

MEMORANDUM

March 20, 2006

TO: THE LOS ANGELES COUNTY CLAIMS BOARD  
FROM: GORDON W. TRASK  
Principal Deputy County Counsel  
Law Enforcement Services Division  
L. TREVOR GRIMM  
Manning & Marder, Kass, Ellrod, Ramirez, LLP  
RE: Rodney Steele, et al. v. County of Los Angeles  
United States District Court Case No. CV 02-5981-GPS (Ssx)

DATE OF INCIDENT: May 22, 2002

AUTHORITY REQUESTED: \$67,500

COUNTY DEPARTMENT: Sheriff's Department

CLAIMS BOARD ACTION:

Approve                       Disapprove                       Recommend to Board of Supervisors for Approval

ABSENT, Chief Administrative Office  
ROCKY A. ARMFIELD

John Krattli, County Counsel  
JOHN F. KRATTLI

Maria M. Oms, Auditor-Controller  
MARIA M. OMS

on April 3, 2006

## SUMMARY

This is a recommendation to settle for \$67,500 a civil rights action filed by Rodney Steele, his wife Marilyn Stubblefield, and their children, Rodney Earl Steele, Rachel Steele, Rosalee Steele, Raven Steele and Raquel Steele, who claim that Sheriff's Deputies unlawfully detained Rodney Steele and illegally searched their home.

## LEGAL PRINCIPLES

It is a violation of federal civil rights for a peace officer to detain someone without reasonable suspicion that he or she was involved in a crime. It is also a violation of federal civil rights for a peace officer to search a home without consent, unless a warrant is obtained or exigent circumstances exist.

A prevailing plaintiff in a federal civil rights lawsuit is entitled to an award of reasonable attorneys' fees.

## SUMMARY OF FACTS

On May 22, 2002, four Sheriff's Deputies were dispatched to a domestic violence call at an address in the unincorporated Athens area. Unbeknownst to the Deputies, the address they were given, 1731 West 106<sup>th</sup> Street, was incorrect. The correct address was 1731 East 106<sup>th</sup> Street. When the Deputies could not find 1731, they went to 1729 and thought that 1731 might be in the rear of the location.

At that point, they saw a man, later identified as Rodney Steele, walking down the driveway of the location. The Deputies asked Mr. Steele to stop so they could investigate, but Mr. Steele did not stop. When he became somewhat hostile, he was detained at gunpoint.

After determining that the rear of the location did not have a separate address, the Deputies claim they obtained consent from the residents to search their home to verify whether or not there had been any domestic violence. The residents, who were Rodney Steele's family members, deny that they gave the Deputies consent. Once the Deputies were convinced that they were at the wrong location, they left. No arrests were made, and no one was hurt.

## DAMAGES

Should this matter proceed to trial, the potential damages are as follows:

Emotional distress	
Rodney Steele	\$ 50,000
Marilyn Stubblefield	\$ 25,000
Rodney Earl Steele	\$ 25,000
Rachel Steele	\$ 25,000
Rosalee Steele	\$ 25,000
Raven Steele	\$ 25,000
Raquel Steele	\$ 25,000
Civil Rights Attorneys' fees	<u>\$250,000</u>
Total	<u>\$450,000</u>

The proposed settlement calls for the County to pay the plaintiffs a total of \$67,500 for all of their claims for damages, costs and attorneys' fees.

### STATUS OF CASE

The trial court proceedings have been suspended pending consideration of the proposed settlement. The attorneys' fees in this case are relatively high. The plaintiffs' demand until this proposed settlement was reached was \$200,000. In addition, our attorneys filed a summary judgment motion, which was denied, and the denial was appealed to the Ninth Circuit Court of Appeals. Expenses incurred in defense of this action are attorneys' fees of \$128,497 and \$5,104 in costs.

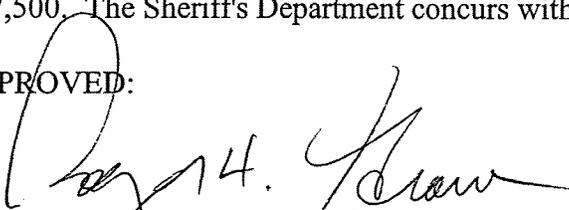
### EVALUATION

This is a case of disputed liability. The Deputies were responding to a domestic violence call and were unknowingly sent to the wrong address. Before they left the location, they wanted to verify that no one at the location had been the subject of domestic violence. However, the plaintiffs contend that the Deputies did not have reasonable suspicion to detain Rodney Steele, and that the Deputies were not given consent to search the home.

A reasonable settlement at this time will avoid further litigation costs and a potential verdict that could exceed the proposed settlement.

We recommend a settlement of this matter in the amount of \$67,500. The Sheriff's Department concurs with this recommendation.

APPROVED:



ROGER H. GRANBO  
Assistant County Counsel  
Law Enforcement Services Division

GWT:bl