

**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 21, 2014, AT 9:30 AM**

Present: Steve Robles and Patrick Wu
Absent: Chair John Naimo

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. **Gillian Baker, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 11-0550**

This lawsuit alleges that the Department of Children and Family Services wrongfully detained two minors, and alleges excessive force was used by a Sheriff's Deputy during an arrest at juvenile court.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$250,000.

Vote: Ayes: 2 - Steve Robles and Patrick Wu
Absent: Chair John Naimo

[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 7, 2014, meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 2 - Steve Robles and Patrick Wu
Absent: Chair John Naimo

[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	Gillian Baker, et al. v. County of Los Angeles, et al.
CASE NUMBER	CV 11-0550
COURT	United States District Court
DATE FILED	07/06/2011
COUNTY DEPARTMENT	Department of Children and Family Services Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 250,000
ATTORNEY FOR PLAINTIFF	Robert R. Powell Law Offices of Robert R. Powell
COUNTY COUNSEL ATTORNEY	Lauren M. Black Principal Deputy County Counsel Social Services Division Avi Burkwitz Peterson Bradford Burkwitz
NATURE OF CASE	Wrongful detention of minors
PAID ATTORNEY FEES, TO DATE	\$ 230,787
PAID COSTS, TO DATE	\$ 38,738

Case Name: Gillian Baker and Shane Buono 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:	July 15, 2010
Briefly provide a description of the incident/event:	The plaintiffs alleged that the Department of Children and Family Services (DCFS) conducted an unlawful removal and detention of their children.

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

The plaintiffs alleged that the Department of Children and Family Services (DCFS) conducted an unlawful removal and detention of their children.

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

The Department had relevant policies and procedures in effect at the time of the incident and the Department is continuing to update its protocols regarding consent.

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

County of Los Angeles
Summary Corrective Action Plan

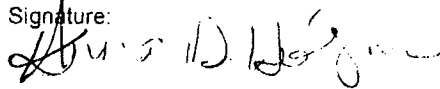
Yes – The corrective actions address department-wide system issues.

No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)

Anna D. Holzner

Signature:



Date:

2/3/2014

Name: (Department Head)

PHILIP L. BROWNING

Signature



Date:

2/5/14

Chief Executive Office Risk Management Inspector General USE ONLY

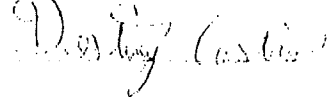
Are the corrective actions applicable to other departments within the County?

- Yes, the corrective actions potentially have County-wide applicability
- No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

Destiny Castro

Signature:



Date:

2/3/2014

Case Name: Gillian Baker 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:	Tuesday, July 20, 2010; unknown time (a.m. hours)
Briefly provide a description of the incident/event:	<p style="text-align: center;"><u>Gillian Baker v. County of Los Angeles</u> Summary Corrective Action Plan No. 2014-003</p> <p>On Tuesday, July 20, 2010, a Los Angeles County deputy sheriff, assigned to Department 412, Edelman Children's Court, 201 Centre Plaza Drive, Monterey Park, was conducting a review of the daily court calendar when he was approached by two detectives from the Los Angeles Police Department. The detectives were armed with arrest warrants for both the plaintiff and her companion. (The plaintiff and her companion were scheduled to be in that court that morning since they were parties in a case under the jurisdiction of the Los Angeles County Department of Children and Family Services.) The detectives requested the help of the deputy sheriff in identifying the plaintiff and her companion when they arrived.</p> <p>The deputy sheriff located the two individuals described by the detectives and gained their cooperation. They were escorted into an adjacent room where they were arrested and handcuffed without incident by the waiting detectives. The detectives escorted the plaintiff and her companion to a waiting police department vehicle and transported away from the location.</p> <p>No physical force was used by the police detectives or the deputy sheriff.</p>

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

In her lawsuit, the plaintiff alleged she was subjected to excessive force by members of the Los Angeles County Sheriff's Department.

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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)

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.

This incident was reviewed by representatives from the Los Angeles County Sheriff's Department's Court Services East Bureau. No employee misconduct is suspected, and no evidence substantiating the plaintiff's allegation(s) was discovered. No systemic issues were identified. Consequently, no personnel-related administrative action was taken, and no other corrective action measures are recommended nor contemplated.

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

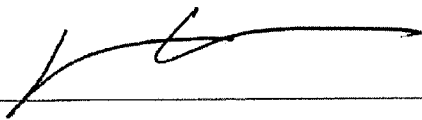
- Yes – The corrective actions address department-wide system issues.
 No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Ronald D. Williams, Captain
Risk Management Bureau

Signature:



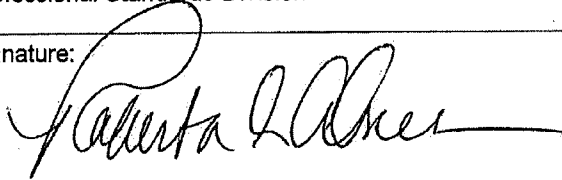
Date:

3/18/14

Name: (Department Head)

Roberta A. Abner, Chief
Professional Standards Division

Signature:



Date:

03/19/14

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Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

- Yes, the corrective actions potentially have County-wide applicability.
 No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

Destiny Castro

Signature:

D Destiny Castro

Date:

3/24/2014

COUNTY OF LOS ANGELES CLAIMS BOARD
MINUTES OF REGULAR MEETING
April 7, 2014

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: Stacey Lee, Joyce Aiello, Rod Castro-Silva, and Jennifer Lehman; Fire Department: Anthony Marrone; Sheriff's Department: Lt. Patrick Hunter and Sgt. Bruce Cantley; Outside Counsel: Avi Burkwitz and Heather Bean.

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 9:32 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(c) below.

4. Report of actions taken in Closed Session.

At 10:39 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Michael Bryant v. County of Los Angeles
Los Angeles Superior Court Case No. BC 491 485**

This lawsuit concerns allegations that an employee of the Fire Department was subjected to reverse discrimination.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$250,000.

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

- b. **Eric Buege v. County of Los Angeles, et al.**
**Los Angeles Superior Court Case Nos. BC 474 137
and BS 137 507**
Civil Service Commission Case No. 12-364

These lawsuits and Civil Service Commission case concern allegations against the Fire Department of non-compliance with the California Public Records Act, discrimination, harassment, and retaliation under the Fair Employment and Housing Act, and the appeal of an ordered absence.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$525,000.

Vote: Ayes: 2 - John Naimo and Steve Robles
Abstentions: 1 - Patrick Wu

- c. **James Shortt v. County of Los Angeles, et al.**
United States District Court Case No. CV 11-05484

This lawsuit concerns allegations of civil rights violations based on the actions of the County's Sheriff's Department and District Attorney's office, that resulted in a wrongful murder conviction.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$425,000.

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

5. **Approval of the minutes of the March 17, 2014, 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 10:44 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By Carol J. Slosson
Carol J. Slosson