

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, OCTOBER 1, 2018, AT 9:30 A.M.

Present: Chair Steve Robles, Arlene Barrera, and Steven Estabrook.

- 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. Non-Litigated Claim of Ryder Transportation Services, Inc.

This claim seeks compensation from the Department of Public Works for real and personal property damages allegedly caused by a backflow of sewage due to a sewer mainline blockage.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$48,355.61 (includes prepayment of \$20,000).

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

[See Supporting Document](#)

**b. James Duffner v. County of Los Angeles
Los Angeles Superior Court Case No. BC 631 706**

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Fire Department employee.

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 Steven Estabrook

[See Supporting Document](#)

c. **Sandra Marmol Cortez v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. MC 027 197

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Sheriff's Department patrol car.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$99,999.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

[See Supporting Document](#)

d. **Claim of Melissa Williams**

This claim concerns allegations of sexual assault by a Sheriff's Deputy.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,650,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

[See Supporting Document](#)

e. **Jennifer Ann Mathews v. County of Los Angeles, et al.**
United States District Court Case No. 2:17-CV-7908

This lawsuit concerns allegations of civil rights violations and sexual assault by a Sheriff's Deputy.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$2,250,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

[See Supporting Document](#)

f. **Estate of Michael Parisio, Jr., et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. MC 024 274

This lawsuit alleges Plaintiffs' civil rights were violated when the Sheriff's Department and Adult Protective Services (part of Workforce Development Aging and Community Services) unlawfully detained their dependent adult son without a warrant.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$150,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

[See Supporting Documents](#)

g. **Cathy Bonner v. County of Los Angeles, et al.**
United States District Court Case No. 15-CV-08885

This lawsuit concerns allegations of medical negligence by LAC+USC Medical Center staff while Plaintiff was in the custody of the Sheriff's Department.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$250,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

[See Supporting Documents](#)

h. **Maria M. Reyes-Torres v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 656 085

This medical malpractice lawsuit arises from treatment received by a patient at Olive View-UCLA Medical Center.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$325,000 (plus Medi-Cal lien in the amount of \$130).

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

[See Supporting Documents](#)

i. **Renee Chacon v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 631 857

This lawsuit concerns allegation that an employee from the Department of Children and Family Services was subjected to discrimination and that the Department failed to engage in the interactive process or provide a reasonable accommodation.

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 Steven Estabrook

j. **James Green v. County of Los Angeles**
Los Angeles County Civil Service Commission Case No. 14-43

This is a Civil Service Commission case filed by an employee from the Department of Children and Family Services.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$225,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

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 September 17, 2018, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Steven Estabrook

[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	Non-litigated Claim of Ryder Transportation Services, Inc.
CASE NUMBER	N/A
COURT	N/A
DATE FILED	January 11, 2017
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 48,355.61 (sum includes prepayment of \$20,000)
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Michael J. Gordon Deputy County Counsel
NATURE OF CASE	<p>This claim arises from a blocked sewer mainline that caused a sewage backflow into Claimant's property which damaged its real and personal property.</p> <p>Due to the risks and uncertainties of litigation, a full settlement of the claim is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	James Duffner v. County of Los Angeles, et. al.
CASE NUMBER	BC 631706
COURT	Los Angeles Superior Court
DATE FILED	January 21, 2016
COUNTY DEPARTMENT	Fire Department
PROPOSED SETTLEMENT AMOUNT	\$ 50,000
ATTORNEY FOR PLAINTIFF	Michael Kahn, Esq.
COUNTY COUNSEL ATTORNEY	Adrian G. Gragas, Principal Deputy County Counsel
NATURE OF CASE	<p>This lawsuit arises from a vehicle collision that occurred on April 14, 2015, when a civilian employee of the Fire Department rear ended the plaintiff on the 210 freeway near the city of Monrovia at a speed of approximately five miles-per-hour.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 70,950
PAID COSTS, TO DATE	\$ 22,204

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Sandra Marmol Cortez v. County of Los Angeles, et al.
CASE NUMBER	MC027197
COURT	Los Angeles Superior Court
DATE FILED	June 21, 2017
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 99,999
ATTORNEY FOR PLAINTIFF	Robert Ryan, Esq. Kuzyk Law, LLP
COUNTY COUNSEL ATTORNEY	Adrian G. Gragas, Principal Deputy County Counsel
NATURE OF CASE	<p>This lawsuit arises from a vehicle collision that occurred on August 17, 2015, when a Sheriff's Deputy in a patrol vehicle rear ended Plaintiff in the intersection of Sierra Highway and Lancaster Boulevard.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 20,392
PAID COSTS, TO DATE	\$ 988

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Melissa Williams
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 1,650,000
ATTORNEY FOR PLAINTIFF	Justin E. Sterling, Esq. Erin Darling, Esq.
COUNTY COUNSEL ATTORNEY	Millicent Rolon Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$1,650,000, inclusive of attorneys' fees and costs, a claim filed by Melissa Williams, alleging that she was sexually assaulted by a Sheriff's Deputy while she was incarcerated at the Century Regional Detention Facility.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs.</p>
PAID ATTORNEY FEES, TO DATE	\$ 38,126
PAID COSTS, TO DATE	\$ 4,277

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jennifer Ann Matthews, et al. v. County of Los Angeles, et al.
CASE NUMBER	2:17-CV-07908
COURT	United States District Court
DATE FILED	October 5, 2017
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 2,250,000
ATTORNEY FOR PLAINTIFF	Justin E. Sterling, Esq. Erin Darling, Esq.
COUNTY COUNSEL ATTORNEY	Millicent Rolon Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$2,250,000, inclusive of attorneys' fees and costs, a federal civil rights lawsuit filed by Jennifer Ann Matthews and Thea Lampert alleging that they were sexually assaulted by a Sheriff's Deputy when they were incarcerated at the Century Regional Detention Facility.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs.</p>
PAID ATTORNEY FEES, TO DATE	\$ 133,973
PAID COSTS, TO DATE	\$ 3,824

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Estate of Michael Parisio, Jr. et al. v. County of Los Angeles, et al.
CASE NUMBER	MC024274
COURT	Los Angeles Superior Court
DATE FILED	September 5, 2013
COUNTY DEPARTMENT	Sheriff's Department Workforce Development Aging and Community Services
PROPOSED SETTLEMENT AMOUNT	\$ 150,000
ATTORNEY FOR PLAINTIFF	Roy Huntsman, Esq. Law Offices of Michael H. Silvers
COUNTY COUNSEL ATTORNEY	Katherine M. Bowser Principal Deputy County Counsel Social Services Division Tomas A. Guterres, Esq. Collins•Collins•Muir+Stewart LLP
NATURE OF CASE	Plaintiffs allege that their civil rights were violated by the alleged warrantless detention and hospitalization of their late adult disabled son. Defendants deny the allegations and contend their actions were reasonable. Given the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid future litigation costs.
PAID ATTORNEY FEES, TO DATE	\$ 219,183
PAID COSTS, TO DATE	\$ 15,691



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><u>Estate of Michael Parisio, Jr., et al. v. County of Los Angeles, et al.</u> Summary Corrective Action Plan 2018-012</p> <p>On July 2, 2012, Lancaster Sheriff's Station received a typed correspondence from Mr. Thomas Coleman¹, that was titled, "Who Will Help Mickey?" and described allegations of abuse against Michael "Mickey" Parisio, Jr. (Mickey), a mentally handicapped 36-year-old dependent adult with the mental capacity of a three-year-old.</p> <p>The correspondence had been sent to Los Angeles County Board of Supervisor Michael Antonovich's Office, who then forwarded it to Lancaster Station. The correspondence was given to the watch commander who directed a call for service to be generated. The call was assigned to the first and second deputy sheriffs. The deputy sheriffs contacted the watch commander, a field supervisor, and a station detective prior to leaving Lancaster Station. The field sergeant and detective accompanied the deputy sheriffs to the location.</p> <p>Upon arriving at the location, the deputy sheriffs, detective, and field sergeant met with an Adult Protective Services (APS) social worker. In addition to the allegation they were responding to, the social worker advised of two prior allegations of abuse and/or neglect against Mickey, dated December 17, 2011, and June 23, 2012, respectively.</p> <p>The deputy sheriffs made contact with Mickey's mother (plaintiff) at the location and she invited them into her home. The plaintiff escorted the deputy sheriffs to Mickey's bedroom. Upon entering the bedroom, the deputy sheriffs found Mickey lying on the floor, with his knees held closely to his chest, in a fetal position.</p> <p>When the detective asked Mickey if he was okay, he responded in a low slurred tone "Help!" Mickey was dressed only in his underwear. His body had several visible bruises on his left arm, the back of both his knees, and a bruise on top of his head. Mickey's body appeared to be very thin and weak.</p> <p>The first deputy sheriff took digital photographs of Mickey, but was unable to sufficiently communicate with him as his level of intelligence appeared to be lacking in both understanding and speech proficiency.</p> <p>During their investigation, the deputy sheriffs showed the plaintiff a photograph of Mickey lying on the floor in handcuffs, from Thomas</p>

¹ An attorney associated with the "Disability and Abuse Project," a non-profit organization.

	<p>Coleman's correspondence. The plaintiff claimed the photo was staged by Mickey's brother.</p> <p>When offered services to assist in dealing with Mickey's medical issues, the plaintiff initially declined. However, after talking with the social worker, the plaintiff consented to allow Mickey to go to the hospital. The second deputy sheriff said the plaintiff then completed some paperwork provided to her by the social worker. The second deputy sheriff believed the paperwork granted APS some type of conservatorship or temporary guardianship enabling them to provide care to Mickey.</p> <p>The social worker requested an ambulance. Mickey was transported, via ambulance, to Antelope Valley Hospital. Mickey was not handcuffed or otherwise restrained, other than the standard straps used on a medical gurney for transportation safety.</p> <p>Upon his arrival, Mickey was admitted under his parent's medical insurance. Unbeknownst to either the Sheriff's Department, or APS, the hospital subsequently placed Mickey under a "Do not announce" restriction, which barred all hospital staff from allowing any information to be disseminated about Mickey to anyone, including his parents.</p> <p>Note: Neither the Sheriff's Department or APS authorized any holds or restrictions to be placed on Mickey or against the plaintiff(s).</p> <p>The first deputy sheriff wrote an incident report on July 2, 2012, articulating how Mickey may have been the victim of dependent adult abuse. The report was approved on July 5, 2012, and subsequently assigned to the Sheriff's Department's, Special Victims Bureau. A Special Victim's Bureau detective performed several follow-up efforts including; contacting the social worker, contacting Mickey's brother (original informant to Thomas Coleman), and conducting a home visit with APS at the location. Both of Mickey's parents refused to make statements to the Special Victim's Bureau detective regarding the investigation.</p> <p>The Special Victim's Bureau detective presented a criminal complaint to the Los Angeles County District Attorney's Office, who declined to file criminal charges.</p> <p>On July 13, 2012, Mickey was released from the hospital into the care of his parents (the plaintiffs).</p> <p>On September 2, 2012, Mickey choked on food he was eating for breakfast and died at the location.</p>
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1. Briefly describe the root cause(s) of the claim/lawsuit:

This case was settled due to a prudent business decision. Therefore, this is an economic settlement.

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

This incident was reviewed by executives from Lancaster Station, Special Victim's Bureau, and their respective divisions to assess if any administrative misconduct occurred before, during, and/or after the incident.

Executive review of this incident did not reveal any employee misconduct. The actions taken by the deputy sheriffs, detective, and supervisors involved in this incident were found to be within the guidelines of what is expected from employees assigned to the Los Angeles County Sheriff's Department.

County of Los Angeles
Summary Corrective Action Plan

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

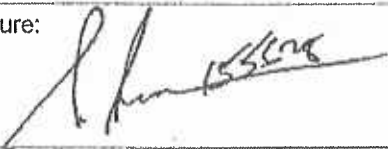
- ☐ Yes – The corrective actions address Department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Scott E. Johnson, Captain
Risk Management Bureau

Signature:



Date:

5-24-18

Name: (Department Head)

Alicia E. Ault, Chief
Professional Standards and Training Division

Signature:



Date:

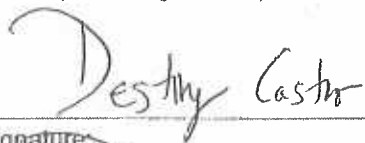
5/25/18

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)



Signature:



Date:

5/29/2018

Case Name: Estate of Michael Parisio, Jr., et al.v. County of Los Angeles, et al.



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:	July 2, 2012
Briefly provide a description of the incident/event:	<p>The client is a dependent adult with moderate mental disabilities. The client was under a parental conservatorship. The suspected abusers were the parents.</p> <p>An Adult Protective Services (APS) Social Worker (SW), and four Los Angeles Sheriff Department (LASD) personnel made a home visit to a Dependent Adult APS Client's residence, for a follow-up concerning a third incident report of suspected abuse, including physical, psychological, and sexual.</p> <p>Upon arrival at the location, the SW and LASD personnel found the client was found lying on the floor appearing thin and weak (clothed only in underwear) in a fetal position with numerous visible bruises dispersed throughout the body (head, arms, legs).</p> <p>The APS SW met with the client's mother to complete the risk assessment, and the four Sheriff Department personnel and the APS SW mutually decided to contact an emergency medical team (EMT). An ambulance and fire trucks arrived and the client was evaluated by the EMT who also recommend medical evaluation.</p> <p>Sheriff personnel, the APS SW, and the parents followed the client to the Hospital. The APS SW located client in the emergency room and informed hospital personnel of the alleged abuse allegations. The client was admitted to the hospital. The hospital decided to release the client to the parents eleven days later, due to medical concerns being addressed and there being no legal filing for a hold.</p> <p>The APS SW continued to work the client's case, including a home visit. In September, the client died at the home.</p>

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

A. In Los Angeles County, Adult Protective Services (APS) Social Workers (SW) do not have the authority to take endangered elders and dependent adults into temporary custody. Current policies and procedures require APS to obtain consent from a client (or their guardian/conservator) in order to have the client psychologically or medically evaluated.

B. The Lanterman Petris Short (LPS) Act which triggers client representation and a court hearing, and enables law enforcement or Mental Health Professionals to place up to a 72 hour hold on an individual for evaluation, due to mental disorder, signs of danger to self/others, or is gravely disabled was not enacted. The hold was not necessary as the client's conservator(s) agreed to have the client medically evaluated; however, the conservator(s) denied consent in the appeal; which was one of the significant reasons the case was remanded back to trial court. APS to create precautionary measures to ensure the client's constitutional rights are not violated when client or conservator etc. agrees to medical or psychological evaluation.

C. Absence of verifiable reporting to the Superior Court Probate Division, a delay in the appointment of Probate Volunteer Panel Attorney for the client, delay in notification by Probate to conservators concerning proceedings with client, and the lack of communication between WDACS APS and Probate Court Investigations Office (prior to the Conservatorship Hearing) regarding the conservator being a suspected abuser.

D. Lack of standardization and inconsistent documentation of the APS New Social Worker Trainees (NSWT) Training Program and the refresher courses for current SWs and SSS. Although the Department has had a 2 week training program for APS New Social Worker Trainees (NSWT) since the early 2000, before 2016 the curriculum was not clearly delineated in writing and from 2013-2015 APS did not have a dedicated NSWT Facilitator.

2. Briefly describe recommended corrective actions:

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

1. Feasibility of Temporary Emergency Protective Custody and Restraining Order (TRO) Authority for APS SWs: September 2017: WDACS Administrative Deputy, Departmental Human Resources Manager, and County Counsel Attorney - Determine the feasibility of implementing WIC 15703 Temporary Emergency Protective Custody and WIC 15657.03, 15610.07, and State Bill 196 TRO authority to APS SWs. The WIC provisions mentioned here are under Chapter 12 of the Welfare and Institutions Code (WIC).

2. New Social Worker Trainee (NSWT) Adult Protective Services (APS) Training Realignment: September 2016: WDACS Administrative Deputy and HR APS Trainer - Realign the core curriculum in the NSWT APS Training to reflect the 23 Core Competencies recommended by the National Adult Protective Services Association (NAPSA).

3. Notice to Superior Court Mental Health Division Judge: April 30, 2019: APS Management and County Counsel Attorney - The Department, in collaboration with County Counsel, will develop a template letter to the Superior Court Mental Health Division Judge to be used and revised accordingly when an APS Client is: 1. detained under Lanterman-Petris-Short (LPS) Act, and/or; 2. needs to be examined or detained as mentally retarded, and/or; 3. needs to be examined or detained for narcotic addictions. This court ensures the constitutional rights of the client in dealings with confinement and treatment of persons with developmental disabilities, mental retardation, and narcotic addictions.

4. Reporting Conservators as Alleged Abusers to Probate: December 31, 2018: APS Management - The Department will issue an Adult Protect Services (APS) Bulletin to clarify the process and required responsibilities of APS Social Workers (SWs), Social Services Supervisors (SSSs), and Human Services Administrators I (HSAs) on referring APS clients to the Los Angeles

County Superior Court Probate Investigations Office when the client's appointed conservator is the alleged abuser. The Department will establish a verifiable method of reporting with Superior Court, including the process by which APS SWs receive written verification from the Court's Probate Investigations Office. As of August 2018, APS has completed the revised draft of the APS bulletin. The bulletin is on target to be issued as planned in December 2018.

5. APS Refresher Training for Departmental APS Employees: December 2018: WDACS Administrative Deputy and HR APS Trainer – The Department will provide refresher courses to APS social workers regarding family/private conservatorships, elder/dependent adult abuse, protective orders, physical/developmental and interfacing with other agencies. In addition, the Department will ensure the APS SW and Social Services Supervisor (SSS) involved in the case, complete all applicable APS courses. As of December 2017, twenty-two APS refresher courses completed with one last course scheduled to be completed in November 2018.

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)

Derrick B. Martin, Departmental Human Resources Manager (DHRM) II
Administrative Services Branch

Signature:



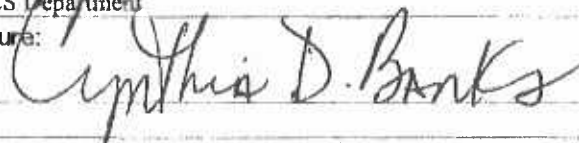
Date:

09/20/2018

Name: (Department Head)

Cynthia D. Banks, Director
WDACS Department

Signature:



Date:

9/20/18

Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

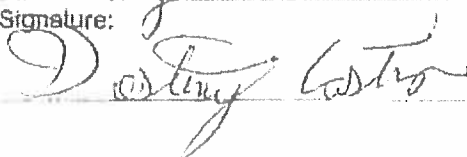
☐ Yes, the corrective actions potentially have County-wide applicability.

☒ No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

Destiny Castro

Signature:



Date:

9/20/2018

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Cathy Bonner v. County of Los Angeles, et al.
CASE NUMBER	2:15-CV-08885-GW(SSx)
COURT	United States District Court
DATE FILED	November 13, 2015
COUNTY DEPARTMENT	Los Angeles Sheriff's Department Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 250,000
ATTORNEY FOR PLAINTIFF	Thomas Girardi Girardi Keese
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Principal Deputy County Counsel
NATURE OF CASE	<p>On February 5, 2013, Cathy Bonner was brought in the custody of the Los Angeles County Sheriff's Department. On that day, she complained of swelling and pain in her left wrist. While in custody, Ms. Bonner received medical care at the County jail, as well as LAC+USC Medical Center. She was released from custody on January 24, 2014 and was later diagnosed with nerve injury.</p> <p>Ms. Bonner filed a civil rights case against the County of Los Angeles and the jail medical providers alleging that her wrist injury was neglected as she did not receive adequate care and treatment.</p>
PAID ATTORNEY FEES, TO DATE	\$ 290,615
PAID COSTS, TO DATE	\$ 157,153

Case Name: Bonner, Cathy #5645



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 5, 2013
Briefly provide a description of the incident/event:	<p>On February 5, 2013, Cathy Bonner was brought in to the custody of the Los Angeles County Sheriff's Department. On that day, she complained of swelling and pain in her left wrist. While in custody, Ms. Bonner received medical care at the County jail as well as LAC+USC Medical Center. She was released from custody on January 4th, 2014 and was later diagnosed with a nerve injury.</p> <p>Ms. Bonner filed a civil right case against the County of Los Angeles and the jail medical providers alleging that her wrist injury was neglected as she did not receive adequate care and treatment.</p>

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

Nerve injury resulting from application of handcuffs.

2. Briefly describe recommended corrective actions:


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


- All appropriate personnel corrective actions were taken
- Correctional health providers provided access to electronic referral system within the Department of Health allowing for the request of occupational therapy
- Transition of Care Workgroup initiated to address actual and potential risk related to the transfer of care between the jail health setting and LAC+USC Medical Center
- Initiated migration to a shared electronic medical record within the Department of Health Services

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.

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator)	
ARUN PATEL	
Signature:	Date:
	4/26/18

Name: (Department Head)	
C. Ghahary	
Signature:	Date:
	4/13/18

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	

Name: (Risk Management Inspector General)	
Destiny Castro	
Signature:	Date:
	4/30/2018

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Maria Reyes-Torres v. County of Los Angeles, et al.
CASE NUMBER	BC656085
COURT	Los Angeles County Superior Court
DATE FILED	March 30, 2017
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 325,000 (plus Medi-Cal lien in the amount of \$130)
ATTORNEY FOR PLAINTIFF	Daniel Johnson, Esq. Law Offices of Berglund & Johnson
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Principal Deputy County Counsel
NATURE OF CASE	<p>Ms. Reyes presented to Olive View-UCLA Medical Center ("OVMC") for a lump in her left breast. A MRI was performed and the pathologist diagnosed Ms. Reyes as having cancer. Ms. Reyes underwent a mastectomy. The tissue samples were sent out for an independent review, and it was reported that Ms. Reyes was suffering from Sclerosing Adenois, a non-cancerous condition that has many similar diagnostic features as cancer.</p> <p>The OVMC staff immediately informed Ms. Reyes, and with her permission, performed several breast reconstruction procedures for her.</p> <p>Ms. Reyes filed a medical malpractice lawsuit against the County.</p>
PAID ATTORNEY FEES, TO DATE	\$ 7,895
PAID COSTS, TO DATE	\$ 2,990

Case Name: Reyes-Torres, Maria #5502



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 14, 2016
Briefly provide a description of the incident/event:	<p>On January 14, 2016, Maria Reyes-Torres underwent a left breast biopsy at Olive View-UCLA Medical Center, which was interpreted to be malignant. As a result, Ms. Reyes-Torres underwent a mastectomy of the left breast. Following the procedure, the pathology specimens were tested and found to be non-cancerous.</p> <p>Ms. Reyes-Torres filed a lawsuit against the County of Los Angeles alleging professional medical negligence by the Olive View-UCLA Medical Center Staff.</p>

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

Misinterpretation of pathology specimen.

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


- All appropriate personnel corrective actions were taken
- DHS modified process for evaluating difficult pathology specimens

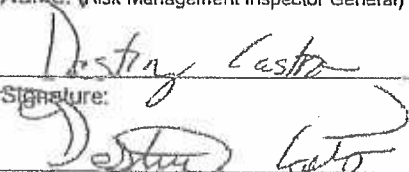
3. Are the corrective actions addressing department-wide system issues?

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

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator) Arun Patel, MD, JD	
Signature: 	Date: 1/17/18

Name: (Department Head) Christina Ghaly, MD	
Signature: 	Date: 8/11/18

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)	
Signature: 	Date: 7/11/2018

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

September 17, 2018

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:32 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: Arlene Barrera and Steven Estabrook, with Chair Steve Robles being absent.

Other persons in attendance at the meeting were: Office of the County Counsel: Lauren Dods, Warren Wellen, Kelsey Nau, Stacey Lee, Joyce Aiello, Alexandra Zuiderweg, Lana Choi, and Robert Ragland; Department of Public Works: Keith Lilley, Steven Burger, and Dominic Osmena; Fire Department: William McCloud and Julia Bennett; Sheriff's Department: Jack Ewell, Jennifer Bateman, Holly Perez, Cynthia Chavez, Eddie Hernandez, Steven Katz, Dominic Dannan, and Kevin Percy; Department of Public Health: Brenda Lopez; Outside Counsel: Margaret Sohagi, Christopher Pisano, and Renee Jensen.

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 9:34 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(h) below.

4. Report of actions taken in Closed Session.

At 11:28 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Historic Equestrian Trail Association of Southern California, Inc. v. County of Los Angeles
Los Angeles Superior Court Case No. BS 166 575**

This lawsuit alleges that the Los Angeles County Flood Control District failed to comply with the California Environmental Quality Act when it approved the Equestrian Rest Area Project.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$114,900.

Vote: Ayes: 2 – Arlene Barrera and Steven Estabrook
Absent: Steve Robles, Chair

**b. Minako America Corporation dba Minco Construction, a California Corporation v. Los Angeles County Flood Control District
Los Angeles Superior Court Case No. EC 066 798**

This breach of contract lawsuit seeks damages against the Department of Public Works - Flood Control District.

Action Taken:

The Claims Board authorized a statutory offer. The substance of the settlement will be disclosed upon inquiry if the offer is accepted.

Vote: Ayes: 2 – Arlene Barrera and Steven Estabrook
Absent: Steve Robles, Chair

**c. John Sanborn, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 647 275**

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Department of Public Works employee.

Action Taken:

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

Vote: Ayes: 2 – Arlene Barrera and Steven Estabrook
Absent: Steve Robles, Chair

**d. Gerardo Verdugo v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 568 226**

This lawsuit arises from alleged injuries sustained in a vehicle accident involving a Sheriff's Department patrol car, and in which Plaintiff was a passenger.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$70,000.

Vote: Ayes: 2 – Arlene Barrera and Steven Estabrook
Absent: Steve Robles, Chair

e. **Sherry Ashley v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 590 330

This lawsuit concerns allegations of civil rights violations, battery, and false arrest after Plaintiff was arrested by Sheriff's Deputies while they responded to a request for backup in a burglary investigation.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$35,000.

Vote: Ayes: 2 – Arlene Barrera and Steven Estabrook
Absent: Steve Robles, Chair

f. **Albert Turner v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 506 700

This lawsuit concerns allegations of battery and excessive force by Sheriff's Deputies when Plaintiff was arrested pursuant to a bench warrant, and during which his elbow was allegedly fractured.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$225,000.

Vote: Ayes: 2 – Arlene Barrera and Steven Estabrook
Absent: Steve Robles, Chair

g. **Kalpesh Solanki, et al. v. County of Los Angeles, et al.**
United States District Court Case No. 2:16-CV-03288

This lawsuit alleges civil rights violations against the Department of Public Health when inspectors conducted searches on Plaintiff's property.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$95,000.

Vote: Ayes: 2 – Arlene Barrera and Steven Estabrook
Absent: Steve Robles, Chair

**h. Charles Boyd v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 512 669**

This lawsuit concerns allegations that an employee from the Fire Department was harassed by another employee and the Department failed to prevent the harassment.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$100,000.

Vote: Ayes: 2 – Arlene Barrera and Steven Estabrook
Absent: Steve Robles, Chair

5. Approval of the minutes of the August 20, 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 11:30 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Sandra C. Ruiz