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August 5, 2019

VIA ELECTRONIC MAIL

Honorable Stacey Armarto
Mayor, City of Hermosa Beach
1315 Valley Drive
Hermosa Beach, CA 90254-3885

RE: **Formal complaint against the City of Hermosa Beach for police misconduct and conspiracy**

Dear Mayor Armato:

I am submitting a formal complaint against the City of Hermosa Beach for police misconduct and conspiracy in violating my rights as declared in Article I, Section 28 of the Constitution of California.

During my 2017 campaign for City Council, LT. Landon Phillips knowingly made false, incomplete and misleading statements in a October 18, 2017 Easy Reader article, which effectively ended my run for City Council, and seriously damaging my reputation in our community. His statement "*there was nothing wrong with the department's work in the case*" was a lie to cover up police misconduct.

Even with the refinements to the Public Records Request process from the Chris Miller "Standing Room" incident, I still have no records for nearly an eight-month period from March 16, 2014 to November 10, 2014, and neither the Police Department nor City Prosecutor's Office will discuss the details of my case. Court documents list SGT. Ramirez, OFC. McDermott and DET. Smith as witnesses, and I have not been provided the investigation report from DET. Smith.

The fact the City will not provide nor discuss the records of investigation from DET. Smith only further substantiates my allegation of police misconduct by the Hermosa Beach Police Department. If there "*was nothing wrong with the department's work in the case,*" then there should not be an issue of releasing the case file, and/or discussing the details of the case.

This is a stalking case, not a mutual combat case, and as in most stalking cases the victim is unaware of the stalking until it is too late. On March 15, 2014 at 6:15pm on a patio at Pier Plaza, Thomas "TJ" Powers stalked, ambushed and violent attack me in a premeditated orchestrated assault involving multiple people. This attack came without warning or provocation and began with a cowardly and dangerous sucker punch while I was seated, which was followed by a kill shot while I was down and defenseless. As a result of this attack I sustained permanent spinal injuries, and still endure chronic cervical and thoracic pain. Here is the video of Powers "in fear of his life, and acting in self-defense:" https://youtu.be/quHMaIMv_n0

Based on the evidence and circumstances of this case, the perpetrator's father Thomas F. Powers formerly of SFPD, contact Police Chief Papa regarding his son's felony PC 245(a)(4), and then she conspired with other police officers to report the felonious attack as a mutual combat fight, and then bury the case from prosecution. The motive for this conspiracy was to prevent revocation of Thomas "TJ" Powers' Real Estate License.

Over seven months after the attack, Councilman Fangary requested before City Council the Police Chief address this case along with three other cases. It was only then, the newly contracted Redondo Beach City Prosecutor's Office filed my case. However I was excluded from any investigation from the detectives and prosecutors. Additionally material video evidence was suppressed, and there was an arrangement for a summons in lieu of an arrest warrant for Powers. Also I was purposefully misled as to the original criminal charges, and the subsequent plea bargain. Finally and most importantly, I was denied my right to giving a victim impact statement at sentencing. Clearly Powers received preferential treatment as a cop's son.

There is overwhelming evidence to support my allegations, and justify an independent serious internal investigation in accordance with the OIR Group report, which followed the Chris Miller settlement. I am looking forward to the finding of the truth, clearing my name and reputation of all the malicious false allegations, and seeing justice done. I believe justice should be harsh, especially for those who denied it to others.

Fiat justitia,



Matt McCool

cc: Hermosa Beach City Council (via email)
Suja Lowenthal, Hermosa Beach City Manager (via email)
Michael Jenkins, Hermosa Beach City Attorney (via email)
Milton McKinnon, Hermosa Beach Acting Chief of Police (via email)
Hermosa Beach City Clerk (via email)