

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD VIA ONLINE CONFERENCE CALL
ON MONDAY, SEPTEMBER 20, 2021, AT 9:30 A.M.

Present: Chair Steve Robles, Arlene Barrera, and Adrienne Byers.

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

No members of the public were on the public teleconference line to address the Claims Board or to listen to the reportable actions of the Claims Board.

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

a. Non-Litigated Claim of Sandra Orellana

This claim involves property damage sustained when a suspect was forcibly removed from a residence by Sheriff's Department personnel; settlement is recommended in the amount of \$22,030.99.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$22,030.99.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

b. Non-Litigated Claims of Nicholas D. Sherwin and Lois L. Sherwin

Claimants seek compensation from the Department of Public Works for property damage allegedly caused by a backflow of sewage due to a mainline blockage.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$141,094.41.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

c. Non-Litigated Claim of Sandra and Jorge Alcala

Claimants seek compensation from the Department of Public Works for property damage allegedly caused by a backflow of sewage due to a mainline blockage.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$43,486.17.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

**d. Nicholas Diaz, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 19AVCV00526**

This dangerous condition lawsuit arises from injuries plaintiff allegedly sustained when she fell into a drainage culvert near a roadway intersection in Lancaster.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$95,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

**e. Rodrigo DeCasas v. Mark Ridley-Thomas, et al.
United States District Court Case No. CV 20-09265 MWF**

This civil rights lawsuit against the Office of the Public Defender alleges that plaintiff's constitutional rights were violated as a result of his approximate 12-year pre-trial detention.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$2,150,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Documents](#)

**f. Lyle Spruill v. County of Los Angeles, et al.
United States District Court Case No. 2:20-CV-07909**

This lawsuit asserts federal civil rights violations arising from an allegedly improper search and seizure and unlawful arrest by Sheriff's Department deputies.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$500,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Documents](#)

**g. Ronna Jurow, M.D. v. County of Los Angeles, et al.
Los Angeles Court Case No.: 20STCV02260**

This lawsuit concerns allegations that a physician specialist with the Department of Health Services was subjected to age discrimination and harassment.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$100,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

**h. Alfonso Mejia v. County of Los Angeles
Los Angeles Superior Court Case No. BC721172**

This lawsuit concerns allegations that an employee of the Probation Department was subjected to disability discrimination, harassment, and retaliation.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$49,999.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

**i. Frank Lee v. County of Los Angeles
Los Angeles Superior Court Case No. 19STCP04738**

This lawsuit concerns allegations that an employee of the Internal Services Department was subjected to discrimination, harassment, and retaliation.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$50,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

**j. Noah Kirk v. County of Los Angeles
United States District Court Case No. 2:18 CV-03651
Los Angeles Superior Court Case No. 19STCV01356**

These lawsuits concern allegations that a deputy was subjected to retaliation by the Sheriff's Department.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$75,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

4. Report of actions taken in Closed Session.

The Claims Board reconvened in open session and reported the actions taken in Closed Session as indicated under Agenda Item No. 3 above.

5. Approval of the Minutes of the August 16, 2021, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the Minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

6. 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 an emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.

No such matters were discussed.

7. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claim of Sandra Orellana
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 22,030.99
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Mark W. Lomax, Deputy County Counsel
NATURE OF CASE	This claim arises from a law enforcement operation in Lynwood in September 2020. The operation damaged the claimant's clothing, furnishings, and other personal property. Settlement of the claim will avoid the costs of defending a lawsuit.
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claims of Nicholas D. Sherwin and Lois L. Sherwin
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Public Works
PROPOSED SETTLEMENT AMOUNT	\$141,094.41
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Mark W. Lomax, Deputy County Counsel
NATURE OF CASE	This claim arises from a sewage backflow due to a sewer mainline blockage. The backflow damaged multiple rooms in the claimants' residence in La Mirada. Settlement of the claim will avoid the costs of defending a lawsuit.
PAID ATTORNEY FEES, TO DATE	\$0
PAID COSTS, TO DATE	\$0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-litigated Claim of Sandy & Jorge Alcala
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 43,486.17
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Joseph A. Langton Principal Deputy County Counsel
NATURE OF CASE	This claim arises from a blocked sewer mainline that caused a sewage backflow into Claimants' residence and damaged their real and personal property. Due to the risks and uncertainties of litigation, a full settlement of the claim is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Nicholas Diaz, et.al. v. County of Los Angeles, et.al.
CASE NUMBER	19AVCV00526
COURT	Los Angeles Superior Court
DATE FILED	July 17, 2019
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 95,000
ATTORNEY FOR PLAINTIFF	Brittney Baca, Esq. ACCIDENT ATTORNEYS
COUNTY COUNSEL ATTORNEY	Yuan Chang, Deputy County Counsel
NATURE OF CASE	Plaintiff Sameedyyah Alexander-Diaz alleges she suffered injuries when she fell in a culvert at the intersection of North Sierra Highway and Aveune G, Lancaster, California. Ms. Smith contends the location constituted a dangerous condition of public property. Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$ 95,000 is recommended.
PAID ATTORNEY FEES, TO DATE	\$ 29,805
PAID COSTS, TO DATE	\$ 16,250

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Rodrigo DeCasas vs. Mark Ridley-Thomas, et al.
CASE NUMBER	CV 20-09265 MWF (AFMx)
COURT	United States District Court
DATE FILED	October 8, 2020
COUNTY DEPARTMENT	Office of the Public Defender
PROPOSED SETTLEMENT AMOUNT	\$ 2,150,000
ATTORNEY FOR PLAINTIFF	Arnoldo Casillas, Esq. Casillas & Associates
COUNTY COUNSEL ATTORNEY	Jonathan McCaverty Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$2,150,000, an Office of the Public Defender ("Public Defender") civil rights lawsuit filed by former Public Defender client, Plaintiff Rodrigo DeCasas, who claims his constitutional rights were violated arising out of his approximately 12-year pre-trial detention as a civil detainee pursuant to the Sexual Violent Predator Act.</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 is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 79,770
PAID COSTS, TO DATE	\$ 5,144



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:	2014 to 2018
Briefly provide a description of the incident/event:	<p>This matter arises out of a federal civil rights complaint naming Supervisor Mark Ridley-Thomas; Supervisor Hilda Solis, Supervisor Sheila Kuehl, Los Angeles County Public Defender, County of Los Angeles, former Public Defender Ronald Brown, former Chief Deputy Kelly Emling, former Assistant Laura Green, Division Chief Michael Suzuki, former Chief Deputy Jenny Brown, former Deputy in Charge Daniel Kuperberg, and Assistant Ruben Marquez as defendants. Mr. Decasas alleges that he was held in custody as a civil detainee for 13 years awaiting trial to deem him a Sexually Violent Predator ("SVP"). In violation of his constitutional rights, he was never brought to trial. A Los Angeles Superior Court judge granted a motion to dismiss the SVP petition, finding that his pretrial detention was presumptively prejudicial violating Mr. Decasas' due process rights.</p> <p>Background: Plaintiff's allegation that the 2014 reduction in the Civil Commitment Unit staffing was due to a systemic breakdown in the Public Defender's Office that caused a DPD's inability to bring the DeCasas case to trial presupposed that the DPD had been effective in making progress on this case in the previous 6 years before the cutbacks. After that DPD's transfer out of the CCU Unit, another DPD discovered that no work had been effectively done on the DeCasas matter. She investigated further and requested information from the original DPD, consulted with the assigned paralegal and prepared a report to the Deputy-in-Charge (DIC). Investigation was conducted by the Division Chief and a report was prepared for the Chief Deputy. A memo regarding potential IAC and conflict considerations was prepared by the Chief Deputy. A memo regarding IAC and potential conflict was prepared by the Appellate Department and considered by the Interim Public Defender, Chief Deputy, an Assistant Public Defender, a Division Chief and the DIC. Determination of the</p>

	existence of a conflict of interest due to a colorable claim of IAC was approved by the Interim Public Defender.
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1. Briefly describe the root cause(s) of the claim/lawsuit:

Staffing reductions in the special unit resulted in continuances by attorneys who believed they had insufficient resources to take the cases to trial; failure to obtain clear time waivers from clients who preferred to remain at the state hospital during court appearances.

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

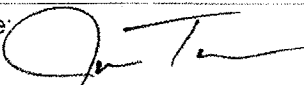
Ensure that the weighted caseloads of attorneys assigned to the Civil Commitment Units are manageable and that adequate support resources are provided. After the Vasquez decision in February 2018, the Supervising Judge of the Superior Court ordered all pending SVP trials to be heard before one court. The Public Defender's Office conducted an audit of all pending cases as to their status and level of preparation with monthly updates reported to the Assistant, Division Chief and DIC. The database is scheduled to migrate to the new centralized Client Case Management System. It has been determined that the high number of SVP cases reported to the BOS and State Bar, and testified to by a DPD in the DeCasas motion to dismiss, were in fact misrepresentations. SVP filings had been continually falling since 2009, at the time of the staff reductions in 2014 and continue to this date where caseloads have remained at or below pre-2014 levels.

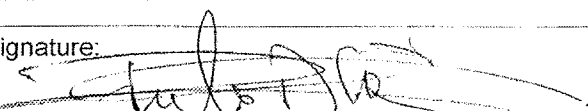
Require a verbal waiver taken by the court on the record via video appearance. With the development of video conferencing and assignment of all pending trial cases to one court for all pretrial cases after the Vasquez decision, all waivers are now made on the record in open court with all parties present. Per the above process, written waivers are no longer utilized and non-appearances by the client are not permitted.


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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.

Name: (Risk Management Coordinator) Jon Trochez	
Signature: 	Date: 4.21.21

Name: (Department Head) Ricardo Garcia	
Signature: 	Date: 4.22.21

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: 4/26/2021

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Lyle Spruill v. County Of Los Angeles, et al.
CASE NUMBER	2:20-CV-07909
COURT	United States District Court
DATE FILED	August 28, 2020
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 500,000
ATTORNEY FOR PLAINTIFF	Greg L. Kirakosian, Esq.
COUNTY COUNSEL ATTORNEY	Minas Samuelian Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$500,000 inclusive of attorneys' fees and costs, a federal civil rights lawsuit filed by Lyle Spruill ("Plaintiff"), against the County alleging improper search and seizure and unlawful arrest of the Plaintiff.</p> <p>Given the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case in the amount of \$500,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 49,944.84
PAID COSTS, TO DATE	\$ 4,014.70



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:	
Briefly provide a description of the incident/event:	<p><u>Lyle Spruill v. County of Los Angeles</u> Summary Corrective Action Plan 2021-19</p> <p>On December 3, 2019, at approximately 3:40 p.m., two uniformed Los Angeles County Sheriff's Department deputies assigned to Century Station, were working as a routine patrol two-man unit. Deputies one and two were contacted by Century Station Patrol handling unit (deputies three and four) to assist in an assault with a deadly weapon investigation that had recently occurred at 13501 South Avalon Boulevard, Los Angeles, CA 90061 (Golden Bird Restaurant).</p> <p>During the assault with a deadly weapon investigation, the victim reported to deputies three and four; he was inside the Golden Bird Restaurant looking for a restroom. As the victim exited the restaurant, he walked through the business parking lot, where he was approached by several male Black adults that were gathered in front of the "All in the Kut" barbershop.</p> <p>The victim stated, the male black adults asked him where he was from (a common term used to ascertain gang affiliation). The victim informed the male Blacks he was not from any gang. The victim stated he was punched in the face and kicked while on the ground by a male Black adult (suspect one) who was wearing a barber apron, and several male Black adults (suspects) that were gathered outside the location. The victim managed to get away from the male Black adults and left the area with his sister (witness) who was waiting in her vehicle. Later, the victim returned with his brother-in-law (victim two) to identify the male Black attackers. The victim additionally stated, he was recognized by one of the male Black adults (who was wearing a barber apron), who began to yell at him. The victim and the brother-in-law decided to leave, and as they drove away, they heard six to seven gunshots. Victim two called 9-1-1, pulled over to a safe location and noticed the rear left window had been shattered.</p> <p>Note: The location (3M Plaza) of both the Golden Bird Restaurant and "All in the Kut" Barbershop, is a well-known gathering area for members of the "Westside Piru" gang.</p> <p>Based on the statements provided by the victims and witnesses, deputies three and four coordinated and formulated a tactical plan with the assisting units, to respond to the scene and detain any potential suspect(s).</p>

	<p>As patrol units entered the east end parking lot of the location from Avalon Boulevard, they observed several male Black adults standing in front of the barbershop. The male Blacks were detained by deputies three and four along with additional assisting patrol units, pending an assault investigation. At the same time, deputies one and two entered the north end of the parking lot to the location from east 135th Street.</p> <p>As deputies one and two entered the parking lot, they observed the plaintiff attempting to disassociate himself by walking away from the group of male Black adults who were being detained. The first deputy (passenger) contacted the plaintiff while he attempted to enter his vehicle. The first deputy asked him where he was coming from. Although the plaintiff stated, "I just came to get some food from the Golden Bird," he had a paper food bag from "Wienerschnitze.l" Additionally, the plaintiff was observed walking away from the area where the other males were being detained. The plaintiff was detained pending an assault with a deadly weapon investigation.</p> <p>The second deputy (driver) walked toward the other deputies who were detaining the male Blacks adults.</p> <p>The first deputy conducted a pat-down search for weapons (near the front end of the patrol vehicle), as the first deputy instructed the plaintiff to spread his feet apart, the plaintiff suddenly broke free from her grasp. The plaintiff immediately ran in a northwest direction through the parking lot and jumped over a three-foot cinder block wall that enclosed the parking lot to the west of the Golden Bird restaurant. Upon the plaintiff jumping over the three-foot cinder block wall and entering the north/south alley west of the business, the plaintiff then ran towards 135th Street as the first deputy initiated the foot pursuit of the plaintiff.</p> <p>Note: When the second deputy heard a commotion and saw the plaintiff break free of the first deputy's grasp, he immediately ran back towards the first deputy to assist in pursuing the plaintiff.</p> <p>While pursuing the plaintiff, the second deputy observed the plaintiff reach into the pocket of his hooded sweatshirt with his right hand, then observed the plaintiff holding a revolver in his right hand. The second deputy broadcasted emergent traffic over his handheld radio of a foot pursuit of a person with a gun.</p> <p>Once the second deputy approached the three-foot wall, he looked through the opening (which provided a view of the ally) in the wall. He observed both the first deputy and the plaintiff continue to run towards 135th Street. The second deputy then observed the plaintiff temporarily stop approximately fifteen yards from his location and turned to his left side and pointed his revolver towards the first deputy and himself. The second deputy then heard a gunshot and saw a bright muzzle flash coming from the plaintiff's revolver.</p> <p>Note: The first deputy was approximately 10-20 feet from the plaintiff when she heard a single gunshot and ducked for cover. The first deputy does not recall if the plaintiff stopped prior to hearing the gunshot.</p> <p>After the second deputy heard the gunshot, he observed the plaintiff dropping the revolver in a grassy area near the south curb line on 135th</p>
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	<p>Street. Additionally, the second deputy observed the revolver landing next to a vehicle parked on the south side of the street, in-between a tree and the Mettler Avenue street sign.</p> <p>Note: The Mettler Avenue sign is located directly in front of 432 and 434 135th Street.</p> <p>The plaintiff continued running west on 135th Street. Deputies one and two subsequently detained the plaintiff towards the backyard of 418 135th Street. The plaintiff complied with the deputies' commands. The plaintiff was taken into custody without further incident.</p> <p>Once the plaintiff was in custody, the second deputy coordinated an immediate containment of the area where the plaintiff was seen dropping a revolver during the foot pursuit. One of the assisting units indicated he saw a black male walking north of 135th Street, towards the ally (east of Mettler Avenue), near the area where the plaintiff was seen dropping a revolver.</p> <p>Aero heard the radio traffic and immediately spotted the individual (wearing all black) and was north of Smitty's Liquor store (13409 Avalon Boulevard, Los Angeles). Several individuals were detained near the liquor store, but none of the individuals were involved in the incident.</p> <p>Although a containment was established in an effort to locate the revolver that the plaintiff was seen dropping during the foot pursuit, the revolver was not located.</p> <p>Through surveillance video (from the Golden Bird Restaurant), it was discovered that a person who was parked in the parking lot, was seen exiting his vehicle (south-side of 135th Street) soon after deputies one and two initiated their foot pursuit. The surveillance video also showed several males walking towards the ally, west of the cider-block wall. All the individuals had an opportunity to pick-up the revolver and walk away before the patrol units secured the area.</p> <p>Based on the second deputy's observations, coupled with the victims and the witness statements regarding the prior incident, the plaintiff was arrested for Attempted Murder on a Peace Officer and Assault with a Deadly Weapon, 664/187 PC.</p> <p>Note: The plaintiff was transported by an assisting unit not involved in the incident, to Century Station and a gunshot residue (GSR) test was conducted on the plaintiff's hands.</p> <p>The male Black adults at the barbershop that were initially detained by deputies were all released at the scene.</p> <p>The victim was not able to positively identify a suspect, and no weapons were found. No arrests were made in the assault on the victims.</p> <p>The Los Angeles County Sheriff's Department Operation Safe Streets (OSS) Bureau was assigned to investigate the case.</p> <p>On December 5, 2019, the case was subsequently presented and filed with the Los Angeles County District Attorney's Office.</p>
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	<p>On December 18, 2019, the Los Angeles County Sheriff's Department Crime Lab Criminalist issued the GSR report which determined that the GSR testing of plaintiff's right and left hands showed no particles consistent with gunshot primer residue.</p> <p>On June 11, 2020, the Los Angeles County District Attorney's Office dismissed all charges due to lack of gun and the inconclusive GSR report. The plaintiff remained in custody from December 3, 2019, to June 11, 2020.</p>
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1. Briefly describe the root cause(s) of the claim/lawsuit:

A **Department** root cause for this incident was the second deputy should have remained with the first deputy as she searched the plaintiff instead of walking away from his partner's location.

A **Department** root cause for this incident was, the deputies' report writing and their failure to articulate what transpired, prior to entering the business' parking lot. They observed the plaintiff walking away from the group of males that were in front of the barbershop.

Another **Department** root cause to this incident was, the "Gunshot Residue" (GSR) report returned inconclusive for gunshot residue on the plaintiff's hands. However, the GSR report was dated December 18, 2019. Had the District Attorney's Office received the report in December, as opposed to June 2020, the plaintiff may have been released sooner.

An additional **Department** root cause in this incident was, the field deputy did not have equipment (Body Worn Camera) to video record their contact with the plaintiff, in order to prove or disprove plaintiff's allegations.

A **non-Department** root cause for this incident was, the plaintiff's failure to comply with the deputy's orders to stop fleeing.

Another **non-Department** root cause for this incident was, the plaintiff had an active warrant for his arrest at the time of the incident, possibly contributing to his flight from the deputies.

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

Administrative Investigation

The incident was administratively investigated by Century Station personnel in the form of a civil claim. During the review, it was determined that based on the deputies' observations of the plaintiff, the statements provided by the victims and witnesses, and the plaintiff's actions, the deputies had a legal basis to contact and detain the plaintiff.

During the incident review, it was determined that Los Angeles County Sheriff's Department policies were not violated.

Constitutional Policing

Century Station supervisors have conducted briefings with personnel with scenario-based situations that are similar to this incident. Additionally, report writing and the importance of thorough documentation were discussed.

"Gunshot Residue" (GSR) Report

Negative GSR results may be consistent with many scenarios, including but not limited to the following: The loss of GSR particles due to hand-washing, or physical activity (causing them to fall off), The loss of GSR particles due to environmental conditions such as rain or wind or The firearm having been a type that does not eject significant amounts of GSR onto the hands of the shooter.

Body Worn Cameras

The use of BWC's to ensure reliable recording of enforcement and investigative contacts with the public.

The Los Angeles County Sheriff's Department established policy and procedures for the purpose, use, and deployment of the Department issued BWC:

- Must be turned on during all public contacts and reviewed by the employee.
- Collect evidence for use in criminal investigation and prosecutions.
- Deter criminal activity and uncooperative behavior during law enforcement interactions with the public
- Promote accountability.
- Assist with resolving public complaints and administrative investigation.
- Supervisors conduct random daily audits of Body Worn Cameras to ensure compliance.

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

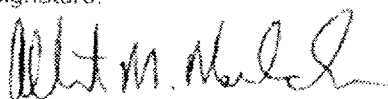
- ☐ Yes – The corrective actions address Department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Albert M. Maldonado, Captain
Risk Management Bureau

Signature:



Date:

8/4/21

Name: (Department Head)

Kelly M. Porowski, Chief
Professional Standards Division

Signature:



Date:

8/9/2021

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:

Destiny Castro

08/16/2021

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

AUGUST 16, 2021

1. Call to Order.

The meeting of the County of Los Angeles Claims Board was called to order at 9:40 a.m. The meeting was held via teleconference with all Claims Board Members participating telephonically. Claims Board Members online for the teleconference meeting were: Chair Steve Robles, Arlene Barrera, and Adrienne Byers.

All other persons also appeared telephonically. Those attending the meeting were: Office of the County Counsel: William Birnie, Edward Morrissey, Blaine McPhillips, Yuan Chang, Tyson Nelson, Jenny Tam, and Camille Granville; Department of Public Health: Joshua Bobrowsky, and Robert Ragland; Sheriff's Department: Shawn Kehoe, Judy Hobb, Kerry Carter, LaTonya Clark, and Shanese Winfrey; Fire Department: Anthony Marrone; and Outside Counsel: Jason Takoro, and Andrew Schrader.

2. Opportunity for members of the public to address the Claims Board on items of interest within the subject-matter jurisdiction of the Claims Board.

No members of the public were on the public teleconference phone line to address the Claims Board.

3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision [a] of Government Code section 54956.9).

At 9:41 a.m., the Chair convened the meeting into closed session to discuss the items listed as 4(a) through 4(d).

4. Report of actions taken in Closed Session.

No members of the public were on the public teleconference phone line to hear the reportable actions of the Claims Board.

At 11:25 a.m., the Claims Board reconvened in open session via the public teleconference phone line and reported the actions taken in closed session as follows:

a. Grace Community Church of the Valley, et al. v. Gavin Newsom, et al. Los Angeles Superior Court Case No. 20BBCV00497

County of Los Angeles, et al. v. Grace Community Church of the Valley, et al.
Los Angeles Superior Court Case No. 20STCV30695

These consolidated lawsuits relate to the Health Officer Orders issued by the Department of Public Health.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$4000,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

**b. Yvonne Dominguez v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 19STCV35602**

This lawsuit arises from injuries plaintiff allegedly sustained in an automobile accident involving a deputy with the Sheriff's Department.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$40,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

**c. Victor White v. County of Los Angeles, et al.
United States District Court Case No. 2:20-cv-04071**

This federal civil rights lawsuit alleges plaintiff was wrongfully arrested and incarcerated by Sheriff's Department deputies.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$125,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

d. Non-Litigated Matter of Eleni Pappas

This matter concerns allegations that a Fire Department employee was subjected to gender discrimination.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$57,400.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

5. Approval of the Minutes of the August 2, 2021, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the Minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Adrienne Byers

6. 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 an emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.

No such matters were discussed.

7. Adjournment.

The meeting was adjourned at 11:26 a.m.

LOS ANGELES COUNTY CLAIMS BOARD

By  _____
Derek Stane