



COUNTY OF LOS ANGELES
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MARY C. WICKHAM
County Counsel

June 27, 2018

TO: CELIA ZAVALA
Acting Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: ROGER H. GRANBO 
Senior Assistant County Counsel
Executive Office

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Ariana Amore v. County of Los Angeles, et al.
United States District Court Case No. CV 17-5207

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 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.

RHG:scr

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Ariana Amore v. County of Los Angeles, et al., United States District Court Case No. CV 17-5207 in the amount of \$1,000,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Probation Department's budget.

This lawsuit alleges that a probationer was sexually assaulted and her civil rights violated by a Probation Department employee.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Ariana Amore v. County of Los Angeles, et al.
CASE NUMBER	CV 17-5207
COURT	United States District Court
DATE FILED	July 14, 2017
COUNTY DEPARTMENT	Probation Department
PROPOSED SETTLEMENT AMOUNT	\$ 1,000,000
ATTORNEY FOR PLAINTIFF	Erin Darling, Esq. Law Offices of Erin Darling Justin Sterling, Esq. Law Offices of Justin Sterling
COUNTY COUNSEL ATTORNEY	Jonathan McCaverty Principal Deputy County Counsel
NATURE OF CASE	<p>This lawsuit, filed by Ariana Amore, a former probationer, against the County of Los Angeles, alleges federal civil rights violations and State-law torts based on a Deputy Probation Officer sexual assaults against her while she was incarcerated at a probation camp. The Deputy Probation Officer is no longer employed by the County.</p> <p>Given 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 is warranted.</p>
PAID ATTORNEY FEES, TO DATE	\$ 66,350
PAID COSTS, TO DATE	\$ 5,313

Case Name: Amore, Ariana 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:	November 2014- July 2015
Briefly provide a description of the incident/event:	Plaintiff sued for violation of civil rights arising from her claim of sexual assault and related incidents occurring during the period from November 2014 to July 2015, while plaintiff was detained at Camp Kenyon Scudder in Santa Clarita, CA. The lawsuit claims that a Deputy Probation Officer I (DPO I), defendant, who was the probation officer assigned to the plaintiff at the time, sexually assaulted the plaintiff while she was in camp.

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

<p>Root Cause A:</p> <p>Inadequate and objective Supervision and Communication to address warning signs and risk factors in interactions between probation officers and youth.</p> <p>Root Cause B:</p> <p>Inadequate measures exist to complete a preliminary review of complex and sensitive cases to review the need for any immediate action necessary concurrent with referring the matter for further investigation. The current process does not have a structure for making an assessment/preliminary finding for sensitive, high visibility incidents.</p> <p>Root Cause C:</p> <p>Improve existing training and compliance practices to accurately track and ensure case management compliance. There is a gap in existing policy to establish standards for effective supervision of probation officers.</p>
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2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

A: Standardize and enhance case planning, case management, and MDT review processes to identify service needs and flag any deficiencies in services or treatment. The case plan and the MDT meeting are to be reviewed by supervisors and documented in the Probation Case Management System (PCMS). While in camp, the probation officer is required to monitor the youth's compliance with the case plan. The probation officer shall also adjust the case plan as necessary, documenting any changes in a revised case plan and in PCMS.

The department recognizes the need to explore additional assessments of service needs for girls and related case planning tools. The Department partnered with the National Council on Crime and Delinquency (NCCD) to assess the needs and risk level of approximately 50 girls who were at Camp Scott and the Dorothy Kirby Center at the time of the assessment utilizing NCCD's Juvenile Assessment and Intervention System™ (JAIS). This study will aid the Probation Department in better understanding the risks, needs and appropriate supervision strategies for female youth that are ordered to be placed in Probation facilities which will inform the departments exploration of case planning and assessment options for girls in the future.

1. Enhance communication amongst partner agencies.

Revise existing Memorandum of Understanding (MOU) with partner agencies to clearly describe expectations to communicate concerns about the treatment of youth. Delineate a review process to ensure that concerns rise to an appropriate level and are handled effectively.

2. Establish effective reporting and feedback mechanisms or communication strategies for youth and families to express concerns in a confidential manner.

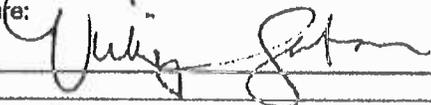
Expand all the avenues available for concerns to be highlighted by youth and families, including an enhanced grievance reporting and tracking system, revised orientation packet, creation of a parent handbook, establishing youth and parent councils, and revision of the phone call confidentiality protocol.

B: Develop a Critical Response Team (CRT) to do preliminary findings and make early determinations on the status of high profile investigations. Delineate the process for investigations that defines the roles of the onsite manager, Internal Affairs, Critical Incident Response (CIR) Team and law enforcement

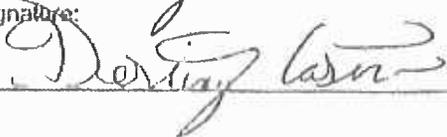
C: The Department is working towards ensuring that all facilities are Prison Rape Elimination Act (PREA) Compliant with training, staffing ratios, night supervisors, privacy glass, cross-gender accommodations for supervision and upgraded cameras. Our managers received a PREA orientation training in April 2018 and we plan to complete line staff training by December 2018. Currently, the Department is in Phase 1 of the camera upgrades including installation at Central Juvenile Hall and Barry J. Nidorf Juvenile Hall, which is projected to begin in 2018. Phase 2 is projected to begin in 2019 and includes Camp Rockey and the Dorothy Kirby Center. Phase 3 includes Camps Afflerbaugh, Paige and Scott/Scudder. In addition, the Department plans to train all contractors, Community Based Organizations and volunteers on PREA mandates.

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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) Vicky Santana	
Signature: 	Date: 5/2/18

Name: (Department Head) TERRI TERRI McDONALD	
Signature:  (On behalf of T. McDonald)	Date: 5.3.18

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) Destiny Castro	
Signature: 	Date: 5/4/2018