

Mayor
William Siegel
Mayor Pro Tem
Lois Wynne
Council Members
Eddie Neal
Willard Rodarmel



**Office of the
City Manager**

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Lemoore, CA 93245
Phone (559) 924-6700
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Staff Report

ITEM 2-4

To: Lemoore City Council
From: Janie Venegas, City Clerk / Administrative Secretary
Date: July 31, 2014
Subject: Claim for Jessica Blanco

A handwritten signature in blue ink, appearing to be "J.V.", is written over a horizontal line.

Discussion:

AIMS has suggested the City issue a Notice of Rejection Under Operation of Law in order to establish a six month civil status. Please be advised the Property portion of the claim has been resolved and this is specific to the Personal Injury portion of the claim.

Budget Impact:

Unknown at this time.

Recommendation:

That the City Council, by motion, approve the Notice of Rejection for Jessica Blanco.



**LAW OFFICES OF MELO
AND SARFIELD LLP**

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June 16, 2014

RECEIVED

JUN 17 2014

CITY CLERK'S OFFICE

County of Kings

City of Lemoore

Delivered by Hand

Re: Government Code Section 910 Claim on behalf of Jessica M. Blanco.

Dear County of Kings and City of Lemoore:

This is a claim submitted on behalf of our client, Ms. Jessica Blanco. The following information is submitted on her behalf pursuant to the applicable provisions of the California Government Code (GC). The required information is set forth below:

GC Section 910(a) Name of Claimants and Post Office Address:

Ms. Jessica Blanco, c/o Law Offices of Melo and Sarsfield, LLP, 4216 S. Mooney Blvd PMB 136, Visalia, CA 93277

Name of Claimants' Attorney/Representative:

Law Offices of Melo and Sarsfield, LLP Attention Marguerite Melo or John Sarsfield

GC Section 910(b) Post Office Address to Which All Notices Regarding this Matter Are to be Sent:

Law Offices of Melo and Sarsfield, LLP, 4216 S. Mooney Blvd, PMB 136, Visalia, CA 93277

GC Section 910(c) Date, Place and Circumstances of Occurrence:

On December 19, 2013, Ms. Blanco was arrested by officers of the Lemoore Police Department. See Police Report L 1303266, a copy of which is included with this claim, and incorporated by reference. At approximately 3:30 am, Ms. Blanco, after being arrested, was transported by Lemoore officers to the Kings County Jail, located at or near 1570 Kings County Drive, Hanford, California. While in the jail and in the custody of Kings County jail personnel, Ms. Blanco was subjected to a strip search for items of contraband.

Initially, the strip search was conducted by Kings County Sheriff's Department female deputy M. Mixon, ID # 5208. Her clothing, including undergarments (bra and underpants) were removed during the search. Upon discovering an item of contraband on Ms. Blanco, (following the removal of her bra), Deputy Mixon summoned Lemoore Police Department male officer Kevin Cosper (ID 1354) to Ms. Blanco's location. Deputy Mixon brought, or caused to enter the room where the search had occurred, even though Officer Cosper is a male officer. While Ms. Blanco was still unclothed, standing naked in the search room, Officer Cosper entered, with Deputy Mixon's permission, and began to berate and interrogate Ms. Blanco about the item of contraband found upon her person. The actions by Deputy Mixon (Kings County) and Officer Cosper (City of Lemoore) taken against Ms. Blanco were calculated to intimidate, embarrass, and humiliate Ms. Blanco.

Upon information and belief, the actions of Deputy Mixon and Officer Cosper were in violation of each of their respective departments' policies pertaining to the treatment and search/interrogation of opposite gender prisoners/inmates.

GC Section 910(d) A General Description of the Injury:

As a result of the actions of Deputy Mixon and Officer Cosper, Ms. Blanco suffered severe humiliation, fear, embarrassment, and mental anguish (negligent and intentional infliction of emotional distress), as well as an invasion of her admittedly limited (in jail) privacy rights, and a violation of her rights under the 1st, 4th, 5th and 8th Amendments to the U.S. Constitution, and similar provisions of the California Constitution.

GC Section 910(e) Names of the Employees Causing the Injury:

1. Deputy Maribel Mixon, Kings County Sheriff's Department (Jail)
2. Officer Kevin Cosper, City of Lemoore Police Department
3. Unknown Kings County Employees/Agents (Does 1-5)
4. Unknown City of Lemoore Employees/Agents (Does 6-10)

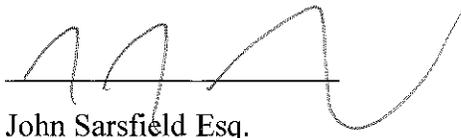
GC Section 910(f) The Amount Claimed for Damages:

The amount claimed against the County of Kings and City of Lemoore and each known and unknown individual exceeds \$10,000.00. The matter would be filed in Superior Court as "unlimited jurisdiction."

Thank you for your prompt attention to this matter. If you wish to discuss a pre-filing settlement of these claims, please contact us at your earliest convenience.

Sincerely,

LAW OFFICES OF MELO AND SARSFIELD LLP



John Sarsfield Esq.