

Sergeant sues LAPD for disciplining him for social-media posts made from Orange County home

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A sergeant is suing the Los Angeles Police Department and its chief for allegedly violating his right to free speech by disciplining him for off-duty social-media posts concerning gang violence in songs by the late rapper Nipsey Hussle and other issues.

Sgt. Joel Sydanmaa, a 24-year-LAPD veteran, says he was wrongly disciplined for expressing his opinions as a private citizen while off-duty on his personal social-media accounts about public issues, according to the suit filed Monday, Nov. 16.

An LAPD spokesman said the department does not comment on pending litigation.

According to the complaint, Sydanmaa was disciplined three times for separate posts on Hussle, the allegations of sexual assault against Supreme Court Justice Brett Kavanaugh, and how Japan deals with the practice of Islam. In separate proceedings, the department imposed a one-day suspension and official reprimands.

In each instance, Sydanmaa made clear online that he is speaking for himself, not the department, the suit states, and adds that he was posting on his own time from his Orange County home.

"Sgt. Sydanmaa's statements on the account were always and entirely his personal views, opinions, and comments, in his capacity as a private citizen, on matters of public concern," according to the 45-page lawsuit filed in Los Angeles federal court. "The Instagram account's home page contains a prominent disclaimer stating expressly that the statements and opinions expressed are solely his personal opinions, and not those of any government agency."

In his April 2019 post about Hussle – who was fatally shot a month earlier in South Los Angeles — Sydanmaa wrote that "the bottom line is that he chose the lifestyle that ultimately killed him and it wasn't the 'great guy' lifestyle that so many (people) are making it out to be now that he's gone."

The post drew more than 1,300 comments, many of them insulting Sydanmaa, according to the lawsuit.

One commenter wrote: "No wonder so many gangbangers want to kill y'all, y'all just shouldn't show up, for everyone's safety." Sydanmaa responded sarcastically: "Here's an idea. Next time you need help, call a Crip, not 911."

Sydanmaa was handed a one-day suspension.

"A public employee simply cannot be subjected to discipline or retaliation consistent with our Constitution, for the statement Sgt. Sydanmaa made about Nipsey Hussle," the suit contends. "The LAPD cannot take the position that expression of opinions praising Mr. Hussle is allowed, but expression of opinions criticizing Mr. Hussle is prohibited and subject to discipline. Yet that is exactly what the LAPD has done."

In a 2018 post, Sydanmaa summarized the public allegations made by three accusers that Kavanaugh had sexually assaulted one or more young women when in high school or college. Sydanmaa concluded by writing that "considering these circumstances, there's no way that Kavanaugh can be proven guilty. Sooooo?"

An anonymous person filed a complaint with the department, alleging that Sydanmaa was "actively engaging in the shaming of multiple women who came forward with allegations," the lawsuit states.

After a hearing, the department imposed an official reprimand, according to the suit.

Following the Nov. 13, 2015, terrorist attack in Paris carried out by the Islamic State group, Sydanmaa saw a post on Facebook that was being widely shared at the time about how Japan "keeps Islam at bay by putting restrictions on Islam and all Muslims." Sydanmaa reposted it on his own account, thinking it was worthy of further discussion, the suit states.

"He is not an expert on Japanese law or culture, but he knew that unlike many other countries, Japan has not been the target of radical Islamic terrorist attacks," the lawsuit says. "He hoped to engage in discussions about an issue of obvious grave public importance (and) re-posted the Japan post on his Instagram page."

Shortly after Sydanmaa's reposting, two employees of the Council on American-Islamic Relations wrote to then-LAPD Chief Charlie Beck, demanding that Beck "identify and discipline" the officer behind the Instagram account.