



County of Fresno

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

Legislation Details (With Text)

File #: 19-1219 **Name:** Request to Defend Public Officer(s) or Employee(s)

In control: Human Resources

On agenda: 10/8/2019

Final action: 10/8/2019

Enactment date: **Enactment #:** Agreement No. 19-519, Agreement No. 19-520

Title: Approve and authorize Chairman to execute Agreement to Defend Public Officers or Employees for: Brian Erickson, Deputy Sheriff III and Michael Hernandez, Deputy Sheriff, Sheriff/Coroner, as named in Eastern District Court Case No: 1:19-CV-00775-DAD-EPG, Dennis Maric v. County of Fresno, et al., Risk Management claim No.:10126

Sponsors:

Indexes:

Code sections:

Attachments: 1. Agenda Item, 2. Agreement A-19-519 to Defend Brian Erickson, 3. Agreement A-19-520 to Defend Michael Hernandez

Date	Ver.	Action By	Action	Result
10/8/2019	1	Board of Supervisors	Conducted Hearings	Pass

DATE: October 8, 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)

<u>Employee</u>	<u>Position</u>	<u>Title of Action</u>
Brian Erickson	Deputy Sheriff III	Dennis Maric
	Sheriff/Coroner	v
Michael Hernandez	Deputy Sheriff	County of Fresno, et al.
	Sheriff/Coroner	

Description:

Claimant alleges Civil rights violation, which is the proximate cause of the claimant's injuries/damages.

Fresno County Claim No.: 10126
Eastern District Court Case No.: 1:19-CV-00775-DAD-EPG
Claimant: Dennis Maric

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 Brian Erickson
On file with Clerk - Agreement to Defend Michael Hernandez

CAO ANALYST:

Debbie Paolinelli