



COUNTY OF LOS ANGELES  
CLAIMS BOARD  
500 WEST TEMPLE STREET  
LOS ANGELES, CALIFORNIA 90012-2713

MEMBERS OF THE BOARD

Arlene Barrera  
Auditor-Controller  
Steve Robles  
Chief Executive Office  
Roger H. Granbo  
Office of the County Counsel

NOTICE OF SPECIAL MEETING

The County of Los Angeles Claims Board will hold a special meeting on **Monday, January 8, 2018 at 9:30 a.m.**, in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

AGENDA

1. Call to Order.
2. Opportunity for members of the public to address the Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board.
3. Closed Session – Conference with Legal Counsel – Existing Litigation (Subdivision (a) of Government Code Section 54956.9).
  - a. Norvell Fobi v. County of Los Angeles, et al.  
United States District Court Case No. CV 16-09263  
  
This lawsuit concerns allegations of civil rights violations involving a non-fatal Deputy-involved shooting of Plaintiff as he fled during a traffic stop; settlement is recommended in the amount of \$350,000.  
  
See Supporting Documents
  - b. Frank Acosta v. County of Los Angeles, et al.  
United States District Court Case No. 15-CV-09857  
  
This lawsuit concerns allegations of civil rights violations and excessive force when Plaintiff was shot while he was a passenger in a vehicle that was fleeing from Sheriff's Deputies; settlement is recommended in the amount of \$200,000.  
  
See Supporting Documents

- c. Isaac Solorio, et al. v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 612 416

This lawsuit arises from injuries sustained in a vehicle accident involving a Fire Department patrol truck; settlement is recommended in the amount of \$55,000.

[See Supporting Document](#)

- d. Jasmine Stoval v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 623 241

This lawsuit arises from injuries sustained in a vehicle accident involving a Fire Department tow truck; settlement is recommended in the amount of \$25,000.

[See Supporting Document](#)

4. Report of actions taken in Closed Session.
5. Approval of the minutes of the December 18, 2017, regular meeting of the Claims Board.

[See Supporting Document](#)

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

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Norvell Fobi v. County of Los Angeles, et al.
CASE NUMBER	CV 16-09263
COURT	United States District Court
DATE FILED	December 15, 2016
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 350,000
ATTORNEY FOR PLAINTIFF	Brian Dunn, Esq. The Cochran Firm
COUNTY COUNSEL ATTORNEY	Jonathan McCaverty Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$350,000, inclusive of attorneys' fees and costs, a federal civil rights lawsuit arising out of a March 2016 non-fatal, Deputy-involved shooting in South Los Angeles. Plaintiff Norvell Fobi alleges that a Deputy was negligent and violated his civil rights when he shot him without justification as he fled from a traffic stop.</p> <p>The Deputy contends that his conduct was reasonable under the circumstances.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs; therefore, a full and final settlement of the case in the amount of \$350,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 64,363
PAID COSTS, TO DATE	\$ 13,840



## 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:	
Briefly provide a description of the incident/event:	<p><b><u>Norvell Fobi v. County of Los Angeles, et al.</u></b> Summary Corrective Action Plan 2015-046</p> <p>On March 5, 2016, two deputy sheriffs were on routine patrol in their marked black and white patrol vehicle when they noticed a silver Hyundai with dark tinted windows driving between the number one and two lanes, (a violation of 26708[a][1] and 21658[a] of the California Vehicle Code [CVC]). Additionally, the Hyundai failed to signal prior to making a left turn onto another street (a violation of 22107 CVC).</p> <p>Based on the observed violations, the deputy sheriffs activated their lights and conducted a traffic stop on the Hyundai. The driver of the Hyundai (plaintiff) pulled his vehicle to the right and stopped parallel to a parked car.</p> <p><b>Note:</b> The roadway at the location had curbside parking on the south side of the street. There was a clearly designated bike lane between the curbside parking and a single lane of traffic in the eastbound direction. There was a painted two way left turn lane in the middle of the road.</p> <p>The plaintiff's vehicle was double parked next to a curbside parked vehicle. The plaintiff's vehicle was stopped in the bike lane and partially in the eastbound traffic lane of 120<sup>th</sup> Street.</p> <p>The first deputy sheriff (driver) walked to the driver's side of the Hyundai and made contact with the vehicle's driver (plaintiff) while the second deputy sheriff (passenger) approached the vehicle on the passenger side.</p> <p>The first deputy sheriff obtained the plaintiff's driver license and vehicle documentation and walked back to his patrol vehicle to perform a records check.</p> <p>The second deputy sheriff stayed next to the plaintiff's vehicle and observed the plaintiff was fidgeting and visibly nervous. The second deputy sheriff saw the plaintiff conceal his left hand between his left thigh and the driver's side door. The plaintiff used his left hand to reach out of view into the backseat floorboard, then held his hand out of view between the driver's door and his body. The plaintiff then looked at the second deputy sheriff and said, "You're making me nervous."</p> <p>Out of fear the plaintiff could be attempting to retrieve a firearm or other type of weapon, the second deputy sheriff drew and pointed his duty weapon at the plaintiff and instructed him to show his hands. The plaintiff ignored the second deputy sheriff's commands, started his vehicle, turned</p>

the steering wheel in the second deputy sheriff's direction, and accelerated. The movement of the plaintiff's vehicle put the second deputy in danger of being crushed between the plaintiff's vehicle and a parked car.

The second deputy sheriff feared the plaintiff was arming himself and about to use a firearm against him. Additionally, the second deputy sheriff felt the plaintiff's turning movement and vehicle acceleration towards him was an attempt to use his vehicle as a weapon to attack him. Out of fear for his life, the second deputy sheriff took two to three steps backwards as he fired his service weapon at the plaintiff four times. The second deputy sheriff stated the shots were all through the open passenger side window. The plaintiff's vehicle side-swiped a parked vehicle (immediately to its right) then drove away, eastbound on 120<sup>th</sup> Street.

The first deputy sheriff looked up after hearing the first gunshot and witnessed the deputy involved shooting. The first deputy sheriff immediately ran up to check on the second deputy sheriff, then transmitted emergency radio traffic advising of the shooting. As the plaintiff drove eastbound on 120th Street and out of view, both deputy sheriffs returned to their patrol vehicle and drove after the plaintiff. After searching the immediate area with no success, the deputy sheriffs pulled over, coordinated a search for the plaintiff, and used their radios to organize other deputy sheriffs to establish a crime scene at the location where the deputy involved shooting occurred.

Later, the plaintiff was found to be receiving treatment at Memorial Hospital, in Gardena. The plaintiff had been struck three times during the deputy involved shooting. The plaintiff underwent surgery for gunshot wounds to his left elbow, left upper thigh, and his right flank. After the plaintiff was medically cleared, he was taken into custody.

While in custody, during two different recorded conversations, the plaintiff admitted to having a gun in his car during the traffic stop. The plaintiff said his intent was to lead the deputies on a pursuit, which would have given him an opportunity to dispose of the gun.

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

A **Department** root cause in this incident was the second deputy sheriff feared for his life and shot the plaintiff while in a moving vehicle.

Another **Department** root cause in this incident was the location and tactics of the traffic stop did not allow the second deputy sheriff many safe options for tactical positioning during the contact.

A **non-Department** root cause in this incident was the plaintiff's failure to follow the lawful orders and directions of a deputy sheriff.

Another **non-Department** root cause in this incident was the plaintiff's admission that, with the assistance of his associates, he successfully hid and/or disposed of the indicated vehicle and firearm.

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

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

The investigation has been submitted to the Los Angeles County District Attorney's Office for a determination as to whether the use of deadly force was legally justified and/or if any other criminal misconduct occurred.

At the time of this report, the Los Angeles County District Attorney's Office has not advised the Department of their 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 this incident.

The California Government Code's Peace Officer Bill of Rights sets guidelines for administrative investigation statute dates. Once the Homicide Bureau and the Los Angeles County District Attorney's Office investigations are complete, a statute date will be set regarding the administrative investigation.

When the IAB investigator finishes the case, it will be submitted for approval. Approximately one month after the case has been approved, the case will be presented to the Los Angeles County Sheriff's Department's Executive Force Review Committee (EFRC) for adjudication.

County of Los Angeles  
Summary Corrective Action Plan

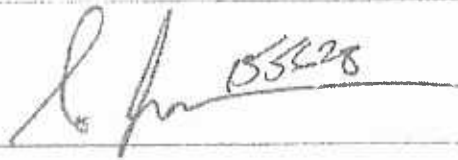
3. Are the corrective actions addressing Department-wide system issues?
- ☐ Yes – The corrective actions address Department-wide system issues.
- ☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Scott E. Johnson, Captain  
Risk Management Bureau

Signature:



Date:

11-29-17

Name: (Department Head)

Karyn Mannis, Chief  
Professional Standards and Training Division

Signature:



Date:

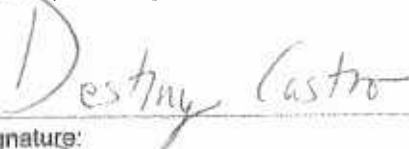
12-12-17

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)



Signature:



Date:

12/12/2017

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Frank Acosta v. County of Los Angeles, et al.
CASE NUMBER	2:15-CV-09857
COURT	United States District Court
DATE FILED	December 23, 2015
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 200,000
ATTORNEY FOR PLAINTIFF	Ralph M. Rios Rios & Associates
COUNTY COUNSEL ATTORNEY	Edwin A. Lewis Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$200,000, inclusive of attorneys' fees and costs, the lawsuit filed by Frank Acosta alleging federal civil rights violations.</p> <p>The involved Deputies claim their actions were reasonable under the circumstances.</p> <p>Given the risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. Therefore, a full and final settlement of the case in the amount of \$200,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 87,762
PAID COSTS, TO DATE	\$ 20,043





## 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 29, 2013
Briefly provide a description of the incident/event:	<p><b><u>Frank Acosta v. County of Los Angeles, et al.</u></b> Summary Corrective Action Plan 2017-045</p> <p>On December 29, 2013, at approximately 1:20 a.m., two Los Angeles County Sheriff's Department deputy sheriffs (detectives) assigned to the Operation Safe Streets Bureau (OSS), were working in a two-man unmarked patrol vehicle. They were working a saturation patrol in the unincorporated Monrovia County area due to a recent gang shooting and two recent gang murders.</p> <p>During their shift, the detectives received information regarding the identity of a murder suspect (suspect) and that he was at a specific known house in the Monrovia County area. The detectives contacted Homicide Bureau and the Operation Safe Streets' Gang Surveillance Unit (GSU) and briefed them on the information they received.</p> <p>The detectives conducted a tactical briefing and shared the indicated information with two uniformed deputy sheriffs, who were working "no-call" gang suppression assignments, in a marked patrol vehicle. The briefing consisted of photographs of the suspect, an overview of his criminal history, vehicles he is known to drive, and information about his known location.</p> <p>During the investigation, the detectives learned the suspect was in possession of a "Tec-9" type of semi-automatic firearm. This information was subsequently relayed to the GSU surveillance team and the deputy sheriffs in the marked patrol vehicle.</p> <p>When the suspect's vehicle was seen leaving the known location occupied by a driver (suspect) and a front passenger (plaintiff), the detectives (in their unmarked patrol vehicle) utilized their emergency takedown lights and two spotlights to illuminate the suspect's vehicle and performed a traffic stop on the suspect's vehicle. The suspect's vehicle pulled over and the detectives directed their assisting units to the traffic stop location. As both detectives gave verbal commands to the occupants of the vehicle to show their hands, the suspect (driver) pointed an "Uzi" type firearm at them, then sped off. The detectives initiated a pursuit of the suspect's vehicle.</p> <p>During the pursuit, the two previously briefed deputy sheriffs in a marked patrol vehicle drove southbound on El Toro Road, as the suspect's vehicle was driving eastbound on Van Meter Street, approaching El Toro Road.</p> <p>The pursuit ended when the suspect's vehicle failed to negotiate a left turn from Van Meter Street onto El Toro Road and crashed into the east curb.</p>

When the suspect's vehicle crashed and stopped moving, the detectives (first and second deputy sheriffs) stopped their unmarked patrol vehicle approximately eight feet behind the suspect's rear bumper.

As the deputy sheriffs in their marked patrol vehicle were southbound El Toro Road, they saw the suspect vehicle come around the corner from Van Meter Street and crash into the east curb. The third deputy sheriff (driver) and fourth deputy sheriff (passenger) stopped their patrol vehicle approximately twenty feet away, left of the suspect's driver side door.

The third and fourth deputy sheriffs illuminated the suspect's vehicle with their spotlights and exited their patrol vehicle with their guns drawn. They ordered the suspect and the plaintiff to show their hands.

The suspect raised and pointed his firearm at the third and fourth deputy sheriffs. The third and fourth deputy sheriffs feared for their lives and fired their duty weapons at the suspect.

Simultaneously, the detectives (first and second deputy sheriffs) also observed the suspect pointing a firearm at the third and fourth deputy sheriffs. Fearing for the third and fourth deputy sheriff's lives, the first and second deputy sheriffs both fired their duty weapons at the suspect.

The suspect then revved his vehicle's engine and recklessly drove in reverse. While moving, the suspect's vehicle was headed towards the second deputy sheriff who was standing behind the open passenger side door of the detective's unmarked patrol vehicle.

The first deputy sheriff feared for the second deputy sheriff's life and fired at the suspect again. Simultaneously, the second deputy sheriff saw the suspect's vehicle was reversing towards him, so he quickly moved and took cover behind the trunk of the detective's vehicle. The suspect rammed his vehicle into the front passenger side fender of the detective's vehicle.

After crashing into the detective's vehicle, the suspect's vehicle stopped. The on-scene deputy sheriffs repeated orders for the suspect and plaintiff to show their hands. The suspect and plaintiff became cooperative to the deputy sheriff's orders and allowed the on-scene deputy sheriffs to take them into custody, without further incident.

The suspect and the plaintiff were both found to have sustained gunshot wounds during the incident. Both were transported to a local hospital and treated for their injuries.

A loaded "Mac-11" semi-auto high capacity firearm was found lying on the center console of the vehicle. The weapon contained one live 9mm round in the chamber and an empty magazine. An additional extended magazine for the firearm, containing 11 live 9mm rounds, was found on the front driver-side floorboard of the suspect's vehicle.

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

A **Department** root cause in this incident was the unintentional shooting of the plaintiff as he was the front passenger in a vehicle where the driver pointed a loaded firearm at two deputy sheriffs then used his vehicle to aggressively drive towards another deputy sheriff.

A **non-Department** root cause in this incident was the driver of the suspect's vehicle failed to comply with the lawful orders of the on-scene deputy sheriffs, pointed a loaded firearm at two deputy sheriffs, and used his vehicle to aggressively drive towards another deputy sheriff.

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

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

The results of their investigation were presented to members of the Los Angeles County District Attorney's Office.

On October 6, 2014, the Justice System Integrity Division of the Los Angeles County District Attorney's Office concluded the deputy sheriffs involved in the shooting acted in lawful self-defense and in defense of another.

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

On September 30, 2015, the EFRC determined the force and tactics used in this incident were within Department policy.

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)

Scott E. Johnson, Captain  
Risk Management Bureau

Signature:

Date:

12-4-17

Name: (Department Head)

Karyn Mannis, Chief  
Professional Standards and Training Division

Signature:

Date

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**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)

Signature:

Date:

Destiny Lashley

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Isaac Solorio, et al. v. County of Los Angeles, et al.
CASE NUMBER	BC612416
COURT	Los Angeles Superior Court
DATE FILED	March 2, 2016
COUNTY DEPARTMENT	Fire Department
PROPOSED SETTLEMENT AMOUNT	\$ 55,000
ATTORNEY FOR PLAINTIFF	Carlos A. Gomez The Dominguez Firm
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	<p>This case involves a vehicle collision that occurred on June 29, 2015, when the Ford F-550 truck driven by a County Fire Department employee and the Honda Civic vehicle driven by plaintiff Isaac Solorio collided on southbound Sierra Highway, just south of the Soledad Canyon Road, in the City of Santa Clarita. Mr. Solorio's wife Samarit Solorio and their minor daughter Alondra Solorio were passengers in the Honda. Each of the plaintiffs 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	\$ 78,882
PAID COSTS, TO DATE	\$ 10,479

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jasmine Stoval v. County of Los Angeles, et al.
CASE NUMBER	BC623241
COURT	Los Angeles Superior Court
DATE FILED	June 8, 2016
COUNTY DEPARTMENT	Fire Department
PROPOSED SETTLEMENT AMOUNT	\$ 25,000
ATTORNEY FOR PLAINTIFF	Salar Hendizadeh Downtown L.A. Law Group
COUNTY COUNSEL ATTORNEY	Richard K. Kudo Principal Deputy County Counsel
NATURE OF CASE	This case involves a vehicle collision that occurred on June 8, 2016, when the Ford F-550 truck driven by a Los Angeles County Fire Department employee sideswiped the Nissan Altima vehicle driven by plaintiff Jasmine Stoval on northbound Crenshaw Boulevard, just south of Rocket Road, in the City of Hawthorne. Ms. Stoval 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.
PAID ATTORNEY FEES, TO DATE	\$ 31,372
PAID COSTS, TO DATE	\$ 4,140

**COUNTY OF LOS ANGELES CLAIMS BOARD**

**MINUTES OF REGULAR MEETING**

**December 18, 2017**

**1. Call to Order.**

This meeting of the County of Los Angeles Claims Board was called to order at 9:28 a.m. The meeting was held in the Executive Conference Room, 648 Kenneth Hahn Hall of Administration, Los Angeles, California.

Claims Board Members present at the meeting were: Chair Steve Robles, Arlene Barrera and Roger Granbo.

Other persons in attendance at the meeting were: Office of the County Counsel: Millicent Rolon, Richard Kudo, and Michael Gordon; Sheriff's Department: Chris Perez, Eric Smitson, Kevin Percy, and Dominic Dannan; Department of Public Health: Ferdows Rashidian.

**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 addressed the Claims Board.

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

At 9:30 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(c) below.

**4. Report of actions taken in Closed Session.**

At 9:56 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. A.E.R., a minor, by Stephanie Yanez, et al. v. County of Los Angeles, et al.  
United States District Court Case No. CV 16-04895**

This lawsuit seeks compensation for the minor child and parents for their decedent's alleged wrongful death and federal civil rights violations caused by Sheriff's Deputies.

**Action Taken:**

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$1,000,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

**b. David Flores v. Los Angeles County Sheriff's Department, et al.  
Los Angeles Superior Court Case No. MC 025 473**

This lawsuit arises from injuries sustained in a vehicle accident involving an employee from the Sheriff's Department.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$75,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

**c. Christina Lary, et al. v. County of Los Angeles, et al.  
Los Angeles Superior Court Case No. BC 651 584**

This lawsuit arises from injuries sustained in a vehicle accident involving an employee from the Department of Public Health.

Action Taken:

The Claims Board approved the settlement of this matter in the amount of \$44,000.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

**5. Approval of the minutes of the December 4, 2017, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – Steve Robles, Arlene Barrera, and Roger Granbo

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

No such matters were discussed.



**7. Adjournment.**

The meeting was adjourned at 9:58 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By   
Sandra C. Ruiz