



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

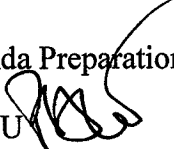
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JOHN F. KRATTLI  
County Counsel

July 16, 2012

TO: SACHI A. HAMAI  
Executive Officer  
Board of Supervisors  
  
Attention: Agenda Preparation

FROM: PATRICK A. WU   
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**  
**County Claims Board Recommendation**  
**Kerry Kae Robinson v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 415 891**

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 the 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.

PAW:rfm

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Kerry Kae Robinson v. County of Los Angeles, et al, Los Angeles Superior Court Case No. BC 415 891, in the amount of \$600,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit concerns allegations of false arrest and excessive force by Sheriff's Deputies.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Kerry Kae Robinson v. County of Los Angeles, et al.
CASE NUMBER	Case No. BC415891
COURT	Los Angeles Superior Court
DATE FILED	Complaint filed June 18, 2009 Claim filed May 15, 2009
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 600,000
ATTORNEY FOR PLAINTIFF	Brett Greenfield, Esq. David Kenner, Esq. Kenner Law Firm, P.C.
COUNTY COUNSEL ATTORNEY	Jennifer A.D. Lehman
NATURE OF CASE	<p>Plaintiff Kerry Kae Robinson alleges that her civil rights were violated when she was detained and arrested by two Sheriff's Deputies without reasonable suspicion or probable cause and subjected to excessive force.</p> <p>The Deputies contend that the detention and arrest were based on reasonable suspicion and probable cause, and that the force was reasonable.</p> <p>Due to the risks and uncertainties of litigation, and in light of the fact that a prevailing plaintiff in a</p>

federal civil rights lawsuit is entitled to an award of reasonable attorneys' fees, a full and final settlement of the case in the amount of \$600,000 is recommended.

PAID ATTORNEY FEES, TO DATE                   \$   62,986.00

PAID COSTS, TO DATE                           \$   61,326.47

Case Name: Kerry Kae Robinson v. County of Los Angeles



## **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:	Wednesday, March 11, 2009; approximately 11:35 p.m.
Briefly provide a description of the incident/event:	<p><u>Kerry Kae Robinson v. County of Los Angeles</u> Summary Corrective Action Plan No. 2012-007</p> <p>On Wednesday, March 11, 2009, at approximately 11:39 p.m., a Los Angeles County deputy sheriff was patrolling an area plagued by recent acts of vandalism when he saw a stationary vehicle with two occupants. He stopped to contact the occupants.</p> <p>During the deputy's investigation, he became involved in a violent confrontation with the passenger in the vehicle (plaintiff). During her assault, the plaintiff struck the deputy several times in the face. With the assistance of two other deputy sheriffs, the plaintiff was finally subdued and handcuffed.</p>

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

The plaintiff was transported to Huntington Hospital where it was determined she sustained an orbital fracture.

In her lawsuit, the plaintiff alleged she was subjected to false arrest and the use of unreasonable force committed by two Los Angeles County deputy sheriffs.

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

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of the incident.

The Los Angeles County Sheriff's Department's training curriculum sufficiently addresses the circumstances which occurred in this incident.

The facts in this case were reviewed by the Los Angeles County Sheriff's Department's Executive Force Review Committee. The committee concluded that the level of physical force used by the deputy sheriffs was reasonable, necessary, and in compliance with Department policy.

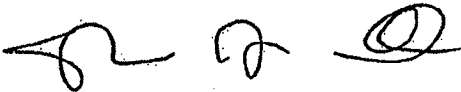
County of Los Angeles  
Summary Corrective Action Plan

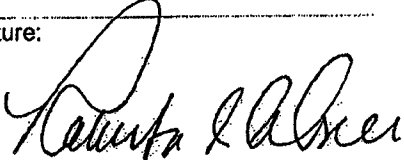
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3. State if the corrective actions are applicable to only your department or other County departments:  
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance).


- Potentially has Countywide implications.
- Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have Countywide or other department(s) implications.

**Los Angeles County Sheriff's Department**

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 6/7/12

Name: (Department Head) Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 6/11/12

**Chief Executive Office Risk Management Branch**

Name: LEO COSTANTINO	
Signature: 	Date: 6-19-2012

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