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December 17, 2024

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 Claims Board Recommendation
Doe, Jane 2 (A.T.) v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 22STCV30776

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached is 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.

TJK:sr

Attachments

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Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Doe, Jane 2 (A.T.) v. County of Los Angeles, et al., Los Angeles Superior Court Case No. 22STCV30776 , in the amount of $7,500,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit concerns allegations of minor abuse, sexual harassment, and emotional distress violations involving a Sheriff's Deputy.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME		Doe, Jane 2 (AT) v. County of Los Angeles, et al.
CASE NUMBER		22STCV30776
COURT		Los Angeles Superior Court
DATE FILED		September 20, 2022
COUNTY DEPARTMENT		Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	$	7,500,000
ATTORNEY FOR PLAINTIFF		Panish, Shea, Boyle, Ravipudi LLP
COUNTY COUNSEL ATTORNEY		Millicent L. Rolon, Principal Deputy County Counsel
NATURE OF CASE		This is a recommendation to settle for $7,500,000, inclusive of attorneys' fees and costs, a lawsuit filed by minor Plaintiffs, Jane Does 2 thru 4 (A.T., A.T., and G.T.), through their guardian ad litem, mother Jane Doe 1 (A.T.), alleging they were sexually assaulted by Los Angeles Sheriff's Deputy Sean Jerome Essex. Given the risks and 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 $7,500,000 is recommended.
PAID ATTORNEY FEES, TO DATE	$	110,568
PAID COSTS, TO DATE	$	13,019

Case Name: Jane Doe (A.T.), et al. v. County of Los Angeles

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:	2014 through 2022
Briefly provide a description of the incident/event:	Summary Corrective Action Plan 2024-168 **Details in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.** The Deputy Sheriff and Plaintiff One (mother) engaged in a consensual romantic relationship from 2013 through 2018. Although Plaintiff One and the Deputy Sheriff were no longer in a dating relationship, Plaintiff One viewed the Deputy Sheriff as a father figure to her children (Plaintiffs Two, Three, and Four) and regularly let them go on outings with him. **Suspected Child Abuse Report (SCAR) Call for Service:** Multiple investigative reports indicate on April 4, 2022, Plaintiff Two divulged to her mother (Plaintiff One) that the Deputy Sheriff sexually abused her. One of her daughters, (Plaintiff Two), called the Deputy Sheriff a (pervert) which prompted her to ask if anything happened. The minor-aged Plaintiffs alleged the Deputy Sheriff sexually assaulted them between 2014 and 2022. The Deputy Sheriff would frequently stop by the Plaintiffs' family home wearing his Department uniform, driving a marked Department patrol vehicle. On several occasions, the Deputy Sheriff drove the Plaintiffs individually, in his patrol vehicle to get food for the family. During this time, he engaged in unlawful sexual acts with them. Other times, lewd acts occurred when the Deputy Sheriff was off duty in his personal vehicle. The Plaintiffs stated they would also visit the Deputy Sheriff at work while he was employed with the Los Angeles County Sheriff's Department. Plaintiff One reported the sexual abuse of her daughters to law enforcement officials. A Suspected Child Abuse Report (SCAR) was received by the Los Angeles County Sheriff's Department on April 7, 2022. A criminal investigation was initiated, and the facts of the case were presented to the Los Angeles County District Attorney's Office, Justice System Integrity Division.

	The following represents a timeline of relevant dates regarding the criminal investigation into this matter: On April 7, 2022, a SCAR was received by LASD Special Victims Bureau; a criminal investigation was initiated. On April 8, 2022, the Deputy Sheriff was arrested for suspicion of lewd and lascivious acts with a child and committing oral copulation with a child under the age of fourteen. These criminal charges are related to the Plaintiffs in this civil case. The Deputy Sheriff was booked and released on bail the same day. On April 9, 2022, the Deputy Sheriff was re-arrested and held without bail. The Deputy Sheriff was Relieved of Duty. On August 9, 2022, 33 felony counts were filed against the Deputy Sheriff. On August 10, 2022, the Deputy Sheriff was indicted by a California Grand Jury. The Deputy Sheriff pleaded "not guilty" to the charges. On June 7, 2024, the Deputy Sheriff plead "no contest' and was sentenced to 40 years in state prison. In accordance with Peace Officer Certification mandates Senate Bill 2, an SB2 Misconduct Allegation Reporting Tracking (SMART) number was generated for the Deputy Sheriff's involvement in this incident and was reported to POST.

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

A **Department** root cause in this incident was Deputy One engaged in sexual criminal acts with the minor-aged Plaintiffs.

A **Department** root cause in this incident was the Department's failure to thoroughly investigate previous sexual misconduct allegations.

A **Department** root cause in this incident was a Commander's failure to thoroughly investigate/read all pertinent documentation related to the Deputy Sheriff's previous misconduct in 2021.

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

Criminal Investigation

This incident was investigated by the Sheriff's Department Internal Criminal Investigations Bureau to determine if any criminal misconduct occurred. The results of the investigation were presented to the Los Angeles County District Attorney's Office for evaluation and filing consideration. The following represents a timeline of relevant dates regarding the criminal investigation into this matter:

- On April 7, 2022, a SCAR was received by LASD Special Victims Bureau; a criminal investigation was initiated.
- On April 8, 2022, the Deputy Sheriff was arrested on allegations of lewd acts with the Plaintiffs.

- On August 9, 2022, 33 felony counts were filed against the Deputy Sheriff.
- On September 6, 2022, the Department served the Deputy Sheriff with a Letter of Imposition.
- On November 4, 2022, the Deputy Sheriff resigned from the Department.
- June 7, 2024, the Deputy Sheriff pleaded "no contest" to the charges. He was sentenced to prison time.

On August 10, 2022, the California Grand Jury completed its review of the criminal charges and concluded that there was sufficient evidence to prove that the Deputy Sheriff was responsible for the indicated criminal charges. The Deputy Sheriff pleaded "no contest" to sexually abusing the Plaintiffs and was convicted.

In accordance with Peace Officer Certification mandates Senate Bill 2, an SB2 Misconduct Allegation Reporting Tracking number was generated for the Deputy Sheriff's involvement in this incident and was reported to POST.

Revisions to the Coveted Testing Selection Process

The revised review process now includes a Coveted Position Candidate Verification Form, which has several verification categories.

Policy Revision – Ride-Along Program / Unit Tours

On September 30, 2021, The Department updated policies in the Manual of Policy and Procedures (MPP) for ride-alongs.

Evaluation of Training Bureau Unit Order 40/01

The Training Bureau has implemented new practices to ensure accountability for all assigned vehicles.

New Training Bureau Unit Order 2024-01

The Training Bureau created a new unit order modifying requirements for supervision during pre-academy training classes.

Rebrief: MPP 3-04/010.05 Procedures for Department Service Reviews

A Department Service Review as an externally initiated supervisory review of the Department's or individual employee's performance. A Department-wide rebrief concerning Department Service Reviews will be conducted. The rebrief will reiterate the importance of completing a Watch Commander Service Report as "thoroughly" and accurately as possible. Service Comment Reports alleging criminal conduct shall be forwarded to the Unit Commander immediately.

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, Captain Risk Management Bureau	
Signature:	Date: 10/6/2024

Name: (Department Head) Jill F. Torres Chief Financial and Administrative Officer	
Signature:	Date: 10/8/24

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: Betty Karmirlian (A/Risk Management Inspector General)	
Signature: Betty Karmirlian	Date: 10/9/2024