

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD IN PERSON AND ONLINE VIA VIDEO CONFERENCE
ON MONDAY, AUGUST 19, 2024, AT 9:30 A.M.

Present: Chair Destiny Castro, Adrienne M. Byers, and Oscar Valdez

1. **Call to Order.**
2. **Opportunity for members of the public to address the Claims Board on items of interest within the subject matter jurisdiction of the Claims Board.**

No members of the public were on the public teleconference phone line to address the Claims Board.

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

- a. **Non-Litigated Claims of Daniel Chung and Goldweigh III, LLC**

This inverse condemnation claim against the Department of Public Works contends that a sewer mainline blockage and backflow caused damage to Claimants' property.

Action Taken:

The Claims Board approved settlement of Item 3(a) in the amount of \$32,539.82.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Document](#)

- b. **Lorraine Williams v. County of Los Angeles**
Los Angeles Superior Court Case No. 19STCV35796

This dangerous condition of public property lawsuit against the Department of Public Works arises from alleged injuries Plaintiff sustained from a trip and fall that occurred in unincorporated Altadena.

Action Taken:

The Claims Board approved settlement of Item 3(b) in the amount of \$95,000.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Document](#)

c. **Marina Rodriguez v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 21STCV18044

This dangerous condition of public property lawsuit against the Department of Public Works arises from injuries Plaintiff allegedly sustained from a trip and fall incident on a parkway in unincorporated Florence.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3(c) in the amount of \$125,000.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Documents](#)

d. **Jaime A. Byrne v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 22STCV09744

This lawsuit arises from injuries Plaintiff allegedly sustained in a multi-vehicle accident involving a Sheriff's Department vehicle driven by a sergeant.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3(d) in the amount of \$600,000.

Vote: Ayes: 2 – Oscar Valdez, and Destiny Castro
Noes: 1 – Adrienne M. Byers

[See Supporting Documents](#)

e. **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.

Action Taken:

The Claims Board did not recommend to the Board of Supervisors settlement of Item 3(e) in the amount of \$1,300,000.

Vote: Ayes: 1 – Adrienne M. Byers
Noes: 2 – Destiny Castro, and Oscar Valdez

[See Supporting Documents](#)

f. **Jose Santana Pineda v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 21STCV27933

This lawsuit arises from alleged injuries Plaintiff sustained in a vehicle accident involving a Sheriff's Department patrol car driven by a deputy.

Action Taken:

The Claims Board approved settlement of Item 3(f) in the amount of \$37,500.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Document](#)

g. **Michael Grace, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 20STCV40206

This lawsuit arises from alleged injuries Plaintiff sustained in a multi-vehicle accident involving a Sheriff's Department patrol car driven by a deputy.

Action Taken:

The Claims Board approved settlement of Item 3(g) in the amount of \$100,000.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Document](#)

h. **Maria Moreno v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 21STCV43696

This lawsuit arises from alleged injuries Plaintiff sustained in a vehicle accident involving a Sheriff's Department patrol car driven by a deputy.

Action Taken:

The Claims Board approved settlement of Item 3(h) in the amount of \$90,000.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Document](#)

i. **Tasgerginnae Tanner v. County of Los Angeles**
Los Angeles Superior Court Case No. 22STCV02795

This lawsuit concerns allegations that an employee of the Department of Children and Family Services was subjected to discrimination and retaliation.

Action Taken:

The Claims Board approved settlement of Item 3(i) in the amount of \$75,000.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

4. Approval of the Minutes for the August 5, 2024, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the Minutes of the August 5, 2024, meeting.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

[See Supporting Document](#)

5. Items not on the posted agenda, to be referred to staff or placed on the agenda for action at a further meeting of the Board, or matters requiring immediate action because of an emergency situation or where the need to take immediate action came to the attention of the Board subsequent to the posting of the agenda.

No such matters were discussed.

6. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|---|
| CASE NAME | Non-Litigated Claims of Daniel Chung and Goldweigh III, LLC |
| CASE NUMBER | N/A |
| COURT | N/A |
| DATE FILED | N/A |
| COUNTY DEPARTMENT | Department of Public Works |
| PROPOSED SETTLEMENT AMOUNT | \$ 32,539.82 |
| ATTORNEY FOR PLAINTIFF | N/A |
| COUNTY COUNSEL ATTORNEY | Yuan Chang Senior Deputy County Counsel |
| NATURE OF CASE | This claim arises from a sewer mainline blockage that caused a sewer backflow onto the Claimants' property and damaged their real and personal property. 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 | Lorraine Williams vs. County of Los Angeles, et al. |
| CASE NUMBER | 19STCV35796 |
| COURT | Los Angeles Superior Court |
| DATE FILED | October 8, 2019 |
| COUNTY DEPARTMENT | Department of Public Works |
| PROPOSED SETTLEMENT AMOUNT | \$ 95,000 |
| ATTORNEY FOR PLAINTIFF | Joseph M. Barrett, Esq. THE BARRETT LAW FIRM, APC |
| COUNTY COUNSEL ATTORNEY | Melissa A. McCaverty, Esq. Deputy County Counsel |
| NATURE OF CASE | <p>On September 6, 2018, Plaintiff tripped and fell on a sprinkler head in a dirt tree well adjacent to the sidewalk outside of Franklin Elementary School in Altadena, California, an unincorporated area of the County. Plaintiff claims to have suffered injuries and damages from the incident.</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 | \$ 13,050 |
| PAID COSTS, TO DATE | \$ 3,964 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|--|
| CASE NAME | Marina Rodriguez vs. County of Los Angeles, et al. |
| CASE NUMBER | 21STCV18044 |
| COURT | Los Angeles Superior Court |
| DATE FILED | October 26, 2021 |
| COUNTY DEPARTMENT | Department of Public Works |
| PROPOSED SETTLEMENT AMOUNT | \$ 125,000 |
| ATTORNEY FOR PLAINTIFF | Navid Natanian, Esq. Law Offices of Navid Natania, APLC |
| COUNTY COUNSEL ATTORNEY | Kevin J. Engeliem Senior Deputy County Counsel |
| NATURE OF CASE | <p>This is a dangerous condition of public property lawsuit which arises from a trip and fall accident that occurred on July 31, 2020, when Ms. Rodriguez tripped and fell over a three-inch pole stub sticking out of the ground of a parkway adjacent to 6511 Holmes Avenue. The complaint alleges Ms. Rodriguez suffered orthopedic injuries as a result of the fall. She claims the County of Los Angeles Department of Public Works is responsible for her injuries as the walkway was in a dangerous condition of public property.</p> <p>Given the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 25,466 |
| PAID COSTS, TO DATE | \$ 13,734 |



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: | 7/31/2020 |
| Briefly provide a description of the incident/event: | <p>Plaintiff, alleges that on July 31, 2020, she was injured when she tripped and fell over a 2-inch diameter pipe stub from a missing Street Sweeping sign arising 3 inches from the ground that was embedded in the planting area of the parkway located at 6511 Holmes Avenue in the unincorporated Florence/Firestone area.</p> <p>Public Works records do not reflect any reports or complaints of any missing street sweeping signpost at the incident location prior to July 31, 2020. As part of the Monthly Road Inspection Program and the biennial Sidewalk Inspection Program, Road Maintenance Division (RMD) road crews inspect the condition of the roadway and sidewalks, and any necessary repairs or other actions are noted and completed following these inspections. Road Maintenance District 241 crew in our RMD inspected the sidewalks in the Florence/Firestone area, including the sidewalk at the incident location, between September and October 2019 and observed no maintenance issues during this inspection.</p> |

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

The 2-inch diameter pipe stub arising 3 inches from the ground embedded in the planting area of the parkway located at 6511 Holmes Avenue in the unincorporated Florence/Firestone area was allegedly a dangerous condition. The stub was determined to be part of a "Street Sweeping" sign, which was inadvertently omitted from the Street Sign Inventory.

2. Briefly describe recommended corrective actions:

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

Public Works implements the Biennial Sidewalk Inspection and Repair Guidelines. Although the focus of this sidewalk inspection is the identification of damage and displacement in the sidewalk, curb and gutter, driveway aprons, and wheelchair ramps, the guidelines state that if other significant maintenance issues are found, a barricade shall be placed before the end of the day and noted on the Sidewalk Inspection "Other Significant Maintenance Discovery Form." This form will include the Road Division, date, inspector's name, location, deficiency found, appropriate action taken, and any recommended repairs.


Operational Services Division maintains signs in a three-year cycle; however, the subject sign was not included in the Street Sign Inventory and therefore overlooked during when it came up in its maintenance cycle, nor did Operational Services Division receive any internal or external reports that it was missing prior to the incident. Upon becoming aware of the concern, Operational Services Division investigated and determined the sign not in inventory was a street sweeping signs, however it was no longer needed. The stub was immediately removed.

The pole/stub was removed by Operational Services Division on August 4, 2021. The sign was never replaced as it was determined unnecessary; therefore, it was not added to the Street Sign Inventory. There was no determining factor identified for the omission.

County of Los Angeles
Summary Corrective Action Plan

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 Manager) Jacklin E. Injijian | |
| Signature:  | Date: 05/21/2024 |

| | |
|--|------------------|
| Name: (Deputy Director) Steve Burger | |
| Signature:  | Date: 5/30/24 |

| | |
|---|------------------|
| Name: (Department Head) Mark Pestrella | |
| Signature:  | Date: 6/10/24 |

| | |
|---|--|
| Chief Executive Office Risk Management Inspector General USE ONLY | |
| 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:  | Date: 6/27/2024 |

ML:psr
C:\MYFILES\RODRIGUEZ MARINA SCAP

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|---|
| CASE NAME | Jaime Byrne v. County of Los Angeles, etc. |
| CASE NUMBER | 22STCV09744 |
| COURT | Los Angeles Superior Court |
| DATE FILED | March 21, 2022 |
| COUNTY DEPARTMENT | Sheriff's Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 600,000 |
| ATTORNEY FOR PLAINTIFF | ALEXIS GALINDO, ESQ. Curd, Galindo & Smith, L.L.P. |
| COUNTY COUNSEL ATTORNEY | RICHARD K. KUDO Principal Deputy County Counsel |
| NATURE OF CASE | <p>This lawsuit arose out of a multiple-vehicle, intersection collision and is brought by Jaime Byrne ("Plaintiff") against the County and a Sergeant of the Sheriff's Department. The collision occurred at the intersection of Grand Avenue and Valley Boulevard in the City of Diamond Bar. The Sergeant was driving a Sheriff's Department Ford sport-utility vehicle westbound on Valley Boulevard and was rolling Code 3 with the vehicle's emergency lights and siren engaged. The Ford entered the Valley Boulevard/Grand Avenue intersection against a red signal light at the same time Plaintiff's Toyota Corolla entered the intersection from southbound Grand Avenue, and they collided with each other when neither driver saw the other enter the intersection. The impact of the collision caused Plaintiff's Toyota to travel, uncontrolled, in a southwesterly direction where it struck another car that was stopped for the red light on eastbound Valley Boulevard. Plaintiff claims to have suffered injuries and damages from the accident. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 26,388 |
| PAID COSTS, TO DATE | \$ 20,180 |



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: | March 9, 2021, at approximately 3:00 p.m. |
| Briefly provide a description of the incident/event: | <p style="text-align: center;">Summary Corrective Action Plan 2023-126</p> <p>Details in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.</p> <p>Based on multiple investigative reports, on March 9, 2021, at approximately 3:00 p.m., Sergeant One, who was assigned to a patrol station, was responding Code-3 (lights and siren) to a vehicle pursuit.</p> <p>Sergeant One was traveling west, driving approximately 10-15 m.p.h. when she approached the intersection. The signal at the intersection cycled red. Sergeant One attempted to clear the intersection lane-by-lane; however, her view of southbound lanes was obstructed by other stopped vehicles in the left southbound turn lane. The Plaintiff was traveling southbound in the number two lane when her vehicle was broadsided by Sergeant One's vehicle.</p> <p>The Los Angeles County Fire Department Engine responded to the scene and treated both Sergeant One and the Plaintiff. Both Sergeant One and the Plaintiff were transported via ambulance to the emergency room for further medical treatment.</p> <p>The Sergeant's vehicle sustained major traffic collision damage to the front bumper, the passenger's side quarter panel, hood, and full airbag deployment.</p> <p>The Plaintiff's vehicle sustained damage to the driver's side front and rear doors, rear quarter panel, gas tank.</p> <p>Sergeant One's statement was based on the County of Los Angeles Supervisor's Report of Incident or Damage to County Vehicle or Permittee's Vehicle report:</p> <p>Sergeant One stated she was returning to the station when a vehicle pursuit was initiated. Sergeant One activated her emergency lights and siren and responded to the vehicle pursuit.</p> <p>As Sergeant One approached the intersection, Deputy One was in the intersection and maneuvered the vehicle, which allowed Sergeant One to proceed through. Sergeant One proceeded to clear the southbound lanes of traffic.</p> |

| | |
|--|---|
| | <p>Sergeant One indicated she was traveling approximately 15-20 m.p.h. She indicated she did not see the Plaintiff's vehicle approaching the intersection and collided into the Plaintiff. Sergeant One advised she was involved in a traffic collision. Sergeant Two responded to the location and authored a Supervisor's Report of Incident or Damage to County Vehicle investigation.</p> <p>A California Highway Patrol Officer (CHP) responded to the collision and conducted a traffic collision investigation. The CHP Officer determined Sergeant One was the primary cause of the traffic collision, in violation of California Vehicle Code Section - 21453(a) failing to yield the right-of-way to any vehicle which has entered the intersection from a different highway.</p> |
|--|---|

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

| |
|--|
| <p>A Department root cause in this incident was Sergeant One's failure to yield the right-of-way.</p> <p>A Department root cause in this incident was Sergeant One's failure to clear the intersection lane-by-lane prior to entering the intersection.</p> <p>A Department root cause in this incident is Sergeant One's failure to utilize the patrol vehicle installed seatbelt.</p> <p>A non-Department root cause in this incident was the Plaintiff's failure to yield to an oncoming emergency vehicle with emergency lights and siren activated.</p> |
|--|

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

| |
|---|
| <p>Traffic Collision Investigation</p> <p>This incident was investigated by a California Highway Patrol Officer. The collision investigation concluded Sergeant One was the primary cause of the collision by failing to yield the right-of-way to any vehicle which has entered the intersection from a different highway, in violation of California Vehicle Code section - 21453(a).</p> <p>Administrative Investigation</p> <p>This incident was investigated by representatives of Walnut/Diamond Bar Sheriff Station to determine if any administrative misconduct occurred before, during, or after this incident.</p> <p>The evaluation of this incident found the Sergeant's actions were in violation of Department policy.</p> <p>The sergeant involved in this incident has attended additional training pertaining to the circumstances surrounding this incident.</p> <p>Appropriate administrative action has been taken.</p> <p>Station Recurrent Briefing</p> <p>Re-current briefings have been implemented on an ongoing basis. These briefings incorporated scenario-based situations which were similar to this incident. Special attention has been focused on Code 3 Vehicle Operations and Tactics.</p> |
|---|

East Patrol Division-wide

Re-current briefings have been implemented on an ongoing basis. These briefings incorporate scenario-based situations which are similar to this incident. Special attention has been focused on the following policies: Vehicle Pursuits, and Initiation of a Pursuit.

Station Traffic Collision Assessment and Review

The respective Sheriff's Station conducted a review and assessment of all traffic collisions for calendar year 2019 through the end of 2023.

The audit revealed there were 68 total collisions for this five-year period, 43 of which were classified as preventable and 25 classified as non-preventable.

During the audit, it was discovered there was a spike in 2019, with a reduction in the following years. Personnel who have been involved in more than one traffic collision were directed to attend Department training, such as the Sheriff's Traffic Accident Reduction Driving Program, Emergency Vehicle Operations, and the Alternatives to Discipline Driving Course.

Sheriff Department Announcement – Department-wide Re-brief

The purpose of this re-brief is to remind Department personnel that the safety of Department members and the public are paramount when engaged in routine driving and Code 3 responses.

It is essential to maintain heightened officer safety, common sense, and sound tactics to reduce collision-related injuries, deaths, and financial liability to the Department.

County of Los Angeles
Summary Corrective Action Plan

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

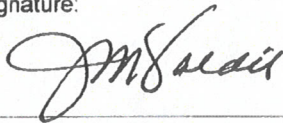
- Yes – The corrective actions address Department-wide system issues.
 No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Julia Valdés, A/Captain
Risk Management Bureau

Signature:



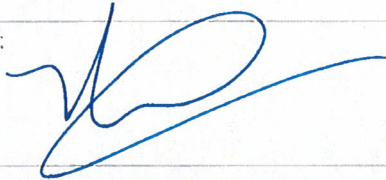
Date:

07/10/2024

Name: (Department Head)

Myron Johnson, Assistant Sheriff
Patrol Operations

Signature:



Date:

7/23/24

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:

8/1/2024

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

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: | 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>Details provided in this document summarize the incident. The information provided is a culmination of various sources that provide an abstract of the incident.</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> |
|--|--|

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

| |
|--|
| <p>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.</p> <p>A Department root cause in this incident was Deputy One was unable to transmit radio traffic because his portable radio battery was dead.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> |
|--|

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? | |
| <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:  | Date: 6/27/2024 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|--|
| CASE NAME | Jose Santana Pineda vs. County of Los Angeles, et al. |
| CASE NUMBER | 21STCV27933 |
| COURT | Los Angeles Superior Court |
| DATE FILED | July 28, 2021 |
| COUNTY DEPARTMENT | Sheriff's |
| PROPOSED SETTLEMENT AMOUNT | \$ 37,500 |
| ATTORNEY FOR PLAINTIFF | Anthony T. Nehme, Esq. Nehme Law Group |
| COUNTY COUNSEL ATTORNEY | LaTasha Corry, Esq. Deputy County Counsel |
| NATURE OF CASE | <p>This lawsuit arises from an automobile accident on March 25, 2020, where Plaintiff was rear-ended by Deputy Kevin Rosales' patrol vehicle.</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 | \$ 10,498 |
| PAID COSTS, TO DATE | \$ 6,038 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|--|
| CASE NAME | Michael Grace, et al. vs. County of Los Angeles, et al. |
| CASE NUMBER | 20STCV40206 |
| COURT | Los Angeles Superior Court |
| DATE FILED | October 20, 2020 |
| COUNTY DEPARTMENT | Sheriff's Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 100,000 |
| ATTORNEY FOR PLAINTIFF | P. PAUL AGHABALA, ESQ. JASON RIBAKOFF, ESQ. Prestige Law Firm |
| COUNTY COUNSEL ATTORNEY | LATASHA N. CORRY, ESQ. Deputy County Counsel |
| NATURE OF CASE | <p>This lawsuit arises from a multi-car accident on December 8, 2018, where Plaintiff Michael Grace was struck from behind by Deputy Javier Estrella's on-duty patrol car. The collision caused Plaintiff's vehicle to strike the vehicle stopped in front of it.</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 | \$ 13,745 |
| PAID COSTS, TO DATE | \$ 4,944 |

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

| | |
|-----------------------------|---|
| CASE NAME | Maria Moreno v. County of Los Angeles, et al. |
| CASE NUMBER | 21STCV43696 |
| COURT | Los Angeles Superior Court |
| DATE FILED | November 30, 2021 |
| COUNTY DEPARTMENT | Sheriff's Department |
| PROPOSED SETTLEMENT AMOUNT | \$ 90,000 |
| ATTORNEY FOR PLAINTIFF | Samer Habbas, Esq. Law Offices of Samer Habbas & Associates, PC |
| COUNTY COUNSEL ATTORNEY | Michael J. Gordon Senior Deputy County Counsel |
| NATURE OF CASE | <p>On June 22, 2020, a Sheriff's Department patrol car collided with Plaintiff's car in the intersection of Figueroa Drive and Lincoln Avneue in Altadena. Plaintiff 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 \$90,000 is warranted.</p> |
| PAID ATTORNEY FEES, TO DATE | \$ 24,369 |
| PAID COSTS, TO DATE | \$ 12,742 |

LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

August 5, 2024

1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 9:33 a.m. The meeting was held virtually with Claims Board Chair Destiny Castro, Claims Board Member Adrienne M. Byers, Claims Board Member Oscar Valdez, and Raina Mey, participating in person on behalf of Claims Board Secretary Laura Z. Salazar, at the Kenneth Hahn Hall of Administration, 500 West Temple Street, Sixth Floor, Conference Room C, Los Angeles, California 90012.

All other participants at the Claims Board meeting appeared virtually: Mark Lomax, Kevin Engeliem, Christopher Keosian, Richard Hsueh, Melissa McCaverty, Amita Radjabian, Katherine Bowser, Keever Rhodes Muir, Parjack Ghaderi, and Pouya Bavata appeared for the Office of the County Counsel. Ronald Castaneda, Andrew Ngumba, Robert Scharf appeared for the Department of Public Works Department. Commander Edward C. Ramirez, Captain Richard Cartmill, Captain Ronald Shaffer, Sergeant Christian Scott, Sergeant Shanese Winfrey, Deputy Renata Phillip, Captain/Commander Robert Jones II, Captain Chris M. Kusayanagi, Lieutenant Julia M. Valdes appeared for the Sheriff's Department. Rachel Lara and Brian Martin appeared for the Fire Department. Christina Lee appeared for the Department of Children and Family Services. Stefan Popescu appeared for the Department of Beaches and Harbor. Evon Coburn and Kevin Lee appeared for the Department of Public Health. Raymond Sakai appeared for Lawrence Beach Allen & Choi, PC. Avi Burkwitz appeared for Peterson Bradford Burkwitz. Hilary Habib appeared for Sheppard Mullin.

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 9:33 a.m., Claims Board Chair Destiny Castro convened the meeting in closed session to discuss the items listed below as 4(a) through 4(h).

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 12:31 p.m., the Claims Board reconvened in open session to report the actions taken in closed session as follows:

a. Non-Litigated Claim of Premier America Credit Union

This claim for property damage arises from a traffic collision that occurred when a Department of Public Works vehicle collided with a vehicle financed by Claimant.

Action Taken:

The Claims Board approved settlement of Item 4(a) in the amount of \$37,643.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

**b. Marina Rodriguez v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV18044**

This dangerous condition of public property lawsuit arises from alleged injuries Plaintiff sustained from a trip and fall incident on a parkway in unincorporated Florence.

Action Taken:

The Claims Board continued Item 4(b) to a future meeting.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

**c. 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.

Action Taken:

The Claims Board approved settlement of Item 4(c) in the amount of \$28,160.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

**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.

Action Taken:

The Claims Board continued Item 4(d) to a future meeting.

Vote: Ayes: 3 – Destiny Castro, Adrienne M. Byers, and Oscar Valdez

**e. Earl Hibbert v. David Morgan Wright, et al.
Los Angeles Superior Court Case No. 23CHCV00835**

This lawsuit arises from a highway accident that occurred when two tires detached from a Fire Department truck, rolled into traffic and struck Plaintiff's vehicle.

Action Taken:

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

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

f. **Makai P., et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 19STCV11690

This lawsuit against the Department of Children and Family Services concerns allegations of negligence and breach of mandatory duties resulting in the abuse of minors while in foster care.

Action Taken:

The Claims Board approved settlement of Item 4(f) in the amount of \$70,000.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

g. **Non-Litigated Claim of Lequita Best**

This inverse condemnation claim contends that a ruptured pipe supplying water to a Beaches and Harbors restroom caused flooding and erosion on Claimant's property.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4(g) in the amount of \$250,000.

Vote: Ayes: 3 – Oscar Valdez, Adrienne M. Byers, and Destiny Castro

h. **Crystal Brock v. County of Los Angeles, et al.**
United States District Court Case No. 2:23-cv-02205

This lawsuit concerns allegations that the Department of Public Health failed to accommodate Plaintiff's request for a religious exemption from a COVID-19 vaccination requirement.

Action Taken:

The Claims Board approved settlement of Item 4(h) in the amount of \$99,999.

Vote: Ayes: 2 – Destiny Castro, and Oscar Valdez
Noes: 1 – Adrienne M. Byers

5. **Approval of the Minutes for the July 15, 2024, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the Minutes of the July 15, 2024, meeting.

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

6. Adjournment.

The meeting was adjourned at 12:32 p.m.

LOS ANGELES COUNTY CLAIMS BOARD

By



Raina Mey for Laura Z. Salazar
Claims Board Secretary