



COUNTY OF LOS ANGELES

CONTRACT CITIES LIABILITY TRUST FUND CLAIMS BOARD

500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

MEMBERS OF THE BOARD

Lindsey Horvath
City Council Member
Mark R. Alexander
City Manager
James Bozajian
City Council Member
Bryan Cook
City Manager
Margaret Finlay
City Council Member
Mark Waronek
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John Moreno
City Manager
Kenneth Striplin
City Manager
Jennifer Vasquez
City Manager
Marcel Rodarte
California Contract
Cities Association
Patrick Kearney
City Council Member

NOTICE OF MEETING

The County of Los Angeles Contract Cities Liability Trust Fund Claims Board will hold its Regular Meeting on Wednesday, **September 21, 2022 at 11:00 a.m., Via Teleconference.**

Governor's Executive Order N-29-20 and AB 361 Re Coronavirus Covid-19 this meeting will be conducted pursuant to the provisions of the Governor's Executive Order and AB 361 which suspends certain requirements of the Ralph M. Brown Act.

In compliance with Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Agency Clerk at (562) 467-8736. Notification 48 hours before meeting will enable the Authority to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)

PUBLIC COMMENT

You may submit public comment by e-mail at vruiz@cjpia.org or by mail to: Attention: Contract Cities Claims Board Agenda, Executive Office, County Counsel, 500 West Temple Street, Los Angeles, California, 90012.

Written public comment or documentation must be submitted no later than 5:00 p.m. on September 20, 2022. Please include the Agenda item and meeting date in your correspondence. Comments and any other written submissions will become part of the official record of the meeting.

Members of the public wishing to listen to open sessions of the meeting may call the California JPIA's teleconference number **at 1(253) 215-8782, Enter Meeting ID: 852 6913 8022; Passcode 891280..**

Zoom Meeting Link

<https://cjpia.zoom.us/j/85269138022?pwd=UjIwUnlyR2RnYWlZVUtkR09sTVp3dz09&from=addon>

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. Briceno, Eric Esteban, Estate of, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:21-CV-01388

This lawsuit concerns allegations of a fatal use of force incident and wrongful death by Sheriff's Deputies.

[See Supporting Document](#)
 - b. Kerrick, Justine v. Los Angeles Sheriff's Department, et al.
Los Angeles Superior Court Case No. 20STCV34497

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

[See Supporting Document](#)
 - c. Claim of Estate Pedro Lopez, et al.
CRM No. 22-4391747*001

This lawsuit concerns allegations of a federal civil rights violations and wrongful death by Sheriff's Deputies.

[See Supporting Document](#)
 - d. Murillo, Ricardo, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:21-CV-06937
Los Angeles Superior Court Case No. 20CMCV00223

This lawsuit concerns allegations of a federal civil rights violations and wrongful death by Sheriff's Deputies.

[See Supporting Document](#)

- e. Timothy Reeves Neal v. County of Los Angeles, et al.
United States District Court Case No. 2:20: CV-06315

This lawsuit concerns allegations of civil rights violations, excessive force, and improper training or lack of training by Sheriff's Deputies.

[See Supporting Document](#)

- 4. Closed Session - Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Government Code Section 54956.9)

- a. Donna Huff v. Los Angeles County Sheriff's Department, et al.
United States District Court Case No. 2:16-CV-01733

This lawsuit concerns allegations of false arrest and excessive force by Sheriff's Deputies.

- b. Mallett, Zakhary Gabriel v. County of Los Angeles, et al.
United States District Court Case No. 2:19-CV-08506

This lawsuit concerns allegations of a civil rights violations, false arrest and unlawful search and seizure by Sheriff's Deputies.

- c. Saravia, Anthony v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV14785

This lawsuit concerns allegations of civil rights violations, excessive force and negligent training and hiring by Sheriff's Deputies.

- 5. Report of actions taken in Closed Session.
- 6. Approval of Minutes for the August 10, 2022, meeting of the Contract Cities Liability Trust Fund Claims Board.

[See Supporting Document](#)

- 7. Approval of the Biennial Review of the Liability Trust Fund Claims Board Conflict of Interest Code.
- 8. Continuance of the Existence of a Local State of Emergency in Response to COVID-19 and Findings Related to AB 361 Exempting the Contract Cities Liability Trust Fund Claims Board from Brown Act Teleconferencing Rules.

9. 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.
10. Other Business
11. Adjournment

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Briceno, Eric, et al. v. County of Los Angeles, et al.
CASE NUMBER	2:21-CV-01388
COURT	United States District Court
DATE FILED	February 22, 2021
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 16,250,000
ATTORNEY FOR PLAINTIFF	R. Samuel Paz, Esq. Sonia M. Mercado, Esq. Mark Pachowicz, Esq.
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon, Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$16, 250,000, inclusive of attorneys' fees and costs, a federal civil rights lawsuit filed by the parents of decedent, Eric Briceno following a physical altercation with Sheriff's Deputies, resulting in Eric's death.</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 \$16,250,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 400,537
PAID COSTS, TO DATE	\$ 148,387

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Justine Kerrick v. Los Angeles County Sheriff's Department, et al.
CASE NUMBER	20STCV34497
COURT	Los Angeles Superior Court
DATE FILED	September 10, 2020
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 25,000
ATTORNEY FOR PLAINTIFF	Stacey R. Cutting, Esq. BISH Law
COUNTY COUNSEL ATTORNEY	David D. Lee, Esq. Deputy County Counsel
NATURE OF CASE	This is a motor vehicle accident lawsuit that occurred on November 3, 2019, when a Sheriff's SUV collided with a car on westbound Magic Mountain Parkway near McBean Parkway. Plaintiff Justine Kerrick claims to have suffered injuries as a result. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 12,215
PAID COSTS, TO DATE	\$ 0

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of Estate of Pedro Lopez, et al.
CASE NUMBER	None
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 5,000,000
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon, Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$5,000,000, inclusive of attorneys' fees and costs, a wrongful death and federal civil rights lawsuit filed by decedent Pedro Lopez' wife, Maria Luisa Villanueva Lopez, and daughter Maria Lopez. At the time of the incident, Los Angeles Sheriff's Department ("LASD") deputies were pursuing an armed and dangerous carjacking suspect, he ran into the yard of the Lopez home and engaged in an exchange of gunfire with Los Angeles Sheriff's Department ("LASD") Deputies. Mr. Lopez was fatally struck during this exchange.</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 \$5,000,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 10,441
PAID COSTS, TO DATE	\$ 16,691

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Murillo, Ricardo, et al. v. County of Los Angeles, et al.
CASE NUMBER	20CMCV00223 & 2:21-CV-06937
COURT	Los Angeles Superior Court & United States District Court September 9, 2020 & August 27, 2021
DATE FILED	
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 875,000
ATTORNEY FOR PLAINTIFF	Jamon Hicks, Esq.
COUNTY COUNSEL ATTORNEY	Minas Samuelian Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$875,000, inclusive of attorneys' fees and costs, the state and federal civil rights lawsuits filed by plaintiffs Ricardo Murillo and Elian Murillo against the County of Los Angeles and Sheriff's Deputies Kyle Gillespie, Joshua Minchaca, Miguel Vega, and Christopher Hernandez ("Defendants"), alleging unlawful arrest and excessive force.</p> <p>Given 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 \$875,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 59,177
PAID COSTS, TO DATE	\$ 2,760



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:	September 1, 2019, at approximately, 12:20 a.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;"><u>Ricardo Murillo v. County of Los Angeles</u> Summary Corrective Action Plan 2022-25</p> <p>On September 1, 2019, at approximately 12:20 a.m., two uniformed on-duty Los Angeles County Sheriff's Department deputy sheriffs assigned to Compton Station, had completed a call for service (disturbance/fight) near the area of South Harris Avenue in East Rancho Dominguez (unincorporated area in the city of Compton).</p> <p>While, at the call for service, the first (driver) and second (passenger) deputy sheriffs arrested a male adult (witness) for an outstanding arrest warrant [Driving on a Suspended License, 14601.1 (a)(1) California Vehicle Code (CVC)]. The male adult was seated in the backseat of the deputies' marked black and white patrol vehicle. The deputies were transporting the male adult to Century Regional Detention Facility (CRDF) to book him for the arrest warrant.</p> <p>The first deputy sheriff drove south on Harris Avenue and approached a stop sign at Greenleaf Boulevard. While at the stop sign, both deputy sheriffs observed a red Chevrolet Camaro driving west on Greenleaf Boulevard. As the Chevy Camaro passed the deputies' patrol vehicle in the intersection of Greenleaf Boulevard and Harris Avenue, the driver (first Plaintiff) honked his horn excessively.</p> <p>This nuisance drew both deputy sheriffs' attention to the Chevy Camaro. The deputies noticed the front passenger window was tinted and slightly lowered. They also heard a modified exhaust system. As the vehicle proceeded through the intersection, the front passenger (second Plaintiff) looked at the deputy sheriffs and yelled, "What the fuck?"</p> <p>Based on the first Plaintiff excessively honking his horn to apparently gain the attention of the deputy sheriffs, coupled with violations of 27001(a) CVC – Horns, sirens, and Amplification Devices; 26708(9) CVC – Windshield and Mirrors; and 27151(a) CVC – Exhaust Systems, the deputy sheriffs conducted a traffic stop of the vehicle on Greenleaf Boulevard, west of Harris Avenue, to warn and/or cite the first Plaintiff.</p> <p>The first deputy sheriff approached the first Plaintiff and the second deputy sheriff approached the second Plaintiff on the passenger side of the Chevy Camaro. The driver and passenger side windows were rolled down.</p> <p>Note: Throughout the duration of the traffic stop, the male adult (witness) who was arrested for an outstanding warrant on Harris Avenue, remained in the backseat of the deputies' patrol vehicle.</p>

	<p>The first deputy sheriff explained the reason for the traffic stop to the first Plaintiff. The first Plaintiff immediately told the first deputy sheriff he honked his horn because he believed the first deputy sheriff was not going to stop the patrol vehicle at the stop sign on Harris Avenue and Greenleaf Boulevard. The first Plaintiff asked the first deputy sheriff for his name. The first deputy sheriff provided his last name to the first Plaintiff.</p> <p>The first deputy sheriff asked the first Plaintiff to step out of the Chevy Camaro in order to conduct an inspection of the vehicle's exhaust system. The first Plaintiff refused to exit the vehicle. The first deputy sheriff then opened the front driver side door and ordered the first Plaintiff to exit the Chevy Camaro.</p> <p>Upon contact by the second deputy sheriff, the second Plaintiff appeared to be using his cell phone to record the interaction with the deputies. The second deputy sheriff ordered the second Plaintiff to exit the vehicle; however, he refused.</p> <p>With the driver side door open, the first deputy sheriff grabbed the first Plaintiff's left arm, the second Plaintiff reached over and grabbed the first Plaintiff's other arm to seemingly prevent him from exiting the vehicle.</p> <p>The second deputy sheriff reached inside the open passenger window and grabbed both of the second Plaintiff's wrists to prevent him from interfering with the first deputy sheriff's attempt to have the first Plaintiff exit the vehicle. The second Plaintiff attempted to break free of the second deputy sheriff's grasp with a quick motion, almost causing the second deputy sheriff to be pulled into the vehicle.</p> <p>Two uniformed on-duty Los Angeles County Sheriff's Department deputy sheriffs, assigned to Compton Station working as a two-person unit, noticed a patrol vehicle stopped behind a red Chevy Camaro. Both deputies decided to stop and assist the deputies on the traffic stop. Upon exiting their patrol vehicle, the third and fourth deputy sheriffs heard a commotion (yelling) coming from the location of the traffic stop, between the patrol vehicle and the Chevy Camaro.</p> <p>The third and fourth deputy sheriffs approached the traffic stop and heard the first and second deputy sheriff's order the occupants out of the vehicle.</p> <p>The third deputy sheriff assisted the first deputy sheriff on the driver side.</p> <p>The first Plaintiff reached toward the space between the driver's seat and center console, causing the first deputy to grab the first Plaintiff's left wrist. Ultimately, the first Plaintiff stepped out of the vehicle; however, he leaned his body against the vehicle and kept his right hand near his waistband. The third deputy sheriff grabbed the first Plaintiff's right hand and placed it behind his back. The first deputy sheriff handcuffed the first Plaintiff and escorted him to the back seat of the third and the fourth deputy sheriff's patrol vehicle.</p> <p>As the first and third deputy sheriffs were interacting with the first Plaintiff, the second and fourth deputy sheriffs simultaneously interacted with the second Plaintiff.</p> <p>The fourth deputy sheriff opened the front passenger door of the Chevy Camaro as the second deputy sheriff released his grip on the second</p>
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	<p>Plaintiff. The second deputy sheriff repositioned himself from outside of the passenger window to inside the open passenger side door. The second deputy sheriff attempted to regain control of the second Plaintiff's wrists. The second Plaintiff used his right elbow to strike the second deputy sheriff in the chest. The fourth deputy sheriff struck the second Plaintiff once on the face with his right fist as the second Plaintiff continued to elbow the second deputy sheriff. The second deputy sheriff released his grip of the second Plaintiff's wrist and punched him twice on the face.</p> <p>As the second Plaintiff covered his face with his hands, the second deputy sheriff reached into the vehicle and unbuckled the second Plaintiff's seatbelt. The second Plaintiff made a fist with his left hand. Believing the second Plaintiff was about to punch him, the second deputy sheriff punched the second Plaintiff once again in his face. This defensive tactic caused the second Plaintiff to say, "Okay, I'm done."</p> <p>The fourth deputy sheriff pulled the second Plaintiff out of the vehicle by his legs. The second deputy sheriff reached around the second Plaintiff's back and turned him to the right side as he was pulled out of the vehicle. The second Plaintiff landed on his stomach on the north sidewalk of Greenleaf Boulevard. The second deputy sheriff placed his left knee on the second Plaintiff's back as the fourth deputy sheriff handcuffed him.</p> <p>Upon handcuffing the second Plaintiff, both deputies noticed the second Plaintiff was bleeding from the top of his head. The second deputy sheriff requested the Compton Fire Department to respond to the scene.</p> <p>The Compton Fire Department and rescue paramedics arrived on scene and medically evaluated the second Plaintiff; however, the second Plaintiff refused to be treated.</p> <p>While the first Plaintiff was detained by the first deputy sheriff, the first deputy sheriff observed objective signs and symptoms the first Plaintiff was under the influence of a controlled substance (sweating profusely despite cold weather, eyes were red in color, and his speech was slow, thick, and slurred).</p> <p>Based on the first Plaintiff's symptoms, the first deputy sheriff asked the first Plaintiff to perform a field sobriety test. The first Plaintiff stated, "No." A Compton Station field supervisor responded to the scene and initiated a use of force investigation.</p> <p>The field supervisor contacted the male adult (witness) in the back of the first and second deputy sheriffs' patrol vehicle. The witness stated he did not see the use of force incident.</p> <p>The first Plaintiff was arrested for Driving Under the Influence, 23152 (a) CVC. The second Plaintiff was arrested for Resisting Executive Officer, 69 California Penal Code (PC). Both Plaintiffs were transported by two deputy sheriffs (uninvolved to the incident) to Compton Station for booking.</p> <p>During an inventory search of the first Plaintiff's vehicle, a pipe and suspected concentrated cannabis were found in the center console in the vehicle. The vehicle was towed and stored due to Driver Arrested, 22655.5 California Vehicle Code and the evidence was booked at Compton Station.</p>
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	<p>Upon arrival to Compton Station, the on-duty watch commander continued the use of force investigation. The watch commander directed two deputy sheriffs (uninvolved to the incident) to transport both Plaintiffs to the hospital for booking clearance.</p> <p>The first Plaintiff sustained no injuries. The second Plaintiff sustained head injuries. The second Plaintiff was treated and released for booking.</p> <p>Note: When interviewed by the watch commander, the second Plaintiff refused to explain how he received the scalp laceration; however, the field sergeant conducting the use of force investigation determined the injury was consistent with the second Plaintiff's head striking the sidewalk after being pulled out of the vehicle by his feet.</p> <p>After receiving medical treatment, both Plaintiffs were transported to CRDF and booked.</p> <p>Two of the four deputy sheriffs involved suffered minor injuries.</p> <p>The case was presented to the District Attorney (DA). The first Plaintiff was charged with Resisting Arrest, 148(A)(1) PC. On January 25, 2020, the Los Angeles District Attorney's office dismissed the charges as a result of pandemic conditions.</p> <p>The second Plaintiff was charged with Resisting Arrest, 148(A)(1) PC, and Battery on a Peace Officer, 243(B) PC. After completing a pretrial diversion program, the charges were dismissed.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

<p>A Department root cause in this incident was upon observation of the Plaintiff's uncooperative demeanor, the first and second deputy sheriffs should have de-escalated the incident by requesting a field supervisor and/or allowing more time to verbally persuade the Plaintiffs to cooperate.</p> <p>A Department root cause in this incident was the deputy sheriffs should have discussed a tactical plan and other less-lethal options to extract the Plaintiffs out of the vehicle.</p> <p>A Department root cause in this incident was the failure by the field sergeant to have transport the second Plaintiff to the hospital for medical treatment prior to transporting them to Compton Station, thus delaying necessary medical treatment.</p> <p>A Department root cause in this incident was the deputies did not have body-worn cameras to video record their contact with the Plaintiffs in order to prove or disprove Plaintiffs' allegations.</p> <p>A Non-Department root cause in this incident was the Plaintiffs' failure to comply/cooperate with lawful orders given to them by Los Angeles County deputy sheriffs. Instead of complying, one of the Plaintiffs assaulted a deputy sheriff.</p>
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2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

Administrative Investigation - Use of Force Investigation

Immediately following this incident, a thorough use of force investigation was conducted by Compton Station supervisors. An extensive investigation was conducted into the use of force incident which included interviewing the plaintiffs, reviewing the involved deputies' reports, and all identified witnesses.

The result of the investigation determined the use of force was legal, reasonable, and within Department training and guidelines.

Body-Worn Cameras (BWC)

As of November 2020, all personnel assigned to Compton Station were issued a Body Worn Camera, as a form of transparency. Per policy, the camera must be turned on during all public contacts and reviewed by the employee, as well as a supervisor(s) regarding incidents and allegations of misconduct. Also, supervisors conduct random daily audits of BWC to ensure compliance.

Station Training

Deputy sheriffs assigned to Compton Station will continuously be scheduled to attend arrest and control training with the Department's Tactical Survival (TAS) and Force Training units. Department certified force and tactics instructors will teach blocks of instruction on arrest and control techniques on a regular basis, with an emphasis on de-escalation tactics.

Tactical Debriefing

In the days following the incident, all sworn Compton Station personnel were briefed on the events known at the time of the incident. Emphasis was placed on de-escalation tactics, requesting a supervisor for uncooperative individuals, and lessons learned to assist employees for future situations similar in nature.

Also discussed amongst Compton Station command staff and supervisors was the need to provide immediate medical attention to anyone injured during a use of force incident. Medical treatment should always be a first priority after any use of force incident.

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) Shawnee N. Hinchman, A/Captain Risk Management Bureau	
Signature: 	Date: 7/12/22

Name: (Department Head) Edwin E. Alvarez, Chief Professional Standards Division	
Signature: 	Date: 7/14/22

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: 07/18/2022

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Neal, Timothy, et al. v. County of Los Angeles, et al.
CASE NUMBER	2:20-CV-06315
COURT	United States District Court
DATE FILED	July 16, 2020
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 16,500,000
ATTORNEY FOR PLAINTIFF	Paul R. Kiesel, Esq. KIESEL LAW LLP Dale K. Galipo, Esq. Law Offices of Dale K. Galipo
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon, Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$16,500,000, inclusive of attorneys' fees and costs, a federal civil rights lawsuit filed by Timothy and Barbara Neal, after a deputy-involved shooting occurred at the Neal home. Plaintiff Timothy Neal is paralyzed from the chest down as a result of the shooting.</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 \$16,500,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 283,498
PAID COSTS, TO DATE	\$ 32,302



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 25, 2019, at approximately 6:07 p.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;"><u>Timothy Neal, et al. v. County of Los Angeles</u> Summary Corrective Action Plan 2022-26</p> <p>On July 25, 2019, at approximately 6:07 p.m., a woman called the Los Angeles County Sheriff's Department Malibu/Lost Hills Station and reported her son (Plaintiff) was having a "psychotic episode" and trying to kill her at their home.</p> <p>The dispatcher assigned to Malibu/Lost Hills Station immediately entered an emergency call for service. The dispatcher maintained the mother on the phone and updated the call. The dispatcher informed the responding deputy sheriffs the Plaintiff was off his medication and acting "extremely violent." The mother told the dispatcher the Plaintiff was inside the residence breaking furniture.</p> <p>Four (4) Los Angeles County Sheriff's Department deputy sheriffs and one field sergeant assigned to Malibu/Lost Hills Station responded to the Plaintiff's residence.</p> <p>Upon arrival of the deputy sheriffs and field sergeant, the first and second deputy sheriffs contacted the informant (the seventy-year-old mother of Plaintiff) who informed them the Plaintiff had been acting strangely over the past week and had become very violent.</p> <p>Additionally, the mother explained to the first and second deputy sheriffs she called 9-1-1 after the Plaintiff threatened to kill her and threw a 20-pound dumbbell, striking her in the lower back and knocking her to the ground.</p> <p>The first and second deputy sheriffs asked the mother where the Plaintiff was located. The mother informed the deputies the Plaintiff was in his bedroom, which is located on the second floor, above the garage of the residence.</p> <p>The first and second deputy sheriffs relayed the information from the mother to the assisting deputy sheriffs and the field sergeant. The field sergeant formulated a tactical plan to make entry into the residence to safely contact the Plaintiff and assess the situation.</p> <p>The field sergeant and four deputy sheriffs entered the residence and the field sergeant spoke to the Plaintiff through his locked bedroom door. The Plaintiff claimed his mother was trying to kill him and said, "This whole bloodbath is going to be on your hands!" The Plaintiff refused to unlock the door and remained inside his bedroom. The Plaintiff refused to</p>

	<p>cooperate with the field sergeant and began throwing glass bottles and other items out the window, onto the driveway.</p> <p>Based on the dynamic situation and possible mental health crisis, the field sergeant requested the following resources: the Los Angeles County Sheriff's Department Mental Evaluation Team (MET), the Crisis Negotiation Team (CNT) and a canine unit from the Special Enforcement Bureau (SEB) to respond to the location.</p> <p>A command post was established by the additional Malibu/Lost Hills Station deputy sheriffs personnel.</p> <p>At 8:05 p.m., the Mental Evaluation Team, which consisted of one deputy sheriff and the Los Angeles County Department of Mental Health clinician arrived on the scene. MET attempted to persuade the Plaintiff to exit the residence to speak with them. However, the Plaintiff refused and they were unsuccessful in communicating with the Plaintiff.</p> <p>At 9:49 p.m., the Crisis Negotiation Team arrived on the scene and at 11:03 p.m., the Special Enforcement Bureau arrived on the scene.</p> <p>Over the course of six hours, the Los Angeles County Sheriff's Department personnel remained in front of the Plaintiff's residence and utilized a public address system and a cellular phone to communicate with the Plaintiff.</p> <p>The Plaintiff refused to speak; however, he responded by throwing various items, such as bottles, books, cans, a lamp, and a fire extinguisher out his second-story window toward the deputies and their patrol vehicles.</p> <p>The Malibu/Lost Hills Detective Bureau investigators responded to the location. An incident report was authored and the detective obtained a Ramey warrant for the arrest of the Plaintiff for the assault on the Plaintiff's mother. However, the mother was not desirous of prosecution and did not want the Plaintiff arrested.</p> <p>On July 26, 2019, at approximately 1:04 a.m., The Los Angeles County Sheriff's Department personnel and the mother left the location. The Plaintiff remained inside the residence as a named suspect.</p> <p>At approximately 1:00 p.m., the mother called the Malibu/Lost Hills Station and requested that the Plaintiff be removed from the residence. The mother advised she was now desirous of criminal charges, an Emergency Protective Order, and requested the Plaintiff to receive a mental health evaluation.</p> <p>The same field sergeant and four (4) deputy sheriffs, all in Sheriff's Department full uniform returned to the residence. The first deputy sheriff obtained an Emergency Protective Order, protecting the mother from the restrained party (Plaintiff).</p> <p>A MET deputy sheriff and clinician was requested and responded to the location. Also, additional patrol units from Malibu/Lost Hills responded.</p> <p>At 3:32 p.m., an Emergency Protective Order was issued by a Los Angeles County Superior Court Commissioner, for the first deputy sheriff to execute.</p>
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	<p>Upon the arrival of MET and additional patrol units, the field sergeant briefed everyone of the incident, discussed tactics, and formulated a plan. The plan also included a contact/arrest team and specific deputy sheriffs equipped with less-lethal weapons (tasers and batons).</p> <p>Based on it being determined the Plaintiff was a danger to himself and others, the field sergeant, five (5) deputy sheriffs, and the MET deputy sheriff entered the residence. The MET clinician remained outside the residence for her safety.</p> <p>The field sergeant spoke with the Plaintiff through his locked bedroom door. The Plaintiff failed to respond and remained inside his locked bedroom. The MET deputy sheriff slid the Emergency Protective Order (EPO) under the Plaintiff's door. The Plaintiff responded by shouting, "I'm going to fucking kill you. I'm sending you to hell."</p> <p>For approximately 20 minutes, the MET deputy sheriff made announcements and efforts to speak to the Plaintiff. The Plaintiff failed to respond.</p> <p>The field sergeant made a decision for them to make entry into the Plaintiff's bedroom. In order to gain entry to the bedroom, the door was breached with a sledgehammer and pick. At one point, a panel in the lower-right portion of the door was knocked out, and the deputies saw the Plaintiff standing in the northwest corner of the bedroom throwing objects towards them.</p> <p>Once the door was breached, the first deputy sheriff entered the room with the second deputy sheriff to his left, the third deputy sheriff to his right, and the fourth deputy sheriff and field sergeant behind them. The MET deputy sheriff and the fifth deputy sheriff were to the rear of the fourth deputy sheriff and field sergeant.</p> <p>The Plaintiff was standing in the opposite (northeast) corner of the bedroom approximately 25 feet from the deputies. Overturned furniture placed near the entryway to the bedroom restricted the sheriff's deputies ability to move around and create a small buffer space between them and the Plaintiff.</p> <p>The Plaintiff was holding a champagne bottle in one hand and two large kitchen knives in the other. The third deputy sheriff ordered the Plaintiff to drop the knives. The Plaintiff did not drop the knives, and the third deputy sheriff fired his taser with a five-second deployment. The Plaintiff growled and screamed loudly.</p> <p>The Plaintiff threw the champagne bottle, striking the first deputy sheriff in the shin. The third deputy sheriff, once again fired his taser with a five-second deployment. Again, the taser appeared to have no further effect on the Plaintiff.</p> <p>The first deputy sheriff transitioned to his Sheriff's Departmental service weapon and pointed it at the Plaintiff. The first deputy sheriff ordered the Plaintiff to "Drop the knives!" The second deputy sheriff dropped his baton, drew his Sheriff's Departmental service weapon, and stepped into the bathroom.</p>
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	<p>The Plaintiff held one knife in each hand and screamed loudly. The Plaintiff ran and took multiple steps in the direction of the deputy sheriffs, as he maneuvered around a table sitting against the west wall. The Plaintiff then ran south towards the kitchen, closing the distance between himself and the deputy sheriffs.</p> <p>The fourth deputy sheriff fired her taser at the Plaintiff, and both darts missed and did not connect to the Plaintiff. As the Plaintiff moved closer to the deputy sheriffs (approximately ten feet away from the second deputy sheriff), the first and second deputy sheriffs each discharged one round from their service weapons almost simultaneously.</p> <p>One round struck the Plaintiff in the upper back area near his left shoulder blade. The other round struck a screen door frame that was resting against the west wall, and the drywall of the west wall.</p> <p>The Plaintiff fell to the floor face down in front of the kitchen. The Plaintiff was instructed to put his hands behind his back. The Plaintiff did not comply. Again, the third deputy sheriff fired his taser with a five-second deployment.</p> <p>The Plaintiff placed his hands behind his back and was handcuffed without further incident. The fourth deputy sheriff rendered medical aid to the Plaintiff.</p> <p>The Los Angeles County Fire Department responded and transported the Plaintiff to Zuma Beach. The Plaintiff was airlifted to the hospital where he was treated for his injuries.</p> <p>Additional Malibu/Lost Hills sheriff deputies arrived, and a command post was established.</p> <p>At 7:35 p.m., the Los Angeles County Sheriff's Department Homicide Detectives responded and assumed handle of the investigation. The homicide detectives were briefed and evaluated the scene of the incident. The Los Angeles County Sheriff's Department Crime Lab investigators responded and photographed, documented, and collected evidence.</p> <p>The Crime Lab investigators recovered two large kitchen knives that were lying atop a dresser located near the kitchen. One of the knives had what appeared to be blood on the blade.</p> <p>On July 27, 2019, at 8:00 a.m., Homicide Detectives contacted the Plaintiff's mother to interview her regarding the incident. The mother refused to meet and requested a telephonic interview.</p> <p>On July 28, 2019, at 10:09 a.m., Homicide Detectives contacted the Plaintiff's mother to conduct a telephonic interview; however, an attorney stated he was retained by the Plaintiff's mother, and she would not be providing a statement.</p> <p>On July 30, 2019, at 1:10 p.m., Homicide Detectives contacted the Plaintiff at the hospital. The detectives read the Plaintiff his Miranda Rights. The Plaintiff stated he understood his rights and agreed to speak to detectives.</p> <p>The Plaintiff spontaneously stated he "believed he killed his mother." The detective advised the Plaintiff his mother was not dead; however, she was</p>
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	<p>injured. During the questioning, the Plaintiff admitted to threatening and throwing objects at the sheriff deputies when they were in his house. The Plaintiff said he wanted to “piss-off” the sheriff deputies and “scare them away.”</p> <p>The Plaintiff stated prior to the incident with his mother; he was “chain smoking” marijuana and felt “hyped up” and “crazy.”</p> <p>The Homicide Detectives asked the Plaintiff about the day of the shooting. The Plaintiff said when the deputy sheriffs came back the next day, he had two knives in his hands and may have walked towards the deputy sheriffs to stab them.</p> <p>The Plaintiff added he was not trying to kill his mother, someone did “mind control” on him. The Homicide Detectives concluded their interview.</p> <p>On August 5, 2019, the Los Angeles County District Attorney’s office filed the following charges on the Plaintiff:</p> <ul style="list-style-type: none">• Attempted Murder – 664/187(a) Penal Code;• Assault with a Deadly Weapon – 245 (c) Penal Code;• Elder Abuse – 368 (b)(1) Penal Code; and• Criminal Threats – 422 Penal Code. <p>On July 26, 2019, a Taser report was generated of the Tasers used by the third and fourth deputy sheriffs. The Taser report indicated during the activation both Tasers used were operable and in good condition.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

<p>A Department’s root cause in this incident was the lack of additional resources (CNT and SEB) when dealing with a barricaded suspect, absent exigent circumstances.</p> <p>A Department’s root cause in this incident was the second response to the Plaintiff’s residence. The field sergeant’s tactical plan could have included a better contingency plan and ensured the discussion of the available resources and additional less-lethal weapon platforms were available.</p> <p>A non-Department’s root cause in this incident was the Plaintiff’s failure to comply with the lawful orders of the deputy sheriffs and the MET deputy.</p> <p>A non-Department’s root cause in this incident was the Plaintiff advanced, in an assaultive manner, towards deputy sheriffs while armed with deadly weapons (knives).</p>
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2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

<p><u>Criminal Investigation</u></p> <p>The incident was investigated by the Sheriff’s Department’s Homicide Bureau to determine if any criminal misconduct occurred. The results of the investigation were presented to the Los Angeles County District Attorney’s Office for evaluation and filing consideration.</p> <p>On July 28, 2020, the Justice System Integrity Division of the Los Angeles County District Attorney’s Office concluded the shooting was legally justified, the first and second deputy sheriffs acted lawfully in self-defense and in defense of others. The District Attorney’s Office closed their file on this incident and will take no further action in this matter.</p>
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Administrative Investigation

The Sheriff's Department's Internal Affairs Bureau (IAB) will investigate this incident to determine if any administrative misconduct occurred before, during, or after this incident.

Tactical Debrief

In the days following the incident, a briefing was conducted on the events known at the time of the incident to all sworn Malibu/Lost Hills Station personnel. Emphasis was placed on officer safety, tactical preparedness, and lessons learned to assist employees with future situations similar in nature.

Briefings occurred on all shifts and were conducted by field sergeants and watch commanders of Malibu/Lost Hills Station.

Departmentwide MET Deployment

The current MET team deployment has increased to 37 teams deployed seven days a week. The current growth model is to add 12 additional teams and deploy 49 MET teams in total, with adequate supervisory and support staff, with the Department of Mental Health (DMH) to parallel. This deployment will provide 24/7 coverage.


Utilizing a Risk Assessment Management Program (RAMP), MET monitors their recurrent and high-need service users. This process allows MET to better identify and address critical cases which need immediate attention. RAMP cases are monitored closely by a panel of mental health experts. Each case is reviewed and a plan of action is created based on the service users, threat to the public, danger to self or others, health (both mental and physical), and other risks imposed by the patients continued environmental conditions.

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) Shawnee N. Hinchman, A/Captain Risk Management Bureau	
Signature: 	Date: 7/12/22

Name: (Department Head) Edwin E. Alvarez, Chief Professional Standards Division	
Signature: 	Date: 7/14/22

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: 07/18/2022

**COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY TRUST FUND
CLAIMS BOARD**

MINUTES OF MEETING

August 10, 2022

1. Call to Order

This meeting of the County of Los Angeles Contract Cities Liability Trust Fund Claims Board was called to order by Lindsey Horvath at 11:00 a.m. The meeting was held via-teleconference.

Present at the meeting were Claims Board Members: Lindsey Horvath, Chair; John Moreno, South Division; Margaret Finlay, East Division; Mark Alexander, East Division; Patrick Kearney, Central Division; Ken Striplin, North Division; Brian Cook, At-Large; Jennifer Vasquez, Central Division; James Bozajian, North Division; Marcel Rodarte, Executive Director; **Alternate:** Jennifer Perez, At-Large; Gustavo Camacho, South Division; Thaddeus McCormack, South Division; Edgar Cisneros, East Division; **County of Los Angeles Staff:** Elizabeth D. Miller, Assistant County Counsel; Adrian Gragas, Assistant County Counsel; Steve Robles, County of Los Angeles; Millicent Rolon, Principal Deputy County Counsel; Richard Hsueh, Senior Deputy County Counsel; Minas Samuelian, Deputy County Counsel; Tim Kral, Principal Deputy County Counsel; Kevin Engelein, Deputy County Counsel; Shawnee Hinchman, Los Angeles Sheriff's Department; Sergio Escobedo, Los Angeles Sheriff's Department; Randy Tuinstra; Los Angeles Sheriff's Department; Bruce Chase, Los Angeles Sheriff's Department; Jason Bryant, Los Angeles Sheriff's Department; Pilar Chavez; Los Angeles Sheriff's Department; **Attendees:** Karen Bartak, Bedford Falls Insurance; Chris Gray, Alliance Insurance Services; Diane Martinez, Hurrell and Cantrall; **Third Party Administrator for the County of Los Angeles:** Sylvia Hernandez, Claims Manager, Carl Warren & Company; **California JPIA:** Paul Zeglovitch, Liability Program Manager; Alex Smith, Executive Officer; Jim Thyden, Manager; Lyndsie Buskirk, Administrative Analyst; Jennifer Torres, Administrative Assistant; Veronica Ruiz, Agency Clerk.

2. Public Comment

Members of the public were provided the opportunity to address the Contract Cities Liability Trust Fund Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board. No members of the public addressed the Board.

At 11:02 a.m., the Chair adjourned the County of Los Angeles Contract Cities Liability Trust Fund Claims Board into Closed Session.

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

- a. Brian Joshua Cook v. County of Los Angeles, et al.
United States District Court Case No. 2:19-cv-02417-JVS-KS

This lawsuit concerns allegations of civil rights violations, excessive force by Sheriff's Deputies.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$60,000.00.

Vote: Ayes: 10 - Mark Alexander, James Bozajian, Brian Cook, Margaret Finlay, Lindsey Horvath, Patrick Kearney, John Moreno, Jennifer Vasquez, Marcel Rodarte, Gustavo Camacho, Marcel Rodarte.

Absent - Mark Waronek, Ken Striplin.

- b. Nestor Okondivo et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV20853

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$25,800.00.

Vote: Ayes: 10 - Mark Alexander, James Bozajian, Brian Cook, Margaret Finlay, Lindsey Horvath, Patrick Kearney, John Moreno, Jennifer Vasquez, Marcel Rodarte, Gustavo Camacho, Marcel Rodarte.

Absent - Mark Waronek, Ken Striplin.

- c. Non Litigated Claims of Progressive Insurance ASO Christian Perez, AFNI Insurance ASO Veronica Villavicencio, and Brittany N. Rodriguez v. v. County of Los Angeles.
CRM No. 21-4385269*005 to 008

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$43,826.18.

Vote: Ayes: 10 - Mark Alexander, James Bozajian, Brian Cook, Margaret Finlay, Lindsey Horvath, Patrick Kearney, John Moreno, Jennifer Vasquez, Marcel Rodarte, Gustavo Camacho, Marcel Rodarte.

Absent - Mark Waronek, Ken Striplin.

4. Closed Session - Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Government Code Section 54956.9)

- a. Avina, Rosa et al. v. Los Angeles Sheriff's Department.
Los Angeles Superior Court Case No. 21AVCV00889

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action Taken:

No reportable action taken

- b. Briceno, Eric Esteban, Estate of, et al. v. County of Los Angeles, et al.
United States District Court Case No. 2:21-CV-01388

This lawsuit concerns allegations of a fatal use of force incident and wrongful death by Sheriff's Deputies.

Action Taken:

No reportable action taken

- c. Gutierrez, Jose v. County of Los Angeles, et al.
United States District Court Case No. 2:21-CV-08223

This lawsuit concerns allegations of civil rights violations, excessive force during a deputy involved shooting by Sheriff's Deputies.

Action Taken:

No reportable action taken

- d. Hernandez, Jason v. County of Los Angeles et al.
Los Angeles Superior Court Case No. 21STCV18227

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action Taken:

No reportable action taken

- e. Ramirez, Claudia v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 20STCV10949

This lawsuit concerns allegations of an automobile accident involving a Sheriff's Deputy.

Action Taken:

No reportable action taken

5. Report of actions taken in Closed Session.

The meeting was reconvened into public session at 12:10 p.m. No action was taken in Closed Session which required a public report pursuant to Government Code section 54957.1.

6. Approval of the Minutes for July 13, 2022, meeting of the Contract Cities Liability Trust Fund Claims Board.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the minutes.

Vote: Ayes: 10 - Mark Alexander, James Bozajian, Brian Cook, Margaret Finlay, Lindsey Horvath, Patrick Kearney, John Moreno, Jennifer Vasquez, Marcel Rodarte, Gustavo Camacho, Marcel Rodarte.

Absent - Mark Waronek, Ken Striplin.

7. Continuance of the Existence of a Local State of Emergency in Response to COVID-19 and Findings Related to AB 361 Exempting the Contract Cities Liability Trust Fund Claims Board from Brown Act Teleconferencing Rules.

Vote: Ayes: 10 - Mark Alexander, James Bozajian, Brian Cook, Margaret Finlay, Lindsey Horvath, Patrick Kearney, John Moreno, Jennifer Vasquez, Marcel Rodarte, Gustavo Camacho, Marcel Rodarte.

Absent - Mark Waronek, Ken Striplin.

8. Items Not on the Posted Agenda, to be Referred to Staff or Placed on the Agenda for Action at a Further Meeting of the Contract Cities Liability Trust Fund Claims 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.

None

9. Other Business

None

10. Adjournment

There being no further business, the meeting was adjourned at 12:12 p.m.

COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY
TRUST FUND CLAIMS BOARD



JAHEL SAUCEDO