

File No. 200540

Committee Item No. 8

Board Item No. 3

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight

Date: July 2, 2020

Board of Supervisors Meeting:

Date: July 14, 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

- | | | |
|--------------------------|--------------------------|-------|
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

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; Darious 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; Sedic 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.

14
15
16
17
18
19
20
21
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

n:\lit\li2020\190245\01424924.docx

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