

## West Covina councilmember under LA County Sheriff investigation, officials said

West Covina's city manager said he has filed a police report concerning City Council member Tony Wu, accusing the elected official of threatening to punch him, according to city officials and filing documents.

The report was filed in February 2023 with the West Covina Police Department and was forwarded to officials with the Los Angeles County Sheriff's Department, who confirmed they have opened an investigation. It's unclear what criminal charges, if any, could result.

The investigation follows a series of complaints about Wu's behavior from members of city staff, including Human Resources documents alleging that Wu's verbal outbursts create a hostile work environment at City Hall.

Wu denies all of the allegations, saying he has not lost his temper nor raised his voice at members of city staff or others.

City Manager David Carmany said he'd filed the police report in the wake of several statements made by Wu during encounters with city staffers, including himself.

The filing comes on the heels of the city hiring an outside investigative firm to look into why an indigenous prayer program — discouraged by some City Council members, including Wu — was rejected for the city's February centennial.

"I have the responsibility to create a safe and functioning City Hall for our staff and community," Carmany said in a statement. "Following multiple, separate incidents involving councilman Tony Wu and City Staff — including myself — the city engaged a third-party investigator to determine the facts of the incidents. That investigation confirmed important details about incidents involving councilman Wu and has now resulted in the opening of a criminal investigation into the councilman's behavior."

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Officials with the West Covina Police Department denied the San Gabriel Valley Tribune's public records request for the report, citing a state exemption on personnel disclosure, but confirmed that because of conflict of interest concerns the case was forwarded to the Sheriff's Department.

Commander Joe Mendoza of the Sheriff's department confirmed that there was an ongoing investigation with the Sheriff's Major Crimes Division. Once this unit finishes its investigation, it will then be referred to the Justice System Integrity Division of the District Attorney's Office, which will decide whether to file any charges.

In a formal Human Resources department memorandum, dated March 29, 2022, Carmany alleged that Wu threatened physical violence during a meeting discussing upcoming city projects, including the Meritage Plaza West preliminary site plan.

"Regarding the (Meritage) site plan, in an angry tone, Councilmember Wu stated, 'I am going to punch you in the face,'" according to the memo, which included Carmany's reply that "workplace violence was unacceptable."

Ultimately, Carmany would file the police report based on the HR document. According to the document, Carmany also reported the incident to City Attorney Thomas Duarte.

Wu, in an interview with the San Gabriel Valley Tribune, said that this did not occur and added that it "isn't his style." He called into question the accuracy of Carmany's depiction of the incident because the city manager filed the police report more than a year after the alleged incident.

"(It) never happened," Wu said. "I'm a senior member and pretty calm ... I never get angry. No matter how they try to poke me — It's just business; It's nothing personal."

Carmany added city staffers are "fully cooperating with the investigation and also remaining independent from the investigation process to ensure the case is handled like any other case."

City Human Resources department memos detail additional encounters between staffers and Wu. Allegations date back at least a year and accuse Wu of creating a hostile workplace by using retaliatory verbal threats against city staffers.

In a second HR memorandum, dated Aug. 9, 2022, West Covina Fire Chief Vincent Capelle said Wu yelled at him in public during August's Badge Pinning Ceremony, held at Fire Department No. 2.

The city of West Covina invited State Sen. Josh Newman, D-West Covina, to attend the event and address the public. Newman accepted the invitation to attend but turned down the offer to formally address attendees.

According to the report, on the day of the event, Wu — who felt that the senator was not properly acknowledged — wanted to invite Newman to speak. According to Wu. But comments from the senator were not on the program, and the fire chief continued with the event as scheduled.

As the event concluded, the memorandum said that Wu pointed at Capelle in front of people attending the event and shouted, "Don't you ever (expletive) disrespect me again!" Wu allegedly continued to voice his frustration throughout the evening, the memo said.

Wu acknowledged that he was upset because he believed Newman was disrespected by the fire department and worried about the implications on the city's budget. Still, he denied shouting the statement.

According to the report, on the same night, Wu told Human Resources Director Helen Tran: "Why are we giving Fire anything if the chief does not listen? Stop hiring firefighters and cut the Fire Department budget."

Later that week, Carmany said he told Wu that the incident was causing a hostile work environment, Carmany said Wu said he "didn't give a damn," and insisted on firing Capelle. Wu denied saying this.

In an interview, Capelle said that the event highlighted years of retaliation from Wu that he believes began when he refused Wu's demand to halt the West Covina Firefighters Association from backing Colleen Rozatti for mayor in 2020.

Capelle added that he has submitted at least five formal HR complaints of retaliation.

Wu denied this, saying he and Capelle are friendly and treat one another with respect.

Former IT manager Shawn Granger said Wu has a "egregious" history of abusive behavior. While he never was the target of Wu's verbal outbursts, Granger said his staff consistently was. Turnover increased as a result, he said and Wu's actions are why he eventually left his position with the city.

Abe Amoudi, who worked under Granger from 2019-2021, said he and other IT team members facilitated the council's live broadcasts of meetings during the pandemic.

Under Wu's lead as mayor, he said the council was "unappreciative" of their work and "openly hostile" as

they publicly discredited their efforts and threatened to terminate the IT team completely.

The tension came to a head, Amoudi said, when he attempted to speak to Wu about equipment issues. A vendor cited to Amoudi that the equipment and set up was sound, and that the issue could be a user error. With the vendor present, Amoudi said he approached Wu who "exploded" and proceeded to demean him.

"He called me like an effing idiot," Amoudi recalled. "He said I should be ashamed of myself" and that he and others should be fired.

After a moment, Amoudi said Wu apologized but walked away before the tech issues could be reviewed.

Amoudi said he made a formal complaint but did not pursue the issue further. Ultimately, the environment was too overwhelming and he left his job, he said.

Wu said he does not recall Amoudi or this incident. He did recall technical issues with equipment but that it "isn't his agenda" to fire staff and deferred that to the city manager's office.

"We do not run the city," Wu said in an interview. "People always give me a lot of credit, but it's not my job to run the city."

He added that he always thanked the staff for their efforts despite faulty equipment, and never treated staff with disrespect.

Both Carmany and Wu were named in a recent lawsuit that accused both of forcing out a former city fire chief from his job.

On May 5, Larry Whithorn, a nearly 30-year veteran of the West Covina Fire Department, won a \$4.1 million jury verdict after he was fired in April 2019 due to age discrimination and retaliation for reporting a hostile work environment.

Wu and Planning Commissioner Glenn Kennedy allegedly started vocally pushing for Whithorn's firing more than a year before the fire chief received his actual termination letter, the lawsuit states.

Once Wu became part of the council majority in November 2018, Whithorn said he was asked repeatedly by certain councilmembers and the city's human resources director when he would be retiring. When

**FOR THE COMPLETE ARTICLE**

