



County of Los Angeles

April 30, 2026

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: LILIANA CAMPOS  
Litigation Cost Manager

RE: **Item for the Board of Supervisors' Agenda  
County Claims Board Recommendation  
Micheaux Fortson v. County of Los Angeles, et al.  
United States District Court, Case No. 2:24-CV-04167  
(05/19/26)**



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.

LC:tf

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Micheaux Fortson v. County of Los Angeles, et al., United States District Court, Case No. 2:24-CV-04167, in the amount of \$150,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This federal lawsuit arises from the alleged unlawful detention, unreasonable search, and excessive force by Los Angeles County Sheriff's Department Deputies.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Micheaux Fortson v. County of Los Angeles, Robert Luna, et al.
CASE NUMBER	2:24-CV-04167-DDP (PDx)
COURT	United States District Court
DATE FILED	October 15, 2021
COUNTY DEPARTMENT	Sherriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 150,000
ATTORNEY FOR PLAINTIFF	KATE K. MCFARLANE Law Office of Kate McFarlane  OLU K. ORANGE Orange Law Offices
COUNTY COUNSEL ATTORNEY	JAMIE LOPEZ Deputy County Counsel Justice and Safety Division  THOMAS HURRELL Hurrell Cantrall LLP
NATURE OF CASE	<p>This is a recommendation to settle for \$150,000, inclusive of attorneys' fees and costs, this federal civil rights lawsuit filed by Micheaux Fortson, (Plaintiff) against the County, Deputies Justin Sabatine and Christopher Quiñones, Detective Gabriela Vidrio, and Sheriff Robert Luna, alleging unlawful detention, unreasonable search, excessive force, conspiracy to violate civil rights, and <i>Monell</i> liability arising out of Plaintiff's detention and arrest.</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 \$150,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 90,479
PAID COSTS, TO DATE	\$ 112



## 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:	October 15, 2021
Briefly provide a description of the incident/event:	<p style="text-align: center;"><b>Summary Corrective Action Plan 2025-271</b></p> <p>Based on multiple investigative reports, on October 15, 2021, at approximately 0340 hours, Deputies One and Two were conducting a patrol check of the "Best Western" hotel parking lot, a high-crime area. During the patrol check, the deputies saw the Plaintiff walking away from the area. When the Plaintiff saw the deputies, he increased his walking pace and acted evasively. During this time, both deputies briefly lost sight of the Plaintiff.</p> <p>Shortly thereafter, Deputies One and Two saw the Plaintiff jaywalking across a boulevard and quickly walked through the shopping center parking lot. Deputies One and Two detained the Plaintiff for Jaywalking, a violation of California Vehicle Code Section - 21954(a).</p> <p>Deputy One observed the Plaintiff was wearing a fanny pack across his chest and walking fast. He asked the Plaintiff to stop. When the Plaintiff stopped, he bladed his body in such a manner that the fanny pack was across his chest and no longer visible to Deputy One. Deputy One, having prior knowledge that firearms are commonly concealed in similar style bags, approached the Plaintiff defensively with his firearm drawn until he could safely contact and control the Plaintiff's hands. Once Deputy One had control of the Plaintiff's hands and Deputy Two was nearby, Deputy One holstered his firearm. While controlling the Plaintiff's hands and wrists, Deputy One asked him if he had a firearm in his bag. The Plaintiff nodded yes so Deputy One handcuffed him; the Plaintiff did not resist.</p> <p>During a search of the Plaintiff's bag, a loaded .40 caliber Smith &amp; Wesson semi-automatic firearm was discovered; the firearm was not registered.</p>

	<p>Using Department resources, the deputies discovered the Plaintiff was on active probation with search conditions and had six previous felony convictions. As a result, the Plaintiff was illegally in possession of the firearm. The deputies arrested him and documented their actions and findings. On October 15, 2021, Acting Watch Sergeant One, approved the completed report.</p> <p>An arrest review (probable cause declaration) was submitted to the shift watch commander to ensure probable cause existed to arrest the Plaintiff. The watch commander approved the arrest and electronically submitted it for review and approval by a magistrate/judge. The arrest was reviewed and approved by a judge on October 15, 2021.</p> <p>On October 19, 2021, the case was filed at the Los Angeles County District Attorney's Office.</p> <p>On June 24, 2022, the Plaintiff filed a motion to suppress the weapon at his preliminary hearing in court. The magistrate judge granted the Plaintiff's motion and found Deputy One lacked reasonable suspicion to believe the Plaintiff was armed.</p> <p>The magistrate judge further ruled the Plaintiff's detention, including the immediate drawing and pointing of the deputies' weapon, was unreasonable in the context of jaywalking and the stop for jaywalking was "pretextual".</p> <p>After the magistrate judge granted the Plaintiff's motion to suppress the weapon, the prosecution conceded it could not proceed without the suppressed evidence and the criminal complaint against the Plaintiff was dismissed.</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 reliance on the totality of circumstances (e.g., high-crime area, early morning hours, plaintiff's bladed posture) as the primary justification for an investigative detention, based on case law *Terry v. Ohio* and *Illinois v. Wardlow*.

A **Department** root cause in this incident was Deputies One and Two pointed their Department firearm at the Plaintiff for Jaywalking, which questioned whether the circumstances met the evolving legal threshold for such a display of force.

A **Department** root cause in this incident was Deputy One and Two did not charge the Plaintiff with the initial violation of Jaywalking, a violation of California Vehicle Code Section-21954 (a).

A **non-Department** root cause in this incident was the Plaintiff's behavior, including his evasive actions, concealment of the fanny pack, and his verbal/non-verbal acknowledgment of a firearm during the encounter; this significantly contributed to the deputies' perception of threat and subsequent decision to conduct a search.

A **non-Department** root cause in this incident was the Plaintiff's unlawful possession of a loaded and unregistered firearm while on active probation with search conditions, a clear violation of both probation terms and California penal statutes.

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

**Station Personnel Training:**

The station supervisors continue to brief station personnel regarding legal update summarizing *Illinois v. Wardlow*, *Terry v. Ohio*, and the more recent California appellate rulings that limit the scope of reasonable suspicion, provide deputies refresher training on verbal and non-verbal cues during investigative stops, with emphasis on obtaining voluntary and clearly articulated admissions or acknowledgments (e.g., nodding vs. verbal response).

All involved personnel attended training directly pertaining to this incident.

**Department Manual Policy and Procedures- 3-10/038.00 - Reportable Use of Force in Force Categories:**


The Department implemented a new policy which deemed pointing firearms at persons as reportable force.


For Pointed Firearm at Person (PFP) incidents, Department members will verbally notify their supervisor as soon and as safely, possible. Unless otherwise specifically directed by the watch commander/supervising lieutenant, Department members shall complete an electronic Pointed Firearm at Person (PFP) report prior to the member going off duty.

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)	
Tri Hoang, Captain Risk Management Bureau	
Signature: 	Date: 2.11.26

Name: (Department Head)	
Yolanda Figueroa, Chief Central Patrol Division	
Signature: 	Date: 2/18/2026

**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: 2/19/26