



# Board Agenda Item 38

DATE: March 19, 2024  
TO: Board of Supervisors  
SUBMITTED BY: Hollis Magill, Director of Human Resources  
SUBJECT: Request to Defend Public Officers or Employees

**RECOMMENDED ACTION(S):**

**Approve and authorize the Chairman to execute “Agreement to Defend Public Officers or Employees, Reservation of Rights, and Non Waiver” for the employee listed below:**

<b><u>Name of Employee</u></b>	<b><u>Current Position</u></b>	<b><u>Title of Action</u></b>
Jeff Stricker	Sheriff Sergeant, Sheriff Department	Caleb L. McGillvary v Jeff Stricker, et. al.

**Description:**

The plaintiff alleges that Jeff Stricker provided false statements during an interview that was republished in a documentary about plaintiff, which was the proximate cause of the plaintiffs’ injuries. Mr. Stricker was employed with the Sheriff Department at the times relevant to the allegations in the lawsuit.

Fresno County Claim No.: 11052  
Central District Court.: 2:23-CV-01195-JLS-SK  
Plaintiff: Caleb L. McGillvary

**ALTERNATIVE ACTION(S):**

No alternative action is available because Article 4 (commencing with section 825), Chapter 1, Part 2, Division 3.6 of Title 1 of the Government Code requires the County to indemnify its public employees who timely request such defense.

**FISCAL IMPACT:**

There is no increase in Net County Cost associated with the recommended action. Funds to finance the cost of defense are contained in the Department’s Org 8925, Risk Management Internal Services Fund. Defense costs are supported by annual budgetary contributions based on actuarial projections.

**DISCUSSION:**

The California Government Code requires the County to defend its officers and employees who are sued because of their actions while in the course and scope of employment, if they timely request such defense.

The County may require officers and employees to agree that the County's rights under the law are protected.

In the above-mentioned action, the employee who has been named in the suit has requested the County to provide legal defense. The necessary agreement to protect the County's rights has been signed by said employees and is on file with the Clerk of the Board.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement to Defend Public Officer or Employee, Jeff Stricker

On file with Clerk - Exhibit "A" Article 4. Indemnification of Public Employees

CAO ANALYST:

Salvador Espino