

File No. 200540

Committee Item No. \_\_\_\_\_

8 Board Item No. 4

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: July 2, 2020

Board of Supervisors Meeting:

Date: July 21, 2020

#### Cmte Board

- |                                     |                                     |                                              |
|-------------------------------------|-------------------------------------|----------------------------------------------|
| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Resolution                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU                                          |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

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| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Prepared by: John Carroll

Date: June 26, 2020

Prepared by: John Carroll

Date: July 6, 2020

1 [Settlement of Lawsuit - Plaintiffs Nicolas Adelman, et al. - \$2,100,000]

2

3 **Ordinance authorizing settlement of three consolidated lawsuits filed by the plaintiffs**  
4 **Nicolas Adelman a.k.a. Nicholas Addleman; Patrick Alba-Crocker; Michael Alexis;**  
5 **Jesse Ali; Akai Allen Sr.; Dontae Allen; Jaun-Carlos Alvarez; Andre Alverty; Lawrence**  
6 **Anderson; David Archer; Jamar Babers; Christopher Bailey; Ryan Baker; Tyrell**  
7 **Baldwin; De'lon Barker a.k.a. Delon Barker; Joseph Barnett; Khalid Barrow; Jason**  
8 **Edward Bell; Harry Benton; Deshawn Blake; Edward Blanche III; Tommy Boggs;**  
9 **Michael Boyle; Elijah Brandon; Michael Brown, individually and on behalf of the class;**  
10 **Richard Terron Brown; Ty-Rell Brown a.k.a. Tyrell Brown; Matthew Brugman,**  
11 **individually and on behalf of the class; Silas Omari Bryant; Darrell Buckins; Don Jaun**  
12 **Burrell; Cory Butler; Armando Carlos; Vernon Carmichael; Roman Carrasco; Anthony**  
13 **Carrion; Jose Fernandez Catala; Michael Cavness; Jesse Chamberland a.k.a. Jesse**  
14 **James Chamberlin; Teryll Chaplin; Ben Chase; Deshun Jamal Cobia-Augman a.k.a.**  
15 **Deshawn Cobia-Augman; Darius Cole; Leonard Colvin; Louis Conceicao; Justin**  
16 **Cooper a.k.a. Justin Cooper or Justin L Cooper; Crazy Bull a.k.a. Teo CrazyBull; Danty**  
17 **Curry a.k.a. Dante Curry; Temu Curry; Andre Dangerfield; Mark Dascenzo; James**  
18 **Davenport; Mark Dennis; Antoine DeWhitt; Ralph Dominguez a.k.a Roger Dominguez,**  
19 **individually and on behalf of the class; LaCarl Dow; Jihad Earl; Peter Elisary; Justin**  
20 **Eliot a.k.a. Justin Elliot; Reginald Elmore; Alejandro Estevez; Lee Farley; Ray Farr;**  
21 **Esau Ferdinand; Walter Ferretti; Travis Fields; Arthur D. Finch; James Flanagan;**  
22 **William Flubacher; Paul Frazier; Mathew Fredrickson; Dana Gains a.k.a. Dana Gaines;**  
23 **Delonzo Gallon; Edilberto Garcia a.k.a. Ediberto Garcia; Rene Garcia; Lance Gardner;**  
24 **Robert Gibson; Antonio Gilton; Barry Gilton; Clayton Gonzalez; Adrian Gordon; Korey**  
25 **Gray; Fred Green; Bryon Gross; Donell Guidry; Tyshaun Guillory; Michael Haga; Craig**

1 Hall; Henry Hall; Christopher Hardee; Monzell Harding; La Vondre Harper; Marshall  
2 Harris; Shelly Hart; Charles Heard; Nigel Henry, individually and on behalf of the class;  
3 Victor Hernandez; Phillip Hill Jr. a.k.a. Phillip Hill; Raman Hill a.k.a. Raymon Hill;  
4 Rashaad Hill; Adrian Holden; Douglass Hughes; Derrick Hunter; James R Isham a.k.a.  
5 James Isham; Kevin Jackson; Marcel Jackson; Judd Janice; Russell Jefferson; Fabian  
6 Johnson; Joseph Johnson; Damion Jones a.k.a. Damien Jones; Jarel Jones; Lavon  
7 Jones; Travis Jones; Samuel Jordan; Melvin Junior; Adrian K. Williams a.k.a. Adrian  
8 Williams; Thomas Kaina Jr. a.k.a. Thomas Kaina; Paul Kegljar; Pierre Kittress-Leaks  
9 a.k.a. Pierre Kittrell-Leaks; Christopher Kjelson; Billy Ladd; Ronald Latney III a.k.a.  
10 Ronald Latney; Antoine Lax; Kem LeBlanc; Milton LeClaire, individually and on behalf  
11 of the class; Devante Lindsey; Fernando Madrigal; Alexis Mencia a.k.a. Alexis Mancia;  
12 Rudy Martinez; Homer Matthews a.k.a. Homer Mathews; Samaje McClure; Winston  
13 McDonald; Thomas McKay; Richard McNeil; Anthony Medina; Hiubert Mendoza;  
14 Richard Merrill; Joseph Meyers a.k.a. Joseph Meyer; Lamonte Mims; Frank Mozeke;  
15 John Norman; Dejah Northcut; Michael O'Brian; Michael Onate; Sedredt D. Parmer;  
16 Maurice Perry; Shawn Pettway; Joshua Pittman; Jose Poot, individually and on behalf  
17 of the class; Shaka Pope; Rashad Preston; Junior Pulou a.k.a. Pulou Junior Pulou;  
18 Ricky Quarels; Deandre Quinnine; Matthew Rabbitt; Joseph Ramirez; Marcus  
19 Ransburg; Gerald Reader; Sedric Reynolds; Derell Richards; Troy Richardson; Derrium  
20 Riggins; Carey Paul Robertson; Damon Robinson; Sean Robinson; David Henry  
21 Rodriguez; Neville Roebuck; Travis Rosette; Joseph Rowe; Alfredo Ruiz, individually  
22 and on behalf of the class; Jacques Samuel a.k.a Samuel Jacques; Miguel Sanchez;  
23 Jonathan Santos; Kenneth Scarborough; Larry Raymond Scarbrough; Vincent Scott;  
24 Leonard Seeley; Marvin Sexten; Dewayne Shelton; Jullian Shoats; Kareem Simms;  
25 Anthony Sims; Michael Smith; Roland Smith; Ruben Soto, individually and on behalf of

1 the class; Saer Sow; Marvin Spencer; Robert Steinmiller; Bryan Stevens; Eugene  
2 Stevens; Antonio Stewart; Walter Stokes III a.k.a. Walter Stokes; Darnell Sullivan; Dion  
3 Taylor a.k.a. Dionn Taylor, individually and on behalf of the class; Dontae Taylor;  
4 Bernard Thomas Jr. a.k.a. Bernard Thomas; Craig Thomas; Isaiah Thompson-Bolden;  
5 Keil Thurmon; Nicholas Tiller; Geoffrey Tobias; Terrance Turner; Greg Valentine; Jesse  
6 Ray Vaughn; Robert Vella; Louise Villareal; Cameron Vincent; Charles Walker; Frank  
7 Wallace; MC Ward; Antoine Washington; Terrence Watkins; Henry White; Eddie  
8 Whitfield; Alfonzo Williams; Morzell Willis; Lewis Wingfield; Derick Woods a.k.a. Dereik  
9 D Woods a.k.a. Derrick Woods; Candido Zayas, individually and on behalf of the class;  
10 Dylan Zirpoli; against the City and County of San Francisco for \$2,100,000; the lawsuits  
11 were filed on August 10, 2018, August 12, 2018, and October 6, 2018, in the United  
12 States District Court for the Northern District of California, Case Nos. 18-cv-04890  
13 JCS, 18-cv-06155 JCS and 18-cv-4857 JCS; entitled Johnson, et al. v. City and County  
14 of San Francisco, et al., Zayas, et al. v. City and County of San Francisco, et al., and  
15 Taylor v. City and County of San Francisco, et al.; the lawsuits involve claims that  
16 between January 1, 2017, and September 30, 2018, frequent toilet overflows in County  
17 Jail 4 created unconstitutional conditions of confinement for the inmates; other  
18 material terms of the settlement are that the court approve the settlement.

19

20 Be it ordained by the People of the City and County of San Francisco:

21 Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby  
22 authorizes the City Attorney to settle the consolidated actions entitled Johnson, et al. v. City  
23 and County of San Francisco, et al., U.S.D.C. Case No. 18-cv-04890 JCS, Zayas, et al. v. City  
24 and County of San Francisco, et al., U.S.D.C. Case No. 18-cv-06155 JCS, and Taylor v. City  
25 and County of San Francisco, et al., U.S.D.C. Case No. 18-cv-4857 JCS, by the payment

1 of \$2,100,000 and that such payment be made only upon the Court's approval of the  
2 settlement. The lawsuit involves alleged civil rights violations arising from unconditional  
3 conditions of confinement at County Jail 4. .

4 Section 2. The above-named consolidated actions were filed in the United States  
5 District Court for the Northern District of California on August 20, 2018, August 12, 2018 and  
6 October 6, 2018, and the following parties were named in the lawsuit: Plaintiffs Nicolas  
7 Adelman a.k.a. Nicholas Addleman; Patrick Alba-Crocker; Michael Alexis; Jesse Ali; Akai  
8 Allen Sr.; Dontae Allen; Jaun-Carlos Alvarez; Andre Alverty; Lawrence Anderson; David  
9 Archer; Jamar Babers; Christopher Bailey; Ryan Baker; Tyrell Baldwin; De'lon Barker a.k.a.  
10 Delon Barker; Joseph Barnett; Khalid Barrow; Jason Edward Bell; Harry Benton; Deshawn  
11 Blake; Edward Blanche III; Tommy Boggs; Michael Boyle; Elijah Brandon; Michael Brown,  
12 individually and on behalf of the class; Richard Terron Brown; Ty-Rell Brown a.k.a. Tyrell  
13 Brown; Matthew Brugman, individually and on behalf of the class; Silas Omari Bryant; Darrell  
14 Buckins; Don Jaun Burrell; Cory Butler; Armando Carlos; Vernon Carmichael; Roman  
15 Carrasco; Anthony Carrion; Jose Fernandez Catala; Michael Cavness; Jesse Chamberland  
16 a.k.a. Jesse James Chamberlin; Teryll Chaplin; Ben Chase; Deshun Jamal Cobia-Augman  
17 a.k.a. Deshawn Cobia-Augman; Darius Cole; Leonard Colvin; Louis Conceicao; Justin  
18 Cooper a.k.a. Justin Cooper or Justin L Cooper; Crazy Bull a.k.a. Teo CrazyBull; Danty Curry  
19 a.k.a. Dante Curry; Temu Curry; Andre Dangerfield; Mark Dascenzo; James Davenport; Mark  
20 Dennis; Antoine DeWhitt; Ralph Dominguez a.k.a Roger Dominguez, individually and on  
21 behalf of the class; LaCarl Dow; Jihad Earl; Peter Elisary; Justin Eliot a.k.a. Justin Elliot;  
22 Reginald Elmore; Alejandro Estevez; Lee Farley; Ray Farr; Esau Ferdinand; Walter Ferretti;  
23 Travis Fields; Arthur D. Finch; James Flanagan; William Flubacher; Paul Frazier; Mathew  
24 Fredrickson; Dana Gains a.k.a. Dana Gaines; Delonzo Gallon; Edilberto Garcia a.k.a.  
25 Ediberto Garcia; Rene Garcia; Lance Gardner; Robert Gibson; Antonio Gilton; Barry Gilton;

1 Clayton Gonzalez; Adrian Gordon; Korey Gray; Fred Green; Bryon Gross; Donell Guidry;  
2 Tyshaun Guillory; Michael Haga; Craig Hall; Henry Hall; Christopher Hardee; Monzell  
3 Harding; La Vondre Harper; Marshall Harris; Shelly Hart; Charles Heard; Nigel Henry,  
4 individually and on behalf of the class; Victor Hernandez; Phillip Hill Jr. a.k.a. Phillip Hill;  
5 Raman Hill a.k.a. Raymon Hill; Rashaad Hill; Adrian Holden; Douglass Hughes; Derrick  
6 Hunter; James R Isham a.k.a. James Isham; Kevin Jackson; Marcel Jackson; Judd Janice;  
7 Russell Jefferson; Fabian Johnson; Joseph Johnson; Damion Jones a.k.a. Damien Jones;  
8 Jarel Jones; Lavon Jones; Travis Jones; Samuel Jordan; Melvin Junior; Adrian K. Williams  
9 a.k.a. Adrian Williams; Thomas Kaina Jr. a.k.a. Thomas Kaina; Paul Keglari; Pierre Kittress-  
10 Leaks a.k.a. Pierre Kittrell-Leaks; Christopher Kjelson; Billy Ladd; Ronald Latney III a.k.a.  
11 Ronald Latney; Antoine Lax; Kem LeBlanc; Milton LeClaire, individually and on behalf of the  
12 class; Devante Lindsey; Fernando Madrigal; Alexis Mencia a.k.a. Alexis Mancina; Rudy  
13 Martinez; Homer Matthews a.k.a. Homer Mathews; Samaje McClure; Winston McDonald;  
14 Thomas McKay; Richard McNeil; Anthony Medina; Hiubert Mendoza; Richard Merrill; Joseph  
15 Meyers a.k.a. Joseph Meyer; Lamonte Mims; Frank Mozeke; John Norman; Dejah Northcut;  
16 Michael O'Brian; Michael Onate; Sedredt D. Parmer; Maurice Perry; Shawn Pettway; Joshua  
17 Pittman; Jose Poot, individually and on behalf of the class; Shaka Pope; Rashad Preston;  
18 Junior Pulou a.k.a. Pulou Junior Pulou; Ricky Quarels; Deandre Quinnine; Matthew Rabbitt;  
19 Joseph Ramirez; Marcus Ransburg; Gerald Reader; Sedric Reynolds; Derell Richards; Troy  
20 Richardson; Derrium Riggins; Carey Paul Robertson; Damon Robinson; Sean Robinson;  
21 David Henry Rodriguez; Neville Roebuck; Travis Rosette; Joseph Rowe; Alfredo Ruiz,  
22 individually and on behalf of the class; Jacques Samuel a.k.a. Samuel Jacques; Miguel  
23 Sanchez; Jonathan Santos; Kenneth Scarborough; Larry Raymond Scarbrough; Vincent  
24 Scott; Leonard Seeley; Marvin Sexten; Dewayne Shelton; Jullian Shoats; Kareem Simms;  
25 Anthony Sims; Michael Smith; Roland Smith; Ruben Soto, individually and on behalf of the

1 class; Saer Sow; Marvin Spencer; Robert Steinmiller; Bryan Stevens; Eugene Stevens;  
2 Antonio Stewart; Walter Stokes III a.k.a. Walter Stokes; Darnell Sullivan; Dion Taylor a.k.a.  
3 Dionn Taylor, individually and on behalf of the class; Dontae Taylor; Bernard Thomas Jr.  
4 a.k.a. Bernard Thomas; Craig Thomas; Isaiah Thompson-Bolden; Keil Thurmon; Nicholas  
5 Tiller; Geoffrey Tobias; Terrance Turner; Greg Valentine; Jesse Ray Vaughn; Robert Vella;  
6 Louise Villareal; Cameron Vincent; Charles Walker; Frank Wallace; MC Ward; Antoine  
7 Washington; Terrence Watkins; Henry White; Eddie Whitfield; Alfonzo Williams; Morzell Willis;  
8 Lewis Wingfield; Derick Woods a.k.a. Dereik D Woods a.k.a Derrick Woods; Candido Zayas,  
9 individually and on behalf of the class; Dylan Zirpoli; and defendants City and County of San  
10 Francisco, Sheriff Vicky Hennessy, Undersheriff Matthew Freeman, Captain Jason Jackson,  
11 Chief Deputy Paul Miyamoto and Sgt. James Dolly. At the time of the settlement a proposed  
12 third amended complaint also named as defendants John Updike, Scott Cline, Brian O'Connor  
13 and Dan Santizo.

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APPROVED AS TO FORM AND  
RECOMMENDED:

DENNIS J. HERRERA  
City Attorney

/s/ Meredith B. Osborn  
MEREDITH B. OSBORN  
Chief Trial Deputy

FUNDS AVAILABLE:

/s/ Ben Rosenfield  
BEN ROSENFELD  
Controller

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RECOMMENDED:

DEPARTMENT OF REAL ESTATE

/s/ Andrico Q. Penick  
ANDRICO Q. PENICK  
Director of Real Estate

SHERIFF'S OFFICE

/s/ Paul Miyamoto  
PAUL MIYAMOTO  
Sheriff

APPROVED:

/s/ Naomi Kelly  
NAOMI KELLY  
City Administrator