



**NCCSIF  
SPECIAL CLAIMS COMMITTEE AGENDA**

**Date/Time: Wednesday, July 24, 2013  
2:00 p.m.**

**A – Action  
I – Information**

**Location:**

1. City of Lincoln, 600 Sixth Street, Lincoln, CA 95648
2. City of Oroville, 1735 Montgomery Street, Oroville, CA 95965
3. City of Nevada City, 317 Broad Street, Nevada City, CA 95959
4. City of Rocklin, 3970 Rocklin Road, Rocklin, CA 95677
5. Alliant Insurance Services, Inc., 1792 Tribute Road #450, Sacramento, CA 95815
6. York Risk Services, 1101 Creekside Ridge Drive, Suite 1101, Roseville, CA 95661
7. CJPRMA, 3201 Doolan Road, Suite 285, Livermore, CA 94551

**1 – Attached  
2 – Hand Out  
3 – Separate Cover  
4 – Verbal  
5 – Previously Mailed**

*Per Government Code 54954.2, persons requesting disability related modifications or accommodations, including auxiliary aids or services in order to participate in the meeting, are requested to contact Johnny Yang at Alliant Insurance at (916) 643-2712.*

*The Agenda packet will be posted on the NCCSIF website at [www.nccsif.org](http://www.nccsif.org). Documents and material relating to an open session agenda item that are provided to the NCCSIF Executive Committee less than 72 hours prior to a regular meeting will be available for public inspection and copying at 1792 Tribute Road, Suite 450, Sacramento, CA 94111.*

*Access to some buildings and offices may require routine provisions of identification to building security. However, NCCSIF does not require any member of the public to register his or her name, or to provide other information, as a condition to attendance at any public meeting and will not inquire of building security concerning information so provided. See Government Code section 54953.3.*

**A. Public Comments**

pg. 01 **B. Approval of Minutes of the Claims Committee Meetings on May 9, 2013** A 1

**C. CLOSED SESSION TO DISCUSS PENDING CLAIMS** I 3  
(Per Governmental Code Section 54956.9)

**Liability**

1. Jeffries vs. City of Galt

**D. ADJOURNMENT**



**MINUTES OF THE  
POLICE RISK MANGEMENT COMMITTEE MEETING  
MAY 7, 2013**

**MEMBERS PRESENT**

Chief John Ruffcorn, City of Auburn  
Sergeant Jason Browning, City of Folsom  
Asst. Chief Dean Price, City of Gridley  
Chief Dan Ruden, City of Lincoln  
Chief Ron Lawrence, City of Rocklin

**MEMBERS ABSENT**

City of Anderson  
City of Colusa  
City of Corning  
City of Dixon  
City of Galt  
City of Ione  
City of Jackson  
City of Marysville  
City of Nevada City  
City of Oroville  
Town of Paradise  
City of Placerville  
City of Red Bluff  
City of Rio Vista  
City of Willows  
City of Yuba City

**GUESTS & CONSULTANTS**

Liz Ehrenstrom, City of Oroville  
Susan Adams, Alliant Insurance Services  
Johnny Yang, Alliant Insurance Services  
Tom Kline, Bickmore Risk Services  
Shawn Millar, York Risk Services  
Bruce Kilday, Angelo Kilday and Kilduff, LLP  
Carrie Frederickson, Angelo Kilday and Kilduff, LLP

**A. CALL TO ORDER**

The meeting was called to order at 10:11 a.m.

**B. PUBLIC COMMENTS**

There were no public comments.

**C. APPROVAL OF AGENDA AS POSTED**

There was no discussion on this item.

**D. CONSENT CALENDAR**

**D1. 01.10.13 Draft Police Risk Management Committee Meeting Minutes**

There was no discussion on this item.

**E. RISK MANAGEMENT**

**E1. Risk Management Committee Meeting Summary**

Ms. Liz Ehrenstrom provided the Committee with an update on the Risk Management Committee Meeting advising that the Committee was provided an update on the services from Bickmore. Ms. Adams advised that Bickmore presented the Committee a sample video of the Injury Illness and Prevention Program. Ms. Adams advised that NCCSIF sets up a budget for Risk Management and staff is considering setting funds aside for specific police risk management needs. She briefly explained the Safety Grant Process and advised the funds can be used for anything that will help reduce losses.

Mr. Tom Kline advised that a Police ATD Training was recently provided in Red Bluff to NCCSIF members. Members attended from Red Bluff, Corning, Anderson and Folsom. Staff is working on setting up another Police ATD Training further south.

The Committee mentioned that it has been a while since a Gilmartin Training was offered to the Police Committee. There was further discussion on Bulging Disc Training, Backsafe Training and Cross-fit Training. The Committee also discussed performance evaluations and the possibility of a policy and procedure or best practices being put in place for these evaluations.

**E2. Police Liability and Workers' Compensation Claims Analysis**

Mr. Tom Kline advised that at the past meetings the Committee received a Police Liability and Workers' Compensation Claims Analysis and discussed training topics to be provided at each Police Risk Management meeting to address the major police losses affecting NCCSIF. At the

last meeting the topic of Aerosol Transmissible Diseases was the focus of the meeting and at today's meeting the Committee will be focusing on Use of Force.

Mr. Shawn Millar, York Risk Services, provided the Committee with a list of Use of Force losses for the past 6 years explaining that in order to obtain a low cost settle, a lot of funds are used for depositions, investigations and legal fees. Mr. Millar noted a claim that amounted in a relatively small settlement but incurred a significant expenditure to obtain the settlement.

There was discussion on use of videos and microphones which will assist members in defending these types of claims. The committee went on to address the proper use of the equipment and when to turn it on and off. They also mentioned the cost of purchasing and maintaining the equipment.

### **E3. Round Table Discussion**

Mr. Tom Kline asked for feedback regarding the next topic the Police Risk Management Committee would like to focus on suggesting training on proper "fit-for-duty" evaluations for the next August Police Risk Management Committee meeting.

The Committee then entered into a discussion on the use of Private Firing Ranges and City-owned Firearms and the possibility of a separate Risk Management Fund being set aside for the Police Risk Management.

The Committee also requested a loss analysis or example of when Video and Audio technology assisted in mitigating lawsuits. Discussing the cost and proper procedure on maintaining video and audio data storage the Committee noted that a server is also needed to store the information as well.

The Committee inquired if Bulging Disc is currently paid on 4850 time and requested information on any legislative bills regarding presumptions. Mr. Millar suggested contacting Ms. Kelli Vitale-Carson which is York's Workers' Compensation Claims Adjuster and will be able to better provide details on this topic.

### **F. USE OF FORCE LESSONS LEARNED DISCUSSION**

Mr. Bruce Kilday and Ms. Carrie Frederickson from Angelo, Kilday, and Kilduff, LLP provided the Committee with a presentation on the Use of Force and lessons that have been learned through recent litigation. Topics discussed were as follows:

- Recent case law decisions affecting use of force
  - Supreme Court slaps down Ninth Circuit
- Documenting use of force decisions
  - Initial incident reports and IA
- Protecting the agency from civil liability and reputational risk

- Policies regarding audio taping and videos
- Social media
- Potential Command Staff liability

## **H. INFORMATION ITEMS**

**H1. NCCSIF Meeting Calendar 2013**

**H2. NCCSIF Resource Contact Guide**

These items were provided as information only.

## **I. ADJOURNMENT**

The meeting was adjourned at 1:00 p.m.

DRAFT