



County of Los Angeles

May 7, 2024

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County Counsel

Board of Supervisors

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Supervisor, First District

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Supervisor, Third District

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Kathryn Barger
Supervisor, Fifth District

TO: JEFF LEVINSON
Interim Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: ADRIENNE M. BYERS
Litigation Cost Manager

RE: **Item for the Board of Supervisors' Agenda
County Claims Board Recommendation
Janet Cabrera, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 22STCV00398**



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 Summary Corrective Action Plan to be made available to the public.

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

AMB:lzs

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Janet Cabrera, et al. v. County of Los Angeles, et al., Los Angeles Superior Court Case No. 22STCV00398, in the amount of \$200,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the District Attorney's Office's budget.

This lawsuit arises from alleged injuries sustained in an automobile accident involving an employee of the District Attorney's Office.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Janet Cabrera, et al. v. County of Los Angeles, et al.
CASE NUMBER	22STCV00398
COURT	Los Angeles Superior Court
DATE FILED	March 25, 2021
COUNTY DEPARTMENT	District Attorney's Office
PROPOSED SETTLEMENT AMOUNT	\$ 200,000
ATTORNEY FOR PLAINTIFF	Alex and Diana Zeesman, Accident Fighters, APC
COUNTY COUNSEL ATTORNEY	Michael J. Gordon, Senior Deputy County Counsel
NATURE OF CASE	<p>On March 25, 2021, a vehicle carrying Plaintiffs Janet Cabrera, Julia Aleman, Eduviges Aleman, and Melanie Sandoval and a District Attorney's Office vehicle collided on Golden Valley Road at its intersection with Centre Point Way in Santa Clarita. Plaintiffs allege the collision caused injuries for which they seek compensation.</p> <p>Given the risk and uncertainties of litigation, a full and final settlement of the case in the amount of \$200,000 is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 52,268
PAID COSTS, TO DATE	\$ 11,820



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:	March 25, 2021
Briefly provide a description of the incident/event:	At approximately 6:50 p.m., while stopped at a red light at the intersection of Golden Valley Road and Centre Point Parkway, in Santa Clarita, a Los Angeles County District Attorney (LADA) employee, driving a County vehicle rear-ended the claimants, resulting in their personal injuries and property damages.

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

A. Inattention and failure to provide enough space between the LADA employee's vehicle and the claimant's vehicle.
B. The LADA employee failed to adhere to the Department's Vehicle Policy.
C. The accident/incident was not investigated by the Department as violations were discovered post-accident.
D. The Department failed to have adequate measures in place to monitor for employees' expired driver's licenses.

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

A. Completion of Defensive Driver Training - The LADA employee completed a one-hour County Talent Works online training entitled "Defensive Driver Training (Captioned)", on October 23, 2023. In addition, the Department will draft and implement a Mileage Permittee Policy that will include initial and ongoing Defensive Driver Training for all Mileage Permittees. Also, the Department will revise its current Vehicle Policy to include the required Defensive Driver Training for all County vehicle drivers.
B. 1. The LADA Vehicle Policy was redistributed to all LADA employees on June 9, 2023. Employees were required to acknowledge receipt of the policy via signature and were advised that failure to comply with the policy could result in disciplinary action. Furthermore, for all future distribution of the Vehicle Policy, all LADA employees will be required to sign, acknowledging that they have received the policy on an annual basis. This will be completed by June 30, 2024.
2. The LADA employee is no longer in an assignment requiring them to roll out to scenes as part of their duties and, therefore, the employee is no longer driving for the Department. However, the Department will draft and implement a Mileage Permittee Policy that will include initial and ongoing "Defensive Driver Training" for all mileage permittees. In addition, the Department will revise its current Vehicle Policy to include required "Defensive Driver Training" for all County vehicle drivers. This will be completed by June 30, 2024.

<p>C. The Department will expand its current DMV Pull Notice Program to include non-investigative accidents/incidents and ensure that internal reviews and reports are completed. The Department will also revise the Vehicle Policy to add processes ensuring that all non-investigative employees driving County vehicles, are in compliance with the Vehicle Policy, including having a valid Driver's license before using a County Vehicle. This will be completed by June 30, 2024.</p>
<p>D. As noted above, the Department will expand its current DMV Pull Notice Program to include non-investigative accidents/incidents and ensure that internal reviews and reports are completed. Also, as noted above, the Department will implement a Mileage Permittee Policy that will require a yearly recertification to ensure that all Mileage Permittees have a valid driver's license. This will be completed by June 30, 2024.</p>

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.

Name: (Risk Management Coordinator) Tracy Holcombe	
Signature: 	Date: 1/23/24

Name: (Department Head) George Gascón	
Signature: 	Date: 1-30-24

<p>Chief Executive Office Risk Management Inspector General USE ONLY</p> <p>Are the corrective actions applicable to other departments within the County?</p> <ul style="list-style-type: none"><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.
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Name: (Risk Management Inspector General) Daniela Prowizor	
Signature:  Daniela Prowizor	Date: 1/31/2024