



County of Fresno

Hall of Records, Rm. 301
2281 Tulare Street
Fresno, California
93721-2198

Legislation Details (With Text)

File #: 19-0650 **Name:** Request to Defend Public Officer(s) or Employee(s)

In control: Human Resources

On agenda: 6/4/2019 **Final action:** 6/4/2019

Enactment date: **Enactment #:** Agreement No. 19-241, Agreement No. 19-242, Agreement No. 19-243, Agreement No. 19-244

Title: Approve and authorize Chairman to execute Agreement to Defend Public Officers or Employees for: Michael Esquivel, Correctional Officer; Nidia Sanchez, Correctional Officer; Joe Rodriguez, Correctional Officer; Brian Pree, Correctional Officer, as named in Eastern District Court Case No: 1:18-CV-00590-AWI-EPG, Tiengkham Singananh v. Rodriguez, et al. Risk Management claim No.: 10075

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Agreement A-19-241 to Defend - M. Esquivel, 3. Agreement A-19-242 to Defend - N. Sanchez, 4. Agreement A-19-243 to Defend - J. Rodriguez, 5. Agreement A-19-244 to Defend - B. Pree

Date	Ver.	Action By	Action	Result
6/4/2019	1	Board of Supervisors	Conducted Hearings	Pass

DATE: June 4, 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

Michael Esquivel	Correctional Officer Sheriff's Department	Tiengkham Singananh v Rodriguez, et al.
Nidia Sanchez	Correctional Officer Sheriff's Department	
Joe Rodriguez	Correctional Officer Sheriff's Department	
Brian Pree	Correctional Officer Sheriff's Department	

Description:

Claimant alleges excessive force while incarcerated in the Fresno County Jail that resulted in bodily injuries as well as neglecting medical treatment for the claimant, which is the proximate cause of the claimant's injuries.

Fresno County Claim No.: 10075
Eastern District Court Case No.: 1:18-CV-00590-AWI-EPG
Claimant: Tiengkham Singanongh

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 Michael Esquivel with Exhibit "A" Article 4. Indemnification of Public Employees

On file with Clerk - Agreement to Defend Public Officer(s) or Employee(s) for Nidia Sanchez with Exhibit "A" Article 4. Indemnification of Public Employees

On file with Clerk - Agreement to Defend Public Officer(s) or Employee(s) for Joe Rodriguez with Exhibit "A" Article 4. Indemnification of Public Employees

On file with Clerk - Agreement to Defend Public Officer(s) or Employee(s) for Brian Pree with Exhibit "A" Article 4. Indemnification of Public Employees

CAO ANALYST:

Debbie Paolinelli