



County of Los Angeles

June 27, 2024

Dawyn R. Harrison
County Counsel

Board of Supervisors

Hilda L. Solis
Supervisor, First District

Holly J. Mitchell
Supervisor, Second District

Lindsey P. Horvath
Supervisor, Third District

Janice Hahn
Supervisor, Fourth District

Kathryn Barger
Supervisor, Fifth District

TO: EDWARD YEN
Executive Officer
Board of Supervisors

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

RE: **Item for the Board of Supervisors' Agenda
County Contract Cities Liability Trust Fund
Claims Board Recommendation
Romelia Chaidez, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV37845.**



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:lr

Attachment

Board Agenda

MISCELLANEOUS COMMUNICATIONS

**Settlement for Matter Entitled Romelia Chaidez, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV37845.**

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation:
Authorized Settlement of the matter entitled **Romelia Chaidez, et al. v. County of Los Angeles, et al.** Los Angeles Superior Court Case No. 21STCV37845 in the amount of \$17,200,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department Contract Cities Trust Fund's budget.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Romelia Chaidez, et al. vs. County of Los Angeles, et al.
CASE NUMBER	21STCV37845
COURT	Los Angeles Superior Court
DATE FILED	March 23, 2021
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 17,200,000
ATTORNEY FOR PLAINTIFF	Brian Panish, Esq. Panish, Shea, Ravipudi, LLP
COUNTY COUNSEL ATTORNEY	Kevin J. Engelen Senior Deputy County Counsel
NATURE OF CASE	This case occurred from a traffic collision involving Plaintiffs Romelia Chaidez, Sunny Chaidez, Rey Chaidez, and Celestial Chaidez and Los Angeles Sheriff's Department Deputy Nicholas Baudino. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 182,590
PAID COSTS, TO DATE	\$ 158,147



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:	January 16, 2020, approximately 7:20 a.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;">Summary Corrective Action Plan 2023-155</p> <p>Details in this document summarize the incident. The information provided is a culmination of various sources that provide an abstract of the incident.</p> <p>Initial traffic reports indicated on January 16, 2020, at approximately 7:20 a.m., two Los Angeles County Sheriff's Department deputy sheriffs assigned to Lakewood Station were in a marked black and white patrol vehicle.</p> <p>Deputy One (driver) was stopped southbound on Texaco Avenue at Somerset Boulevard in the city of Paramount when a red sedan pulled up behind his patrol vehicle. The red sedan abruptly reversed and traveled eastbound on Petrol Street. Deputy One told Deputy Two (passenger) he recalled the vehicle evading him 15 days earlier.</p> <p>Deputy One made a U-turn and attempted to reacquire a visual of the red sedan, ultimately traveling eastbound on Petrol Street to southbound Garfield Avenue. Deputy One accelerated as he made a (right) westbound turn onto Somerset Boulevard. A dark-colored sedan simultaneously turned left onto northbound Texaco Avenue, partially blocking the number one westbound lane.</p> <p>Deputy One turned sharply into opposing lanes of traffic to avoid colliding with the dark-colored sedan and lost control of the patrol vehicle, striking the center median with a front tire. The patrol vehicle continued to travel out of control westbound on Somerset Boulevard and collided with the Plaintiff's vehicle, which was traveling eastbound on Somerset Boulevard at approximately 25 mph.</p> <p>The Los Angeles County Fire Department was summoned to the location. However, due to the injuries to a child passenger (Plaintiff One) in the vehicle, Deputy One made a split-second decision to transport the child along with her mother (Plaintiff Four) to a hospital with the assistance of another patrol unit, rather than waiting for paramedics. Plaintiffs Two and Three were transported to the hospital under the direction of the Los Angeles County Fire Department.</p> <p>A supervisor responded to the location and authored a Supervisor's Report of Incident or Damage to County Vehicle deeming the collision preventable.</p>

	<p>The Los Angeles County Sheriff's Department Traffic Services Detail completed a traffic collision investigation and determined Deputy One 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> <p>Deputy One also caused the traffic collision in violation of California Vehicle Code Section 21650 - Upon all highways, a vehicle shall be driven upon the right half of the roadway.</p> <p>The following is based on Deputy One's recollection of the incident, which is documented in multiple collision reports:</p> <p>Deputy One stated he was driving westbound in the number one lane on Somerset Boulevard at 50 miles per hour at the time of the collision. He was attempting to conduct a traffic stop.</p> <p>As Deputy One approached the intersection of Somerset Boulevard and Texaco Avenue, a late model, dark-colored sedan initiated a northbound turn onto Texaco Avenue from Somerset Boulevard, partially blocking the number one lane of Somerset Boulevard.</p> <p>Deputy One veered into the eastbound left-turn lane of Somerset Boulevard, and the front passenger side tire of his patrol vehicle struck the center median on the west side of the intersection. Deputy One heard a loud "pop," followed by airbag deployment. He was initially unaware a collision occurred until he exited his vehicle and saw Plaintiff One's vehicle.</p> <p>Deputy One observed Plaintiff Four shouting her baby was hurt and saw (Plaintiff One) lying on the lap of a young male in the rear seat. Noting the severity of Plaintiff One's injuries, Deputy One removed Plaintiff One from the vehicle and transported her to the hospital with the assistance of a responding deputy sheriff.</p> <p>The following is based on Deputy Two's recollection of the incident, which is documented in multiple traffic collision reports:</p> <p>Deputy Two (passenger) stated he was westbound in the number one lane of Somerset Boulevard approaching Texaco Avenue when he saw a dark-colored sedan turn from the left turn lane of eastbound Somerset Boulevard and stop, partially obstructing the number one westbound lane of Somerset Boulevard. Deputy One turned to his left to avoid a collision and struck the center median with the front passenger tire of the patrol vehicle, continuing in eastbound lanes of traffic.</p> <p>Upon hearing screaming, he exited the vehicle and saw Plaintiff Two holding a small child (Plaintiff One). Deputy One transported Plaintiff One to the hospital with her mother (Plaintiff Four), while Deputy Two stayed at the location with the remaining Plaintiffs until the Los Angeles County Fire Department arrived.</p> <p>The remaining Plaintiffs were transported to the hospital for medical treatment.</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's operation of a vehicle at speeds faster than is reasonable or prudent, a violation of California Vehicle Code Section 22350.

A **Department** root cause in this incident was Deputy One's operation of a vehicle on the wrong side of the roadway, a violation of California Vehicle Code Section 21650.

A **Non-Department** root cause in this incident was the Plaintiff's failure to utilize an infant seat specifically equipped for use in motor vehicles.

A **Non-Department** root cause in this incident was the Plaintiff's vehicle's defective rear passenger seat buckle.

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 Traffic Services Detail.

The collision investigation concluded Deputy One was the primary cause of the collision by driving a vehicle at speeds faster than is reasonable or prudent, a violation of California Vehicle Code Section – 22350.

The collision investigation also concluded Deputy One was the primary cause of the collision by operating a vehicle on the wrong side of the roadway, a violation of California Vehicle Code Section 21650.

Administrative Investigation

This incident was investigated by representatives at Lakewood 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.

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

An executive evaluation of this incident found Deputy One's actions violated Department policy. Appropriate administrative action was taken.

Deputy One's overall driving performance was reviewed by the Executive Traffic Risk Review Committee. Appropriate administrative action was taken.

Traffic Collision Assessment and Review

Lakewood Station conducted a review and assessment of all traffic collisions from calendar year 2019 through the end of 2023. The audit revealed there were 204 total collisions for this five-year period; 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 Sheriff's 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

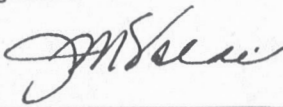
To improve employee safety and reduce the Department's liability and exposure, Lakewood supervisors continue to conduct bi-weekly briefings, which focus on the importance of safe driving and abiding by all the rules of the road when operating county vehicles. As a result, our preventable traffic collisions continue to decrease.

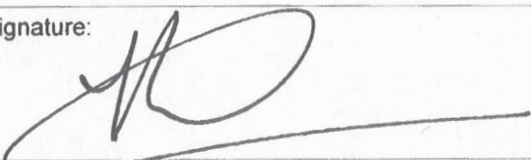
County of Los Angeles
Summary Corrective Action Plan

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

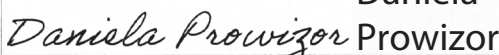
- Yes – The corrective actions address Department-wide system issues.
 No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Julia M. Valdés, A/Captain Risk Management Bureau	
Signature: 	Date: 4/22/2024

Name: (Department Head) Myron R. Johnson, Assistant Sheriff Patrol Operations	
Signature: 	Date: 5/1/24

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: Daniela Prowizor 	Date: 5/3/2024

Digitally signed by Daniela Prowizor
Date: 2024.05.03 08:27:53 -07'00'