



# County of Santa Cruz

## OFFICE OF THE COUNTY COUNSEL

701 OCEAN STREET, SUITE 506, SANTA CRUZ, CA 960604068  
(831) 464-2040 FAX: (831) 464-2116

SAMUEL TORRES, JR., COUNTY COUNSEL

### Assistants

CHIEF ASSISTANTS  
RAHN GARCIA  
DANA McRAE

Deborah Steen	Kim Baskett
Harry A. Oberhelman III	Julia Hill
Marie Costa	Shannon Sullivan
Jane M. Scott	Sharon Carey-Stronck
Tamyra Rice	Dwight L. Herr
Pamela Fyfe	

## GOVERNMENT TORT CLAIM

### RECOMMENDED ACTION

Agenda September 18, 2001

To: Board of Supervisors

Juan R. Zamora, No. 102-013

Re: Claim of \_\_\_\_\_

Original document and associated materials are on file at the Clerk to the Board of Supervisors.

In regard to the above-referenced claim, this is to recommend that the Board take the following action:

- 1. Reject the claim of Juan R. Zamora, No. 102-013 and refer to County Counsel.
- 2. Deny the application to file a late claim on behalf of \_\_\_\_\_ and refer to County Counsel.
- 3. Grant the application to file a late claim on behalf of \_\_\_\_\_ and refer to County Counsel.
- 4. Approve the claim of \_\_\_\_\_ in the amount of \_\_\_\_\_ and reject the balance, if any, and refer to County Counsel.
- 5. Reject the claim of \_\_\_\_\_ as insufficiently filed and refer to County Counsel.

cc: Rama Khalsa, Administrator  
Health Services Agency

Mark Tracy, Sheriff-Coroner

### RISK MANAGEMENT

By Janet McKinley  
Janet McKinley, A R M , Risk Manager

### SAMUEL TORRES, JR., COUNTY COUNSEL

By Kim Elizabeth Baskett  
Kim Elizabeth Baskett, Assistant County Counsel

102-013

0004

**CLAIM AGAINST THE COUNTY OF SANTA CRUZ  
(Pursuant to Section 910 et Seq., Govt. Code)**

**TO: BOARD OF SUPERVISORS  
COUNTY OF SANTA CRUZ  
ATTN: CLERK OF THE BOARD  
GOVERNMENT CENTER  
701 Ocean Street  
Santa Cruz, California 95060**



**1. Claimant's Name: JUAN R. ZAMORA**

**Address: 36-B Trembly Lane, Watsonville, CA 95076**

**Phone No: (831) 763-2549**

**2. Occurrence:** On February 21, 2001, I was handcuffed and shackled and placed in the sheriff's van to be transported from the jail to the court. At first the van would not start so Officer Beltran got jumper cables and got it started. Officer Beltran put the van in gear and took off rapidly; then he slammed on the brakes as he started to approach the end of the driveway. As a result, I was thrown, flying face first, directly into the steel bar that holds up the screen divider in the van. I hit the steel bar with my head causing me to suffer a cut in my skull to a depth of at least a half inch. I thought I was going to pass out from the blow and the subsequent severe pain - I was seeing stars however I fought to remain conscious. When the rest of my body caught up with me, I cut the bridge of my nose and with the force of the weight of my body, I scraped the side of my face against the steel divider. The pain was unbearable and I was totally disoriented - I had to continue to fight to remain conscious. I believe I may have fainted for a short time. I was lying on the floor of the van and felt something warm - another inmate named Mr. Silvey told me I was bleeding badly. I yelled for the officer and he looked back and saw us lying on the floor, bleeding. I was handcuffed and shackled when this happened, unable to protect myself from the blow, and there were no seat belt constraints to keep me from flying when the Officer slammed on the brakes. I have suffered from constant severe pain in my head, neck, and back and have suffered sleepless nights because of the pain. Despite the fact that I have been seeing a doctor and a chiropractor, I am still in severe pain almost 6 months later. I am disabled and unable to work and am now behind in all of my bills. The pain is so bad, I cannot even lift or carry my six month old son.

**3. Description of Indebtedness:** I suffered severe physical injuries to my head, neck and back and from severe emotional distress as a result of the incident. I have incurred ambulance, hospital, doctor, medicine and chiropractic bills and I am still seeing a chiropractor 3 times a week as a result of my injuries. Additionally, I have been unable to work and have lost wages as a result of my injuries. I believe I should be compensated for my medical bills, my

copy sent -> Atty. K. Wells 8-06-01

10-06-01

pain and suffering, my lost wages and any attorney fees and costs. Additionally, I believe that the county should be required to install seat belts for the protection of inmates *so* that this does not happen to someone else. It is especially important to have seat belts because since the inmates are handcuffed and shackled they are unable to protect themselves.

4. **Names of public employees causing injury:** The County of ~~Santa~~ Cruz, Sheriff Tracy, Officer Beltran.

5. **Amount claimed now** ..... \$75,000.00  
**Estimated future loss** ..... \$ Unknown

6. **Basis for Computations:** Doctor, ambulance, hospital, chiropractic or prescription medicine bills, lost wages, and pain and suffering.

7. **Court of Jurisdiction:** Superior Court

**CLAIMANT'S SIGNATURE**

*Juan Zamora*  
\_\_\_\_\_  
JUAN R. ZAMORA

