



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  
Destiny Castro  
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, July 15, 2024, 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 695 329 966# at 9:30 a.m. on July 15, 2024.

**Reports of actions taken in Closed Session.** The Los Angeles County Claims Board will report actions taken on any Closed Session Items on Monday, July 15, 2024, at approximately 11:50 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 695 329 966# at 11:50 a.m. on July 15, 2024. 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, July 12, 2024. 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 Laura Z. Salazar at [lzsalaraz@counsel.lacounty.gov](mailto:lzsalaraz@counsel.lacounty.gov) or Raina Mey at [rmey@counsel.lacounty.gov](mailto:rmey@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. Heather Randall v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. 23AVCV00122

This medical malpractice lawsuit arises from alleged injuries Plaintiff suffered after receiving care and treatment at High Desert Regional Health Center; settlement is recommended in the amount of \$200,000.

[See Supporting Documents](#)

- b. Sheriff's Department's Palmdale Station OSHA Citation  
Inspection No.: 1513298

This citation against the Sheriff's Department concerns allegations of regulatory violations related to COVID-19; settlement is recommended in the amount of \$28,160.

- c. Non-Litigated Claim of Sylvia Martinez

This claim arises from alleged injuries Claimant sustained in a traffic collision involving a Sheriff's Department sergeant; settlement is recommended in the amount of \$48,000.

[See Supporting Document](#)

- d. Ricardo Lopez-Garcia v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. 19STCV07044

This personal injury lawsuit concerns allegations of assault and battery by Sheriff's Department deputies responding to a robbery and arson call involving Plaintiff; settlement is recommended in the amount of \$1,300,000.

[See Supporting Documents](#)

- e. Samuel Nelson v. County of Los Angeles, et al.  
United States District Court Case No.: 2:22-cv-00832

This civil rights lawsuit concerns allegations of excessive force arising out of Plaintiff's detention and arrest by a Sheriff's Department deputy; settlement is recommended in the amount of \$7,000,000.

[See Supporting Documents](#)

f. Non-Litigated Claim of Wilfrido Martinez-Mendez

This claim for alleged personal injury and property damage arises from a traffic collision that occurred when a Parks and Recreation employee rear-ended Claimant's vehicle; settlement is recommended in the amount of \$30,000.

[See Supporting Document](#)

g. Michael Medina v. Robert Steven Gomez, et al.  
Los Angeles Superior Court Case No. 20STCV23841

This lawsuit arises from alleged injuries Plaintiff sustained in a vehicle accident involving an employee of Parks and Recreation; settlement is recommended in the amount of \$250,000.

[See Supporting Documents](#)

h. Kevina Denise Crawford v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. 21STCV35018

This lawsuit arises from alleged injuries Plaintiff sustained in a vehicle accident involving an employee of the Department of Children and Family Services; settlement is recommended in the amount of \$100,000.

[See Supporting Document](#)

i. Johnny Smith, et al. v. City of Los Angeles, et al.  
Los Angeles Superior Court Case No. 22STCV11178

This lawsuit against the Department of Children and Family Services alleged negligence and breach of mandatory duties resulting in the death of a minor; settlement is recommended in the amount of \$495,000.

[See Supporting Documents](#)

4. Approval of the Minutes of the July 1, 2024, regular meeting of the Claims Board.

[See Supporting Document](#)

5. Adjournment.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Heather Randall vs. County of Los Angeles
CASE NUMBER	23AVCV00122
COURT	Los Angeles Superior Court
DATE FILED	February 1, 2023
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 200,000
ATTORNEY FOR PLAINTIFF	Steven F. Calderwood Calderwood Law Group
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Principal Deputy County Counsel
NATURE OF CASE	<p>On January 4, 2021, Heather Randall, a 32-year-old female, presented to High Desert Regional Health Center ("HDRHC") for swelling and redness in her right leg. She had an ongoing infection. A wound culture was obtained and she was given antibiotics.</p> <p>Ms. Randall continued receiving care at HDRHC. Despite various treatments, the infection could not be completely controlled, and Ms. Randall had to undergo a surgical procedure where her right leg was amputated below the knee.</p> <p>On February 1, 2023, Ms. Randall filed a lawsuit against the County for medical malpractice.</p>
PAID ATTORNEY FEES, TO DATE	\$ 22,938
PAID COSTS, TO DATE	\$ 3,818



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for 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 12, 2022
Briefly provide a description of the incident/event:	On January 4, 2021, a 32-year-old female patient, presented to High Desert Regional Health Center ("HDRHC") for swelling and redness in her right leg. She had an ongoing infection. A wound culture was obtained, and she was given antibiotics. Over a period of a year and a half, the patient continued receiving care at HDRHC. Despite various treatments, the infection could not be completely controlled, and she had to undergo a surgical procedure where her right leg was amputated below the knee.

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

- The Podiatrist did not consult Infectious Disease (ID) specialist, failed to prescribe antibiotics to which isolated organisms were sensitive, did not obtain wound cultures to guide the selection of appropriate antibiotics, did not dose the oral antibiotics according to the patient's weight, made diagnostic errors, and did not document a discussion with the patient regarding the risk of poor healing of the surgical wound prior to the tendon Achilles lengthening procedure.
- The Nurse Practitioner (NP) did not consider consulting an ID specialist and at times, did not prescribe antibiotics to which the isolated organism was sensitive, and did not obtain wound cultures to guide the selection of appropriate antibiotics. In addition, the NP's documentation did not include instructions advising the patient to seek treatment at an ER, should the wounds worsen.

Additional findings addressed in the CAP:

- There was a delay in providing the patient with ordered DME.
- The Primary Care Physician (PCP) did not expedite necessary studies and a referral for a patient with progressive neurologic deficits and did not document symptoms and pertinent findings of the patient's physical exam related to her back pain.


2. Briefly describe recommended corrective actions:


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


- Using the Just Culture evaluation process, all appropriate personnel actions were taken including formal counseling and education of staff involved regarding appropriate wound management, antibiotic management, IV administration, workflow processes, expedited radiology workflow, and documentation. Staff who were found to be "at-risk" are undergoing additional evaluation with appropriate follow-up.
- Medical Case Workers are receiving additional training on how to escalate cases when DME vendors do not provide the ordered DME

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

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

Name: (Risk Management Coordinator) Arun Patel, MD, JD	
Signature: 	Date: 6/14/24

Name: (Department Head) Christina R. Ghaly, MD	
Signature: 	Date: 6/25/24

<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: (Risk Management Inspector General) Daniela Prowizor-Lacayo	
Signature: 	Date: 6/25/2024

## **CASE SUMMARY**

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

CASE NAME	Non-Litigated Claim of Sylvia Martinez
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 48,000
ATTORNEY FOR PLAINTIFF	David F. Makkabi Makkabi Law Group, APC
COUNTY COUNSEL ATTORNEY	Edwin A. Lewis Principal Deputy County Counsel Litigation Monitoring Team
NATURE OF CASE	Auto v. Auto rear-end collision involving Sergeant Joseph Valencia of the Sheriff's Department. Due to the risks and uncertainties of litigation, a full settlement of the claim is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 0.00
PAID COSTS, TO DATE	\$ 0.00

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ricardo Lopez-Garcia v. County of Los Angeles, et al.
CASE NUMBER	19STCV07044
COURT	Los Angeles Superior Court
DATE FILED	March 1, 2019
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 1,300,000
ATTORNEY FOR PLAINTIFF	Casillas & Associates
COUNTY COUNSEL ATTORNEY	Richard Hsueh Senior Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$1.3 million, inclusive of attorneys' fees and costs, the State-law personal injury lawsuit filed by Ricardo Lopez-Garcia, who was injured after two Los Angeles County Sheriff's Department ("LASD") deputies responded to a robbery and arson call involving Mr. Lopez-Garcia and used force, including a TASER, against him.</p> <p>Due to the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case in the amount of \$1.3 million is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 301,231
PAID COSTS, TO DATE	\$ 64,354





## Summary Corrective Action Plan

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Date of incident/event:	March 8, 2018, at approximately 5:24 p.m.
Briefly provide a description of the incident/event:	<p>Summary Corrective Action Plan 2023-125</p> <p><b>Details provided in this document summarize the incident. The information provided is a culmination of various sources that provide an abstract of the incident.</b></p> <p>On Thursday, March 8, 2018, at approximately 5:24 p.m., Deputies One and Two responded to the 3900 block of East Olympic Boulevard in East Los Angeles regarding a mini market's silent robbery alarm. While en route, the market's manager called 911 stating the suspect (Plaintiff) was attempting to assault him, pouring gasoline all over himself and the store, and had at least two knives in a backpack. He explained that Plaintiff came into the store and threatened employees with the knives, then returned shortly after with a gas canister and lighter. Due to the additional information, the call was upgraded to a Code-3 lights and sirens response.</p> <p>Deputies One and Two, who were the first to arrive, were immediately directed to the Plaintiff by a group of bystanders. The Plaintiff was on the sidewalk in front of the market wearing a black backpack worn on the front of his body and holding a case of beer in his left hand. Deputy Two smelled gasoline while Deputy One did not. Both Deputies attempted to detain the Plaintiff at gunpoint due to the serious nature of the call, giving him orders to stop, and get on the ground in both English and Spanish (both deputies are fluent in Spanish). The Plaintiff would not comply and walked away from the Deputies. Using his Department-issued hand-held radio, Deputy One requested a responding unit deploy a stun bag and attempted to set up a containment, but it was not transmitted because his radio battery died.</p> <p>The Deputies followed the Plaintiff across the street, where he observed the Plaintiff conceals his right hand between his torso and his backpack. The Plaintiff stated in Spanish that he would ignite his backpack strapped to the front of his body. He continued to disobey orders to stop and get on the ground. Both Deputies were concerned that the Plaintiff had an explosive in his backpack and intended to detonate it.</p> <p>As there were several civilians in the area, and the threat to detonate was imminent, Deputy One informed Deputy Two he was transitioning to his TASER and instructed Deputy Two to remain on lethal. To avoid hitting the backpack, Deputy One waited until the Plaintiff turned around and aimed for the Plaintiff's back. Deputy One announced, "TASER, TASER, TASER!" before firing his TASER at the Plaintiff.</p>

	<p>Deputy One cycled his TASER twice, eight seconds apart, each time for a full five-second burst.</p> <p>Deputy One did not recall when exactly the second cycle occurred, but during his Internal Affairs Bureau interview, stated that it was before Deputy Two tried to handcuff the Plaintiff.</p> <p>As captured on bystander cellphone video, the Plaintiff fell to the ground after Deputy One fired his TASER. Deputy Two then approached and attempted to handcuff the Plaintiff. The Plaintiff resisted and kept his right hand concealed between his backpack and body. Approximately eight seconds after falling to the ground, the Plaintiff burst into flames, with the flames fully engulfing his upper body.</p> <p>When Deputy Two backed off due to the flames, the Plaintiff got up and ran west down the sidewalk. Deputy Two found a shirt hung by a street vendor on a nearby fence and attempted to smother the flames while the Plaintiff continued to run. The Plaintiff turned a corner at the end of the block and was confronted by additional deputy personnel who arrived on scene. To avoid injury from the flames, Deputy Three kicked the Plaintiff on his rear hip to stop him from running and the Plaintiff fell to the ground.</p> <p>The Deputies approached the Plaintiff, who was facedown and no longer on fire. He was severely burned and crying in pain with skin falling off his arms and hands making handcuffing difficult. The Plaintiff, in a panic, struggled with the deputies. Deputy personnel held the Plaintiff down, took control of his arms, and handcuffed him.</p> <p>Aero Bureau was on scene throughout the incident. Aero and ground units immediately requested emergency medical rescue to the scene. The Plaintiff was treated by paramedics on scene before being transported to the hospital. The Plaintiff sustained severe burn injuries on his face, upper torso, arms, and hands.</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's deployment of a TASER while attempting to detain the Plaintiff regarding a possible robbery/arson investigation.

**A Department** root cause in this incident was Deputy One was unable to transmit radio traffic because his portable radio battery was dead.

**A Department** root cause in this incident was the dispatcher's failure to communicate more detailed information about the Plaintiff pouring gasoline on himself to responding personnel.

**A Department** root cause in this incident was the deputy sheriffs were not yet equipped with Body-Worn Cameras. The recorded video would have captured the deputies' contact with the Plaintiff to prove or disprove the Plaintiff's allegations.

**A non-Department** root cause in this incident was the Plaintiff's failure to comply with the lawful orders of Los Angeles County Deputy Sheriffs.

**A non-Department** root cause in this incident was unbeknownst to responding deputies, the Plaintiff poured gasoline on himself and threatened to light himself on fire while in possession of a lighter.

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

**Administrative Investigation**

This use-of-force was investigated by representatives of the Sheriff's Department's Internal Affairs Bureau (IAB) to determine if any administrative misconduct occurred before, during, or after this incident. The results of the investigation were presented to the Executive Force Review Committee (EFRC) for adjudication.

On February 7, 2019, EFRC determined the use-of-force and tactics were within Department policy.

**Tactical Debriefing / Station Training**

In the days following the incident, personnel were briefed on the events known at the time and based on information provided by Arson investigators and East Los Angeles Station personnel. Special focus was placed on officer safety, tactical preparedness, increased communication between dispatch and field deputies, and lessons learned to assist employees should they find themselves in a similar situation. Personnel were briefed on the use of the TASER, including tactics and strategies involving high-risk scenarios, including the risk of ignition/combustion due to flammable materials.

Briefings occurred on all shifts and were given by the field sergeants and watch commanders.

The involved deputies attended training pertaining to the circumstances surrounding this incident.

**Body-Worn Cameras (BWC)**

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

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

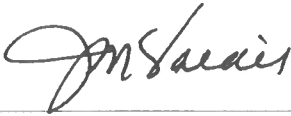
- ☐ Yes – The corrective actions address Department-wide system issues.
- ☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Julia M. Valdés, A/Captain  
Risk Management Bureau

Signature:



Date:

06/20/2024

Name: (Department Head)

Jorge Valdez, A/Assistant Sheriff  
Patrol Operations

Signature:



Date:

6/24/24

**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:



Date:

6/27/2024

## **CASE SUMMARY**

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

CASE NAME	Samuel Nelson v. County of Los Angeles, et al.
CASE NUMBER	2:22-CV-00832
COURT	United States District Court
DATE FILED	February 7, 2022
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 7,000,000
ATTORNEY FOR PLAINTIFF	Cameron Sehat
COUNTY COUNSEL ATTORNEY	Minas Samuelian Senior Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$7,000,000 inclusive of attorneys' fees and costs, a federal and state civil rights lawsuit filed by Samuel Nelson ("Plaintiff"), alleging excessive force arising out of Plaintiff's detention and arrest.</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 \$7,000,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 160,682
PAID COSTS, TO DATE	\$ \$16,499



## Summary Corrective Action Plan

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Date of incident/event:	September 23, 2020, at approximately 4:00 p.m.
Briefly provide a description of the incident/event:	<p>Summary Corrective Action Plan 2023-111</p> <p><b>Details 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>Based on the multiple investigative reports, on September 23, 2020, at approximately 4:00 p.m., the Deputy Sheriff who is assigned to Whittier Courthouse (7339 Painter Ave, Whittier, CA, 90602), finished working his shift; and while in civilian clothing, walked to the courthouse parking structure. Once inside the parking structure, the Deputy Sheriff observed an unknown male standing in between two parked vehicles near the northwest corner of the parking structure. As the Deputy Sheriff continued to walk towards his vehicle, he observed a second unknown male (Plaintiff) looking into his vehicle through the front windshield.</p> <p>The following statement is a summary of Homicide Bureau's Interview with Deputy One:</p> <p>The Deputy Sheriff stated once he was inside of the parking structure, he observed an unknown male standing in between two parked vehicles. The first unknown individual made eye contact with the Deputy Sheriff as he stretched and yawned loudly all while looking over his left shoulder towards the employee parking area. As the unknown individual stepped from in between the parked vehicles, he looked at the Plaintiff, walked past the Deputy Sheriff and exited the parking structure.</p> <p>As he walked past the Deputy Sheriff, the Deputy Sheriff's attention was drawn to the Plaintiff. As the Deputy Sheriff continued to walk towards his vehicle when he saw the Plaintiff (standing near the driver's side [front] bumper of his vehicle) looking into his vehicle via the front windshield.</p> <p>The Deputy Sheriff yelled at the Plaintiff, "What are you doing to my car?" The Plaintiff responded, "I dropped something." After being confronted, the Plaintiff discontinued looking for the dropped item and began to walk towards the parked vehicle on the west side of the aisle.</p> <p>The Deputy Sheriff asked the Plaintiff, "What did you drop?" The Plaintiff replied, "Don't f**king worry about it." The Deputy Sheriff walked to his vehicle to ensure his vehicle had not been burglarized. Once the Deputy Sheriff confirmed his vehicle was not burglarized, he redirected his attention back to the Plaintiff. The Deputy Sheriff quickly removed his cellular phone from his pocket to record the Plaintiff "casing" vehicles inside of the parking structure.</p>



	<p>The Deputy Sheriff followed the Plaintiff as he walked to the exit located near the northeast corner of the parking structure.</p> <p>As the Plaintiff reached the parking structure exit, he turned and aggressively told the Deputy Sheriff to stop recording him. The Deputy Sheriff stated he was standing near a center wall inside of the parking structure when the Plaintiff aggressively approached him and quickly placed his right hand underneath his jacket near his waistband. The Deputy stated when the Plaintiff reached underneath his jacket, he believed the Plaintiff was reaching for a weapon.</p> <p>The Deputy Sheriff did not believe he could physically outrun the Plaintiff due to a pulled hamstring and a bad back. [Instead of running], he identified himself as a Deputy Sheriff, drew his off-duty firearm, and pointed it at the Plaintiff. The Deputy Sheriff ordered the Plaintiff to show him his hands.</p> <p>After the Deputy Sheriff identified himself and held the Plaintiff at gunpoint, the Plaintiff replied, "I don't give a f**k!" and began tugging at the front of his waistband.</p> <p>Due to the Deputy Sheriff fearing the Plaintiff was armed with a weapon, and may be able to draw it from his waist, the Deputy Sheriff fired two rounds at the Plaintiff from his off-duty revolver. As the shots were fired, the Plaintiff bent at his waist and turned to his left. When the Plaintiff turned to his left, the Deputy Sheriff observed the Plaintiff continuing to fumble and tug at his waistband.</p> <p>Due to the Deputy Sheriff's sustained fear for his safety and the Plaintiff's continued effort to retrieve a possible weapon, the Deputy Sheriff fired a third round from his off-duty firearm. After the third round, the Plaintiff's legs went "limp," and the Plaintiff fell on his stomach. The Deputy Sheriff ordered the Plaintiff not to reach for his "gun." The Plaintiff replied, "I was not reaching for a gun, but a knife." As the Plaintiff rolled over, the Deputy Sheriff could see a red box cutter knife attached to the front of the Plaintiff's waistband.</p> <p>The Deputy Sheriff continued to hold the Plaintiff at gunpoint while he called for emergency medical services.</p> <p>The Deputy Sheriff stayed at the location and gave the responding Whittier Police Officer a statement, after which he was escorted to the Whittier Courthouse by one of his supervisors and awaited Homicide Investigators. Upon speaking to the Homicide Detectives, he stated he attempted to locate the video of the incident on his cellphone, but he could not find the video recording. The Deputy Sheriff then realized he did not capture the incident on his cellular phone.</p> <p>Whittier Police Department's Detective's Observations:</p> <p>While the Deputy Sheriff was on the telephone with the 9-1-1 Dispatcher, a pick-up truck entered the parking structure. A detective from Whittier Police Department exited the truck and approached the Deputy Sheriff. The Detective ensured the Deputy Sheriff was off-duty law enforcement and began rendering aid to the Plaintiff. The Detective observed the Plaintiff sustained a gunshot wound. As the Detective lifted the Plaintiff's shirt, in search of additional gunshot wounds.</p>
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	<p>The Detective observed the Plaintiff had a "construction type" folding knife clipped to the Plaintiff's belt. The Detective rolled the Plaintiff over, he observed an additional gunshot wound.</p> <p>During the Detective's medical assessment, he observed a glass pipe protruding from the Plaintiff's front right pocket.</p> <p>Responding Whittier Police Department's personnel secured the scene with crime scene tape, effectively closing the sidewalk to the public.</p> <p>Upon being notified of the shooting, Los Angeles County Sheriff's Department's Homicide Bureau Detectives arrived and assumed control of the investigation.</p> <p>The Los Angeles County Fire Department responded and rendered medical aid to the Plaintiff.</p> <p>The Plaintiff was transported to the hospital for medical treatment for his gunshot wounds.</p> <p>On Tuesday, March 16, 2021, the District Attorney's Office reviewed the case and declined to file charges against the Plaintiff. The District Attorney indicated there was sufficient evidence to file violations of Health and Safety section 11377 - Possession of a controlled substance, Health and Safety section 11364 - Possession of Drug Paraphernalia and Penal Code section 415 - Disturbing the Peace but declined to file those charges based on Los Angeles DA Special Directive 20-07's - Misdemeanor Declination Policy.</p> <p>Additionally, The District Attorney's Office declined to file charges in violation of Penal Code sections 664/459 - Attempted Burglary, Penal Code section 136.1- Witness Tampering and Penal Code section 417 - Brandishing a Weapon, and Penal Code section 245 - Assault with a deadly weapon, due to insufficient evidence.</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 Sheriff's discharge of his off-duty firearm.

A **Department** root cause in this incident was the Deputy Sheriff's involvement in an active Law Enforcement situation while off-duty.

A non-**Department** root cause in this incident was, The Plaintiff aggressively advanced toward the Deputy Sheriff and reached towards his waistband as if reaching for a weapon.

A non-**Department** root cause in this incident was the Plaintiff did not comply with the lawful verbal commands given by the Deputy Sheriff, who identified himself as a law enforcement officer and presented his firearm.

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



**Criminal Investigation**

This incident was investigated by the Los Angeles County Sheriff's Department Homicide Bureau to determine if any criminal misconduct occurred. The investigative materials of the incident were submitted to the Los Angeles County District Attorney's Office, Justice System Integrity Division for evaluation and filing consideration.

On November 22, 2022, the District Attorney's Office completed its review of the September 23, 2020, non-fatal shooting of the Plaintiff and concluded there is insufficient evidence to prove beyond a reasonable doubt that Deputy One was not acting in lawful self-defense.

**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.

**Incident Debriefing**

A debriefing was conducted by area supervision. The briefing consisted of the following:

- Tactical issues.
- Safety concerns for personnel walking to and from the parking structure.

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)

*Thomas KSM*  
Julia M. Valdes, A/Captain  
Risk Management Bureau

Signature:

*Thomas KSM*

Date:

*5-10-24*

Name: (Department Head)

Holly A. Francisco, Assistant Sheriff  
Countywide Operations

Signature:

*Holly Francisco*

Date:

*6-11-27*

**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*

Date:

6/12/2024

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claims of Wilfrido Martinez-Mendez & Infinity Insurance ASO Wilfrido Martinez-Mendez
CASE NUMBER	24STLC02510
COURT	Los Angeles Superior Court
DATE FILED	April 5, 2024
COUNTY DEPARTMENT	Parks & Recreation
PROPOSED SETTLEMENT AMOUNT	\$ 30,000
ATTORNEY FOR PLAINTIFF	Ameer A. Shah
COUNTY COUNSEL ATTORNEY	Joseph A. Langton Principal Deputy County Counsel Litigation Monitoring Team
NATURE OF CASE	These claims arise from a vehicle accident that resulted in bodily injury and property damage. Due to the risks and uncertainties of litigation, a full settlement of the claim is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 0

## **CASE SUMMARY**

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

CASE NAME	Michael Medina vs. Robert Steven Gomez, et al.
CASE NUMBER	20STCV23841
COURT	Los Angeles Superior Court
DATE FILED	June 23, 2020
COUNTY DEPARTMENT	Department of Parks & Recreation
PROPOSED SETTLEMENT AMOUNT	\$ 250,000
ATTORNEY FOR PLAINTIFF	Sam Shimon Soleimany, Esq. Law Offices of DeWitt Algorri & Algorri
COUNTY COUNSEL ATTORNEY	Kevin J. Engelen, Esq. Senior Deputy County Counsel
NATURE OF CASE	<p>This lawsuit arises from a low-speed automobile accident involving a Los Angeles County-owned and operated vehicle. On July 1, 2019, while making a left turn into a parking space at a CVS Pharmacy, Department of Parks and Recreation employee, Robert Steven Gomez's vision was obstructed by the sun, and failed to notice the Plaintiff's vehicle approaching him, who had the right-of-way. Plaintiff alleges he was injured and filed a lawsuit.</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	\$ 74,928
PAID COSTS, TO DATE	\$ 49,769



## 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 1, 2019
Briefly provide a description of the incident/event:	<p>On July 1, 2019, Plaintiff was involved in a low speed auto accident with a County owned and operated vehicle that resulted in personal injuries. The Plaintiff was delivering flowers to a CVS in Norwalk when he collided with the County vehicle in the parking lot. The Plaintiff was operating a 2015 Mercedes Sprinter van and the COLA driver was operating a 2006 Ford F350 Truck. The COLA driver hit Plaintiff's vehicle as he entered the parking lot and was attempting to make a left handed turn into one of the first available parking spaces. Damages to both vehicles were minor.</p>

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

Failure of the County driver to observe other vehicles for clearance prior to turning into a parking space.

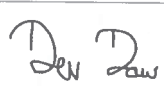
2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

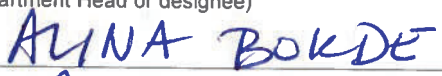
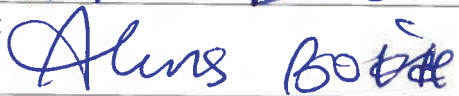

1. The incident was reviewed by the Department's Accident Review Committee and the COLA driver received verbal counseling by their immediate Manager.
2. The Department's Accident Review Committee has revised its guidelines to ensure a more consistent process for addressing vehicle accidents in the future to improve employee accountability.
3. The Department will implement mandatory online Defensive Driver Training for all staff who are required to drive for on County business. Behind-the-wheel Defensive Driver Training is also available on an as-needed basis and managed by the Department's Accident Review Committee.


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

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

Name: (Risk Management Coordinator) Devyne Dawson	
Signature: 	Date: 5/16/2024

Name: (Department Head or designee) 	
Signature: 	Date: 

<b>Chief Executive Office Risk Management Inspector General USE ONLY</b>	
Are the corrective actions applicable to other departments within the County?	
<input checked="" type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General) Daniela Prowizor	
Signature:  Daniela Prowizor	Date: 6/20/2024

Digitally signed by Daniela Prowizor  
Date: 2024.06.20 11:53:00 -07'00'

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Kevina Denise Crawford vs. County of Los Angeles, et al.
CASE NUMBER	21STCV35018
COURT	Los Angeles Superior Court
DATE FILED	September 23, 2021
COUNTY DEPARTMENT	Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 100,000
ATTORNEY FOR PLAINTIFF	Stanislav Pekler, Esq. Frish Law Group
COUNTY COUNSEL ATTORNEY	Melissa A. McCaverty, Esq. Deputy County Counsel
NATURE OF CASE	<p>This lawsuit arises from a vehicle collision that occurred on December 2, 2020, when an employee of the Department of Children and Family Services collided with Plaintiff's vehicle on Jakes Way in the City of Santa Clarita.</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	\$ 21,618
PAID COSTS, TO DATE	\$ 11,699

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	<i>Johnny Smith, et al. v. County of Los Angeles, et al.</i>
CASE NUMBER	22STCV11178
COURT	Los Angeles Superior Court
DATE FILED	April 1, 2022
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 495,000
ATTORNEY FOR PLAINTIFF	GREGORY A. YATES Gregory A. Yates, A Professional Corporation GREGORY W. SMITH Law Offices of Gregory W. Smith, LLP STEVE VARTAZARIAN The Vartazarian Law Firm
COUNTY COUNSEL ATTORNEY	SHAWN LUNA Senior Deputy County Counsel Social Services Division  DANIELLE FOSTER SCOTT CARPENTER Carpenter, Rothans & Dumont
NATURE OF CASE	Plaintiffs allege negligence and breach of mandatory duty claims against the Department of Children and Family Services resulting in the death of a minor.  Due to the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case is in the amount of \$495,000 is recommended.
AID ATTORNEY FEES, TO DATE	\$ 48,756
PAID COSTS, TO DATE	\$ 10,529





## 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 17, 2019
Briefly provide a description of the incident/event:	On November 25, 2019, the Department of Children and Family Services (DCFS) Child Protection Hotline (CPH) received a report stating that child A. S. was voluntarily hospitalized after accessing and contemplating suicide with his mother's Los Angeles Police Department (LAPD) service weapon. The LAPD firearm, which is usually stored in a locked safe, was left in a closet under clothes when she was between work shifts. The CPH generated an Emergency Response (ER) referral alleging general neglect of A. S. by his mother. While DCFS was amid its investigation, A. S. broke the code to the gun safe, retrieved a gun, and attempted suicide on December 17, 2019. A. S. wrote a goodbye note in his journal and left it open on his bed stating he figured out the safe code. He was declared brain dead and was kept alive on life support until December 21, 2019. A. S. passed away shortly thereafter.

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

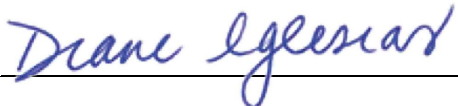
DCFS was amid an active ER referral investigation concerning A. S. at the time of his suicide attempt and eventual passing; the assigned worker was just two weeks into the investigation upon notice of A. S.'s death. Notwithstanding, the Department recognized the necessity and importance of thorough investigative planning and execution, and made it a priority for field practices.


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

1. The Department conducted an internal review of A. S.'s family, evaluating information provided to the CPH about A. S., his family, and his death.
2. The Department values the importance of sharing lessons it learned from previous cases. As a result, the DCFS Risk Management Division initiated a regional training on suicide in January 2020, following A. S.'s death.
3. DCFS social workers are now required to have case conferences with their supervisors on active ER referral investigations to discuss investigative components and determine how to safely close ER referrals and/or open cases when child safety issues cannot be mitigated.

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

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


Name: (Risk Management Coordinator) Diane Iglesias, Senior Deputy Director	
Signature: 	Date: 6/6/24

Name: (Department Head) Brandon T. Nichols, Director	
Signature: 	Date: 06/12/24

**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	Date: 6/12/2024

Digitally signed by Daniela  
Prowizor  
Date: 2024.06.12 13:22:39 -07'00'

# LOS ANGELES COUNTY CLAIMS BOARD

## MINUTES OF REGULAR MEETING

July 1, 2024

### 1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 9:30 a.m. The meeting was held virtually with Claims Board Chair Destiny Castro, Claims Board Member Adrienne M. Byers, and Claims Board Secretary Laura Z. Salazar participating in person at the Kenneth Hahn Hall of Administration, 500 West Temple Street, Sixth Floor, Conference Room C, Los Angeles, California 90012. Claims Board Member Oscar Valdez was absent.

All other participants at the Claims Board meeting appeared virtually: Sanjay Athalye, Minas Samuelian, Millicent Rolon, Melissa McCaverty, Kevin Engelen, Stacey Lee, Mikayla Grande, and Lenneal McKudu appeared for the Office of the County Counsel. Sergeant Shanese Winfrey, Deputy Renata Phillip, Captain Daniel Holguin, Acting Captain/Lieutenant Julia M. Valdes, Captain Nicole Palomino, Acting Chief/Commander Crystal M. Miranda, Acting Chief/Commander Yolanda R. Figueroa, Captain Christina R. Baker, Lieutenant Albert Plazola, Lieutenant Tania A. Giggles, Captain Robert Jones II, Commander Alfred M. Reyes, Captain Jabari Williams, and Lieutenant Noah Corrales appeared for the Sheriff's Department. Julia Kim and Brian Martin appeared for the Fire Department. Marian Bellard and Araceli Aranda appeared for Internal Services Department. Stefan Popescu appeared for Beaches and Harbors. Taneisha Franklin appeared for Mental Health. James C. Jardin appeared for Collins + Collins, LLP. Thomas C. Hurrell and Roy Garcia appeared for Hurrell Cantrall, LLP. Margaret B. Ikeda appeared for David Weiss Law.

### 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 member of the public appeared in person or on the public teleconference phone line to address the Claims Board.

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

At 9:30 a.m., Claims Board Chair Destiny Castro convened the meeting in closed session to discuss the items listed below as 4(a) through 4(j).

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

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

At 12:10 p.m., the Claims Board reconvened in open session to report the actions taken in closed session as follows:

#### a. Christopher Sandoval v. Los Angeles County Sheriff's Department, et al. Los Angeles Superior Court Case No. 20STCV38616

This lawsuit arises from alleged injuries Plaintiff sustained in a traffic collision involving a Sheriff's Department vehicle driven by an on-duty sergeant.

#### Action Taken:

The Claims Board approved settlement of Item 4.a. in the amount of \$66,350.

Vote: Ayes: 2 – Destiny Castro, and Adrienne M. Byers  
Absent: Oscar Valdez

**b. Thad Woods v. County of Los Angeles, et al.  
United States District Court Case No.: 2:23-cv-03533**

This civil rights lawsuit concerns allegations of excessive force and unlawful search and seizure when Plaintiff was detained by Sheriff's deputies during a traffic stop.

Action Taken:

The Claims Board approved settlement of Item 4.b. in the amount of \$99,950.

Vote: Ayes: 2 – Destiny Castro, and Adrienne M. Byers  
Absent: Oscar Valdez

**c. Samuel Nelson v. County of Los Angeles, et al.  
United States District Court Case No.: 2:22-cv-00832**

This civil rights lawsuit concerns allegations of excessive force arising out of Plaintiff's detention and arrest by a Sheriff's deputy.

Action Taken:

The Claims Board continued Item 4.c. to a future meeting.

Vote: Ayes: 2 – Destiny Castro, and Adrienne M. Byers  
Absent: Oscar Valdez

**d. Carlos Towns v. County of Los Angeles, et al.  
United States District Court Case No. 2:23-cv-01635**

This civil rights lawsuit seeks compensation for the alleged wrongful death of Decedent after he was shot by Sheriff's deputies.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.d. in the amount of \$5,250,000.

Vote: Ayes: 2 – Destiny Castro, and Adrienne M. Byers  
Absent: Oscar Valdez

**e. Xavier Vivian-Jones v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. 21STCV11801**

This lawsuit arises from alleged injuries Plaintiff sustained in a traffic collision involving a Sheriff's Department patrol vehicle driven by an on-duty deputy.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.e. in the amount of \$140,000.

Vote: Ayes: 2 – Destiny Castro, and Adrienne M. Byers  
Absent: Oscar Valdez

**f. William Rocco v. County of Los Angeles, et al.  
United States District Court Case No. 2:23-cv-08598-FLA-RAO**

This lawsuit arises from alleged injuries Plaintiffs sustained in a vehicle collision involving a firetruck driven by a firefighter paramedic.

Action Taken:

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

Vote: Ayes: 2 – Destiny Castro, and Adrienne M. Byers  
Absent: Oscar Valdez

**g. Kevina Denise Crawford v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. 21STCV35018**

This lawsuit arises from alleged injuries Plaintiff sustained in a vehicle accident involving an employee of the Department of Children and Family Services.

Action Taken:

The Claims Board continued Item 4.g. in the amount of \$100,000 at the request of counsel.

Vote: Ayes: 2 – Destiny Castro, and Adrienne M. Byers  
Absent: Oscar Valdez

**h. Samantha Cortes, et al. v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. 22STCV11184**

This lawsuit arises from alleged injuries Plaintiffs sustained in a vehicle accident involving an employee of the Department of Internal Services.

Action Taken:

The Claims Board approved settlement of Item 4.h. in the amount of \$50,000.

Vote: Ayes: 2 – Destiny Castro, and Adrienne M. Byers  
Absent: Oscar Valdez

**i. Holly Zucker v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. 20STCV42693**

This dangerous condition of public property lawsuit arises from alleged injuries Plaintiff sustained from a trip and fall incident at a County of Los Angeles park.

Action Taken:

The Claims Board approved settlement of Item 4.i. in the amount of \$75,000.

Vote: Ayes: 2 – Destiny Castro, and Adrienne M. Byers  
Absent: Oscar Valdez

j. **Paola Araiza v. County of Los Angeles Department of Mental Health**  
**Los Angeles Superior Court Case No. 23STCV04285**

This lawsuit concerns allegations that an employee of the Department of Mental Health was subjected to disability discrimination, and failure to accommodate, and engage in the interactive process.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4.j. in the amount of \$145,000.

Vote: Ayes: 2 – Destiny Castro, and Adrienne M. Byers  
Absent: Oscar Valdez

5. **Approval of the Minutes for the June 17, 2024, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the Minutes of the June 17, 2024, meeting.

Vote: Ayes: 2 – Destiny Castro, and Adrienne M. Byers  
Absent: Oscar Valdez

6. **Adjournment.**

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

LOS ANGELES COUNTY CLAIMS BOARD

By

  
\_\_\_\_\_  
Laura Z. Salazar  
Claims Board Secretary