



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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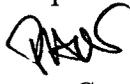
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JOHN F. KRATTLI  
County Counsel

October 31, 2013

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**  
**Cesar Jacobo v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 457 539**

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 Cesar Jacobo v. County of Los Angeles, et al., Los Angeles Superior Court Case No. BC 457 539, in the amount of \$130,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit alleges civil rights violations and State law causes of action arising out of arrests and detentions by Sheriff Deputies.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Cesar Jacobo v. COLA, et al.
CASE NUMBER	BC 457539
COURT	Los Angeles Superior Court
DATE FILED	Complaint: May 16, 2011 Claim: November 9, 2010
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ \$130.000
ATTORNEY FOR PLAINTIFF	Vicki I. Sarmiento Law Offices of Vicki I. Sarmiento  Milton C. Grimes Law Offices of Milton C. Grimes
COUNTY COUNSEL ATTORNEY	Jennifer A.D. Lehman
NATURE OF CASE	Mr. Jacobo filed a lawsuit against the County and five Sheriff's Deputies alleging civil rights violations and other State law causes of action arising out of two arrests and three detentions.  The Deputies contend there was probable cause for the arrests. Due to the risks and uncertainties of litigation, a full and final settlement of the case is recommended.

PAID ATTORNEY FEES, TO DATE           \$   147,837

PAID COSTS, TO DATE                   \$    12,576

Case Name: Cesar Jacobo 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:	Between Thursday, August 27, 2009 and Friday, June 26, 2010
Briefly provide a description of the incident/event:	<p><b><u>Cesar Jacobo v. County of Los Angeles, et al.</u></b> Summary Corrective Action Plan No. 2013-016</p> <p>On Thursday, August 27, 2009, at approximately 7:30 pm, the plaintiff was contacted by two Los Angeles County deputy sheriffs in front of his residence at 443 234<sup>th</sup> Walk, Carson. During the contact, the plaintiff made a number of criminal threats, including threats of physical violence and retaliation against the two members of the Los Angeles County Sheriff's Department whom he believed were responsible for the death of his brother.</p> <p>Based on the plaintiff's statements threatening violence and revenge, a member of the Los Angeles County Sheriff's Department sought and received judicial authority to conduct a search of the plaintiff's residence. The search warrant was executed August 31, 2009. While no items with evidentiary value were found, the plaintiff was arrested for a violation of California Penal Code section 422, Criminal Threats.</p> <p>The plaintiff alleged that between Thursday, May 20, 2010, and Friday, June 25, 2010, he was stopped and harassed on four additional occasions by members of the Los Angeles County Sheriff Department.</p>

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

In his lawsuit, the plaintiff alleged civil rights violations and other violations of state law during his two arrests and three detentions by members of the Los Angeles County Sheriff's Department.

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 addresses the circumstances which occurred in the incident.

County of Los Angeles  
Summary Corrective Action Plan

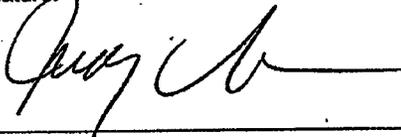
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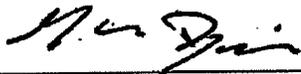
These incidents were reviewed by representatives from the Los Angeles County Sheriff's Department's Carson Station. Their review revealed no evidence to support the plaintiff's allegation of employee misconduct. No systemic issues were identified. Consequently, no personnel-related administrative action was taken, and no other corrective action measures are recommended nor contemplated.

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) Judy A. Gerhardt, Captain Risk Management Bureau	
Signature: 	Date: 9/24/13

Name: (Department Head) Glen Dragovich, Division Director Administrative and Training Division	
Signature: 	Date: 9/26/13

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County of Los Angeles  
Summary Corrective Action Plan

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<b>Chief Executive Office Risk Management Inspector General USE ONLY</b>	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)	
LEO COSTANTINO	
Signature:	Date:
	10-1-13