

County of Los Angeles

April 29, 2024

Dawyn R. Harrison
County Counsel



JEFF LEVINSON
INTERIM EXECUTIVE OFFICER

Board of Supervisors

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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
Sandra Otero-Carrero v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV12854**



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 Sandra Otero-Carrero v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV12854.**

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation:
Authorize settlement of the matter entitled **Sandra Otero-Carrero v. County of Los Angeles,
et al.** Los Angeles Superior Court Case No. 21STCV12854 in the amount of \$150,000.00 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	Sandra Otero-Carrero v. County of Los Angeles, et al.
CASE NUMBER	21STCV12854
COURT	Los Angeles Superior Court
DATE FILED	April 5, 2021
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 150,000
ATTORNEY FOR PLAINTIFF	Carpenter & Zuckerman
COUNTY COUNSEL ATTORNEY	Kevin Engelen, Senior Deputy County Counsel
NATURE OF CASE	<p>This case arises from a traffic collision that occurred involving Plaintiff Sandra Otero-Carrero and County of Los Angeles Sheriff's Deputy Matthew Sander</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 79,235
PAID COSTS, TO DATE	\$ 12,355



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:	June 29, 2020, approximately 5:10 p.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;">Summary Corrective Action Plan 2023-113</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>The initial call for service, investigative reports and or summary reports indicate on June 29, 2020, at approximately 5:10 p.m., an on-duty Los Angeles County Sheriff's Department Deputy Sheriff, assigned to Lakewood Station, was responding authorized Code-3 (lights and siren) regarding an "attempt suicide" call for service.</p> <p>The Deputy Sheriff drove northbound on Lakewood Boulevard in the southbound lane at approximately 35 miles per hour.</p> <p>The Deputy Sheriff came to a complete stop at the red traffic light at the intersection of Lakewood Boulevard and Artesia Boulevard, and began to clear traffic lane by lane. As the Deputy Sheriff proceeded to drive through the intersection, the Plaintiff's (driver) vehicle was traveling westbound on Artesia Boulevard in the number two lane. When the Plaintiff entered the intersection, she and the Deputy Sheriff's vehicle collided. The Deputy Sheriff's vehicle struck the Plaintiff's driver's side and rear driver side door.</p> <p>The Deputy Sheriff requested the Los Angeles County Fire Department to respond. LA County Fire Department responded and rendered aid.</p> <p>The Plaintiff complained of pain and was treated at the scene and transported to the hospital for additional medical treatment.</p> <p>The Deputy Sheriff did not complain of any pain and was wearing his seatbelt at the time of the traffic collision.</p> <p>Both the Plaintiff's and Deputy Sheriff's vehicles sustained moderate damage due to the collision.</p> <p>The Deputy Sheriff notified an LASD supervisor he was involved in a traffic collision, and the supervisor responded to the collision location and authored a Supervisor's Report of Incident or Damage to County Vehicle or Permittee's Vehicle.</p>

	<p>The following statement is based on Deputy One's recollection of the incident, which is documented in the Supervisor's Report.</p> <p>The Deputy Sheriff stated he was driving authorized Code-3 in the number one lane to an emergency call [for service]. When he approached the intersection, the northbound traffic was backed up due to a red light. The Deputy Sheriff transitioned to the southbound lanes and continued to drive northbound. The Deputy Sheriff stopped at the intersection and began to clear westbound lanes of traffic lane-by-lane. The Deputy Sheriff observed a vehicle stopped in the eastbound left-turn lane or the number one lane. Prior to entering the intersection, the Deputy Sheriff cleared the number two lane and entered the intersection. While clearing the number two lane, the Deputy Sheriff did not observe any westbound traffic approaching. As the Deputy Sheriff entered the intersection, a vehicle (the Plaintiff) appeared from behind the vehicle which was stopped in the number one lane. The Deputy Sheriff applied the [patrol] vehicle's brakes, but was unable to stop in time to prevent the traffic collision.</p> <p>The Los Angeles County Sheriff's Department, Lakewood Sheriff's Station Traffic Detail Unit completed a traffic collision investigation. The investigation determined the Deputy Sheriff caused the traffic collision, in violation of California Vehicle Code Section 22350 - No person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of the highway, and in no event at a speed which endangers the safety of persons or property.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

A **Department** root cause of this incident was the Deputy Sheriff was traveling at an unsafe speed for the conditions.

Another **Department** root cause in this incident was the Deputy Sheriff did not clear the intersection lane by lane as directed by Department policy and collided into the plaintiff's vehicle.

A **non-Department** root cause in this incident was the Plaintiff's failure to yield to an emergency vehicle.

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 investigators by the Lakewood Sheriff's Station Traffic Detail Unit.

The collision investigation concluded the Deputy Sheriff caused the collision by driving at an unsafe speed.

Administrative Investigation

This incident was investigated 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 of this incident found the Deputy Sheriff's actions were in violation of one Department policy. Appropriate administrative action was taken.

The Deputy Sheriff involved in this incident received additional training surrounding the circumstances of this incident.

Traffic Collision Assessment and Review

Lakewood Station conducted a review and assessment of all traffic collisions for the calendar year 2019 through the end of 2023. The audit revealed there were 204 total collisions for this five-year period at the time of this plan, 133 of which were classified as preventable and 71 classified as non-preventable.

During the audit, it was discovered there was a spike in 2020, with a reduction in the following years. Personnel who have been involved in more than one traffic collision are directed to attend Department training, such as the Sheriffs Traffic Accident Reduction driving program, Emergency Vehicle Operations, and the Alternatives to Discipline Driving Course.

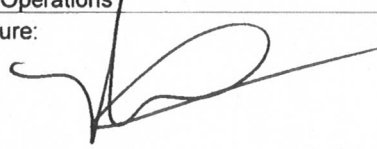
Calendar Year	Preventable Collisions	Non-Preventable Collisions
2019	25	13
2020	41	10
2021	21	17
2022	26	18
2023	20	13
TOTALS	133	71

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: 01/23/24

Name: (Department Head) Myron Jonson, Assistant Sheriff Patrol Operations	
Signature: 	Date: 1/31/24

Chief Executive Office Risk Management Inspector General USE ONLY
Are the corrective actions applicable to other departments within the County? <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.

Name: Daniela Prowizor-Lacayo (Risk Management Inspector General)	
Signature: 	Date: 2/1/2024