



COUNTY OF LOS ANGELES
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August 9, 2022

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TO: CELIA ZAVALA
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: ADRIENNE M. BYERS
Litigation Cost Manager
Executive Office

A handwritten signature in blue ink, appearing to read "AMB", is placed next to the name Adrienne M. Byers.

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Victoria Contreras v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. BC722497

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

AMB:jkb

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Victoria Contreras v. County of Los Angeles, et al, Los Angeles Superior Court Case No. BC722497, in the amount of \$550,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit arises from alleged injuries plaintiff sustained in an automobile accident involving a Sheriff's Department employee.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Victoria Contreras v. County of Los Angeles, et al.
CASE NUMBER	BC722497
COURT	Los Angeles Superior Court
DATE FILED	September 14, 2018
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 550,000
ATTORNEY FOR PLAINTIFF	Jennifer Smith Offices of C. Ray Carlson
COUNTY COUNSEL ATTORNEY	Michael J. Gordon Deputy County Counsel
NATURE OF CASE	<p>On October 31, 2017, Plaintiff Victoria Contreras and a Sheriff's Department patrol vehicle collided in the intersection of Rye Canyon Road and Newhall Ranch Road in Santa Clarita. Plaintiff contends the collision caused injuries for which she seeks damages.</p> <p>Given the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$550,000 is recommended</p>
PAID ATTORNEY FEES, TO DATE	\$ 52,215
PAID COSTS, TO DATE	\$ 42,728



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:	Tuesday, October 31, 2017, at approximately 6:40 a.m.
Briefly provide a description of the incident/event:	<p style="text-align: center;"><u>Victoria Contreras v. County of Los Angeles</u> Summary Corrective Action Plan 2022-17</p> <p>On Tuesday, October 31, 2017, at approximately 6:40 a.m., an on-duty Los Angeles County Sheriff's Department deputy, assigned to Community Partnerships Bureau, was driving a marked black and white Sheriff's Department Ford Crown Victoria patrol vehicle northbound on Rye Canyon Road when he stopped at a red light at the intersection of Newhall Ranch Road in the city of Santa Clarita.</p> <p>While at the red light, the deputy observed a white Honda hatchback traveling at a high rate of speed (approximately 60-70 miles per hour) eastbound on Newhall Ranch Road. The white Honda then made a left turn northbound onto Copperhill Road, skid, and struck an adjacent curb.</p> <p style="text-align: center;">Note: The city of Santa Clarita posted speed limit for Newhall Ranch Road is 50 miles per hour.</p> <p>After observing the violation of 22350 California Vehicle – "Basic Speed Law" and believing the driver of the Honda was impaired or under the influence, the deputy drove the patrol vehicle into the intersection, on a red light to initiate a traffic stop. Prior to entering the intersection, the deputy activated the overhead emergency lights, however, did not recall if he activated the siren. The deputy cleared the intersection, lane-by-lane, at approximately 10 miles per hour. While clearing the intersection, the plaintiff's vehicle collided into the left rear of the patrol vehicle.</p> <p>The plaintiff was driving a 2015 Dodge Charger, traveling eastbound on Newhall Ranch Road at 55 miles per hour when entering the intersection of Rye Canyon Road on a green light. The plaintiff did not see the black and white Sheriff's vehicle, nor the vehicle's overhead emergency lights.</p> <p>The plaintiff saw the patrol vehicle just before the impact, and she attempted to apply the brakes, however, the vehicle did not stop prior to the collision.</p> <p>The plaintiff's vehicle came to rest, facing southeast in the northeast lanes of the intersection. The plaintiff's vehicle sustained damage to the front end.</p> <p>The deputy's vehicle came to rest, facing east in the number one east lane of Newhall Ranch Road just east of Rye Canyon Road. The deputy's vehicle sustained damage to the left rear quarter panel and trunk area.</p>

	<p>The deputy advised he was involved in a traffic collision and asked for fire department paramedics and a supervisor via the vehicle radio. The deputy checked on the welfare of the plaintiff prior to the arrival of the fire department paramedics and Santa Clarita Sheriff's Station deputies and supervisor.</p> <p>The plaintiff complained of general body soreness and pain to her left knee as a result of the collision. The plaintiff was evaluated by paramedics at the scene and declined transportation to a hospital. The plaintiff was later driven by a friend to the emergency room for medical treatment. The plaintiff was released approximately an hour later, the same day.</p> <p>The deputy complained of pain to his neck and left shoulder as a result of the collision. The deputy was transported via ambulance to the hospital for medical treatment.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

A **Department** root cause in this incident was the deputy failed to activate the siren when he activated the emergency overhead lights prior to entering the intersection on a red light.

A **Department** root cause in this incident was the deputy failed to yield to oncoming traffic in the intersection.

A **non-Department** root cause was the plaintiff failed to see the patrol vehicle with its overhead emergency lights activated prior to the plaintiff entering the intersection.

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

Traffic Collision Investigation

The incident was thoroughly investigated by the Santa Clarita Sheriff's Station. The collision investigation concluded, the deputy caused the collision by failing to yield – 21804 (a) California Vehicle Code to oncoming traffic prior to entering the intersection on a red light.

Supervisor's Report of Incident or Damage to County Vehicle

The incident was investigated by representatives of the Community Partnerships Bureau to determine if any administrative misconduct occurred as a result of the traffic collision. The results of the investigation were presented for Department executive adjudication. Appropriately administrative actions were taken.

Traffic Collision Assessment and Review

Community Partnerships Bureau conducted a review and assessment of all traffic collisions for calendar year 2017 through the end of 2021. The audit revealed there were 110 total collisions for this four-year period, 58 of which were classified as preventable, and 52 classified as non-preventable.

During the audit, it was discovered there was a spike in 2017, with a progressive reduction in the following years.

Personnel who have been involved in more than one traffic collision are directed to attend Department training, such as the Sheriff's Traffic Accident Reduction (S.T.A.R.) driving program, Emergency Vehicle Operations training, and/or the Alternatives to Discipline Driving Course.

Calendar Year	Preventable Collisions	Non-Preventable Collisions
2017	22	13
2018	3	12
2019	14	7
2020	9	13
2021	10	7
TOTALS	58	52

County of Los Angeles
Summary Corrective Action Plan

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

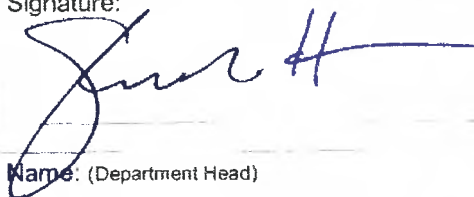
- ☐ Yes – The corrective actions address Department-wide system issues.
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Shawnee N. Hinchman (Valdivia), A/Captain
Risk Management Bureau

Signature:



Date:

4/06/2022

Name: (Department Head)

Edwin E. Alvarez, A/Chief
Professional Standards Division

Signature:



Date:

4/18/22

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:

04/18/2022