individuals to be subjected to a search of their property (out
2 of 19,552 Black individuals who were stopped in vehicle stops,
3 2,587 were subjected to property searches but out of 47,733 White
4 individuals who were stopped, only 1,565 were subjected to
5 property searches; this translates to 13.23% of Black individuals
6 having their property searched compared to 3.28% of White
7 individuals). See “RIPA police stop data-race of persons stopped”,
8 City of San Diego, Datasets, *available at*
9 [https://data.sandiego.gov/datasets/police-ripa-](https://data.sandiego.gov/datasets/police-ripa-race/#dataDictionary)
10 [race/#dataDictionary](https://data.sandiego.gov/datasets/police-ripa-race/#dataDictionary) (last visited June 9, 2026); “RIPA police non-
11 force actions data”, City of San Diego, Datasets, *available at*
12 <https://data.sandiego.gov/datasets/police-ripa-non-force-actions/>
13 (last visited June 10, 2026); “RIPA police stop data-basic details”,
14 City of San Diego, Datasets, *available at*
15 <https://data.sandiego.gov/datasets/police-ripa-stops/> (last visited
16 June 10, 2026).

17 137. On information and belief, when Black individuals are stopped by
18 SDPD, they are more likely to be photographed during that
19 vehicular stop than any other race and about 280% more likely to
20 be photographed than non-Hispanic White drivers (Black
21 individuals are photographed in 3.81% of their vehicle stops and
22 non-Hispanic White individuals are photographed in only .99% of
23 their vehicle stops or out of 19,552 vehicle stops of Black
24 individuals, 744 were photographed compared to 47,733 vehicle
25 stops for non-Hispanic White individuals resulting in 476 being
26 photographed). See “RIPA police stop data-race of persons
27 stopped”, City of San Diego, Datasets, *available at*
28

1 [https://data.sandiego.gov/datasets/police-ripa-](https://data.sandiego.gov/datasets/police-ripa-race/#dataDictionary)
2 [race/#dataDictionary](https://data.sandiego.gov/datasets/police-ripa-race/#dataDictionary) (last visited June 9, 2026); “RIPA police non-
3 force actions data”, City of San Diego, Datasets, *available at*
4 <https://data.sandiego.gov/datasets/police-ripa-non-force-actions/>
5 (last visited June 10, 2026); “RIPA police stop data-basic details”,
6 City of San Diego, Datasets, *available at*
7 <https://data.sandiego.gov/datasets/police-ripa-stops/> (last visited
8 June 10, 2026).

9 138. When looking at the reason given by Defendant Officers Hagen
10 and Villanueva for Mr. Webb’s June 2025 traffic stop, the data
11 shows even more pronounced *overrepresentation* of Black
12 individuals.

13 139. On information and belief, according to Defendant City of San
14 Diego’s own RIPA data, from November 1, 2024 through May 28,
15 2026, of the individuals who were stopped by SDPD where the
16 purported reason for the stop was a violation Section 5200 of
17 California’s Vehicle Code (missing license plate), approximately
18 22.36% of the individuals who were stopped were Black even
19 though only 5.6% of San Diego’s population is Black. *See* “RIPA
20 police stop data-race of persons stopped”, City of San Diego,
21 Datasets, *available at* [https://data.sandiego.gov/datasets/police-](https://data.sandiego.gov/datasets/police-ripa-race/#dataDictionary)
22 [ripa-race/#dataDictionary](https://data.sandiego.gov/datasets/police-ripa-race/#dataDictionary) (last visited June 9, 2026); “RIPA police
23 stop data-basic details”, City of San Diego, Datasets, *available at*
24 <https://data.sandiego.gov/datasets/police-ripa-stops/> (last visited
25 June 10, 2026); “RIPA police stop data-reason for stop”, City of San
26 Diego, Datasets, *available at*
27 <https://data.sandiego.gov/datasets/police-ripa-stop-reason/> (last
28

1 visited June 9, 2026); U.S. Census Bureau, QuickFacts, San Diego
2 City, California, available at
3 [https://www.census.gov/quickfacts/fact/table/sandiegocitycaliforni](https://www.census.gov/quickfacts/fact/table/sandiegocitycalifornia/PST045224)
4 [a/PST045224](https://www.census.gov/quickfacts/fact/table/sandiegocitycalifornia/PST045224) (last visited June 9, 2026).

5 140. This means that Black individuals are overrepresented by about 4
6 times relative to their share of the population (or about 299%) in
7 the City of San Diego for traffic stops where the purported basis is
8 a violation of Section 5200 of California’s Vehicle Code (missing
9 license plate).

10 141. This overrepresentation of Black individuals in SDPD stops and
11 searches relative to their population is neither a new development
12 nor unfamiliar to Defendant City of San Diego.

13 142. In 2019, San Diego Police Department partnered with the Center
14 for Policing Equity (CPE) “to examine policing practices and
15 behavior from 2016-Sept 2020 as a part of the National Justice
16 Database (NJD) project. CPE examined the incidences of traffic
17 stops, non-traffic stops, and use of force in order to: Identify any
18 racial disparities in police interactions with people; Determine if
19 disparities were caused by inequitable practices or other factors;
20 [and] Identify any attitudinal dispositions by officers or within the
21 department that may be risk factors for inequitable practices.” See
22 *Center for Policing Equity (CPE) Report*, The City of San Diego,
23 Police, available at [https://www.sandiego.gov/police/data-](https://www.sandiego.gov/police/data-transparency/center-policing-equity-report)
24 [transparency/center-policing-equity-report](https://www.sandiego.gov/police/data-transparency/center-policing-equity-report) (last visited June 11,
25 2026).

26 143. According to the Center for Policing Equity’s Report, covering data
27 from 2018-Q3 through 2020-Q3, “[o]nce stopped [for traffic stops],
28

1 Black people were searched 2.6 times as often as White people.”
2 *See Summary of Findings, San Diego (City), CA 2021*, Center for
3 Policing Equity, [https://justicenavigator.org/san-diego-city-ca-](https://justicenavigator.org/san-diego-city-ca-2021/summary/)
4 [2021/summary/](https://justicenavigator.org/san-diego-city-ca-2021/summary/) (last visited June 11, 2026).

5 144. This overrepresentation of Black individuals in searches by SDPD
6 in the Center for Policing Equity’s Report covering data from 2018-
7 2020 is consistent with the overrepresentation of Black
8 individuals in the more recent data discussed *supra* at ¶ 136.

9 145. For the period of time covered by the Center for Policing Equity’s
10 Report, 15% of all drivers stopped were Black and 38% were
11 White. *See Traffic Stops, San Diego (City), CA 2021*, Center for
12 Policing Equity, [https://justicenavigator.org/san-diego-city-ca-](https://justicenavigator.org/san-diego-city-ca-2021/vs/)
13 [2021/vs/](https://justicenavigator.org/san-diego-city-ca-2021/vs/) (last visited June 11, 2026).

14 146. From 2016-2020, 5.7% of the City of San Diego’s population was
15 Black and 42.3% were non-Hispanic White. *See 2016-2020 City*
16 *Demographic Profiles*, County of San Diego Health and Human
17 Services,
18 [https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/](https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/CHS/2020%20City%20Demographic%20Profiles.pdf)
19 [phs/CHS/2020%20City%20Demographic%20Profiles.pdf](https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/CHS/2020%20City%20Demographic%20Profiles.pdf) (last
20 visited June 11, 2026).

21 147. Again, this overrepresentation of Black individuals in traffic stops
22 conducted by the SDPD relative to their proportion of the
23 population demonstrated by the Center for Policing Equity’s
24 Report for the period from 2018-2020 is consistent with the
25 overrepresentation of Black individuals in traffic stops seen in the
26 more recent data discussed *supra* at ¶ 133.

1 148. While under current federal law, it remains permissible to conduct
2 pretextual traffic stops (see *Whren v. United States*, 517 U.S. 806,
3 813 (1996)), the “Constitution prohibits selective enforcement of
4 the law based on considerations such as race.” *Id.*

5 149. This means that while it may be constitutional under the Fourth
6 Amendment for SDPD to conduct pretext stops, it is
7 unconstitutional under the Equal Protection clause for SDPD to
8 use race as a factor to determine whether to initiate a pretext stop.

9 150. Mr. Webb alleges that the pervasive and continued disparate
10 vehicular stop and search data of Black individuals in the City of
11 San Diego demonstrates that Defendants are impermissibly using
12 race as a factor to determine who to stop, who to search, who to
13 handcuff, and who to photograph.

14 151. The Racial and Identity Profiling Advisory Board was created in
15 2016 by the Attorney General for California “for the purpose of
16 eliminating racial and identity profiling, and improving diversity
17 and racial and identity sensitivity in law enforcement.” *See Racial*
18 *and Identity Profiling Advisory Board*, State of California
19 Department of Justice, <https://oag.ca.gov/ab953/board> (last visited
20 June 12, 2026).
21

22 152. The Board includes a diverse group of community members and
23 experts in their fields as well as sworn law enforcement officers.
24 *See Racial and Identity Profiling Advisory Board Bios*, State of
25 California Department of Justice,
26 <https://oag.ca.gov/ab953/board#members> (last visited June 12,
27 2026).
28

1 153. Each year the Racial and Identity Profiling Advisory Board for
2 the State of California issues a report.

3 154. The 2026 RIPA report found that “consistent with past reports,
4 that racial and identity profiling in California remains a concern
5 that must be addressed.” *See Annual Report 2026 (January 30,*
6 *2026)* at 8, Racial and Identity Profiling Advisory Board, *available*
7 *at* [https://oag.ca.gov/system/files/media/ripa-board-report-](https://oag.ca.gov/system/files/media/ripa-board-report-2026.pdf)
8 [2026.pdf](https://oag.ca.gov/system/files/media/ripa-board-report-2026.pdf) (last visited June 12, 2026).

9 155. The report explained that “[a]s noted in prior reports, pretextual
10 stops — stops based on hunches that an individual is committing
11 a crime, without basis in reasonable suspicion or probable cause
12 — are susceptible to racial bias.” *Id.* at 125.

13 156. The Board reviewed data from municipalities relative to policies
14 enacted to limit pretextual stops. *Id.* at 125-127.

15 157. The Board noted that, as seen in the case before the Court as well,
16 “RIPA data show that officers ask drivers perceived to be Black . .
17 . for consent to search more frequently than drivers perceived to
18 be White, yet the discovery rate of weapons or other contraband
19 continues to be minimal.” *Id.* at 127 (this data is not limited to the
20 City of San Diego but is instead state-wide).

21 158. The Board also noted, again as seen in this case as well, that
22 “officers asked for consent to search most frequently in stops
23 initiated due to an equipment violation Among equipment
24 violations, officers reported the highest rates of asking for consent
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1 to search in stops of individuals perceived to Black (6.45%; 7,016
2 stops)” *Id.* at 129.

3 159. Notably, “because individuals perceived to be of color are asked for
4 consent at a disproportionately higher rate than individuals
5 perceived to be White, and as consent-only searches of individuals
6 perceived to be of color are less fruitful than consent only searches
7 of individuals perceived to be White, these pretextual stop
8 searches lead to both a lower likelihood of discovery of contraband
9 and increased racial and identity profiling.” *Id.* at 132.

10 160. The Racial and Identity Profiling Advisory Board recommends the
11 reduction or elimination of pretext stops because pretext stops do
12 not assist in the prevention of crime, they are generally unfruitful,
13 “there are racial . . . disparities in who is subjected to such stops
14 and searches,” and “the available research shows that there are
15 significant benefits to enacting policies limiting or eliminating
16 pretextual stops, including an increase in public safety and a
17 reduction in racial and identity profiling.” *Id.* 150-151.

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1 161. San Diego’s own Commission on Police Practices similarly
2 identified this pronounced racial disparity affecting Black
3 individuals:

2026 RIPA Board Report

Racial Disparities in Stops

Individuals perceived as Black were stopped **2.27X more** than expected based on population levels.

Search & Frisk Frequency

Officers most frequently searched and frisked individuals perceived as **Black or Native American** during vehicle stops.

Discovery Rates by Search Type

20.30% — Consent-only searches

26.40% — Non-discretionary searches

14 *See Strengthening Constitutional Policing and Equitable Enforcement,*
15 *Pretext Stops – Community Briefing 2026* (June 13, 2026) at 20, San
16 Diego Commission on Police Practices, *available at*
17 [https://www.sandiego.gov/sites/default/files/2026-06/cpp-agenda-](https://www.sandiego.gov/sites/default/files/2026-06/cpp-agenda-260613.pdf)
18 [260613.pdf](https://www.sandiego.gov/sites/default/files/2026-06/cpp-agenda-260613.pdf) (last visited June 16, 2026).

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1 162. Looking at 2024 alone, San Diego’s Commission on Police
2 Practices noted the overrepresentation of Black individuals in
3 traffic stops:

4 San Diego RIPA Data (2024)

5 Total Stop Overview

6 SDPD reported **103,463** total stops, of which **62,071** were traffic-related.

7 Primary Focus: Equipment & Non-Moving Violations

8 SDPD conducted **24,227** stops in this category.

9 *These stops most closely align with the types of police interactions the Commission seeks to limit.*

10 Black Individuals

11 **3.05X More**

12 Stopped more often than expected based on
13 population levels.

10 White Individuals

11 **15.05% Less**

12 Stopped less often than expected based on
13 population levels.

14 Source: 2024 SDPD Racial and Identity Profiling Act (RIPA) Data Reports

15 *Id.* at 21.

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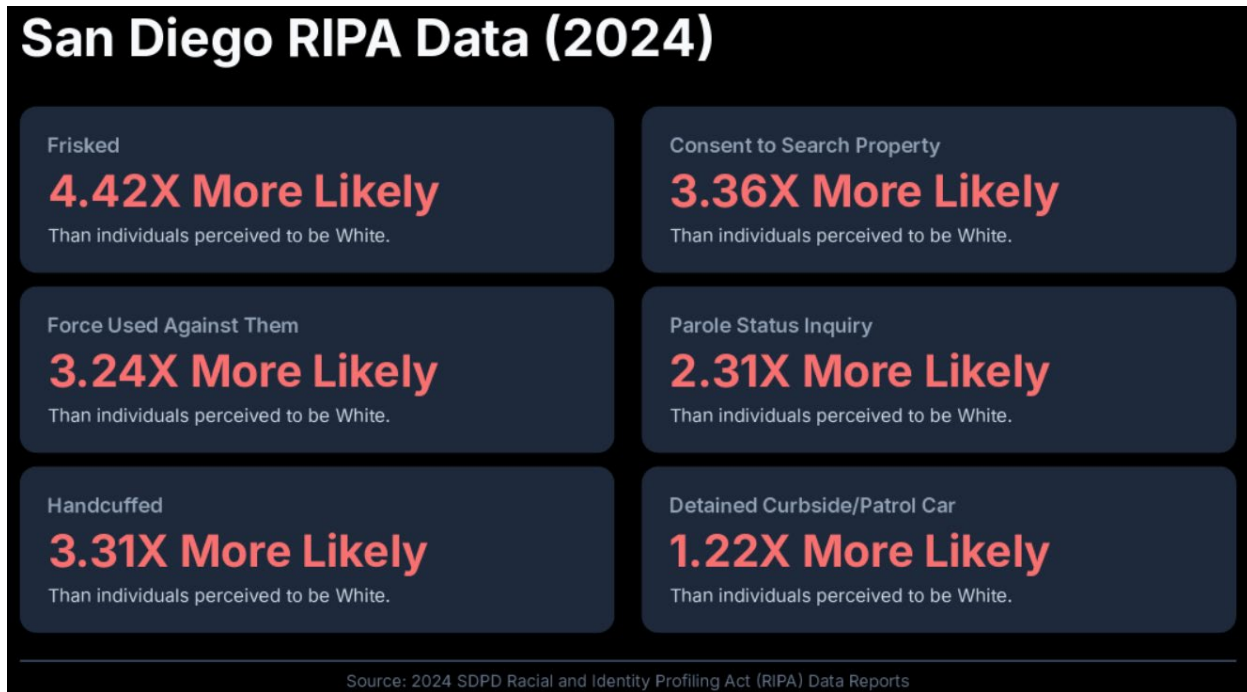
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1 163. Looking at 2024 alone, San Diego’s Commission on Police
2 Practices noted the disparate overrepresentation of Black
3 individuals compared to “individuals perceived to be White” when
4 looking at force and non-force actions taken against them by SDPD
5 during the stop:



17 *Id.* at 23.

18 164. San Diego’s Commission on Police Practices recommends that
19 Defendant City of San Diego take action aimed at “reducing or
20 eliminating pretextual stops” because “they do not increase public
21 safety.” *Id.* at 21.

22 165. The pretext stops initiated on Mr. Webb did not increase public
23 safety; they resulted in the wrongful seizure of his weapon used
24 for employment; they produced unfounded criminal charges; they
25 caused Mr. Webb anxiety, stress, and harm; and—because
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1 substantial data exists to support that they were at least partially
2 based on race—they were unconstitutional.

3 **IX. FIRST CLAIM – Violation of 42 U.S.C. § 1983 (Fourth**
4 **Amendment/Fourteenth Amendment; Unlawful search and**
5 **seizure in June 2025) (Against Defendants Officer Hagen**
6 **and Officer Villanueva)**

7 166. Mr. Webb hereby alleges and incorporates by reference each and
8 every allegation contained in the preceding and subsequent
9 paragraphs of this Complaint as if pled expressly herein.

10 167. Defendant Officer Hagen was acting under color of law during his
11 June 2025 encounter with Mr. Webb.

12 168. Defendant Officer Hagen did not have a warrant to arrest or
13 search Mr. Webb.

14 169. Defendant Officer Hagen did not have reasonable suspicion to stop
15 or probable cause to arrest or search Mr. Webb.

16 170. In searching and seizing Mr. Webb, Defendant Officer Hagen
17 acted intentionally.

18 171. The search and seizure of Mr. Webb was unreasonable.

19 172. Mr. Webb’s constitutional right to be free from unlawful search
20 and seizure was violated by Defendant Officer Hagen.

21 173. Defendant Officer Villanueva was acting under color of law during
22 his June 2025 encounter with Mr. Webb.

23 174. Defendant Officer Villanueva did not have a warrant to arrest or
24 search Mr. Webb.

25 175. Defendant Officer Villanueva did not have reasonable suspicion to
26 stop or probable cause to arrest or search Mr. Webb.

1 176. In searching and seizing Mr. Webb, Defendant Officer Villanueva
2 acted intentionally.

3 177. The searches and seizures of Mr. Webb were unreasonable.

4 178. Mr. Webb's constitutional right to be free from unlawful search
5 and seizure was violated by Defendant Officer Villanueva.

6 179. Mr. Webb suffered damages in an amount to be proven at trial.

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8 **X. SECOND CLAIM – Violation of 42 U.S.C. § 1983 (Fourth**
9 **Amendment/Fourteenth Amendment; Unlawful seizure of**
10 **property in June 2025) (Against Defendants Officer Hagen**
11 **and Officer Villanueva)**

12 180. Mr. Webb hereby alleges and incorporates by reference each and
13 every allegation contained in the preceding and subsequent
14 paragraphs of this Complaint as if pled expressly herein.

15 181. Defendant Officer Hagen was acting under color of law during his
16 June 2025 encounter with Mr. Webb.

17 182. Defendant Officer Hagen did not have a warrant to seize
18 Mr. Webb's 9mm Glock.

19 183. Defendant Officer Hagen did not have probable cause to seize
20 Mr. Webb's 9 mm Glock.

21 184. In seizing Mr. Webb's 9mm Glock, Defendant Officer Hagen acted
22 intentionally.

23 185. The seizure of Mr. Webb's 9mm Glock, in that it was lawfully
24 registered to him, was unreasonable.

25 186. Mr. Webb's constitutional right to be free from unlawful seizure
26 was violated by Defendant Officer Hagen.

1 187. Defendant Officer Villanueva was acting under color of law during
2 his June 2025 encounter with Mr. Webb.

3 188. Defendant Officer Villanueva did not have a warrant to seize
4 Mr. Webb's 9mm Glock.

5 189. Defendant Officer Villanueva did not have probable cause to seize
6 Mr. Webb's 9mm Glock.

7 190. In seizing Mr. Webb's 9mm Glock, Defendant Officer Villanueva
8 acted intentionally.

9 191. The seizure of Mr. Webb's 9mm Glock, in that it was lawfully
10 registered to him, was unreasonable.

11 192. Mr. Webb's constitutional right to be free from unlawful seizure
12 was violated by Defendant Officer Villanueva.

13 193. Mr. Webb suffered damages in an amount to be proven at trial.

14 **XI. THIRD CLAIM – Violation of 42 U.S.C. § 1983 (Fourth**
15 **Amendment/Fourteenth Amendment; Unlawful search and**
16 **seizure in January 2026) (Against Defendant Officer**
17 **Villanueva)**

18 194. Mr. Webb hereby alleges and incorporates by reference each and
19 every allegation contained in the preceding and subsequent
20 paragraphs of this Complaint as if pled expressly herein.

21 195. Defendant Officer Villanueva was acting under color of law during
22 his January 2026 encounter with Mr. Webb.

23 196. Defendant Officer Villanueva did not have a warrant to arrest or
24 search Mr. Webb.

25 197. Defendant Officer Villanueva did not have reasonable suspicion to
26 stop or probable cause to arrest or search Mr. Webb.

1 198. In searching and seizing Mr. Webb, Defendant Officer Villanueva
2 acted intentionally.

3 199. The searches and seizures of Mr. Webb were unreasonable.

4 200. Mr. Webb's constitutional right to be free from unlawful search
5 and seizure was violated by Defendant Officer Villanueva.

6 201. Mr. Webb suffered damages in an amount to be proven at trial.

7 **XII. FOURTH CLAIM – Violation of 42 U.S.C. § 1983 (Fourteenth**
8 **Amendment; Equal protection) (Against Defendant Officer**
9 **Hagen and Officer Villanueva)**

10 202. Mr. Webb hereby alleges and incorporates by reference each and
11 every allegation contained in the preceding and subsequent
12 paragraphs of this Complaint as if pled expressly herein.

13 203. Mr. Webb is a Black man.

14 204. Mr. Webb, as a Black driver, is a member of a protected class.

15 205. As a Black driver in San Diego, Mr. Webb was treated differently
16 than White drivers in San Diego.

17 206. A motivating factor in Defendant Officers Hagen and Villanueva's
18 search and seizure of Mr. Webb was his race as a Black man.

19 207. Mr. Webb has a constitutional right to be free from race-based
20 stops and seizures.

21 208. Mr. Webb has a constitutional right to have the laws enforced
22 against him in the same manner in which they are enforced
23 against White drivers.

24 209. Mr. Webb was intentionally treated differently by Defendant
25 Officers Hagen and Villanueva because of his race.
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1 210. If Mr. Webb were a non-Hispanic White driver, he would not have
2 been stopped, removed from his car, asked to consent to a search,
3 handcuffed, placed in a patrol vehicle, and photographed.

4 211. The treatment of Mr. Webb as a Black driver in a disparate fashion
5 from White drivers in San Diego is a violation of his rights to equal
6 protection under the laws of the United States.

7 212. Mr. Webb suffered damages in an amount to be proven at trial.

8 **XIII. FIFTH CLAIM – Violation of 42 U.S.C. § 1983 (Policy of**
9 **Failure to Train/Failure to Prevent Violations of Law)**
10 **(Against Defendant City of San Diego)**

11 213. Mr. Webb hereby alleges and incorporates by reference each and
12 every allegation contained in the preceding and subsequent
13 paragraphs of this Complaint as if pled expressly herein.

14 214. Defendant City of San Diego, including by and through its final
15 policymakers, knows and has known that its own data shows that
16 year after year Black drivers are disproportionately stopped by
17 San Diego Police officers compared to their proportion in the
18 community.

19 215. Defendant City of San Diego, including by and through its final
20 policymakers, knows and has known that its own data shows that
21 year after year Black drivers are disproportionately searched by
22 San Diego Police officers compared to non-Hispanic White drivers.

23 216. Defendant City of San Diego, including by and through its final
24 policymakers, knew or should have known that its officers use
25 race, in particular being Black, as a factor contributing to
26 warrantless stops and seizures.

1 217. Defendant City of San Diego, including by and through its final
2 policymakers, knew or should have known that continuing to allow
3 its officers use race, in particular being Black, as a factor
4 contributing to warrantless vehicle stops and seizures, would
5 continue to cause Black drivers in San Diego to be deprived of their
6 constitutional rights, including to be free of illegal searches and
7 seizures, and the right to equal protection under the law.

8 218. The failure of Defendant City of San Diego and its final
9 policymakers to train its officers not to use race as a factor in
10 determining who to stop deprived Mr. Webb of his Fourth
11 Amendment rights and his right to equal protection under the law.

12 219. The failure of Defendant City of San Diego and its final
13 policymakers to train its officers that consideration of a target's
14 race does not constitute reasonable suspicion to stop or probable
15 cause to arrest deprived Mr. Webb of his right to be free from
16 unlawful seizures and equal protection under the laws of the
17 United States.

18 220. Defendant Officer Hagen and Officer Villanueva were acting
19 under color of law during their encounters with Mr. Webb.

20 221. The training policies of Defendant City of San Diego were not
21 adequate to prevent violations of the Fourth and Fourteenth
22 Amendments by San Diego Police officers.

23 222. Defendant City of San Diego's knowledge year after year of the
24 unexplained, disproportionate targeting of Black individuals in
25 traffic stops and incident searches shows its deliberate
26 indifference to the substantial risk its policies were inadequate to
27 prevent violations of law by its officers.
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1 223. The failure of Defendant City of San Diego to adequately train its
2 officers caused the deprivation of Mr. Webb’s rights by Defendants
3 Officer Hagen and Officer Villanueva, that is, Defendant City of
4 San Diego’s failure to adequately train its officers played a
5 substantial part in bringing about or actually causing the injury
6 or damage to Mr. Webb. *See Monell v. Dep’t of Soc. Servs. of City*
7 *of New York*, 436 U.S. 658, 694 (1978).

8 224. Mr. Webb suffered damages in an amount to be proven at trial.

9 **XIV. SIXTH CLAIM – Bane Act – Cal. Civ. Code § 52.1 (Against All**
10 **Defendants)**

11 225. Mr. Webb hereby alleges and incorporates by reference each and
12 every allegation contained in the preceding and subsequent
13 paragraphs of this Complaint as if pled expressly herein.

14 226. Defendant Officer Hagen, by intimidation, coercion or with
15 reckless disregard for Mr. Webb’s rights, interfered or attempted
16 to interfere with Mr. Webb’s rights to be free from unlawful search
17 and seizure and to equal protection of the laws.

18 227. Mr. Webb was harmed by Defendant Officer Hagen’s conduct.

19 228. Defendant Officer Hagen’s conduct was a substantial factor in
20 causing Mr. Webb’s harm.

21 229. Defendant Officer Villanueva, by intimidation, coercion or with
22 reckless disregard for Mr. Webb’s rights, interfered or attempted
23 to interfere with Mr. Webb’s rights to be free from unlawful search
24 and seizure and to equal protection of the laws.

25 230. Mr. Webb was harmed by Defendant Officer Villanueva’s conduct.

1 231. Defendant Officer Villanueva’s conduct was a substantial factor in
2 causing Mr. Webb’s harm.

3 232. Defendant City of San Diego is vicariously liable for Defendant
4 Officer Hagen and Officer Villaneuva’s actions and/or omissions
5 pursuant to Cal. Gov. Code § 815.2, because Defendant Officers
6 Hagen and Villanueva were acting within the scope of their
7 employment.

8 233. Mr. Webb suffered personal injury and damages as a result of
9 Defendants’ conduct in an amount to be proven at trial.

10 **XV. SEVENTH CLAIM – Negligence (Against All Defendants)**

11 234. Mr. Webb hereby alleges and incorporates by reference each and
12 every allegation contained in the preceding and subsequent
13 paragraphs of this Complaint as if pled expressly herein.

14 235. Defendants had a duty to use reasonable care regarding members
15 of the public, their rights to freedom of movement, autonomy of
16 person, and interests in property.

17 236. Defendants had a duty to use reasonable care in determining
18 whether reasonable suspicion or probable cause existed to stop,
19 detain, arrest, and search Mr. Webb.

20 237. Defendants had a duty to use reasonable care in handling
21 Mr. Webb’s personal property, including his 9mm Glock semi-
22 automatic pistol.

23 238. Defendants had a duty to use reasonable care in evaluating
24 whether Mr. Webb lawfully possessed his 9mm Glock semi-
25 automatic pistol.
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1 239. Defendants breached their duties of care and caused harm to
2 Mr. Webb, including fear, mental anguish, humiliation, indignity,
3 and degradation by stopping and seizing Mr. Webb at least
4 partially on the basis of his race and unlawfully seizing and
5 keeping possession of his Glock.

6 240. As a direct, proximate, and foreseeable result of the breach of
7 Defendants' duties of care, Mr. Webb suffered damages in an
8 amount according to proof at the time of trial.

9 241. Pursuant to Cal. Gov. Code § 815.2, Defendant City is vicariously
10 liable for the actions and/or omissions of its employees, Defendant
11 Officer Hagen and Officer Villanueva, acting within the scope of
12 their employment.

13 **XVI. EIGHTH CLAIM – False arrest (Against All Defendants)**

14 242. Mr. Webb hereby alleges and incorporates by reference each and
15 every allegation contained in the preceding and subsequent
16 paragraphs of this Complaint as if pled expressly herein.

17
18 243. Defendants Officer Hagen and Officer Villanueva arrested
19 Mr. Webb without a warrant.

20 244. Defendants Officer Hagen and Officer Villanueva arrested
21 Mr. Webb without probable cause.

22 245. Mr. Webb was harmed.

23 246. Defendants Officer Hagen and Officer Villanueva's conduct was a
24 substantial factor in causing Mr. Webb's harm.

25 247. Defendant City of San Diego is vicariously liable for Defendants
26 Officer Hagen and Officer Villanueva's actions and/or omissions
27
28

1 pursuant to Cal. Gov. Code § 815.2, because the Defendant
2 Officers were acting within the scope of their employment.

3 248. Mr. Webb suffered personal injury and damages as a result of
4 Defendants' conduct in an amount to be proven at trial.

5 **XVII. NINTH CLAIM – Conversion (Against All Defendants)**

6 249. Mr. Webb hereby alleges and incorporates by reference each and
7 every allegation contained in the preceding and subsequent
8 paragraphs of this Complaint as if pled expressly herein.

9
10 250. Mr. Webb lawfully owned and possessed a registered a 9mm Glock
11 semi-automatic pistol that he used for work.

12 251. Defendant Officers Hagen and Villanueva intentionally seized
13 Mr. Webb's lawfully-owned Glock in June 2025.

14 252. This seizure by Defendant Officers Hagen and Villanueva
15 deprived Mr. Webb of the possession and use of his Glock.

16 253. Defendant Officers Hagen and Villanueva seizure substantially
17 interfered with Mr. Webb's possession and use of his Glock.

18 254. Mr. Webb did not consent to the seizure of his Glock.

19 255. Defendant City of San Diego knew that the Glock was unlawfully
20 seized from Mr. Webb at least as early as September 18, 2025, but
21 likely earlier than that date.

22 256. Defendant City of San Diego, despite knowing as early as
23 September 18, 2025 that the Glock was unlawfully seized from
24 Mr. Webb, intentionally did not return it to him.

25 257. Defendant City of San Diego's knowing continued possession of
26 Mr. Webb's Glock substantially interfered with his possession and
27 use of the weapon.

1 258. Mr. Webb did not consent in Defendant City of San Diego's
2 continued seizure of his Glock.

3 259. In fact, Mr. Webb requested the return of his Glock.

4 260. Mr. Webb was deprived of the possession and use of his Glock until
5 December 2025.

6 261. Mr. Webb was harmed because the Glock that was unlawfully
7 seized was his primary weapon used for his profession as a
8 security guard.

9 262. Mr. Webb suffered lost employment opportunities during the
10 period of time Defendants unlawfully dispossessed him of his
11 Glock.

12 263. In order to receive his wrongfully-seized Glock back from SDPD,
13 Mr. Webb was required to pay the California Department of
14 Justice to process his Law Enforcement Gun Release form.

15 264. Defendants Hagen, Villanueva, and City of San Diego's seizure
16 and continued possession of Mr. Webb's Glock was a substantial
17 factor in causing him harm.

18 265. Defendant City of San Diego is vicariously liable for Defendant
19 Officers Hagen and Villanueva's actions and/or omissions
20 pursuant to Cal. Gov. Code § 815.2, because Defendant Officer
21 Hagen and Villanueva were acting within the scope of their
22 employment.

23 266. Mr. Webb suffered damages as a result of Defendants' conduct in
24 an amount to be proven at trial.

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1 **XVIII. TENTH CLAIM – Trespass to Chattels (Against All**
2 **Defendants)**

3 267. Mr. Webb hereby alleges and incorporates by reference each and
4 every allegation contained in the preceding and subsequent
5 paragraphs of this Complaint as if pled expressly herein.

6 268. Mr. Webb lawfully owned and possessed a registered 9mm Glock
7 semi-automatic pistol that he used for work.

8 269. Defendant Officers Hagen and Villanueva intentionally seized
9 Mr. Webb’s lawfully-owned Glock in June 2025.

10 270. The seizure of Mr. Webb’s lawfully-owned Glock caused damage to
11 Mr. Webb because it interfered with his ability to use the weapon
12 for his profession as a security guard.

13 271. Mr. Webb did not consent in this initial seizure.

14 272. Mr. Webb was harmed.

15 273. Defendant Officers Hagen and Villanueva’s conduct in seizing his
16 Glock was a substantial factor in causing Mr. Webb harm.

17 274. Defendant City of San Diego knew that the Glock was unlawfully
18 seized from Mr. Webb at least as early as September 18, 2025, but
19 likely earlier than that date.

20 275. Defendant City of San Diego, despite knowing as early as
21 September 18, 2025 that the Glock was unlawfully seized from
22 Mr. Webb, intentionally did not return it to him.

23 276. Defendant City of San Diego’s continued possession of Mr. Webb’s
24 Glock was a substantial factor in causing him harm.

25 277. Mr. Webb did not consent to this continued seizure of his Glock.

26 278. In fact, Mr. Webb requested the return of his Glock.
27
28

1 279. Mr. Webb was deprived of the use of his Glock until December
2 2025.

3 280. In order to receive his wrongfully-seized Glock back from SDPD,
4 Mr. Webb was required to pay the California Department of
5 Justice to process his Law Enforcement Gun Release form.

6 281. Defendant City of San Diego is vicariously liable for Defendant
7 Officers Hagen and Villanueva’s actions and/or omissions
8 pursuant to Cal. Gov. Code § 815.2, because Defendant Officer
9 Hagen and Villanueva were acting within the scope of their
10 employment.

11 282. Mr. Webb suffered damages as a result of Defendants’ conduct in
12 an amount to be proven at trial.

13 **XIX. DEMAND FOR JURY TRIAL**

14 283. Mr. Webb hereby demands a jury trial.

15 **XX. PRAYER FOR RELIEF**

16
17 WHEREFORE, Mr. Webb prays that the Court enter judgment in
18 his favor and against the Defendants, and grant the following relief:

19 284. General and compensatory damages in an amount according to
20 proof;

21 285. Punitive and exemplary damages against individual Defendant
22 Officers Hagen and Villanueva only to punish deliberate or
23 reckless violations of constitutional rights and to deter future
24 misconduct to the extent permitted by law;

25 286. Injunctive relief targeted to end race-based stops and searches by
26 the San Diego Police Department;
27
28

- 1 287. Civil penalties as provided by law;
- 2 288. Reasonable attorneys’ fees, expert witness fees, and costs
- 3 pursuant to, among other things, 42 U.S.C. § 1988 and Fed. R. Civ.
- 4 P. 54;
- 5 289. Pre- and post-judgment interest at the maximum rate allowed by
- 6 law;
- 7 290. Damages to make up for any adverse tax consequences for any
- 8 award to Mr. Webb; and
- 9 291. Such other relief as this Court may deem appropriate.

10 Respectfully submitted,

11 DATED: June 19, 2026

12 *s/Michele Akemi McKenzie*
 13 MICHELE AKEMI MCKENZIE
 14 TIMOTHY A. SCOTT
 15 **MCKENZIE SCOTT PC**
 16 *Attorneys for Hakimkhalfani Webb*
 17 Email:
 18 mmckenzie@mckenziescott.com
 19 tscott@mckenziescott.com

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Hakimkhalfani Webb

(b) County of Residence of First Listed Plaintiff San Diego (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) McKenzie Scott PC 1350 Columbia Street, Suite 600 San Diego, CA 92101

DEFENDANTS

City of San Diego; San Diego Police Officer Michael Hagen (#1148); San Diego Police Officer Adrian Villanueva (#1759)

County of Residence of First Listed Defendant San Diego (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

'26CV3641 AGS VET

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, 1 1, 2 2, 3 3, 4 4, 5 5, 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Personal Injury, Real Property, Labor, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 42 U.S.C. § 1983

Brief description of cause: Unlawful Search and Seizure of Person; Unlawful Seizure of Property; Equal Protection; Failure to Train/Prevent Violations of Law; Bane

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: [X] Yes [] No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE Jun 19, 2026 SIGNATURE OF ATTORNEY OF RECORD /s/ Michele A. McKenzie

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE