

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, MAY 7, 2014, AT 11:00 AM

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

Alternates Present: Cheri Kelley, David Spence, Darrell George, and Mark Waronek

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. Salvador Aguirre v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 428221

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

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$45,000.

Vote: Ayes: 6 -- Curtis Morris, Mark Alexander, Michael Egan, Margaret Finlay, Doug Prichard, and Sam Olivito

[See Supporting Document](#)

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

- a. 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 was taken.

- c. S.F., a minor, et al. v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 504566

This lawsuit concerns allegations of wrongful death and civil rights violation by Sheriff's Deputies.

No reportable action was taken.

- b. L.H., a minor, et al. v. County of Los Angeles, et al.
Compton Superior Court Case No. TC 026991

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

No reportable action was taken.

- d. 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 was 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 April 9, 2014, 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: 6 -- Curtis Morris, Mark Alexander, Michael Egan, Margaret Finlay, Doug Prichard, 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.

One case:

Michael Lobrono, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 13-03838

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

No reportable action was taken.

8. Other Business.

None

9. Adjournment.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Salvador Aguirre vs. County of Los Angeles, et al.
CASE NUMBER	BC 428221
COURT	Los Angeles Superior Court
DATE FILED	December 17, 2009
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 45,000
ATTORNEY FOR PLAINTIFF	Emanuel Zola, Esq. Zola, Wegman & Associates
COUNTY COUNSEL ATTORNEY	Joseph A. Langton
NATURE OF CASE	<p>Plaintiff Salvador Aguirre alleges that his federal civil rights were violated when he was subjected to a false arrest and excessive force by a Sheriff's Deputy.</p> <p>The Deputy contends that he had probable cause for the arrest and the force used was reasonable and in response to Mr. Aguirre's action.</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 \$45,000 is recommended.</p>

PAID ATTORNEY FEES, TO DATE \$ 173,812

PAID COSTS, TO DATE \$ 40,417

Case Name: Salvador Aguirre 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:	Friday, December 26, 2008, approximately 11:10 p.m.
Briefly provide a description of the incident/event:	<p><u>Salvador Aguirre v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2014-002C</p> <p>On Friday, December 26, 2008, at approximately 11:10 p.m., a Los Angeles County deputy sheriff, assigned to the Los Angeles County Sheriff's Department's West Hollywood Station, arrested the 18-year-old plaintiff for a violation of California Penal Code section 647(f), Disorderly Conduct, Public Intoxication, and West Hollywood Municipal Code section 9.04.020, Drinking in Public Prohibited.</p> <p>As the deputy sheriff was escorting the handcuffed plaintiff from the scene of the arrest, the plaintiff broke free from the deputy's grasp and began to flee. To prevent the escape of the plaintiff and to prevent him from running into the path of vehicle traffic, the deputy grabbed the plaintiff from behind and both men fell to the ground. As a result, the plaintiff struck his chin on the cement sidewalk.</p>

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

The root cause of this lawsuit is the plaintiff's attempt to escape from the custody of a Los Angeles County deputy sheriff.

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 West Hollywood Station and the Los Angeles County Sheriff's Department's Internal Affairs Bureau.

Their investigation was presented to the members of the Los Angeles County Sheriff's Department's Executive Force Review Committee. Their review found that the physical force used by the deputy sheriff to prevent the escape of the plaintiff was reasonable, necessary, and in compliance with

County of Los Angeles
Summary Corrective Action Plan

Department policy.

No employee misconduct is suspected, and no systemic issues were identified. Consequently, no personnel-related administrative action was taken, and no corrective action measures are recommended nor contemplated.

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

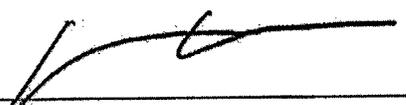
- Yes – The corrective actions address department-wide system issues.
 No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Ronald D. Williams, Captain
Risk Management Bureau

Signature:



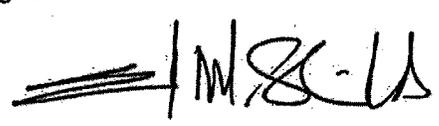
Date:

4-17-14

Name: (Department Head)

Earl M. Shields, Chief
Professional Standards Division

Signature:



Date:

04-23-14

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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)	
<i>Destiny Castro</i>	
Signature:	Date:
<i>Destiny Castro</i>	4/22/2014

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

MINUTES OF MEETING

April 9, 2014

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 11:44 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; Jeffrey Prang, West Hollywood, Region II; Sam Olivito, Executive Director, California Contract Cities Association; **County of Los Angeles Staff:** Roger Granbo, Assistant County Counsel; Ernie Romo, Risk Management, Chief Executive Office; Ronald Williams, Civil Litigation Unit, Los Angeles Sheriff's Department; Chris Deacon, Civil Litigation Unit, Los Angeles Sheriff's Department; Scott Edge, Los Angeles Sheriff's Department; **Third Party Administrator for the County of Los Angeles:** Tanya Souza, Claims, Carl Warren & Company; **California JPIA:** Jonathan Shull, Chief Executive Officer; Paul Zeglovitch, Liability Program Manager; Jim Thyden, Insurance Programs Manager, Jennifer Fullerton, Administrative Assistant.

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 11:45 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)**

- a. Isabel "Israel" Pulido v. County of Los Angeles, et al.
Santa Monica Superior Court Case No. SC 115321

This lawsuit concerns allegations of assault and battery, false arrest and negligence by Sheriff's Deputies.

Action Taken:

The Contract Cities Liability Trust Fund Claims Board approved the settlement of this matter in the amount of \$85,000.

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

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

- a. Michael Lobrono, et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 13-03838

This lawsuit concerns allegations of excessive force shooting and false arrest by a Sheriff's Deputy.

Action Taken:

No reportable action taken.

- b. Abisai Rivera v. County of Los Angeles, et al.
United States District Court Case No. CV 13-01404

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

Action Taken:

No reportable action taken.

- c. Steven Sartori v. County of Los Angeles, et al.
United States District Court Case No. CV 12-10578

This lawsuit concerns allegations of false arrest and assault and battery by Sheriff's Deputies.

Action Taken:

No reportable action taken.

The meeting was reconvened into public session at 12:01 p.m. No action was taken in Closed Session which required a public report pursuant to Government Code Section 54957.1.

5. **Approval of the Minutes for February 12, 2014, 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, Michael Egan, Margaret Finlay, Doug Prichard, Jeffrey Prang, and Sam Olivito

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 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**

No such matters were discussed.

7. **Other Business**

None

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8. Adjournment

There being no further business, the meeting was adjourned at 12:03 p.m.

COUNTY OF LOS ANGELES
CONTRACT CITIES LIABILITY
TRUST FUND CLAIMS BOARD


SANDRA C. RUIZ