

**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 15, 2013, AT 9:30 AM**

Present: Chair John Naimo, 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. **Rudy Orona, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. PC 051 417**

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

Action Taken:

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

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

[See Supporting Documents](#)

**b. Latonya Hardin v. Eduardo Martinez, et al.
Los Angeles Superior Court Case No. TC 025 896**

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

Action Taken:

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

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

[See Supporting Documents](#)

**c. Ronald Gibson v. County of Los Angeles, et al.
United States District Court Case No. CV 12-00729 PSG (Ex)**

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 \$80,000.

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

[See Supporting Documents](#)

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 1, 2013, meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 - John Naimo, Steve Robles, 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	Rudy Orona, et al. v. County of Los Angeles, et al.
CASE NUMBER	PC 051417
COURT	Los Angeles County Superior Court
DATE FILED	August 26, 2011
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 25,000
ATTORNEY FOR PLAINTIFF	Ronald M. Binder Binder & Binder
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Senior Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a vehicle collision that occurred on July 7, 2010, on State Route 14, just south of Newhall Avenue, in Santa Clarita, when Sheriff's Deputy Gabriel Frias collided into the vehicle driven by plaintiff Rudy Orona. Mr. Orona's adult daughter, Jordan Orona, was seated in the front passenger seat. Both Mr. Orona and Ms. Orona claim to have sustained injuries as a result of the collision. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 49,305.50
PAID COSTS, TO DATE	\$ 13,257.52

Case Name: Rudy Orona 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:	Wednesday, July 7, 2010; approximately 5:50 p.m.
Briefly provide a description of the incident/event:	<p><u>Rudy Orona v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2013-005</p> <p>On Wednesday, July 7, 2010, at approximately 5:50 p.m., a Los Angeles County deputy sheriff was driving a standard, black and white County of Los Angeles-owned patrol vehicle north on Interstate 14, south of Newhall Avenue, Santa Clarita, when the vehicle he was driving collided with the plaintiff's vehicle.</p>

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

This traffic collision was thoroughly investigated by representatives from the Los Angeles County Sheriff's Department and the California Highway Patrol. Their investigations concluded that the deputy sheriff caused the traffic collision by violating California Vehicle Code section 21658(a), Laned Roadways, which states, "(A) vehicle shall be driven as nearly as practical entirely within a single lane and shall not be moved from the lane until such movement can be made with reasonable safety."

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.

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

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

This section intentionally left blank.

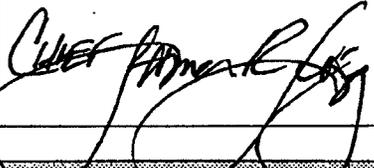
County of Los Angeles
Summary Corrective Action Plan

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) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 3/20/13

Name: (Department Head) James R. Lopez, Chief Leadership and Training Division	
Signature: 	Date: 03/25/13

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input checked="" type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability. <input type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) LEO ASTANTINO	
Signature: 	Date: 4-3-13

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Latonya Hardin v. Eduardo Martinez, et al.
CASE NUMBER	TC 025896
COURT	Los Angeles County Superior Court
DATE FILED	November 7, 2011
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 35,000
ATTORNEY FOR PLAINTIFF	Frank Y. Ariel
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Senior Deputy County Counsel
NATURE OF CASE	This lawsuit arises from a vehicle collision that occurred on November 16, 2010, at the intersection of Athens Way and El Segundo Boulevard, in Willowbrook, when Security Officer Eduardo Martinez of the Sheriff's Department collided with a vehicle driven by plaintiff Latonya Hardin. Ms. Hardin claims she sustained injuries as a result of the collision. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 16,848.50
PAID COSTS, TO DATE	\$ 5,560.22

Case Name: Latonya Hardin v. Eduardo Martinez, 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:	Tuesday, November 16, 2010; approximately 1:45 p.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;"><u>Latonya Hardin v. Eduardo Martinez, et al.</u> Summary Corrective Action Plan No. 2013-006</p> <p>On Tuesday, November 16, 2010, at approximately 1:45 p.m., a Los Angeles County Sheriff's security officer was driving a marked County of Los Angeles-owned vehicle north on Athens Way when the vehicle he was driving collided with the plaintiff's vehicle in the intersection with El Segundo Boulevard, Unincorporated Los Angeles County.</p>

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

This traffic collision was thoroughly investigated by representatives from the Los Angeles County Sheriff's Department. The investigation concluded the security officer caused the traffic collision by violating California Vehicle Code section 21802(a), Stop Signs: Intersections.

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.

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

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

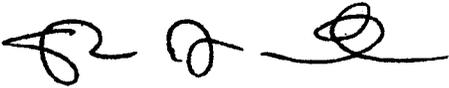
This section intentionally left blank.

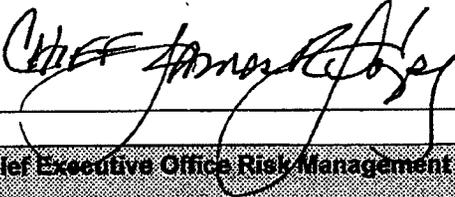
County of Los Angeles
Summary Corrective Action Plan

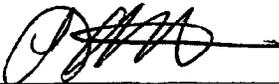
3. Are the corrective actions addressing department-wide system issues?

- 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) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 3/22/13

Name: (Department Head) James R. Lopez, Chief Leadership and Training Division	
Signature: 	Date: 03/25/13

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) LEO COSTANTINO	
Signature: 	Date: 4-3-13

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ronald Gibson v. County of Los Angeles, et al.
CASE NUMBER	CV 12-00729
COURT	United States District Court
DATE FILED	January 27, 2012
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 80,000
ATTORNEY FOR PLAINTIFF	Greg W. Garrotto, Esq.
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon
NATURE OF CASE	<p>Plaintiff Ronald Gibson, alleges his federal civil rights were violated when he was falsely arrested and subjected to excessive force by the Los Angeles County Sheriff's Department.</p> <p>The Sheriff's Deputies who arrested Mr. Gibson claim that the arrest was based on probable cause and the force used was to overcome Mr. Gibson's resistance.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$80,000 is recommended.</p>

PAID ATTORNEY FEES, TO DATE \$ 49,720

PAID COSTS, TO DATE \$ 2,259

Case Name: Ronald Gibson 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:	Wednesday, February 9, 2011; approximately 12:45 a.m.
Briefly provide a description of the incident/event:	<p><u>Ronald Gibson v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2013-002</p> <p>On Wednesday, February 9, 2011, at approximately 12:45 a.m., Los Angeles County deputy sheriffs assigned to the Los Angeles County Sheriff's Department's South Los Angeles Station arrested the plaintiff for violating California Vehicle Code section 14601.1(a), Driving While License is Suspended; California Health and Safety Code section 11350(a), Possession of a Controlled Substance; and, California Penal Code section 243(c), Battery on a Peace Officer. During the course of the arrest, one of the deputy sheriffs was directed by a supervisor to deploy a TASER device on the plaintiff.</p>

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

In his lawsuit, the plaintiff alleges 1) he was subjected to a false arrest and 2) excessive force because the deployment of the TASER device to effect his arrest was in violation of Department policy.

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.

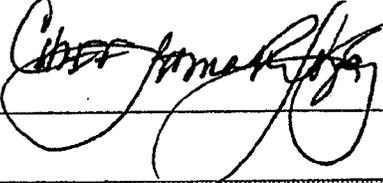
The arrest of the plaintiff and the deployment of the TASER device were thoroughly evaluated by executives from the Los Angeles County Sheriff's Department. Their evaluation concluded that the arrest of the plaintiff was appropriate. They further concluded that the deployment of the TASER device to effect the plaintiff's arrest was appropriate, justified, objectively reasonable, and consistent with Department policy. No systemic issues were identified and no employee misconduct is suspected. Consequently, no personnel-related administrative action was taken.

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

County of Los Angeles
Summary Corrective Action Plan

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

Name: (Risk Management Coordinator) Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 3/14/13

Name: (Department Head) James R. Lopez, Chief Leadership and Training Division	
Signature: 	Date: 03/20/13

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) LEO CASTANINO	
Signature: 	Date: 4-3-13

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

April 1, 2013

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:30 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, Steve Robles, and Patrick Wu.

Other persons in attendance at the meeting were: Office of the County Counsel: Stephen Morris; Department of Community and Senior Services: Cynthia Banks and Jhony M. Acosta; Department of Human Resources: Comelita Farris; and Outside Counsel: Steven Amundson.

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 9:33 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the item listed as 4(a) below.

4. Report of actions taken in Closed Session.

At 10:05 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Gloria Lopez v. County of Los Angeles, et al.
United States District Court Case No. CV-1104424 GHK (JCGx)**

This lawsuit concerns allegations that an employee of the Department of Community and Senior Services was subjected to harassment and retaliation, and that the department failed to engage in an interactive process or provide reasonable accommodations.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$285,000.

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

5. Approval of the minutes of the March 18, 2013, meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 - John Naimo, Steve Robles, and Patrick Wu

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.

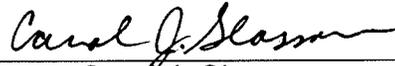
No such matters were discussed.

7. Adjournment.

The meeting was adjourned at 10:10 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Carol J. Slosson