



COUNTY OF LOS ANGELES
CLAIMS BOARD
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

MEMBERS OF THE BOARD

Arlene Barrera
Auditor-Controller
Steve Robles
Chief Executive Office
Adrienne M. Byers
Office of the County Counsel

NOTICE OF MEETING

The County of Los Angeles Claims Board will hold a regular meeting on **Monday, March 16, 2020 at 9:30 a.m.**, in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

AGENDA

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest that are within the subject matter jurisdiction of 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 Martha and Alexander Rague
Claim No. 19-1150819*003

This inverse condemnation claim seeks compensation from the Department of Public Works for property damage caused by a sewage backflow; settlement is recommended in the amount of \$33,709.80.

[See Supporting Document](#)

- b. Mario Garcia, et al. v. County of Los Angeles, et al.
United States District Court Case No. 13-CV-00616

This lawsuit alleges federal and State-law civil rights violations by the Sheriff's Department; settlement is recommended in the amount of \$150,000.

[See Supporting Documents](#)

- c. Enrique Triana v. County of Los Angeles
Los Angeles Superior Court Case No. 19STCV05804

This lawsuit concerns allegations that an employee of the Department of Children and Family Services was subjected to retaliation and wrongful termination; settlement is recommended in the amount of \$50,000.

- d. Anquonette Barlow v. County of Los Angeles
Los Angeles Superior Court Case No. BC 676 556

This lawsuit concerns allegations that an employee of the Office of the Assessor was subjected to retaliation, harassment, and discrimination based on race and gender; settlement is recommended in the amount of \$380,000.

- e. Claim of Rufus Moore, Jr., M.D.

This potential wrongful termination lawsuit involves a Physician Specialist employed by the Department of Health Services; settlement is recommended in the amount of \$100,000.

- 4. Report of actions taken in Closed Session.
- 5. Approval of the minutes of the March 2, 2020, regular meeting of the Claims Board.

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.
- 7. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-litigated Claim of Rague, Martha & Alexander
CASE NUMBER	N/A
COURT	N/A
DATE FILED	May 1, 2019
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 33,709.80 (sum includes remediation prepayment of \$14,324.69)
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Joseph A. Langton Principal Deputy County Counsel
NATURE OF CASE	<p>This claim arises from a blocked sewer mainline that caused a sewage backflow that damaged Claimants' real 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	Mario Garcia, et al. v. County of Los Angeles, et al.
CASE NUMBER	13-CV-00616
COURT	United States District Court
DATE FILED	April 5, 2013
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 150,000
ATTORNEY FOR PLAINTIFF	Don Cook, Esq.
COUNTY COUNSEL ATTORNEY	Richard Hsueh Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$150,000 inclusive of attorneys' fees and costs, federal civil rights lawsuit filed by Mario A. Garcia against Los Angeles County and former Sheriff Leroy Baca in connection with his arrest and detention on a warrant allegedly for another person.</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 \$150,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 712,489
PAID COSTS, TO DATE	\$ 43,251

Case Name:

Garcia, Mario Alberto 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:	
Briefly provide a description of the incident/event:	<ul style="list-style-type: none">• An inmate was arrested by the City of Banning Police Department on suspicion of driving while intoxicated on November 26, 2012. He was transferred to the custody of the County of Riverside for booking. During the booking process the arrestee matched to an outstanding Los Angeles County felony bench warrant.• While in custody of Riverside County, the inmate was provided the opportunity to appear before a judge to protest the mistaken identity. However, the arrestee declined in writing to appear before a Riverside magistrate.• On November 27, 2012, the arrestee was transferred to the custody of the Los Angeles County Sheriff's Department (LASD). During his time in custody, there was no record to indicate the inmate ever complained to LASD staff that he was not the subject of the warrant. On the morning of November 29, 2012, the arrestee was released from court after the court determined the inmate being held on the warrant was the wrong person.

Case Name:

Garcia, Mario Alberto V. County of Los Angeles

County of Los Angeles

Summary Corrective Action Plan

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

The primary **Department** root cause in this incident was the lack of a proactive procedure that established verification of identity during the booking of warrant arrests, and the handling of disputed warrants.

2. Briefly describe recommended corrective actions:

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

Warrant Arrest Verification Procedure

- **Corrective Action:**

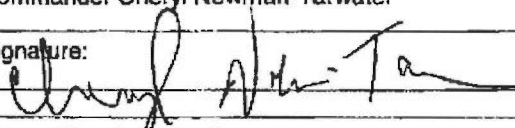
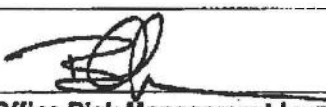
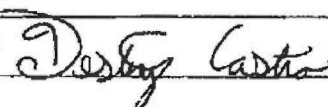
As a result of this incident the Department established a Custody Directive 18-007 (Warrant Arrest Verification Procedures), which established a verification procedure to be used during the booking process of warrant arrests, and the handling of disputed warrants. As part of this new procedure, a "Warrant Verification Stamp" will be placed on Warrant Information Sheets and the booking deputy/officer will ensure the arrestee does not dispute they are the person identified on the warrant.

If the arrestee claims they are not the person identified in the warrant, then the watch commander shall be notified and a comparison of identifying information (fingerprint comparison, past criminal history, and other law enforcement records) will be used to decide if the arrestee shall continue to be held on the warrant. If it is determined the arrestee is not the subject wanted in the warrant, the jailer shall release the individual from the warrant hold under 849 (b)(1) PC.

Responsible person: Assistant Sheriff Robert Olmsted

Case Name:	Garcia, Mario Alberto 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: 10-8-19
Name: (Department Head) Chief Bruce D. Chase	
Signature: 	Date: 10-8-19
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) CEO Destiny Castro	
Signature: 	Date: 10-9-2019

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

MARCH 2, 2020

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:40 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: Millicent Rolon, Christopher Keosian, Lana Choi, Kelsey Nau, Richard Kudo, Kent Sommer, Jonathan McCaverty, and Eduardo Montelongo; Sheriff's Department: Marjory Jacobs, Alex Canchola, Pat Jordan, Kevin Percy, Kristine Corrales, Richard Marascola, Allen Castellano, David Sprengel, and Eric Castano; Department of Public Works: David Gonzalez; Parks and Recreation: Malou Rubio, and Vicky Santana; Internal Services Department: Bryce Tyler, Araceli Aranda, and Shana Wilcher; Public Defender: Michael Suzuki, and Robert Kayne; Department of Health Services: Katie Mathers; and Outside Counsel: Laura Inlow, Andrew Pongraz, and Andrew Baum.

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 9:45 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 11:58 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**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

- 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

- 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

- 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

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

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

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

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

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

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 12:01 p.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By



Derek Stane