



COUNTY OF LOS ANGELES

CONTRACT CITIES LIABILITY TRUST FUND CLAIMS BOARD

500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

MEMBERS OF THE BOARD

Lindsey Horvath
City Council Member
Mark R. Alexander
City Manager
James Bozajian
City Council Member
Reva Feldman
City Manager
Margaret Finlay
City Council Member
Mark Waronek
City Council Member
Ernie Hernandez
City Manager
Kenneth Striplin
City Manager
Jennifer Vasquez
City Manager
Marcel Rodarte
California Contract
Cities Association
Patrick Kearney
City Council Member

NOTICE OF MEETING

The County of Los Angeles Contract Cities Liability Trust Fund Claims Board will hold its Regular Meeting on Wednesday, **May 13, 2020 at 11:00 a.m., Via Teleconference.**

In compliance with Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Agency Clerk at (562) 467-8736. Notification 48 hours before meeting will enable the Authority to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)

PUBLIC COMMENT

You may submit public comment by e-mail at vruiz@cjpia.org or by mail to: Attention: Contract Cities Claims Board Agenda, Executive Office, County Counsel, 500 West Temple Street, Los Angeles, California, 90012.

Written public comment or documentation must be submitted no later than 5:00 p.m. on May 12, 2020. Please include the Agenda item and meeting date in your correspondence. Comments and any other written submissions will become part of the official record of the meeting.

Members of the public wishing to listen to open sessions of the meeting may call the California JPIA's teleconference number **at (562) 467-8764, enter Meeting ID: 547899.**

AGENDA

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board.

3. Closed Session - Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Government Code Section 54956.9)

- a. Estate of Sean West v. County of Los Angeles, et al.
United States District Court Case No. 2:18-CV-05098

This lawsuit concerns allegations of wrongful death and federal civil rights violations by Sheriff's Deputies.

[See Supporting Document](#)

- b. Juan Ubaldo Pena-Sanchez v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC699805
Alliance United Insurance Co. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 19STCV04367

This lawsuit concerns allegations of injuries and property damage received in an automobile accident involving a Sheriff's Deputy.

[See Supporting Document](#)

4. Closed Session - Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Government Code Section 54956.9)

- a. Garden, Mark Julian v. County of Los Angeles, et al.
United States District Court Case No. 2:19-CV-01529

This lawsuit concerns allegations of civil rights violations, wrongful detention, malicious prosecution and excessive force by a Sheriff's Deputies.

- b. Lockett, Sheldon, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:18-CV-05838

This lawsuit concerns allegations of civil rights violations, excessive force, false arrest, false imprisonment, and unreasonable search and seizure by Sheriff's Deputies.

- c. Sanchez, Juan, et al. v. County of Los Angeles; California et al.
Los Angeles Superior Court Case No. BC MC028233

This lawsuit concerns allegations of injuries and property damage received in an automobile accident involving a Sheriff's Deputy.

- d. Taylor, Stafford By Davies, Grace, et al. v. County of Los Angeles, et al.
United States District Court Case No. 18-CV-09259 AB (SSx)

This lawsuit concerns allegation of civil rights violations by Sheriff's Deputies.

5. Report of actions taken in Closed Session.
6. Report of actions taken in Closed Session.
7. Approval of Minutes for the March 11, 2020, meeting of the Contract Cities Liability Trust Fund Claims Board.

[See Supporting Document](#)

8. Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.
9. Other Business
10. Adjournment

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|---|
| CASE NAME | Estate of Sean West, et al. v. County of Los Angeles, et al. |
| CASE NUMBER | 2:18-CV-05098 |
| COURT | United States District Court |
| DATE FILED | June 8, 2018 |
| COUNTY DEPARTMENT | Sheriff's Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 400,000 |
| ATTORNEY FOR PLAINTIFF | Jorge Gonzalez, Esq. |
| COUNTY COUNSEL ATTORNEY | Richard Hsueh, Deputy County Counsel |
| NATURE OF CASE | <p>This is a recommendation to settle for \$400,000, inclusive of attorneys' fees and costs, this federal civil rights and wrongful death lawsuit filed by decedent Sean West's parents, Tim and Monique West, and his two children, Jesse Vella and I.W., a minor by and through his Guardian ad Litem ("Plaintiffs"), against the County and four Sheriff's Department ("LASD") Deputies. Mr. West died from acute methamphetamine intoxication after he was arrested for possession of methamphetamine during a traffic stop. Plaintiffs claim the Deputies were negligent and deliberately indifferent in not calling for medical help quickly enough after they suspected Mr. West had ingested methamphetamine.</p> <p>Given 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 \$400,000 is recommended.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 83,048 |
| PAID COSTS, TO DATE | \$ 16,600 |



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: | May 25, 2017, at approximately 6:10 p.m. |
| Briefly provide a description of the incident/event: | <p style="text-align: center;"><u>Estate of Sean West, et al. v. County of Los Angeles, et al.</u> Summary Corrective Action Plan 2019-047</p> <p>On Thursday, May 25, 2017, at approximately 6:44 p.m., a uniformed deputy sheriff assigned to Temple Station was driving a marked black and white Crown Victoria patrol vehicle, in the city of Duarte. The first deputy sheriff observed two occupants in a Toyota Avalon driving northbound on Mountain Avenue near Hamilton Road.</p> <p>A license plate inquiry of the Avalon revealed the registered owner had two outstanding warrants for his arrest. The first deputy sheriff observed that the driver of the vehicle (the decedent) matched the physical description of the male associated with the outstanding warrants. The first deputy sheriff initiated a traffic stop of the vehicle. The plaintiff pulled over and stopped in the Walmart parking lot, at 1600 North Mountain Avenue, Duarte.</p> <p>The first deputy sheriff contacted the vehicle's occupants and identified the decedent as the named warrant suspect. The decedent was detained in the backseat of the deputy sheriff's patrol vehicle.</p> <p>The front passenger of the decedent's vehicle was identified. The female passenger admitted to illegally possessing and selling prescription drugs, which she advised were in the decedent's vehicle. She also admitted to possessing methamphetamine in her undergarments. The first deputy sheriff requested a female deputy for a search. The second deputy sheriff (a female) responded to assist in conducting the narcotics search. Two additional deputy sheriffs assigned to the Duarte area, also responded to assist the first deputy sheriff.</p> <p>The second deputy sheriff recovered methamphetamine that had been concealed in the female's undergarments. The female was arrested for possession of a controlled substance for sales and placed in a separate patrol vehicle than the decedent.</p> <p>After being detained, the decedent also admitted to possessing methamphetamine in the center console of his vehicle. The first deputy sheriff searched the center console and recovered the methamphetamine. The decedent was arrested for possession of methamphetamine.</p> <p>As the traffic stop progressed, the decedent began to display symptoms of being under the influence of a central nervous system stimulant. The deputy sheriffs asked the decedent several times if he had ingested methamphetamine, which he denied. As the decedent's symptoms</p> |

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| | <p>became more pronounced, the deputy sheriffs became more concerned for his health and safety, and again asked him if he ingested methamphetamine.</p> <p>The decedent eventually admitted he had swallowed methamphetamine as they were getting pulled over, presumably to conceal the narcotics from law enforcement.</p> <p>Upon learning the decedent ingested methamphetamine (at approximately, 7:17 p.m.), the deputy sheriffs immediately requested emergency medical services respond to the scene to provide emergency medical treatment for the decedent.</p> <p>At 7:31 p.m., Los Angeles County Fire Department personnel arrived at the scene. The decedent was transported via ambulance to the Queen of the Valley Hospital for emergency medical treatment. Although lifesaving efforts were performed, at 8:24 p.m., on May 26, 2017, (approximately 26 hours after the initial traffic stop) the decedent succumbed to his medical injuries and was pronounced dead at the hospital. The cause of death was determined to be acute methamphetamine intoxication.</p> |
|--|--|

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

A **Department** root cause in this incident was though the deputy sheriffs took quick action to provide emergency medical treatment for the decedent, he still died due to an unintentional narcotics overdose.

A **non-Department** root cause was at some time during a lawful traffic stop, detention, and/or arrest, the decedent intentionally swallowed a lethal amount of methamphetamine, in an apparent attempt to hide the narcotics.

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

Criminal Investigation

The incident was investigated by the Sheriff's Department Homicide Bureau and the Los Angeles County Coroner's Office (Coroner) to determine if any criminal misconduct occurred.

The Coroner determined the decedent's death was accidental methamphetamine overdose. The results of the investigation determined no further action in this matter.

Administrative Assessment

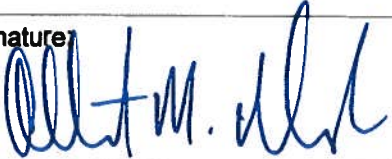
An executive evaluation of all the involved deputy sheriff's actions during this incident, determined no administrative investigation was warranted. No further administrative action was taken.


County of Los Angeles
Summary Corrective Action Plan

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

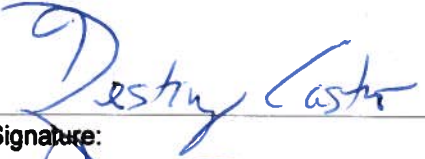
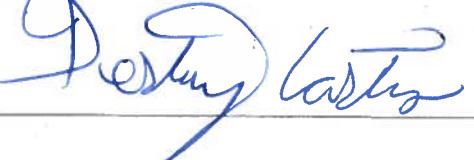
- Yes – The corrective actions address Department-wide system issues.
- No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

| | |
|---|--------------------|
| Name: (Risk Management Coordinator) | |
| Albert M. Maldonado, Captain Risk Management Bureau | |
| Signature:  | Date: 1/30/2020 |

| | |
|--|-------------------|
| Name: (Department Head) | |
| Matthew J. Burson, Chief Professional Standards Division | |
| Signature:  | Date: 02/13/20 |

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| 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. |

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|---|--------------------|
| Name: (Risk Management Inspector General) | |
|  | |
| Signature:  | Date: 2/13/2020 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|---|
| CASE NAME | Juan Ubaldo Pena-Sanchez v. County of Los Angeles, et al. Alliance United Insurance Co. v. County of Los Angeles, et al. |
| CASE NUMBER | BC699805 19STCV04367 |
| COURT | Los Angeles Superior Court |
| DATE FILED | March 27, 2018 February 19, 2019 |
| COUNTY DEPARTMENT | Sheriff's Department - Lakewood Station |
| PROPOSED SETTLEMENT AMOUNT | \$ 50,000 |
| ATTORNEY FOR PLAINTIFF | Kenneth L. Synder, Esq. Law Offices of Kenneth L. Synder Robert A. Ring, Esq. Ring & Green, APC |
| COUNTY COUNSEL ATTORNEY | Jonathan McCaverty Principal Deputy County Counsel |
| NATURE OF CASE | <p>This case involves a vehicle collision that occurred on April 21, 2017, in the City of Paramount when a Los Angeles County Sheriff's Department vehicle collided with Plaintiff Pena-Sanchez after entering an intersection on a red light.</p> <p>Plaintiff Pena-Sanchez claim's to have suffered injuries and damages from the accident. Plaintiff Alliance is seeking subrogation to recover money it paid for the damaged vehicle of it's insured. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 89,416 |
| PAID COSTS, TO DATE | \$ 5,443 |

**COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY TRUST FUND
CLAIMS BOARD**

MINUTES OF MEETING

March 11, 2020

1. Call to Order

This meeting of the County of Los Angeles Contract Cities Liability Trust Fund Claims Board was called to order by Margaret Finlay at 11:11 a.m. The meeting was held in the City of Monterey Park, Luminarias Restaurant, Posada Ballroom, 3500 Ramona Boulevard, Monterey Park, California 91754.

Present at the meeting were **Claims Board Members:** Mark Waronek, Chair; James Bozajian, North Division; Reva Feldman, At-Large; Ernie Hernandez, South Division; Margaret Finlay, East Division; Mark Alexander, East Division; Curtis Morris, At-Large; Patrick Kearney, Central Division; Ken Striplin, North Division; Jennifer Vasquez, Central Division; Marcel Rodarte, At-Large; **Alternate:** Steve Hofbauer, North Division; Kevin Chun, Central Division; John Moreno, South Division; Rob Wishner, East Division; **County of Los Angeles Staff:** Adrian Gragas, Assistant County Counsel; Amie Park, Deputy County Counsel; Michael Gordon, Deputy County Counsel; Steve Robles, County of Los Angeles; Bryan Aguilera, Los Angeles Sheriff's Department; Patrick Jordan, Los Angeles Sheriff's Department; Tom McNeal, Los Angeles Sheriff's Department; Eduardo Lopez, Los Angeles Sheriff's Department; Sergio Escobedo, Scott Johnson, Los Angeles Sheriff's Department; Los Angeles Sheriff's Department; Maxine Kallenberger, Los Angeles Sheriff's Department; Greg McNight, Los Angeles Sheriff's Department; Albert Maldonado, Los Angeles Sheriff's Department; John Wolak, Los Angeles Sheriff's Department; **Attendees:** Kristen DesCombes, Alliant Insurance Services; Chris Gray, Alliant Insurance Services; **Third Party Administrator for the County of Los Angeles:** Sylvia Hernandez, Claims Manager, Carl Warren & Company; **California JPIA:** Jonathan Shull, Chief Executive Officer; Jim Thyden, Insurance Programs Manager; Veronica Ruiz, Agency Clerk; Lilian Salcedo, Office Assistant.

2. Public Comment

Members of the public were provided the opportunity to address the Contract Cities Liability Trust Fund Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board. No members of the public addressed the Board.

At 11:12 a.m., the Chair adjourned the County of Los Angeles Contract Cities Liability Trust Fund Claims Board into Closed Session.

**3. Closed Session - Conference with Legal Counsel - Existing Litigation
(Subdivision (a) of Government Code Section 54956.9)**

- a. Rene Duarte v. City of Los Angeles, et al.
Los Angeles Superior Court Case No. 18AVCV00098

This lawsuit concerns allegations of injuries and property damage received in an automobile accident involving a Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$35,000.

Vote: Ayes: 11 - Mark Waronek, Marcel Rodarte, Mark Alexander, James Bozajian, Reva Feldman, Margaret Finlay, Patrick Kearney, Curtis Morris, Ernie Hernandez, Jennifer Vasquez, Ken Striplin.

**4. Closed Session - Conference with Legal Counsel - Existing Litigation
(Subdivision (a) of Government Code Section 54956.9)**

- a. Donna Huff v. Los Angeles County Sheriff's Department, et al.
United States District Court Case No. 2:16-CV-01733

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

Action Taken:

No reportable action taken

- b. Matthew Richardson v. Christopher Quinn Jackson; Los Angeles Sheriff's Department; County of Los Angeles; Does 1 through 20, inclusive.
Los Angeles Superior Court Case No. BC 669104

This lawsuit concerns allegations of injuries received in an automobile accident involving a Sheriff's Deputy.

Action Taken:

No reportable action taken

5. Report of actions taken in Closed Session.

The meeting was reconvened into public session at 11:35 a.m. No action was taken in Closed Session which required a public report pursuant to Government Code section 54957.1.

6. Approval of the Minutes for February 12, 2020, meeting of the Contract Cities Liability Trust Fund Claims Board.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the minutes.

Vote: Ayes: 11 - Mark Waronek, Marcel Rodarte, Mark Alexander, James Bozajian, Reva Feldman, Margaret Finlay, Patrick Kearney, Curtis Morris, Ernie Hernandez, Jennifer Vasquez, Ken Striplin.

7. Items Not on the Posted Agenda, to be Referred to Staff or Placed on the Agenda for Action at a Further Meeting of the Contract Cities Liability Trust Fund Claims Board, or Matters Requiring Immediate Action Because of Emergency Situation or Where the Need to Take Immediate Action Came to the Attention of the Board Subsequent to the Posting of the Agenda.

None

8. Other Business

None

9. Adjournment

There being no further business, the meeting was adjourned at 11:36 a.m.

COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY
TRUST FUND CLAIMS BOARD



JAHIEL SAUCEDO