STATEMENT OF PROCEEDINGS

FOR THE REGULAR MEETING OF THE LOS ANGELES COUNTY CLAIMS BOARD

HELD IN ROOM 648 OF THE KENNETH HAHN HALL OF ADMINISTRATION,

500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

ON MONDAY, APRIL 6, 2015, AT 9:30 A.M.

Present: Chair John Naimo, Steve Robles, and Patrick Wu

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.

Yvette Madrid addressed the Claims Board on Item 3.d, outlined below. Her counsel, Nathan Verbiscar-Brown, from the Hornberger Law Corporation, was also present.

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

a. Claim of Mohammad and Rahat Zaidi

This claim seeks compensation from the Department of Public Works for real and personal property damages allegedly caused from a backflow of sewage due to a sewer mainline blockage.

Action Taken:

The Claims Board approved settlement of this matter in the amount of $36,234.40.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

See Supporting Documents

b. Claim of Ben and Lori Hutchinson

This claim seeks compensation from the Department of Public Works for real and personal property damages allegedly caused from a backflow of sewage due to a sewer mainline blockage.

Action Taken:

The Claims Board approved settlement of this matter in the amount of $24,176.24.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

See Supporting Documents

c. **Charles Lee v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. 14K04048

This lawsuit concerns allegations of negligence by the Probation Department and the Sheriff's Department regarding the mishandling of a check for restitution.

Action Taken:

The Claims Board approved settlement of this matter in the amount of $25,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

See Supporting Documents

d. **Gabriel Gonzales, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 485 178

This lawsuit concerns allegations of excessive force, negligence, and emotional distress by Sheriff's Deputies.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of $340,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

See Supporting Document

e. **Daniel Johnson v. County of Los Angeles, et al.**
United States District Court Case No. CV 14-00368

This lawsuit concerns allegations of false arrest and excessive force by Sheriff's Deputies; settlement is recommended in the amount of $200,000.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of $200,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

See Supporting Documents

f. Robert Dominguez v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. YC 066 945

This lawsuit alleges a breach of mandatory duties by the Department of Children and Family Services, which contributed to the death of a minor

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of $450,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

See Supporting Documents

4. Report of actions taken in Closed Session.

The Claims Board reconvened in open session and reported the actions taken in closed session as indicated under Agenda Item No. 3 above.

5. Approval of the minutes of the March 16, 2015, regular meeting of the Claims Board.

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

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.

No such matters were discussed.

7. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME		Claim of Mohammad and Rahat Zaidi
CASE NUMBER		N/A
COURT		N/A
DATE FILED		March 29, 2014
COUNTY DEPARTMENT		Public Works
PROPOSED SETTLEMENT AMOUNT	$	36,234.40
ATTORNEY FOR PLAINTIFF		N/A
COUNTY COUNSEL ATTORNEY		Lindsay Yoshiyama
NATURE OF CASE		This claim arises from a blocked sewer mainline that caused a sewage backflow into Claimants' residence 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

Zaidi , Mohammad

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 29, 2014
Briefly provide a description of the incident/event:	On March 29, 2014, a sewer overflow occurred at 2115 Langspur Drive in the unincorporated area of Hacienda Heights. The effluent overflowed into various rooms of the residence and caused damage to the interior and the homeowner's personal property. It is alleged that the overflow was caused by a tree-root blockage in the mainline sewer. Sewer Maintenance Division (SMD) responded to a service request concerning a sewage flood out at the residence. The SMD crew proceeded to rod the mainline sewer between Manhole Nos. 513 and 514 to break down a root blockage. Carl Warren & Company was contacted to initiate remediation under the Rapid Response Program.

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

The property damage was caused by a mainline sewer root blockage. Although not required by the Building and Plumbing Codes at the time the residence was built, current codes would require a backwater valve to be installed upon a permitted plumbing modification, which would have prevented sewage from flowing into the residence. Absence of the backwater valve allowed sewage from the blocked mainline sewer to flow into the residence.

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

As a condition of settlement, the homeowner has agreed to install a code compliant backwater valve

As a precautionary measure, the mainline sewer was also placed on a 90-day rodder periodic to prevent future blockages and will remain on this schedule until it is no longer necessary as determined by maintenance personnel. The sewer manholes will also continue to be inspected semi-annually as part of SMD's Preventive Maintenance Program.

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

☐ Yes - The corrective actions address department-wide system issues.

☒ No - The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator)
Michael J. Hays

Signature: MJ Hays

Date: 2/23/15

Name: (Department Head)
Gail Farber

Signature:

Date: 3/3/15

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)
Destiny Castro

Signature: Destiny Castro

Date: 3/5/2015

MM:psr
P4:\ZAIDI SCAP1(2)

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME		Claim of Ben and Lori Hutchinson
CASE NUMBER		N/A
COURT		N/A
DATE FILED		March 3, 2014
COUNTY DEPARTMENT		Public Works
PROPOSED SETTLEMENT AMOUNT	$	24,176.24
ATTORNEY FOR PLAINTIFF		N/A
COUNTY COUNSEL ATTORNEY		Lindsay Yoshiyama
NATURE OF CASE		This claim arises from a blocked sewer mainline that caused a sewage backflow into Claimants' residence 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 Name: HUTCHINSON, BEN

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:	February 24, 2014
Briefly provide a description of the incident/event:	On February 24, 2014, a sewage backup occurred at 660 North Loraine Avenue in the City of Glendora. The effluent overflowed into various rooms of the residence and front lawn and caused damage to the interior and the homeowner's personal property. It is alleged that the overflow was caused by heavy grinds, dirt, and a rock blockage in the mainline sewer. Sewer Maintenance Division (SMD) responded to a service request concerning a sewage floodout at the homeowner's residence. The SMD crew proceeded to hydro-clean the mainline sewer between Manhole Nos. 472 and 473 to break down the blockage. The homeowner declined the Rapid Response Program offered by Carl Warren and Company.

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

The property damage was caused by a mainline sewer root blockage. Although not required by the Building and Plumbing Codes at the time the residence was built, current codes would require a backwater valve to be installed upon a permitted plumbing modification, which would have prevented sewage from flowing into the residence. Absence of the backwater valve allowed sewage from the blocked mainline sewer to flow into the residence.

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

As a condition of settlement, the homeowner has agreed to install a code compliant backwater valve.

As a precautionary measure, the mainline sewer was also placed on an enhanced maintenance and cleaning schedule to prevent future blockages and will remain on this schedule until it is no longer deemed necessary by maintenance personnel. The sewer manholes will also continue to be inspected semi-annually as part of SMD's Preventative Maintenance Program.

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

☐ Yes - The corrective actions address department-wide system issues.

☒ No - The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator) Michael J. Hays	
Signature:	Date: 1/20/2015

Name: (Department Head) Gail Farber	
Signature:	Date: 1/28/15

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) Destiny Castro	
Signature:	Date: 1/20/2015

ML:psr
P4:\HUTCHINSON SCAP

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME		Charles Lee vs. County of Los Angeles, et al.
CASE NUMBER		14 K04048
COURT		Los Angeles Superior Court
DATE FILED		March 20, 2014
COUNTY DEPARTMENT		Probation Department and District Attorney
PROPOSED SETTLEMENT AMOUNT	$	25,000
ATTORNEY FOR PLAINTIFF		Carl W. Greifzu, Esq.
COUNTY COUNSEL ATTORNEY		Millicent L. Rolon Principal Deputy County Counsel
NATURE OF CASE		This is a recommendation to settle for $25,000, the lawsuit filed by Plaintiff Charles Lee alleging negligence by Los Angeles Probation Department and District Attorney's Office. Due to 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 $25,000 is recommended.
PAID ATTORNEY FEES, TO DATE	$	6,110
PAID COSTS, TO DATE	$	150

Case Name: Lee v. County of Los Angeles; et al.

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:	October 30, 2008
Briefly provide a description of the incident/event:	NOTE: Victims of crime (Plaintiff) have their identity and personal information (including mailing address) protected by having their last known address redacted from any reports done by the investigating police agency and station. In this case, the Plaintiff's last known address was not on record with the Los Angeles County Sheriff's Department (LASD), City of Industry Station where the police report regarding the crime originated from. The police report did NOT have an address for the Plaintiff. The Plaintiff however did provide "Statement of Loss" paperwork in September 13, 2004, which included an address located in the state of Arizona. Plaintiff alleges that the County negligently disbursed partial restitution payment (ordered to him as a victim of a crime) in the amount of $25,000.00 to the wrong individual by the same name, who is a retired deputy with LASD. On March 27, 2008, a Warrant/Check was issued in the name of the Plaintiff and forwarded to LASD, City of Industry Station. The LASD staff then forwarded the check to Oregon City to a retired deputy who shared the same name as the Plaintiff. The Probation Department receives a letter from the retired deputy in August 2008 asking to have the check reissued to him with the correct address. The Probation Department contacts the Treasurer Tax Collector to request a reissuance of the check with the address indicated by the retired deputy. In October 2008, a new Warrant/Check is issued to the address provided by the retired deputy and the check was negotiated. In November 2013, the Plaintiff's attorney is contacted by the Los Angeles County District Attorney's Office to confirm his Plaintiff's mailing address in order to provide a copy of the judgment and to inform the Plaintiff that $25,000.00 should have been received as partial restitution payment; however, the payment was sent to another individual in error who shares the same name. Plaintiff alleges that the County was negligent and failed to rectify the mistake or to pay the Plaintiff the $25,000.00. Plaintiff is currently seeking payment.

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

The following are primary root causes that will (or have been) addressed in connection with this lawsuit:

1. Lack of appropriate cross-checking and verification of identity and authenticity of information for victims of crime when issuing Warrants/Checks on restitution orders.
2. Lack of immediate and appropriate documentation of identity and contact information of victims of crime in Departmental systems in order to appropriately initiate and request the issuance of Warrants/Checks.
3. Lack of communication and collaboration between LASD, the District Attorney's Office and the Probation Department to quickly remedy the situation.

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

The corrective action plan will consist of:

1. The Probation Department has developed and implemented protocols regarding the receipt and distribution of new and cancelled Warrants/Checks:
   - A tracking system has been put into use to track all Warrants/Checks issued to Victims of Crime, including re-issuance of cancelled checks.
2. The Probation Department has implemented a "verification" system of identity and address information of Victims of Crime to ensure proper distribution of Warrants/Checks related to restitution:
   - Various methods are utilized to identify and verify Victims' information, including the request of verification of previous addresses, defendant's name, nature of the offense, court case number (if possible) and current address and phone numbers.
   - Written verification is requested from the Victim and Department staff confirms receipt of verification.
   - Department staff will utilize the information received and will cross-check and verify received information through various communication methods as well as skip tracing.
   - Once all information is appropriately verified and confirmed for authenticity, the information is then updated in all and any necessary Probation records systems, including APS, PCMS and CARS (Collections/Accounts receivable).
3. The Probation Department will immediately address verification of identity and confidentiality matters with all appropriate parties and departments involved to ensure safety and security of Victims of Crimes and to ensure disbursement of restitution payments are properly carried out and forwarded to the appropriate individual and address.
4. The Probation Department will refer this matter to the District Attorney's Office for further investigation and handling regarding the retired LASD Deputy Charles Lee, and the repayment of funds for the $25,000.00 restitution check he cashed that was not intended for him.

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

☐ Yes – The corrective actions address department-wide system issues.

X No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator) Jacklin E. Injijian	
Signature:	Date: January 28, 2015
Name: (Department Head) Chief Jerry E. Powers	
Signature:	Date:

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) Destiny Castro	
Signature:	Date: 3/5/2015

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME		Gabriel Gonzales, et al. v. County of Los Angeles, et al.
CASE NUMBER		BC485178
COURT		Los Angeles Superior Court
DATE FILED		May 22, 2012
COUNTY DEPARTMENT		Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	$	340,000
ATTORNEY FOR PLAINTIFF		Hornberger Law Corporation
COUNTY COUNSEL ATTORNEY		Millicent L. Rolon Principal Deputy County Counsel
NATURE OF CASE		This is a recommendation to settle for $340,000, the lawsuit filed by Plaintiff Gabriel Gonzales alleging excessive force by Los Angeles County Sheriff's Department Deputies. The Deputies contend that the force used was reasonable and in response to Ms. Gonzales' actions. Due to 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 $340,000 is recommended.
PAID ATTORNEY FEES, TO DATE	$	84,368
PAID COSTS, TO DATE	$	11,629

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME		Daniel Johnson vs. County of Los Angeles, et al.
CASE NUMBER		CV 14-00368
COURT		United States District Court
DATE FILED		January 16, 2014
COUNTY DEPARTMENT		Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	$	200,000
ATTORNEY FOR PLAINTIFF		Hadsell & Stormer
COUNTY COUNSEL ATTORNEY		Joseph A. Langton
NATURE OF CASE		This is a recommendation to settle for $200,000, the lawsuit filed by Plaintiff Daniel Johnson alleging that his federal civil rights were violated when he was detained by the Los Angeles County Sheriff's Department Deputies. The Deputies contend that the force used was reasonable and in response to Daniel Johnson's actions. Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of $200,000 is recommended.
PAID ATTORNEY FEES, TO DATE	$	2,139
PAID COSTS, TO DATE	$	0

Case Name: **Daniel Johnson vs. County of Los Angeles, et al.**

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:	Thursday, December 6, 2012; at approximately 9:35 p.m.
Briefly provide a description of the incident/event:	**Daniel Johnson vs. County of Los Angeles, et al.** Summary Corrective Action Plan No. 2014-051 On Thursday, December 6, 2012, at approximately 9:35 p.m., two Los Angeles County deputy sheriffs, assigned to the Los Angeles County Sheriff's Department's Altadena Station, were driving near the intersection of Harriet Street and Fair Oaks Avenue when they saw a man (the plaintiff's father) discard a lit cigarette onto the street in violation of California Penal Code section 374.4 (a), Littering. When the two deputy sheriffs contacted the man, he was belligerent and verbally abusive. An acquaintance who was with the man during the initial incident summoned the man's son (plaintiff) from a nearby residence. When the plaintiff arrived, he immediately questioned the validity of his father's detention. He, too, became irate regarding the reason for the detention. During the incident, the plaintiff battered one of the two deputy sheriffs and began to flee the area. The two deputy sheriffs attempted to detain the plaintiff for the battery he committed on the deputy sheriff. A violent struggle ensued, and the two deputy sheriffs were forced to use physical force and a TASER device to overcome the assaultive behavior of the plaintiff. The plaintiff was ultimately restrained, handcuffed, and taken into custody.

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

In his lawsuit, the plaintiff alleged he was subjected to excessive force by two members of the Los Angeles County Sheriff's Department.

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

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of the incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in the incident.

This incident was investigated by representatives from the Los Angeles County Sheriff's Department's Altadena Sheriff's Station. The investigation detemined "the force used, as reported, was objectively reasonable and necessary. The force used, as documented, was within Department Policy and properly reported." No systemic issues were identified.

While the force used by the two deputy sheriffs was reasonable, necessary, and consistent with Department policy, the performance of one of the two deputy sheriff's involved in the incident could have been better. He was appropriately counselled. In an effort to preclude a recurrence, the Los Angeles County Sheriff's Department's Risk Management Bureau took several related remedial measures:

- On September 11, 2014, the Los Angeles County Sheriff's Department's Risk Management Bureau published Field Operations Support Services Newsletter 14-19, *Seated and Backseat Investigative Detentions*, designed to remind and educate members of options and factors to consider when using seated investigative detention and the backseat detention;

- On September 17, 2014, the Los Angeles County Sheriff's Department's Performance Mentoring Committee formally placed the involved deputy sheriff into the Department's Performance Mentoring Program to actively monitor the Department member's professional performance;[1]

- On November 25, 2014, the Los Angeles County Sheriff's Department's Risk Managment Bureau re-published Los Angeles County Sheriff's Department Manual of Policy and Procedures (MPP) section 3-10/000.00, *Preamble to the Use of Force Policy,* to remind all members of their responsibility to "communicate (where applicable) tactical considerations predicated on preventing the use of force whenever possible"; and,

- On November 25, 2014, the Los Angeles County Sheriff's Department's Risk Management Bureau re-published Los Angeles County Sheriff's Department's Manual of Policy and Procedures (MPP) section 3-10/005.00, *Force Prevention Principles*, to remind all members of three guiding tenets: 1) "Department members shall only use that level of force which is objectively reasonable, and force should be used as a last resort"; 2) "Department members should endeavor to de-escalate confrontations through tactical communication, warnings, and other common sense methods preventing the need to use force whenever reasonably possible"; and, 3) "When force must be used, deputies and staff shall endeavor to use restraint techniques when possible, and use only that level of force necessary for the situation."

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.

[1] The Los Angeles County Sheriff's Department's Performance Mentoring Program is an intense, proactive, early intervention program designed to "enhance an employee's professional performance through guidance and supervision." Formal participation is for a minimum of two years.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator) Scott E. Johnson, Captain Risk Management Bureau	
Signature:	Date: 3-16-15

Name: (Department Head) Earl M. Shields, Chief Professional Standards Division	
Signature:	Date: 03/19/15

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) Destiny Castro	
Signature:	Date: 3/23/2015

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME		Robert Dominguez v. County of Los Angeles, et al.
CASE NUMBER		YC 066945
COURT		Los Angeles Central Court
DATE FILED		April 20, 2012
COUNTY DEPARTMENT		Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	$	450,000
ATTORNEY FOR PLAINTIFF		Andrew Ritholz Law Office of Andrew Ritholz, Inc.
COUNTY COUNSEL ATTORNEY		Lauren Black Principal Deputy County Counsel
		Avi Burkwitz Peterson Bradford Burkwitz LLP
NATURE OF CASE		Wrongful Death, Breach of Mandatory Duties.
PAID ATTORNEY FEES, TO DATE	$	232,584
PAID COSTS, TO DATE	$	15,055

Case Name: Dominguez v COLA

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 3, 2011
Briefly provide a description of the incident/event:	Minor was murdered by his mother's boyfriend while the mother was out of the home.

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

Minor's mother allowed her violent boyfriend to reside in the home along with her children and was not truthful when the social worker questioned her about the living arrangements. The child was murdered while the mother was out of the home running errands.

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

The department had appropriate policies and procedures in place at the time of the incident. All appropriate personnel actions have been undertaken.

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

☐ Yes – The corrective actions address department-wide system issues.

X No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator) Diane Iglesias, Senior Deputy Director	
Signature: Diane Iglesias	Date: 3.10.15

Name: (Department Head) PHILIP L. BROWNING	
Signature:	Date: 3-10-15

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) Destiny Castro	
Signature: Destiny Castro	Date: 2/23/2015

COUNTY OF LOS ANGELES CLAIMS BOARD

MINUTES OF REGULAR MEETING

March 16, 2015

1. Call to Order.

This meeting of the County of Los Angeles Claims Board was called to order at 9:30 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: John Naimo, Steve Robles, and Patrick Wu.

Other persons in attendance at the meeting were: Office of the County Counsel: Narbeh Bagdasarian, Richard Kudo, Joseph Langton, Christopher Keosian and Kent Sommer; Department of Health Services: Dr. Arun Patel; Department of Parks and Recreation: David Waage and Anush Gambaryan; Sheriff's Department: Sgt. Albert Schauberger and Sgt. Chastity Phillians; Department of Public Social Services: Anthony Morrone and Deitra Whitaker; and Outside Counsel: David Weiss and Rickey Ivie.

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 9:40 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(e) below.

4. Report of actions taken in Closed Session.

At 11:24 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

a. **Shalini R. George v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. GC 051 062

This dangerous condition lawsuit arises from an alleged trip and fall in the parking lot of Whittier Narrows Recreation Area, resulting in alleged personal injuries.

Action Taken:

The Claims Board approved settlement of this matter in the amount of $24,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

b. **Rosie De La Trinidad, et al. v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. BC 506 356

This wrongful death lawsuit alleges excessive force arising from a shooting by Sheriff's Deputies.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of $5,300,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

c. **John Sands v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 513 685

This lawsuit concerns allegations that a Sheriff's Department employee was subjected to racial and sexual harassment resulting in a hostile work environment and that the Department failed to prevent such harassment.

Action Taken:

The Claims Board approved settlement of this matter in the amount of $80,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

d. **Claim of Marissa Martinez**

This claim concerns allegations that a probationary employee of the Department of Public Social Services was subjected to disability discrimination.

Action Taken:

The Claims Board approved settlement of this matter in the amount of $85,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

e. **Justin Malone v. County of Los Angeles**
Los Angeles Superior Court Case No. BC 491 009

This medical malpractice lawsuit concerns allegations that LAC+USC Medical Center failed to treat Plaintiff's condition, which led to his paralysis.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of $4,500,000, plus waiver of medical payments to the County in the estimated amount of $790,000, plus assumption of the Medi-Cal lien in the approximate amount of $200,000.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

5. **Approval of the minutes of the March 2, 2015, regular meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

Vote: Ayes: 3 – John Naimo, Steve Robles, and Patrick Wu

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 11:27 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By Carol J. Slosson

Carol J. Slosson