

VERDICTS & SETTLEMENTS

EMPLOYMENT LAW

RETALIATION Sexual Harassment

Verdict: \$2,500,000

CASE/NUMBER: Brenda Baca v. City of Los Angeles / 20STCV23817

COURT/DATE: Los Angeles Superior / Jul. 29, 2022

JUDGE: Michael P. Linfield

ATTORNEYS:

Plaintiff - Yuk K. Law, Kent T. Brandmeyer, Kevin P. Miller (Law & Brandmeyer LLP)

Defendant - James K. Autrey (Office of the Los Angeles City Attorney)

FACTS: Plaintiff was a first-year police officer with the LAPD assigned to the Hollenbeck division. In early 2018, a LAPD training officer named Heriberto "Eddie" Coronado at the Hollywood division made repeated dating advances to Officer Baca via text messages. When Officer Baca declined his advances, Officer Coronado texted her with profanity. In the latter part of 2018, when Officer Baca was about to start her second year as a LAPD officer, she was transferred to the Hollywood division. Upon learning Officer Baca was about to be transferred to the Hollywood division, Officer Coronado began to slander Officer Baca, telling

other officers in the Hollywood division that she was a "slap", a police term for someone who is lazy. Officer Coronado was a PO3 and tasked with training junior officers, and Officer Baca was a PO2, lower rank than Coronado. After Officer Baca began working at the Hollywood division, Officer Coronado told other officers that Officer Baca was a "slut" and a "whore". As Officer Coronado and night watch Sergeant Jeannette Pelayo were close friends, Sergeant Pelayo began to harass Officer Baca by assigning her menial tasks and micro-managing her to the point that she was being constantly called on her personal cellphone to check on her even though she was on patrol with a partner. On the evening that Officer Baca was pulled off her patrol car assignment and placed at desk duty, Officer Coronado told the entire night squad at roll call that any officer assigned to desk duty was being punished for being lazy or had done something wrong. All officers at the roll call knew Officer Baca was placed on desk duty that evening. It was discovered that Sergeant Pelayo asked commanding officer Sergeant Dax Martin to punish Officer Baca for purported poor job performance. Finally, by the end of September 2019, Officer Baca had a number of anxiety and panic attacks while on patrol.

Officer Baca tried to conciliate with Officer Coronado, understanding that the adverse employment actions and pervasive harassment were in response to her declination of his dating advances. Officer Coronado was dismissive of her conciliatory gestures. Officer Baca

then complained to PO3 Leonard Calderon, who offered to have a mediation with Officer Baca and Sergeant Pelayo. However, instead of agreeing to a mediation to "clear the air", Sergeant Pelayo filed an internal affairs complaint against Officer Calderon for allegedly threatening to beat her up, and the complaint was deemed by Officer Calderon as a retaliatory and intimidation measure against him. Finally, the situation escalated to the point that Officer Baca was emotionally and physically affected by the harassment and retaliation that she had to take leave and another sergeant from the Hollenbeck division, where Officer Baca worked one year earlier, had to file an internal affairs complaint on behalf of Officer Baca against Sergeant Pelayo and Officer Coronado for harassment and retaliation. A few months after the internal affairs complaint was filed against Officer Coronado, Officer Baca was alone in the Hollywood division's parking when a car driven by Officer Coronado sped at her from behind and came very close to hitting her. Officer Baca felt that it was an intimidation and retaliatory tactic employed by Officer Coronado for the filing of the internal affairs complaint against him.

It was testified to by other female officers that Officer Coronado was a "skirt chaser" who targeted young attractive female officers, stalked at least one female officer, and slandered female officers who refused to date him as "sluts" and "whores". It was also testified to by witnesses that Officer Coronado, Sergeant Pelayo and Sergeant Martin, who all worked the night

shift at the Hollywood division, were good friends.

PLAINTIFF'S CONTENTIONS: Officer Brenda Baca contended there was sexual and gender harassment and retaliation in the workplace following her denial of Officer Coronado's dating advances.

INJURIES: Plaintiff suffered multiple anxiety and panic attacks that manifested in shortness of breath, racing heart beat, shaking hands, inability to think clearly, and long term psychological injuries with the diagnosis of adjustment disorder with depression and anxiety.

DAMAGES: Noneconomic damages of emotional pain and suffering, the loss of enjoyment of life, and the loss of her life-long dream of being a LAPD officer.

SETTLEMENT DISCUSSIONS: City of Los Angeles and Los Angeles Police Dept. offered \$25,000 at private mediation and an informal offer of \$100,000 at the eve of trial. Plaintiff Brenda Baca served a Section 998 offer of \$450,000.

RESULT: Plaintiff's verdict for \$2.5 million

OTHER INFORMATION: Plaintiff will seek attorneys' fees and costs under the FEHA.

FILING DATE: Jun. 24, 2020