



**DATE:** October 18, 2019  
**TO:** Colorado Springs City Council  
**FROM:** City Attorney's Office  
**SUBJECT:** *Allen Loggins v. City of Colorado Springs, et al.*  
Case No. 19CV0304

This memorandum is to apprise you of the facts alleged in the above-referenced case as you consider the claims made against Officer Jovani Estrada.

#### **NATURE OF THE CASE**

Pro se and incarcerated Plaintiff, Allen Loggins, filed an action in Colorado State District Court against the Colorado Springs Police Department ("CSPD") and Officer Jovani Estrada asserting state law claims for negligence, intentional infliction of emotional distress, and false imprisonment. Plaintiff also asserts claims for violation of his Fifth, Eighth and Fourteenth Amendment rights.

In his complaint, Plaintiff alleges, in cursory terms, that Officer Estrada arrested him without a warrant or probable cause. Plaintiff alleges that after his arrest, he was transported to the Criminal Justice Center as part of a "campaign of harassment" by CSPD.

Plaintiff includes with his complaint the register of actions ("ROA") in criminal case 2019CR1617. The ROA states that Plaintiff was arrested on March 12, 2019 on a felony, DF4, charge for drug possession and a misdemeanor charge of obstruction of a peace officer. The ROA also states that a preliminary hearing was held and sufficient evidence was found to bind the case over for trial.

As redress, Plaintiff seeks compensatory damages of \$300,000, punitive damages of \$400,000, and costs.

#### **RECOMMENDATION**

The Civil Action Investigation Committee met on October 10, 2019 and recommended City representation for Officer Estrada as required by the Colorado Governmental Immunity Act and the Liability of Peace Officers Act. Officer Estrada was acting in the course and scope of his employment and in good faith during the incident. As usual, it is recommended that the City reserve the right not to pay any award of punitive damages.