



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Violet Varona-Lukens, Executive Officer
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Chairperson of the Los Angeles County Claims Board
County Counsel

At its meeting held March 25, 2003 Board took the following action:

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The following item was called up for consideration:

The Los Angeles County Claims Board's recommendation to authorize settlement of case entitled, Juliet Musso, et al. v. County of Los Angeles, Los Angeles Superior Court Case No. BC 249 462, in amount of \$2,750,000; and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

On motion of Supervisor Antonovich, seconded by Supervisor Burke, unanimously carried (Supervisor Molina being absent), the Board took the following actions:

1. Adopted the Los Angeles County Claims Board's aforementioned recommendation; and
2. Continued the Corrective Action Plan one week to April 1, 2003.

Later in the meeting, on motion of Supervisor Antonovich, seconded by Supervisor Yaroslavsky, unanimously carried, the Board reconsidered the foregoing motion.

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Supervisor Molina made the following statement:

“The analysis and corrective action plan presented to the Board of Supervisors pertaining to the settlement in the Musso strip search litigation indicates that in the past County Counsel’s review of the Sheriff’s policies regarding strip searches was not consistently performed. This resulted in a policy at Twin Towers that lacked the clarity and specificity to prevent the unlawful strip searches that occurred in the Musso case, the Beaudoin case, and resulted in very costly settlements. The Corrective Action Plan states that in the future County Counsel shall review Sheriff policy and policy changes.

“The history of strip search litigation indicates that lessons have not been quickly learned from litigation and mistakes have been repeated resulting in costly settlements for the same mistake. The Williams/Tchakmakjian cases filed in 1997 resulted in two rulings in 1998, and 1999 by Judge Pfaelzer declaring the Sheriff’s policy of strip searching prerelease detainees violated the Fourth Amendment of the U.S. Constitution. Yet, a year and one-half later, the Musso plaintiffs were subjected to prerelease strip searches. Furthermore, it was not until June 2002, three and one-half years after the Pfaelzer rulings that the Sheriff’s policy was changed to comply with the rulings.

“Consequently, it is imperative that County Counsel’s review of Sheriff policies is done with most comprehensive and timely manner with the goal of risk management and avoidance of costly litigation.”

After discussion, on motion of Supervisor Molina and by common consent, there being no objection, the Board took the following actions:

1. Continued to Closed Session on April 1, 2003, the Los Angeles Claims Board’s aforementioned recommendation; and

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Syn. 35 (Continued)

2. Instructed the County Counsel to present a plan to the Board within 30 days for the review of Sheriff policies which includes the criteria for review, a timeline for review, a process for review of relevant law and case law governing the policies, and a process for informing the Sheriff and the Board on policy areas that may present legal and financial risk.

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Attachment

Copies distributed:

Each Supervisor

Sheriff

Chief Administrative Officer