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Attorneys for Plaintiff Paramjit Singh

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

AUG 28 2012

ALAN CARLSON, Clerk of the Court

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE, CENTRAL JUSTICE CENTER

PARAMJIT SINGH,

Plaintiff,

-vs-

SANDRA HUTCHENS, in her official capacity as Orange County Sheriff; the COUNTY OF ORANGE; and DOES 1-100, inclusive,

Defendants.

Case No. 30-2012; 00559338

THIRD AMENDED COMPLAINT FOR: (1) VIOLATION OF ARTICLE 1, §4 OF THE CALIFORNIA CONSTITUTION; (2) NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS; (3)BATTERY; (4) CONVERSION; (5) VIOLATION OF THE RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT; (6) VIOLATION OF 42 USC §1983; (7) VIOLATION OF PENAL CODE §4027; (8) VIOLATION OF CIVIL CODE SECTION 52.1.

[JURY TRIAL IS DEMANDED.]

Plaintiff alleges:

GENERAL ALLEGATIONS

1. Plaintiff Paramjit Singh (hereinafter "Plaintiff Singh") is a natural person.

Plaintiff Singh is, and at all times herein material has been, a Sikh. It is a fundamental practice of the Sikh religion to wear a turban ("keski") in order to keep one's head covered at all times. Wearing a turban is an integral part of the religious and spiritual identity of a Sikh. The turban is a symbolic crown worn to protect one's uncut hair and to remind the Sikh that he represents the ideals of the true *guru* (teacher) through truthful consciousness and living in accordance with the principles of Sikhism. It is an essential part of his exercise of Sikh religious practices for Plaintiff Singh to wear a turban at all times.

2. Defendant SANDRA HUTCHENS is, and at all times herein material has been, the Sheriff of the County of Orange and, in that capacity, acts as the chief executive and commanding officer of the Orange County Sheriff's Department (hereinafter "OCSD"), a local governmental agency organized within the County of Orange which, *inter-alia*, operates local detention facilities, commonly known as county jails, for and on behalf of the County of Orange.

3. Defendant COUNTY OF ORANGE is a local governmental body organized and existing under the laws of the State of California which, *inter-alia*, owns, operates, maintains and finances local detention facilities, commonly known as county jails, within the aforesaid county, and pays the salaries of the Sheriff of the County of Orange, the Deputy Sheriffs of the County of Orange, and all other employees of the County of Orange, including but not limited to those assigned to

the local detention facilities, commonly known as county jails, owned and operated by the County of Orange. Pursuant to Government Code §25303, Defendant COUNTY OF ORANGE, through its Board of Supervisors, has the authority to supervise county officers in order to insure that they faithfully perform their duties.[1] Government Code §25303 grants the county boards of supervisors "broad fiscal and administrative powers for the management of the individual county jails so long as they do not "obstruct the investigative functions of the sheriff." Pursuant to Government Code §23013, the counties retain the power to transfer control of a county jail from the sheriff to a county-created department of corrections, suggesting that the counties actually control and operate the jails.[2]

4. Defendants DOES 1 through 5, inclusive, are, and at all times material herein have been, Orange County Sheriff's Deputies, employed by the County of Orange, and assigned to the Orange County jail, whose true names are unknown to Plaintiff who, therefore, sues them under these fictitious names. Plaintiff will amend this Complaint to set forth their true names when ascertained. At all times herein material each of the aforesaid DOE defendants was acting under the color of state law, in a ministerial capacity, and was not involved in the exercise of discretion.

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[1] *Hicks v. Board of Supervisors* (1977) 69 Cal.App.3d 228, 242.

[2] *Streit v. County of Los Angeles* (2001) 236 F.2d 552. See also *Brandt v. Board of* Supervisors (1978) 84 Cal.App.3d 598, 601 & n. 3; *Beck v. County of Santa Clara* (1988) 204 Cal.App.3d 444, 445, 447.

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5. Defendants DOES 6 through 10, inclusive, are, and at all times material herein have been, Orange County Sheriff's Deputies, employed by the County of Orange, and assigned to the Theo Lacy Detention Center, whose true names are unknown to Plaintiff who, therefore, sues them under these fictitious names. Plaintiff will amend this Complaint to set forth their true names when ascertained. At all times herein material each of the aforesaid DOE defendants was acting under the color of state law, in a ministerial capacity, and was not involved in the exercise of discretion.

6. Defendant DOE 11 is, and at all times herein material was, the facility chaplain at the Theo Lacy Detention Center, employed by the County of Orange, whose true name is unknown to Plaintiff who, therefore, sues him/her under these fictitious names. Plaintiff will amend this Complaint to set forth his/her true name when ascertained. Plaintiff is informed and believes and thereon alleges that, at all times herein material, Defendant DOE 11 was acting under color of state law as an official of the County of Orange in his/her capacity as facility chaplain at the Theo Lacy Detention Center, a jail owned by the COUNTY OF ORANGE and operated and maintained by the said county and the OCSD. At all times herein material the aforesaid DOE defendant was acting in a ministerial capacity and was not involved in the exercise of discretion.

7. Plaintiff does not know the true names and capacities of Defendants DOES 12 through 100, inclusive, and, therefore, sues them under these fictitious names.

Plaintiff will amend this Complaint to set forth their true names and capacities when ascertained.

8. Plaintiff is informed and believes, and thereon alleges, that each defendant is, and at all times herein material has been, the agent, employee, or co-joint venturer of each remaining defendant and, at all such times, has acted within the course and scope of such agency, employment, and joint venture, ratified the acts and failures to act of each remaining co-defendant and enjoyed the benefits thereof.

9. Plaintiff Paramjit Singh was taken into immigration custody at the Los Angeles International Airport on May 18, 2011, by agents of U.S. Customs and Immigration Enforcement (hereinafter "ICE"), a federal governmental agency within the Department of Homeland Security. Plaintiff Singh was held in the Federal Detention Center, 300 N. Los Angeles St., Los Angeles, California. During the time that Plaintiff Singh was in direct physical custody of ICE he was permitted to wear his turban.

10. On May 19, 2011, ICE turned Plaintiff Singh over to Defendants DOES 1 through 5, who, at all times herein material, have acted under color of state law in their capacity as Orange County Sheriff's Deputies. Plaintiff was turned over to the Orange County Sheriff's Department (hereinafter "OCSD") to be held in custody by OCSD on behalf of ICE during the course of Plaintiff's immigration proceedings in the United States Immigration Court. Plaintiff is informed and believed and thereon

alleges that this was pursuant to a formal agreement between ICE and OCSD under which OCSD receives federal financial assistance. Plaintiff is informed and believes and thereon alleges that, at all times herein material, there has been in force and effect, and remains in force and effect, a policy, procedure, ordinance, rule, regulation, decision and/or official custom of Defendant COUNTY OF ORANGE, and/or Defendant SANDRA HUTCHINS, in her official capacity as Orange County Sheriff, which prohibits inmates in Orange County local detention facilities, including but not limited to those mentioned herein, from wearing head coverings and there is no exception in the same for persons, such as plaintiff, whose religion requires them to keep their heads covered at all times.

11. When Plaintiff Singh was turned over to the custody of Orange County Sheriff's Deputies on May 19, 2011, DOES 1 through 5, and each of them, forced Plaintiff to remove his turban and keep his head uncovered. Plaintiff explained that he was a Sikh and that his religion required him to wear a turban to keep his head covered at all times. Defendants DOES 1 through 5 told him that it was a rule of the Orange County Jail that he could not wear a head covering and would have to remove his turban. Defendants DOES 1 through 5 stated that the purpose of the rule was to prevent inmates from using the material from a head covering to hang themselves and to prevent them from concealing contraband under the head covering. Plaintiff responded that he had a smaller version of his turban in his

property that was being held by ICE and asked permission to wear that head covering, but Defendants DOES 1 through 5 refused to allow him to do so.

12. DOES 1 through 5 transported Plaintiff Singh to Orange County Jail where he was photographed. During the time that Plaintiff was in Orange County Jail he was not permitted to wear his turban and was required to keep his head uncovered. DOE 1, who apparently was ignorant of the difference between Sikhs and Moslems, asked Plaintiff if he was upset that Osama bin Laden had been killed, ridiculed and harassed Claimant, and unlawfully struck Plaintiff in the chest with a hard object without provocation or justification of any kind. Plaintiff did not report this incident for fear that he would be subject to retribution by DOE 1 and/or his fellow deputies.

13. On May 20, 2011, Plaintiff Singh was transported by DOES 1 through 5 to the Theo Lacy Detention Center, 501 City Drive, South, Orange, California 92868, a jail owned by the County of Orange and operated and maintained by the aforesaid county and OCSD. When Plaintiff arrived at the detention center he explained to Defendants DOES 6 through 10, inclusive, who at all times herein material have been Orange County Sheriff's Deputies assigned to the Theo Lacy Detention Center, that he is a Sikh and is required by his religion to keep his head covered at all times. Plaintiff requested permission to wear his turban. DOES 6 through 10 stated that they would have to confer with a supervisor and went to do so. When they returned, they told Plaintiff Singh that his request was denied. Plaintiff was not permitted to

wear his turban during the time he was held at the Theo Lacy Detention Center and was required to keep his head uncovered.

14. DOES 6 through 10 gave Plaintiff Singh various papers and forms, including an ICE "Detainee Request/Complaint Form." On May 23, 2011, Plaintiff filled out the aforesaid Request/Complaint Form to advise that he belonged to the Sikh religion, is required to cover his head at all times, that he has a small-sized turban in his property, and to request that he be allowed to wear his turban. **A true and correct copy of the aforesaid "Request/Complaint Form" is attached hereto and incorporated herein by reference as Exhibit 1.** Plaintiff placed the aforesaid "Request/Complaint Form" in a box designated for that purpose at the Theo Lacy Detention Center.

15. On May 25, 2011, Claimant's "Request/Complaint Form" was returned to him with a response from ICE agent A. Bond which stated: "The Theo Lacy facility chaplain has already decided the head cover is not going to be authorized." (See Exhibit 1.)

16. Approximately two weeks after being transferred to the Theo Lacy Detention Center, Plaintiff Singh was transferred to the James A. Musick Detention Center, 13502 Musick Rd., Irvine, CA 92618, a jail owned by the COUNTY OF ORANGE and operated and maintained by said county and the OCSD. During the time that he was detained at that facility, Plaintiff was told by Defendants DOES 12-

20 that he was could not wear his turban and was required to keep his head uncovered. The aforesaid defendants would not permit Plaintiff to wear his turban and forced him to keep his head uncovered.

17. On June 14, 2011, Plaintiff was taken to a federal detention center in Santa Ana, California, for a hearing before the Immigration Court. The hearing was conducted by closed-circuit television. Plaintiff was in a special room at the detention center where he could see and hear via a television monitor the Immigration Judge and his immigration attorney. The Judge asked Plaintiff why he was not wearing his turban. Plaintiff explained that deputies of the OCSD would not permit him to wear his turban while he was in their custody.

18. On June 15, 2011, an OCSD deputy wearing a black uniform (different from the green uniforms worn by the other OCSD deputies that Plaintiff had observed) told Plaintiff that he had received a letter from the Immigration Judge asking why Plaintiff was not permitted to wear his turban. The deputy asked Plaintiff if he still had his turban. Plaintiff said that a smaller version of the turban was with his property and he believed the property was being kept at the Santa Ana detention facility. The deputy stated that he could not go to the Santa Ana facility to retrieve the turban and suggested that Plaintiff contact a friend or relative to do so. Plaintiff contacted a friend who stated that he would be able to pick him up the next day because he had just been contacted by ICE and informed that Plaintiff would be

released the following day. On June 16, 2011, Plaintiff was released from custody.

19. As a direct and proximate result of the acts and failures to act of each defendant, Plaintiff Singh suffered a violation of his constitutional and statutory right to free exercise of his religion, interference with his right to possession and enjoyment of his personal property, to wit: his turbans, and emotional and mental distress and pain and suffering from which he continues to suffer, all to his damage in an amount within the unlimited jurisdiction of the Superior Court and to be proved at time of trial.

20. On October 17, 2011, Plaintiff Singh duly presented to the County of Orange a state tort claim pursuant to Government Code §911 for the injuries and damages he sustained due to the conduct of each defendant as herein alleged. A true and copy of said state tort claim is attached hereto and incorporated herein by reference as **Exhibit 2**.

21. On December 5, 2011, Defendant County of Orange denied Plaintiff's state tort claim by letter of December 5, 2011, a true and copy of which is attached hereto and incorporated herein by reference as **Exhibit 3**.

22. Plaintiff has had to retain attorneys to represent him in bringing this action and has incurred and will continue to incur attorneys' fees necessary for prosecution of this action. Upon prevailing Plaintiff is entitled to an award of reasonable attorney's fees under his First and Seventh Causes of Action, pursuant to Code of

CLAIM FOR MONEY OR DAMAGES AGAINST THE COUNTY OF ORANGE

(Pursuant to Govt. Code section 910 et seq.)

Received by RA via:
☒ Mail
☐ Over the Counter
☐ Pony Mail
☐ Other *** COB USE ONLY***

RECEIVED
2011 OCT 18 AM 7:54
CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

Completed and signed forms must be mailed or delivered to: (Unsigned claim forms cannot be processed)

Clerk of the Board of Supervisors
333 W. Santa Ana Blvd., Suite 465
Santa Ana, CA 92701

CLAIMANT INFORMATION

1. **Claimant's Name:** Paramjit Singh **2. Date of Birth:** July 17, 1983

3. **Claimant's Address:** [redacted]
Street (or P.O. Box) City State Zip Code

4. **Phone Number: Home:** [redacted] **Work:** ____ **Other:** [redacted]

5. **Name and address where correspondence should be sent (if different from above):**
Garish Sarin, Attorney at Law, 1541 Wilshire Blvd., Suite 106, Los Angeles, CA 90017.
Name Street (or P.O. Box) City State Zip Code

CLAIM INFORMATION

6. **Exact date (including year) of the occurrence or transaction which gave rise to the claim asserted:** 05/19/11-06/16/11

7. **Exact location of the occurrence or transaction which gave rise to the claim asserted:** Theo Lacy Detention Center, 501 City Dr. S., Orange, CA 92868.

8. **Describe the circumstances of the occurrence or transaction which you claim caused the damage/injury/loss:** See Attachment No. 8

9. **Jail Booking Number:** 2636523**Police Agency/Report Number:** ICE Case No. A201-177-571

10. **Provide a description of the damage/injury/loss incurred so far as is known as of the time of this claim:** See Attachment No. 10.

11. **Name(s) of County employee(s) causing damage/injury/loss, if known:** Orange County Sheriff's Deputies identified in No. 8. above, names unknown. Theo Lacy Detention Center Chaplain, name unknown.

12. **License number of County vehicle (if applicable):** N/A

13. **Name, address and phone number of any and all witnesses known:** See No. 11. above. Theo Lacy Detention Center, 501 City Dr. S., Orange, CA 92868, phone number unknown. ICE agents A.Bond, Vicente Espinoza, address & phone numbers unknown.

14. **Any additional information that may assist us in evaluating your claim**____

DAMAGES CLAIMED

15. **a. If the amount claimed is less than $10,000:**
Amount claimed to present: $____
Estimated amount of any prospective damage/injury/loss: $____
TOTAL AMOUNT CLAIMED: $____

b. If the amount claimed exceeds $10,000, would the case be a limited civil case ($25,000 or less)?
Yes ☐ No ☒

c. Basis of computation of the amount of damages (Please attach any estimates and/or receipts): Damages are computed on the basis of the severity and continuing duration of Claimant's humiliation, shame, and mental and emotional distress, anguish, pain and suffering from being forced to violate one of the basic practices and requirements of his religion as a Sikh, viz., being forced to remove his turban and keep his head uncovered, and from being harassed, ridiculed, and struck by an OCSD deputy.

WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM

Section 72 of the Penal Code states: "Every person who, with intent to defraud, presents for allowance or for payment to any state board or officer, or to any county, city, or district board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher, or writing, is punishable either by imprisonment in the county jail for a period of not more than one year, by a find of not exceeding one thousand dollars ($1,000), or by both such imprisonment or fine, or by imprisonment in the state prison, by a fine of not exceeding ten thousand dollars ($10,000), or by both such imprisonment and fine."

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 11th **day of** October **20** 11 **at** Los Angeles

Signature of Claimant or Claimant's Representative

You Must Present Your Claim Within The Time Prescribed By Govt. Code Section 911.2

ATTACHMENT TO:
CLAIM FOR MONEY OR DAMAGES AGAINST THE COUNTY OF ORANGE (GOVT. CODE SEC. 910 ET SEQ.)

Claimant: Paramjit Singh

Attachment No. 8:

Claimant Paramjit Singh was taken into immigration custody at the Los Angeles International Airport on May 18, 2011, by agents of U.S. Customs and Immigration Enforcement ("ICE"). He was held in the Federal Detention Center, 300 N. Los Angeles St., Los Angeles, CA, until May 19, 2011, when he was turned over to officials of the Orange County Sheriff's Department ("OCSD") for the purpose of being held in custody by them on behalf of ICE during the course of his immigration proceedings. Claimant is informed and believed and thereon alleges that this was in accordance with a formal agreement between ICE and the OCSD.

Claimant is a Sikh. It is a fundamental practice of the Sikh religion to wear a turban in order to keep one's head covered at all times. Wearing a turban ("keski") is an integral part of the religious and spiritual identity of a Sikh along with five other fundamental practices: (1) "kesh" (keeping one's hair uncut); (2) "kanga" (a wooden comb to keep one's "kesh" in a clean and healthy state); (3) "kara" (a steel bracelet which symbolizes the Sikh's unbreakable bond with God); (4) "kachhera" (special cotton underwear which symbolizes dignity, modesty, and self-control); (5) "kirpan" (a symbolic dagger or pendant in the shape of a dagger which signifies a Sikh's membership in "God's Army."). The turban is a symbolic crown worn to protect one's uncut hair and to remind the Sikh that he represents the ideals of the true guru (teacher) through truthful consciousness and living in accordance with the principles of Sikhism.

During the time that Claimant was in direct custody of ICE he was permitted to wear his turban.

When Claimant was turned over to the custody of Orange County Sheriff's Deputies on May 19, 2011, however, the deputies forced him to remove his turban and keep his head uncovered. Claimant explained to the deputies that he was a Sikh and that his religion required him to wear a turban to keep his head covered at all times. The deputies told him that it was a rule of the Orange County Jail that he could not wear a head covering and would have to remove his turban. The deputies stated that the purpose of the rule was to prevent inmates from using the material from a head covering to hang themselves and to prevent them from concealing contraband under

the head covering. Claimant told the deputies that he had a smaller version of his turban in his property that was being held by ICE and asked permission to wear that head covering, but the deputies refused to allow him to do so.

The deputies took Claimant to Orange County Jail where he was photographed. During the time that Claimant was in Orange County Jail he was not permitted to wear his turban and was required to keep his head uncovered. An OCSD deputy who apparently was ignorant of the differences between Sikhs and Moslems asked Claimant if he was upset that Osama bin Laden had been killed, ridiculed and harassed Claimant, and struck Claimant in the chest with a hard object. Claimant did not report this incident for fear that he would be subject to retribution by the deputy and/or his fellow deputies.

On May 20, 2011, Claimant was taken by deputies to the Theo Lacy Detention Center, 501 City Dr. S., Orange, CA 92868, a detention center operated by the OCSD. When Claimant arrived at the detention center he explained to an OCSD deputy that he is a Sikh and is required by his religion to keep his head covered at all times. He requested permission to wear his turban. The deputy stated that he would have to confer with a supervisor and went to do so. When the deputy returned he told Claimant that his request was denied. Claimant was not permitted to wear his turban during the time he was held at the Theo Lacy Detention Center and was required to keep his head uncovered.

Claimant was given various papers and forms by deputies of the OCSD at the Theo Lacy Detention Center, including an ICE "Detainee Request/Complaint Form." On May 23, 2011, Claimant filled out the aforesaid Request/Complaint Form to advise that he belonged to the Sikh religion, is required to cover his head at all times, that he has a small-sized turban in his property, and to request that he be allowed to wear his turban. **A true and correct copy of the aforesaid "Request/Complaint Form" is attached hereto as Exhibit "A".** Claimant placed the aforesaid "Request/Complaint Form" in a box designated for that purpose at the detention center.

On May 25, 2011, Claimant's "Request/Complaint Form" was returned to him with a response from ICE agent A. Bond which stated: "The Theo Lacy facility chaplain has already decided the head cover is not going to be authorized." (See Exhibit "A".)

Approximately two weeks after being transferred to the Theo Lacy Detention Center, Claimant was transferred to the James A. Musick Detention Center, 13502 Musick Rd., Irvine, CA 92618, a facility operated by the OCSD. During the time that he was detained at that facility he was not permitted to wear his turban and was required to

keep his head uncovered.

On June 14, 2011, Claimant was taken to a federal detention center in Santa Ana, CA, for a hearing before the Immigration Court. The hearing was conducted by closed-circuit television. Claimant was in a special room at the detention center where he could see and hear via a television monitor the Immigration Judge and his attorney, Garish Sarin, Esq., who were present in the Immigration Court in Los Angeles, California, and who could see and hear him via a television monitor in the courtroom.

Claimant's attorney, Mr. Sarin, asked the Immigration Judge why his client, Mr. Singh, was not wearing his turban. The Judge asked Claimant why he was not wearing his turban. Claimant explained that deputies of the OCSD would not permit him to wear his turban while he was in their custody.

On June 15, 2011, an OCSD deputy wearing a black uniform (different from the green uniforms worn by the other OCSD deputies that Claimant had observed) told Claimant that he had received a letter from the Immigration Judge asking why Claimant was not permitted to wear his turban. The deputy asked Claimant if he still had his turban. Claimant said that a smaller version of the turban was with his property and he believed the property was being kept at the Santa Ana detention facility. The deputy stated that he could not go to the Santa Ana facility to retrieve the turban and suggested that Claimant contact a friend or relative to do so. Claimant contacted a friend who stated that he would be able to pick up Claimant the next day because he had just been contacted by ICE and informed that Claimant would be released the following day.

On June 16, 2011, Claimant was released from custody.

The above-described actions and failures to act by the Orange County Sheriff's Department and its deputies and other officials violated Claimant's statutory and constitutional rights to freedom of religion, equal protection of the law, due process of law, and to be free from unwanted, unprivileged and offensive touching (the tort of battery), emotional distress (the torts of intentional and negligent infliction of emotional distress), and unlawful interference with his right to the possession and use of his personal property (the torts of conversion, detinue, and trespass to chattels), pursuant to:

- The 1st, 5th, and 14th Amendments to the U.S. Consitution;
- Article 1 of the California Constitution;
- 42 USC § 1983;

- 42 USC § 2000bb ("Religious Freedom Restoration Act");
- 42 USC § 2000cc-1 ("Religious Land Use & Institutionalized Persons Act");
- 28 USC § 2671 ("Federal Tort Claims Act");
- *Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics* (1971) 403 US 388;
- California Govt. Code § 910 et seq;
- California Tort Law.

DEPORTATION OFFICER BOND

RECEIVED
IMMIG. & CUSTOMS ENF.

2011 MAY 24 AM 9:50

U.S. Immigration and Customs Enforcement

DETAINEE REQUEST/COMPLAINT FORM

MOD: D25 COUNTRY INDIA

Detainee Name: [redacted] Alien Number: A201[redacted]

Request or Complaint made by detainee (Brief Description):

* I belong to SIKH Religion by my religion I have to cover my head all the time.
* I don't know about my case status.

How can this request/complaint be resolved:

* I have my small size turban in my property please allow me to wear my turban.
* I want see the ICE officer or the Judge. please

Date/Time of request/complaint: 05-23-11

Detainee Signature: [redacted]

Officer Response:

Case is pending, you will be interviewed by an asylum officer soon. The Theocracy facility chaplain has already decided the head cover is not going to be authorized.

Officer Name: [redacted] Signature: [redacted]

Date/Time response: 5/25/11

EXHIBIT "A"

ATTACHMENT TO:
CLAIM FOR MONEY OR DAMAGES AGAINST THE COUNTY OF ORANGE (GOVT. CODE SEC. 910 ET SEQ.)

Claimant: Paramjit Singh

Attachment No. 10:

Claimant is a Sikh. It is a fundamental practice of the Sikh religion to wear a turban in order to keep one's head covered at all times. Being forced to remove his turban and keep his head uncovered constituted for Claimant a betrayal of one of his fundamental religious duties as a Sikh. Claimant's statutory and constitutional right to freedom of religion and equal protection of the law was violated by being forced to remove his turban and keep his head uncovered. Being deprived of his right to wear his turban also constituted the torts of conversion, detinue, and trespass to chattels. Additionally, Client's rights to equal protection of the law, due process of law, and to be free from unwanted, unprivileged and offensive touching (the tort of battery), emotional distress (the torts of intentional and negligent infliction of emotional distress) were violated by being harassed, ridiculed and struck by an OCSD deputy. As a result he has suffered and continues to suffer humiliation, shame, and mental and emotional distress, anguish, pain and suffering.

COUNTY OF ORANGE
COUNTY EXECUTIVE OFFICE

OFFICE OF RISK MANAGEMENT

- Safety and Loss Prevention Program
- Workers' Compensation Program
- Liability Claims Management Program
- Insurance and Financial Management
- ADA II Public Access Compliance

Telephone 714-285-5518
FAX 714-285-5599

December 5, 2011

Garish Sarin, Esq.
1541 Wilshire Blvd, Suite 106
Los Angeles, CA 90017

RE: Your Client: Paramjit Singh
Date of Loss: 5-19-11
Our File No.: 10-0536

Dear Mr. Sarin:

Investigation of the above-captioned incident has been completed.

Investigation disclosed no negligence on behalf of the County of Orange. In view of the facts, we have no recourse but to disclaim any liability on behalf of the County of Orange.

Notice is hereby given that the claim you presented on behalf of your client Paramjit Singh on October 17, 2011 is rejected by operation of law.

WARNING: "Subject to certain exceptions, you have only six months from the date this notice was personally delivered or deposited in the mail to file a court action on this claim. See Government Code, Section 945.6."

Sincerely,

Gary Stopforth
Assistant Claims Manager