

STATEMENT OF PROCEEDINGS
FOR THE REGULAR MEETING OF THE LOS ANGELES
CONTRACT CITIES LIABILITY TRUST FUND CLAIMS BOARD
HELD IN THE CITY OF NORWALK, COMMUNITY MEETING CENTER
SPROUL ROOM, 13200 CLARKSDALE AVENUE, NORWALK, CALIFORNIA 90650
ON
WEDNESDAY, MARCH 18, 2015, AT 11:00 AM

Members Present: Chair Curtis Morris, Mark Alexander, Margaret Finlay, Michael Egan, Doug Prichard, Mark Waronek and Sam Olivito

Alternates Present: Cheri Kelley and David Spence

1. **Call to Order.**
2. **Opportunity for members of the public to address the Contract Cities Liability Trust Fund 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).**

- a. Jessi Hamilton v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 489881

This lawsuit concerns allegations of false arrest and wrongful search and seizure by Sheriff's Deputies.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$75,000.

Vote: Ayes: 7 -- Curtis Morris, Mark Alexander, Margaret Finlay, Michael Egan, Doug Prichard, Mark Waronek and Sam Olivito

[See Supporting Document](#)

- b. Claim of The Murbach Family Trust, Ralph G. Murbach, Trustee
File Claim No. 14-1118230*001

This claim concerns allegations of failure to pay for services rendered.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$70,777.64.

Vote: Ayes: 7 -- Curtis Morris, Mark Alexander, Margaret Finlay, Michael Egan, Doug Prichard, Mark Waronek, and Sam Olivito

[See Supporting Document](#)

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

- a. Richard Alvarez v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 518466

This lawsuit concerns allegations of false arrest and civil rights violations by Sheriff's Deputies.

No reportable action taken.

- b. Eduardo Armas v. County of Los Angeles, et al.
United States District Court Case No. CV 14-01356

This lawsuit concerns allegations of excessive force and false arrest by Sheriff's Deputies.

No reportable action taken.

- c. Brejanea B., a minor, et al. v. County of Los Angeles, et al.
Compton Superior Court Case No. TC 027341

This lawsuit concerns allegations of assault and battery and wrongful death by Sheriff's Deputies.

No reportable action taken.

- d. Perry Ball v. County of Los Angeles, et al.
United States District Court Case No. CV 13-07739

This lawsuit concerns allegations of excessive force by Sheriff's Deputies.

No reportable action taken.
- e. Eduardo Cervantes v. County of Los Angeles, et al.
United States District Court Case No. CV 12-09889

This lawsuit concerns allegations of excessive force by Sheriff's Deputies.

No reportable action taken.
- f. Dean Kidder II v. County of Los Angeles
United States District Court Case No. CV 14-06218

This lawsuit concerns allegations of civil rights violations by Sheriff's Deputies.

No reportable action taken.
- g. Mahnoosh Maleki v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 61629

This lawsuit concerns allegations of automobile accident involving a Sheriff's Deputy.

No reportable action taken.
- h. Javier Ortiz Luna v. County of Los Angeles
Los Angeles Superior Court Case No. BC 513344

This lawsuit concerns allegations of excessive force and civil rights violations by Sheriff's Deputies.

No reportable action taken.

- i. Estate of Kenneth Rivera, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 510309

This lawsuit concerns allegations of wrongful death and excessive force by Sheriff's Deputies.

No reportable action taken.

- j. Gabriel Sanchez v. County of Los Angeles
United States District Court Case No. CV 14-06902

This lawsuit concerns allegations of excessive force by a Sheriff's Department patrol vehicle.

No reportable action taken.

5. Report of actions taken in Closed Session.

The Contract Cities Liability Trust Fund Claims Board reconvened in open session and reported the actions taken in closed session as indicated under Agenda Items No. 3 and No. 4 above.

6. Approval of the minutes of the February 11, 2015, meeting of the Contract Cities Liability Trust Fund Claims Board.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the minutes.

Vote: Ayes: 7 -- Curtis Morris, Mark Alexander, Margaret Finlay, Michael Egan, Doug Prichard, Mark Waronek, and Sam Olivito

[See Supporting Document](#)

7. 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.

8. Other Business.

None

9. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Jessi Hamilton v. County of Los Angeles, et al.
CASE NUMBER	BC489881
COURT	Los Angeles County Superior Court
DATE FILED	8/8/2012
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT \$	75,000
ATTORNEY FOR PLAINTIFF	Donald Iwuchuku
COUNTY COUNSEL ATTORNEY	Edwin A. Lewis
NATURE OF CASE	<p>Plaintiff Jessi Hamilton filed this federal civil rights lawsuit against the County of Los Angeles, the Sheriff's Department, and Deputy Christian Perez alleging unlawful arrest, search and seizure. The involved Deputy claims his actions were reasonable under the circumstances.</p> <p>Due to the risks and uncertainties of the 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 \$75,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE \$	35,151
PAID COSTS, TO DATE \$	2,009

Case Name: Jesse Hamilton 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:	Saturday, February 19, 2011; approximately 12:25 p.m.
Briefly provide a description of the incident/event:	<p><u>Jesse Hamilton v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2014-063</p> <p>On Saturday, February 19, 2011, at approximately 12:25 p.m., a uniformed Los Angeles County deputy sheriff, assigned to the Los Angeles County Sheriff's Department's South Los Angeles Station, responded to the plaintiff's residence to investigate a report of child abuse (the plaintiff dealing and using marijuana in front of his 3-year-old child).</p> <p>Upon arrival, the deputy sheriff found the front door to the residence open and the odor of marijuana emitting from within. The deputy sheriff summoned assistance from two additional deputy sheriffs and began checking the residence and surrounding area for the children. During the investigation, the deputy sheriffs encountered the plaintiff in his detached garage cultivating several marijuana plants. The deputy sheriffs obtained a waiver from the plaintiff and searched the premises. The deputy sheriffs established that the plaintiff did not have a valid license to grow marijuana. The plaintiff was arrested for a violation of California Health and Safety Code section 11358, Unauthorized Planting, Harvesting, or Processing.</p>

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

In his lawsuit, the plaintiff alleged he was subjected to an unlawful search and arrest committed by 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.

No employee misconduct is suspected, and no systemic issues were identified. Consequently, no personnel-related administrative action was taken, and no other corrective action measures are recommended nor contemplated. Several measures were taken to proactively address the issues identified in this case.

County of Los Angeles
Summary Corrective Action Plan

On October 24, 2014, the Los Angeles County Sheriff's Department's Risk Management Bureau published Field Operations Support Services Newsletter 14-23, *Legal Standing Upon the Curtilage of Residence*, designed to remind and educate members of both current law and current case law pertaining to enforcement action in and/or upon the curtilage of residences.

On February 6, 2015, the Los Angeles County Sheriff's Department's Risk Management Bureau published Field Operations Support Services Newsletter 15-01, *Warrants*, designed to educate members of the necessity to obtain search warrants in the absence of articulable exegencies.

Finally, on or before March 31, 2015, the Los Angeles County Sheriff's Department's Risk Management Bureau will publish a newsletter designed to 1) apprise members of the pertinent facts of this case as they relate to search waivers and legal standing on private property and, 2) the importance of memorializing search waivers on either audiotape, videotape, or both.

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

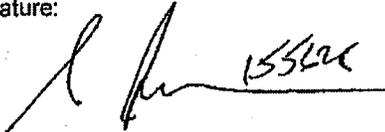
- Yes – The corrective actions address department-wide system issues.
 No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Scott E. Johnson, Captain
Risk Management Bureau

Signature:



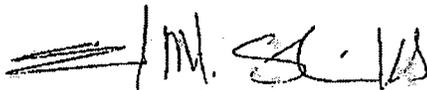
Date:

3-4-15

Name: (Department Head)

Earl M. Shields, Chief
Professional Standards Division

Signature:



Date:

03/05/15

This section intentionally left blank.

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

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Claim of The Murbach Family Trust, Ralph G. Murbach, Trustee
CASE NUMBER	N/A
COURT	N/A
DATE FILED	October 31, 2014
COUNTY DEPARTMENT	Sheriff
PROPOSED SETTLEMENT AMOUNT	\$ 70,777.64
ATTORNEY FOR PLAINTIFF	N/A
COUNTY COUNSEL ATTORNEY	Liliana Campos
NATURE OF CASE	This claim is for the cost of remediation and repair services arising from the arrest of a criminal suspect at a residence owned by Claimant. Due to the risks and uncertainties of litigation, a full settlement of the claims are warranted.
PAID ATTORNEY FEES, TO DATE	\$ 0
PAID COSTS, TO DATE	\$ 0

**COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY TRUST FUND
CLAIMS BOARD**

MINUTES OF MEETING

February 11, 2015

1. Call to Order

This meeting of the County of Los Angeles Contract Cities Liability Trust Fund Claims Board was called to order by Curtis Morris, at 11:09 a.m. The meeting was held in the Community Center, Sproul Room, 13200 Clarkdale Avenue, Norwalk, CA 90650.

Present at the meeting were **Claims Board Members:** Curtis Morris, Chair, San Dimas, Region III; Mark Alexander, La Canada Flintridge, Region I; Margaret Finlay, Duarte, Region I; Michael Egan, Norwalk, Region III; Doug Prichard, Rolling Hills Estates, Region II; Mark Waronek, City of Lomita, Region II; Sam Olivito, Executive Director, California Contract Cities Association; *Alternates:* Cheri Kelley, Norwalk, Region III; David Spence, La Canada Flintridge, Region I; **County of Los Angeles Staff:** Millicent Rolon, Principal Deputy County Counsel; Ruben Baeza, Jr., Assistant County Counsel; Ernie Romo, Risk Management, Chief Executive Office; Scott Johnson, Civil Litigation Unit, Los Angeles Sheriff's Department; Michael Stuver, Civil Litigation Unit, Los Angeles Sheriff's Department; Chris Deacon, Civil Litigation Unit, Los Angeles Sheriff's Department; Michael Rothans, Los Angeles Sheriff's Department; John La Salle, Wells Fargo Insurance Services USA, Inc.; **Third Party Administrator for the County of Los Angeles:** Sylvia Hernandez, Claims, Carl Warren & Company; **California JPIA:** Jonathan Shull, Chief Executive Officer; Jennifer Fullerton, Administrative Analyst.

2. Public Comment

Members of the public were provided the opportunity to address the Contract Cities Liability Trust Fund Claims Board on items of interest that are within the subject matter jurisdiction of the Claims Board. No members of the public addressed the Board.

At 11:10 a.m., the Chair adjourned the County of Los Angeles Contract Cities Liability Trust Fund Claims Board into Closed Session.

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

There were no settlement proposals for this meeting.

**4. Conference with Legal Counsel - Existing Litigation
(Subdivision (a) of Government Code Section 54956.9)**

- a. Eduardo Armas v. County of Los Angeles, et al.
United States District Court Case No. CV 14-01356

This lawsuit concerns allegations of excessive force and false arrest by Sheriff's Deputies.

Action Taken:

No reportable action taken.

- b. Brejanea B., a minor, et al. v. County of Los Angeles, et al.
Compton Superior Court Case No. TC 027341

This lawsuit concerns allegations of assault and battery and wrongful death by Sheriff's Deputies.

Action Taken:

No reportable action taken.

- c. Lindsay F. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 473127

This lawsuit concerns allegations of sexual assault and false imprisonment by a Sheriff's Deputy.

Action Taken:

No reportable action taken.

- d. April Gibson v. County of Los Angeles, et al.
Burbank Superior Court Case No. MC 023965

This lawsuit concerns allegations of property damage to automobile by a motorcycle driven by a Sheriff's Deputy.

Action Taken:

No reportable action taken.

5. Report of actions taken in Closed Session.

The meeting was reconvened into public session at 11:58 a.m. No action was taken in Closed Session which required a public report pursuant to Government Code Section 54957.1.

6. Approval of the Minutes for January 14, 2015, meeting of the Contract Cities Liability Trust Fund Claims Board.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the minutes.

Vote: Ayes: 7 -- Curtis Morris, Mark Alexander, Margaret Finlay, Michael Egan, Doug Prichard, Mark Waronek, and Sam Olivito

7. Items Not on the Posted Agenda, to be Referred to Staff or Placed on the Agenda for Action at a Further Meeting of the Contract Cities Liability Trust Fund Claims 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

None

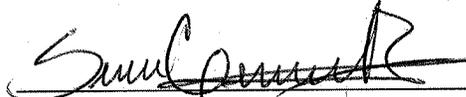
8. Other Business

None

9. Adjournment

There being no further business, the meeting was adjourned at 11:59 a.m.

COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY
TRUST FUND CLAIMS BOARD


SANDRA C. RUIZ