



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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November 7, 2023

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TO: CELIA ZAVALA  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: ADRIENNE M. BYERS  
Litigation Cost Manager  
Executive Office

A handwritten signature in blue ink, appearing to read "AMB", is written over the name "ADRIENNE M. BYERS".

RE: **Item for the Board of Supervisors' Agenda**  
**County Claims Board Recommendation**  
**Josephine Huang v. County of Los Angeles, et al.**

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

AMB:ds

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled, Josephine Huang v. County of Los Angeles, et al., in the amount of \$700,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This prospective lawsuit against the Sheriff's Department alleges false arrest and assault.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Josephine Huang v. County of Los Angeles, et al.
CASE NUMBER	n/a
COURT	Los Angeles Superior Court
DATE FILED	n/a
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 700,000
ATTORNEY FOR PLAINTIFF	Gibson, Dunn & Crutcher LLP
COUNTY COUNSEL ATTORNEY	Lana Choi, Senior Deputy County Counsel
NATURE OF CASE	This is a request to settle for \$700,000, inclusive of attorney's fees and costs, a prospective lawsuit against the County and unnamed Los Angeles County Sheriff's Department ("LASD") deputies by Josephine Huang, a KPCC (Southern California Public Radio) reporter. Ms. Huang's proposed complaint seeks damages arising from her September 12, 2020 arrest and alleged assault by LASD deputies.
PAID ATTORNEY FEES, TO DATE	\$ 62,661
PAID COSTS, TO DATE	\$ 7,097



## 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:	September 13, 2020, at approximately 12:10 a.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;"><b><u>Josephine Huang v. County of Los Angeles, et al.</u></b> Summary Corrective Action Plan 2023-72</p> <p>Details provided in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.</p> <p>On September 12, 2020, two on-duty Los Angeles County Sheriff's Department deputies were ambushed in the city of Compton. Both deputies sustained several life-threatening gunshot wounds and were transported to Saint Francis Medical Center for emergency medical treatment.</p> <p>Call For Service:</p> <p>On September 12, 2020, at approximately 11:00 p.m., several on-duty Los Angeles County Sheriff's Department deputies assigned to Century Station responded to Saint Francis Medical Center for an assistance call regarding anti-law enforcement protesters. The protesters were outside the emergency room creating a disturbance and attempting to enter the emergency room where the injured deputies were being treated.</p> <p>At approximately 11:00 p.m., deputy sheriff personnel ordered the group of protesters to leave Saint Francis Medical Center's property. Once additional deputy sheriff personnel arrived, they assisted with crowd control and formed a skirmish line. The protesters received a dispersal order for unlawful assembly. The protesters were directed away from the emergency room entrance.</p> <p>The following statement is based on Deputy One's observations which were documented in the criminal report:</p> <p>Deputy One responded to Saint Francis Medical Center in response to an assistance request over the radio. A crowd of protesters were outside of the hospital where two deputies were being treated for gunshot wounds.</p> <p>When Deputy One arrived, he saw 15-20 protesters, some of whom were shouting, "F**k the police and f**k pigs!" The assembly was deemed unlawful, and the crowd was told to disperse. Deputy One observed deputy personnel arresting an unknown male adult who resisted their efforts to handcuff him. He saw several deputies leave the skirmish line to assist them.</p> <p>Deputy One saw the Plaintiff "steadily approach" the deputies as they were on their knees struggling to arrest the unknown adult male protester. Deputy One directed the Plaintiff to step back but she did not comply.</p>

	<p>She held an unknown object in her hand and raised her right hand towards deputies' faces as they engaged in the arrest of the male adult.</p> <p>As the Plaintiff advanced toward the deputies, Deputy One redirected his attention from the crowd of protesters to the Plaintiff. As the deputies were walking the arrested protester to the vehicle, the Plaintiff walked closely behind the arresting deputies. Deputy One was no longer able to focus his attention on stopping the crowd's efforts to enter the emergency room of the hospital.</p> <p>The Plaintiff stood approximately five feet from the deputies conducting the arrest of the male protester. Deputy One was unable to respond to another area of the hospital where deputies were needed. He had to ensure the Plaintiff did not interfere with the arrest of the unknown male.</p> <p>Deputy One attempted to handcuff the Plaintiff by grabbing her right wrist and drawing it behind her back. The Plaintiff bent over at the waist and tried to pull her hand free, preventing Deputy One from handcuffing the Plaintiff in a safe manner. The Plaintiff then continued to resist and spin her body toward her right side making it difficult for Deputy One to control her movements.</p> <p>Deputy One performed a takedown of the Plaintiff while Deputies Four and Five took control of the Plaintiff's legs. Deputies Two and three handcuffed the Plaintiff. As Deputies Two and Three handcuffed the Plaintiff, she yelled, "I'm a reporter! KPCC." The Plaintiff then screamed she needed help. Deputy One directed the Plaintiff not to move.</p> <p>As the Plaintiff continued to impede arrest efforts, Deputies Two and Three escorted her to a marked patrol vehicle and advised her she was being arrested.</p> <p>Deputy One said the Plaintiff did not immediately identify herself as a member of the press and did not have the proper media credentials.</p> <p>The Plaintiff stated she did not have any injuries. When a supervising lieutenant interviewed her at the station, she stated she had injuries, but they were not life threatening. She declined to state what the specific injuries were.</p> <p>The Plaintiff was arrested for obstructing a police officer and transported to Martin Luther King Medical Center. She was then booked into the Century Regional Detention Center.</p> <p>The following statement is based on Deputy Two's observations which were denoted in her supplemental report:</p> <p>Deputy Two responded to a radio assistance request for a group of protesters attempting to enter the emergency room at Saint Francis Medical Center. When she arrived, she observed 10-15 demonstrators yelling obscenities at a skirmish line of deputies.</p>
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Seven to eight of the protesters dispersed and walked away from the hospital, but the Plaintiff walked hurriedly toward Deputy Two while shouting, despite verbal commands from deputies to back away from the location.

The Plaintiff "pushed" herself forward, and Deputy One performed a takedown. Deputy Two took control of the Plaintiff's left arm with his left hand on her shoulder and her right arm on her wrist. Deputy Three took control of the Plaintiff's right arm. The Plaintiff resisted handcuffing by stiffening her left arm above her head. Deputy Two placed a handcuff on her left wrist and placed the Plaintiff's hand behind her back, overcoming her resistance. She continued to resist until Deputy Three moved her right hand behind her back and handcuffed her.

Deputies Two and Three lifted the Plaintiff to her feet by placing their hands under the Plaintiff's left and right forearms. The Plaintiff dropped her bodyweight and twisted her body in the opposite direction of the deputies' grip. Deputies Two and Three were able to escort the Plaintiff to a marked patrol vehicle without further incident.

The following statement is based on Deputy Three's observations which were denoted in his supplemental report:

Deputy Three responded to Saint Francis Medical Center in response to a radio request for additional deputies. A crowd of protesters were gathering in the emergency entrance area at the hospital. When Deputy Three arrived at the intersection, he saw Deputy One along with other unidentified deputies ordering the Plaintiff to step back. Deputy One made three demands to the Plaintiff, to no avail.

Deputy Three exited his patrol vehicle and saw Deputies One and Two restraining the Plaintiff on the ground. Deputy Three took control of the Plaintiff's right arm by holding onto her wrists. Deputy Two grabbed the Plaintiff's right wrist and placed her right arm behind her back before handcuffing her. Once the Plaintiff was handcuffed, Deputies Two and Three assisted the Plaintiff to her feet. Deputy Three maintained a hold of the Plaintiff's right bicep, and the Plaintiff turned away from him and dropped her bodyweight. Deputy Three placed his arm under the Plaintiff's right armpit area and firmly held her right shoulder to prevent her from falling to the ground. The Plaintiff was escorted to the rear seat of a marked patrol vehicle without further incident.

The Plaintiff did not have any complaint of pain, nor did Deputy Three observe any visible injuries.

The following statement is based on Deputy Four's observations which were denoted in his supplemental report:

While working with Deputy Five, Deputy Four heard an assistance request for deputies to respond to Saint Francis Medical Center for a group of protesters.

Deputies Four and Five responded in their marked black and white patrol vehicle, and when Deputy Four arrived, he saw a crowd of disruptive male adults in the entryway of the hospital in plain clothing yelling at deputies. The crowd refused to disband and yelled obscenities at deputies. Deputy personnel arrested one of the adults in the crowd.

While deputies were arresting the male adult protester, Deputy Four saw the Plaintiff quickly moving toward them despite commands from uniformed personnel to back up.

Deputy Four momentarily diverted his attention away from the Plaintiff when he heard lights and sirens in another direction, and when he turned around, he saw the Plaintiff on the ground in a supine position. Deputy One maintained control of the Plaintiff's upper right side, while Deputies Two, Three, and Seven secured her upper left side. Deputy Six appeared to secure the Plaintiff's legs.

Deputy Four knelt near the Plaintiff's right side and held her right calf with his left hand. He focused on maintaining control of the Plaintiff's legs and released his grip when the Plaintiff's hands were secured.

Deputy Four then stood up and retrieved Deputy One's baton from the ground.

Deputies Four and Five transported the Plaintiff in a patrol vehicle to the hospital for medical evaluation. Deputies Four and Five then transported her to Century Regional Detention Center where she was booked for Obstructing a Peace Officer, violation of 148(a)(1) PC.

The following statement is based on Deputy Five's observations which were recorded during his deposition with the Internal Affairs Bureau:

Deputy Five responded with Deputy Four to the location regarding an assistance request for deputies at Saint Francis Medical Center. There was a crowd of protesters outside of the emergency entrance.

When Deputy Five arrived, he saw a group of people outside the entrance to the hospital yelling at law enforcement. Deputy Five was concerned about the safety of the hospital and its patients.

Deputy Five said the situation was chaotic and there were large amounts of people there from various entities. He recognized some as hospital personnel, and others as command staff from the Los Angeles County Sheriff's Department. Deputy Five was focused on the crowd and did not see Deputy One perform a takedown on the Plaintiff. When he diverted his attention from the crowd, the Plaintiff was already being arrested. Deputy Five redirected his attention back to pushing the crowd away from the emergency entrance while monitoring the different individuals entering and leaving the parking structure.

Deputy Five assisted in taping off the area to keep protesters away. Deputy Five said he was not a part of the skirmish line.

Deputies Four and Five transported the Plaintiff to Martin Luther King Hospital for medical evaluation prior to booking.

	<p>The Plaintiff repeatedly said she wanted to go home. Deputies Four and Five transported the Plaintiff to Century Regional Detention Center where she was booked for Obstructing a Peace Officer, violation of 148(a)(1) PC.</p> <p>Deputy Five only learned the Plaintiff was a member of the media when he booked her identification card into her property. The following statement is based on Deputy Six's observations which were denoted in his supplemental report:</p> <p>Deputy Six responded to Saint Francis Medical Center after hearing an assistance request over the radio. When he arrived, he saw a crowd of male adults yelling at deputy personnel, waving their hands in the air, and balling their hands into fists as uniformed personnel stood in a skirmish line. The crowd was directed to walk eastbound away from the hospital's emergency room entrance.</p> <p>As Deputy Five walked eastbound past the emergency room entrance, he saw Deputy One conduct a takedown on the Plaintiff. Deputy Six said the Plaintiff appeared to be pulling away from Deputy One.</p> <p>Deputy Six saw the Plaintiff lying on her stomach yelling for someone to help her. Deputy Six grabbed the Plaintiff's lower torso to gain control and allow for the Plaintiff to be safely handcuffed. Deputy Six saw Deputies Two and Three handcuff the Plaintiff and escort her to a patrol vehicle. Deputy Six stated the Plaintiff was "pushing back up" against the deputies as they escorted her to the vehicle.</p> <p>The following statement is based on Deputy Seven's observations which were denoted in his supplemental report:</p> <p>Deputy Seven responded to Saint Francis Medical Center regarding an anti-law enforcement protest and saw deputies detaining the Plaintiff on the corner when he arrived. Deputy Seven approached the group of deputies with the intention of handcuffing the Plaintiff, but saw she was handcuffed prior to his arrival. As Deputy Seven placed his handcuffs back into his handcuff case, Deputies Two and Three picked the Plaintiff up off the ground and escorted her to a nearby patrol car. The Plaintiff resisted deputies' efforts by pushing her body weight backward into them.</p> <p>Deputy Seven opened the rear driver side door of a black and white patrol vehicle and the Plaintiff was secured in the back seat. Deputy Seven then redirected his attention to the crowd of protesters.</p> <p>The following statement is based on Deputy Eight's observations which were denoted in his supplemental report:</p> <p>Deputy Eight responded to the location regarding a group of 10-15 "uncooperative" people yelling expletives at deputies. They refused to disperse.</p> <p>While assisting with crowd disbursement, he saw the Plaintiff standing on the west sidewalk in proximity to deputies who were affecting an arrest of another individual. Several deputies asked the Plaintiff to step back, but she did not move or identify herself as a member of the press.</p>
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	<p>As Deputy Eight walked south, several deputies were standing in front of him, impeding his view of the Plaintiff.</p> <p>Deputy Eight walked west and while canvassing the area for threats, he heard a scuffle behind him. He turned around and saw Deputy One trying to control the Plaintiff.</p> <p>The Plaintiff was attempting to free herself from his grasp as Deputy One conducted a single arm take down. Deputy Eight saw multiple deputies around the Plaintiff. He remained stationary (approximately five to seven feet away) and provided security for the deputies who were attempting to secure the Plaintiff.</p> <p>The following statement is based on Deputy Nine's observations which were denoted in his supplemental report:</p> <p>Deputy Nine responded to an assistance request involving various protesters encroaching on the emergency room at Saint Francis Medical Center.</p> <p>Deputy Nine was driving northbound when he saw several protesters running eastbound from the location. Deputy Nine parked his vehicle at the corner and observed uniformed deputy personnel ordering the Plaintiff to step back as she pointed at them. Deputy Nine also saw several protesters on the east curb line, and an unrelated news reporter maintaining a safe distance from deputies.</p> <p>Deputy Nine saw deputies grab the Plaintiff's arm to handcuff her, as well as the Plaintiff pulling away from deputies while yelling. Deputy Nine drew his attention back to the group of protesters and formed a skirmish line between deputies affecting the arrest and protesters to prevent them from attacking the deputies behind him.</p> <p>Deputy Nine saw the Plaintiff being escorted to his patrol vehicle out of the corner of his eye while he proceeded to set up a security perimeter around Saint Francis Medical Center.</p> <p>The following statement is based on Deputy Ten's observations which were denoted in his supplemental report:</p> <p>Deputy Ten responded to the Saint Francis Medical Center emergency room regarding a group of protesters at the location. He saw 10-15 protesters when he arrived and observed them yelling slurs at deputies.</p> <p>Deputy Ten approached to help prevent the protesters from entering the emergency room, and the group attempted to get around deputies by scattering and running into the street and onto the west curb line</p> <p>Deputy Ten gave commands to an unknown male Black adult wearing all black clothing. The male ran into the street and Deputy Ten ordered him to step onto the sidewalk fearing he would get hurt. Deputy Ten redirected his attention to a small crowd of protesters and saw Deputy One "dealing" with the Plaintiff who was being uncooperative. Deputy Ten saw Deputy One perform a takedown on the Plaintiff. He then redirected his attention to the protesters standing at the intersection. When he looked back, Deputy Ten saw deputies escorting the Plaintiff to the rear of a patrol vehicle. Deputy Ten believed the Plaintiff was shouting, "CCTV, CCTV!"</p>
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The following statement is based on Deputy Eleven's observations which were denoted in his supplemental report:

At approximately 2300 hours, Deputy Eleven was providing security in the Saint Francis Medical Center Trauma Room when he heard a commotion outside. He exited the building and saw protesters blocking driveway of the emergency room entrance.

Deputy Eleven helped establish a skirmish line and stopped at the corner. He observed the protesters walk southbound. He observed several unknown deputies attempting to detain the Plaintiff who was on the ground in a prone position.

Deputy Eleven directed his attention back toward the skirmish line and the protesters.

Deputy Twelve did not author a supplemental report, however, during his Internal Affairs Bureau investigation, he stated the following:

Deputy Twelve responded to Saint Francis Medical Center with Deputy Thirteen to assist deputies who were shot on duty. When he arrived, he saw an unoccupied patrol vehicle, presumably the vehicle the injured deputies were transported in. He and Deputy Thirteen secured the vehicle. He recalled various individuals walking in and out of the hospital and at one point saw a group of approximately 20 protesters blocking the emergency entrance to the hospital. He and Deputy Thirteen donned their emergency gear and walked toward the crowd to keep them from breaching hospital grounds.

Due to the hostility of the crowd, Deputy Thirteen used his radio to request additional deputies and Aero (helicopter) to respond to his location. He saw several responding deputies rush to one individual, but refocused his attention on the protesters. Deputy Twelve heard a commotion but was not aware of what transpired.

Deputy Twelve stated he did not see the Plaintiff, nor did he recall anyone identifying themselves to him as a member of the press. After providing security at the skirmish line, Deputy Twelve returned to the emergency room entrance to guard the patrol vehicle in which the injured deputies were transported.

Deputy Thirteen did not author a supplemental report, however, during his Internal Affairs Bureau investigation, he stated the following:

Deputy Thirteen responded to the emergency parking lot of Saint Francis Medical Center with his partner Deputy Twelve, after hearing an assistance request on the radio. Deputy Thirteen saw the patrol vehicle the injured deputies were transported in and secured it. The vehicle was "hastily" parked and not in a designated parking stall. He remained with the vehicle to prevent anyone from tampering with it.

Deputy Thirteen stated he was standing fifty to 50-75 yards away when he saw a group of protesters yelling expletives at the police. He saw the Plaintiff standing near the group of protesters, and he eventually joined other deputies in the skirmish line to prevent protesters from entering hospital property and maintain the integrity of the emergency entrance.

	<p>During the three to five minutes Deputy Thirteen was there, he saw other deputies taking an individual into custody. He was forced to provide security to ensure they would not be "harassed" by any of the protesters.</p> <p>Deputy Thirteen saw the Plaintiff in the vicinity of a guard shack near the emergency entrance of the hospital but could not detail specific events of her arrest. Deputy Thirteen returned to his marked patrol vehicle which was parked outside of the emergency room entrance and provided general security at Saint Francis Medical Center for the duration of his shift.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

A **Department** root cause in this incident was Deputy One gave verbal commands, Deputy One did not allow the Plaintiff time to comply with his orders.

A **Department** root cause in this incident was Deputy One's attempt to detain the Plaintiff, which led to a use of force.

A **Department** root cause in this incident was Deputy Four's failure to safeguard the Plaintiff's personal property (a cell phone).

A **Department** root cause in this incident was the deputies did not have the equipment (Body-Worn Camera) to video record their contact with the Plaintiff to prove or disprove her allegations.

A **non-Department** root cause in this incident was the Plaintiff's failure to comply with the lawful orders issued by the deputy sheriffs, and physically resisting Deputy One as he attempted to detain her.

A **non-Department** root cause in this incident was the Plaintiff did not have a Department approved press pass.

2. Briefly describe recommended corrective actions:

(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

**Administrative Investigation**

This incident was investigated by representatives of the Sheriff's Department Internal Affairs Bureau to determine if any administrative misconduct occurred before, during, or after this incident. On September 08, 2021, Internal Affairs Bureau concluded its investigation. It was determined there were no concerns regarding Deputy One's tactics, decisions, or planning during the use of force and arrest of the Plaintiff. Appropriate administrative action was taken regarding Deputy Four's actions during the incident, as it relates to the handling of the Plaintiff's personal property (a cell phone).

Since this incident, all deputies involved have attended training and tactics pertaining to the circumstances surrounding this incident.

**Use of Force Investigation**

Century Station supervisors investigated the use of force. It was determined that the force used by all deputy sheriffs during this incident was objectively reasonable.

**Station Briefings**

On September 14, 2020, Century Station supervisors and deputies involved in the incident conducted a critical incident debriefing regarding the events that took place and information known at the time. The topics discussed were specific to crowd control, civil disobedience, and the news media. In the days following the incident, these topics were also discussed in briefings on all three shifts by field sergeants and watch commanders.

**Department Publications**

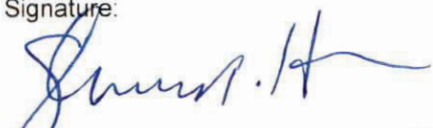
On December 7, 2021, the Department's Field Operations Support Services disseminated a newsletter titled "2022 Laws Regarding Civil Unrest." The newsletter details information regarding access, detentions, and protections afforded to members of the media. Deputy sheriffs are continuously being briefed on this newsletter.

**Station Body Worn Camera**

As of October 2020, all personnel assigned to Century Station were issued a Body-Worn Camera (BWC) to ensure all public contact is transparent. The use of BWCs ensures reliable recording of enforcement and investigative contacts with the public. The Department established policies and procedures for the purpose, use, and deployment of the Department issued BWCs.

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)	
Shawnee N. Hinchman, Captain Risk Management Bureau	
Signature: 	Date: 07/19/23

Name: (Department Head)	
Bruce D. Chase, Assistant Sheriff Patrol Operations	
Signature:  Fisc	Date: 7/24/23

<b>Chief Executive Office Risk Management Inspector General USE ONLY</b>	
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: Daniela Prowizor-Lacayo (Risk Management Inspector General)	
Signature: Daniela Prowizor	Digitally signed by Daniela Prowizor Date: 2023.07.25 08:55:17 -07'00'
	Date: 7/25/2023