

**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, MARCH 2, 2020, AT 9:30 A.M.**

**Present: Chair Steve Robles, Arlene Barrera, and Adrienne Byers.**

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. **Angelena Sandifor, et al. v. County of Los Angeles, et al.**  
**United States District Court Case No. CV-18-07650**

This lawsuit concerns allegations of sexual assault by a Sheriff Deputy; settlement is recommended in the amount of \$1,700,000.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,700,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

- b. **K.L., a minor by McGhee, Nijae, et al. v. County of Los Angeles, et al.**  
**United States District Court Case No. 2:18-CV-4910**

This wrongful death and federal civil rights lawsuit arises out of the fatal shooting of Plaintiffs' son by a Sheriff Deputy; settlement is recommended in the amount of \$1,025,000.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,025,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Documents](#)

c. **Louis Friedman, et al. v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 647075**

This lawsuit alleges Plaintiff's federal civil rights were violated and he was subjected to retaliation; settlement is recommended in the amount of \$99,999.

Action Taken:

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

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

d. **Leonar Gregorian v. County of Los Angeles, et al.**  
**United States District Court Case No. 19-CV-07738 MWF (ASx)**

This lawsuit concerns allegations of federal civil rights violations and state-law negligence by a former inmate claiming that Sheriff's personnel were deliberately indifferent to his safety; settlement is recommended in the amount of \$30,000.

Action Taken:

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

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

e. **Ren Zheng v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 670331**

This lawsuit arises from alleged injuries sustained in a vehicle accident involving an on-duty Sheriff's Deputy; settlement is recommended in the amount of \$495,000.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$495,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Documents](#)

**f. Lauren Paine v. Erik Alexander Cobian, et al.  
Los Angeles Superior Court Case No. BC 636370**

This dangerous condition lawsuit against the Department of Public Works arises from injuries sustained in a solo vehicle accident in the unincorporated area of the County; settlement is recommended in the amount of \$100,000.

Action Taken:

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

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Document](#)

**g. Jane N.B. Doe v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. 18STCV00604**

This lawsuit concerns allegations of sexual molestation by a Department of Parks and Recreation employee; settlement is recommended in the amount of \$625,000.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$625,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Documents](#)

**h. Keela Castle v. County of Los Angeles  
Los Angeles Superior Court Case No. 19STCV06099**

This lawsuit concerns allegations that an employee of the Internal Services Department was subjected to retaliation and discrimination based on gender, race and age; settlement is recommended in the amount of \$350,000.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$350,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

i. **Gaspar Zavala v. Brown, Ronald, et al.**  
**United States District Court Case No. CV 18-04472 SJO (ASx)**

This lawsuit concerns allegations of federal civil rights violations by a former Public Defender client who claims his constitutional rights were violated; settlement is recommended in the amount of \$2,800,000.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$2,800,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[See Supporting Documents](#)

j. **Christy Mayfield v. County of Los Angeles**  
**Los Angeles Superior Court Case No. BC 686153**

This lawsuit concerns allegations that an employee of the Department of Health Services was subjected to discrimination and harassment based on disability and retaliation; settlement is recommended in the amount of \$275,000.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$275,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

**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 February 3, 2020, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

[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	Angelena Sandifor, et al. v. County of Los Angeles, et al.
CASE NUMBER	CV-18-07650
COURT	United States District Court
DATE FILED	August 31, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 1,700,000
ATTORNEY FOR PLAINTIFF	Justin Edward Sterling, Esq.
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon, Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for a total of \$1,700,000, inclusive of attorneys' fees and costs, a lawsuit filed by Angelena Sandifor, Brenda Blandon, and Jamie Utterback, alleging that they were sexually assaulted by Los Angeles County Sheriff's Deputy Giancarlo Scotti while they were incarcerated at the Century Regional Detention Facility ("CRDF").</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case in the amount of \$1,700,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 145,325
PAID COSTS, TO DATE	\$ 11,016

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	K.L., a minor by McGhee, Nijae, et al. v. County of Los Angeles, et al.
CASE NUMBER	2:18-CV-4910
COURT	United States District Court
DATE FILED	June 12, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 1,025,000
ATTORNEY FOR PLAINTIFF	Dale K. Galipo, Esq.
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon, Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$1,025,000, inclusive of attorneys' fees and costs, a wrongful death and federal civil rights lawsuit filed by decedent Kenneth Lewis Jr.'s minor child K.L., by and through his Guardian at Litem, and his parents Belinda Miller and Kenneth Lewis, Sr. after the fatal shooting of Kenneth Lewis Jr. by a Sheriff's Deputy.</p> <p>The Deputies deny the allegations and contend their actions were reasonable.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case in the amount of \$1,025,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 43,295
PAID COSTS, TO DATE	\$ 14,351

Case Name: Nijae McGhee, 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:	August 16, 2017, at approximately 7:17 p.m.
Briefly provide a description of the incident/event:	<p><b><u>Nijae McGhee, et al. v. County of Los Angeles, et al.</u></b> Summary Corrective Action Plan 2019-30</p> <p>On August 16, 2017, at approximately 7:17 p.m., two uniformed deputy sheriffs assigned to Century Station's Summer Violent Crime Enforcement Team were driving a marked black and white Ford patrol vehicle in the area of Slater Street and Imperial Highway, in the unincorporated area of Los Angeles, when they observed a Chrysler PT Cruiser vehicle parked on Slater Street south of Imperial Highway. The vehicle was stopped facing the wrong direction (south) on a public street. A male adult (the decedent) was standing near the vehicle's driver's side door.</p> <p>The deputies drove south onto Slater Street and positioned their patrol vehicle behind the vehicle in order to conduct a traffic violation investigation. Upon seeing the deputy sheriff's vehicle approach, the decedent ran from the location. The deputy sheriffs exited their vehicle and yelled for the decedent to stop and show his hands. The decedent refused the orders and continued to run eastbound behind a small shopping center. The second deputy sheriff remained at the vehicle stop with an adult male that was sitting in the driver's seat of the PT Cruiser<sup>1</sup>.</p> <p>The first deputy sheriff moved parallel to the decedent along the front of the business, as the decedent ran behind the businesses.</p> <p><b>Note:</b> Two civilian witnesses and the first deputy sheriff described the decedent as clutching onto the front of his sweat pants, as he ran. They also noted they saw a large bulge in the decedent's front waistband as he clutched his sweatpants.</p> <p>The decedent emerged out from the back of the businesses and ran northbound across Imperial Highway, where he was almost struck by two vehicles travelling on the roadway. The first deputy sheriff followed as the decedent continued to run north through a pedestrian gate onto the Nickerson Gardens apartment housing complex.</p> <p>After running into the complex, the decedent lost his balance and fell to the ground but he quickly recovered from the fall and continued to run north/east. When the decedent fell, the first deputy sheriff gained ground on the decedent.</p> <p>As the decedent continued to run, he turned to round a corner of an apartment building when he fell to the ground again. The first deputy</p>

<sup>1</sup> The occupant of the vehicle was later found to be the registered owner of the vehicle.

	<p>sheriff saw the decedent fall so he stopped running, about 20 feet behind the decedent. As the decedent began to get up from the ground, he turned toward the first deputy sheriff and pointed a handgun at him. The first deputy sheriff saw the handgun pointed at him and believed the decedent was preparing to shoot. Fearing for his life, the first deputy discharged several rounds from his duty weapon at the decedent. The decedent then turned the corner of the apartment building where he took ten additional steps away from the deputy sheriff then fell to the ground, landing on his stomach. The first deputy sheriff took a position of cover behind a parked car and observed the decedent. The decedent rolled onto his left shoulder and pointed his gun at the first deputy sheriff. Fearing the decedent was about to shoot him the first deputy sheriff discharged several more rounds at the decedent, reloaded his weapon and discharged one additional round. The decedent became still and emergency medical care was requested for the decedent.</p> <p>Residents from the Nickerson Gardens apartment housing complex quickly began to form a large hostile crowd around the shooting scene. The hostile crowd delayed the safe arrival of paramedic and fire department personnel for the decedent.</p> <p>Deputy personnel formed a skirmish line (formation designed to show police presence and/or deny the crowd access to specific areas) which eventually enabled emergency medical services access to render aid to the decedent. The decedent was transported to St. Francis Medical Center. The decedent succumbed to his injuries during surgery and was pronounced dead at the hospital.</p> <p>Due to the large crowd and the fear they could tamper with the evidence at the scene, the firearm on the ground near the decedent was recovered by a third deputy sheriff, also assigned to Century Station.</p> <p>In addition to the firearm, the decedent was found to have a plastic bag containing marijuana and \$2,440.66 in the pockets of his sweatpants.</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 first deputy sheriff initially conducting a one person foot pursuit after the decedent.

Another Department root cause in this incident was a delay in radio traffic requesting additional units to obtain additional resources and/or develop a containment.

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

Another non-Department root cause in this incident was the suspect pointing a firearm at the first deputy sheriff two different times causing him to fear for his life, resulting in two separate deputy-involved shootings.

Another non-Department root cause in this incident was the gathering of the hostile crowd. The formation of a hostile crowd delayed the response of emergency medical personnel attempting to render aid to the decedent.



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

This incident has been investigated by the Sheriff's Homicide Bureau to determine if any criminal misconduct occurred.

The investigation has been submitted to the Los Angeles County District Attorney's Office for a determination as to whether the use of deadly force was legally justified and/or if any criminal misconduct occurred. At the time of the report, the Los Angeles County District Attorney's Office has not advised the Department of their findings.

Upon completion of the District Attorney's Office's findings the Sheriff's Department's Internal Affairs Bureau (IAB) will investigate this incident to determine if any administrative misconduct occurred before, during or after the incident.

The California Government Code's Peace Officer Bill of Rights sets guidelines for administrative investigations statues dates. Once the Homicide Bureau and the Los Angeles District Attorney's Office investigations are complete, a statue date will be set regarding the administrative investigation.

When the IAB investigator completes the case, it will be submitted for approval. Approximately one month after the case has been approved, the case will be presented to the Los Angeles County Sheriff's Department's Executive Force Review Committee (EFRC) for adjudication.

County of Los Angeles  
Summary Corrective Action Plan

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

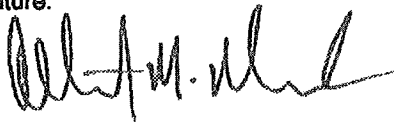
- ☐ Yes – The corrective actions address Department-wide system issues.  
☒ No – The corrective actions are only applicable to the affected parties.

**Los Angeles County Sheriff's Department**

Name: (Risk Management Coordinator)

Albert M. Maldonado, Captain  
Risk Management Bureau

Signature:



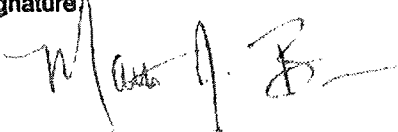
Date:

10/16/19

Name: (Department Head)

Matthew J. Burson, Chief  
Professional Standards Division

Signature:



Date:

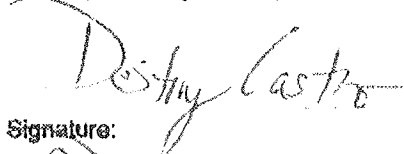
10/17/19

**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:

10/16/2019

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Leonar Gregorian v. County of Los Angeles, et al.
CASE NUMBER	2:19-cv-07738 MWF (asX)
COURT	United States District Court
DATE FILED	11/29/2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 30,000
ATTORNEY FOR PLAINTIFF	David W. Gammill, Esq.
COUNTY COUNSEL ATTORNEY	Melodie Larsen, Senior Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$30,000, inclusive of attorneys' fees and costs, a federal civil rights and state-law negligence lawsuit in which Leonar Gregorian, a former inmate at Men's Central Jail, alleges that Sheriff's personnel were deliberately indifferent to his safety when they failed to protect him from an assault by another inmate in September 2018.</p> <p>Given the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$30,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 11,630
PAID COSTS, TO DATE	\$ 13

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ren Zheng v. County of Los Angeles, et al.
CASE NUMBER	BC670331
COURT	Los Angeles Superior Court
DATE FILED	July 27, 2017
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 495,000
ATTORNEY FOR PLAINTIFF	Scott E. Spell, Esq. Denis Alexandroff, Esq.
COUNTY COUNSEL ATTORNEY	Kelsey Nau, Deputy County Counsel
NATURE OF CASE	The lawsuit arises from a motor vehicle collision that occurred on July 27, 2016, in which LASD Deputy Ray Anthony Davidson rear-ended the vehicle driven by Plaintiff Ren Zheng, causing him injury. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 44,959
PAID COSTS, TO DATE	\$ 24,792

Case Name: Ren Zheng 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:	Wednesday, June 27, 2016
Briefly provide a description of the incident/event:	<p><b><u>Ren Zheng v. County of Los Angeles, et al.</u></b> Summary Corrective Action Plan 2019-044</p> <p>On Wednesday, June 27, 2016, at approximately 3:45 p.m., an on-duty Los Angeles County Sheriff's Department deputy sheriff assigned to Scientific Services Bureau, was driving an unmarked Los Angeles County Sheriff's Department 2015 Ford Explorer sport utility vehicle. The deputy sheriff was driving northbound on Railroad Avenue, approximately 96 feet south of 12th Street, Santa Clarita, when the deputy sheriff collided with the plaintiff's vehicle (a 2009 Toyota Sienna minivan<sup>1</sup>). The deputy sheriff was travelling in the number two lane at an unknown speed, as the plaintiff's vehicle was traveling in the same lane and direction in front of him.</p> <p>The plaintiff and sole occupant of his vehicle was stopped in traffic, northbound on Railroad Avenue, due to a red stoplight, with the deputy sheriff stopped directly behind him. When traffic began moving again, both vehicles began moving forward. The vehicle in front of the plaintiff, a dark colored sedan,<sup>2</sup> suddenly began to brake and slow down for an unknown reason, causing the plaintiff to come to an abrupt stop. The deputy sheriff was traveling at 13 MPH behind the plaintiff and he was unable to stop before the front bumper of the patrol vehicle collided into the rear of the plaintiff's vehicle.</p> <p>The plaintiff, was wearing his safety belt; however, his vehicle's airbag did not deploy. At the time of the incident, the plaintiff complained of dizziness, neck pain, and headache. Paramedics were summoned to the scene and the plaintiff was transported to Henry Mayo Hospital for medical evaluation and treatment.</p> <p>The airbag in the deputy sheriff's vehicle did not deploy and he was wearing his factory installed seat belt at the time of this incident. The deputy sheriff was not injured as a result of the traffic collision.</p>

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

The **Department** root cause in this incident was that the deputy sheriff was following the plaintiff's vehicle too closely, causing him to be unable to stop prior to colliding with the plaintiff.

<sup>1</sup> The plaintiff's vehicle had previous collision damage to the right front bumper with green paint transfer.

<sup>2</sup> The driver of the uninvolved vehicle drove away from the scene and was not present during the investigation. The plaintiff does not recall colliding with the uninvolved vehicle.

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

Traffic Collision Investigation

This incident was thoroughly investigated by representatives from the Santa Clarita Sheriff's Station, Traffic Unit.

The investigation concluded that the deputy sheriff caused the collision by traveling at an unsafe speed for the given traffic conditions, a violation of California Vehicle Code section 22350, Rules of the Road - No person shall drive a vehicle upon a highway at speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed which endangers the safety of persons or property.

The results of the traffic investigation were presented to Department executives to determine if the deputy sheriff's actions constituted misconduct.

Department executives determined the deputy sheriff did not violate Department policy. Appropriate administrative action has been taken.

Traffic Collision Assessment and Review

As a result of this collision, an assessment of employee involved traffic collisions from January 1, 2015, to December 31, 2018, was conducted. The audit revealed the following:

Calendar Year	Preventable Collisions	Non-Preventable Collisions
2015	5	7
2016	7	6
2017	9	7
2018	7	6

- 28 preventable collisions occurred during the past four (4) years.
- 9 preventable collisions (32%) were due to unsafe turning movements.
- 7 preventable collisions (25%) were due to unsafe backing.

In an ongoing attempt to improve employee safety and reduce the Department's liability exposure, Scientific Services Bureau continually schedules personnel to attend the Department's Defensive Driving Course for Professional Staff. The course is hosted at the Los Angeles County Sheriff Department's Emergency Vehicle Operations Center and focuses on reducing the risks of collisions by utilizing defensive driving skills. During this audit period, 63 Scientific Services Bureau employees have successfully completed this driving course.

County of Los Angeles  
Summary Corrective Action Plan

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

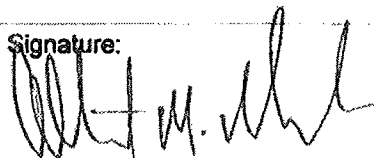
- ☐ Yes – The corrective actions address Department-wide system issues.  
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Albert M. Maldonado, Captain  
Risk Management Bureau

Signature:



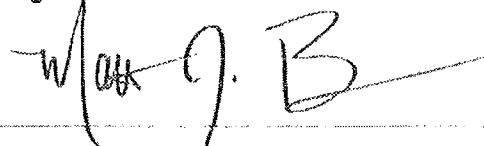
Date:

1/28/2020

Name: (Department Head)

Matthew J. Burson, Chief  
Professional Standards Division

Signature:



Date:

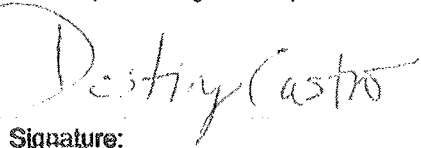
1/30/20

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:

1/4/2020

## **CASE SUMMARY**

### **INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION**

CASE NAME	Lauren Paine v. Erik Alexander Cobain, et al.
CASE NUMBER	BC636370
COURT	Los Angeles Superior Court Case Number
DATE FILED	October 6, 2016
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 100,000
ATTORNEY FOR PLAINTIFF	Paul W. Ralph
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	<p>This case involves a solo vehicle accident that occurred at night on August 30, 2015, when plaintiff Lauren Paine, then 18 years old, was rendered paraplegic after being ejected out of the back seat of a car driven by defendant Erik Alexander Cobian. Plaintiff was not seat belted. Mr. Cobian failed to negotiate a curve on Glendora Mountain Road in the unincorporated area of the County. He was driving five passengers including plaintiff when his car veered off the road and down a mountainside. Plaintiff alleges that Glendora Mountain Road at the location of the accident is a dangerous condition of public property. The County denies the allegation. Plaintiff suffered serious injuries as a result of the incident. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 102,028
PAID COSTS, TO DATE	\$ 20,687



## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jane N.B. Doe v. County of Los Angeles, et al.
CASE NUMBER	18STCV00604
COURT	Los Angeles Superior Court
DATE FILED	October 9, 2018
COUNTY DEPARTMENT	Department of Parks and Recreation
PROPOSED SETTLEMENT AMOUNT	\$ 625,000
ATTORNEY FOR PLAINTIFF	Christina Cheung Allred Maroko & Goldberg
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	<p>The case involves claims by minor plaintiff Jane N.B. Doe that defendant Paul Gonzales sexually molested and harassed her while she trained at the Eastside Eddie Heredia Boxing Club that is operated by the Department of Parks and Recreation. The alleged molestation and harassment occurred from approximately June through November 2017. Mr. Gonzales, a former Olympic boxing gold medalist, was the club's recreation services supervisor and head boxing coach. His alleged misconduct include inappropriate touching, calling and texting plaintiff with inappropriate sexual dialogue, soliciting and receiving inappropriate sexual images, and sending plaintiff inappropriate sexual images. Plaintiff claims to have suffered damages from the alleged molestation. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 48,916
PAID COSTS, TO DATE	\$ 4,661

Case Name:

Jane Doe v. County of Los Angeles



## Summary Corrective Action Plan

### Incident/Event Specific Information

Date of Incident/Event:	June 2017
Briefly provide a description of the incident/event:	<p>This Corrective Action Plan arises out of an allegation that a County employee (P. Gonzales), from the Department of Parks and Recreation (Department), engaged in unlawful sexually-related conduct with a minor. Plaintiff alleges that the County knew or should have known, but failed to disclose or report, the information as required by law. There is strong evidence that some form of the unlawful conduct did take place.</p> <p>Plaintiff alleges that the County employee sexually battered, assaulted, and engaged in sexually inappropriate behavior toward her, including inappropriate text communication.</p> <p>Plaintiff admitted that she never reported the County employee to anyone and never told any adult about his alleged inappropriate behavior. Plaintiff's mother discovered the inappropriate photographs and texts between Plaintiff and the County employee, and she immediately reported this correspondence to law enforcement.</p> <p>The County employee was arrested and charged with five felony counts. As soon as the Department became aware of these charges, administrative action was taken against the employee. Following his arrest, he was placed on unpaid administrative leave. Final administrative action is pending the conclusion of the criminal action.</p>

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

- Root Cause 1: There is strong evidence that some form of the alleged unlawful sexually-related conduct with a minor was committed by the County employee.
- Root Cause 2: The Department has vulnerable situations whereby minors are exposed to closed-door one-on-one interactions with adults.
- Root Cause 3: The Department did not have a consistent and uniform training program to train Department employees on how to prevent, identify and report unlawful sexually-related conduct with minors.
- Root Cause 4: The Department did not have measures in place to educate and encourage parents and minors on reporting high-risk interactions and unlawful sexually-related conduct.

2. Briefly describe recommended corrective actions:

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

**Root Cause 1:**

The County employee was arrested by law enforcement and was criminally charged with five felony counts. His arrest was the first time the Department was made aware of the child abuse allegations, and the Department immediately took action by placing the employee on unpaid administrative leave pending the outcome of the criminal action. The Department also filed a CPOE Complaint against the County employee and the complaint received an "A" designation. The CPOE investigation is currently underway. If the County employee is found guilty of any of the felony charges, the Department will pursue the maximum allowable administrative discipline, including permanent termination without the possibility of rehire. The Department will provide a Supplemental Report to the Board once any additional administrative action against the County employee becomes finalized.

**Root Cause 2:**

The Department will revise existing Department Policy #209, Child Abuse Reporting and Handling, to prohibit one-on-one closed-door interaction between a minor and an adult employee or volunteer. The Department will identify program and facility classifications that are high-risk for exposing employees and volunteers to a one-on-one closed-door interaction with minors. The Department's Human Resources (HR) Division will train appropriate staff on the revised policy and have the employees acknowledge completion of the training by signing a form. The HR Division will monitor training compliance on the policy on an annual basis, using similar methods used to monitor compliance with the Countywide Sexual Harassment Training.

**Root Cause 3:**


The Department has implemented a consistent and uniform mandatory California Child Abuse Mandated Reporter Training and completion acknowledgement form for all employees. The Department will continue to ensure that all employees complete the County's mandated Sexual Harassment Prevention Training. In addition, the Department will provide supplemental training for appropriate managers and supervisors to increase awareness and prevention of unlawful sexually-related conduct with minors. The Department will also develop training to address inappropriate texting and social media usage.

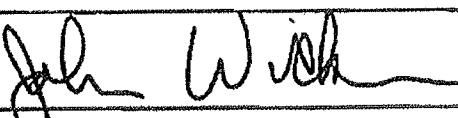
**Root Cause 4:**

The Department will establish and implement a child abuse reporting and prevention program. The Department will work with parents, families and minors to educate them on how to identify, report, and prevent high-risk situations from occurring. Informational brochures, on unlawful sexually-related conduct with minors, will be developed, disseminated to the public, and posted at local park facilities as well as the Department's website. Additionally, parents and children will be provided with contact information, including a toll-free number and an e-mail address, to directly report prohibited one-on-one interactions and unlawful sexually-related conduct to a Department designated employee for immediate action.

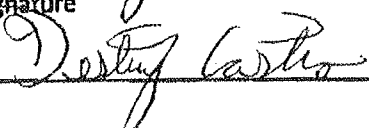
3. Are the corrective actions addressing department-wide system issues?

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

Name: (Risk Management Coordinator)	
Malou Rubio	
Signature 	Date: 11/12/19

Name: (Department Head)	
John Wicker	
Signature 	Date: 11/14/19

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions addressing department-wide system issues?	
<input checked="" type="checkbox"/> Yes – The corrective actions address department-wide system issues. <input type="checkbox"/> No – The corrective actions are only applicable to the affected parties.	

Name: (Risk Management Inspector General)	
Destiny Castro	
Signature 	Date: 11/15/2019

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Zavala, Gaspar vs. Brown, Ronald, et al.
CASE NUMBER	2:18-CV-04472-SJO-AS
COURT	United States District Court
DATE FILED	May 24, 2018
COUNTY DEPARTMENT	Office of the Public Defender
PROPOSED SETTLEMENT AMOUNT	\$ 2,800,000
ATTORNEY FOR PLAINTIFF	Arnoldo Casillas, Esq. Casillas & Associates
COUNTY COUNSEL ATTORNEY	Jonathan McCaverty Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$2,800,000, an Office of the Public Defender ("Public Defender") civil rights lawsuit filed by former Public Defender client, Plaintiff Gaspar Zavala, who claims his constitutional rights were violated arising out of his approximately 13-year pre-trial detention as a civil detainee pursuant to the Sexual Violent Predator Act.</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 is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 248,691
PAID COSTS, TO DATE	\$ 4,977



## 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:	2003 to 2018
Briefly provide a description of the incident/event:	This matter arises out of a federal civil rights complaint naming Supervisor Ridley-Thomas, former Public Defender Ronald Brown, former Chief Deputy Public Defender Kelly Emling, Public Defender Division Chief Michael Suzuki, the Office of the Los Angeles County Public Defender and the County as defendants. Mr. Zavala alleges that he was jailed as a civil detainee for 13 years awaiting trial to deem him a Sexually Violent Predator ("SVP"). In violation of his constitutional rights, he was never brought to trial. A Los Angeles Superior Court judge removed the Public Defender as Mr. Zavala's attorney and dismissed the SVP petition finding that his 13 year pre-trial detention was presumptively prejudicial violating Mr. Zavala's due process rights.

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

Staffing reductions in the special unit resulted in continuances by attorneys who believed they had insufficient resources to take the cases to trial; failure to obtain clear time waivers from clients who preferred to remain at the state hospital during court appearances.

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

Ensure that the weighted caseloads of attorneys assigned to the Civil Commitment Units are manageable and that adequate support resources are provided; require either a form written

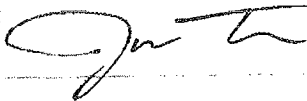
appearance/time waiver signed by the client or a verbal waiver taken by the court on the record via video appearance.

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)  
Jon Trochez

Signature:

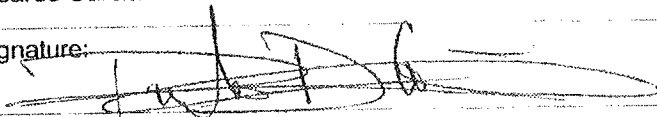


Date:

12-4-19

Name: (Department Head)  
Ricardo Garcia

Signature:



Date:

12-10-19

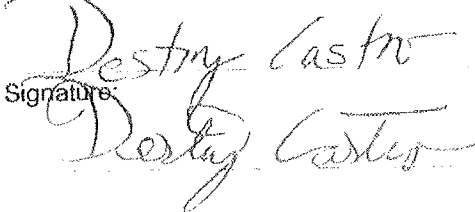
**Chief Executive Office Risk Management Inspector General USE ONLY**

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:

12/16/2019

# COUNTY OF LOS ANGELES CLAIMS BOARD

## MINUTES OF REGULAR MEETING

FEBRUARY 3, 2020

### 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 Adrienne Byers.

Other persons in attendance at the meeting were: Office of the County Counsel: Brian Chu, Michael Gordon, Kelsey Nau, Jonathan McCaverty, Richard Kudo, and Christopher Keosian; Medical Examiner-Coroner: Jon Lucas; Department of Public Works: Michael Hays; Fire Department: William McCloud and Julia Kim; Public Defender: Michael Suzuki; Sheriff's Department: Marjory Jacobs, Alex Canchola, Pat Jordan, Kevin Percy, Kristine Corrales, Richard Marascola, Allen Castellano, David Sprengel, and Eric Castano; and Outside Counsel: Harold Becks, Thomas Hurrell, and Mike Allen.

### 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(i).

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

At 11:10 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

#### a. Mirna Amaya, et al. v. County of Los Angeles, et al. Los Angeles Superior Court Case No. BC 656724

This lawsuit arises from negligent mishandling of a decedent's remains by the actions of Department of Medical Examiner-Coroner employees.

#### Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$200,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers



b. **Nicholas Rodriguez, et al. v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 632837**

This dangerous condition lawsuit against the Department of Public Works arises from injuries sustained in a single vehicle accident in the unincorporated area of the County near Santa Clarita.

Action Taken:

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

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

c. **Gabriela Pena, et al. v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 721748**

This lawsuit arises from alleged injuries sustained due to 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 \$85,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

d. **Emerson Lopez v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. 19STCV04548**

This lawsuit arises from alleged injuries sustained due to a vehicle collision involving a Fire Department fire engine.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$37,500.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

e. **Jordan Moseley v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. 19STCV05896**

This lawsuit arises from alleged injuries sustained due to a vehicle collision involving a Fire Department fire engine in the City of Inglewood.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$40,000.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

f. **Teddy Yap v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. 19STCV14397**

This lawsuit arises from damages sustained due to a vehicle accident involving a Public Defender employee.

**Action Taken:**

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

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

g. **Lonnie Moore v. Los Angeles County Sheriff's Department, et al.**  
**Los Angeles Superior Court Case No. BC 659742**

This lawsuit arises from alleged injuries sustained due to a vehicle collision involving a LASD Deputy Sheriff.

**Action Taken:**

The Claims Board approved the settlement of this matter in the amount of \$39,500.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

h. **Geico General Insurance Company v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. 19STCV04064**

This lawsuit arises from a traffic collision between a LASD transportation bus and a civilian vehicle.

**Action Taken:**

The Claims Board approved the settlement of this matter in the amount of \$40,964.

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

i. **Dana Camarillo v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. BC 474290**

This lawsuit concerns allegations that a former Sheriff's Sergeant was retaliated against and subjected to gender national origin discrimination.

**Action Taken:**

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

Vote: Ayes: 3 – Chair Steve Robles, Arlene Barrera, and Adrienne Byers

5. **Approval of the Minutes of the January 6, 2020, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 2 – Chair Steve Robles and Arlene Barrera  
Abstention: Adrienne Byers

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 11:12 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By  \_\_\_\_\_  
Derek Stane