



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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May 8, 2014

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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
Gillian Baker, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 11-0550

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 two Summary Corrective Action Plans to be made available to the public.

It is requested that this recommendation, the Case Summary, and the two Summary Corrective Action Plans 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 Gillian Baker, et al. v. County of Los Angeles, et al., United States District Court Case No. CV 11-0550, in the amount of \$250,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from both the Department of Children and Family Services' budget and the Sheriff's Department's budget.

This lawsuit alleges that the Department of Children and Family Services wrongfully detained two minors, and alleges excessive force was used by a Sheriff's Deputy during an arrest at juvenile court.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Gillian Baker, et al. v. County of Los Angeles, et al.
CASE NUMBER	CV 11-0550
COURT	United States District Court
DATE FILED	07/06/2011
COUNTY DEPARTMENT	Department of Children and Family Services Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 250,000
ATTORNEY FOR PLAINTIFF	Robert R. Powell Law Offices of Robert R. Powell
COUNTY COUNSEL ATTORNEY	Lauren M. Black Principal Deputy County Counsel Social Services Division Avi Burkwitz Peterson Bradford Burkwitz
NATURE OF CASE	Wrongful detention of minors
PAID ATTORNEY FEES, TO DATE	\$ 230,787
PAID COSTS, TO DATE	\$ 38,738

Case Name: Gillian Baker and Shane Buono 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:	July 15, 2010
Briefly provide a description of the incident/event:	The plaintiffs alleged that the Department of Children and Family Services (DCFS) conducted an unlawful removal and detention of their children.

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

The plaintiffs alleged that the Department of Children and Family Services (DCFS) conducted an unlawful removal and detention of their children.

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

The Department had relevant policies and procedures in effect at the time of the incident and the Department is continuing to update its protocols regarding consent.

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

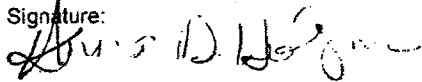
County of Los Angeles
Summary Corrective Action Plan

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

Name: (Risk Management Coordinator)

Anna D. Holzner

Signature:



Date:

2/3/2014

Name: (Department Head)

PHILIP L. BROWNING

Signature



Date

2/5/14

Chief Executive Office Risk Management Inspector General USE ONLY

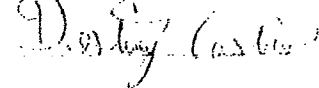
Are the corrective actions applicable to other departments within the County?

- Yes, the corrective actions potentially have County-wide applicability
- No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

Destiny Castro

Signature:



Date:

2/3/2014

Case Name: Gillian Baker 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:	Tuesday, July 20, 2010; unknown time (a.m. hours)
Briefly provide a description of the incident/event:	<p><u>Gillian Baker v. County of Los Angeles</u> Summary Corrective Action Plan No. 2014-003</p> <p>On Tuesday, July 20, 2010, a Los Angeles County deputy sheriff, assigned to Department 412, Edelman Children's Court, 201 Centre Plaza Drive, Monterey Park, was conducting a review of the daily court calendar when he was approached by two detectives from the Los Angeles Police Department. The detectives were armed with arrest warrants for both the plaintiff and her companion. (The plaintiff and her companion were scheduled to be in that court that morning since they were parties in a case under the jurisdiction of the Los Angeles County Department of Children and Family Services.) The detectives requested the help of the deputy sheriff in identifying the plaintiff and her companion when they arrived.</p> <p>The deputy sheriff located the two individuals described by the detectives and gained their cooperation. They were escorted into an adjacent room where they were arrested and handcuffed without incident by the waiting detectives. The detectives escorted the plaintiff and her companion to a waiting police department vehicle and transported away from the location.</p> <p>No physical force was used by the police detectives or the deputy sheriff.</p>

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

In her lawsuit, the plaintiff alleged she was subjected to excessive force by members of the Los Angeles County Sheriff's Department.

This section intentionally left blank.

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 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.

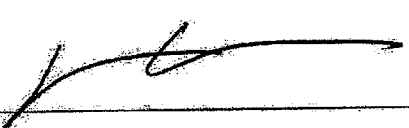
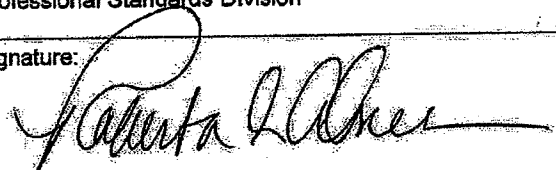
This incident was reviewed by representatives from the Los Angeles County Sheriff's Department's Court Services East Bureau. No employee misconduct is suspected, and no evidence substantiating the plaintiff's allegation(s) was discovered. No systemic issues were identified. Consequently, no personnel-related 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) Ronald D. Williams, Captain Risk Management Bureau	
Signature: 	Date: 3/15/14
Name: (Department Head) Roberta A. Abner, Chief Professional Standards Division	
Signature: 	Date: 03/19/14

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County of Los Angeles
Summary Corrective Action Plan

Chief Executive Office Risk Management Inspector General USE ONLY	
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)	
Destiny Castro	
Signature:	Date:
<i>Destiny Castro</i>	3/24/2014