



ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

76 April 9 2024

County of Los Angeles

March 20, 2024

Dawyn R. Harrison
County Counsel

JEFF LEVINSON
INTERIM EXECUTIVE OFFICER

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Supervisor, First District

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Supervisor, Second District

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Supervisor, Fifth District

TO: JEFF LEVINSON
Interim Executive Officer
Board of Supervisor

FROM: ELIZABETH D. MILLER
Assistant County Counsel
Justice and Safety Division

RE: **Item for the Board of Supervisors' Agenda**
County Contract Cities Liability Trust Fund
Claims Board Recommendation
Emma Rodriguez v. Los Angeles County Sheriff's
Department, et al.
Los Angeles Superior Court Case No. 21STCV21846



Attached is the Agenda entry for the Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation in the above-referenced matter. Also attached is the Case Summary and the Summary Corrective Action Plan for the case.

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

EDM:js

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Settlement for Matter Entitled Emma Rodriguez v. Los Angeles County Sheriff's Department, et al. Los Angeles Superior Court Case No. 21STCV21846.

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation:
Authorize settlement of the matter entitled **Emma Rodriguez v. Los Angeles County Sheriff's Department, et al.** Los Angeles Superior Court Case No. 21STCV21846 in the amount of \$185,000.00 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department Contract Cities Trust Fund's budget.

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Emma Rodriguez vs. County of Los Angeles, et. al.
CASE NUMBER	21STCV21846
COURT	Los Angeles Superior Court
DATE FILED	September 7, 2021
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 185,000
ATTORNEY FOR PLAINTIFF	Marc J. Katzman, Esq. Marc Katzman Law
COUNTY COUNSEL ATTORNEY	Kelly Ward, Esq. Kjar, McKenna & Stockalper Melissa McCaverty Deputy County Counsel
NATURE OF CASE	<p>This incident occurred on December 16, 2019, when LASD Deputy Solis's County 2016 Ford Explorer rear ended Ms. Rodriguez' 2008 Ford Escape on the Interstate 105 freeway. Plaintiff alleges she sustained injuries and damages.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$185,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 18,543.50
PAID COSTS, TO DATE	\$ 2,084.05



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 16, 2019, approximately 5:10 p.m.
Briefly provide a description of the incident/event:	<p>Summary Corrective Action Plan 2023-114</p> <p>Based on initial traffic reports, on December 16, 2019, at approximately 5:10 p.m., an on-duty Los Angeles County Sheriff's Department deputy sheriff (Deputy One), assigned to Century Station, was in a marked patrol vehicle driving eastbound on the Interstate 105 Freeway, eastbound, east of Long Beach Boulevard. Deputy One was driving approximately 10 miles per hour in the number three lane. The Plaintiff was driving her vehicle in the number three lane in front of the patrol vehicle. The Plaintiff and other vehicles on the 105 Freeway reduced their speed. Deputy One attempted to brake but collided with the rear of the Plaintiff's vehicle.</p> <p>At approximately 5:25 p.m., two officers from the California Highway Patrol (CHP), South Los Angeles Division, responded to the collision scene and conducted a traffic collision investigation. The CHP Officers determined Deputy One caused the collision by driving at an unsafe speed, in violation of California Vehicle Code section 22350.</p> <p>The CHP Officers noted in their collision report that the patrol vehicle sustained moderate damage consisting of a scratched front bumper, a dented hood, a scratched push bumper guard, and a cracked nose panel. The report indicated the Plaintiff's vehicle sustained moderate damage consisting of a dented rear bumper and a dented trunk door.</p> <p>A sergeant from Century Station responded to the collision scene and conducted a traffic investigation. During the traffic investigation, the Plaintiff stated she was driving approximately 10-15 miles per hour on the freeway before Deputy One rear-ended her. The Plaintiff stated she was "in shock" and "a little startled." The investigating sergeant asked the Plaintiff if she needed paramedics, and she said she did not and was "okay." The Plaintiff did not complain of any pain or injuries.</p> <p>The Los Angeles County Fire Department responded to the location and rendered aid to the Plaintiff. The Plaintiff declined transport to the hospital the day of the incident but received medical treatment the following day for complaints of pain to her neck and back.</p> <p>The Deputy Sheriff did not sustain injuries during traffic collision and was wearing his seatbelt.</p>

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

A **Department** root cause in this incident was Deputy One's operations of a vehicle upon a highway at a speed greater than was reasonable, a violation of California Vehicle Code section 22350.

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

Traffic Collision Investigation

This incident was investigated by two officers from the California Highway Patrol.

The collision investigation concluded the Deputy Sheriff caused the collision by operating a vehicle upon a highway at a speed greater than reasonable, a violation of California Vehicle Code 22350 (**Exhibit A**).

Administrative Investigation

This incident was investigated by representatives from Century Sheriff's Station to determine if any administrative misconduct occurred before, during, or after this incident. The results of the investigation were presented for Department executive adjudication.

An executive evaluation found the collision was preventable, resulting in one point being added to the employee's Department driving record. Further accumulation of points within a 36-month period could result in reassignment to a non-driving position.

On March 13, 2020, it was determined that Deputy One's unsafe speed caused the collision.

Since this incident, Deputy One has not been involved in any additional traffic collisions.

Deputy One attended training pertaining to the circumstances surrounding this incident.

Traffic Collision Assessment and Review

As a result of this collision, an assessment of employee-involved traffic collisions was conducted from 2019 to December 2023. The audit revealed the following:

Calendar Year	Preventable Collisions	Non-Preventable Collisions
2019	31	26
2020	31	36
2021	23	27
2022	30	20
2023	25	16
TOTALS	140	125

The number of preventable traffic collisions at Century Station has decreased in the last five years, along with the number of non-preventable traffic collisions. Personnel who have been involved in more than one traffic collision attended Department training, such as the Sheriff's Traffic Accident Reduction Driving Program, Emergency Vehicle Operations, and the Alternatives to Discipline Driving Course.

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

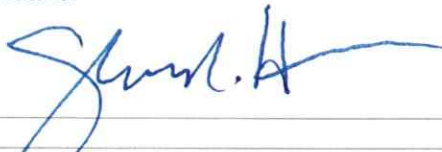
- ☐ Yes – The corrective actions address Department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Shawnee N. Hinchman, Captain
Risk Management Bureau

Signature:



Date:

01/31/24

Name: (Department Head)

Myron Johnson, Assistant Sheriff
Patrol Operations

Signature:



Date:

2/8/24

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: Daniela Prowizor-Lacayo (Risk Management Inspector General)

Signature:



Date:

2/13/2024