

**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, FEBRUARY 4, 2013, AT 9:30 AM**

Present: Chair John Naimo, Steven NyBlom, Steve Robles, and
Patrick Wu

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. **Karen Sartori v. County of Los Angeles, et al.
United States District Court Case No. CV 11-08137**

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

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$32,500.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

[See Supporting Documents](#)

**b. Michael Holquin v. County of Los Angeles, et al.
United States District Court Case No. CV 10-08011**

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

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$475,000.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

[See Supporting Documents](#)

**c. Shelley Jackson v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 470 898**

This lawsuit concerns allegations of discrimination and retaliation by an employee of the District Attorney's Office.

Action Taken:

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

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

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 January 14, 2013, special meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

[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	Karen Sartori v. County of Los Angeles
CASE NUMBER	CV1108137
COURT	United States District Court
DATE FILED	October 2, 2010
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 32,500
ATTORNEY FOR PLAINTIFF	The Beck Law Firm
COUNTY COUNSEL ATTORNEY	Jennifer A.D. Lehman
NATURE OF CASE	<p>Karen Sartori alleges that she was falsely arrested by Sheriff's Deputies on October 2, 2010.</p> <p>The involved Sheriff's Deputies contend that they had probable cause for Mr. Sartori's arrest. However, due to the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Settlement of this matter in the amount of \$32,500 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 20,860
PAID COSTS, TO DATE	\$ 5,197

Case Name: Karen Sartori 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:	Saturday, October 2, 2010; approximately 11:10 p.m. .
Briefly provide a description of the incident/event:	<p><u>Karen Sartori v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2012-045</p> <p>On Saturday, October 2, 2010, at approximately 11:10 p.m., Los Angeles County deputy sheriffs arrested the plaintiff for a violation of California Health and Safety Code section 11350, Possession of Designated Controlled Substances. During the subsequent investigation, it was determined the items in the plaintiff's possession were commercially available. The plaintiff was released from custody pursuant to California Penal Code section 849(b)(1).</p>

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

In her lawsuit, the plaintiff alleges she was subjected to federal civil rights violations by representatives 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 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.

The facts in this case were reviewed by representatives of the Los Angeles County Sheriff's Department's Lomita Station. No systemic issues were identified and no employee misconduct is suspected. Consequently, no personnel-related administrative action was taken.

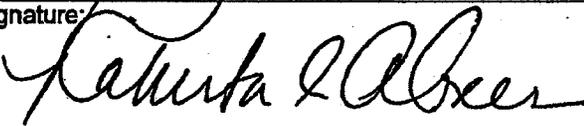
Although the incident was deemed to have been handled within Departmental policy, several employees were appropriately counseled. At the direction of the unit commander, the shift watch commanders also conducted a series of extensive training sessions with all patrol personnel on (among other topics) field investigations, laws of arrest, search and seizure, use of force and reporting procedures, tactical communications, drug/narcotic recognition, identification of impaired drivers, booking procedures, and report writing.

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.

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 1/2/13

Name: (Department Head) Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 1/3/13

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 1-10-13

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

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Michael Holguin v. County of Los Angeles, et al.
CASE NUMBER	CV 10-08011
COURT	United States District Court
DATE FILED	10/25/2010
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 475,000
ATTORNEY FOR PLAINTIFF	Hadsell Stormer Keeny Richardson & Renick, LLP
COUNTY COUNSEL ATTORNEY	Jennifer A.D. Lehman
NATURE OF CASE	<p>Michael Holguin sued the County of Los Angeles and two Sheriff's Deputies alleging federal civil rights violations and excessive use of force arising out of an incident at Men's Central Jail on October 18, 2009.</p> <p>While we believe that the Deputies' actions were reasonable and that this is a defensible case, due to the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Settlement of this matter in the amount of \$475,000 is recommended.</p>

PAID ATTORNEY FEES, TO DATE \$ 280,079

PAID COSTS, TO DATE \$ 43,466

Case Name: Michael Holguin 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, October 18, 2009; approximately 2:45 p.m.
Briefly provide a description of the incident/event:	<p><u>Michael Holguin v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2012-037</p> <p>On Sunday, October 18, 2009, at approximately 2:45 p.m., a Los Angeles County deputy sheriff was escorting a handcuffed inmate (plaintiff) when the plaintiff became angry and assaulted the deputy. The deputy struck the plaintiff in the stomach with his fists and forced him to the ground. Once on the ground, the plaintiff disregarded verbal commands and continued to struggle with the deputy. The deputy deployed Oleoresin Capsicum spray, but the plaintiff continued to struggle.</p> <p>A second deputy responded to assist and also became involved in the struggle to restrain the plaintiff. The plaintiff eventually complied with the deputies' instructions and stopped struggling.</p>

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

In his lawsuit, the plaintiff alleged he was subjected to excessive force by members 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 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.

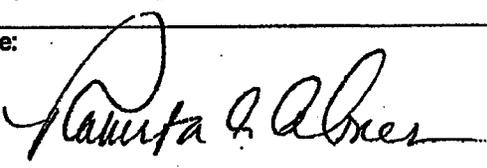
The facts in this case were presented to the Los Angeles County Sheriff's Department's Executive Force Review Committee. The committee concluded that the level of physical force used by the deputy sheriffs was reasonable, necessary, and in compliance with Department policy. Consequently, no corrective action measures are recommended or contemplated.

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.

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 11/16/12

Name: (Department Head) Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 11/19/12

Chief Executive Office Risk Management Branch

Name: LEO COSTANTINO	
Signature: 	Date: 1-23-2013

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COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF SPECIAL MEETING

January 14, 2013

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, Steven NyBlom, and Patrick Wu.

Other persons in attendance at the meeting were: Office of the County Counsel: Edwin Lewis, Brian Chu, Richard Kudo and Stephen Morris; Sheriff's Department: Lynne Hughes; Internal Services Department: Mark Colton and Azadeh Imandel; Department of Human Resources: Comelita Farris; and Outside Counsel: Christy O'Donnell.

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 9:35 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(d) below.

4. Report of actions taken in Closed Session.

At 10:55 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Anthony Arutunian v. County of Los Angeles
United States District Court Case No. CV 12-2008**

This lawsuit concerns allegations of a violation of civil rights by an inmate while detained in Men's Central Jail.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$35,000.

Vote: Ayes: 3 – John Naimo, Steven NyBlom, and Patrick Wu

b. **Claims of Veronica A. Rodriguez, Edlyn Betancourt and Jennifer Betancourt (A Minor)**

These claims seek compensation for injuries received in an automobile accident with an employee of the Sheriff's Department.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$25,500.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

c. **Luis Peralta v. County of Los Angeles, et al.**
Torrance Superior Court Case No. YC 065 218

This lawsuit arises from injuries sustained in a 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 \$350,000.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

d. **Dessie Hamilton v. County of Los Angeles, Ronald Sigur**
Los Angeles Superior Court Case No. BC 448 499

This lawsuit concerns allegations that an employee of the Internal Services Department was subjected to a hostile work environment and gender discrimination.

Action Taken:

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

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

5. **Approval of the minutes of the December 17, 2012, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 - John Naimo, Steven NyBlom, and Patrick Wu

6. Adjournment.

The meeting was adjourned at 11:00 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By Carol J. Slosson
Carol J. Slosson