



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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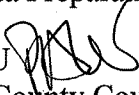
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MARY C. WICKHAM
Interim County Counsel

July 23, 2015

TO: PATRICK OGAWA
Acting Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU 
Senior Assistant County Counsel
Executive Office

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Christopher Gray v. County of Los Angeles, et al.
United States District Court Case No. CV 13-07597

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:cs

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Christopher Gray v. County of Los Angeles, et al., United States District Court Case No. CV 13-07597 in the amount of \$549,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

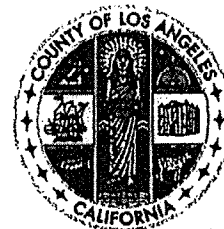
This lawsuit concerns allegations of false arrest and excessive force by Sheriff's Deputies.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Christopher Gray v. County of Los Angeles, et al.
CASE NUMBER	CV 13-7597
COURT	United States District Court
DATE FILED	October 15, 2013
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 549,000
ATTORNEY FOR PLAINTIFF	Olu K. Orange, Esq.
COUNTY COUNSEL ATTORNEY	Edward L. Hsu Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$549,000, the lawsuit filed by Plaintiff Christopher Gray alleging his civil rights were violated on August 23, 2012 and October 15, 2012 when he was falsely arrested and excessive force was used on him by Los Angeles Sheriff's Deputies.</p> <p>Due to the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$549,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 68,164
PAID COSTS, TO DATE	\$ 12,091

Case Name: Christopher Gray 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, August 23, 2012, at approximately 9:00 p.m. and Monday, October 15, 2012, at approximately 3:36 p.m.
Briefly provide a description of the incident/event:	<p><u>Christopher Gray v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2015-009</p> <p>On Thursday, August 23, 2012, at approximately 9:00 p.m., plaintiff was arrested by two members of the Los Angeles County Sheriff's Department, East Los Angeles Station for the attempt to free two lawfully detained persons from the backseat of a Los Angeles County Sheriff's Department standard black-and-white patrol car.</p> <p>On Monday, October 15, 2012, at approximately 3:36 p.m., a member of the Los Angeles County Sheriff's Department detained the plaintiff for a violation of marijuana laws investigation. The plaintiff was given a warning and released.</p>

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

The root cause in this incident is the plaintiff's allegation members of the Los Angeles County Sheriff's Department violated his civil rights.

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 thoroughly investigated by members from the Los Angeles County Sheriff's Departments East Los Angeles Station. In the course of the investigation, video recordings depicting some of the events on both days were discovered. Based on the content of the recordings, the incident was referred to the Los Angeles County Sheriff's Department's Internal Criminal Investigation and Internal Affairs bureaus.

The incident is now being investigated by representatives from the Los Angeles County Sheriff's Department's Internal Affairs and Internal Criminal Investigation bureaus to further explore the nature of the events and the deputies' actions. Since the investigation is still active, the results are not yet known.

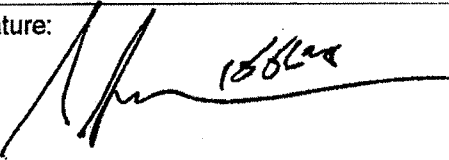
On or before November 30, 2015, this corrective action plan will be supplemented with a report to include 1) the status or the results of the criminal investigation; 2) the status or the results of the administrative investigation; 3) any personnel-related administrative action taken or other corrective action measure(s) taken; 4) any systemic issues (e.g., training, curriculum, etc.) identified; and, 5) any other corrective action measure(s) identified and/or taken.

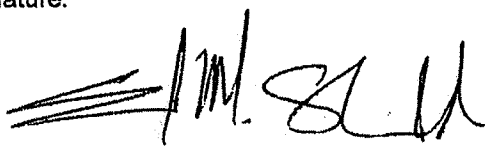
3. Are the corrective actions addressing department-wide system issues?

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: 5-29-15

Name: (Department Head) Earl M. Shields, Chief Professional Standards Division	
Signature: 	Date: 4/2/15

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:

Destiny Castro

Date:

6/4/2015