



# Board Agenda Item 43

DATE: January 29, 2019

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, Director of Human Resources

SUBJECT: Request to Defend Public Officers or Employees

**RECOMMENDED ACTION(S):**

**Approve and authorize Chairman to execute Agreement to Defend Public Officer(s) or Employee(s) for the employee(s) listed below:**

**Name of Officer(s)/**

**Employee(s)**

**Position**

**Title of Action**

Jared Mullis

Deputy Sheriff III  
Sheriff's Department

Jami Lucas, et al  
v  
County of Fresno, et al.

**Description:**

Claimants allege the wrongful death of Rod Lucas by another Deputy, Jared Mullis, which is the proximate cause of the claimant's injuries/damages. They are alleging deliberate indifference of Mr. Mullis, along with the Sheriff's Departments failure to train.

Fresno County Claim No.: 9968  
Eastern District Court Case No. 1:18-CV-01488-DAD-EPG  
Claimant: Jami Lucas

**ALTERNATIVE ACTION(S):**

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

**FISCAL IMPACT:**

Funds to finance the cost of defense are contained in the 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 officer(s) and/or employees(s) who are

sued because of their actions while in the course and scope of employment. The County may require officer(s) and/or employee(s) to agree that the County's rights under the law are protected.

In the above-mentioned action, the officer(s) and/or employee(s) who have been named in the suit have requested the County to provide legal defense. The necessary agreement to protect the County's rights has been signed by said officer(s) and/or employee(s) 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(s) or Employee(s) for Jared Mullis with Exhibit "A"  
Article 4. Indemnification of Public Employees

CAO ANALYST:

Debbie Paolinelli