

**STATEMENT OF PROCEEDINGS  
FOR THE SPECIAL 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, MAY 2, 2011, AT 8:30 AM**

Present: Chair John Naimo, Laurie Milhiser and John Krattli

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. **Steven DeCollibus v. County of Los Angeles  
United States District Court Case No. CB 09-09013**

This lawsuit concerns allegations of excessive force by a Sheriff's Deputy.

Action Taken:

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

Vote: Unanimously carried  
Absent: None

[See Supporting Documents](#)

- b. **Elias Aldana, et al. v. County of Los Angeles, et al.**  
**(consolidated with Savanah Kirifi v. County of Los Angeles)**  
**Orange County Superior Court Case No. 30-2009 00120599**  
**(Lead consolidated with Los Angeles Superior Court Case**  
**No. BC 409 969)**

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

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$4,750,000.

Vote: Unanimously carried  
Absent: None

**[See Supporting Documents](#)**

- c. **David Eng v. County of Los Angeles**  
**United States District Court Case No. CV 85-2686**

This lawsuit concerns allegations that an employee of the District Attorney's office was subjected to retaliation.

Action Taken:

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

Vote: Unanimously carried  
Absent: None

d. **Javelon Brown-Emanuel v. County of Los Angeles**  
**Los Angeles Superior Court Case No. BC 422 521**

This lawsuit concerns allegations that the Probation Department failed to accommodate an employee's work restrictions.

Action Taken:

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

Vote: Unanimously carried  
Absent: None

e. **Robert Hernandez v. County of Los Angeles**  
**Los Angeles Superior Court Case No. BC 436 833**

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

Action Taken:

The Claims Board did not approve the requested settlement of this matter in the amount of \$40,000.

The vote to approve the requested settlement:

Ayes: 1 - John Krattli  
Noes: 2 - John Naimo and Laurie Milhiser

**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 April 18, 2011, meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote:           Ayes:           2 - John Naimo and John Krattli  
                  Abstentions: 1 - Laurie Milhiser

[See Supporting Document](#)

**6. Adjournment.**

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Steven DeCollibus vs. County of Los Angeles
CASE NUMBER	CV 09-09013
COURT	United States District Court Central District
DATE FILED	December 18, 2009
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 75,000.00
ATTORNEY FOR PLAINTIFF	Altman Law Group
COUNTY COUNSEL ATTORNEY	Ruben Baeza, Jr.
NATURE OF CASE	<p>Steven Decollibus, alleges that on November 8, 2008, he was subjected to the use of excessive force while he was an inmate in County jail.</p> <p>The Sheriff's Deputy claims that the force he used was reasonable and in an attempt to subdue Mr. DeCollibus.</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 \$75,000 is recommended.</p>

PAID ATTORNEY FEES, TO DATE \$ 28,881

PAID COSTS, TO DATE \$ 2,227

Case Name: Stephen DeCollibus v. County of Los Angeles, et al.



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Thursday, November 6, 2008; 1:06 p.m.
Briefly provide a description of the incident/event:	<p><b><u>Stephen DeCollibus v. County of Los Angeles, et al.</u></b> Summary Corrective Action Plan No. 2011-006</p> <p>The plaintiff, an inmate incarcerated in the Los Angeles County Sheriff's Department's North County Correctional Facility (NCCF), alleged that on Thursday, November 6, 2008, at approximately 1:06 p.m., he was subjected to an unreasonable level of physical force deployed by a Los Angeles County deputy sheriff.</p>

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

The plaintiff alleged that a member of the Los Angeles County Sheriff's Department used an unreasonable level of physical force to control his movement(s) while he was being escorted from one part of the facility to another. As a result of the unreasonable force, the plaintiff alleged he sustained serious physical injuries.

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 procedure/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.

Representatives from the Los Angeles County Sheriff's Department's Internal Affairs Bureau conducted a thorough administrative investigation. The results of their investigation were presented to the Los Angeles County Sheriff's Department's Executive Force Review Committee. The committee concluded that the deputy sheriff committed administrative misconduct in violation of the Los Angeles County Sheriff's Department's Manual of Policy and Procedures. Appropriate administrative action was recommended.


On April 3, 2009, the deputy sheriff resigned from the Los Angeles County Sheriff's Department.

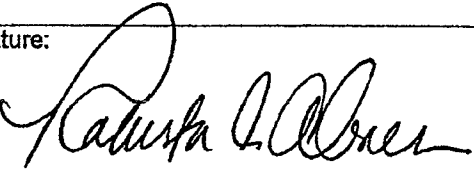
County of Los Angeles  
Summary Corrective Action Plan

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.

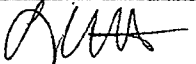
**Los Angeles County Sheriff's Department**

Name: (Risk Management Coordinator)  Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 3/30/11

Name: (Department Head)  Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 04/06/11

CONTENTS  
E.B. SMITH  
NOTED  
3/31/11

**Chief Executive Office Risk Management Branch**

Name: LEO COSTANTINO	
Signature: 	Date: 4/22/2011

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## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Elias Moises Aldana v. County of Los Angeles, et al.
CASE NUMBER	Case No. 30-2009 00120599
COURT	Orange Superior Court
DATE FILED	March 28, 2009
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 4,750,000
ATTORNEY FOR PLAINTIFF	Keith Adesko, Esq.
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel
NATURE OF CASE	<p>On June 29, 2008, at approximately 5:25 a.m., at the signalized intersection of Beach Boulevard and Garden Grove Boulevard in the City of Garden Grove, a Sheriff's deputy driving an unmarked Sheriff's vehicle collided with another vehicle in which Savannah Kirifi was a passenger. It is disputed who, among the drivers, proceeded into the intersection against a red traffic signal which resulted in the collision.</p> <p>As a result of the collision, Mr. Aldana suffered traumatic brain injury, internal organ trauma</p>

that required a splenectomy, several rib fractures, pelvic fractures, left shoulder muscle tear, right foot denervation, and other soft tissue injuries. He incurred approximately over \$2.17 million in medical expenses.

Due to the inherent risks and uncertainties involved in a trial, the potential liability and potential exposure to an adverse verdict, the County proceeded with settlement negotiations and was eventually able to develop this recommended settlement with the plaintiff.

PAID ATTORNEY FEES, TO DATE	\$	243,314
PAID COSTS, TO DATE	\$	174,652

Case Name: **Elias Aldana, et al. 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:	Sunday, June 29, 2008; 5:25 a.m.
Briefly provide a description of the incident/event:	<p><b><u>Elias Aldana, et al. v. County of Los Angeles, et al.</u></b> Summary Corrective Action Plan No. 2010-019</p> <p>On Sunday, June 29, 2008, at approximately 5:25 a.m., an employee of the Los Angeles County Sheriff's Department was driving an unmarked, County of Los Angeles-owned vehicle south on Beach Boulevard, north of Garden Grove Boulevard, Stanton (County of Orange). As the employee entered the intersection of Garden Grove Boulevard, the vehicle he was driving struck the plaintiff's vehicle.</p>

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

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

As a result of this traffic collision, the plaintiff and his passenger were transported to a local hospital for treatment of their injuries.

The vehicle the plaintiff was driving, a 1999 Mazda Protégé, California License Number 5PHP453, sustained major damage.

The employee was transported to a local hospital for treatment of his injuries.

The vehicle he was driving, a 2005 Chevrolet Trailblazer, California License Number 5KUG920, sustained major 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 this incident.

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

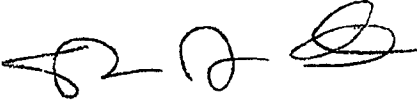
County of Los Angeles  
Summary Corrective Action Plan

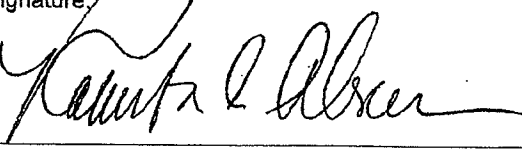
The traffic collision was investigated by representatives from the Garden Grove Police Department, Orange County Sheriff's Department, and the Los Angeles County Sheriff's Department. As a result, the employee was arrested for violating California Vehicle Code section 23153(a) and (b), Driving Under Influence of Alcohol or Drugs Causing Injury.

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

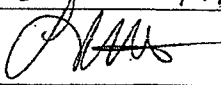
3. State if the corrective actions are applicable to only your department or other County departments: (If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- 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)	
Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 2/10/11

Name: (Department Head)	
Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 2/16/11

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 3/11/2011

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COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

April 18, 2011

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:33 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, John Krattli. Laurie Milhiser was absent.

Other persons in attendance at the meeting were: Office of the County Counsel: Vicki Kozikoujekian and Brian Chu; Sheriff's Department: Sgt. Lynne Hughes.

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 9:36 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(b) below.**

4. Report of actions taken in Closed Session.

**At 9:50 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:**

a. Teresita Ricardo v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 419 388

This lawsuit arises from personal injuries sustained in a pedestrian versus bus collision involving an employee of the Sheriff's Department.

**Action Taken:**

**The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$200,000.**

Vote: Unanimously carried

Absent: Laurie Milhiser

- b. Sonja Davis v. County of Los Angeles  
Los Angeles Superior Court Case No. GC 045 623

This lawsuit arises from personal injuries sustained in 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 \$30,680.**

Vote: Unanimously carried

Absent: Laurie Milhiser

5. Approval of the minutes of the April 4, 2011, meeting of the Claims Board.

**Action Taken:**

**The minutes of the April 4, 2011 meeting of the Claims Board were approved as follows:**

Vote: Unanimously carried

Absent: Laurie Milhiser

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.

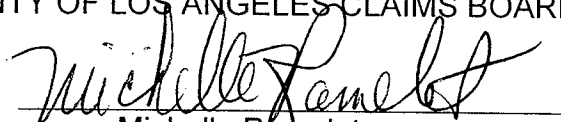
**No such matters were discussed.**

7. Adjournment.

**The meeting was adjourned at 9:58 a.m.**

COUNTY OF LOS ANGELES CLAIMS BOARD

By

  
Michelle Ranelot