

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD VIA ONLINE CONFERENCE CALL
ON MONDAY, MAY 2, 2022, AT 9:30 A.M.

Present: Chair Steve Robles, Arlene Barrera, and Adrienne M. 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 were on the public teleconference line to address the Claims Board or to listen to the reportable actions of the Claims Board.

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

- a. **Hayk Arakelyan, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 705879**

This lawsuit alleges wrongful death and federal civil rights violations against the Department of Children and Family Services after plaintiff's son died while in foster care.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$90,000.

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

[See Supporting Document](#)

- b. **Randall Carrier II, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:17-CV-07231 MRW**

This lawsuit alleges federal civil rights violations and deliberate indifference to safety needs by Sheriff's Department jail staff for the death of an inmate at Twin Towers Correctional Facility.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$4,500,000.

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

c. **Donneley Rabot, et al. v. County of Los Angeles, et al.**
United States District Court Case No. CV 20-10562

This lawsuit alleges wrongful death and federal civil rights violations against the Probation Department arising out of a fatal shooting by a Deputy Probation Officer.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of this matter in the amount of \$875,000.

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

[See Supporting Documents](#)

d. **Haaris Syed v. County of Los Angeles, et al.**
United States District Court Case No. 2:19-CV-10410 GW

This lawsuit concerns allegations that an employee of the Public Defender's Office was subjected to discrimination based on religion and violations of constitutional rights.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$45,000.

Vote: Ayes: 2 – Steve Robles, and Adrienne Byers
Abstentions: 1 – Arlene Barrera

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 April 18, 2022, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the Minutes.

Vote: Ayes: 3 – 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 an 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	Hayk Arakelyan, et al. v. County of Los Angeles, et al.
CASE NUMBER	BC705879
COURT	Los Angeles Superior Court
DATE FILED	May 14, 2018
COUNTY DEPARTMENT	Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 90,000
ATTORNEY FOR PLAINTIFF	Yana Henriks
COUNTY COUNSEL ATTORNEY	Katherine Bowser
NATURE OF CASE	Plaintiffs allege that DCFS failed to provide decedent's medical information to foster parents, leading to the child dying in his sleep. Due to the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case in the amount of \$90,000 is recommended.
PAID ATTORNEY FEES, TO DATE	\$ 118,140
PAID COSTS, TO DATE	\$ 21,247

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Donneley Rabot, et al. v. County of Los Angeles, et al.
CASE NUMBER	CV 20-10562
COURT	United States District Court
DATE FILED	November 19, 2020
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 875,000
ATTORNEY FOR PLAINTIFF	Dale K. Galipo, Esq.
COUNTY COUNSEL ATTORNEY	Jonathan McCaverty Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$875,000, inclusive of attorneys' fees and costs, a wrongful death and federal civil rights lawsuit filed by the adult children of decedent Dominador Rabot arising out of a fatal shooting by a Deputy Probation Officer in October 2019.</p> <p>Given the high risks and uncertainties of litigation, a reasonable settlement at this time to avoid further litigation costs. The full and final settlement amount of \$875,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 117,900
PAID COSTS, TO DATE	\$ 16,957



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:	October 22, 2019
Briefly provide a description of the incident/event:	On October 22, 2019, Los Angeles County Deputy Probation Department Officers (DPO), wearing DPO uniforms, went to a house in the City of Carson to conduct a probation compliance search and serve a no bail probation violation arrest warrant. Upon entering the residence, the decedent grabbed a large knife. The officers shouted to drop the knife. However, the decedent ignored the instructions to drop the knife and began to move quickly toward the officers, stating "Fuck you! Shoot me! Kill Me!," resulting in the shooting and death of the decedent.

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

Special Enforcement Operation (SEO) DPOs attempted to search and serve a no bail warrant at the residence of the decedent. When the DPOs entered the residence, the decedent grabbed a knife and disregarded verbal instructions to drop the knife. The decedent charged towards the DPOs with the knife, resulting in an officer involved shooting and death of the decedent. The deputies were unable to deescalate the situation and did not identify a mental health crisis prior to the officer involved shooting.

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

Effective July 27, 2020, the Probation Department reduced its focus on warrant apprehensions and refocused efforts on compliance checks.

Effective November 2019, the Probation Department requires a supervisor be present during all compliance operations. Previously, an acting supervisor could lead a compliance team.

On November 17, 2020, Crisis Intervention Training was completed for SEO deputies to ensure all officers are equipped with the tools to address situations in which the supervised person may be in crisis related to mental health or substance use disorder.

On June 28, 2021, Officer Involved Shooting training was completed by SEO to ensure all deputies were given a refresher course on the use of force continuum and legal updates on use of force.

Probation reached out to the Los Angeles Sheriff's Department (LASD) on October 28, 2021 to request a training class for Probation's armed officers to demonstrate all of the available resources LASD's Mental Evaluation Team has available and to help Probation in the identification of clients with a history of mental health crisis before and during operations. The scheduling of this training is pending.

Senior Probation Director of Probation's SEO is the responsible party for the above corrective actions.

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) Crystal Hurtado	
Signature: <i>Crystal Hurtado</i>	Date: 12/15/21
Name: (Department Head) Dr. Adolfo Gonzales	
Signature: <i>Adolfo Gonzales</i>	Date: 12/16/2021

Chief Executive Office Risk Management Inspector General USE ONLY

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

- Yes, the corrective actions potentially have County-wide applicability.
 No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

Destiny Castro

Signature:

Destiny Castro

Date:

01/03/2022

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

APRIL 18, 2022

1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 9:41 a.m. The meeting was held via teleconference with all Claims Board Members participating telephonically. Claims Board Members online for the teleconference meeting were: Chair Steve Robles, Arlene Barrera, and Adrienne M. Byers.

All other persons also appeared telephonically. Those attending the meeting were: Office of the County Counsel: Narbeh Bagdasarian, Caroline Craddock, Margaret Carter, Edwin Lewis, Michael Gordon, Kevin Engelen, Rosanne Wong, and Diana Cheng; Department of Public Works: Ronald Castaneda, and Martin Moreno; Department of Health Services: Brad Spellberg, Elizabeth Augusta, Claudia Aguirre, Avita Roberto, and Dawn Abarca; Sheriff's Department: Jason Wolak, Michael Abbott, Irma Chavez, Chris Kusayanagi, Hugo Reynaga, Rodney Moore, Joe Mendoza, and Alise Norman; Probation Department: Adam Bettino, and Raina Mey; Fire Department: Julia Kim, and Dennis Breshears; Outside Counsel: James Jardin.

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 were on the public teleconference phone line to address the Claims Board.

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

At 9:42 a.m., the Chair convened the meeting into closed session to discuss the items listed as 4(a) through 4(g).

4. Report of actions taken in Closed Session.

No members of the public were on the public teleconference phone line to hear the reportable actions of the Claims Board.

At 11:37 a.m., the Claims Board reconvened in open session via the public teleconference phone line and reported the actions taken in closed session as follows:

a. Non-Litigated Claim of Rosanna H. Su

This claim concerns allegations that medical malpractice by Los Angeles County+USC Medical Center contributed to a delay in the diagnosis of plaintiff's medical condition.

Action Taken:

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

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

**b. Taniela Tuihalamaka v. Jim McDonnell, et al.
Los Angeles Superior Court Case No. BC 706455**

This medical malpractice lawsuit against the Department of Health Services and the Sheriff's Department alleges that jail staff at Men's Central Jail failed to provide plaintiff's scheduled medication causing him to suffer a stroke.

Action Taken:

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

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

c. Non-Litigated Claims of Juanita Decoudreaux, Donna J. Iliescu, and Gloria Ferrell

Claimants seek compensation from the Department of Public Works for property damage allegedly caused by a backflow of sewage due to a mainline blockage;

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$45,949.99.

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

d. Non-Litigated Claim of Rafael Estrada

This claim arises from injuries plaintiff allegedly sustained in an automobile accident involving an employee of the Department of Children and Family Services.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$56,000.

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

**e. Reggie DeAndre Mallard v. County of Los Angeles, et al.
United States District Court Case No. 2:20-CV-05231**

This lawsuit alleges that plaintiff's civil rights were violated by the District Attorney's Office and the Sheriff's Department when they allegedly failed to disclose evidence.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$99,000.

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

f. **Brian Roger, et al. v. County of Los Angeles, et al.**
Los Angeles County Superior Court Case No. 20STCV43642

This lawsuit arises from injuries plaintiff allegedly sustained in a single vehicle accident involving a Los Angeles County Fire Department truck.

Action Taken:

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

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

g. **Jennifer Donnell v. County of Los Angeles**
Los Angeles Superior Court Case No. 21STCV36479

This lawsuit involves allegations that an employee of the Probation Department was subjected to harassment, retaliation, and discrimination.

Action Taken:

The Claims Board did not approve settlement of this matter.

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

5. **Approval of the Minutes of the April 4, 2022, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the Minutes.

Vote: Ayes: 3 – 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 an 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 11:42 a.m.

LOS ANGELES COUNTY CLAIMS BOARD

By



Derek Stane