



County of Los Angeles

November 20, 2024

Dawyn R. Harrison  
County Counsel

**Board of Supervisors**

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Supervisor, First District


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Supervisor, Second District

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Supervisor, Third District

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Supervisor, Fourth District

Kathryn Barger  
Supervisor, Fifth District

TO: EDWARD YEN  
Executive Officer  
Board of Supervisors

FROM: TIMOTHY J. KRAL   
Acting Assistant County Counsel  
Justice and Safety Division

RE: **Item for the Board of Supervisors' Agenda  
County Contract Cities Liability Trust Fund  
Claims Board Recommendation  
Gamboa, Abraham, et al. v. County of Los Angeles, et al.  
United States District Court Case No. 2:23-CV-02654**



Attached is the Agenda entry for the Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation in the above-referenced matter. Also attached is the Case Summary and the Summary Corrective Action Plan for the case.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

TJK:sr

Attachment

Board Agenda

MISCELLANEOUS COMMUNICATIONS

**Settlement for Matter Entitled Gamboa, Abraham, et al. v. County of Los Angeles, et al. United States District Court Case No. 2:23-CV-02654.**

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation: Authorized Settlement of the matter entitled **Gamboa, Abraham, et al. v. County of Los Angeles, et al. United States District Court Case No. 2:23-CV-02654** in the amount of \$500,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department Contract Cities Trust Fund's budget.

This lawsuit concerns allegations of false arrest, wrongful death, unlawful detention, and denial of medical care and due process involving Sheriff's Deputies.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Abraham Gamboa v. County of Los Angeles, et al.
CASE NUMBER	2:23-CV-02654
COURT	United States District Court
DATE FILED	April 7, 2023
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 500,000
ATTORNEY FOR PLAINTIFF	Dale K. Galipo, Esq. Law Offices of Dale K. Galipo
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$500,000, inclusive of attorneys' fees and costs, a federal civil rights lawsuit filed by the five adult children of decedent Alvaro Gamboa. Mr. Gamboa was being detained by Los Angeles Sheriff's Department Deputies when Joana Lomeli drove a Chevy Suburban into Mr. Gamboa and a Deputy, killing Mr. Gamboa almost immediately and injuring the Deputy.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case in the amount of \$500,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 62,159
PAID COSTS, TO DATE	\$ 3,487



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	January 19, 2022, approximately 11:15 p.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;">Summary Corrective Action Plan 2023-145</p> <p><b>Details in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.</b></p> <p>Based on the multiple investigative reports, on January 19, 2022, at approximately 11:15 pm, Deputy One (Field Training Officer) and Deputy Two (Patrol Trainee), were assigned to patrol driving a marked patrol vehicle.</p> <p>While driving east, Deputy One and Deputy Two observed a female (Decedent's Girlfriend) and the Decedent fighting (the Decedent punching his girlfriend) in a parking lot. The Deputies drove into the parking lot to detain/investigate a possible domestic violence incident.</p> <p>As Deputies One and Two approached, the Decedent's Girlfriend, she entered the driver's seat of a green Chevy, Suburban as the Decedent held onto the driver's side door. Deputy One and Deputy Two gave both the Decedent and his girlfriend verbal orders to separate.</p> <p>Deputy One approached the Decedent and observed the Decedent was holding a knife in his right hand. Deputy One ordered him to drop the knife, and he complied. Deputy One controlled the Decedent's arms to detain him and escorted him back to the patrol vehicle.</p> <p>The Decedent's girlfriend remained in the vehicle with the engine on. Deputy Two approached the Suburban, tapped on the window with his flashlight, and told the female to turn off the car and step out. The Decedent's girlfriend did not comply with Deputy Two's commands. The Decedent's girlfriend then drove east towards the far end of the parking lot. She made a U-turn, and stopped with the vehicle facing towards the Deputies, the patrol vehicle, and the Decedent. Deputy One handcuffed the Decedent and told Deputy Two to conduct a pat-down search.</p> <p>Deputy One walked towards the Suburban to contact the Decedent's girlfriend when she suddenly accelerated the vehicle towards Deputy One who was able to move out of the way. Deputy One yelled to Deputy Two "Watch out!" as the female crashed her vehicle into the patrol vehicle.</p> <p>Deputy Two was able to dive out of the way; however, the Suburban still clipped his knee. The Suburban struck the Decedent directly which caused him to immediately fall to the ground.</p>

	<p>Deputy One yelled for Deputy Two to move the Decedent out of the way as the Decedent's girlfriend placed her vehicle into reverse. As the Decedent's girlfriend reversed her Suburban, she almost struck the Decedent and Deputy Two again.</p> <p>The Decedent's girlfriend then drove out of the parking lot and was involved in a vehicle pursuit. She was later taken into custody a short time later without incident.</p> <p>Deputy Two administered life-saving efforts to the Decedent until the Los Angeles County Fire Department arrived. Decedent succumbed to his injuries and was pronounced deceased at the scene by the Los Angeles County Fire Department.</p> <p>Deputy Two was transported to the hospital for further medical treatment. He was treated and later released from the hospital. Deputy One was not injured during this incident.</p> <p>The case was filed under Pomona Superior Court case number KA129387. The Decedent's girlfriend was held to answer on the filed charges of Penal Code 187(a)-Murder; of the Decedent, two counts of Penal Code 664/187- Attempted Murder (Los Angeles County Sheriff's Deputies), and a violation of Vehicle Code 2002(a)-hit and run (of an additional vehicle located at the crime scene).</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

A **Department** root cause in this incident was Deputies One and Two's failure to detain the female suspect.

A **non-Department** root cause in this incident was the female suspect willfully drove her vehicle into both the Decedent and Deputy Two, which killed the Decedent and injured Deputy Two.

2. Briefly describe recommended corrective actions:

(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

**Tactical Debriefing**

This incident was critically debriefed with the involved deputy sheriffs regarding the events known at the time. Special focus was placed on officer safety, tactical preparedness, and lessons learned to assist employees if they ever find themselves in a similar situation.

**Department and Station Level Briefings**

The Department's Field Operations Support Services (FOSS) issued a Department-wide email regarding Seated and Backseat Investigations and Detentions. This topic was also included and discussed during the station's shift briefings.


The involved deputies received training pertaining to the circumstances surround this incident.

3. Are the corrective actions addressing Department-wide system issues?


- Yes – The corrective actions address Department-wide system issues.  
 No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)  Julia Valdes, A/Captain Risk Management Bureau	
Signature:  	Date:  10/11/2024

Name: (Department Head)  Myron Johnson, Assistant Sheriff Patrol Operations	
Signature:  	Date:  10/12/24

<b>Chief Executive Office Risk Management Inspector General USE ONLY</b>  Are the corrective actions applicable to other departments within the County?  <input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability. <input checked="" type="checkbox"/> No, the corrective actions are applicable only to this Department.
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Name: Betty Karmirlian (Acting Risk Management Inspector General)	
Signature:  	Date:  10/18/2024