

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING
OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD IN ROOM 648 OF THE KENNETH HAHN HALL OF ADMINISTRATION,
500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

ON

MONDAY, APRIL 5, 2010, AT 9:30 AM

Present: John Naimo, Steven NyBlom and John Krattli (Mr. NyBlom arrived following the discussion of Item No. 3a)

The following items were presented to the Claims Board for consideration and the Claims Board took actions as indicated in bold.

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 addressed the Claims Board.

3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code section 54956.9).
 - a. Jenny P. v. So. Pasadena Unified School District
Los Angeles County Department of Mental Health
Case No. N2009080777

This matter concerns allegations of deprivation of educational rights and mental health services by the Los Angeles County Department of Mental Health. (Continued from the meeting of March 15, 2010.)

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$27,000.

Absent: Steven NyBlom

Vote: Unanimously carried

[See Supporting Documents](#)

- b. Kayla S. v. Claremont Unified School District, et al.
Case No. N2009110780

This matter concerns allegations of deprivation of educational rights and mental health services by the Los Angeles County Department of Mental Health.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$80,578.74.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- c. Rachel R. v. Palos Verdes Peninsula Unified School District, et al.
Case No. N2009100694 and 2009091343 (consolidated)

This matter concerns allegations of deprivation of educational rights and mental health services by the Los Angeles County Department of Mental Health.

The Claims Board approved settlement of this matter in the amount of \$38,741.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- d. Liliana Mendoza v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 407333

This lawsuit arises from a motor vehicle accident involving an employee of the Sheriff's Department.

Action Taken:

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

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- e. Roshanie Taylor v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 386710

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

Action Taken:

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

Absent: None

Vote Unanimously carried

[See Supporting Documents](#)

- f. Diana V. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. LC086027

This lawsuit concerns allegations of sexual assault by a Sheriff's Deputy.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$275,000 and that the Auditor-Controller be instructed to draw a warrant to implement this settlement from the Sheriff Department's budget.

Absent: None

Vote: Unanimously carried

[See Supporting Documents](#)

- g. David Robinson v. County of Los Angeles
Los Angeles Superior Court Case No. BC 387763

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

(Continued from the meeting of March 15, 2010.)

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$29,500.

Absent: None

Vote: Unanimously carried

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 March 15, 2010 regular meeting of the Claims Board.

Action Taken:

The minutes of the March 15, 2010 regular meeting of the Claims Board were approved.

Absent: None

Vote: Unanimously carried

[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 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	Jenny P. v. South Pasadena Unified School District; Los Angeles County Department of Mental Health
CASE NUMBER	California Special Education Hearing Office (Case No. N2009080777)
COURT	Not applicable
DATE FILED	May 28, 2009
COUNTY DEPARTMENT	Department of Mental Health
PROPOSED SETTLEMENT AMOUNT	\$27,000
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Andrea E. Ross Senior Deputy County Counsel (213-787-2310)
NATURE OF CASE	The case involves a special education student, Jenny P., in the South Pasadena Unified School District ("USD") who alleges deprivation, both procedurally and substantively, of (1) her educational rights, and (2) related services to which she was entitled. Jenny's parents ("parents") requested payment from the Los Angeles County Department of Mental Health ("DMH") for failure to implement the mental health treatment services to which Jenny was entitled. A mediation

was held and resolution was reached whereby DMH agreed to pay parents an amount not to exceed \$27,000 for such failure to implement mental health services. The amount is to be deposited by DMH into a trust created solely for the benefit of Jenny P., to be used only for mental health/therapy services.

PAID ATTORNEY FEES, TO DATE

None

PAID COSTS, TO DATE

None



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:	2007-2008 School Year
Briefly provide a description of the incident/event:	<p>This case involves Jenny P., a special education student in the South Pasadena Unified School District, who alleges deprivation, both procedurally and substantively, of (1) her educational rights, and (2) related services to which she was entitled. The case went through administrative mediation which resulted in an agreement between plaintiff and the Los Angeles County Department of Mental Health ("DMH"). The settlement consists of reimbursement to Jenny's parents ("parents") in the amount of \$27,000 as compensation for failure to implement the mental health treatment services to which Jenny was entitled.</p> <p>DMH agreed to deposit an amount not to exceed \$27,000 into a trust, of which Jenny P. is the sole beneficiary, and which funds may be used only for mental health/therapy services for the sole benefit of Jenny P.</p>

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

Under AB3632, DMH has an obligation to implement all AB3632 mental health services listed on a student's Individualized Education Plan (IEP). Likewise, DMH is liable for the failure of its contract treatment agencies to provide such services listed on the IEP of a student they accept as a client. In this case, Foothill Family Services should have provided all of the services listed on Jenny's IEP and should have continued to work with Jenny, her parents and the private therapist toward the goal of transitioning Jenny from private therapy to DMH services. The fact that this transition was not achieved in two months did not indicate that it could not have been achieved with the additional time the parents requested. It is not surprising that a child with a diagnosis of Selective Mutism might well require more time to build rapport and trust with a new therapist. Likewise, the complexity of making this transition does justify Jenny's termination from Foothill Family Services without the authorization of DMH and the IEP team. Moreover, DMH was unable to resolve this dilemma, compounding liability. Consequently, DMH would have been highly vulnerable if the matter would have proceeded to hearing.

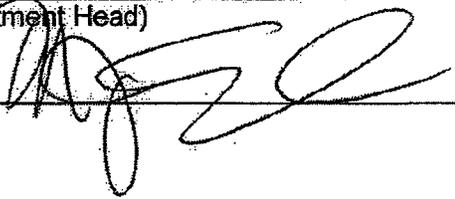
County of Los Angeles
Summary Corrective Action Plan

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

<p>A. By May 1, 2010, the Sector II AB3632 Mental Health Program Head create AB3632 a written protocols, in consultation with the Program's District Chief, that address the following issues:</p> <ul style="list-style-type: none">i. Responding in an appropriate and timely manner to complaints from parents/guardians regarding AB3632 treatment providers.ii. Making clinically appropriate recommendations to AB3632 treatment providers regarding working with clients referred to them who, at the time of the referral, are already engaged in private therapy. <p>B. By May 28, 2010, the Sector II AB3632 Mental Health Program Head will discuss these protocols with all staff clinicians. The protocols will be discussed with all new employees in orientation on an ongoing basis.</p> <p>C. By May 1, 2010, feedback regarding their performance in this situation will be given to management staff at Foothill Family Services, as well as their DMH contract monitor regarding these protocols to prevent similar occurrences in the future.</p>

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- Potentially has County-wide implications.
- Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator) 	Date: 2-3-10
Signature: (Department Head) 	Date: 2-10-10

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Kayla S. v. Claremont Unified School District; Los Angeles County Department of Mental Health
CASE NUMBER	California Special Education Hearing Office (Case No. N2009110780)
COURT	Not applicable
DATE FILED	November 5, 2009
COUNTY DEPARTMENT	Department of Mental Health
PROPOSED SETTLEMENT AMOUNT	\$ \$80,578.74
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Andrea E. Ross Senior Deputy County Counsel (213-787-2310)
NATURE OF CASE	The case involves a special education student, Kayla S., in the Claremont Unified School District ("USD") who alleges deprivation, both procedurally and substantively, of (1) her educational rights, and (2) related services to which she was entitled. Specifically, grandparents requested reimbursement from both USD and DMH for costs pertaining to expenses grandparents incurred from December 3, 2008 through grandparents unilateral placement.

A mediation was held and resolution was reached whereby DMH agreed to reimburse grandparents for a portion of their attorneys' fees and reimbursement of the residential placement fees not to exceed the amount actually paid by the grandparents.

PAID ATTORNEY FEES, TO DATE \$ 0.00

PAID COSTS, TO DATE \$ 0.00

Case Name: Kayla S.



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:	2008-2009 School Year
Briefly provide a description of the incident/event:	This case involves a special education student, Kayla S. who alleges deprivation, both procedurally and substantively, of (1) her educational rights, and (2) related services to which she was entitled. The case went through administrative mediation which resulted in an agreement between plaintiff and the Los Angeles County Department of Mental Health ("DMH"). The settlement consists of reimbursement to Kayla's grandparents in the amount not to exceed \$75,578.74. as reimbursement for costs grandparents paid for services for which Kayla was entitled to receive under AB3632, and \$5,000.00 in attorney's fees.

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

Kayla S had demonstrated behaviors that put her at significant risk, both physically and psychologically. As a student who was approved for special education with mental health treatment needs, Kayla was entitled to appropriate levels of services in order to enable her to access and benefit from her special education program. Given the current state of special education law, especially as interpreted by the courts to approve reimbursements, it would have been difficult for DMH to have prevailed at the administrative hearing. Resolving this case prior to an administrative hearing greatly reduces the total compensatory damages and related costs and fees.

County Counsel believes that settlement of this matter in an amount not to exceed \$80,578.74 is in the best interests of the County. DMH concurs with this recommendation.

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

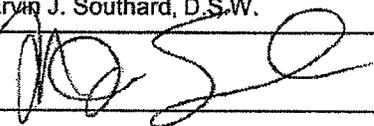
(Kayla S. continued :)

None indicated as the settlement is a compromise of the grandparents' unilateral action.

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- Potentially has Countywide Implications.
- Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have Countywide or other department(s) implications.

Name: (Risk Management Coordinator) Mary Ann O'Donnell, R.N., M.N.	
Signature: 	Date: 3-11-10

Name: (Department Head) Marvin J. Southard, D.S.W.	
Signature: 	Date: 3-11-10

Chief Executive Office Risk Management Branch

Name:	
Signature:	Date:

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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Rachel R. v. Palos Verdes Peninsula Unified School District; Los Angeles County Department of Mental Health
CASE NUMBER	California Special Education Hearing Office (Case No. N2009100694 and 2009091343 [consolidated])
COURT	Not applicable
DATE FILED	October 13, 2009
COUNTY DEPARTMENT	Department of Mental Health
PROPOSED SETTLEMENT AMOUNT	\$38,741 (in two warrants)
ATTORNEY FOR PLAINTIFF	Law Offices of Andrea M. Tytell
COUNTY COUNSEL ATTORNEY	Andrea E. Ross Senior Deputy County Counsel (213-787-2310)
NATURE OF CASE	The case involves a special education student, Rachel R., in the Palos Verdes Peninsula Unified School District ("PVPUSD") who alleges deprivation, both procedurally and substantively, of (1) her educational rights, and (2) related services to which she was entitled. Rachel's parents ("Parents") requested reimbursement from both PVPUSD as well as the Los Angeles County Department of Mental Health ("DMH") for costs

incurred pertaining to expenses Parents incurred for unilaterally placing Rachel in a residential placement facility. A mediation was held and resolution was reached whereby DMH agreed to reimburse Parents for costs of the residential placement of Rachel in the amount of \$37,741, and pay a portion of Parents' attorney's fees in the amount of \$1,000, both costs for which DMH is responsible under applicable law. PVPUSD agreed to reimburse Parents for the cost of tuition and therapeutic services for Rachel in the amount of \$37,741, and pay a portion of Parents' attorney's fees in the amount of \$1,000, costs for which the school district is responsible under applicable law.

PAID ATTORNEY FEES, TO DATE

None

PAID COSTS, TO DATE

None

Summary Corrective Action Plan



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Date of incident/event:	2009-2010 school year
Briefly provide a description of the incident/event:	<p>This case involves a special education student, Rachel R., who alleges deprivation, both procedurally and substantively, of (1) her educational rights, and (2) related services to which she was entitled. The case went through administrative mediation which resulted in an agreement between plaintiff and the Los Angeles County Department of Mental Health ("DMH"). The settlement consists of reimbursement to Rachel's parents ("parents") in the amount not to exceed \$37,741.00 as compensation for failure to implement the mental health treatment services to which Rachel was entitled and \$1,000.00 in attorney's fees.</p> <p>DMH agreed to reimburse parents an amount not to exceed \$37,741.00, for the costs of providing residential (room and board) and psychotherapy services, which costs are DMH's responsibility under applicable law. Palos Verde Peninsula Unified School District ("PVPUSD") agreed to reimburse parents for the costs of tuition and providing therapeutic services, which costs are the school district's responsibility under applicable law. DMH and PVPUSD each agreed to pay \$1,000.00 of the total amount of \$5,633.00 in attorney's fees.</p>

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

Rachel had demonstrated behaviors that put her at significant risk, both physically and psychologically. As a student who was approved for special education with mental health treatment needs, Rachel was entitled to appropriate levels of services in order to enable her to access and benefit from her special education program. Given the current state of special education law, especially as interpreted by the courts to approve reimbursements, it would have been difficult for DMH to have prevailed at the administrative hearing. Resolving this case prior to an administrative hearing greatly reduces the total compensatory damages and related costs and fees.

County Counsel believes that settlement of this matter in an amount not to exceed \$38,741.00 is in the best interests of the County. DMH concurs with this recommendation.

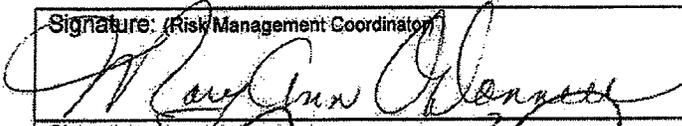
County of Los Angeles
Summary Corrective Action Plan

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

No corrective actions are indicated as this settlement is a compromise of the parents' unilateral action.

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- Potentially has County-wide implications.
- Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator) 	Date: 3-3-10
Signature: (Department Head) 	Date: 3-4-10

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Liliana Mendoza v. County of Los Angeles, et al.
CASE NUMBER	BC407333
COURT	Los Angeles County Superior Court District
DATE FILED	February 9, 2009
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 100,000.00
ATTORNEY FOR PLAINTIFF	Law Offices of Delores A. Yarnall
COUNTY COUNSEL ATTORNEY	Vicki Kozikoujekian Principal Deputy County Counsel (213) 974-8208
NATURE OF CASE	<p>On February 15, 2007, a Sheriff Department civilian employee, while in the course and scope of her employment, caused an automobile collision while attempting to clear the intersection of Mednik and 1st Street.</p> <p>Plaintiff claims that the Sheriff Department civilian employee negligently entered the intersection against a red light. The County claims that the Sheriff Department civilian employee believed that she had the green light and that the intersection was clear.</p>

Due to the risks and uncertainties of litigation, the Sheriff's Department proposes a full and final settlement of the case in the amount of \$100,000.

PAID ATTORNEY FEES, TO DATE \$ 11,044.00

PAID COSTS, TO DATE \$ 1,752.78



Summary Corrective Action Plan

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Date of incident/event:	<p style="text-align: center;"><u>Liliana Mendoza v. County of Los Angeles, et al.</u> (Summary Corrective Action Plan #2010-001)</p> <p>Thursday, February 15, 2007, 12:54 p.m.</p>
Briefly provide a description of the incident/event:	<p>On Thursday, February 15, 2007, at approximately 12:54 p.m., an on-duty Los Angeles County Sheriff's Department law enforcement technician was driving a county-owned vehicle south on Mednik Avenue, north of First Street, Unincorporated Los Angeles County, when the vehicle she was driving struck the plaintiff's vehicle in the intersection of Mednik Avenue and First Street.</p>

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

A public entity is responsible for the negligent acts of their employees when the acts are committed in the course and scope of employment.

The plaintiff claims that as a result of the incident she sustained soft tissue injuries to her neck, shoulder, and spine. She also sustained a laceration over the left eye. She was transported to a local medical facility for treatment.

The vehicle the plaintiff was driving, a 2002 Toyota 4Runner Sport Utility Vehicle, California License Number 4VKT405, sustained moderate damage.

The law enforcement technician was transported to a local medical facility for treatment.

The vehicle the law enforcement technician was driving, a 2006 Ford Crown Victoria, California License Number 5SBE281, sustained moderate damage.

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.

County of Los Angeles
Summary Corrective Action Plan

The Los Angeles County Sheriff's Department's training curriculum sufficiently addresses the circumstances which occurred in this incident.

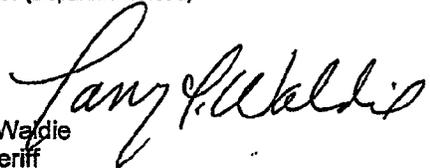
The traffic collision was thoroughly investigated by representatives from the California Highway Patrol and representatives from the Los Angeles County Sheriff's Department. Their investigations concluded that the law enforcement technician caused the traffic collision by failing to stop for a red traffic signal, a violation of Vehicle Code Section 21453(a), Circular Red or Red Arrow Signal.

The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Appropriate administrative action was taken.

This summary corrective action plan has no countywide implications (refer to #3 below).

3. State if the corrective actions are applicable to only your department or other County departments:
(if unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- Potentially has County-wide implications.
- Potentially has implications to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have County-wide or other department implications.

Signature: (Risk Management Coordinator)  Shaun J. Mathers, Acting Captain Risk Management Bureau	Date: 3/3/10
Signature: (Department Head)  Larry L. Waidie Undersheriff	Date: 03-9-10

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Roshanie Taylor v. County of Los Angeles
CASE NUMBER	BC386710
COURT	LA Superior Court Central District
DATE FILED	3/05/2008
COUNTY DEPARTMENT	Sheriff's
PROPOSED SETTLEMENT AMOUNT	\$ 40,000.00
ATTORNEY FOR PLAINTIFF	Law Offices of David Craig Bernstein
COUNTY COUNSEL ATTORNEY	Adrian G. Gragas
NATURE OF CASE	<p>The plaintiff claims that Deputies used excessive force on him during his arrest on March 5, 2006.</p> <p>The Deputies contend that the use of force was reasonable and in response to plaintiff's violent resistance.</p> <p>Due to the risks and uncertainties of litigation, and in light of the fact that a prevailing plaintiff in a federal civil rights lawsuit is entitled to an award of reasonable attorneys' fees, a full and final settlement of the case in the amount of \$40,000 is recommended.</p>

PAID ATTORNEY FEES, TO DATE \$ 80,116

PAID COSTS, TO DATE \$ 17,870

Case Name: Roshonie Taylor 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:	Sunday, March 5, 2006; 1:30 a.m.
Briefly provide a description of the incident/event:	<p><u>Roshonie Taylor v. County of Los Angeles, et al.</u> (Summary Corrective Action Plan #2010-007CR)</p> <p>On Sunday, March 5, 2006, at approximately 1:30 a.m., Los Angeles County sheriff's deputies responded to a radio call of an illegal shooting at 508 Hoefner Avenue, Los Angeles (Unincorporated Los Angeles County). At the location, the plaintiff was arrested for a violation of California Penal Code section 594(b)(1), Vandalism (a felony); California Penal Code section 243(b), Battery on a Peace Officer (a misdemeanor); California Penal Code section 148(a)(1); Resisting, Delaying, or Obstructing a Peace Officer in the Performance of his Duties (a misdemeanor); California Penal Code section 647(f), Disorderly Conduct (a misdemeanor); and, California Penal Code section 404.6(a), Incitement to Riot (a misdemeanor). During the course of the arrest, physical force was necessary to overcome the plaintiff's resistance and subdue him.</p>

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

A public entity is responsible for the intentional, wrongful, and negligent acts of its employees when the acts are committed in the course and scope of employment. A public entity may also be held liable for the violation of an individual's civil rights when an employee uses excessive force.

As a result of his arrest, the plaintiff alleges he sustained bruises, cuts, and abrasions to his face, and emotional distress.

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 adequate and relevant policies and procedures/protocols in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

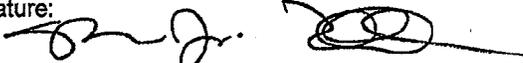
County of Los Angeles
Summary Corrective Action Plan

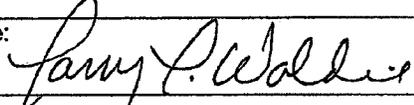
The Los Angeles County Sheriff's Department's administrative investigation into the incident revealed no evidence of employee misconduct. Consequently, no corrective action measures are contemplated nor recommended.

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- Potentially has Countywide implications.
- Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have Countywide or other department(s) implications.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)	
Shaun J. Mathers, Acting Captain, Risk Management Bureau	
Signature: 	Date: 3.16.2010

Name: (Department Head)	
Larry L. Waldie, Undersheriff	
Signature: 	Date: 03-18-10

Chief Executive Office Risk Management Branch

Name:	
Signature:	Date:

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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Diana V. v. County of Los Angeles
CASE NUMBER	LC 086027
COURT	Los Angeles County Superior Court, Van Nuys Branch
DATE FILED	July 29, 2009
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 275,000
ATTORNEY FOR PLAINTIFF	Brian T. Dunn of the Cochran Firm
COUNTY COUNSEL ATTORNEY	Gordon W. Trask
NATURE OF CASE	<p>Diana V. alleges that she was sexually assaulted by a Sheriff's Deputy in the Van Nuys court lock-up.</p> <p>Due to the risks and uncertainties of litigation, and in light of the fact that a prevailing plaintiff in a federal civil rights lawsuit is entitled to an award of reasonable attorneys' fees, a full and final settlement of the case in the amount of \$275,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 35,640
PAID COSTS, TO DATE	\$ 4,657

Case Name: Diana V. 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:	Monday, July 28, 2008; between 10:20 a.m. and 12:15 p.m.
Briefly provide a description of the incident/event:	<p><u>Diana V. v. County of Los Angeles, et al.</u> (Summary Corrective Action Plan #2010-007CR)</p> <p>On June 29, 2009, the plaintiff filed a lawsuit against the County of Los Angeles and an individual member of the Los Angeles County Sheriff's Department. In her lawsuit, the plaintiff alleged she was the victim of criminal misconduct committed by a member of the Los Angeles County Sheriff's Department in the course and scope of his employment.</p>

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

A public entity is responsible for the negligent and intentional acts of its employees when the acts are committed in the course and scope of their employment.

On July 28, 2008, the plaintiff was an inmate in the custody of the Los Angeles County Sheriff's Department. While detained in a holding cell at the Los Angeles Superior Court, Van Nuys Courthouse West facility, the plaintiff alleges she was sexually assaulted by an on duty member of the Los Angeles County Sheriff's Department.

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 adequate policies and procedures/protocols in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum sufficiently addresses the circumstances which occurred in this incident.

Appropriate administrative action was taken.

County of Los Angeles
Summary Corrective Action Plan

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- Potentially has Countywide implications.
- Potentially has an Implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- Does not appear to have Countywide or other department(s) implications.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)	
Shaun J. Mathers, Acting Captain, Risk Management Bureau	
Signature: 	Date: 3/17/10

Name: (Department Head)	
Larry L. Waldie, Undersheriff	
Signature: 	Date: 03-23-10

Chief Executive Office Risk Management Branch

Name:	
Signature:	Date:

\\Risk Mgt. Inspector General\CAP-SCAP-RECAP\Summary Corrective Action Plan Form 2-01-10 (Final).docx

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

March 15, 2010

1. Call to Order.

This regular meeting of the County of Los Angeles Claims Board was called to order at 9:35 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Claims Board Members present at the meeting were: John Naimo, Steven NyBlom, and John F. Krattli.

Other persons in attendance at the meeting were: Office of the County Counsel: Vicki Kozikoujekian, Manuel A. Valenzuela, Jr., Julie Dixon Silva, Ruben Baeza, Jr., Narbeh Bagdasarian, Lauren Black, Mary Wickham, Ed Lewis, and Steve Morris; Department of Public Works: Michael Hays and Allan Abramson; Sheriff's Department: Shaun Mathers; Department of Health Services: Kim McKenzie, Annie Ternate, Irene Recendez, Lura Sarff, and Bonnie Bilitch; Department of Child Support Services: Fesia Davenport and Tammy Nakada; Treasurer-Tax Collector's Office: Craig Norris; Probation Department: Tracy Jordan-Johnson and Charlene M. Durham; Department of Public Health: Aundray Burks and Jim Day; Office of Affirmative Action: Hayward Harris, Jr.; Outside Counsel: Clay Averbuck, Elizabeth M. Kessel, and Sigalit Novreal.

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 addressed the Claims Board.

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

At 9:39 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the item listed as 4(a).

4. Report of actions taken in Closed Session.

At 3:50 p.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

- a. **Maria Marin v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 399 213

This dangerous condition lawsuit arises from a trip and fall on a County sidewalk.

The Claims Board approved settlement of this matter in the amount of \$80,000.

The vote of the Claims Board was unanimous with all members being present.

- b. Erick Hoxey and Shatwan Smith v. County of Los Angeles
United States District Court Case No. CB 09-01372

This lawsuit concerns allegations of excessive force and unlawful arrest by Sheriff's Deputies; authority is requested to make a statutory offer.

The Claims Board authorized a statutory offer.

The vote of the Claims Board was unanimous with all members being present.

- c. Arthur Michael Fernandez v. County of Los Angeles, et al.
United States District Court Case No. CV 08-05044 PA

This lawsuit concerns allegations that the Sheriff's Department violated the Americans with Disabilities Act by not reasonably accommodating persons with disabilities at the Inmate Reception Center.

The Claims Board approved settlement of this matter in the amount of \$91,000.

The vote of the Claims Board was unanimous with all members being present.

- d. Darren Rice v. County of Los Angeles, et al.
United States District Court Case No. CV 08-05669 PSG

This lawsuit concerns allegations that the Sheriff's Department violated the Americans with Disabilities Act by not reasonably accommodating persons with disabilities at the Inmate Reception Center.

The Claims Board approved settlement of this matter in the amount of \$27,000.

The vote of the Claims Board was unanimous with all members being present.

- e. Johnny Garcia v. County of Los Angeles, et al.
United States District Court Case No. CV 08-04702 RSWL

This lawsuit concerns allegations that the Sheriff's Department violated the Americans with Disabilities Act by not reasonably accommodating persons with disabilities at the Inmate Reception Center.

The Claims Board approved settlement of this matter in the amount of \$42,000.

The vote of the Claims Board was unanimous with all members being present.

- f. The Estate of Harutyun Danaciyan through his Successor-in-Interest, Peruz Danaciyan v. County of Los Angeles, et al.
Los Angeles Superior Court Case Nos. BC 410 163 and BC 423 522

These two lawsuits arise from the death of a patient who was hospitalized at the Olive View Medical Center.

The Claims Board recommended to the Board of Supervisors the settlement of these matters in the amount of \$400,000, plus the assumption of a Medi-cal lien in the amount of \$572.79.

The vote of the Claims Board was unanimous with all members being present.

- g. Jenny P. v. South Pasadena Unified School District;
Los Angeles County Department of Mental Health
Case No. N2009080777

This matter concerns allegations of deprivation of educational rights and mental health services by the Los Angeles County Department of Mental Health; settlement is recommended in the amount of \$27,000.

The Claims Board continued this matter.

The vote of the Claims Board was unanimous with all members being present.

- h. Alfredo Hernandez v. County of Los Angeles, et al.
United States District Court Case No. CV 09-3962 R (JCx)

This lawsuit alleges violations of the Fair Credit Reporting Act by the Child Support Services Department.

The Claims Board recommended to the Board of Supervisors the settlement of these matters in the amount of \$160,000

The vote of the Claims Board was unanimous with all members being present.

- i. Willie Mae Pleasant v. County of Los Angeles
Los Angeles Superior Court Case No. BC 381 797

This lawsuit concerns allegations that an employee of the Treasurer-Tax Collector/Public Administrator was subjected to discrimination and sexual harassment.

The Claims Board approved settlement of this matter in the amount of \$25,000.

The vote of the Claims Board was unanimous with all members being present.

- j. James M. Juarez v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 408 340

This lawsuit concerns allegations that an employee of the Probation Department was subjected to harassment and retaliation.
(Continued from the special meeting of February 11, 2010.)

The Claims Board approved settlement of this matter in the amount of \$99,000.

The vote of the Claims Board was unanimous with all members being present.

- k. David Robinson v. County of Los Angeles
Los Angeles Superior Court Case No. BC 387 763

This lawsuit concerns allegations that an employee of the Probation Department was subjected to discrimination and retaliation; settlement is recommended in the amount of \$29,500.

The Claims Board continued this matter.

The vote of the Claims Board was unanimous with all members being present.

- l. Mark Felix v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 404 175

This lawsuit concerns allegations that an employee of the District Attorney's Bureau of Investigations was subjected to discrimination.

The Claims Board approved settlement of this matter in the amount of \$89,000.

The vote of the Claims Board was unanimous with all members being present.

- m. John Kaddis v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 398 517

This lawsuit concerns allegations that an employee of the Department of Public Health was subjected to discrimination and retaliation.

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

The vote of the Claims Board was unanimous with all members being present.

5. Approval of the minutes for the March 1, 2010, regular meeting of the Claims Board.

The minutes of the March 1, 2010, regular meeting of the Claims Board were approved as corrected.

The vote of the Claims Board was unanimous with all members being present.

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

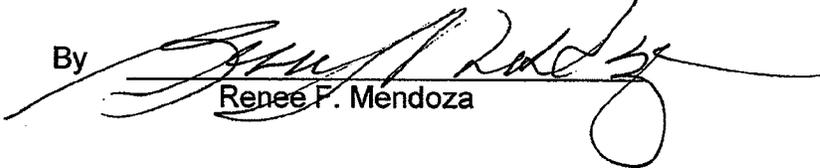
No such matters were discussed.

7. Adjournment.

The meeting was adjourned at 4:00 p.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By


Renee F. Mendoza