



County of Los Angeles

January 7, 2025

Dawyn R. Harrison
County Counsel

Board of Supervisors

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Supervisor, First District

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Supervisor, Second District

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Supervisor, Third District

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Kathryn Barger
Supervisor, Fifth District

TO: EDWARD YEN
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
Millie Fitchett v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 22STCV01799**



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 Millie Fitchett v. County of Los Angeles, et al., Los Angeles Superior Court Case No. 22STCV01799, in the amount of \$150,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit arises from injuries Plaintiff allegedly sustained in a traffic collision involving a Sheriff's Department sergeant.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Millie Fitchett vs. County of Los Angeles, et al.
CASE NUMBER	22STCV01799
COURT	Los Angeles Superior Court
DATE FILED	January 18, 2022
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 150,000
ATTORNEY FOR PLAINTIFF	Jasmine Baldawi, Esq. Lipeles Law Group, APC
COUNTY COUNSEL ATTORNEY	Thomas C. Hurrell, Esq. Hurrell Cantrall, LLP LaTasha N. Corry Deputy County Counsel
NATURE OF CASE	<p>This incident occurred on August 10, 2021, when an unmarked vehicle driven by Sgt. Kelly Huffman collided with Ms. Fitchett's vehicle. Ms. Fitchett alleges injuries as a result of the accident.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$150,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 86,147
PAID COSTS, TO DATE	\$ 21,117



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:	August 10, 2021
Briefly provide a description of the incident/event:	<p style="text-align: center;">Summary Corrective Action Plan 2023-150</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>Based on the initial traffic collision report, on Tuesday, August 10, 2021, at approximately 2:25 p.m., an on-duty Los Angeles County Sheriff's Sergeant assigned to Detective Division, was driving her assigned unmarked undercover vehicle. Sergeant One was stopped at the east driveway waiting to make a left-hand turn. As Sergeant One inched out of the driveway to make a left turn, she was involved in a traffic collision.</p> <p>Sergeant One observed a vehicle traveling northbound on Colima Road from Telegraph Road. Sergeant One made a left-hand turn and attempted to enter the center left-hand turn lane, and wait until the vehicle passed. However, Sergeant One entered the center turn lane and collided with the Plaintiff's vehicle, which was traveling south in the center lane.</p> <p>Sergeant One notified her supervisor and advised she was involved in a traffic collision. Sergeant Two responded to the collision location and authored a Supervisor's Report of Incident or Damage to County Vehicle investigation.</p> <p>Sergeant Two interviewed the Plaintiff. She indicated she was traveling 25 mph and conducted a left-hand turn but did not see Sergeant One's vehicle until they collided. The Plaintiff advised she was not injured from the traffic collision. The Plaintiff refused a precautionary assessment by paramedics. The Plaintiff's vehicle sustained major front end passenger side damage and was towed from the location.</p> <p>Sergeant Two searched for witnesses to the traffic collision but was unsuccessful.</p> <p>Sergeant One's vehicle sustained major front-end damage in addition to deployment of the vehicle's airbag.</p> <p>Once Sergeant Two received and reviewed the California Highway Patrol (CHP) Officer's report, she noticed CHP interviewed a witness from the traffic collision.</p>

	<p>Sergeant Two attempted to contact the witness at his residence and via telephone but was unable to speak with him to obtain his statement.</p> <p>Sergeant One's statement is based on the collision report:</p> <p>Sergeant One stated she was stopped at the east driveway exiting the parking lot at STARS Center, waiting to turn northbound on Colima Road. The traffic traveling southbound on Colima Road stopped, which allowed her to exit the driveway. Sergeant One indicated she observed a vehicle traveling northbound on Colima Road and proceeded to enter the left-hand turn lane. A vehicle traveling southbound in the center left turn lane struck the front end of her county vehicle.</p> <p>A CHP Officer responded to the collision and conducted a traffic collision investigation. The CHP Officer determined Sergeant One was the primary cause of the traffic collision, in violation of California Vehicle Code Section 21804(a) – The driver of any vehicle about to enter or cross a highway from any public or private property, or from an alley, shall yield the right-of-way to all traffic.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

A **Department** root cause in this was Sergeant One's failure to yield the right-of-way to all traffic in violation of California Vehicle Code Section 21804(a).

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

<p>Traffic Collision Investigation</p> <p>This incident was investigated by an officer from the California Highway Patrol.</p> <p>The collision investigation concluded Sergeant One was the primary cause of the collision by failing to yield the right-of-way to all traffic in violation of California Vehicle Code Section 21804(a).</p> <p>Administrative Investigation</p> <p>This incident was investigated by representatives at Narcotics Bureau to determine if any administrative misconduct occurred before, during, or after this incident. The results of the investigation were presented for Department executive adjudication.</p> <p>Sergeant One received additional training surrounding the circumstance in this incident.</p> <p>Appropriate administrative actions were taken.</p> <p>Traffic Collision Assessment and Review</p> <p>As a result of this collision, an assessment of employee involved traffic collisions from January 1, 2018, to December 31, 2022, was conducted. The audit revealed the following:</p> <p>The number of preventable traffic collisions over the past five years was not excessive based on the amount of driving conducted by personnel assigned to Narcotics Bureau.</p>
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However, in an attempt to improve employee safety and reduce the Department's liability exposure, Narcotics Bureau continues to schedule personnel for the four and eight-hour driver training course put on by the Los Angeles County Sheriff's Department Emergency Vehicle Operations Center.

Additionally, the Narcotics Bureau has created a POST- approved driving class specifically for personnel who drive undercover-type vehicles.

Sheriff Department Announcement – Department-Wide Re-brief

The purpose of this re-brief is to remind Department personnel that the safety of Department members and the public is paramount when engaged in routine driving and Code-3 responses.

It is essential to maintain heightened officer safety, common sense, and sound tactics to reduce collision-related injuries, deaths, and financial liability to the Department.

Emergency Vehicle Operation Course – Department Expanded Briefing

In hopes of further mitigating financial liability to the Department as a result of traffic collisions, representatives from Risk Management Bureau briefed the participants of Emergency Vehicle Operation Courses (EVOC) on current trends as it pertains to Department driving practices.

Members of the Risk Management Bureau educated course participants about the ramifications of engaging in poor driving practices. Department and individual liability were discussed, as well as the increasingly rigorous Department discipline imposed for violations of Department driving policy.

Future briefings with EVOC participants will be scheduled.

Department Wide Broadcast Announcements–Sheriff's Communication Center (SCC)

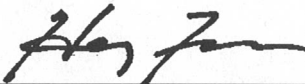
In hopes to mitigate the Department traffic collisions, Risk Management has partnered with SCC to create Department-Wide announcements.

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: 10/5/2024

Name: (Department Head)	
Holly Francisco, Assistant Sheriff Countywide Operations	
Signature: 	Date: 10/10/24

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: Betty Karmirlian (Acting Risk Management Inspector General)	
Signature:  Betty Karmirlian	Date: 10/22/24
Digitally signed by Betty Karmirlian Date: 2024.10.22 12:56:03 -07'00'	