



COUNTY OF LOS ANGELES
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October 12, 2017

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TO: LORI GLASGOW
Executive Officer
Board of Supervisors

Attention: Agenda Preparation *RHG*

FROM: ROGER H. GRANBO *RHG*
Senior Assistant County Counsel
Executive Office

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Rosa Parada de Turcios v. County of Los Angeles, et al.
Lancaster Superior Court Case No. MC025275

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, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

RHG:vc

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Rosa Parada de Turcios v. County of Los Angeles, et al., Lancaster Superior Court Case No. MC025275 in the amount of \$175,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Sheriff's Department employee.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Rosa Parada De Turcios v. County of Los Angeles, et al.
CASE NUMBER	MC025275
COURT	Lancaster Superior Court
DATE FILED	March 3, 2015
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 175,000
ATTORNEY FOR PLAINTIFF	John V. Bell
COUNTY COUNSEL ATTORNEY	Jessica C. Rivas Deputy County Counsel
NATURE OF CASE	<p>This lawsuit arises out of an October 9, 2014 automobile accident caused by a Sheriff's Department employee when he rear-ended plaintiff Rosa Parada de Turcios' vehicle. Ms. Parada de Turcios claims to have suffered injuries and damages as a result of the accident.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 30,225
PAID COSTS, TO DATE	\$ 38,241

Case Name: Rosa Parada De Turcios v. County of Los Angeles, et al.



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:	Thursday, October 9, 2014
Briefly provide a description of the incident/event:	<p><u>Rosa Parada De Turcios v. County of Los Angeles, et al.</u> Summary Corrective Action Plan 2017-024</p> <p>On October 9, 2014, at approximately 1:00 P.M., an on-duty Los Angeles County Sheriff's Department sergeant assigned to Lancaster Sheriff's Station was driving a marked patrol vehicle near the intersection of Sierra Highway and Avenue L-12, Lancaster, when the sergeant collided with the plaintiff's vehicle (a 2000 Honda Odyssey van).</p> <p>The sergeant was traveling north on Sierra Highway at approximately 50-55 MPH as the plaintiff's vehicle was traveling in the same lane and direction, in front of him.</p> <p>The plaintiff and sole occupant of her vehicle, slowed for another vehicle that suddenly entered her lane and cut her off. The sergeant's attention had been briefly diverted to the side of the road where he believed some criminal activity was occurring. When the sergeant looked forward, he saw the plaintiff's vehicle was almost completely stopped in front of him. The sergeant applied emergency braking, but was unable to stop before colliding into the rear of the plaintiff's vehicle. The sergeant estimated his speed at the time of impact to be approximately 25 MPH.</p> <p>Paramedics were summoned to the scene, however, the plaintiff refused to be transported to a medical facility.</p> <p>The subsequent traffic investigation determined the sergeant was at fault for the collision for violation of California Vehicle Code section 21703, following too closely.</p>

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

The **Department** root cause in this incident was that the sergeant was following the plaintiff's vehicle too closely, in violation of California Vehicle Code section 21703.

The California Vehicle Code states, "The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicle and the traffic upon, and the condition of, the roadway."

The sergeant should have allowed ample room between his vehicle and the plaintiff, as well as kept his attention focused in front of him.

County of Los Angeles
Summary Corrective Action Plan

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

The traffic collision was investigated by traffic investigators assigned to Lancaster Sheriff's Station. Their investigation included measurements of the scene, the gathering of witness statements, photographs, analysis and estimations of speeds, distances, road and weather conditions, as well as factual diagrams and applicable mathematical computations.

The subsequent investigation determined the sergeant to be at fault for the collision in violation of California Vehicle Code section 21703, Rules of the Road – Following too closely.

The Los Angeles County Sheriff's Department had relevant policies and procedures in effect at the time of the incident. The Los Angeles County Sheriff's Department's training curriculum addressed the circumstances which occurred in the incident. Appropriate administrative action has been taken.

Lancaster Sheriff's Station conducted a review of all deputy involved collisions which occurred between this incident on October 9, 2014 and April, 2017. The goal of the review and audit was to identify patterns of driving immediately following similar incidents, as well as identify solutions to prevent or mitigate such collisions. Based on the audit, a traffic reduction - risk management plan was developed.

The audit revealed 43 "preventable" deputy involved traffic collisions occurred between the dates noted above:

33% were attributed to moving violations such as failing to yield the right of way to an approaching vehicle, or making an unsafe turn

30% were attributed to unsafe backing or starting

14% were attributed to sworn personnel following a vehicle too closely

12% resulted from the driver's inattention

7% resulted from the involved persons unsafe speed

2% were attributed to a failure to stop for a posted traffic signal.

Mitigation efforts will include a quarterly audit of preventable traffic collisions, and an increase of employees attending the Department's Sheriff Traffic Accident Reduction (S.T.A.R.) driving program.

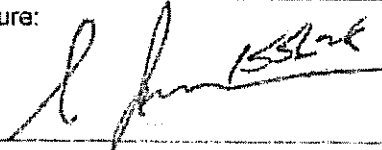
Personnel receiving at least (1) administrative driving point will be evaluated for both the Emergency Vehicle Operations Course (EVOC) and/or S.T.A.R. driving program.

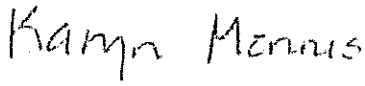
In addition, recurrent briefings of applicable Department policy and state law are being conducted on all shifts. Field supervisors have been tasked to monitor the driving habits of all persons under their span of control.

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

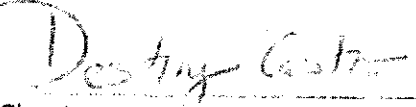
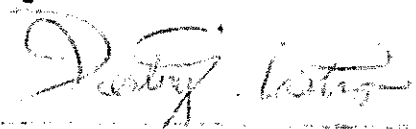
- Yes – The corrective actions address Department-wide system issues.
 No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)	
Scott E. Johnson, Captain Risk Management Bureau	
Signature: 	Date: 9-5-17

Name: (Department Head)	
Karyn Mannis, Chief Professional Standards and Training Division	
Signature: 	Date: 09-13-17

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input checked="" type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability. <input type="checkbox"/> No, the corrective actions are applicable only to this Department.	

Name: (Risk Management Inspector General)	
	
Signature: 	Date: 9/16/17