



King County
Office of Risk Management Services
Department of Executive Services
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April 1, 2025

The Honorable Girmay Zahilay, Chair
King County Council
516 Third Ave, Room 1200
C O U R T H O U S E

RE: Quarterly Report of Closed Claims with Indemnity Payments of \$100,000 or More

Dear Councilmember Zahilay:

I am pleased to transmit the quarterly report for the first quarter of 2025 summarizing claims that closed with an indemnity payment in the amount of \$100,000 or more. This report is transmitted pursuant to King County Code 2.21.030.A.16 which requires a quarterly report from the King County Risk Manager. This report describes the seven claims that resolved from January 1, 2025, through March 31, 2025 with an indemnity payment of \$100,000 or more.

Claimant: LaRose, Sheila
Date of Loss: 02/18/2014
Closure Date: 01/23/2025

Indemnity Payment: \$3,000,000
Closure Method: Settlement

Sheila LaRose was a King County Public Defender who was assigned to represent a client who later stalked and threatened her and her family. The client was arrested and convicted of the stalking. Ms. LaRose believes this client should have been assigned to a male public defender due to his prior history of stalking women. This case is complicated by the timing of the allegations, some of which occurred before the public defender agencies joined King County on July 1, 2013. The County entered into a "Standstill Agreement" with the Public Defender Association, Ms. LaRose's employer up until July 1, 2013, to cooperate as necessary to defend the lawsuit without waiving any potential claims they may have against each other related to the lawsuit. This case was dismissed in its entirety at the Superior Court level in 2017. However, the Washington Court of Appeals, Division II, reversed the dismissal. King County was represented by outside counsel and received reimbursement of

outside counsel fees from Liberty Mutual, insurer for the Public Defender Association. This case was tried in Pierce County Superior Court. After a lengthy trial, the jury returned a verdict against King County on October 21, 2021. The jury awarded non-economic damages of \$4.8 million and economic damages of \$2.2 million on the hostile work environment claim. The court awarded attorney's fees of nearly \$5 million. King County appealed based on multiple trial errors and the court's failure to dismiss the County because the most harmful instances of stalking occurred at LaRose's home, not in the workplace, when she no longer represented Smith. The court of appeals heard oral argument on February 2, 2024 and reversed the verdict and judgment, ruling that the trial court should have dismissed the County from the case for the reasons above. LaRose petitioned the Washington Supreme Court for review, which the court was scheduled to consider on November 5, 2024. Communicating through the mediator, the parties agreed to settle this matter for \$3,000,000.

Claimant: Dawn Graden, Carri

Date of Loss: 12/12/2016

Closure Date: 01/16/2025

Indemnity Payment: \$144,784.76

Closure Method: Settlement

On December 12, 2016, Plaintiff Carri Dawn Graden (then age 49), was on her way home from her IT job with Snohomish County on Highway 2 when she exited the highway towards 20th Avenue near Lake Stevens. The light at the end of the exit ramp was red and traffic was backed up on the overpass exit. The plaintiff came to a stop in line with traffic when the vehicle behind her, being driven by off-duty King County Sheriff's Office (KCSO) Deputy Justin Kristofferson (who was driving home from his shift), rear-ended her pickup truck. The responding Washington State Patrol Trooper indicated in the report that the Deputy had not slowed down before the accident, signifying that the accident was at a higher (though unknown) rate of speed. An ambulance transported the plaintiff to the emergency room, where she received her initial treatment. She reported a few injuries to responding paramedics as well as to her attending physician at the emergency room including headaches, blurred vision, neck pain, upper back/shoulder pain, and right wrist pain which later required surgery. The case was settled for \$144,784.76.

Claimant: Wright, Timothy J.

Date of Loss: 01/01/2020

Closure Date: 03/19/2025

Indemnity Payment: \$350,000

Closure Method: Settlement

Claimant Timothy Wright is a former Department of Adult and Juvenile Detention (DAJD) corrections officer. He alleges several incidents where DAJD Captain Michael Allen made derogatory statements regarding his disabled veteran status (though Allen himself is a veteran with a disability as well). Chiefly, Plaintiff alleges Allen threatened to burn his uniform, which triggered Plaintiff's PTSD; told him it was the County's position to remove disabled veterans from employment; and "forced" Plaintiff to take a physical aptitude test to rejoin DAJD's Cell Extraction Response Team (CERT). Plaintiff complained, and an IIU investigation ultimately sustained findings that Allen acted unprofessionally with Plaintiff, but did not sustain more serious allegations. Plaintiff claims, as an act of retaliation, that

Allen made a “threatening gesture” when Allen pointed at him after Plaintiff lodged his complaint. This case settled after mediation for \$350,000.

Claimant: Yillma, Betsegaw

Date of Loss: 04/02/2020

Closure Date: 03/31/2025

Indemnity Payment: \$1,750,000

Closure Method: Settlement

Claimant, 44-year Betsegaw Yillma was driving his vehicle in downtown Seattle when a Metro operator failed to stop at a red light and entered the intersection colliding with claimant’s vehicle. Claimant’s vehicle sustained heavy front-end damage deeming it a total loss. Claimant was a truck driver by trade, and he also was the caretaker for his disabled wife. Claimant initially treated with a chiropractor and was discharged from chiropractic care almost a year after the accident. Claimant then began to see a pain specialist and an orthopedic specialist. Claimant had multiple injections to his lower back, then proceeded with spinal surgery in March 2023 and shoulder surgery shortly after. Claimant alleged \$2.8 million in medical damages and lost wages. The case did not settle at mediation, but it settled shortly before trial for \$1,750,000.

Claimant: Sarrett, Derek Stenson

Date of Loss: 09/19/2020

Closure Date: 03/12/2025

Indemnity Payment: \$1,475,000

Closure Method: Settlement

On September 19th, 2020, Chantal Capps and her sister, Amanda Haynes, went to their brother Derek Sarrett’s house because they had been hearing rumors that their brother was beating his girlfriend. When they arrived, they found both Sarrett and his girlfriend were highly intoxicated. Sarrett had trouble keeping his balance and was angry and belligerent. He wanted to drive to the gas station to buy cigarettes, so Capps took him. While they were gone, Haynes spoke with the girlfriend about her visible injuries. The girlfriend attributed some to Sarrett and some to a car accident they had been in days prior. When Capps and Sarrett returned, Sarrett continued his angry tirades. He showed a gun that he was carrying loose in his shorts pocket. He pointed the gun at Capps and then showed that it was loaded with a magazine in the chamber. A video was taken that shows Sarrett’s level of intoxication and his sisters telling him it wasn’t safe for him to be possessing a gun. Capps and Haynes grew too uncomfortable to stay and decided to leave. At that point, Sarrett’s sister flagged down KCSO Deputy Leenstra and told him that Sarrett was drunk, engaged in possible domestic violence, was armed with a gun that was in his pocket, was prohibited from possessing a firearm, and had pointed the gun at his sister. Deputy Leenstra has been an officer since 2008. He spent 10 years with the Seattle Police Department and has been with KCSO since 2018. He is a de-escalation officer for KCSO and the State. He has no discipline history. Prior to this incident, he never had to fire his weapon. Deputy Leenstra was assigned at the time to the Muckleshoot police department. Deputy Leenstra attempted to separate Sarrett from his girlfriend and speak with both in the front yard. He positioned the siblings behind his truck. Sarrett went in and out of the house, refused to comply with Leenstra’s commands, told his girlfriend not to speak with the Deputy, and repeatedly put his hands in

and out of his pockets. Sarrett said that he didn't have a gun. Deputy Leenstra had his gun out and pointed at Sarrett, telling him to get his hands out of his pockets. Believing he was going to be shot, Deputy Leenstra fired four shots in rapid succession from a distance of 55 feet. Deputy Leenstra's motion for summary judgment based on qualified immunity was denied by the Court based on disputed factual issues. The case settled after mediation for \$1,475,000 for the Estate of Joshua Sarrett.

Claimant: Thompson, Nyga
Date of Loss: 08/19/2023
Closure Date: 03/06/2025

Indemnity Payment: \$300,000
Closure Method: Settlement

Claimant Nyga Thompson, a 43-year-old wheelchair dependent female, was a passenger on a Metro coach. The Metro operator failed to negotiate his speed and distance, causing him to brake hard to avoid striking a vehicle that stopped for traffic. Although the wheelchair was strapped to the coach, the claimant was not using a safety belt, and the hard brake caused claimant to fall forward and strike the ground. Claimant sustained closed fractures of the tibia and fibula. Claimant has a complicated medical history which required additional care and resulted in delayed healing. Claimant's alleged medical damages exceeded \$83,000. The claim settled for \$300,000.

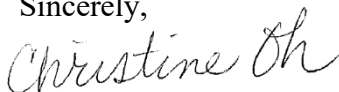
Claimant: Dalzell, John
Date of Loss: 06/06/2024
Closure Date: 02/14/2025

Indemnity Payment: \$120,000
Closure Method: Settlement

On June 6, 2024, John Dalzell (age 58 at the time) was a wheelchair passenger on board a Metro bus in Seattle. Unfortunately, the bus driver failed to properly secure Mr. Dalzell's wheelchair prior to moving the bus. When the bus made a right-hand turn, the wheelchair fell over. Mr. Dalzell was later diagnosed with two fractured ribs, and he also alleges injuries to his right shoulder, left knee and chest. Mr. Dalzell's medical damages are approximately \$44,000. The claim was settled for \$120,000.

I would be happy to answer any questions or provide a briefing for the Council on these claims at your convenience.

Sincerely,



Christine Oh
Director, Office of Risk Management Services

cc: King County Councilmembers
 ATTN: Stephanie Cirkovich., Chief of Staff
 Melani Pedroza, Clerk of the Council
 Karan Gill, Deputy County Executive, Office of the Executive

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Penny Lipsou, Director, Council Relations, Office of the Executive

Dwight Dively, Director, Office of Performance, Strategy and Budget

Lorraine Patterson, County Administrative Officer, Department of Executive
Services (DES)

Kimberly Frederick, Chief Civil Deputy, Prosecuting Attorney's Office (PAO)

Jessica Kozma, Litigation Section Head, PAO

Kymer Waltnunson, King County Auditor