CLAIMS LETTER ADDENDUM

Shaan Harris 655 8th Place Hermosa Beach, Ca 90254

May 6, 2020

City of Hermosa Beach – City Clerk 1315 Valley Drive, 2nd Floor Hermosa Beach, CA 90254

Dear City Clerk,

This letter is an addendum to my attached claim with the City of Hermosa Beach pertaining to a loss I sustained in your city on Tuesday, May 5, 2020, after contact with your city police department and an unlawful arrest and towing of my vehicle.

On that date, I was involved in an unfortunate traffic collision and when the officers responded they chose to unlawfully arrest me. They later released me after taking me to the station and determining they had insufficient grounds for any criminal action, as outlined in the attached release document (Exhibit A) they provided.

As a result of the unlawful arrest, they towed my vehicle and did not afford me the opportunity to have it towed myself at no expense. The unlawful towing of the vehicle resulted in me incurring towing fees of \$409.75 (Exhibit B). I called the police department numerous times on that same day in an effort to talk to the Watch Commander, file a complaint and request a Stypmann Hearing, but each time the desk personnel would not transfer me to the Watch Commander and repeatedly told me he was unavailable, out of the office or gone for the day. When I called again and asked for their name and employee number or the Watch Sergeant, they did not provide it and indicated that they would have someone call me back. No one ever called. By doing so they dissuaded me from filing my complaint and did not provide the Stypmann Hearing, both as required by law.

To make matters worse, when they documented the towing of my vehicle, the officer failed to list my personal property, inside the car, on the Notice of Stored Vehicle form (Exhibit C) and when I picked up my vehicle from your contracted tow company, Bruffy's Tow, a number of items were missing from the vehicle resulting in additional loss of golf clubs (\$547.49) and sunglasses (\$150.00).

In the interests of both parties, and to settle this matter in an equitable way, I am requesting complete reimbursement for my loss caused by the reckless and unprofessional actions of your city employees and the city police department. I am willing to settle my claim for a total amount of \$1,107.24 to dismiss this matter.

If there is no response to this letter, all legal rights and remedies shall be explored, including, but not limited to, legal proceedings in a small claims court necessary to recover the loss.

I hope to resolve this matter as soon as possible.

Sincerely,

Shaan Harris



EXHIBIT A Certificate of Release



Hermosa Beach Police Department



540 Pier Avenue Hermosa Beach, CA 90254

CERTIFICATE OF RELEASE

| Subject's Name: SHAAN DUANE HARRIS Date of Birth: 11.20.1984 |
|--|
| HBPD Case#: 20 - 708 Booking Number: N/A |
| Arrest Date/Time: 5.5.2020 1256 Release Date/Time: 5.5.2020 / 1406 |
| Original Charges: 23152(A) VC (Indicate FELONY or MISDEMEANOR) |
| As required by the provisions of Penal Code section 851.6, I hereby certify that the above named person, taken into custor'y by the HERMOSA BEACH POLICE DEPARTMENT on the above listed date/time, was deemed a detention only and not an arrest. The HERMOSA BEACH POLICE DEPARTMENT released the subject on the above date/time pursuant to section 849(b)(1), 849(b)(2), or 849(b)(3) PC. |
| Penal Code Section 849: |
| (a) When an arrest is made without a warrant by a peace officer or private person, the person arrested, if not otherwise released, shall, without unnecessary delay, be taken before the nearest or most accessible magistrate in the county in which the offense is triable, and a complaint stating the charge against the arrested person shall be laid before such magistrate. |
| Any peace officer may release from custody, instead of taking such person before a magistrate, any person arrested without a warrant whenever: |
| He/She is satisfied that there are insufficient grounds for making a criminal complaint against the person arrested. |
| (2) The person arrested was arrested for intoxication only, and no further proceedings are desirable. |
| (3) The person was arrested only for being under the influence of a controlled substance or drug and such person is delivered to a facility of hospital for treatment and no further proceedings are desirable. |
| Any records of arrest of a person released pursuant to paragraph (1) and (3) of subdivision (b) shall include a record of release. Thereafter, such arrest shall not be deemed an arrest, but a detention only. |
| LACKNOWLEDGE THAT I HAVE READ THE FOREGOING AND THAT I HAVE BEEN GIVEN A COPY OF THIS NOTICE. |
| |
| Signature of Subject & Date |
| |
| Joew #95 TRANBARGER #95 5.5.2020 140= (Signature of Releasing Official/ID#) (Print Name of Releasing Official/ID#) (Date/Time) |
| 1/ 177 6: POEZETHA # 177 5-5-20/1404 |
| (Signature of Authorizing Supervisor/ID#) (Print Name of Authorizing Supervisor/ID#) (Date/Tirue) |
| www.hermosabch.org/police HONESTY, INTEGRITY, RESPECT \$10.318,0360 |

EXHIBIT B Tow Invoice



BRUFFY'S TOW (OPG14) 11101 HINDRY AVENUE LOS ANGELES, CA 90045-6223 (310) 395-0084

2020002406

CA 145512

THIS IS NOT A PAID RECEIPT

Date In

05/05/2020

| | | | ~ | | | | | |
|------------|----------------------|--------------------|--------|------|-------|----------|------------|--------|
| ear, Make | , Model | License No. | State | ld# | Color | Location | Clear Date | Driver |
| TOYT | SOLARA | 8HQM967 | CA | 1482 | WHI | HRACK | | JP |
| Tow | From | 8TH ST / ARDMC | RE AVE | | | | 137.00 | |
| Tow | Out | | | | | | 0.00 | |
| Stora | age \$42. | 020 | 42.50 | *0 | | | | |
| City | Of Los Angeles 1 | | 4.25 | | | | | |
| City | Of Los Angeles \ | Vehicle Release Fe | Э | | | | 226.00 | |
| Extra | Charges | | | | | | 0.00 | |
| Lega | l Owner Certified | d Mail Processing | | | | | 0.00 | |
| Lien | Processing Fee | <u> </u> | | | | | 0.00 | |
| pon reques | st, you are entitled | ice. Total | 409.75 | | | | | |
| | | | | | | | | |

This invoice reflects current charges only. Fees will increase on a daily basis Also, lien fees will be applied after seventy-two (72) Hours



BRUFFY'S TOW (OPG14) 11101 HINDRY AVENUE LOS ANGELES, CA 90045-6223 (310) 395-0084

2020002406

CA 145512

| THIS | IS | NO | ГΑ | PAID | RECEIP | T |
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| | - | | | | | |

Date In

05/05/2020

| ear, Make, Model License No. State Id # Color Location | Clear Date | T |
|--|------------|-------|
| | | Drive |
| 9 TOYT SOLARA 8HQM967 CA 1482 WHI HRACK | | JP |
| Tow From 8TH ST / ARDMORE AVE | 137.00 | |
| Tow Out | 0.00 | |
| Storage \$42.50 Per Day 05/05/2020 To 05/06/2020 | 42.50 | |
| City Of Los Angeles 10% Parking Tax | 4.25 | |
| City Of Los Angeles Vehicle Release Fee | 226.00 | |
| Extra Charges | 0.00 | |
| Legal Owner Certified Mail Processing | 0.00 | |
| Lien Processing Fee | 0.00 | |
| Jpon request, you are entitled to receive a copy of the Towing Fees and Access Notice. Total | 409.75 | |

This invoice reflects current charges only. Fees will increase on a daily basis Also, lien fees will be applied after seventy-two (72) Hours

BRUFFYS TOW 11101 HINDRY AVE LOS ANGELES, CA 90045 (310)395-0084

SALE

BRUFFY'S TOW (OPG14) OFFICIAL POLICE GARAGE UNIT 14 11101 HINDRY AVENUE LOS ANGELES, CA 90045-6223 (310) 395-0084 CA 145512

R1 14-2020002406

LOG# 2020002406

Storage Authority:

22651.H

| D: 2450 Store: 4053 Term: REF#: 0000 | | Color | Plate | State | VIN | LOT |
|--|-----------------|---------------|---------------------|-----------|---------------------------------|----------|
| tch #: 099 RRN: 012718604 | | WHI | 8HQM967 | CA | 2T1CF22P4XC201482 | HRACK |
| roice #: 1406 ans ID: 580127666099123 | 0.09 | | | Towing | (hourly): 1 Tow @ 137.00 | 137.00 |
| PR CODE: 050257 | 1/ARDMOF | RE AVE | | Labor / | Extra Charges: | 0.00 |
| | Chip **/** | JE | | Storage | e: 1 Day(s) @ 42.50 | 42.50 |
| MOUNT \$409. | 75 | | | City Of | Los Angeles 10% Parking Tax: | 4.25 |
| APPROVED | ont/Dolly | | | City Of | Los Angeles Vehicle Release Fee | : 226.00 |
| SA DEBIT | | | | Lien Sa | ale Processing Fee: | 0.00 |
| D: A0000000031010 R: 80 80 00 80 00 | 14.0010 | s \$ 8 | | Legal (| Owner Notification: | 0.00 |
| : 68 00 | IARRIS | | | Tow O | ut / Second Tow: | 0.00 |
| THANK YOU | | | H CA 90254- | | Total: | 409.75 |
| CUSTOMER COPY | State: | CA Z | ip: 90254- | Visa | 050257 | 409.75 |
| Phone No: () | | | | · | | 0.00 |
| Dispatch Time: 12: | 32 | | | | | 0.00 |
| Arrival Time: 12: | 42 | | | | | 0.00 |
| Completion Time: 13: | 32 | | | | Total Payment Received: | 409.75 |
| Date In: 05/9 | 05/2020 | | | Remai | ning Balance: | 0.00 |
| Date Paid: 05/ | 06/2020 11:30:2 | 8 | | Billing | Customer: | |
| Released By Employee: | 14-0041 Jasm | ine A | | | nation of 1 + hour of service: | |
| Property Bag #: | | | | Explain | | |
| Operator: | | | | | | |
| Address: | | | | | | |
| City: | State: | Z | ip: | | | |
| Phone No: | | | | | | |
| * U | oon request you | u are entitle | ed to a copy of the | Towing Fe | es and Access Notice. * | |

I, the undersigned, do hereby certify that I am legally authorized and entitled to take possession of the vehicle described above and all personal property therein and I have received said property if the receipt above denotes the booking of property by the Official Police Garage. I acknowledge receiving pricing and/or invoice with all applicable charges prior to paying.

EXHIBIT C Notice of Stored Vehicle

NOTICE OF STORED VEHICLE (22852 VC)

HERMOSA BEACH POLICE DEPT. 540 PIER AVENUE HERMOSA BEACH, CA 90254

NOTE: CHP 180 IS FURNISHED TO ALL PEACE OFFICERS BY THE CALIFORNIA HIGHWAY PATROL

| REPORTING DEPARTMENT | J | Sv | S LOCATION | N CODE | DAT 5 | K/70 1300 | | | TORED VEHICLE ERSONALLY | F | ILE NO | 4 20 - O | 108 | |
|------------------------------|---------------|----------|---------------|--------|----------|------------------|---|--------|----------------------------|-------|---------|---------------------|------------------|--|
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| | | | | | - | | | | | - 1 | | | | |
| TOWING / STORAGE CONCERN | (NAME, | ADD | RESS, PHONE) | 21 | -1 | WORL A | VE. | 1 | A. (A. | | ZZ | GE AUTHORITY / REAS |) | |
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| BURNED HULK per 431(c) VC | | 45-1 | SEAT (REAR) | | | ALT. / GENERATOR | 1 | | VESSEL AS LOAD | | 1 | RIGHT FRONT | FIFL | |
| VANDALIZED | | 1 | RADIO | 1 | | BATTERY | | | FIREARMS | | 1 | LEFT REAR | | |
| ENG., / TRANS., STRIP | | | TAPE DECK | | - | DIFFERENTIAL | 1 | | OTHER | | de | RIGHT REAR | En F | |
| MISC, PARTS STRIP | | | TAPES | | | TRANSMISSION | 1 | | | | | SPARE | Lind F | |
| BODY METAL STRIP | | | OTHER RADIO | | 1 | AUTOMATIC | 1 | | | | | HUB CAPS | 10 | |
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| SIGNATURE OF PERSON AUTHO | ORIZING | REL | EASE | | | 1 / | SIGNAT | URE | OF PERSON TAKING | POSSE | SSION | | , | |
| 11 | | | | | | | | | | | | | | |

SEE REVERSE FOR INFORMATION

VEHICLE REPORT

NOTE: CHP 180 IS FURNISHED TO ALL PEACE OFFICERS BY THE CALIFORNIA HIGHWAY PATROL

| CHP 180 (Rev. 12-06) U | PI 062 | | | | | | | | | | | 1 | | | 100 | |
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| LAST DRIVER OF VEHICLE | | | | DATE | / TIME | | | ADDRESS | OF R/P | .0 | 1 | 4 | DEPR | TELEF |) | R/P |
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HERMOSA BEACH POLICE DEPARTMENT

| TRAFFIC COLLISION REPORT - Property Damage Only | | | | | | | | | | _ | | | O | riginal to Of | ficer | cop | y(ies) to involved | party(ies) | | |
|---|--|----------------------|----------------------------|-------------------------|-------------|---------------------|----------------------|-----------|------------------|--|----|-----------------|---------------|-----------------|--------------|----------------------|------------------------|----------------------------|----------|--|
| SPECIAL CO | SMOITIGMS | | | HIT & F | RUN | | CITY HERMO | OSA | BEA | СН | | | | | | | | 20-0708 | | |
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| DRIVER | | | мідоце,цаят) iane Harri | s | | | 661-4° | | ONE NUMB 9917 | BER | | AF | KK. | | Exchange | of inf | ition 🛛 Yes [| No | | |
| PED | | 5 8th PI | Hermosa | a Bea | | Са | 54 | Code) | | | | | G | | | | (†) | | | |
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| ₽K VEH | SEX | RAC | E BIRTH | DATE | - 1 | SURANCE DLICY# | COMP | | | | | | | | | | 1 | | | |
| BICYCLE | BICYCLE DIRECTION ON STREET OR HIGHWAY SPE | | | | | | | SPEED | LIMIT | | PA | RTY | | | | | | | | |
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| HE | HERMOSA BEACH POLICE DEPOSTATA | | | | | | | | | | | | | | | L | • | | | |

This copy is for the exclusive use of:

City of HB



PROPERTY DAMAGE ONLY NARRATIVE

| DATE OF COLLISION | TIME(2400) | NCIC NUMBER | OFFICER ID | NUMBER | PAGE |
|-------------------|------------|-------------|------------|---------|--------|
| 5-5-20 | 1230 | 1929 | | 20-0708 | 2 OF 2 |
| MO DAY YR | | | | | |

Notification:

On 5-5-20 at approximately 1230 hours, I (Ofc. Smith 1598) responded to the area of The 800 block of the Greenbelt regarding a traffic collision. Upon arrival I contacted the solo party involved and noted that there were no injuries.

Statements:

Party 1 (Harris, Shaan Duane) During contact with Harris he related the following: He was traveling W/B 8th PI toward Ardmore Ave where he was planning to make a left turn onto S/B Ardmore Ave. Harris stated, "I tried to stop and the breaks didn't work". Harris drove through the intersection of 8th PI and Ardmore Ave and subsequently ended up on the Greenbelt where he collided into several plants and a tree.

Witness / Passenger 1 (Martinez, Manuel) During contact with Martinez he related the following: He was in the passenger seat of the vehicle as his friend Harris was driving. He advised that they had just left Harris's house on 8th PI and was W/B toward Ardmore Ave. Martinez stated, "I saw Shaan pumping on the breaks and the car wasn't stopping". Martinez was not injured during this traffic collision.

Area Of Impact:

The AOI was established by party's statements. Measurements are approximate and were obtained via Pace.

There was only one AOI determined as it is unknown the actual whereabouts of the plants and the tree that were hit. AOI 1 establishes where P1 left the roadway and entered the Greenbelt.

AOI: 9' N of SCL 8th PI
0' E of WCL Ardmore Ave

HERMOSA BEACH POLICE DEPARTMENT

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Cause:

P1 is at fault in the collision for the violation of 22350 VC – Unsafe speed for prevailing conditions. It should also be noted that P1 advised of defective vehicle equipment. I was unable to determine whether the breaks were working at the time of this collision.

Skid marks:

None

ORIGINAL

| PREPARER'S NAME Smith | 10. NUMBER 158 | MO DAY YEAR 5-5-20 | REVIEWER'S NAME | #177 | мо 5 | DAY S | EAR ZR |
|--------------------------|-------------------|-----------------------|-----------------|------|------|-------|-----------|
| | | | | | | | |