

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 2, 2018, AT 9:30 A.M.

Present: Chair Steve Robles, Arlene Barrera, and Roger Granbo.

- 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. Ara Sarkisyan, et al. v. County of Los Angeles, et al
Los Angeles Superior Court Case No. BC 624 315**

This lawsuit arises from injuries sustained by Plaintiffs during a physical confrontation with a County Lifeguard.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$97,500.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Document](#)

- b. Eric Preven v. County of Los Angeles
Los Angeles Superior Court Case No. BS 169 834**

This lawsuit alleges wrongful actions by the County by not providing access to information and records pursuant to the California Public Records Act.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$24,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Document](#)

c. **Evangelina Gonzalez, et al. v. County of Los Angeles, et al.**
United States District Court Case No. CV 16-07018

This wrongful death lawsuit arises out of the fatal Deputy-involved shooting of Plaintiffs' son.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$650,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Documents](#)

d. **Erica L. Brooks v. Los Angeles County Sheriff's Department**
Los Angeles Superior Court Case No. BC 562 732

This lawsuit concerns allegations that an employee of the Sheriff's Department was subjected to sexual discrimination and retaliation.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$650,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

e. **Dawn DaLuise v. County of Los Angeles, et al.**
United States District Court Case No. CV 15-02701

This lawsuit concerns allegations of deliberate indifference to the medical needs of an inmate while in the custody of the Sheriff's Department and also while she was a patient at one of the facilities operated by the Department of Health Services.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$270,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Document](#)

f. **Elias Morejon, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 609 654

This wrongful death lawsuit alleges that Anthony Morejon died while in the custody of the Sheriff's Department and while receiving care provided by Sheriff's Department medical providers and the Department of Mental Health.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$690,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Document](#)

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 19, 2018, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[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	Ara Sarkisyan, et al. v. County of Los Angeles, et al.
CASE NUMBER	BC624315
COURT	Los Angeles Superior Court
DATE FILED	June 20, 2016
COUNTY DEPARTMENT	Fire Department
PROPOSED SETTLEMENT AMOUNT	\$ 97,500
ATTORNEY FOR PLAINTIFF	Neil S. Steiner Steiner & Libo, A Professional Corporation
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	The case involves a June 30, 2015, verbal and physical altercation at the Venice Beach Pier among plaintiffs Ara Sarkisyan and Arusiak Gekchyan (now married to each other) and a County lifeguard. Mr. Sarkisyan and Ms. Gekchyan each claims to have suffered injuries and damages as a result of the incident. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 170,403
PAID COSTS, TO DATE	\$ 29,842

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Eric Preven v. County of Los Angeles
CASE NUMBER	BS169834
COURT	Los Angeles Superior Court
DATE FILED	June 5, 2017
COUNTY DEPARTMENT	County Counsel
PROPOSED SETTLEMENT AMOUNT	\$ \$24,000
ATTORNEY FOR PLAINTIFF	Paul Nicholas Boylan
COUNTY COUNSEL ATTORNEY	Richard Girgado Senior Deputy County Counsel
NATURE OF CASE	Eric Preven ("Plaintiff") alleges that the County violated his right to access information and records pursuant to the California Public Records Act. Plaintiff filed a lawsuit against the County seeking the production of the records, and attorneys' fees and costs.
PAID ATTORNEY FEES, TO DATE	\$ 15,987.18
PAID COSTS, TO DATE	\$ 20.00

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Evangelina Gonzalez, et al. v. County of Los Angeles, et al.
CASE NUMBER	CV 16-07018
COURT	United States District Court
DATE FILED	September 19, 2016
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 650,000
ATTORNEY FOR PLAINTIFF	V. James DeSimone, Esq.
COUNTY COUNSEL ATTORNEY	Lucia Gonzalez Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$650,000, inclusive of attorneys' fees and costs, a federal civil rights and wrongful death lawsuit filed by Plaintiffs Evangelina and Victor Gonzalez arising out of the December 2015 fatal Deputy-involved shooting of their son, John Gonzalez. Deputies shot Mr. Gonzalez after he pulled out a firearm and aimed it at the Deputies.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs; therefore, a full and final settlement of the case in the amount of \$650,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 115,482
PAID COSTS, TO DATE	\$ 31,312

Case Name: Evangelina Gonzalez 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:	December 1, 2015
Briefly provide a description of the incident/event:	<p><u>Evangelina Gonzalez v. County of Los Angeles, et al.</u> Summary Corrective Action Plan 2017-054</p> <p>On December 1, 2015, at approximately 6:30 p.m., two uniformed deputy sheriffs (detectives), assigned to the Operation Safe Streets Bureau (OSS), were driving southbound on Pioneer Boulevard, in an unmarked patrol car. The detectives had already served subpoenas for upcoming court cases and were on their way to serve another subpoena at a nearby apartment complex on Pioneer Boulevard when they saw two young adults (the decedent and the suspect) walking together northbound on the sidewalk of Pioneer Boulevard.</p> <p>The detectives knew the area was a "Nightcrawlers" gang area. As OSS detectives, it was their responsibility to contact possible gang members in an effort to identify them and gather intelligence.</p> <p>Both detectives saw both the decedent and the suspect were walking but not swinging their arms normally. Both the suspect and the decedent appeared to be holding objects close to their bodies. Based on their training and experience, the detectives believed the decedent and the suspect were holding or attempting to conceal a weapon or contraband on their person.</p> <p>As the detectives drove their unmarked patrol car toward the sidewalk and attempted to contact them, the decedent and suspect looked at the detectives and began to run. Both young men reached into their waistbands as they moved.</p> <p>As the suspect ran northbound past the unmarked patrol vehicle, the detectives saw he had a chrome revolver in his right hand. The decedent was running behind the suspect but stumbled, lagged behind, and appeared to fumble to control a black firearm with both hands.</p> <p>The first detective (driver) exited the vehicle and moved behind the trunk, to use the vehicle for cover. The first detective ordered both young men to drop their guns and to stop running.</p> <p>The second detective (passenger) exited the vehicle, drew his duty weapon, and pointed it towards the decedent. The second detective also ordered the decedent to drop his gun.</p> <p>As the second detective was exiting the vehicle, the decedent stopped running. The decedent appeared to take a combative stance and leveled the black handgun near his waist with the muzzle pointed at the second detective.</p>

	<p>The second detective feared the decedent was about to shoot him. The first detective feared the decedent was about to shoot the second detective. Both detectives fired their duty weapons at the decedent.</p> <p>The decedent was struck by two rounds and fell to the ground. The detectives restrained the decedent and requested paramedics. Although emergency medical personnel performed lifesaving efforts on the decedent, they were unsuccessful. The decedent was pronounced dead at the scene.</p> <p>Immediately after the shooting, the suspect stopped running, dropped his gun, and laid on the ground. The suspect was taken into custody.</p> <p>The decedent's firearm was a Hi-Point, Model C9, 9mm semi-automatic pistol and was loaded with nine live rounds. The live round in the chamber had a firing pin strike on the primer; however, it did not discharge.</p> <p>The suspect's firearm was a Smith & Wesson, .38 Special revolver, and was fully loaded with six live rounds.</p>
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1. Briefly describe the root cause(s) of the claim/lawsuit:

A **Department** root cause in this incident was the use of deadly force against the decedent.

A **non-Department** root cause in this incident was the decedent's failure to comply with the lawful orders of two Los Angeles County deputy sheriffs.

Another **non-Department** root cause in this incident was the decedent pointing a firearm at the second detective.

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

Criminal Investigation

This incident was investigated by the Sheriff's Department's Homicide Bureau to determine if any criminal misconduct occurred.

The results of their investigations were presented to members of the Los Angeles County District Attorney's Office.

On November 8, 2016, the Los Angeles County District Attorney's Office's Justice System Integrity Division concluded the first detective acted lawfully in defense of another and the second detective acted lawfully in self-defense when each used deadly force against the decedent.

Administrative Investigation

The incident was investigated by representatives of the Sheriff's Department's Internal Affairs Bureau to determine if any administrative misconduct occurred before, during, or after this incident. The investigation results were presented to an Executive Force Review Committee (EFRC) for adjudication.

On April 27, 2017, members of the EFRC reviewed the case and determined the force and tactics used in this incident were within Department policy.

County of Los Angeles
Summary Corrective Action Plan

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

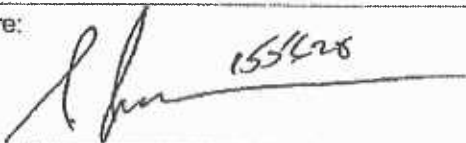
- ☐ Yes – The corrective actions address Department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Scott E. Johnson, Captain
Risk Management Bureau

Signature:



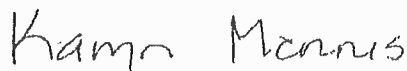
Date:

2-21-18

Name: (Department Head)

Karyn Mannis, Chief
Professional Standards and Training Division

Signature:



Date:

03-01-18

Chief Executive Office Risk Management Inspector General USE ONLY

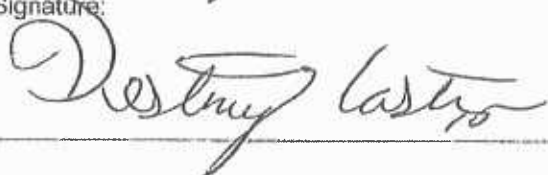
Are the corrective actions applicable to other departments within the County?

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

Name: (Risk Management Inspector General)



Signature:



Date:

3/1/2018

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Dawn DaLuise v. County of Los Angeles, et al.
CASE NUMBER	2:15-CV-02701
COURT	United States District Court
DATE FILED	April 10, 2015
COUNTY DEPARTMENT	Department of Health Services Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ \$270,000 plus County's assumption of the Medi-Cal lien in the amount of \$35,000
ATTORNEY FOR PLAINTIFF	Jamon Hicks, Esq. Douglas / Hicks Law, APC
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Principal Deputy County Counsel
NATURE OF CASE	<p>On March 5, 2014, Ms. DaLuise was brought to Los Angeles Sheriff's Department's ("LASD") custody. She remained in custody until January 22, 2015. After being released from custody, Ms. DaLuise was diagnosed with colorectal cancer.</p> <p>Ms. DaLuise filed a civil action against the County of Los Angeles alleging that the County medical providers should have diagnosed her cancer while she was in custody.</p>
PAID ATTORNEY FEES, TO DATE	\$ 129,305
PAID COSTS, TO DATE	\$ 11,872

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Elias Morejon, et al. v. County of Los Angeles, et al.
CASE NUMBER	BC 609654
COURT	Los Angeles County Superior Court
DATE FILED	February 9, 2016
COUNTY DEPARTMENT	Department of Mental Health Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 690,000
ATTORNEY FOR PLAINTIFF	Richard M. Foster, Esq. Law Offices of Johnson and Moore
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian, Esq. Principal Deputy County Counsel
NATURE OF CASE	<p>On January 12, 2015, Anthony Morejon ("Mr. Morejon"), a 25-year-old male, was arrested and brought to Los Angeles Sheriff's Department ("LASD") Inmate Reception Center ("IRC"). Various providers examined Mr. Morejon and began implementing different treatment options.</p> <p>At approximately 8:00 p.m. on January 13, 2015, Mr. Morejon was found unresponsive in his cell. Despite resuscitation measures, Mr. Morejon died on the same day.</p> <p>Mr. Morejon's surviving family brought a wrongful death action against the County of Los Angeles.</p>
PAID ATTORNEY FEES, TO DATE	\$ 122,918
PAID COSTS, TO DATE	\$ 24,096

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

March 19, 2018

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:29 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: Chair Steve Robles, Arlene Barrera, and Roger Granbo.

Other persons in attendance at the meeting were: Office of the County Counsel: Michael Gordon, Timothy Kral, and Stacey Lee; Department of Beaches and Harbors: Stephan Popescu, Kerry Silverstrom, and Miriam Gomes Oprisan; Sheriff's Department: Curtis Jensen, Eric Strong, Kevin Pearcy, and Dominic Dannan; Department of Mental Health: Margo Morales and David Cochran; Outside Counsel: Jack Schuler.

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 9:31 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 10:11 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Atziri Olivo, et al. v. County of Los Angeles, et al
Los Angeles Superior Court Case No. BC 502 929**

This dangerous condition lawsuit arises from injuries sustained by a toddler when she stepped into a fire ring on Dockweiler Beach.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$985,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

b. **James Good v. County of Los Angeles, et al.**
United Stated District Court Case No. CV 15-04290

This lawsuit alleges Plaintiff's federal civil rights were violated when he was falsely arrested by Sheriff's Deputies for possession of methamphetamine.

Action Taken:

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

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

c. **Ranie Riley v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 588 749

This lawsuit alleges that an employee from the Department of Mental Health was subjected to racial discrimination, harassment and retaliation.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$300,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

5. **Approval of the minutes of the March 5, 2018, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

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 10:12 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By 
Sandra C. Ruiz