



# COUNTY OF LOS ANGELES

## CLAIMS BOARD

500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012-2713

### MEMBERS OF THE BOARD

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

### **NOTICE OF MEETING AND AGENDA**

The Los Angeles County Claims Board will hold a regular meeting on **Monday, August 7, 2023, at 9:30 a.m.**, at the Kenneth Hahn Hall of Administration, 500 West Temple Street, Sixth Floor, Conference Room C, Los Angeles, California 90012. Members of the public who would like to listen to the open session of the meeting or would like to provide public comment may call (323) 776-6996, then enter ID 642 654 037# at 9:30 a.m. on August 7, 2023.

**Reports of actions taken in Closed Session.** The Los Angeles County Claims Board will report actions taken on any Closed Session Items on Monday, August 7, 2023, at approximately 10:45 a.m. Members of the public who would like to hear reportable actions taken on any Closed Session items may call (323) 776-6996, then enter ID 642 654 037# at 10:45 a.m. on August 7, 2023. Please note that these are approximate start times and there may be a short delay before the Closed Session is concluded and the actions can be reported.

### **TO PROVIDE PUBLIC COMMENT:**

You may submit written public comments by e-mail to [claimsboard@counsel.lacounty.gov](mailto:claimsboard@counsel.lacounty.gov) or by mail to: Attention: Los Angeles County Claims Board, Executive Office, County Counsel, 500 West Temple Street, Los Angeles, California, 90012.

Written public comment or documentation must be submitted no later than 12:00 p.m. on Friday, August 4, 2023. 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.

If you wish to address the Los Angeles County Claims Board in person, you may come to the Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California, 90012, and enter on the Second Floor. Please advise the security guard station personnel that you would like to attend the public portion of the Claims Board meeting and a security guard will escort you to the Sixth Floor where you will be assisted.

**PUBLIC COMMENT:** Public comment is limited to the specific items on the agenda and general public comment is limited to subject matters within the jurisdiction of the Claims Board.

**SUPPORTING DOCUMENTATION:** The Agenda and any supporting documents will be posted at <https://lacounty.gov/newsroom/public-information/los-angeles-county-claims-board/> and can be provided upon request. Please submit requests for supporting documents to [claimsboard@counsel.lacounty.gov](mailto:claimsboard@counsel.lacounty.gov).

If you would like more information, please contact Claims Board Secretary Derek Stane at [dstane@counsel.lacounty.gov](mailto:dstane@counsel.lacounty.gov) or Vivian Caballero at [vcaballero@counsel.lacounty.gov](mailto:vcaballero@counsel.lacounty.gov).

## 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 (Government Code section 54956.9, subdivision (a)).
  - a. Zhoie Perez v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. 20STCV15916  
This civil rights lawsuit against the Fire Department alleges assault and battery; settlement is recommended in the amount of \$49,500.  
[See Supporting Document](#)
  - b. Susana Perez v. County of Los Angeles et al.  
Los Angeles Superior Court Case No. 20STCV26560  
This lawsuit arises from injuries allegedly sustained in an automobile accident involving a Sheriff's Department deputy; settlement is recommended in the amount of \$22,000.  
[See Supporting Document](#)
  - c. Non-Litigated Claims of Alejandro Mazariego and Hilda Sanchez  
These claims seek compensation for alleged injuries and damages sustained as a result of an automobile accident with a Sheriff's Department sergeant; settlement is recommended in the amount of \$33,240.04.  
[See Supporting Document](#)
  - d. Michael Torossian v. Jerry Esparza, et al.  
Los Angeles Superior Court Case No. 21STCV21772  
This lawsuit arises from injuries allegedly sustained in an automobile accident involving a Sheriff's Department deputy; settlement is recommended in the amount of \$175,000.  
[See Supporting Documents](#)
  - e. Jorge Enrique Serrano Robles Senior, et al. v. County of Los Angeles, et al.  
United States District Court Case No. 2:20-cv-06648-ODW-PLA  
This wrongful death and civil rights lawsuit against the Sheriff's Department arises from the fatal deputy-involved shooting of decedent; settlement is recommended in the amount of \$400,000.  
[See Supporting Documents](#)

- f. Jonathan Aceves, et al. v. County of Los Angeles, et al.  
United States District Court Case No. 2:22-cv-00636

This wrongful death and civil rights lawsuit alleges that decedent was fatally shot by a Sheriff's Department deputy; settlement is recommended in the amount of \$700,000.

[See Supporting Documents](#)

4. Approval of the Minutes of the July 17, 2023, regular meeting of the Claims Board.

[See Supporting Document](#)

5. Adjournment.

## **CASE SUMMARY**

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

CASE NAME	Zhoie Perez v. Los Angeles County Fire Department, et al.
CASE NUMBER	20STCV15916
COURT	Los Angeles Superior Court
DATE FILED	April 24, 2020
COUNTY DEPARTMENT	Fire Department
PROPOSED SETTLEMENT AMOUNT	\$ 49,500
ATTORNEY FOR PLAINTIFF	Carpenter & Zuckerman
COUNTY COUNSEL ATTORNEY	Kevin Engelen, Senior Deputy County Counsel
NATURE OF CASE	<p>This lawsuit arises from a physical altercations between Firefighter Michael Fisher and Plaintiiff Zhoie Perez at the City Hall of the City of Commerce. The Plaintiff was placed under arrest by the Sheriff's Department as result of the altercation. Plaintiff alleges the Fire Departement and Firefighter Fisher violated her civil rights, assaulted and battered her, and they were negligent in their treatment of her.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 154,510
PAID COSTS, TO DATE	\$ 10,151

## **CASE SUMMARY**

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

CASE NAME	Susana Perez v. County of Los Angeles, et al.
CASE NUMBER	20STCV26560
COURT	Los Angeles Superior Court
DATE FILED	July 14, 2020
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 22,000
ATTORNEY FOR PLAINTIFF	Ray Wang Law Office of Ray Wang
COUNTY COUNSEL ATTORNEY	Kevin Engelen, Senior Deputy County Counsel
NATURE OF CASE	<p>On August 23, 2019, plaintiff Susana Perez's vehicle and a Sheriff's Department patrol vehicle collided in the westbound lane on Valley Boulevard in the City of Industry. Ms. Perez alleges the collision caused injuries for which she seeks compensation.</p> <p>Given the risk and uncertainties of litigation, a full and final settlement of the case in the amount of \$22,000 is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 3,600
PAID COSTS, TO DATE	\$ 0

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claims of Alejandro Mazariego and Hilda Sanchez
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Los Angeles County Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 33,240.04
ATTORNEY FOR PLAINTIFF	Eugene Fu, Esq. Pacific Liberty Law
COUNTY COUNSEL ATTORNEY	Yuan Chang Senior Deputy County Counsel
NATURE OF CASE	This claim arises from a Los Angeles County Sheriff's Department automobile accident that occurred on July 12, 2021, on 120th Street, in an unincorporated area of Los Angeles. Due to the risks and uncertainties of litigation, a full and final settlement of the claims are warranted.
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 0

## **CASE SUMMARY**

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

CASE NAME	Michael Torossian vs. Jerry Esparza, et al.
CASE NUMBER	21STCV21772
COURT	Los Angeles Superior Court
DATE FILED	06/10/2021
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 175,000
ATTORNEY FOR PLAINTIFF	Vahagn Koshkaryan, Esq. Koshkaryan Law Group, P.C.
COUNTY COUNSEL ATTORNEY	Melissa A. McCaverty Deputy County Counsel
NATURE OF CASE	<p>This incident occurred on December 3, 2020, when LASD's marked patrol Ford Explorer collided with Mr. Torossian's 2016 Toyota Prius after LASD driver Deputy Esparza failed to yield to a marked red tri-colored signal at the intersection of North Boradway and Aliso Street, in the city of Los Angeles, California. Mr. Torossian claims he sustained severe injuries as a result of the accident.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$175,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 23,307
PAID COSTS, TO DATE	\$ 23,013



## 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:	December 3, 2020, at approximately 8:35 a.m.
Briefly provide a description of the incident/event:	<p><u>Michael Torossian v. County of Los Angeles, et al.</u> Summary Corrective Action Plan 2023-80</p> <p>Details provided in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.</p> <p>On Thursday, December 3, 2020, at approximately 8:35 a.m., an on-duty Los Angeles County Sheriff's Department Deputy assigned to County Services Bureau, was driving a marked black and white Sheriff's Department patrol vehicle (Ford Explorer) southbound on Broadway toward Aliso Street in the city of Los Angeles, when he failed to stop at a red light, and entered the intersection of Aliso Street and Broadway.</p> <p>Simultaneously, the Plaintiff was driving a 2016 Toyota Prius traveling east on Aliso Street at 40 miles per hour, when he entered the intersection of Broadway and Aliso Street. The front of the Plaintiff's vehicle collided with the passenger side front of the patrol vehicle. The Plaintiff's vehicle spun clockwise. The left rear of the Plaintiff's vehicle collided with the passenger side of Deputy Sheriff's vehicle.</p> <p>The Plaintiff's vehicle came to rest, facing south in the south lanes of Broadway south of Aliso Street. The Plaintiff's vehicle sustained damage to the front end and driver's side rear bumper.</p> <p>The Deputy Sheriff's vehicle spun and collided with a light pole on the east side of Broadway south of Aliso Street. When his vehicle came to rest, he was facing east across the north lanes of Broadway. The Deputy Sheriff's vehicle sustained major damage to the front end and the passenger side rear quarter panel.</p> <p>The Deputy Sheriff utilized his patrol vehicle's radio to advise he was involved in a traffic collision. He requested the fire department, paramedics, and a supervisor to respond to his location. The Deputy Sheriff was unable to check on the welfare of the Plaintiff due to the damage his vehicle sustained in the traffic collision, as well as the extent of his injuries.</p> <p>Los Angeles City Fire Engine/Rescue #3 responded and treated the Plaintiff for a complaint of pain to his chest and soreness throughout his entire body. The Plaintiff was transported via ambulance to LAC+USC Medical Center (1200 State Street, Los Angeles, Ca., 90033) for further treatment.</p>



	<p>The Deputy Sheriff sustained injuries from the traffic collision. He was evaluated by paramedics at the scene and transported to LAC+USC Medical Center for treatment.</p> <p>Los Angeles Police Department Officer (Central Traffic Division) responded to the collision location and authored a traffic collision report.</p> <p>LAPD Officer determined the Deputy Sheriff was the primary cause of the traffic collision, in violation of California Vehicle Code Section 21453(a) - A driver facing a steady circular red signal shall stop at a marked limit line, but if none, before entering the crosswalk on the near side of the intersection or, if none, then before entering the intersection, and shall remain stopped until an indication to proceed is shown, except as provided in subdivision.</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 deputy failed to stop at the limit line for a red light.

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 investigated by a Los Angeles Police Department Central Traffic Division Officer. The collision investigation concluded; the deputy caused the collision by failing to stop at a red tri-light – 21453(a) California Vehicle Code.

**Administrative Investigation**

The incident was investigated by representatives of the County Services Bureau to determine if any administrative misconduct occurred during the traffic collision. The results of the investigation were presented for Department executive adjudication.

Appropriate administrative actions were taken. The Deputy Sheriff received training pertaining to the circumstances surrounding this incident.

**Traffic Collision Assessment and Review**

County Services Bureau conducted a review and assessment of all traffic collisions for calendar year 2020 through the end of 2022. The audit revealed there were 64 collisions for this three-year period, 34 of which were classified as preventable, and 30 classified as non-preventable.

Personnel who have been involved in more than one traffic collision are directed to attend Department training, such as the Sheriff's Traffic Accident Reduction driving program, Emergency Vehicle Operations training, and/or the Alternatives to Discipline Driving Course.

Calendar Year	Preventable Collisions	Non-Preventable Collisions
2020	7	14
2021	17	6
2022	10	10
Totals	34	30

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

County of Los Angeles  
Summary Corrective Action Plan

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- ☐ 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, Captain  
Risk Management Bureau

Signature:



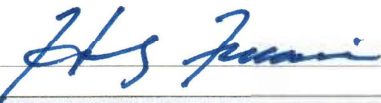
Date:

07/20/2023

Name: (Department Head)

Holly A. Francisco, Assistant Sheriff  
Countywide Operations

Signature:



Date:

7/25/23

**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)

Daniela Prowizor

Signature:

Daniela  
Prowizor

Digitally signed by Daniela  
Prowizor  
Date: 2023.07.26 16:15:39  
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Date:

7/26/2026

## **CASE SUMMARY**

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

CASE NAME	Jorge Enrique Serrano Robles, Senior, et al. v. County of Los Angeles, et al.
CASE NUMBER	2:20-cv-06648-ODW-PLA
COURT	United States District Court
DATE FILED	December 19, 2019
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 400,000
ATTORNEY FOR PLAINTIFF	Humberto Guizar, Esquire Guizar, Henderson & Carrazco, LLP
COUNTY COUNSEL ATTORNEY	Jonathan McCaverty Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$400,000, inclusive of attorneys' fees and costs, a wrongful death and civil rights lawsuit filed by Decedent Jorge Serrano's parents arising out of a fatal deputy-involved shooting in December 2019.</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 amount of \$400,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 740,651
PAID COSTS, TO DATE	\$ 25,683



## 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:	December 16, 2019, at approximately 5:38 p.m.
Briefly provide a description of the incident/event:	<p><b><u>Jorge Serrano v. County of Los Angeles</u></b> Summary Corrective Action Plan 2023-78</p> <p>Details provided in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.</p> <p>On December 16, 2019, at approximately 5:38 p.m., two on-duty Los Angeles County Sheriff's Department deputies were in their patrol vehicle near Rowan Avenue and Fourth Street in East Los Angeles. Deputy One recognized the Decedent, a known Little Valley gang member with multiple felonies and distinctive facial and neck tattoos. Aware the Decedent had a no-bail warrant, the deputies stopped and exited their patrol vehicle.</p> <p>The Decedent fled from deputies and a foot pursuit ensued. The Decedent stopped running and pointed a firearm at deputies, resulting in a deputy-involved shooting.</p> <p>The following statement is based on Deputy One's interview with Homicide Detectives One and Two:</p> <p>Deputy One was working with his trainee (Deputy Two) of three months. As Deputy One drove southbound, he observed a male (Decedent) walking southbound on the west sidewalk.</p> <p>He advised Deputy Two they were going to conduct a consensual contact of the Decedent. Deputy One drove parallel to the Decedent and recognized him as an individual with a no-bail warrant.</p> <p>Deputy One instructed Deputy Two to detain the Decedent. As Deputy Two exited the passenger side of the patrol vehicle, the Decedent turned and ran northbound on Rowan Avenue.</p> <p>Deputy One saw the Decedent reach toward his waistband area. He was unable to see if the Decedent had anything in his hands.</p> <p>Deputy One exited the driver side of his patrol vehicle and ran northbound while observing the Decedent run northbound on the west sidewalk in front of Deputy Two. Deputy One was running behind Deputy Two when he saw the Decedent turn to his right and point a handgun at Deputy Two.</p>

	<p>Deputy Two fired one round at the Decedent, unaware if the Decedent was struck by the round. The Decedent crossed to the north sidewalk while proceeding west.</p> <p>Deputy One used his Department-issued radio to request assistance for a deputy-involved shooting. He transmitted his location and direction of travel to responding units.</p> <p>Deputies One and Two ran into the street using vehicles parked on the north curb line of 4th Street as cover. The Decedent continued running on the north sidewalk.</p> <p>Deputy One said the Decedent ran back into the street while continuing to run westbound on 4th Street, before crossing south onto the sidewalk, west of Ditman Avenue. He observed the Decedent slow down while holding his left leg and limping. He stopped in a dark area of 4th Street.</p> <p>Deputies One and Two gave him commands to present his hands and get onto the ground. The Decedent refused, and turned to his left while holding something in his hand. Deputy One observed the Decedent attempting to manipulate an object with his hands.</p> <p>The Decedent turned and faced Deputies One and Two while taking a shooting stance. When Deputy One utilized his weapon's light to illuminate the Decedent, he saw the Decedent pointing a gun in the direction of him and Deputy Two. A deputy-involved shooting then occurred.</p> <p>The Decedent fell to the ground, landing on his back with both of his arms above his head, while continuing to move. Deputy One instructed Deputy Two to keep a visual of the Decedent while he broadcast updated radio traffic. Simultaneously, Deputy Two observed the suspect reach over his head and shoulder with his right hand and grip the firearm. Deputy Two fired two additional rounds from his handgun at the Decedent.</p> <p>The Decedent dropped the firearm and drew his hand toward his torso.</p> <p>When assisting deputies arrived, Deputy One facilitated an arrest team to handcuff the Decedent. Deputy Two initiated Cardiopulmonary Resuscitation (CPR) after the Decedent was handcuffed.</p> <p>Deputy personnel responding to the incident relieved Deputy Two and continued CPR. Deputy One advised emergency medical responders it was safe to enter the scene and render aid to the Decedent.</p> <p>Deputies One and Two were transported from the scene to East Los Angeles Sheriff's Station.</p> <p>The following statement is based on Deputy Two's interview with Homicide Detectives One and Two:</p> <p>Deputy Two was traveling in a patrol vehicle southbound on Rowan Avenue, passing 4th Street. He saw the Decedent walking southbound on the west sidewalk of Rowan Avenue as Deputy One drove alongside him. Deputy Two thought the Decedent looked familiar.</p>
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	<p>When Deputy One directed him to detain the Decedent, he remembered the Decedent was a local gang member with a no-bail warrant.</p> <p>While Deputy One was driving the patrol vehicle near the Decedent, he saw the Decedent pull his shirt up with his left hand and retrieve a handgun from his waistband with his right hand.</p> <p>Deputy Two exited the passenger side of the patrol vehicle, yelled to Deputy One the Decedent had a gun, and drew his firearm. Deputy Two stepped onto the sidewalk as the Decedent ran northbound on the west sidewalk of Rowan Avenue. He yelled for the Decedent to stop and drop the firearm.</p> <p>As the Decedent ran northbound, he turned clockwise to his right and pointed a handgun toward Deputies One and Two, while manipulating what appeared to be a handgun with both hands. The Decedent was holding the firearm in his right hand when he turned and pointed it at Deputy Two.</p> <p>Deputy Two saw Deputy One run after the Decedent. When the Decedent turned to his right, Deputy One was in the direct line of fire. Deputy Two fired one round from his duty weapon at the Decedent, and the Decedent "yelped," making Deputy Two believe he struck him.</p> <p>The Decedent continued to run northbound to westbound 4th Street, with Deputies One and Two pursuing him on foot.</p> <p>Deputy Two heard Deputy One initiate emergent radio traffic, as they continued their foot pursuit of the Decedent.</p> <p>The Decedent continued to run in a northwesterly direction onto the north sidewalk, as Deputy Two commanded the Decedent to stop running and drop the firearm. Deputy Two continued his foot pursuit of the Decedent because he was fearful the Decedent would take hostages.</p> <p>The Decedent continued to run diagonally in a southwest direction and crossed the north sidewalk to the south sidewalk at Ditman Avenue. Deputy Two saw a black object in the Decedent's hands, which he believed to be a firearm.</p> <p>Deputy Two noticed the Decedent threw an unknown object onto the ground near Ditman Avenue as he crossed the street. He recognized the object was not a firearm. Deputy Two continued running westbound in the street and observed Deputy One running parallel to him on the south sidewalk behind the Decedent.</p> <p><b>Note:</b> It was later determined the Decedent in fact did have a firearm. Via DNA testing, the Decedent's DNA was found on the grip, slide/barrel, trigger/trigger guard, surfaces of grip and frame, magazine, cartridge, and live rounds removed from the magazine.</p> <p>After crossing Ditman Avenue, the Decedent slowed down before stopping and turning toward the deputies. Deputy Two was fearful the Decedent would begin to fire his gun.</p>
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	<p>Deputy Two used a parked vehicle as cover, while the Decedent "hunched over," looked around, and manipulated his firearm as if he were clearing a malfunction of the weapon.</p> <p>Deputy Two yelled commands to the Decedent to drop the firearm. The Decedent refused and responded, "No, no!" before raising his handgun and pointing it at Deputies One and Two. Deputy Two fired two additional rounds at the Decedent. Deputy One also discharged his firearm.</p> <p>The Decedent fell to the ground and out of the view of Deputy Two. Deputy Two moved forward to gain a visual on the Decedent.</p> <p>The Decedent was lying face up on the ground with the gun in his left hand.</p> <p>The Decedent continued attempting to point the firearm at Deputy Two, who fired two additional rounds. The Decedent dropped the handgun in the vicinity of the vehicle where he was lying. An arrest team comprised of responding deputies moved in to handcuff the Decedent.</p> <p>Deputy Two observed the Decedent was not breathing, and completed five rounds of chest compressions before another responding deputy relieved him.</p> <p>Deputy Two summarized he fired one round during the preliminary encounter, and two additional rounds at the termination of the foot pursuit, when the Decedent appeared to be clearing a malfunction. Deputy Two fired an additional two rounds as the Decedent lay on the ground face up, as he attempted to point his handgun at both Deputy One and Two (five rounds).</p> <p>The following statement is based on Deputy Three's criminal and supplemental report:</p> <p>Deputies Three and Four responded to an assistance request of deputies involved in a foot pursuit of a suspect who assaulted them with a firearm. Prior to their arrival, a radio update indicated a deputy-involved shooting occurred.</p> <p>When Deputies Three and Four arrived, they observed the Decedent lying on his stomach on the south sidewalk of 4th Street. Deputy Three saw Deputy Two turn the Decedent over and begin administering CPR before being relieved by another deputy. The Decedent was pronounced deceased at 5:58 p.m.</p> <p>Deputies Three and Four saw the grip of a firearm under a Chevrolet Silverado, which was parked nearby on 4th Street. They also saw approximately eight expended bullet casings east of the Decedent.</p> <p>Homicide Detectives One and Two arrived and assumed investigative command of the incident.</p> <p>The following statement is based on Deputy Five's supplemental report:</p> <p>Deputy Five responded to the location, and safeguarded Deputies One and Two's patrol vehicle and any possible evidence in the vicinity.</p>
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	<p>Deputy Five observed the slide of a semi-automatic handgun with a bullet casing jammed inside, approximately 20 feet north of Deputy One and Two's patrol vehicle.</p> <p>Deputy Five continued to scan the area for evidence and saw a nine-millimeter shell casing in the middle of Rowan Avenue, near Deputy One and Two's patrol vehicle. With assistance from other patrol units, Deputy Five secured the crime scene until Homicide detectives arrived.</p> <p>The Los Angeles County Sheriff's Department Scientific Services Bureau conducted a DNA analysis of the firearm and various firearm components recovered at the scene of the incident.</p> <p>The results indicated the Decedent's DNA was found on the grip, slide/barrel, trigger/trigger guard, surfaces of grip and frame, magazine, cartridge, and live rounds removed from the magazine.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

A **Department** root cause in the incident was the deputies were involved in a deputy-involved shooting.

A **Department** root cause in the incident was the deputies were not equipped with a Body-Worn Camera to video record their contact with the Decedent and subsequent deputy-involved shooting.

A **non-Department** root cause in this incident was the Decedent's failure to comply with lawful orders from Los Angeles County deputy sheriffs.

A **non-Department** root cause in this incident was the Decedent was in possession of a firearm and pointed it at the deputies.

A **non-Department** root cause in this incident was the Decedent was under the influence of several narcotics.

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

#### **Criminal Investigation**

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

The investigation has been submitted to the Justice System Integrity Division of the Los Angeles County District Attorney's Office for consideration of filing criminal charges. At the time of the report, the Los Angeles County District Attorney's Office had not advised the Department of their findings.

This corrective action plan will be supplemented with a report to include:

- The findings of the Los Angeles County District Attorney's Office evaluation regarding the incident.

#### **Administrative Investigation**

Upon completion of the District Attorney's Office's evaluation, the Sheriff's Department 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 Public Safety Officer's Procedural Bill of Rights sets guidelines for administrative investigations statute dates. Once the Homicide Bureau and the Los Angeles District Attorney's Office investigations are complete, a statute 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 is approved, the administrative investigation will be presented to the Los Angeles County Sheriff's Department Executive Force Review Committee (EFRC) for adjudication.

This corrective action plan will be supplemented with the report to include:

- The findings of EFRC.
- Any personnel-related administrative action taken.
- Any systemic issues (e.g., training, curriculum, etc.) identified.
- Any other correction action measure(s) identified or taken.

To assess the employees' performance and evaluate their future risk, an executive review of this incident, coupled with a review of each incident in the involved employees' personnel history, was conducted.

The goal of this review was to determine if the employees' decision-making process in this incident, or in a pattern of incidents, gives cause for the need to send them to additional training, have them assigned to a mentoring program, or if a reassessment of their ability for duty is warranted.

East Los Angeles Sheriff's Station conducted a comprehensive review of the involved employees' personnel history including all shootings, uses-of-force, civil claims, and complaints. Based on an evaluation of both deputies' performances and personnel history, it was determined the employees were working within guidelines of what is expected from employees assigned to East Los Angeles Station and the Department.

At the time of this document, both the criminal and administrative investigations are still pending.

Since this incident, each deputy-involved attended additional training pertaining to the circumstances identified in this incident.

#### **Body-Worn Cameras (BWC)**


As of November 2020, all sworn personnel assigned to East Los Angeles Station were issued a Body-Worn Camera to ensure all public contacts are transparent. The use of BWC's ensures reliable recording of enforcement and investigative contacts with the public. The Department established the following policy and procedures for the purpose, use, and deployment of the Department issued BWC:

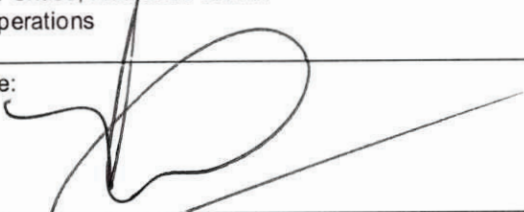
- Must be turned on during all public contacts and reviewed by the employee.
- Collect evidence for use in criminal investigation and prosecutions.
- Deter criminal activity and uncooperative behavior during law enforcement interactions with the public
- Promote accountability.
- Assist with resolving public complaints and administrative investigation.
- Supervisors conduct random daily audits of Body-Worn Cameras to ensure compliance

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, Captain Risk Management Bureau	
Signature: 	Date: 7/25/2023

Name: (Department Head)	
Bruce D. Chase, Assistant Sheriff Patrol Operations	
Signature: 	Date: 7/27/23

<b>Chief Executive Office Risk Management Inspector General USE ONLY</b>	
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: Daniela Prowizor-Lacayo (Risk Management Inspector General)	
Signature: Daniela Prowizor <small>Digitally signed by Daniela Prowizor Date: 2023.07.27 16:38:40 -07'00'</small>	Date: 7/27/2023

## **CASE SUMMARY**

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

CASE NAME	Jonathan Aceves, et al. v. County of Los Angeles, et al.
CASE NUMBER	22-CV-00636
COURT	United States District Court
DATE FILED	January 28, 2022
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 700,000
ATTORNEY FOR PLAINTIFF	Dale K. Galipo 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 \$700,000, inclusive of attorneys' fees and costs, a federal civil rights lawsuit filed by the three adult children of decedent Alfredo Aceves after he was fatally shot by a Los Angeles Sheriff's Department ("LASD") Deputy.</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 \$700,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 113,205
PAID COSTS, TO DATE	\$ 14,750



## 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:	April 29, 2021, at approximately 8:39 a.m.
Briefly provide a description of the incident/event:	<p><b><u>Jonathan Aceves, et al. v. County of Los Angeles, et al.</u></b> Summary Corrective Action Plan 2023-74</p> <p><b>Details provided in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.</b></p> <p>The Decedent's neighbors called the Lancaster Sheriff's Station on two separate occasions. The first call for service was on April 7, 2021, and the second call for service was on April 8, 2021.</p> <p>On April 7, 2021, Lancaster Sheriff's Station received a call from an informant (unknown). The informant stated he was in his backyard when the Decedent started yelling, cussing at him, and advising he was going to get his gun and shoot him. The dispatcher dispatched a criminal threat just occurred priority call for service. Upon the deputy sheriff's arrival, they were unable to contact the Decedent due to his gate being locked. After the deputies spoke with the informant, they determined a crime had not occurred, due to the informant's lack of sustained fear. The responding deputy documented the incident on the Mobile Digital Computer (MDC).</p> <p>On April 8, 2021, the same informant in the previous call for service stated his wife was driving when a black vehicle was driving west towards her (oncoming traffic) in her lane. His wife veered to the side of the road to avoid a collision. The driver of the black vehicle (the Decedent) stopped next to her vehicle and began yelling obscenities toward the informant's wife. She continued driving home and the Decedent started following her.</p> <p>On April 8, 2021, at 12:54 p.m., an informant called the Lancaster Sheriff's Station regarding his neighbors arguing. Lancaster station dispatched a call for service (Disturbance-Neighbor). The informant also advised one of the individuals arguing was seen driving a black vehicle recklessly in the area. The deputy sheriffs were instructed to contact the informant first who would direct them to the disturbing party. The call was assigned at 12:57 p.m., but was later canceled by the informant at 1:26 p.m.</p> <p>On April 29, 2021, at approximately 8:39 a.m., Lancaster Sheriff's Station received a call regarding a man with a gun. The informant (caller) indicated a man (Decedent) was walking on his own property and pointing a shotgun at passing vehicles. The informant indicated the Decedent was wearing a grey shirt and jeans. While keeping the informant on the emergent line, the dispatcher voiced an emergent call for service.</p>

	<p>While deputies were responding Code-3 to the location, the dispatcher updated the call indicating the Decedent pointed his shotgun at the informant. The deputy sheriffs responded to the new location. The informant narrowed down the Decedent's position.</p> <p>At approximately 8:55 a.m., the informant advised the Lancaster Station dispatcher the Decedent shot at a passing motorist. The dispatcher voiced the updated information via the radio as an "active shooter" (the Decedent shot twice at a passing vehicle).</p> <p>Simultaneously, the responding deputies arrived at the location as the updated location was voiced. Deputies One and Two contacted the informant and heard a gunshot as they went to contact her. The informant became frantic and started screaming, "He just shot that woman!" Deputy One requested emergent radio traffic clearance, broadcast the Decedent's location and indicated the Decedent fired two rounds at a motorist.</p> <p>Deputy personnel established a containment of the area and approached the last known location of the Decedent. Deputies One and Two took the south/east corner of 167<sup>th</sup> East/Rawhide Avenue and Deputy One advised Deputy three (assigned to Parks Bureau) to take the northeast (168<sup>th</sup> East Street /Rawhide Avenue). Once the containment was established, in the general area of the last known location of the Decedent, Deputy Two gave verbal commands for the Decedent to come out with his hands up.</p> <p>Deputies One, Two and Three waited for the Decedent to exit the residence, but the Decedent did not comply with their orders. Deputy Two requested additional deputies to respond Code-3 to their location. Deputy Two additionally requested an airship (Aero) and Special Enforcement Bureau (SEB) to respond to their location regarding an active shooter.</p> <p>The Los Angeles County Sheriff's Department Special Enforcement Bureau (SEB) responded and assumed tactical control of the operation.</p> <p>Deputies Four and Five assumed containment positions under the direction of SEB. While deputies four and five were holding their containment positions, Deputy Four observed the Decedent step out of his residence with what he believed to be a shotgun. Deputy Four ordered the Decedent to drop the weapon, but the Decedent did not comply and moved swiftly toward deputies, at which point a deputy involved shooting occurred.</p> <p>The Decedent received emergency medical attention at the location and was pronounced dead at the scene.</p> <p>The following statement is based on Deputy One's observations which were documented in the criminal report, his supplemental report, and a summary of the homicide file.</p> <p>Although the call came out as an active shooter, it was later determined there was no active shooter. The Decedent was never in possession of a firearm; however, he was in possession of gold-colored metal rods bound together with black tape resembling what was believed to be a firearm.</p> <p>The following statement is based on Deputy One's observations which were documented in his supplemental report.</p>
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	<p>Deputy One stated he and his partner (Deputy Two) were responding to a location regarding an assault with a deadly weapon call for service. Deputy One indicated the call read a male Hispanic adult was walking on his property with a shotgun and pointing it at passing vehicles. The call also indicated, the Decedent was wearing a gray shirt and jeans. While in route to the call, the call was updated a second time and indicated the Decedent pointed a shotgun at the Informant. The all additionally indicated, the Informant would make herself known, and she will be sitting in her gold-colored Malibu at the intersection of 166<sup>th</sup> Street East and Rawhide Avenue.</p> <p>Deputy One stated, the call for service was updated a third time which indicated the Decedent was throwing trash into the street and the Decedent was attempting to barricade himself with trash. The call was updated a fourth time and indicated the Decedent shot a vehicle.</p> <p>Deputy One indicated a unit from Los Angeles County Sheriff's Department Parks Bureau met he and Deputy Two at 170<sup>th</sup> Street and Avenue P. Deputy One stated, when he and Deputy Two arrived, he heard a gunshot. Deputy One observed the Informant waving her hands frantically and screaming, "He just shot that woman."</p> <p>Deputy One and Deputy Two took a containment position on 167<sup>th</sup> Street East and Rawhide Avenue. Deputy One instructed Deputy Three to take a position on 168<sup>th</sup> Street and Rawhide Avenue.</p> <p>Deputy One gave verbal commands to the Decedent to come out with his hands up, but there was no response from the Decedent.</p> <p>Deputy One indicated he and his partner activated a countywide radio transmission and requested additional units to respond code three to their location.</p> <p>Deputy One initiated a major incident log and attached it to his supplemental report.</p> <p>The following statement is based on Deputy Two's observations which were documented in his supplemental report.</p> <p>Deputy Two responded with Deputy One to the location regarding an assault with a deadly weapon (firearm) call for service. The call stated a male Hispanic adult in a grey shirt and jeans was on his property pointing a shotgun at passing vehicles. An update to the call indicated the Decedent barricaded the road in front of his home with rocks and sticks.</p> <p>The call further stated the informant would contact responding deputies.</p> <p>As Deputy One drove their marked patrol vehicle north, Deputy Two heard a single gunshot. At the same time, he saw the informant on the corner frantically screaming, "He just shot that woman!" as she whirled her hands in the air.</p> <p>When Deputies One and Two turned eastbound, Deputy Two saw the Decedent's barricade along with a black Honda sedan parked facing westbound. Deputy Two motioned the driver (victim four) to drive toward him and out of danger. Deputy Two saw several individuals running and yelling in various directions in a yard near the location.</p>
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	<p>Deputy Two initiated a county wide crime broadcast to request additional patrol units and inform nearby units of what transpired.</p> <p>Deputy Two contacted victim four who stated she was driving westbound when she saw the Decedent's barricade. She was overwhelmed by the circumstances as she had never experienced them before. She stopped her vehicle near the Decedent's barricade and when she looked to her left, she saw the Decedent (a male Hispanic adult) with a "long gun" mounted on his shoulder pointing it at her.</p> <p>The victim recognized the gun instantly and looked away from the suspect in fear. She then heard two shots fired in her direction and drove off speedily toward Deputy Two.</p> <p>Deputy Two was unable to locate or see the Decedent, but the victim informed him of the Decedent's location.</p> <p>Deputy Two contacted victim one who said she was driving west when she saw the decent standing on the south curb line a large object which she later discovered was a shotgun. She further stated the Decedent had not left the location.</p> <p>Deputy Two contacted two additional residents who stated they heard a gunshot.</p> <p>When sufficient patrol units arrived, Deputy Two left his containment spot and went to court to testify in an unrelated matter.</p> <p>The following statement is based on Deputy Three's observations which were documented in Deputy One's criminal report:</p> <p>Deputy One stated Deputy Three responded to in response to an assault with a deadly weapon (firearm) call for service in which the Decedent shot at a vehicle. Deputy Three met with Deputies One and Two before collectively responding. Deputy One ascertained the Decedent was actively shooting at people and directed Deputy Three to take a containment position.</p> <p>Detective One and Detective Two interviewed Deputy Five. Detective One formulated a written summary of the interview.</p> <p>Detectives one and two asked Deputy Five about his professional background before questioning him about what materialized on April 29, 2021.</p> <p>Deputy Four stated he was at Lancaster Station when he heard radio traffic indicating there was an active shooter.</p> <p>As evacuations of nearby homes were being conducted, Deputy Four was informed the Decedent was inside a rear structure. Two arrest teams were formed, with one team taking a position east of the residence, and the other on the west. Deputies four and five were directed to aid the Special Enforcement Bureau in evacuating the residence. After the residence was deemed unoccupied, Deputies four and five entered the residence and proceeded to the rear yard, potentially giving them a view of the suspect in the rear of the residence.</p>
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	<p>Deputy Four took a position near the south-east corner of the yard, and Deputy Five took a position slightly north of him.</p> <p>Deputy Four saw a wooden fence separating him from the property where the Decedent was last seen, and a pickup truck parked behind him. Deputy Four walked closer to the wooden fence to see the front of the structure where the suspect was last seen, but his view was partially obstructed by overgrown foliage. Deputy Four was tall enough to look over the wooden fence to maintain a visual of the Decedent.</p> <p>The Decedent opened the front door of the structure and exited. Deputy Four broadcast the information to surrounding units using his department radio indicating the Decedent was in possession of a firearm.</p> <p>Deputy Four stated the Decedent walked purposefully raising the shotgun to his shoulder in a "shooting position."</p> <p>Deputy Four noted the butt of the shotgun was pressed against the Decedent's shoulder and the barrel was pointed away from his body. Deputy Four demonstrated the position to detectives one and two, raising both of his hands to shoulder level, with his left hand extended away from his body, and his right elbow bent at ninety degrees, with his right hand near his shoulder.</p> <p>The Decedent looked toward Deputy Five and Deputy Four shouted, "Drop the gun!" Deputy Four believes the Decedent heard his command because he reacted and did not surrender the weapon. Deputy Four believed nearby deputies, including Deputy Five were in imminent danger, so he fired three rounds from his M4 rifle.</p> <p>The Decedent turned toward Deputy Four after the first two rounds were fired, and Deputy Four fired an additional round causing the Decedent to stumble out of view of Deputy Four. Deputies four and five repositioned themselves behind a pick-up truck to gain better cover, and Deputy Five broadcasted over his department issued radio a deputy involved shooting just occurred.</p> <p>The following statement is based on Deputy Five's observations which were documented in the summary of the homicide file:</p> <p>Deputy Five was in the vicinity conducting a parole compliance check when he heard on his department radio that there was an active shooter. He responded to the location which took thirty to forty minutes, and learned the Decedent was inside of the residence when he arrived.</p> <p>Deputy Five was preliminarily assigned to the arrest team, but later given instructions to take a containment position.</p> <p>Deputy Five heard radio traffic from the command post confirming the informant was the Decedent's daughter. The radio traffic further confirmed the Decedent was the individual suspected of holding a shotgun earlier in the morning.</p> <p>A Los Angeles County Sheriff's Department helicopter was overhead making announcements as Deputy Five assisted department members in evacuating surrounding residences. He then proceeded to a containment position.</p>
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	<p>Deputy Five positioned himself east of the wooden fence. Deputy Four used a ladder to give himself an increased view of the structure where the Decedent was alleged to be. His view was slightly obstructed by overgrown plants, but Deputy Five saw the front door of the structure open slowly and then close. He saw the Decedent holding a shiny, silver object in his hands which he believed to be a firearm. Deputy Five was fearful the Decedent would shoot him, so he attempted to conceal himself by ducking behind the fence. Deputy Five heard Deputy Four shouting at the Decedent but was unable to ascertain what he said. Shortly thereafter, he heard two gunshots. Deputy Five did not look back over the fence to see what occurred, but he broadcasted over the department radio that a shooting occurred. The Decedent received medical attention after the incident.</p> <p>Deputy Five informed the SEB of his actions and was subsequently relieved of his containment position. He secured his rifle in its case.</p> <p>During the interview, Deputy Five provided detective one with a Google map detailing his positioning at the scene.</p> <p>The following statement is based on Deputy Six' observations which were documented by in the summary of the homicide file:</p> <p>Deputy Six responded to the command post associated with the incident and contacted several victims. He spoke to victim one who explained to Deputy Six the Decedent (a male Hispanic in his sixties wearing a dark colored shirt and pants) was holding a short, barreled shot gun while throwing objects into the street. She continued driving and called police.</p> <p>While at the location, victim one saw another vehicle approach the Decedent. Victim one saw the Decedent point and shoot toward the passing car from behind the fence-line just west of the location. The victim then saw police arrive.</p> <p>Deputy Six contacted victim four at the command post. Victim Four stated earlier that morning, she was driving northbound and saw a male white (Decedent) standing behind a chain linked fence. She stated the Decedent pointed a shotgun at her and fired it at her vehicle before she drove away and saw police.</p> <p>Deputy Six directed the victims to Lancaster Station detectives for formal interviews.</p> <p>Special Enforcement Bureau deputies staged south of the last seen location of the Decedent.</p> <p>Additional Special Enforcement Bureau personnel continued to form a containment around the location using patrol deputies, pending the arrival of additional SEB personnel. Deputies four and five were placed in a yard south of the location.</p> <p>A short time after establishing the containment, the Decedent exited the structure located in the rear yard, and a deputy involved shooting occurred. Deputy Six said the Decedent "appeared" to by lying on the ground motionless.</p>
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	<p>SEB personnel expeditiously moved the Armored Rescue Vehicle into the Decedent's yard to assess him and render medical aid. ESD deputies rendered aid and SEB deputies cleared the structure in the yard. The Decedent was pronounced deceased by Emergency Services Detail (ESD) paramedics.</p> <p><b>Timeline of L-TAC-11 Radio Transmissions</b></p> <p>9:55 Decedent's name announced.</p> <p>9:56 An announcement indicating the Decedent suffers from dementia is made.</p> <p>10:01 Informant notifies Lancaster Station dispatch the Decedent wanted to harm himself and others were out to harm him.</p> <p>10:03 Radio traffic announces where the Decedent resides. Information is thirdhand from Decedent's son who contacted his sister. The Decedent's sister relayed the information to the station dispatcher. The Decedent's son and daughter were in Los Angeles at the time of the incident.</p> <p>The following statement is based on Deputy Seven's observations which were documented in the summary of the homicide file:</p> <p>Deputy Seven received a notification to respond regarding an active shooter. While driving to the location, Deputy Seven said he received information from an aero unit (LASD helicopter) announcing the Decedent's daughter confirmed his identity and address. Further information stated the Decedent was walking around with a rifle on his back.</p> <p>When Deputy Seven arrived at the scene, he received updated information from deputies who were already on scene and began to develop a tactical plan, including evacuations of appropriate locations. Deputy Seven saw a helicopter (Air 5) and twenty deputies present on the corner when he arrived.</p> <p>Special Enforcement Bureau personnel and three Emergency Services Detail personnel knocked on the door at a nearby residence, and determined the residence and its curtilage were unoccupied. Deputies four and five were instructed to take containment spots in the rear yard of the location.</p> <p>Deputy Seven heard several gunshots and heard radio traffic of a deputy involved shooting. Special Enforcement Bureau responded to the location and discovered the Decedent was not moving. An object resembling a rifle was lying next to the Decedent. Emergency Service Deputies rendered aid to the Decedent, and he was later pronounced dead at the scene.</p> <p>The following statement is based on Deputy Eight's observations which were documented in her supplemental report:</p> <p>Deputy Eight received a phone call from the Decedent's daughter on a non-recorded line at Lancaster Station's Watch Deputy's desk while working the morning of the incident.</p>
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	<p>Deputy Eight notified the dispatcher and remained on the line with the Decedent's daughter for approximately one hour.</p> <p>The woman told Deputy Eight the Decedent may be the man they were looking for, and provided information for her relatives and tenants who were living at the location. The woman told Deputy Eight the Decedent was living in a small shed.</p> <p>The Decedent's daughter provided Deputy Eight with the Decedent's cell phone number, but noted the phone may be inoperable. She also provided Deputy Eight with the Decedent's i-Pad number, but stated he does not regularly communicate using that device. Deputy Eight encouraged the Decedent's daughter to continue to try and reach him via phone to establish an open line of communication.</p> <p>The Decedent's daughter went on to tell Deputy Eight the Decedent did not own any firearms or weapons, but often worked with metal pieces he carried around the yard. She was not aware of any weapons in his possession as of 4/24/2021.</p> <p>The Decedent's daughter told Deputy Eight her father was suffering from dementia or Alzheimer's and recently began to neglect household duties and hallucinate about individuals who were no longer alive. The Decedent's daughter told Deputy Eight she tried for months to have the Decedent formally diagnosed by a doctor, but he refused to go. She attempted to call the fire department previously for a "psych rescue", but the Decedent did not meet the requirements for a 72-hour hold.</p> <p>The Decedent's daughter expressed concern for her father's safety, and Deputy Eight attempted to reassure her deputies were doing everything in their power to resolve the situation safely. The Decedent's daughter said she understood.</p> <p>Deputy Eight concluded her conversation with the Decedent's daughter and advised her to respond to the command post to meet with deputy personnel.</p> <p>The coroner investigator noted the Decedent had apparent gunshot wounds to his left chest, right armpit, and left arm. The coroners report determined the Decedent died from a gunshot wound to the chest.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

A **Department** root cause in this incident was Deputy Five used deadly force against the Decedent who possessed metal polls made to resemble a shotgun.

A **Department** root cause in this incident was the emergent call for service (active shooter).

A **non-Department** root cause in this incident was the failure of the Decedent to comply with the lawful orders given by deputy sheriffs.

A **non-Department** root cause in this incident was the Decedent holding an object resembling a shotgun.

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

**Criminal Investigation**

This incident has been investigated by the Sheriff's Department 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 Deputy's actions were 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.

**Administrative Investigation**

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.

**Tactical Incident Debriefing**

The captains of both Lancaster Station and Operation Safe Streets Bureau conducted a tactical incident debriefing regarding the dynamic circumstances of this incident with all involved personnel. All tactical aspects of this incident were addressed, including but not limited to the exigency of circumstances that dictated law enforcement action. A comprehensive review of the tactics and techniques implemented by deputy personnel were discussed.

The Deputy Sheriff involved in this incident received additional training.

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, Captain  
Risk Management Bureau

Signature:



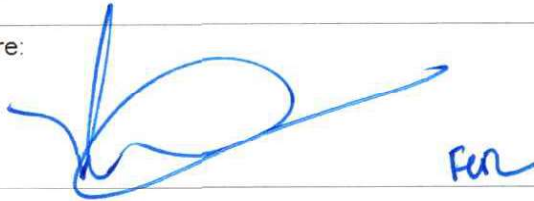
Date:

7/23/23

Name: (Department Head)

Bruce D. Chase, Assistant Sheriff  
Patrol Operations

Signature:



Date:

7/25/23

**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: Daniela Prowizor-Lacayo (Risk Management Inspector General)

Signature:

Daniela Prowizor

Digitally signed by Daniela  
Prowizor  
Date: 2023.07.26 16:10:51 -07'00'

Date:

7/26/2023

# LOS ANGELES COUNTY CLAIMS BOARD

## MINUTES OF REGULAR MEETING

JULY 17, 2023

### 1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 9:43 a.m. The meeting was held virtually with Claims Board Members participating in person and online. Claims Board Members Adrienne M. Byers, Oscar Valdez, and Chair Steve Robles appeared in person and via video conference.

All other persons present at the virtual Claims Board meeting: Joseph Langton, Yuan Chang, Kelsey Nau, Edward Morrissey, Richard Kudo, Richard Hsueh, Timothy Kral, Armita Radjabian, Katherine Bowser, Thomas Fagan, Pirjo Ranasinghe, Eduardo Montelongo, Stacey Lee, Donna Koch, Tyler Battles, David Temprano, and Laura Mendenhall appeared for the Office of the County Counsel. Melissa Lara, and Martin Moreno appeared for the Department of Public Works. Ferdows Rashidian, and Kevin Lee appeared for the Department of Public Health. Shanese Winfrey, Renata Phillip, Shawnee Hinchman, Julie Geary, Elier Morejon, Jorge Valdez, Danny Martinez, Rick Rector, Edmundo Torres, Michael Moen, Thomas Kim, Charles Norris IV, Sandra Lucio, Carl Ekstrom, Richard Mejia, Julia Valdes, John Haynes, Joel Barnett, Mark Caron, and Juleen Smith appeared for the Sheriff's Department. Christina Lee appeared for the Department of Children and Family Services. Brian Zepeda appeared for the Assessor. Crystal Hurtado appeared for the Probation Department. Christopher Waters appeared for Carl Warren. Attorney Andrew Baum appeared for Glaser Weil Fink Howard Avchen and Shapiro, LLP. Attorneys Ronda Jamgotchian, and Michael Campbell appeared for Sheppard, Mullin, Richter and Hampton, LLP. Attorney George Peterson appeared for Peterson, Bradford, Burkwitz, Gregorio, Burkwitz & Su, LLP. Attorneys David Weiss, and Margaret Ikeda appeared for the Law Offices of David Weiss.

### 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 appeared in person or telephonically.

### 3. Closed Session – Conference with Legal Counsel – Existing Litigation (Government Code section 54956.9, subdivision (a)).

At 9:43 a.m., Board Chair Steve Robles convened the meeting in closed session to discuss the items listed below as 4(a) through 4(o).

### 4. Report of Actions Taken in Closed Session.

No members of the public were present to hear the reportable actions of the Claims Board.

At 12:35 p.m., the Claims Board reconvened in open session via video conference and reported the actions taken in closed session as follows:

#### a. Non-Litigated Claim of American Family Connect Property & Casualty Insurance ASO Joanne G. Capitano

This claim seeks compensation for property damage caused by an automobile accident involving an employee from the Department of Public Works.

#### Action Taken:

The Claims Board approved settlement of Item 4.a. in the amount of \$29,618.59.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

**b. Non-Litigated Claims of Paul Franco and Max Franco**

These claims against the Department of Public Works seek compensation for property damage caused by a backflow of sewage from a sewer mainline blockage.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.b. in the amount of \$191,231.08.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

**c. Non-Litigated Claims of Sun Hee Kim and Mercury Insurance ASO Anthony Lozano**

These claims arise from an automobile accident involving a Department of Public Health employee that resulted in property damage.

Action Taken:

The Claims Board approved settlement of Item 4.c. in the amount of \$29,809.29.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

**d. County of Los Angeles v. State of California Department of Health Services Director Los Angeles Superior Court Case No. 22STCP02217**

This lawsuit concerns 16 claims of reimbursement for health-care services provided to Medi-Cal patients.

Action Taken:

The Claims Board approved settlement of Item 4.d. in the amount of \$45,921.08.

Vote: Ayes: 2 – Steve Robles, and Oscar Valdez  
Noes: 1 – Adrienne M. Byers

**e. Michael Thomas Fike v. Los Angeles County, et al. Los Angeles Superior Court Case No. 21STCV39111**

This lawsuit arises from injuries allegedly sustained in an automobile accident involving a Sheriff's Department sergeant.

Action Taken:

The Claims Board referred Item 4.e. back to County Counsel.

Vote: Ayes: 2 – Steve Robles, and Oscar Valdez  
Abstention: 1 – Adrienne M. Byers



f. **Melissa Del Real vs. Enrique Guerrero, et al.**  
**Los Angeles Superior Court Case No. 21STCV28109**

This lawsuit arises from injuries allegedly sustained in an automobile accident with a Sheriff's Department deputy.

Action Taken:

The Claims Board approved settlement of Item 4.f. in the amount of \$35,000.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

g. **Antonio Penaloza v. County of Los Angeles, et al.**  
**United States District Court Case No. 2:21-cv-07407**

This lawsuit alleges deprivation of civil rights in connection with plaintiff's arrest during a traffic stop.

Action Taken:

The Claims Board approved settlement of Item 4.g. in the amount of \$42,000.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

h. **Sennett Devermont v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. 2:21-cv-07028**

This civil rights lawsuit arises from an arrest that occurred during a protest in unincorporated West Athens.

Action Taken:

The Claims Board approved settlement of Item 4.h. in the amount of \$100,000.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

i. **Christopher Bailey v. County of Los Angeles, et al.**  
**United States District Court Case No. 2:21-cv-05017**

This civil rights lawsuit against the Sheriff's Department alleges excessive use of force.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.i. in the amount of \$4,750,000.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

j. **A.M. v. County of Los Angeles, et al.**  
**United States District Court Case No. 2:19-cv-02100**

This civil rights lawsuit concerns allegations that the Department of Children and Family Services failed to provide proper supervision resulting in plaintiff's sexual assault.

Action Taken:

The Claims Board approved settlement of Item 4.j. in the amount of \$60,000.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

k. **Oscar Ventura, et al. v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. 20STCV17730**

This wrongful death and civil rights lawsuit alleges that the Department of Children and Family Services failed to properly investigate the abuse of decedent minor.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.k. in the amount of \$3,500,000.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

l. **Hector Valentin Garcia vs. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. 20STCV32287**

This lawsuit seeks compensation for injuries plaintiff sustained when struck by a vehicle operated by a Parks and Recreation employee.

Action Taken:

Item 4.l. was taken off-calendar.

m. **Jane Doe v. County of Los Angeles, et al.**  
**Los Angeles Superior Court Case No. 20STCV24083**

This lawsuit against the Sheriff's Department alleges harassment, discrimination, and retaliation.

Action Taken:

The Claims Board approved settlement of Item 4.m. in the amount of \$25,000.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

**n. Miriam Pakshyan v. County of Los Angeles  
Los Angeles Superior Court Case No. 20STCV06454**

This lawsuit concerns allegations that an employee of the Office of the Assessor was discriminated against based on age and disability.

Action Taken:

The Claims Board approved settlement of Item 4.n. in the amount of \$35,000.

Vote: Ayes: 2 – Steve Robles, and Oscar Valdez  
Noes: 1 – Adrienne M. Byers

**o. Nora Escobedo v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC703736**

This lawsuit against the Probation Department alleges harassment, discrimination, and retaliation based on gender and sexual orientation.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.o. in the amount of \$148,000.

Vote: Ayes: 3 – Steve Robles, Oscar Valdez, and Adrienne M. Byers

**5. Approval of the Minutes of the June 5, 2023, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the Minutes of the June 5, 2023, meeting.

Vote: Ayes: 2 – Oscar Valdez, and Adrienne M. Byers  
Abstention: 1 – Steve Robles

**6. Approval of the Minutes of the July 3, 2023, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the Minutes of the July 3, 2023, meeting.

Vote: Ayes: 2 – Steve Robles, and Adrienne M. Byers  
Abstentions: 1 – Oscar Valdez

**7. Adjournment.**

The meeting was adjourned at 12:39 p.m.

LOS ANGELES COUNTY CLAIMS BOARD

By *Derek Stane*  
Derek Stane  
Claims Board Secretary