



County of Los Angeles

April 8, 2025

Dawyn R. Harrison
County Counsel

Board of Supervisors

Hilda L. Solis
Supervisor, First District

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Supervisor, Second District

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Supervisor, Third District

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Supervisor, Fourth District

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
Lisa Vargas v. County of Los Angeles, et al.
United States District Court Case No. 2:19-cv-03279**



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 Lisa Vargas v. County of Los Angeles, et al., United States District Court Case No. 2:19-cv-03279, in the amount of \$3,000,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This federal civil rights lawsuit arises from the death of Plaintiff's son after Sheriff's Department deputies attempted to take Decedent into custody.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Lisa Vargas v. County of Los Angeles, et al.
CASE NUMBER	2:19-CV-03279
COURT	United States District Court Case
DATE FILED	August 12, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 3,000,000
ATTORNEY FOR PLAINTIFF	Humberto M. Guizar & Christian Contreras
COUNTY COUNSEL ATTORNEY	Minas Samuelian Senior Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$3,000,000 inclusive of attorneys' fees and costs, a lawsuit filed by Lisa Vargas ("Plaintiff"), the mother of decedent Anthony Vargas, alleging civil rights violations and wrongful death arising out of the death of her son.</p> <p>Given the high 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 \$3,000,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 698,716
PAID COSTS, TO DATE	\$ 182,757



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 12, 2018, at approximately 1:51 a.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;">Summary Corrective Action Plan 2023-147</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>The Plaintiff is the Decedent's parent.</p> <p>Multiple investigative reports indicate on August 12, 2018, at approximately 1:51 a.m., a woman called 911 and stated that her boyfriend had been robbed of his watch at gunpoint by three male Hispanics. The caller described the suspects as Male Hispanics in their 30's or 40's; one of them was riding a bike and only one of them had a gun. The caller reported the suspects were at the intersection of Mednik Avenue and Hammel Street. Additionally, the caller stated the suspect armed with a gun was wearing a "blue t-shirt".</p> <p>The caller indicated she and her boyfriend were parked and could see the suspects. The Decedent was among this group of Hispanic males.</p> <p>At approximately 2:00 a.m., Deputies received the robbery call and responded to the location. Upon their arrival, the group of Hispanic males split up and began running east away from the deputies.</p> <p>Upon their arrival, Deputies One and Two were directed by the handling unit to check the parking lot for the suspects.</p> <p>Upon arrival, Deputies One and Two did not observe anyone in the area. Deputy Two (the driver) stated he proceeded to the fire access road and traveled east through the housing complex with the patrol vehicle lights off.</p> <p>The fire access road curved in a northerly direction, at which point Deputy One pointed out a Hispanic male (Decedent) wearing a dark colored shirt. The Decedent, who was wearing a dark blue shirt, saw the deputies and ran eastbound away from the deputies. Deputy One exited the passenger side of the vehicle and attempted to detain the Decedent as a potential robbery suspect. The Decedent did not comply and began to struggle with Deputy One.</p> <p>Deputy Two noticed that Deputy One was in a struggle with the Decedent and attempted to assist in detaining the Decedent. Deputies One and Two gave several verbal commands to the Decedent to show his hands, to no avail. Deputy Two stated that during the struggle, the Decedent dragged Deputies One and Two approximately fifty (50) feet</p>

	<p>before they were able to get the Decedent down to the ground on his stomach in a grassy area.</p> <p>During the struggle, Deputy Two reached underneath the Decedent to the Decedent's waistband area, over his outer clothing. Deputy Two felt the butt of a gun in the Decedent's waistband. Deputy Two immediately informed Deputy One the Decedent was armed with a gun.</p> <p>During the struggle, Deputies One and Two used control holds and personal weapons in an attempt to gain the Decedent's compliance; however, the Decedent continued to resist the deputies' commands. At this time, Deputy Two's radio microphone cord was wrapped around the Decedent's right forearm, preventing Deputy Two from creating distance from the Decedent.</p> <p>While on the ground, the Decedent lifted his body up with his right hand under him, at which point Deputy Two observed the gun in the Decedent's right hand. Seeing the gun in the Decedent's right hand, Deputy Two believed the Decedent was going to shoot him, and yelled, "Gun! Gun! Gun!" Deputy One heard Deputy Two yell, "Gun! Gun! He's going for the gun!" At this instant, Deputy Two, from a seated position approximately five feet from the Decedent, drew his service weapon with his right hand and fired several rounds toward the Decedent.</p> <p>Simultaneously, Deputy One believed the Decedent was going to attempt to shoot Deputy Two; he stood up, withdrew his firearm and fired several rounds toward the Decedent. Both Deputies One and Two detained the Decedent at gunpoint until additional deputy personnel arrived on scene.</p> <p>Once additional deputy personnel arrived on scene, the Decedent was secured, and Cardiopulmonary Resuscitation (CPR) was administered to the Decedent. A black semi-automatic firearm was recovered underneath the Decedent.</p> <p>Los Angeles County Fire Department Engine #1, Squad 3 responded; The Decedent was pronounced deceased at 2:22 am.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

<p>A Department root cause in the incident was the Deputies were involved in a deputy involved shooting when they attempted to take the Decedent into custody.</p> <p>A Department root cause in the incident was the Deputies failure to broadcast and advise additional units in the area they had located the armed suspect and were involved in a foot pursuit</p> <p>A Department root cause in the incident was the Deputies were not yet equipped with Body-Worn Camera. The recorded video would have captured the Deputies' contact with the Decedent.</p> <p>A non-Department root cause in this incident was the Decedent's failure to comply with the Deputies' lawful orders.</p> <p>A non-Department root cause in this incident was the Decedent was seen, after a lengthy struggle with the Deputies, holding a firearm in his right hand; causing the Deputies to simultaneously believe the Decedent was about to shoot Deputy Two.</p>
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A **non-Department** root cause in this incident was the Decedent's intoxication; the toxicology report showed the Decedent had narcotics in his system.

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

This incident was thoroughly investigated by the Sheriff's Department Homicide Bureau. The results of their investigation were submitted to the Los Angeles County District Attorney's Office, Justice System Integrity Division. The Los Angeles County District Attorney's Office concluded their investigation and found Deputies One and Two acted in lawful self-defense and defense of others when they used deadly force against The Decedent; they closed the file and would be taking no further action in this matter.

An administrative review was conducted, and appropriate administrative action was taken.

As a result of this incident, Deputies One and Two attended additional training.

Body-Worn Cameras (BWC)

As of November 2020, all sworn personnel assigned to East Los Angeles Sheriff Station were issued a Body Worn Camera to ensure all public contacts are transparent. The use of BWC's ensures reliable recording of enforcement and investigative contacts with the public. The Department established policy and procedures for the purpose, use, and deployment of the Department issued BWC.

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: 12/18/2024

Name: (Department Head)	
Myron Johnson, Assistant Sheriff Patrol Operations	
Signature: 	Date: 1/2/25

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: 1/6/2025
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