

**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, OCTOBER 21, 2013, AT 9:30 AM**

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.**

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. **Cesar Jacobo v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 457 539**

This lawsuit alleges civil rights violations and State law causes of action arising out of arrests and detentions by Sheriff Deputies.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$130,000.

Vote: Ayes: 2 - Steve Robles and Patrick Wu
Abstentions: 1 - John Naimo

[See Supporting Documents](#)

**b. Thomas Encinas v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC 377 343**

This lawsuit alleges retaliation against a Fire Department employee.

Action Taken:

The Claims Board recommended to the Board of Supervisors the settlement of this matter in the amount of \$260,400.

Vote: Ayes: 3 - John Naimo, Steve Robles, and Pat Wu

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 October 2, 2013, special 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	Cesar Jacobo v. COLA, et al.
CASE NUMBER	BC 457539
COURT	Los Angeles Superior Court
DATE FILED	Complaint: May 16, 2011 Claim: November 9, 2010
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ \$130.000
ATTORNEY FOR PLAINTIFF	Vicki I. Sarmiento Law Offices of Vicki I. Sarmiento Milton C. Grimes Law Offices of Milton C. Grimes
COUNTY COUNSEL ATTORNEY	Jennifer A.D. Lehman
NATURE OF CASE	Mr. Jacobo filed a lawsuit against the County and five Sheriff's Deputies alleging civil rights violations and other State law causes of action arising out of two arrests and three detentions. The Deputies contend there was probable cause for the arrests. Due to the risks and uncertainties of litigation, a full and final settlement of the case is recommended.

PAID ATTORNEY FEES, TO DATE \$ 147,837

PAID COSTS, TO DATE \$ 12,576

Case Name: Cesar Jacobo 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:	Between Thursday, August 27, 2009 and Friday, June 26, 2010
Briefly provide a description of the incident/event:	<p><u>Cesar Jacobo v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2013-016</p> <p>On Thursday, August 27, 2009, at approximately 7:30 pm, the plaintiff was contacted by two Los Angeles County deputy sheriffs in front of his residence at 443 234th Walk, Carson. During the contact, the plaintiff made a number of criminal threats, including threats of physical violence and retaliation against the two members of the Los Angeles County Sheriff's Department whom he believed were responsible for the death of his brother.</p> <p>Based on the plaintiff's statements threatening violence and revenge, a member of the Los Angeles County Sheriff's Department sought and received judicial authority to conduct a search of the plaintiff's residence. The search warrant was executed August 31, 2009. While no items with evidentiary value were found, the plaintiff was arrested for a violation of California Penal Code section 422, Criminal Threats.</p> <p>The plaintiff alleged that between Thursday, May 20, 2010, and Friday, June 25, 2010, he was stopped and harassed on four additional occasions by members of the Los Angeles County Sheriff Department.</p>

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

In his lawsuit, the plaintiff alleged civil rights violations and other violations of state law during his two arrests and three detentions 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.

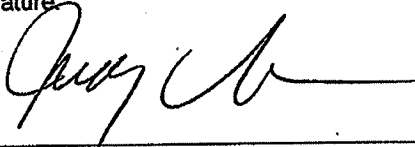
The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in the incident.

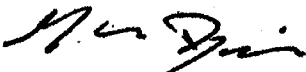
County of Los Angeles
Summary Corrective Action Plan

These incidents were reviewed by representatives from the Los Angeles County Sheriff's Department's Carson Station. Their review revealed no evidence to support the plaintiff's allegation of employee misconduct. No systemic issues were identified. Consequently, no personnel-related administrative action was taken, and no other 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)	
Judy A. Gerhardt, Captain Risk Management Bureau	
Signature: 	Date: 9/24/13

Name: (Department Head)	
Glen Dragovich, Division Director Administrative and Training Division	
Signature: 	Date: 9/26/13

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Chief Executive Office Risk Management Inspector General USE ONLY

Are the corrective actions applicable to other departments within the County?

- Yes, the corrective actions potentially have County-wide applicability.
- No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General)

LEO COSTANTINO

Signature:



Date:

10-1-13

COUNTY OF LOS ANGELES CLAIMS BOARD
MINUTES OF SPECIAL MEETING

October 2, 2013

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: Millicent Rolon and Joseph Langton; Sheriff's Department: Lt. Patrick Hunter and Sgt. Bruce Cantley.

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 9:33 a.m., the Chairperson adjourned the meeting into Closed Session to discuss the items listed as 4(a) through 4(b) below.

4. Report of actions taken in Closed Session.

At 10:06 a.m., the Claims Board reconvened in open session and reported the actions taken in Closed Session as follows:

**a. Timothy Smith v. County of Los Angeles, et al.
United States District Court Case No. CV 12-05958**

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

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$59,999.

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

b. **Ronald Teeman v. County of Los Angeles, et al.**
Los Angeles Superior Court Case No. PC 052 118

This lawsuit concerns allegations of excessive force by an off-duty Sheriff's Deputy.

Action Taken:

The Claims Board approved settlement of this matter in the amount of \$50,000.

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

5. **Approval of the minutes of the September 16, 2013, meeting of the Claims Board.**

Action Taken:

The Claims Board approved the minutes.

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

6. **Adjournment.**

The meeting was adjourned at 10:08 a.m.

COUNTY OF LOS ANGELES CLAIMS BOARD

By Carol J. Slosson
Carol J. Slosson