



County of Los Angeles

July 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

A handwritten signature in blue ink, appearing to read 'AMB', is placed next to the name 'ADRIENNE M. BYERS'.

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Alexander Torres v. County of Los Angeles, et al.
United States District Court Case No. 2:22-cv-07450



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 Plans to be made available to the public.

It is requested that this recommendation, Case Summary, and Summary Corrective Action Plans 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 Alexander Torres v. County of Los Angeles, et al., United States District Court Case No. 2:22-cv-07450, in the amount of \$14,000,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's and District Attorney's Office's budgets.

This federal civil rights lawsuit against the Sheriff's Department and District Attorney's Office arises from the alleged wrongful conviction that resulted in Plaintiff's imprisonment for 20 years.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Alexander Torres v. County of Los Angeles, et al
CASE NUMBER	2:22-CV-07450
COURT	United States District Court
DATE FILED	November 1, 2022
COUNTY DEPARTMENT	Sheriff's & District Attorney
PROPOSED SETTLEMENT AMOUNT	\$ 14,000,000
ATTORNEY FOR PLAINTIFF	Loevy & Loevy
COUNTY COUNSEL ATTORNEY	Minas Samuelian Senior Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$14,000,000 inclusive of attorneys' fees and costs, a lawsuit filed by Alexander Torres, for his alleged wrongful conviction.</p> <p>Given the high 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 \$14,000,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 553,727
PAID COSTS, TO DATE	\$ 169,095



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:	December 31, 2020
Briefly provide a description of the incident/event:	<p>Summary Corrective Action Plan 2024-206</p> <p>Based on multiple investigative reports, on Sunday, December 31, 2000, at approximately 7:19 p.m., the Decedent and Witness One were riding their bicycles northbound. As they were riding their bicycles, a late model, blue vehicle, traveling north on the same street, pulled up alongside them. The suspect exited the passenger side door of the blue vehicle and confronted the Decedent. The suspect asked the Decedent if he was "Casper" several times. The Decedent informed the suspect he was not "Casper." The suspect then began shooting at the Decedent. The Decedent attempted to run from the suspect but collapsed in a residential yard on the west side of the street. The suspect re-entered the blue vehicle and traveled down the street and out of view.</p> <p>Los Angeles County Fire Rescue responded and transported the Decedent to a Medical Center, where he was pronounced deceased.</p> <p>Homicide Investigators were dispatched to the crime scene on the night of the shooting and assumed investigative responsibility for the murder of the Decedent.</p> <p>Witness One stated that the Decedent was from a gang. He informed the Investigators the Decedent told him a male from a different gang wanted to kill him three days prior to the murder.</p> <p>The Plaintiff was identified as a suspect, primarily based on testimonies from key eyewitnesses, including Witnesses One and Two, who had conflicting accounts and identifications as to who the shooter was. These identifications were later disputed.</p> <p>The Plaintiff was arrested on January 18, 2001, after a series of interrogations by Homicide Investigators, a failed</p>

	<p>polygraph test, and the Plaintiff's inability to provide a consistent alibi. The Plaintiff was found guilty of second-degree murder on June 12, 2001, for the murder of the Decedent. He was sentenced to 40 years to life in state prison.</p> <p>Years later, new information emerged which alleged a third party, not the Plaintiff, might have been responsible for the murder. This led to the Plaintiff's exoneration on October 19, 2021, when the Los Angeles County District Attorney's Office and the Plaintiff filed a Joint Motion for a Finding of Factual Innocence. The petition was granted, and the Plaintiff's conviction was vacated.</p> <p>Below are the key and critical issues identified during the investigation.</p> <p>A key eyewitness provided conflicting statements during the investigation which raised questions about the reliability of his testimony.</p> <p>It was alleged that the Homicide Investigator's methods of conducting photo arrays with witnesses of the Plaintiff were deemed to be suggestive.</p> <p>The Homicide Investigators did not properly separate witnesses during their respective interviews during the identification process, allowing for potential influence between witnesses.</p> <p>It was alleged that the Homicide Investigators ignored critical details in their reports regarding eyewitness testimonies.</p> <p>It was alleged that the Homicide Investigators failed to disclose potentially exculpatory evidence that could have supported the Plaintiff's defense. It was also alleged that the Homicide Investigators' notebooks contained information about potential alternative suspects and omitted evidence which related to Witness One's misidentification of a purported driver of the getaway car.</p> <p>Homicide Investigators One and Two testified during their depositions that it was their practice to turn over their notebooks to the prosecutor and defense counsel. The former Deputy District Attorney who prosecuted the case, testified that he would have turned over to the defense all files and notebooks provided to him.</p>
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	<p>However, neither the District Attorney's file nor the LASD records contain proof that the disputed files and documents were turned over.</p> <p>It was alleged that Homicide Investigators One and Two ignored new information after the conviction of the Plaintiff that pointed to another suspect. The new information pointed to a third party as the actual shooter. This information was provided to a private investigator hired by the Plaintiff's brother.</p> <p>However, during the deposition, the Plaintiff's brother testified that the private investigator was not told the alleged third party was the shooter.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

A **Department** root cause in this incident was the Homicide Investigators' alleged misrepresentation of statements made by witnesses in their supplemental reports.

A **Department** root cause in this incident was the improper identification procedures conducted by both Homicide Investigators.

A **Department** root cause in this incident was the inability of current Homicide Investigators to confirm whether exculpatory evidence, such as files related to potential suspects, detectives' notebooks, and recordings of witness interviews, was ever disclosed to the District Attorney's Office during the initial court proceedings. Due to the absence of clear records, investigators were unable to definitively determine if this material had been turned over or withheld.

A **Department** root cause in this incident was the Homicide Investigators' failure to follow proper investigative protocols regarding evidence and witness interviews.

A **Department** root cause in this incident was the Homicide Investigators' failure to investigate information regarding alternative suspects.

A **non-Department** root cause in this incident was Witness One's failure to be forthcoming with the Homicide Investigators when he was first interviewed.

2. Briefly describe recommended corrective actions:

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

Policies Related to Investigations

Multiple policies have since been published which address the following topics: Suspect identification procedures, responsibility for documentation, recording admonishment to witness arrays, retention of "raw" victim/witness interview notes and recordings. New and revised policies are briefed to Department personnel.

Additionally, Homicide Bureau utilizes Evidence.com to store and provide discovery to the district attorney's office. Evidence.com has been in use since 2020. As an added layer of oversight, Homicide Bureau is currently in the process of creating a checklist to memorialize and standardize all homicide discovery evidence shared with the District Attorney's Office.

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 M. Valdes, Acting Captain
Risk Management Bureau

Signature:



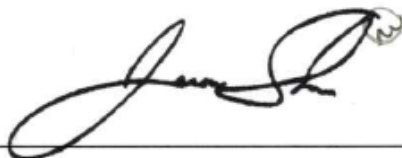
Date:

5/14/25

Name: (Department Head)

Jason A. Skeen, Assistant Sheriff
Countywide Operations

Signature:



Date:

5/21/25

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 (Risk Management Inspector General)

Signature:



Date:

5/21/2025



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:	2000 to 2021
Briefly provide a description of the incident/event:	In 2021, following a thorough investigation, Plaintiff and the Los Angeles District Attorney's Conviction Integrity Unit jointly filed a habeas corpus petition to vacate Plaintiff's murder conviction. On October 19, 2021, the court ruled that the new evidence undermined the prosecution's case and strongly supported Plaintiff's innocence, leading to his release from state prison that same day. The District Attorney's Office chose not to re-prosecute. Based on the preponderance of evidence, a motion was filed under section 1485.55(b) requesting the court to issue a finding of factual innocence.

1. Briefly describe the **root cause(s)** of the claim/lawsuit:

The corrective action plan addresses several root causes related to documentation, staffing, and communication. First, there was a lack of adequate records documenting what evidence was provided to the defense and what was received by law enforcement, leading to gaps in the evidentiary chain. Additionally, delays in case review were attributed to insufficient staffing and the high volume of referrals within the Conviction Review Unit. Lastly, the language used in the Joint Motion for a Finding of Factual Innocence deviated from standard phrasing, which implied that the prosecution was unwarranted.

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

A) *Lack of records to show what evidence was produced to the defense.*

It is essential to maintain a detailed log of all evidence shared with defense counsel, ensuring it is appropriately documented and retained in the file. While the approach to discovery may vary by case, the department will provide training on Bates stamping discovery materials, requiring signed proof of discovery for discovery turned over subsequent to filing and/or put the disclosure of discovery on the record in open court and will emphasize the importance of keeping accurate records of all evidence provided to the defense.

B) *Lack of records to show what evidence was received by law enforcement.*

Maintaining a comprehensive log of all evidence received from law enforcement agencies is essential, and we must periodically compare this log with the records from law enforcement to ensure accuracy. Since 2020, nearly all law enforcement agencies in Los Angeles County use Evidence.com, which stores and tracks digital evidence. This system makes digital evidence tracking highly accurate. An audit trail is created that shows when evidence was uploaded or accessed. In addition, DDAs need to fully document all actions, including discovery, in a case in the confidential "Attorney Notes" section of case files.

C) *Delay in reviewing the case caused by staffing numbers within the Conviction Review Unit (CRU) and the vast number of referrals that need to be screened.*

In 2017, the Conviction Review Unit was staffed by only a few Deputy District Attorneys (DDAs), yet they received a large volume of submissions. Although many of these cases would prove to be meritless, thousands of pages, trial transcripts, audio and video evidence needs to be reviewed before coming to that conclusion. Cases were addressed in the order that investigators and attorneys became available. Plaintiff's case was not assigned to a DDA until June 2020.

It is important to note that the Conviction Review Unit (CRU) is not statutorily mandated but created at the will of the District Attorney. The work is important but when the office is unable to fulfill its core mission because of staffing shortages, the office cannot spare attorneys to work within the unit. The unit currently has more attorneys and investigators than many special units within the office. In spite of this, staffing of both attorneys and investigators has increased since 2017.

D) *The language in the Joint Motion for a Finding of Factual Innocence deviated from standard phrasing and implied that the prosecution against Plaintiff was unwarranted.*

A critical part of the LADA mission is ensuring the integrity of criminal convictions. The LADA has a comprehensive post-conviction review policy and commits significant resources to reviewing criminal convictions. The LADA's Office has multiple divisions/units dedicated to post conviction review. These include Post-Conviction Review and Discovery under which falls the Resentencing unit and the Murder Resentencing unit, Writs and Appeals Division and the Conviction Review Unit. The mission of the office is to ensure the integrity of convictions and to review cases to ensure that the defendant had a fair trial and that defendants eligible for relief from a change in the law receive that relief.

The Chief Deputy for the prior administration's letter to the court without CRU approval regarding allowing Plaintiff to be released prior to the final determination was unorthodox but not in violation of office policy. The verbiage used in the joint stipulation was misleading as phrased and not standard language. All future motions from CRU will require review by County Counsel and approval from the District Attorney. Motions submitted to the District Attorney for approval

typically require prior approval from a Head Deputy, Bureau Director, and Assistant District Attorney. This practice is now standard under the new administration.

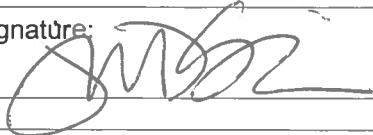
3. Are the corrective actions addressing department-wide system issues?

☒ Yes – The corrective actions address department-wide system issues.

No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)
Julie Dixon Silva

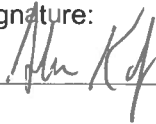
Signature:



Date:
05/19/2025

Name: (Department Head)

Signature:



Date:

5/20/2025

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: (Risk Management Inspector General)
Betty Karmirlian

Signature:



Date:
5/20/25