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L.A. County Sheriff's Department looks into misconduct allegations

A woman, whose drug case was dismissed last week, accuses deputies of lying about her arrest and seeking to have her prosecuted in retaliation for her filing a complaint against them.

By Richard Winton, Los Angeles Times

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The Los Angeles County Sheriff's Department is investigating allegations of misconduct by deputies involved in a drug case that was dismissed last week after records appeared to contradict their account of a drug possession arrest.

Prosecutors said the inconsistencies prompted them to drop a felony charge Wednesday against Tatiana Anjuli Lopez, 26. Lopez's attorney filed court records accusing the deputies of lying about her arrest and seeking to have her prosecuted in retaliation for her filing a complaint against them.

Lopez and her fiancé were arrested in Downey on Oct. 7 on suspicion of being under the influence of drugs.

In an arrest report, Deputy Francisco Enriquez said he drove Lopez in his patrol car to the department's Century Station in Lynwood. When she got out of his car, Enriquez wrote, he noticed a plastic bag containing nine bags of methamphetamine on the floor near where Lopez had been sitting.

But radio communications show that a different deputy told dispatchers that he was transporting Lopez to the station, according to court documents filed by Lopez's attorney, Thomas E. Beck.

"The crime report was deliberately falsified," Beck said. "The whole case was fabricated against my client."

The district attorney's office initially declined to file charges against Lopez, concluding that there was not enough evidence. But prosecutors later charged her with possession for sale of a controlled substance after deputies wrote new reports that provided more details about the night of the arrest.

Those reports were written Nov. 17, a day after Beck said he and Lopez met with a sheriff's lieutenant to discuss a misconduct complaint she had filed against the deputies.

"It was blatant retaliation," Beck said. "They circled the wagons to cover up the behavior."

Sheriff's Chief William McSweeney, who heads the detective division, said a preliminary review conducted several months ago found no dishonesty by the deputies.

McSweeney said the deputy who contacted dispatchers about transporting Lopez did so on behalf of Enriquez as they drove in patrol cars to the station. The chief also disputed the allegation that deputies retaliated against Lopez, saying the additional reports were written after a prosecutor told sheriff's officials he needed more details about the drug arrest before he could file charges.

Nonetheless, he said the department would investigate the details of the arrest but warned against jumping to conclusions.

"From what we currently know, our deputies acted honorably," McSweeney said. "Accusations from defense attorneys are part of the law enforcement environment."

Michael Gennaco, chief attorney in the sheriff's Office of Independent Review, which oversees discipline of deputies, said the department was opening an internal affairs investigation.

"We'll move forward in an aggressive way to get to the bottom of it," he said.

Mark Ashen, the deputy in charge of the district attorney's Downey

area office, said he plans to review the case to determine whether it should be referred to the district attorney's division that handles criminal prosecutions of police officers.

"There seems to be an inconsistency there," he said, "but as to whether it was intentional or not or what the circumstances are, we don't know at this point."

Lopez was a student at Cerritos College and had no criminal record when she was arrested.

Her fiancé, Miguel Amarillas, 27, who said he once associated with a gang, was twice incarcerated, the first time for robbery in 2000 and the second for assault in 2007, according to prison records. He worked checking cables on oil rigs for a company in Long Beach.

On the evening of their arrest, Lopez and Amarillas were driving to her parents' house in South Gate to pick up her 5-year-old son when they stopped for gas near their home in Downey. Lopez said deputies suddenly appeared in two patrol cars and ordered them out.

Enriquez, who was assigned to a narcotics strike team, wrote in his report that he stopped the pair after seeing Amarillas' gold 1993 Lexus driving dangerously on Imperial Highway.

Enriquez said he spoke to the couple and noticed that Lopez was speaking rapidly and sweating, even though the night was cool. He suspected that she and Amarillas were on drugs, and the couple were taken to the sheriff's station in separate patrol cars.

After he dropped Lopez off, Enriquez wrote, he and other deputies searched the couple's home, where he found another bag with drugs in a bedroom dresser. The bag, he wrote, contained the same distinctive insignia as the bags found in the patrol car.

Enriquez said he gave Lopez and Amarillas a chance to provide a urine sample for a drug test, but they refused.

Lopez and Amarillas tell a very different story.

The couple said they were never asked to take a urine test and that they had not used drugs and did not possess any. Lopez accused the deputies of trying to pressure her into saying that the drugs belonged to her fiancé and said a deputy threatened to have her son removed.

Lopez was jailed for two days before she was released without charges, according to court records. Amarillas was also eventually released without charges.

Lopez said the episode left her traumatized and that she has had trouble sleeping since then.

"I'd seen it in the movies, but never in a million years did I think it would happen to me," Lopez said.

After Lopez was charged, her attorney sought radio communications and other records of deputies involved in the arrest. A sheriff's detective said in a report that he twice inquired about the records and was told there were none.

But Beck sent a subpoena directly to the Sheriff's Department, which provided the radio recordings and other records that he said confirmed his client's account.

On Wednesday, Lopez stood in a Downey courtroom next to her attorney as a prosecutor told Superior Court Commissioner Burt Barnett that the district attorney's office was dropping the case.

"Good idea," Barnett replied.

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