

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD
HELD IN PERSON AND ONLINE VIA VIDEO CONFERENCE
ON MONDAY, FEBRUARY 3, 2025, 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.**

There was an unidentified member of the public who appeared on the public teleconference phone line but did not respond to the opportunity to address the Claims Board.

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

- a. **Richard R. Salazar v. City of Citrus, et al.
Los Angeles Superior Court Case No. 21STCV14933**

This dangerous condition of public property lawsuit against the Department of Public Works arises from injuries Plaintiff allegedly sustained when his motorcycle crashed in unincorporated Los Angeles County.

Action Taken:

The Claims Board approved settlement of Item 3(a) in the amount of \$50,000.

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

[See Supporting Document](#)

- b. **Non-Litigated Claims of Xi Lin Chen and Yan Lu**

These inverse condemnation claims against the Department of Public Works arise from a sewer mainline blockage and spill that occurred at two properties in unincorporated Stevenson Ranch resulting in property damage.

Action Taken:

The Claims Board approved settlement of Item 3(b) in the amount of \$54,258.

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

[See Supporting Document](#)

c. **Christensen Bros. Gen. Eng., Inc. v. LA County Waterworks Dist. No. 40, et al.**
Los Angeles Superior Court Case No. 20STCV35076

This breach of contract lawsuit seeks damages against the Department of Public Works for costs incurred on an improvement project for the installation of a water-main pipeline in Lancaster.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3(c) in the amount of \$295,000.

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

[See Supporting Document](#)

d. **Gregorio Pina, et al. v. Rosa Mora, et al.**
Los Angeles Superior Court Case No. MC027157

This dangerous condition of public property lawsuit against the Department of Public Works arises from alleged injuries sustained in a traffic collision due to icy road conditions in unincorporated Los Angeles County.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3(d) in the amount of \$2,350,000.

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

[See Supporting Documents](#)

e. **Leopoldo Noriega, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 23STCV12091

This lawsuit arises from alleged injuries sustained in a traffic collision involving an Internal Services Department employee and a pedestrian walking through a crosswalk.

Action Taken:

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

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

[See Supporting Document](#)

f. Non-Litigated Tax Claims of Garcia and Ramirez

These two tax claims brought by two sets of property owners allegedly impacted by fraudulent behavior of home improvement contractors under the County's PACE program seek compensation for incomplete construction.

Action Taken:

The Claims Board approved settlement of Item 3(f) in the amounts of \$92,000 and \$35,000.

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

[See Supporting Document](#)

**g. Rodney Cullors, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No 20STCV16414**

This class action lawsuit alleges that the County of Los Angeles failed to adequately protect inmates in the County jails from COVID.

Action Taken:

The Claims Board approved settlement of Item 3(g) in the amount of \$99,500.

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

[See Supporting Document](#)

**h. Jesus Avitia, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV44681**

This state civil rights lawsuit arises from Sheriff's Department deputies' alleged use of deadly force against Plaintiffs' son.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3(h) in the amount of \$350,000.

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

[See Supporting Documents](#)

**i. Lisa Vargas v. County of Los Angeles, et al.
United States District Court Case No. 2:19-cv-03279**

This federal civil rights lawsuit arises from the death of Plaintiff's son after Sheriff's Department deputies attempted to take Decedent into custody.

Action Taken:

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

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

[See Supporting Documents](#)

**j. Erica Folinsky v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 19STCV24605**

This lawsuit concerns allegations that an employee of the Department of Mental Health was subjected to disability discrimination and retaliation.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 3(j) in the amount of \$150,000.

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

**k. Guillermo Arce v. County of Los Angeles
Los Angeles Superior Court Case No. 23STCV03801**

This lawsuit concerns allegations that an employee of the Department of Public Social Services was subjected to disability discrimination, harassment, and retaliation.

Action Taken:

The Claims Board approved settlement of Item 3(k) in the amount of \$50,000.

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

4. Approval of the Minutes of the January 6, 2025, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the Minutes of the January 6, 2025, 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	Richard R. Salazar v. City of Citrus, et al.
CASE NUMBER	21STCV14933
COURT	Los Angeles Superior Court
DATE FILED	04/20/2021
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 50,000
ATTORNEY FOR PLAINTIFF	Gary Berkovich, Esq. Law Offices of Gary Berkovich, APC
COUNTY COUNSEL ATTORNEY	Michael J. Gordon Senior Deputy County Counsel
NATURE OF CASE	<p>On January 22, 2021, Plaintiff Richard Salazar lost control of his motorcycle and crashed on Gladstone Street near Rockvale Avenue in an unincorporated area of the County near the City of Azusa due an allegedly dangerous roadway condition. Plaintiff alleges the incident caused injuries for which he seeks compensation.</p> <p>Given the risked and uncertainties of litigation, a full and final settlement of the case in the amount of \$50,000 is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 85,718
PAID COSTS, TO DATE	\$ 46,887

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Non-Litigated Claim of Xi Lin Chen and Yan Lu
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	PUBLIC WORKS
PROPOSED SETTLEMENT AMOUNT	\$ 54,258.00
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Mark W. Lomax, Deputy County Counsel
NATURE OF CASE	This claim involves property damage from a sewage spill caused by a sewer mainline blockage. Due to the risk and uncertainties of litigation, a full and final settlement is warranted.
PAID ATTORNEY FEES, TO DATE	\$ -0-
PAID COSTS, TO DATE	\$ -0-

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Christensen Brothers General Engineering Inc. v Los Angeles County Waterworks District No. 40, et al.
CASE NUMBER	20STCV35076
COURT	Los Angeles Superior Court Stanley Mosk Courthouse
DATE FILED	9/14/2020
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 295,000
ATTORNEY FOR PLAINTIFF	John M. McGowan, Esq.
COUNTY COUNSEL ATTORNEY	Jonathan W. Brazile Deputy County Counsel
NATURE OF CASE	Christensen Brothers General Engineering Inc, ("Plaintiff") alleges that the County breached a construction contract, entered on 12/18/2018, for the public work of improvement of Avenue K transmission main phase IV 20 th Street to 30 th Street East, Project ID No. WWD4004013 in Los Angeles "Project"). Plaintiff further alleges that the County failed to compensate it for extra work and cost incurred on the Project.
PAID ATTORNEY FEES, TO DATE	\$ 220,883
PAID COSTS, TO DATE	\$ 89,179

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Gregorio Pina, et al. v. Rosa Mora, et al.
CASE NUMBER	MC027157
COURT	Los Angeles Superior Court
DATE FILED	May 30, 2017
COUNTY DEPARTMENT	Department of Public Works
PROPOSED SETTLEMENT AMOUNT	\$ 2,350,000
ATTORNEY FOR PLAINTIFF	JASON P. FOWLER, Esq. Parris Law Firm
COUNTY COUNSEL ATTORNEY	RICHARD K. KUDO Principal Deputy County Counsel
NATURE OF CASE	<p>On January 25, 2017, at 6:30 a.m., Gregorio Pina's ("Plaintiff") Toyota sedan and defendant Rosa Mora's (not a County employee) Toyota pickup truck crashed into each other when Ms. Mora lost control of her truck and crossed over into Plaintiff's lane of travel due to icy road conditions on Avenue N, approximately 330 feet east of 20th Street West, in the unincorporated area of the County near the City of Palmdale. Plaintiff alleged that the water pooled at the southeast corner of Avenue N and 20th Street West intersection represented a dangerous condition of public property that caused the collision. Plaintiff claims to have suffered injuries and damages from the accident. Plaintiff's wife, Ana Pina, claims a loss of consortium.</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	\$ 393,858
PAID COSTS, TO DATE	\$ 202,025



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:	January 25, 2017
Briefly provide a description of the incident/event:	<p>On January 25, 2017, at 6:30 a.m., the Co-defendant (the driver of the other vehicle) was traveling eastbound on Avenue N, 330 feet east of 20th Street West when she lost control of her vehicle and crossed over the double yellow line into westbound traffic and collided with Plaintiff's vehicle. The Traffic Collision Report found the Co-defendant was the cause of the collision in violation of CVC 22350 (unsafe speed) and CVC 22107 (unsafe turning movement).</p> <p>According to the traffic collision report, the weather was clear, and the incident occurred around dusk-dawn.</p>

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

It is alleged that the collision occurred due to the flooded and icy conditions of the roadway at the time of the incident.

It is alleged that the collision occurred due to lack of maintenance and warning signs.


The collision occurred due to Co-defendant's negligence in the operation of her vehicle by traveling at an unsafe speed and making an unsafe turning movement in front of the Plaintiff. According to the Traffic Collision Report, the Co-defendant caused the collision in violation of CVC 22350 (unsafe speed) and CVC 22107 (unsafe turning movement).

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


Continued adherence to existing departmental policies, standards and operating procedures.

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. Injjian	
Signature: 	Date: 12/13/2024

Name: (Deputy Director) Steve Burger	
Signature: 	Date: 12/17/2024

Name: (Department Head) Mark Pestrella	
Signature: 	Date: 12/17/2024

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	

Name: (Risk Management Inspector General)	
Signature: 	Date: 12/26/2024

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CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Leopoldo Noriega, et al. v. County of Los Angeles, et al.
CASE NUMBER	23STCV12091
COURT	Los Angeles Superior Court
DATE FILED	May 30, 2023
COUNTY DEPARTMENT	Internal Services Department
PROPOSED SETTLEMENT AMOUNT	\$ 100,000
ATTORNEY FOR PLAINTIFF	Robert Ounjian, Esq. Carpenter and Zuckerman
COUNTY COUNSEL ATTORNEY	Kevin J. Engelen Senior Deputy County Counsel
NATURE OF CASE	This case occurred from a traffic collision involving Plaintiff, Leopoldo Noriega and Los Angeles County Internal Services Department employee, Anthony Preciado. Due to the risks and uncertainties of litigation, a full and final settlement of the case is warranted.
PAID ATTORNEY FEES, TO DATE	\$ 30,846
PAID COSTS, TO DATE	\$ 1,732

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Tax Claims of Garcia and Ramirez
CASE NUMBER	N/A
COURT	N/A
DATE FILED	N/A
COUNTY DEPARTMENT	Internal Services Department (ISD)
PROPOSED SETTLEMENT AMOUNT	Two PACE assessments: \$ 1. Garcia: Up to \$92,000.00 2. Ramirez: Up to \$35,000.00
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Michael Owens
NATURE OF CASE	Breach of contract
PAID ATTORNEY FEES, TO DATE	\$ 0.00
PAID COSTS, TO DATE	\$ 0.00

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Rodney Cullors, et al v. County of Los Angeles, et al.
CASE NUMBER	Case No. 20STCV16414
COURT	Los Angeles Superior Court
DATE FILED	April 2020
COUNTY DEPARTMENT	Sheriff's Department and DHS/Correctional Health Services
PROPOSED SETTLEMENT AMOUNT	\$ 99,500
ATTORNEY FOR PLAINTIFF	BARRY LITT – McLane, Bednarski & Litt, LLP
COUNTY COUNSEL ATTORNEY	TIMOTHY J. KRAL Principal Deputy County Counsel ANDREW BAUM Glaser Weil Fink Howard Avchen & Shapiro, LLP
NATURE OF CASE	<p>This is a recommendation to settle for \$99,500, inclusive of attorneys' fees and costs, a putative injunctive relief class action alleging that the County of Los Angeles failed to adequately protect inmates in the Los Angeles County jails from the dangers and effects of COVID.</p> <p>Plaintiffs filed this action in the initial days of COVID (April 2020). They sought the immediate release of a number of inmates and significant medical and institutional changes for those who remained in custody. The County rejected Plaintiffs' claims and contended that its response to COVID in the jails was more than appropriate and fully complied with all guidelines and regulations.</p>
PAID ATTORNEY FEES, TO DATE	\$ 1,249,087
PAID COSTS, TO DATE	\$ 32,718

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Avitia, Jesus, et al. v. County of Los Angeles, et al.	
CASE NUMBER	21STCV44681	
COURT	Los Angeles County Superior Court	
DATE FILED	December 8, 2021	
COUNTY DEPARTMENT	Sheriff's Department	
PROPOSED SETTLEMENT AMOUNT	\$	350,000
ATTORNEY FOR PLAINTIFF	Dale Galipo & Bradley Gage	
COUNTY COUNSEL ATTORNEY	Minas Samuelian Senior Deputy County Counsel	
NATURE OF CASE	<p>This is a recommendation to settle for \$350,000 inclusive of attorneys' fees and costs, a lawsuit filed by Gabriela Avitia and Jesus Avitia ("Plaintiffs"), the mother and father of decedent Robert Avitia, alleging civil rights violations and wrongful death arising out of the death of their son.</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 \$350,000 is recommended.</p>	
PAID ATTORNEY FEES, TO DATE	\$	95,264
PAID COSTS, TO DATE	\$	7,990



Summary Corrective Action Plan

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Date of incident/event:	May 26, 2020, approximately 5:15 p.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;">Summary Corrective Action Plan 2023-146</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 May 26, 2020, at approximately 10:00 a.m., the Los Angeles County Sheriff's (Department) - Operation Safe Streets Bureau (OSS) Gang Surveillance Unit (GSU) deputies conducted a surveillance/apprehension operation in the unincorporated area of Vermont in Los Angeles County.</p> <p>Deputies One, Two, Three and Four were dressed in civilian clothing, with the Department tactical vests which clearly identified them as police officers. The operation was for a male adult (Decedent) who was wanted for a murder which occurred on May 1, 2020. A Ramey Warrant was issued for the Decedent.</p> <p>The GSU Deputies received information where the Decedent resided. During the surveillance operation, Deputy One observed the Decedent looking out of the front door. Deputy One advised his partners via his Department-issued handheld radio of the Decedent actions. Deputy One requested additional GSU team members to surround the residence. A marked Department patrol vehicle was positioned in front of the residence. Via loudspeaker, the Decedent was given verbal orders to exit the residence.</p> <p>During the call outs, the Decedent exited the rear door of the residence and ran. The GSU Team initiated a foot pursuit of the Decedent. They observed the Decedent standing on the sidewalk holding a firearm in his right hand.</p> <p>The deputies ordered the Decedent several times to drop the firearm and surrender but he did not comply with their verbal commands and continued to run from the deputies.</p> <p>The Decedent stopped on the corner. Deputies One, Two, and Three took cover behind a vehicle parked and again gave verbal commands to drop the firearm. The Deputy Sheriffs observed the Decedent holding the firearm in his right hand with his finger on the trigger of the firearm.</p> <p>The Decedent reached into his pants pocket, retrieved his cellphone and called his mother.</p>

	<p>When the Decedent completed the call, he remained standing with the firearm in his hand, he then raised his arm and pointed his firearm in the direction of the Deputy Sheriffs, and a deputy-involved shooting (D.I.S.) occurred.</p> <p>The Decedent was struck several times, and he fell to his knees. While on his knees, the Decedent raised the gun towards Deputies One, Two and Three. Deputies One and Four fired at the Decedent. The Decedent fell from his knees to the ground.</p> <p>After the D.I.S., deputies approached the Decedent, handcuffed him, and requested paramedics. The Los Angeles County Fire Department paramedics responded and provided medical aid to the Decedent. He was pronounced deceased by the LACo Fire Department paramedic.</p> <p>A firearm was recovered at the scene.</p> <p>The Department's Homicide Bureau responded to the scene and began their investigation. During the investigation, video surveillance recovered depicted the Decedent running away and pointing a firearm at the deputy sheriffs. Another video uploaded on to social media depicts deputies ordering the Decedent to "drop the firearm," at least twice, prior to the D.I.S. In addition, multiple civilian witnesses heard these commands, with some estimating the Decedent was ordered to drop the weapon as many as twenty times.</p> <p>On June 24, 2021, the Los Angeles County District Attorney's Office, Justice System Integrity Division (JSID), completed their review of the D.I.S. and concluded all involved deputy sheriffs acted lawfully in self defense and in defense of another. JSID concluded the involved deputies used deadly force when the Decedent was pointing or raising the weapon in a manner which posed an imminent deadly threat.</p> <p>On March 3, 2022, the Department's Executive Force Review Committee (EFRC) convened to review the tactics and force used in this incident. The EFRC Committee determined the tactics and force used by all four deputies in this incident were within Department policy.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

<p>A Department root cause in this incident was Deputies involved in this incident used deadly force.</p> <p>A Department root cause was the Deputies were not yet equipped with Body-Worn Cameras (BWC). The recorded video would have captured the Deputies' contact with the plaintiff in order to prove or disprove the Plaintiffs' allegations.</p> <p>A non-Department root cause in this incident was the Decedent refused to surrender to the Deputy Sheriffs, but instead he decided to flee from the location.</p> <p>A non-Department root cause in this incident was the Decedent's failure to comply with the Deputy Sheriffs' lawful orders to drop the firearm.</p> <p>A non-Department root cause in this incident was the Decedent pointing a firearm at the Deputy Sheriffs.</p>

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 LASD's Homicide Bureau, and the results of the investigation were presented to the Los Angeles County District Attorney's Office, JSID, for their evaluation and filing consideration. JSID completed its review of the DIS and concluded all four deputies involved in this incident acted lawfully in self-defense and in defense of another. JSID closed their file on this incident and will take no further action in this matter.

Administrative Investigation

This use-of-force was investigated by the Internal Affairs Bureau (IAB) to determine if any Department policy violations occurred during the use-of-force used against the Decedent. The IAB investigation into this matter concluded. This case was subsequently reviewed by the EFRC, who determined the force and tactics used in this incident were within Department policy.

Although the EFRC Panel found the force and tactics within Department policy, the involved deputy sheriff's attended training pertaining to the circumstance surrounding this incident.

Tactical Debriefing

In the days following the incident, personnel were briefed on the events known at the time and based on the information provided by Homicide Bureau investigators. Special focus was placed on tactical preparedness, shooting backdrop and lessons learned to assist employees if they ever find themselves in a similar situation. The debriefing included all members of the GSU.

At the conclusion of the administrative process an additional debriefing was conducted to discuss the findings of the EFRC.

Body Worn Camera

On September 28, 2021, all OSS personnel were issued BWC worn cameras as a form of transparency.

The use of BWC's ensures reliable recording of enforcement and investigative contacts with the public. The Department established policy and procedures for the purpose, use, and deployment of the Department issued BWC.

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

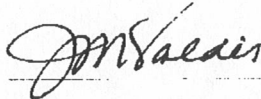
- Yes – The corrective actions address Department-wide system issues.
 No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Julia Valdes, A/Captain
Risk Management Bureau

Signature:



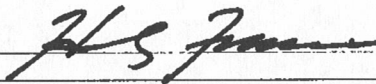
Date:

12/11/24

Name: (Department Head)

Holly Francisco, Assistant Sheriff
Countywide Operations

Signature:



Date:

12/17/27

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: Betty Karmirlian (Risk Management Inspector General)

Signature:



Date:

12/18/2024

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Lisa Vargas v. County of Los Angeles, et al.
CASE NUMBER	2:19-CV-03279
COURT	United States District Court Case
DATE FILED	August 12, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 3,000,000
ATTORNEY FOR PLAINTIFF	Humberto M. Guizar & Christian Contreras
COUNTY COUNSEL ATTORNEY	Minas Samuelian Senior Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$3,000,000 inclusive of attorneys' fees and costs, a lawsuit filed by Lisa Vargas ("Plaintiff"), the mother of decedent Anthony Vargas, alleging civil rights violations and wrongful death arising out of the death of her son.</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 \$3,000,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 698,716
PAID COSTS, TO DATE	\$ 182,757



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:	August 12, 2018, at approximately 1:51 a.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;">Summary Corrective Action Plan 2023-147</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>The Plaintiff is the Decedent's parent.</p> <p>Multiple investigative reports indicate on August 12, 2018, at approximately 1:51 a.m., a woman called 911 and stated that her boyfriend had been robbed of his watch at gunpoint by three male Hispanics. The caller described the suspects as Male Hispanics in their 30's or 40's; one of them was riding a bike and only one of them had a gun. The caller reported the suspects were at the intersection of Mednik Avenue and Hammel Street. Additionally, the caller stated the suspect armed with a gun was wearing a "blue t-shirt".</p> <p>The caller indicated she and her boyfriend were parked and could see the suspects. The Decedent was among this group of Hispanic males.</p> <p>At approximately 2:00 a.m., Deputies received the robbery call and responded to the location. Upon their arrival, the group of Hispanic males split up and began running east away from the deputies.</p> <p>Upon their arrival, Deputies One and Two were directed by the handling unit to check the parking lot for the suspects.</p> <p>Upon arrival, Deputies One and Two did not observe anyone in the area. Deputy Two (the driver) stated he proceeded to the fire access road and traveled east through the housing complex with the patrol vehicle lights off.</p> <p>The fire access road curved in a northerly direction, at which point Deputy One pointed out a Hispanic male (Decedent) wearing a dark colored shirt. The Decedent, who was wearing a dark blue shirt, saw the deputies and ran eastbound away from the deputies. Deputy One exited the passenger side of the vehicle and attempted to detain the Decedent as a potential robbery suspect. The Decedent did not comply and began to struggle with Deputy One.</p> <p>Deputy Two noticed that Deputy One was in a struggle with the Decedent and attempted to assist in detaining the Decedent. Deputies One and Two gave several verbal commands to the Decedent to show his hands, to no avail. Deputy Two stated that during the struggle, the Decedent dragged Deputies One and Two approximately fifty (50) feet</p>

	<p>before they were able to get the Decedent down to the ground on his stomach in a grassy area.</p> <p>During the struggle, Deputy Two reached underneath the Decedent to the Decedent's waistband area, over his outer clothing. Deputy Two felt the butt of a gun in the Decedent's waistband. Deputy Two immediately informed Deputy One the Decedent was armed with a gun.</p> <p>During the struggle, Deputies One and Two used control holds and personal weapons in an attempt to gain the Decedent's compliance; however, the Decedent continued to resist the deputies' commands. At this time, Deputy Two's radio microphone cord was wrapped around the Decedent's right forearm, preventing Deputy Two from creating distance from the Decedent.</p> <p>While on the ground, the Decedent lifted his body up with his right hand under him, at which point Deputy Two observed the gun in the Decedent's right hand. Seeing the gun in the Decedent's right hand, Deputy Two believed the Decedent was going to shoot him, and yelled, "Gun! Gun! Gun!" Deputy One heard Deputy Two yell, "Gun! Gun! He's going for the gun!" At this instant, Deputy Two, from a seated position approximately five feet from the Decedent, drew his service weapon with his right hand and fired several rounds toward the Decedent.</p> <p>Simultaneously, Deputy One believed the Decedent was going to attempt to shoot Deputy Two; he stood up, withdrew his firearm and fired several rounds toward the Decedent. Both Deputies One and Two detained the Decedent at gunpoint until additional deputy personnel arrived on scene.</p> <p>Once additional deputy personnel arrived on scene, the Decedent was secured, and Cardiopulmonary Resuscitation (CPR) was administered to the Decedent. A black semi-automatic firearm was recovered underneath the Decedent.</p> <p>Los Angeles County Fire Department Engine #1, Squad 3 responded; The Decedent was pronounced deceased at 2:22 am.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

<p>A Department root cause in the incident was the Deputies were involved in a deputy involved shooting when they attempted to take the Decedent into custody.</p> <p>A Department root cause in the incident was the Deputies failure to broadcast and advise additional units in the area they had located the armed suspect and were involved in a foot pursuit</p> <p>A Department root cause in the incident was the Deputies were not yet equipped with Body-Worn Camera. The recorded video would have captured the Deputies' contact with the Decedent.</p> <p>A non-Department root cause in this incident was the Decedent's failure to comply with the Deputies' lawful orders.</p> <p>A non-Department root cause in this incident was the Decedent was seen, after a lengthy struggle with the Deputies, holding a firearm in his right hand; causing the Deputies to simultaneously believe the Decedent was about to shoot Deputy Two.</p>
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A **non-Department** root cause in this incident was the Decedent's intoxication; the toxicology report showed the Decedent had narcotics in his system.

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

This incident was thoroughly investigated by the Sheriff's Department Homicide Bureau. The results of their investigation were submitted to the Los Angeles County District Attorney's Office, Justice System Integrity Division. The Los Angeles County District Attorney's Office concluded their investigation and found Deputies One and Two acted in lawful self-defense and defense of others when they used deadly force against The Decedent; they closed the file and would be taking no further action in this matter.

An administrative review was conducted, and appropriate administrative action was taken.

As a result of this incident, Deputies One and Two attended additional training.

Body-Worn Cameras (BWC)

As of November 2020, all sworn personnel assigned to East Los Angeles Sheriff Station were issued a Body Worn Camera to ensure all public contacts are transparent. The use of BWC's ensures reliable recording of enforcement and investigative contacts with the public. The Department established 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 Valdes, A/Captain Risk Management Bureau	
Signature: 	Date: 12/18/2024

Name: (Department Head)	
Myron Johnson, Assistant Sheriff Patrol Operations	
Signature: 	Date: 1/2/25

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: Betty Karmirlian (Acting Risk Management Inspector General)

Signature: 	Date: 1/6/2025
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LOS ANGELES COUNTY CLAIMS BOARD

MINUTES OF REGULAR MEETING

January 6, 2025

1. Call to Order.

The meeting of the Los Angeles County Claims Board was called to order at 9:40 a.m. The meeting was held virtually with Claims Board Chair Destiny Castro, Claims Board Member Oscar Valdez, 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.

All other participants at the Claims Board meeting appeared virtually: Joseph A. Langton, Edward Morrissey, Narbeh Bagdasarian, Latasha N. Corry, Minas Samuelian, Christopher Keosian, and Kent Sommer appeared for the Office of the County Counsel. Arun Patel, Nancy Blake, Claudia Aguirre, Elizabeth Augusta, and Brad Spellberg appeared for the Department of Health Services. Sergeant Shanese E. Winfrey, Deputy Nancy K. Madarasz, Lieutenant Antonio Leon, Captain Jabari A. Williams, Lieutenant Ethan T. Marquez, Commander Alfred M. Reyes, Captain Marco A. Soto, Lieutenant Daniel W. Martin, Commander Christine Coles, Commander Tania Plunkett, Deputy Lorena Rosales, and Lieutenant Eric A. Metten appeared for the Sheriff's Department. David Palafox and Vilmas Lopez appeared for the Department of Children and Family Services. George Mallory appeared for George L. Mallory, Jr. & Associates. Elizabeth T. Arce appeared for Liebert Cassidy Whitmore.

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 9:40 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 member of the public appeared in person or on the public teleconference phone line to hear the reportable actions of the Claims Board.

At 12:17 p.m., the Claims Board reconvened in open session to report the actions taken in closed session as follows:

a. Non-Litigated Claim of Stephan Zweig

This claim arises from allegations of legal malpractice by a Department of Health Services employee.

Action Taken:

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

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

**b. Andrea Cifuentes, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 24STCV06950**

This medical malpractice lawsuit arises from the death of a patient during surgery at Los Angeles General Hospital.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4(b) in the amount of \$1,327,000.

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

**c. Adrian Soto v. Johnny Daniel Perez, et al.
Los Angeles Superior Court Case No. 21STCV02386**

This lawsuit arises from injuries Plaintiff allegedly sustained in a multi-vehicle traffic collision involving a Sheriff's Department detective.

Action Taken:

The Claims Board approved settlement of Item 4(c) in the amount of \$46,500.

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

**d. Liang Zhao v. County of Los Angeles, et al.
San Bernardino Superior Court Case No. CIVSB2201037**

This lawsuit arises from injuries Plaintiff allegedly sustained in a multi-vehicle traffic collision involving a Sheriff's Department detective.

Action Taken:

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

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

**e. Armstrong Mgbatu Tabot, Jr. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 23STCV07447**

This civil rights lawsuit concerns allegations of excessive force by an off-duty Sheriff Department's sergeant.

Action Taken:

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

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

f. **Eric Gonzalez, et al. v. County of Los Angeles, et al.**
United States District Court Case No. 2:22-cv-08525

This civil rights lawsuit against the Sheriff's Department alleged unreasonable search and seizure at Plaintiffs' home.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4(f) in the amount of \$200,000.

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

g. **Lauren Millstein v. County of Los Angeles, et al.**
United States District Court Case No. 2:21-cv-02623

This class-action failure to pay overtime lawsuit concerns allegations that the Sheriff's Department failed to compensate 17 custody assistants for hours worked.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4(g) in the amount of \$185,000.

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

h. **Claim of Luna Lermanda**

This disability discrimination claim concerns allegations by a former intern with the Department of Children and Family Services.

Action Taken:

The Claims Board recommended to the Board of Supervisors settlement of Item 4(h) in the amount of \$205,000.

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

5. **Approval of the Minutes of the December 2, 2024, regular meeting of the Claims Board.**

Action Taken:


The Claims Board approved the Minutes of the December 2, 2024, meeting.

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

6. Adjournment.

The meeting was adjourned at 12:18 p.m.

LOS ANGELES COUNTY CLAIMS BOARD

By 

Laura Z. Salazar
Claims Board Secretary