



County of Los Angeles

April 15, 2025

Dawyn R. Harrison  
County Counsel

**Board of Supervisors**

Hilda L. Solis  
Supervisor, First District

Holly Mitchell  
Supervisor, Second District

Lindsey P. Horvath  
Supervisor, Third District

Janice Hahn  
Supervisor, Fourth District

Kathryn Barger  
Supervisor, Fifth District

TO: EDWARD YEN  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: ADRIENNE M. BYERS  
Litigation Cost Manager

RE: **Item for the Board of Supervisors' Agenda  
County Claims Board Recommendation  
Alma Cervantes v. County of Los Angeles, et al.  
United States District Court Case No. 2:22-cv-07764**



Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and Summary Corrective Action Plan to be made available to the public.

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

AMB:lzs

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Alma Cervantes v. County of Los Angeles, et al., United States District Court Case No. 2:22-cv-07764, in the amount of \$300,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This federal civil rights lawsuit resulted from Plaintiff's arrest by Sheriff's Department deputies.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Alma Cervantes v. County of Los Angeles, et al.
CASE NUMBER	2:22-cv-07764
COURT	United States District Court
DATE FILED	October 25, 2022
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 300,000
ATTORNEY FOR PLAINTIFF	Daniel C. Sharpe, Esq. Windsor Troy
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$300,000, inclusive of attorney's fees and costs, a federal civil rights lawsuit filed by Alma Cervantes following her arrest by Los Angeles Sheriff's Department Deputies.</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 \$300,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 175,824
PAID COSTS, TO DATE	\$ 29,343



## 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 18, 2022
Briefly provide a description of the incident/event:	<p style="text-align: center;">Summary Corrective Action Plan 2023-135</p> <p>On January 18, 2022, at approximately 6:00 a.m., a vehicle was stolen from a gas station in Industry Station's jurisdiction. The responding deputy obtained a description of the suspect from surveillance footage, along with a description of the vehicle. The suspect was described as a female, wearing a black hooded sweater, a dark gray sweater, gray pants, and carrying a black backpack. Additionally, a witness saw the vehicle drive into a nearby parking lot where two males entered the car.</p> <p>Later that morning, Deputy One saw the stolen vehicle driving westbound. Deputy One initially lost sight of the vehicle, before relocating it parked at a nearby 7-Eleven. There was no one in the vehicle, and he did not see anyone exit the car.</p> <p>As Deputy One was "recovering" the vehicle, Deputies Two and Three drove by and offered to help. While Deputies Two and Three continued to process the car, Deputy One entered the 7-Eleven to view surveillance footage.</p> <p>The footage showed the driver (suspect) of the stolen car to be a female wearing a dark hooded jacket, light-colored jeans, and dark shoes. She was not carrying a backpack. The suspect also removed her jacket inside the store to reveal a short-sleeved shirt with jersey digits on the back and writing on the front. She was determined to have light-colored hair.</p> <p>The suspect was accompanied by a male wearing a baseball cap, light-colored jeans, dark jacket, dark shoes, with no facial hair. He was carrying a large backpack. The suspect was approximately 5 feet tall and 120 pounds. The male passenger was approximately 6 feet tall and 240 pounds.</p> <p>Due to poor quality video and buffering issues during playback, Deputy One only watched a portion of the video.</p> <p>After approximately 15 minutes, Deputies Two and Three saw a male and a female near a street corner who matched the general physical description of the suspect. They sent a picture via text message to Deputy One who was inside 7-Eleven, as they thought she could be the suspect. Deputy One asked Deputies Two and Three to detain them.</p> <p>The Plaintiff was wearing a long-sleeved shirt and black pants with a backpack. The male she was with was wearing a hat, black pants, a black shirt and had facial hair.</p>

	<p>Deputies Two and Three subsequently detained the Plaintiff and the male. While the Plaintiff was cooperative, the male smelled of alcohol and was hostile toward the deputies and kept calling them “bitches.” Deputy Two handcuffed the Plaintiff and placed her in the back of their patrol car. She then assisted Deputy Three in handcuffing the male. Deputies Two and Three were joined by Deputy Four. The male was placed in the back of Deputy Four’s patrol vehicle.</p> <p>Deputy One arrived and began to question Plaintiff about her whereabouts that morning. She stated she was at a nearby car audio shop where she left her daughter’s car and offered to show a receipt as proof. Incident to arrest, Deputy Four searched the Plaintiff’s purse and located a set of Toyota car keys and a receipt. The keys appeared to be “shaven” and were consistent with the type of keys commonly used to steal vehicles.</p> <p>Deputy One asked the Plaintiff about the keys for which she mistakenly denied ownership. Although the keys were later determined to belong to her husband, her initial denial aroused the suspicion of Deputy One. Deputy One subsequently questioned the male who also said they had been at a car audio shop and offered the receipt in Plaintiff’s purse as proof.</p> <p>Deputy One arrested the Plaintiff in violation of California Penal Code Section 487(D)(1), Grand Theft Auto based on several factors:</p> <ol style="list-style-type: none"><li>1) The Plaintiff and the male being near the 7-Eleven and the stolen vehicle.</li><li>2) He believed the Plaintiff and the male matched the description to the persons seen in the video.</li><li>3) The video showed a female exiting from the driver’s door of the stolen vehicle.</li></ol> <p>Deputy One did not investigate the receipt or Plaintiff’s alibi further. It was unclear if Deputy One tested the “shaved” keys in the stolen vehicle. The receipt was left in the Plaintiff’s purse and never booked into evidence.</p> <p>Deputies Two and Three transported the Plaintiff to Industry Station where she was booked and released with a citation later that day. The male was not charged with a crime and released at the scene.</p> <p>The following day, Deputy One and a station detective separately viewed the 7-Eleven surveillance video on video monitors inside Industry Station. It was apparent that the Plaintiff was not the suspect depicted in the video. That same day, the detective called the Plaintiff and asked her to return to the station. He issued her a Certificate of Release/Clearance Letter pursuant to California Penal Code Section 849(b)(1).</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

A **Department** root cause of this incident was Deputy One erroneously arrested the Plaintiff for possession of a stolen vehicle.

A **Department** root cause of this incident was Deputy One did not conduct a thorough investigation and ignored potentially exculpatory evidence.

A **Department** root cause of this incident was Deputies Two and Three were not wearing their Department-issued body-worn cameras at the time of the incident.

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

**Administrative Investigation**

The incident was investigated by Industry Station supervisors to determine if any criminal or administrative misconduct occurred. Appropriate administrative action was taken.

**Involved Personnel Training**

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

**Constitutional Policing Briefings**

Industry Station supervisors have conducted briefings with personnel from all shifts to discuss issues related to the 4<sup>th</sup> and 14<sup>th</sup> Amendment rights of individuals, and to refresh their understanding of report writing, detention, and lawful arrest.

**Body-Worn Camera (BWC)**

From June to Sept 2022, Industry Station supervisors conducted briefings with personnel from all shifts regarding Manual of Policy and Procedures Section 3-016/200.08 Body Worn Cameras, to remind personnel of the Department's expectations concerning the use and activation of Department-issued body-worn cameras

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:

01/14/2025

Name: (Department Head) <b>Myron Johnson, Assistant Sheriff Patrol Operations</b>	
Signature: 	Date: <i>1/28/25</i>

**Chief Executive Office Risk Management Inspector General USE ONLY**

Are the corrective actions applicable to other departments within the County?

- Yes, the corrective actions potentially have County-wide applicability.
- No, the corrective actions are applicable only to this Department.

Name: Betty Karmirlian (Acting Risk Management Inspector General)	
Signature: <i>Betty Karmirlian</i>	Date: 1/28/2025