



County of Los Angeles

November 20, 2024

Dawyn R. Harrison
County Counsel

Board of Supervisors

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Supervisor, Third District

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Supervisor, Fourth District

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Supervisor, Fifth District

TO: EDWARD YEN
Executive Officer
Board of Supervisors

FROM: TIMOTHY J. KRAL 
Acting Assistant County Counsel
Justice and Safety Division

RE: **Item for the Board of Supervisors' Agenda
County Contract Cities Liability Trust Fund
Claims Board Recommendation
Raymond Gaines v. County of Los Angeles, et al.
United States District Court Case No. 2:22-CV-02801**



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.

TJK:sr

Attachment

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Settlement for Matter Entitled Raymond Gaines v. County of Los Angeles, et al. United States District Court Case No. 2:22-CV-02801.

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation:
Authorized Settlement of the matter entitled **Raymond Gaines v. County of Los Angeles, et al.**
United States District Court Case No. 2:22-CV-02801 in the amount of \$250,000 and instruct
the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's
Department Contract Cities Trust Fund's budget.

This lawsuit concerns allegations of civil rights violations and excessive force involving Sheriff's
Deputies.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Raymond Gaines v. County of Los Angele, et al.
CASE NUMBER	2:22-CV-02801
COURT	United States District Court
DATE FILED	April 27, 2022
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 250,000
ATTORNEY FOR PLAINTIFF	Carl Douglas Douglas Hicks Law
COUNTY COUNSEL ATTORNEY	Jamie Lopez Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$250,000, inclusive of attorneys' fees and costs, the federal civil rights lawsuit filed by Plaintiff Raymond Gaines ("Raymond Gaines") against the County and four Los Angeles County Sheriff's Department ("LASD") deputies alleging unlawful arrest and excessive force during a traffic stop.</p> <p>Given the risks an uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case in the amount of \$250,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 130,712
PAID COSTS, TO DATE	\$ 3,341



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:	
Briefly provide a description of the incident/event:	<p style="text-align: center;">Summary Corrective Action Plan 2024-172</p> <p>Details in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.</p> <p>Multiple investigative reports indicated on June 17, 2020, two uniformed deputies were patrolling the city of Compton, in a marked Los Angeles County Sheriff's patrol vehicle. Deputies One and Two were stopped in the number one lane, at a solid red traffic light, at Long Beach Boulevard and Alondra Boulevard. They observed a black, Nissan Sentra driven by the Plaintiff. The Plaintiff drove past them in the left turn lane, and failed to stop at the red traffic light, in violation of California Vehicle Code Section - 21453(a).</p> <p>Deputies One and Two conducted a traffic stop. Deputy One approached the driver-side door and observed a clear plastic baggie containing a green, leafy substance resembling marijuana inside the cup holder of the center console. Deputy One contacted the Plaintiff and advised him it was illegal to transport marijuana in an unsealed container, in violation of California Vehicle Code Section - 23222(b)(1).</p> <p>Deputy One asked the Plaintiff to exit the vehicle so he could conduct a narcotics investigation. The Plaintiff exited the vehicle and Deputy One conducted a cursory search of the Plaintiff, who was unhandcuffed. Deputy One noticed a similar clear plastic baggie protruding from the front right coin pocket of the Plaintiff's pants. Deputy One retrieved the baggie and observed multiple clusters of an off-white, rock-like substance resembling rock cocaine. Deputy One placed the baggie on the arm rest of the driver's door.</p> <p>Deputy One escorted the Plaintiff to the patrol vehicle. While walking towards the patrol vehicle, the Plaintiff abruptly became uncooperative and resistive. The Plaintiff broke free from Deputy One's firm grip, grabbed the baggie containing the off-white rock-like substance, placed it in his mouth and attempted to swallow it. Deputy One believed the Plaintiff would swallow the baggie to discard the evidence.</p> <p>In an effort to regain control of the Plaintiff, Deputy One placed his arms around the Plaintiff's upper body, as he ordered him to spit the baggie out of his mouth. The Plaintiff pulled away from Deputy One's control hold and elbowed Deputy One in the face.</p>

	<p>Deputies One and Two reassessed the force used, which consisted of control holds, two takedowns, several punches to the Plaintiff's face, abdomen, and a three second burst of Oleoresin Capsicum Spray.</p> <p>An assisting deputy responded and saw the Plaintiff handcuffed and hobbled, kicking his feet towards Deputy personnel, and trying to stand up. The Deputy placed his right shin over the Plaintiff's ankles to control his legs. The Plaintiff sustained slight injuries during this incident.</p> <p>The Fire Department responded to the scene and medically assessed the Plaintiff. The Plaintiff was transported to the hospital, where he was medically cleared for booking, prior to being transported to the county jail for booking.</p> <p>An unidentified bystander video-recorded the struggle between the Deputies and Plaintiff. The video shows Deputies putting the Plaintiff face down on the ground to climb on his back. The Plaintiff can be heard yelling out, "I can't breathe!" multiple times during the encounter. Additional Deputies arrived and placed more weight on the Plaintiff's back. While the video is consistent with the crime report authored by Deputy One, it does not depict the entire incident. Another deputy can be heard responding to the video recorded by an unidentified bystander, who stated, "My life matters too."</p> <p>The video of the detention was posted on YouTube and broadcasted by multiple news and media channels. The incident gained significant public attention.</p> <p>The District Attorney's Office ("DA") rejected filing criminal charges against the Plaintiff, finding that the search of the Plaintiff's vehicle and person was unjustified and unlawful. The Plaintiff was not prosecuted for any drug-related crimes or an assault on a peace officer.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

<p>A Department root cause in this incident was the amount of force used to detain the Plaintiff.</p> <p>A Department root cause in this incident was the Plaintiff not being handcuffed when it was determined he was in possession of narcotics.</p> <p>A Department root cause in this incident was Deputy One holding the Plaintiff's head down onto the ground.</p> <p>A Department root cause in this incident was the Deputy Sheriffs assigned to Compton Sheriff Station had not yet been issued Body Worn Cameras (BWC) to video record their contact with the Plaintiff, in order to prove or disprove the Plaintiff's allegations.</p> <p>A Department root cause in this incident was a recent change in law pertaining to marijuana coupled with the deputy's failure to articulate whether the bag containing marijuana was open or sealed.</p> <p>A Non-Department root cause in this incident was the Plaintiff's failure to comply/cooperate with Los Angeles County Deputy Sheriffs' lawful orders.</p> <p>A Non-Department root cause in this incident was the Plaintiff's attempt to destroy evidence and his assault on Los Angeles County Deputy Sheriffs.</p>

2. Briefly describe recommended corrective actions:

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

Administrative Investigation (Use of Force Investigation)

Immediately following this incident, an extensive investigation was conducted by Compton Station supervisors into the use of force incident, which included interviewing the Plaintiff and the identified witness, reviewing the involved Deputies' reports, and reviewing all available videos and interviews regarding the use of force.

The result of the use of force investigation deemed the use of force was legal, reasonable and within Department training and guidelines. The Deputies involved in this incident received additional training surrounding the circumstances of this incident.

Body-Worn Cameras (BWC)

The use of BWC's is to ensure reliable recording of enforcement and investigative contacts with the public.

The Los Angeles County Sheriff's Department established policy and procedures for the purpose, use, and deployment of the Department issued BWC:

- Must be turned on during all public contacts and reviewed by the employee.
- Collect evidence for use in criminal investigation and prosecutions.
- Deter criminal activity and uncooperative behavior during law enforcement interactions with public.
- Promote accountability.
- Assist with resolving public complaints and administrative investigation.


Supervisors conduct random daily audits of Body Worn Cameras to ensure compliance.


Compton station supervisors routinely brief station personnel regarding search and seizure and changes in the law.

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 Valdes, A/Captain Risk Management Bureau	
Signature: 	Date: 11/12/24

Name: (Department Head) Myron Johnson, Assistant Sheriff Patrol Operations	
Signature: 	Date: 11/12/24

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: Betty Karmirlian (Acting Risk Management Inspector General)	
Signature: 	Date: 11/13/2024