

**STATEMENT OF PROCEEDINGS**  
**FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD**  
**HELD IN ROOM 648 OF THE KENNETH HAHN HALL OF ADMINISTRATION,**  
**500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012**  
**ON MONDAY, MAY 21, 2018, AT 9:30 A.M.**

**Present: Chair Steve Robles, Arlene Barrera, and Roger Granbo.**

1. **Call to Order.**
2. **Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.**

No members of the public addressed the Claims Board.

3. **Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code section 54956.9).**

- a. **The Estate of Donald Markley v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. MC 022 275**

This Department of Public Works dangerous condition and wrongful death lawsuit arises from an automobile accident at an intersection near Palmdale.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$130,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Documents](#)

- b. **Jose Campos Sepulveda v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 644 497**

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Sheriff's Deputy and a pedestrian in a wheelchair.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$25,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Document](#)

c. **Patricia Retana v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 603 830**

This lawsuit alleges sexual battery by a Sheriff's Deputy during a traffic stop.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$30,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Document](#)

d. **Brian O'Neal Pickett v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. TC 028 173**

This wrongful death lawsuit concerns allegations of excessive force by Sheriff's Deputies during an attempted apprehension.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,750,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Documents](#)

e. **Human Rights Defense Center v. County of Los Angeles, et al.**  
**United States District Court Case No. CV 17-04883**

This lawsuit alleges violations of federal and State-law civil rights by the County and Sheriff's Department personnel.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$253,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Documents](#)

f. **Adel Said v. County of Los Angeles**  
**Los Angeles Superior Court Case No. BC 581 290**

This lawsuit alleges that an employee from the Health Services Department was subjected to harassment, discrimination, and retaliation based on national origin.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$42,500.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

g. **Service Employees International Union, Local 721 v. County of Los Angeles Library Department**  
**UFC 024-14**

This lawsuit alleges an unfair labor charge for wrongful termination of an employee from the Los Angeles County Library.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$80,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

4. **Report of actions taken in Closed Session.**

The Claims Board reconvened in open session and reported the actions taken in Closed Session as indicated under Agenda Item No. 3 above.

5. **Approval of the minutes of the May 7, 2018, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

[See Supporting Document](#)

6. **Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.**

No such matters were discussed.

7. **Adjournment.**

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Donald Markley v. County of Los Angeles, et al.
CASE NUMBER	MC 022275
COURT	Los Angeles Superior Court
DATE FILED	January 25, 2011
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 130,000
ATTORNEY FOR PLAINTIFF	Jason P. Fowler R. Rex Parris Law Firm
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	<p>Plaintiff Timothy Doerfler, in his capacity as the personal representative of the Estate of Donald Markley, claims wrongful death damages arising from the February 21, 2010, vehicle collision between the Ford F-150 pickup truck driven by Laura Lee Groman and the Nissan Quest minivan driven by Mr. Markley's wife, Linda Gunterman. The collision occurred at the intersection of Avenue J and 110<sup>th</sup> Street East in the unincorporated part of the County near Palmdale. The intersection is alleged to be a dangerous condition of public property.</p> <p>Ms. Groman died later that morning. Mr. Markley filed the action but later died for reasons unrelated to the accident while the case was still in litigation. Plaintiff alleges that as a result of Ms. Groman's death, Mr. Markley's estate suffered damages. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 488,419
PAID COSTS, TO DATE	\$ 78,776



## 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:	February 21, 2010
Briefly provide a description of the incident/event:	On February 21, 2010, Ms. Laura Lee Groman, the wife of Mr. Donald Markley, was traveling westbound on Avenue J when her vehicle was struck by another vehicle, driven by Ms. Linda Gunterman, that was traveling southbound on 110th Street East. Ms. Groman sustained fatal injuries as a result of the collision. The claimants allege that the roadway was in a dangerous condition due to the location of the limit line on 110th Street East and obstruction of line of sight.

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

The collision occurred due to Ms. Gunterman's negligence in the operation of her vehicle by proceeding from the limit line to the intersection and failing to check for traveling westbound vehicles.

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

We reviewed our relevant policies and procedures related to the placement of the limit line.

The County placement of the limit line is in compliance with the CAMUTCD. No corrective actions are proposed for this case.

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.

Name: (Risk Management Coordinator)  
Michael J. Hays

Signature:

*M J Hays*

Date:

6/13/16

Name: (Department Head)  
Gail Farber

Signature:

*Gail Farber*

Date:

7/6/16

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: (Risk Management Inspector General)

*Destiny Castro*

Signature:

*Destiny Castro*

Date:

7/1/2016

RB:psr  
P4:MARKLEY SCAP1

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jose Campos Sepulveda v. County of Los Angeles, et al.
CASE NUMBER	BC 644497
COURT	Los Angeles Superior Court
DATE FILED	December 20, 2016
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 25,000
ATTORNEY FOR PLAINTIFF	Dzmitry Lishyk Bash & Polyachenko, P.C.
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	This case involves a vehicle versus wheelchair collision that occurred on December 6, 2015, when a Sheriff's Department Chevrolet Tahoe sport utility vehicle driven by a Sheriff Department employee struck a motorized wheelchair operated by plaintiff Jose Campos Sepulveda while Mr. Sepulveda was crossing Rosecrans Avenue within the marked crosswalk at the intersection of Atlantic Avenue in the unincorporated area of the County near the City of Compton. Mr. Sepulveda claims to have suffered injuries and damages from the accident. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted
PAID ATTORNEY FEES, TO DATE	\$ 36,265
PAID COSTS, TO DATE	\$ 3,977

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Patricia Retana vs. Los Angeles Sheriff's Dept., et al.
CASE NUMBER	BC 603830
COURT	Los Angeles Superior Court
DATE FILED	December 10, 2015
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 30,000
ATTORNEY FOR PLAINTIFF	Glenn E. Stern, Esq.
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$30,000, a lawsuit filed by Patricia Retana against the Sheriff's Department and a Deputy Sheriff alleging sexual battery, false imprisonment, and negligence.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$30,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 36,866
PAID COSTS, TO DATE	\$ 14,268



## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Brian O'Neal Pickett, et al. v. County of Los Angeles, et al.
CASE NUMBER	TC028173
COURT	Los Angeles Superior Court
DATE FILED	June 18, 2015
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 1,750,000
ATTORNEY FOR PLAINTIFF	The Sweeney Firm
COUNTY COUNSEL ATTORNEY	Millicent Rolon
NATURE OF CASE	<p>This is a recommendation to settle for \$1,750,000 a State-law civil rights and wrongful death lawsuit filed by the minor children of Brian Pickett alleging that Sheriff's Deputies used excessive force against Mr. Pickett and caused his death.</p> <p>The Deputies deny the allegations and contend their actions were reasonable.</p> <p>Given the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$1,750,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 235,725
PAID COSTS, TO DATE	\$ 82,668



## 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 6, 2015, at 11:21 p.m.
Briefly provide a description of the incident/event:	<p><b><u>Gilbert – Pickett, et. al v. County of Los Angeles, et al.</u></b> Summary Corrective Action Plan 2017-031</p> <p>On January 6, 2015, at 11:21 p.m., two uniformed Los Angeles County deputy sheriffs, assigned to Century Station, responded to a family disturbance call at the location on 123<sup>rd</sup> Street in Los Angeles. Upon arrival, the decedent's mother advised the deputy sheriffs that the decedent (her son), was acting erratically in her house and had been smoking methamphetamine and phencyclidine (PCP) during the course of the day.</p> <p><b>Note</b> Phencyclidine is a dissociative drug that has a history of adverse side effects such as hallucinations, mania, delirium, and disorientation.</p> <p>The decedent's mother further advised the decedent threatened her and her daughter (the decedent's sister), calling them "bitches and cunts," then described in graphic detail how he would urinate on them and be "inside them," as he choked them to death.</p> <p>The decedent's mother advised the deputy sheriffs she considered the decedent's threats to be valid due to his aggressive behavior, previous episodes of violence, and previous assaults against her. The decedent's mother said she feared for her life and the safety of her daughter. The decedent's mother told the deputy sheriffs she wanted the decedent to be arrested, and she would follow through with criminal charges against him.</p> <p>The decedent's mother warned the deputy sheriffs the decedent had fought with deputies and police officers in the past and had been tased several different times during his encounters with law enforcement.</p> <p>The deputy sheriffs entered the home and made contact with the decedent in the bathroom. They found the decedent standing on the bathroom counter, squatting in the sink and staring at a mirror. The decedent aggressively told the deputy sheriffs, "Fuck cops! Fuck deputies! Get the fuck out of my house! You guys are not welcome here! I did not call you!" The deputy sheriffs asked what happened between him and his mother. The decedent replied, "That's not my mother, that's my bitch."</p> <p>The two deputy sheriffs backed away from the bathroom and made a plan to not engage the decedent until a field sergeant and additional deputy sheriffs could arrive.</p>

Upon the arrival of the field sergeant and additional deputy sheriffs, they were briefed about the incident by the initial responding deputy sheriffs. A detailed spoken tactical plan was created and each deputy sheriff was given instructions and assignments, in order to safely contact and arrest the decedent.

The tactical plan and assignments were as follows:

- One deputy sheriff was assigned as a "contact" person, who would be responsible for talking to the decedent and would give calm and controlled verbal commands.
- One deputy sheriff was assigned a Taser.
- Two deputy sheriffs were assigned as "hands on" to control and handcuff the decedent if/when possible.
- An additional deputy sheriff was assigned to standby in the hallway between the living room and bathroom with a second Taser, in case the first Taser was ineffective.

The field sergeant video interviewed the decedent's mother confirming her account of events the decedent had been acting irrational all day, appeared to be under the influence of PCP, and had graphically threatened to kill both her and her daughter. The decedent's mother said she feared for her life and wanted the decedent arrested.

The deputy sheriffs and the field sergeant went to the bathroom and stood in the hallway. They saw the decedent was no longer on the sink, but standing on the floor in front of the mirror. The decedent was breathing heavy and appeared more agitated than during the first encounter. Due to the small bathroom and narrow hallway, the deputies were approximately two to four feet away from the decedent.

The first deputy sheriff gave the decedent several commands to place his hands behind his back and step out of the bathroom. The decedent refused each series of commands. The decedent appeared to get more agitated as he clenched his fists and turned abruptly toward the deputy sheriffs.

The second deputy sheriff saw the decedent's actions and feared that he was about to be attacked. The second deputy sheriff fired his Taser, striking the decedent in the chest. The Taser had little effect on the decedent. The decedent continued to clench his fists and move his arms up and down as he took a few steps backward.

**Note:** Because the initial Taser deployment had not incapacitated the decedent, and the decedent appeared to still pose a serious danger of assaulting the deputy sheriffs, the second deputy sheriff did not release the trigger of the Taser. Holding the trigger caused the Taser to continue sending an electrical charge past the initial five-second activation cycle.

As the decedent moved backwards, he turned and fell face down into the empty bathtub. The deputy sheriffs rushed into the bathroom and attempted to control and handcuff the decedent. Although the Taser was still activated, the decedent was still uncooperative and resistive. The decedent thrashed his arms around and kicked back his legs "like a donkey" as he shouted, "you're not going to get me." Due to the confined

	<p>area and the decedent's violent resistance, the deputy sheriffs were unable to handcuff him in the bathroom.</p> <p>The third and fourth deputy sheriffs lifted the decedent out of the bathtub, carried him into the hallway, and put him on the ground. Once in the hallway, the decedent continued to violently thrash his arms and legs and the deputy sheriffs struggled to handcuff him. The first deputy sheriff was able to control and pin the decedent's ankles to the back of his legs as the third and fourth deputy sheriffs were able to control his arms for handcuffing.</p> <p><b>Note:</b> The second deputy sheriff continually depressed the Taser trigger, from the initial deployment until the decedent was handcuffed. The recorded time showed a continuous 29 second Taser deployment. The Taser's use was stopped immediately after the deputy sheriffs handcuffed the decedent.</p> <p>After being handcuffed, the decedent continued to violently thrash and kick at the deputy sheriffs. The first and fourth deputy sheriffs applied a "Ripp Hobbles" to restrain the decedent's legs and reduce his ability to kick them.</p> <p><b>Note:</b> At no time did any of the deputy sheriffs clip the Ripp Hobbles to the decedent's handcuffs to complete a Total Appendage Restraint Procedure (T.A.R.P.).</p> <p>The decedent was carried into the living room area where deputies laid him on his left side. The deputy sheriffs monitored the decedent's airway, breathing, and pulse as they requested and waited for paramedics. The decedent had a pulse, was breathing, did not appear to be in distress, and did not have any significant visible injuries.</p> <p>Just as paramedics arrived, the decedent was found to have gone into cardiac arrest. Emergency lifesaving efforts were performed. The decedent was transported via ambulance to Saint Francis Medical Center.</p> <p>The decedent arrived at the emergency room at 10:16 p.m. in full cardiac arrest. Advanced cardiac life support was given to the decedent but was unsuccessful. The decedent was pronounced dead in the emergency room at 10:39 p.m.</p>
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1. Briefly describe the root cause(s) of the claim/lawsuit:

A **Department** root cause in this incident was the deputy sheriff's use of the Taser against the decedent for 29 seconds.

Another **Department** root cause in this incident was the deputy sheriff's application of the Ripp Hobbles on the decedent to restrain his legs.

<sup>1</sup> The "Ripp Hobbles" is a one-inch wide polypropylene webbed belting with a one-inch wide steel, alligator-jawed, friction-locking clip on one end and a steel-snap swivel clip on the other end. By using the webbed belt on the locking clip side, a loop can be placed around a person's legs or ankles to maintain better control of the person's legs.

A **non-Department** root cause in this incident was the decedent's failure to comply with the lawful orders of the Los Angeles County deputy sheriffs.

Another **non-Department** root cause in this incident was the decedent's previously undiagnosed significant medical conditions coupled with the effects of methamphetamine use.

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

The incident was investigated by the Sheriff's Department Homicide Bureau to determine if any criminal misconduct occurred.

The investigation revealed that the decedent sustained one Taser dart in the center chest and the second in the lower left rib area. He also sustained a small laceration near his left eye and abrasion on his left side of his face.

The toxicology indicated that the decedent had evidence of cocaine, marijuana, and methamphetamine in his system at the time of his death. PCP was not detected in his system.

On October 26, 2016, the Los Angeles County District Attorney's Office concluded the deputy sheriffs applied lawful force in detaining the decedent and are not criminally responsible for his death. The Los Angeles County District Attorney's Office will take no further action in this matter.

This incident was investigated by representatives of the Sheriff's Department's Internal Affairs Bureau to determine if any administrative misconduct occurred before, during, or after this incident.

On October 5th, 2017, the results of the administrative investigation were presented to the Executive Force Review Committee (EFRC) for evaluation.

The EFRC determined the tactics and use of force were within Department policy. No recommendations were made and no further action was taken.

Re-current briefings have been implemented on an ongoing basis. These briefings incorporate scenario-based situations similar to this incident. Special attention has been focused on how to make contact with individuals who are under the influence of narcotics and/or interactions with people who are mentally ill. Also discussed is the phenomena known as "excited delirium."

The second deputy sheriff deployed a Taser against the decedent and held the trigger, causing a continuous electrical activation that lasted 29 seconds, well beyond its normal five-second cycle.

Research into the function of the Taser indicates this is not a Taser device malfunction, but rather an intended design function. If a Taser trigger is pulled and released, the Taser will run for a five-second cycle. If during the five-second cycle the safety trigger is turned to safe, the Taser will stop the electrical activation.

The Taser was also designed to work continuously as long as the trigger is held. The ability to maintain a longer activation gives the user the ability to maintain an electrical activation against a violent person, enabling them to safely restrain the person in an effort to stop the threat.

In this incident, 29 seconds represents the amount of time the decedent was initially tased, lifted out of the bathtub, placed on the floor in the hallway, and handcuffed.

A person is considered hobbled when they are handcuffed, their ankles are held together with a Ripp Hobble restraint device, and the clip end of that device is not connected to the handcuffs.

The Department's use of force options chart identifies the Ripp Hobble as a valid force option for a resistive individual.

The Ripp Hobble can be an effective tool to restrain a person(s) legs when they are violently kicking and may cause property damage, hurt themselves, or someone else.

County of Los Angeles  
Summary Corrective Action Plan

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

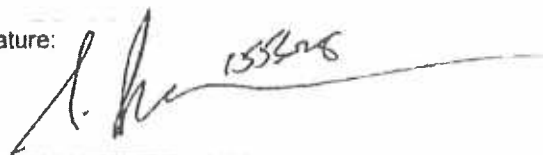
- ☐ Yes – The corrective actions address Department-wide system issues  
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Scott E. Johnson, Captain  
Risk Management Bureau

Signature:



Date:

10-17-17

Name: (Department Head)

Karyn Mannis, Chief  
Professional Standards and Training Division

Signature:



Date:

10-24-17

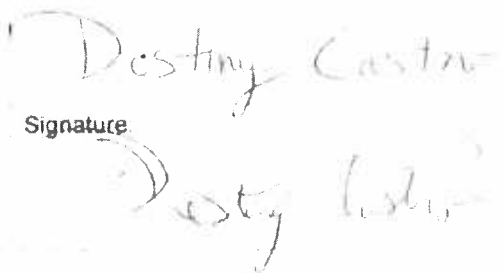
**Chief Executive Office Risk Management Inspector General USE ONLY**

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: (Risk Management Inspector General)

Signature:



Date:

10/25/2017

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Human Rights Defense Center v. County of Los Angeles, et al.
CASE NUMBER	CV 17-04883
COURT	United States District Court
DATE FILED	September 2016 to July 2017
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 253,000
ATTORNEY FOR PLAINTIFF	Sanford J. Rosen, Esq. Jeffrey L. Bornstein, Esq. Christopher Hu, Esq. Rosen, Bien, Galvan & Grunfeld, LLP
COUNTY COUNSEL ATTORNEY	Timothy J. Kral Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$253,000, inclusive of attorneys' fees and costs, a federal and State-law civil rights lawsuit filed by Human Rights Defense Center ("HRDC") against the County and 13 individual Defendants who are all current or former employees of the Sheriff's Department.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$253,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 111,264
PAID COSTS, TO DATE	\$ 145



**Case Name:**

Human Rights Defense Center (HRDC) V. County of Los Angeles

County of Los Angeles

Summary Corrective Action Plan



## 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:	Circa, September 2016
Briefly provide a description of the incident/event:	<ul style="list-style-type: none"><li>• In August of 2016, Sheriff Department Managers discovered a publication, the Prison Legal News (PLN) in the mailroom at the Inmate Reception Center. The managers discovered that the publication contained questionable material. The delivery of the PLN was suspended until department managers could conduct an administrative review to decide if the publication suspension should be permanent.</li><li>• After a two month review, department managers determined the suspension on the PLN publication was no longer necessary. After lifting the suspension, inmates were again allowed access to the PLN publication in the Los Angeles County Jail system.</li></ul>

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

The primary **Department** root cause in this incident, involves the censorship of the PLN publication and other mailings from the Human Rights Defense Center (HRDC), in violation of the First Amendment.

The secondary **Department** root cause in this incident, involves the failure to afford HRDC due process in connection with that alleged censorship in violation of the Fourteenth Amendment.

**Case Name:**Human Rights Defense Center (HRDC) V. County of Los Angeles

County of Los Angeles

Summary Corrective Action Plan

**Implementation of a new Custody Division Manual mail policy.****SCOPE OF NEW POLICY:**

- Written policy which allows PLN into all custody facilities
- Reversal of policy requirement that any periodical entering MCJ be the current issue
- Removal of magazine ban for inmates designated as K-10
- Provide an appeals process for publishers whose mail is returned
- Retention log of rejected mail
- Creation of a new form for "Returned Mail Item-Inmate Notification"
- Creation of a new form for "Returned Mail Item-Sender Notification" and an appeals policy for senders
- Retention of rejected mail during appeals process

**Responsible person:** Assistant Sheriff Kelly Harrington

<b>Case Name:</b>	Human Rights Defense Center (HRDC) V. County of Los Angeles
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County of Los Angeles  
Summary Corrective Action Plan

Name: (Risk Management Coordinator) Commander Cheryl Newman-Tarwater	
Signature: 	Date: 04-26-18

Name: (Department Head) Chief Christy Guyovich	
Signature: 	Date: 4.26.18

**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: (Risk Management Inspector General) CEO Destiny Castro	
Signature: 	Date: 4/26/2018

# COUNTY OF LOS ANGELES CLAIMS BOARD

## MINUTES OF REGULAR MEETING

May 7, 2018

### 1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:31 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Claims Board Members present at the meeting were: Chair Steve Robles, Arlene Barrera, and Roger Granbo.

Other persons in attendance at the meeting were: Office of the County Counsel: Armita Radjabian, Jennifer Lehman, Ruben Baeza, Jr., and Stacey Lee; Probation Department: Vicky Santana; Department of Parks and Recreation: Donald Limbrick; Department of Public Works: Jeff Howard; and Outside Counsel: Avi Burkwitz.

### 2. Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.

No members of the public addressed the Claims Board.

### 3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code section 54956.9)

At 9:33 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(d) below.

### 4. Report of actions taken in Closed Session.

At 10:03 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

#### a. Jasmine E. Jackson, et al. v. County of Los Angeles, et al. United States District Court Case No. 2:17-CV-04935

This lawsuit alleges Plaintiff's civil rights were violated when the Department of Children and Family Services removed her child without a warrant.

#### Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$280,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

**b. Melani Kent v. County of Los Angeles.  
Los Angeles Superior Court Case No. BC 658 241**

This lawsuit alleges the Department of Children and Family Services failed to provide access to information and records pursuant to the California Public Records Act.

**Action Taken:**

The Claims Board approved the settlement of this matter in the amount of \$23,500.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

**c. Claudia Gonzalez v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 599 137**

This lawsuit arises from alleged injuries sustained when Plaintiff slipped and fell on the wet floor of the restroom located within the Whittier Narrows Recreation area which is maintained by the Department of Parks and Recreation.

**Action Taken:**

The Claims Board approved the settlement of this matter in the amount of \$50,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

**d. Michael Semon v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 573 253**

This lawsuit alleges that an employee of the Department of Public Works was subjected to retaliation and invasion of privacy.

**Action Taken:**

The Claims Board approved the settlement of this matter in the amount of \$50,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

**5. Approval of the minutes of the May 7, 2018, regular meeting of the Claims Board.**

**Action Taken:**

The Claims Board approved the minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

6. Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.

No such matters were discussed.

7. **Adjournment.**

The meeting was adjourned at 10:04 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By   
Sandra C. Ruiz