



Board Agenda Item 49

DATE: June 10, 2025
TO: Board of Supervisors
SUBMITTED BY: Hollis Magill, Director of Human Resources
SUBJECT: Request to Defend Public Officer or Employee

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute “Agreement to Defend Public Officer or Employee, Reservation of Rights, and Non-Waiver Agreement” for the former employee listed below:

<u>Name of Former Employee</u>	<u>Former Position</u>	<u>Title of Action</u>
Jhoe Ajayi	Juvenile Correctional Officer I	Jane Doe v. County of Fresno, et. al.

Description

The plaintiff alleges that the County of Fresno and Jhoe Ajayi failed to use reasonable care or take any action to prevent sexual abuse while housed at the County’s Juvenile Justice Facility, which was the proximate cause of the plaintiff’s injuries. The former employee was employed with the Probation Department at the times relevant to the allegations in the lawsuit.

Fresno County Claim Number: 11405
Fresno County Superior Court: 25CECG01381
Plaintiff: Jane Doe

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 employee 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, Reservation of Rights and Non-Waiver Agreement for Jhoe Ajayi

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

CAO ANALYST:

Sevag Tateosian