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8 Attorneys for Plaintiffs,  
9 ESTATE OF ADAM PRESTON ADAMS, et al.

10  
11 **UNITED STATES DISTRICT COURT**  
12  
13 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

14 ESTATE OF ADAM PRESTON  
15 ADAMS, by and through successor in  
16 interest, Jennifer Quintero; JENNIFER  
17 QUINTERO, individually,

18 Plaintiff,

19 v.

20 COUNTY OF SAN BERNARDINO,  
21 a public entity; SAN BERNARDINO  
22 COUNTY SHERIFF'S  
23 DEPARTMENT, a public entity;  
24 SHERIFF SHANNON D. DICUS,  
25 individually; MARCO ANTONIO  
26 LOPEZ-HERNANDEZ, an individual;  
27 and DOES 1 through 10, inclusive,

28 Defendants.

**CASE NO.: 5:24-cv-1447**

**COMPLAINT FOR DAMAGES**

1. Failure to Protect from Harm, Fourteenth Amendment Violation (42 U.S.C. § 1983);
2. Failure to Provide Medical Care, Fourteenth Amendment Violation (42 U.S.C. § 1983);
3. Deprivation of the Right to Familial Relationship with Decedent (42 USC § 1983);
4. Municipal Liability - Unconstitutional Policies, Customs, Practices (*Monell*, 42 U.S.C. § 1983);
5. Municipal Liability - Failure to Train (*Monell*, 42 U.S.C. § 1983);
6. Supervisory Liability (42 U.S.C. § 1983);
7. Negligence – Wrongful Death;
8. Negligence – Medical Malpractice;
9. Violation of California Government Code §845.6;
10. Violation of California Civil Code §52.1 (Tom Bane Act)

**DEMAND FOR JURY TRIAL**

**INTRODUCTION**

1  
2 1. This civil rights action seeks to establish the true and unequivocal facts  
3 surrounding the brutal and violent attack of ADAM PRESTON ADAMS on or about  
4 May 21, 2023, and to bring to public light the deliberate disregard for safety and  
5 protection carried out by the individual defendants in the present action.

6 2. This civil rights action further seeks to establish the violations of  
7 fundamental rights under the United States Constitution, which resulted in the attack  
8 of ADAM PRESTON ADAMS on or about May 21, 2023, an attack which resulted in  
9 ADAM PRESTON ADAMS’ subsequent cruel death on May 21, 2023.

10 3. At the time of the attack,  
11 ADAM PRESTON ADAMS was a fifty-  
12 six-year-old, who suffered from mental  
13 health issues, including schizophrenia,  
14 leaving him vulnerable to violent inmates.  
15 On May 21, 2023, ADAM PRESTON  
16 ADAMS, a loving father to his daughter,  
17 was brutally and repeatedly beaten in his  
18 cell by his cellmate MARCO ANTONIO  
19 LOPEZ-HERNANDEZ.



20 4. Upon information and belief,  
21 MARCO ANTONIO LOPEZ-  
22 HERNANDEZ was known by the  
23 individual defendants to be aggressive and  
24 violent based on his violent history. It is believed that MARCO ANTONIO LOPEZ-  
25 HERNANDEZ was a known violent predator who preyed on the weak and the most  
26 vulnerable. Because of these traits, his mental/medical condition, and his tendency  
27 toward violence, each defendant herein knew, or should have known, that MARCO  
28 ANTONIO LOPEZ-HERNANDEZ posed an imminent threat of violence and harm to

1 all other inmates in his immediate vicinity.

2 5. Long before the attack of ADAM PRESTON ADAMS, each of the  
3 individually named defendants from the SAN BERNARDINO COUNTY SHERIFF'S  
4 DEPARTMENT (hereinafter "SBSD") and the COUNTY OF SAN BERNARDINO  
5 (hereinafter "COUNTY") knew that there existed a great indifference to the safety and  
6 protection of inmates, particularly mentally ill and vulnerable inmates at West Valley  
7 Detention Center (hereinafter "WVDC"). This indifference consisted of a total  
8 disregard by the custodial staff and mental health staff for mentally ill, vulnerable  
9 inmates who were susceptible to being preyed upon by violent predatory inmates.

10 6. Despite this long history of inmate-on-inmate violence, each of the  
11 individually named defendants in this lawsuit deliberately failed to take even modest  
12 actions to prevent predatory behavior among inmates.

13 7. Therefore, by the time ADAM PRESTON ADAMS was taken into  
14 custody and housed at WVDC, violent inmates knew that they could continue to prey  
15 on the most vulnerable with no interference on the part of the custodial staff or the  
16 mental health staff.

17 8. Accordingly, this civil rights action seeks to vindicate ADAM PRESTON  
18 ADAMS' violent death and egregious violation of his constitutional rights, as well as  
19 bring justice for the deprivation of Plaintiff's beloved father, ADAM PRESTON  
20 ADAMS.

21 **JURISDICTION AND VENUE**

22 9. This action is brought pursuant to 42 U.S.C. §§ 1983 and 1988, and the  
23 Fourteenth Amendment to the United States Constitution, and the laws and  
24 Constitution of the State of California. Jurisdiction is conferred upon this Court by 28  
25 U.S.C. §§ 1331 and 1343.

26 10. This Court has the authority to grant the requested declaratory relief  
27 pursuant to 28 U.S.C. §§ 2201, as well as Federal Rules of Civil Procedure 57,  
28 including pursuant to the Court's inherent equitable powers.

1 11. Venue is proper within the Central District of California pursuant to 28  
2 U.S.C. § 1391(b)(1) and (2) because all Defendants reside within this district and the  
3 events and omissions giving rise to Plaintiff’s claims occurred within this district.

4 12. Plaintiffs presented their government claims on November 30, 2023.  
5 Defendant COUNTY rejected Plaintiffs’ claim on January 12, 2024. Plaintiffs bring  
6 this action within six months of the tort claim rejection. Accordingly, Plaintiffs have  
7 complied with the California Tort Claims Act requirements with respect to their claims  
8 arising under state law.

9 13. With respect to these supplemental state claims, Plaintiffs request that this  
10 Court exercise supplemental jurisdiction pursuant to 28 U.S.C. § 1367 over such claims  
11 as they arise from the same facts and circumstances which underlie the federal claims.

12 **PARTIES**

13 14. Plaintiff JENNIFER QUINTERO was the natural child of ADAM  
14 PRESTON ADAMS (hereafter “ADAMS” or “DECEDENT”), and at all times relevant  
15 hereto was a resident of Riverside County, California. Plaintiff JENNIFER  
16 QUINTERO brings these claims pursuant to California Code of Civil Procedure §§  
17 377.20 *et seq.* and 377.60 *et seq.*, which provide for survival and wrongful death  
18 actions. Plaintiff JENNIFER QUINTERO also brings these claims individually and on  
19 behalf of decedent ADAMS on the basis of 42 U.S.C. § 1983 and § 1988, the United  
20 States Constitution, federal and state civil rights law and California law. Plaintiff  
21 JENNIFER QUINTERO also brings these claims as a Private Attorney General, to  
22 vindicate not only her rights, but others’ civil rights of great importance.

23 15. Defendant COUNTY OF SAN BERNARDINO (hereinafter also  
24 “COUNTY”) owns, operates, manages, directs and controls Defendant SAN  
25 BERNARDINO COUNTY SHERIFF’S DEPARTMENT (hereinafter also “SBSD”),  
26 also a separate public entity, which employs other Doe Defendants in this action. At all  
27 times relevant to the facts alleged herein, Defendant COUNTY was responsible for  
28 assuring that the actions, omissions, policies, procedures, practices and customs of its

1 employees, including SBSB employees complied with the laws and the Constitutions  
2 of the United States and of the State of California. Defendant COUNTY, through  
3 SBSB, is and was responsible for ensuring the protection and safety of all persons  
4 incarcerated at the SBSB correctional facilities and detention centers, including the  
5 WVDC.

6 16. Defendant SHANNON D. DICUS (hereinafter also “SHERIFF DICUS”),  
7 at all times mentioned herein, was the Sheriff of Defendant COUNTY OF SAN  
8 BERNARDINO, the highest position in the COUNTY Jails. As Sheriff, Defendant  
9 DICUS is and was responsible for the hiring, screening, training, retention, supervision,  
10 discipline, counseling, and control of all COUNTY Jails’ employees and/or agents.  
11 Defendant DICUS is and was charged by law with oversight and administration of the  
12 COUNTY Jails, including ensuring the safety of the inmates housed therein. Defendant  
13 DICUS also is and was responsible for the promulgation of the policies and procedures  
14 and allowance of the practices/customs pursuant to which the acts of the COUNTY  
15 Jails alleged herein were committed. Defendant DICUS is being sued in his individual  
16 capacities.

17 17. Defendant MARCO ANTONIO LOPEZ-HERNANDEZ was at all  
18 relevant times an inmate at the West Valley Detention Center.

19 18. At all relevant times, Defendants DOES 1-10, inclusive, were individuals  
20 employed as employees/deputies with the Defendant SBSB, acting within the course  
21 and scope of that employment, under color of law.

22 19. Plaintiffs are ignorant of the true names and capacities of Defendants  
23 DOES 1 through 10 and therefore sue these Defendants by such fictitious names.  
24 Plaintiffs are informed and believe and thereon alleges that each Defendant so named is  
25 responsible in some manner for the injuries and damages sustained by Plaintiffs as set  
26 forth herein. Plaintiffs will amend their complaint to state the names and capacities of  
27 each DOE Defendant when they have been ascertained.

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1           20. The identities, capacities, and/or nature of involvement of the defendants  
2 sued as DOES 1 through 10 are presently unknown to the Plaintiffs who therefore sue  
3 these defendants by fictitious names. Plaintiffs are informed, believe, and thereupon  
4 allege that DOES 1 through 10 include individual law enforcement personnel employed  
5 by the SBSB and the COUNTY, and that they were involved in some manner and are  
6 legally responsible for the wrongful acts and conduct alleged herein. Plaintiffs will  
7 amend this complaint to substitute the DOE Defendants' true names and capacities  
8 when they have been ascertained. Plaintiff are informed, believe, and thereupon allege  
9 that each DOE defendant is a resident of California. Upon information and belief,  
10 DOES 1 through 10 were and still are residents of COUNTY OF SAN BERNARDINO,  
11 California. DOES 1 through 10 are sued in their individual capacity.

12           21. At all relevant times, DOES 7 and 8 were managerial, supervisory,  
13 training, and/or policymaking employees of Defendant COUNTY. At the time of the  
14 incident, DOES 7 and 8 were acting under color of law within the course and scope of  
15 their duties as employees for the COUNTY. They had supervisory authority over  
16 DOES 1-10, and COUNTY employees at the COUNTY Jails. DOES 7 and 8 were  
17 acting with the complete authority and ratification of their principal, Defendant  
18 COUNTY.

19           22. At all relevant times, DOES 9 and 10 were managerial, supervisory,  
20 training, and/or policymaking employees of Defendant COUNTY. At the time of the  
21 incident, DOES 9 and 10 were acting under color of law within the course and scope  
22 of their duties as employees for the SBSB and/or the COUNTY. They had supervisory  
23 authority over DOES 1-10, and the employees of the SBSB. DOES 9 and 10 were  
24 acting with the complete authority and ratification of their principal, Defendant  
25 COUNTY.

26           23. Each of the defendants, including the DOE Deputy Defendants, caused,  
27 and is responsible for, the unlawful conduct and resulting injuries suffered by Plaintiffs  
28 by, among other things, personally participating in the unlawful conduct, acting jointly,



1 or conspiring with others who did so; by ordering, authorizing, acquiescing in, or  
2 setting in motion policies, plans, or actions that led to the unlawful conduct, by failing  
3 to take action to prevent the unlawful conduct; by failing and refusing to initiate and  
4 maintain adequate training and supervision; by failing to enact policies to address the  
5 constitutional rights of protesters despite the obvious need for such a policy; and by  
6 ratifying the unlawful conduct that occurred by agents and officers under their direction  
7 and control, including failing to take remedial or disciplinary action.

8 24. Plaintiffs are informed and believe and thereon allege that each of the  
9 Defendants was at all material times an agent, servant, employee, partner, joint venturer,  
10 co-conspirator, and/or alter ego of the remaining Defendants, and in doing the things  
11 herein alleged, was acting within the course and scope of that relationship. Plaintiffs are  
12 further informed and believe and thereon allege that each of the Defendants herein gave  
13 consent, aid, and assistance to each of the remaining Defendants, and ratified and/or  
14 authorized the acts or omissions of each Defendant as alleged herein, except as may be  
15 hereinafter specifically alleged. At all material times, each Defendant was jointly  
16 engaged in tortious activity and an integral participant in the conduct described herein,  
17 resulting in the deprivation of Plaintiffs and decedent ADAM PRESTON ADAMS'  
18 constitutional rights and other harm.

19 **FACTUAL ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

20 25. On or about May 11, 2023, ADAM PRESTON ADAMS was taken into  
21 the custody of the SAN BERNARDINO SHERIFF'S DEPARTMENT for a non-  
22 violent misdemeanor offense and was housed in West Valley Detention Center  
23 (hereinafter "WVDC"), located at 9500 Etiwanda Ave, Rancho Cucamonga, California  
24 91739.

25 26. On or about May 21, 2023, ADAM PRESTON ADAMS was brutally  
26 attacked and beaten by his cellmate MARCO ANTONIO LOPEZ-HERNANDEZ  
27 while housed at WVDC, resulting in ADAMS's death. ADAM PRESTON ADAMS  
28 was fifty-six (56) years old at the time of his death.

1           27. Upon information and belief, SBSB deputies and/or custody staff were  
2 well aware of ADAM PRESTON ADAMS' mental health conditions which created  
3 the very environment for a violent encounter to result with another inmate. Despite this  
4 knowledge, SBSB personnel failed to take adequate precautions to protect ADAM  
5 PRESTON ADAMS.

6           28. Furthermore, upon information and belief, SBSB deputies and/or custody  
7 staff were aware of the propensity for the danger posed by ADAM PRESTON  
8 ADAMS' cellmate, MARCO ANTONIO LOPEZ-HERNANDEZ, and failed to  
9 properly classify his cellmate.

10           29. Upon information and belief, SBSB deputies and mental health staff were  
11 aware of MARCO ANTONIO LOPEZ-HERNANDEZ's violent history, tendencies,  
12 and propensities for violence based on their interviews and evaluations of MARCO  
13 ANTONIO LOPEZ-HERNANDEZ and review of his medical and penal records.  
14 SBSB deputies and mental health staff knew or should have known that MARCO  
15 ANTONIO LOPEZ-HERNANDEZ would attack or otherwise and/or kill other  
16 inmates if MARCO ANTONIO LOPEZ-HERNANDEZ was not consistently  
17 monitored.

18           30. Nevertheless, SBSB deputies and/or custody staff intentionally and  
19 improperly housed ADAM PRESTON ADAMS with this dangerous individual,  
20 thereby placing him at substantial risk of death or serious harm.

21           31. By housing ADAM PRESTON ADAMS with a dangerous individual,  
22 despite ADAM PRESTON ADAMS being in custody for a non-violent misdemeanor  
23 offense, SBSB personnel showed a deliberate indifference to his safety. This  
24 indifference ultimately led to ADAM PRESTON ADAMS being brutally killed by his  
25 cellmate.

26           32. Moreover, it was foreseeably dangerous to house ADAM PRESTON  
27 ADAMS with MARCO ANTONIO LOPEZ-HERNANDEZ, who upon information  
28 and belief, had a violent background. Given ADAM PRESTON ADAMS' mental



1 health history, there was a significant risk of an in-cell altercation, which could likely  
2 result in ADAM PRESTON ADAMS' murder due to his cellmate's violent tendencies

3 33. Long before the attack on ADAM PRESTON ADAMS, SBSB personnel  
4 were aware that at the WVDC, there existed a great indifference to the safety and  
5 protection of inmates, particularly vulnerable inmates such as ADAM PRESTON  
6 ADAMS. This indifference was characterized by a total disregard for the well-being of  
7 inmates who were susceptible to being preyed upon by violent, predatory inmates.

8 34. Despite a long history of inmate-on-inmate violence, SBSB personnel  
9 deliberately failed to take even modest actions to prevent predatory behavior among  
10 inmates. As a result, by the time ADAM PRESTON ADAMS was taken into custody  
11 and housed at WVDC, violent inmates knew they could continue to prey on the most  
12 vulnerable without interference from custodial staff or medical/mental health staff.

13 35. Defendants placed ADAM PRESTON ADAMS in a position of  
14 vulnerability and danger from his cellmate because Defendants were on notice of his  
15 cellmate's propensity for violence that foreseeably manifested when his cellmate  
16 violently attacked ADAM PRESTON ADAMS and repeatedly beat ADAM  
17 PRESTON ADAMS. Defendants failed to take any reasonable steps to mitigate the  
18 obvious and well-known risk of harm, including this inmate-on-inmate violence to  
19 ADAM PRESTON ADAMS, that was attendant to housing ADAM PRESTON  
20 ADAMS with a cellmate who was dangerous and prone to violence.

21 36. Furthermore, upon information and belief, due to the COUNTY Jails  
22 patterns and practices of not conducting proper and timely Title 15 welfare and safety  
23 checks, ADAM PRESTON ADAMS' dire need for emergency intervention went  
24 unnoticed by the WVDC staff and deputies, who were responsible for monitoring and  
25 ensuring the welfare of all inmates, including ADAM PRESTON ADAMS.

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27 ///

28 ///

1           37. Defendants also knew that deputies routinely failed to conduct required  
2 Title 15 welfare and safety checks in WVDC and failed to take sufficient actions to  
3 correct this problem and ensure that necessary checks were performed.

4           38. Upon information and belief, Defendants DOES 1 through 10, including  
5 the custodial and mental health staff of SBSB's correctional facility at WVDC, their  
6 collective failure to conduct the required safety check of Decedent ADAM PRESTON  
7 ADAMS' housing unit on the date of the violent attack, evidences deliberate  
8 indifference to the risk of harm to ADAM PRESTON ADAMS.

9           39. By the actions and omissions described above, Defendants DOES 1  
10 through 10, as alleged herein, including but not limited to their failure to provide  
11 ADAM PRESTON ADAMS with safety and proper housing, along with the acts and/or  
12 omissions of Defendants in failing to train, supervise, and/or promulgate appropriate  
13 policies and procedures to provide proper Title 15 welfare and safety checks, along  
14 with emergency medical care and life-saving care to persons in their custody,  
15 constituted deliberate indifference to ADAM PRESTON ADAMS' serious medical  
16 needs, health, and safety.

17           40. DOES 1 through 10, which included custodial and mental health staff of  
18 WVDC, acted with deliberate indifference and reckless disregard to the safety,  
19 security, protection and constitutional and statutory rights of Decedent and all persons  
20 similarly situated, maintained, enforced, tolerated, permitted, acquiesced in, and  
21 applied policies or practices of, among other things:

- 22           a. Selecting, retaining and assigning deputies to their jails who exhibit  
23 deliberate indifference and reckless disregard for the safety, security and  
24 constitutional and statutory rights of detainees, arrestees and inmates who  
25 exhibit vulnerabilities due to medical, mental health, and disabilities;
- 26           b. Subjecting persons in their jails to violence perpetrated by other detainees,  
27 arrestees or inmates;
- 28

- 1 c. Failing to take adequate security measures to protect detainees, arrestees
  - 2 and inmates from unnecessary harm, including but not limited to, the
  - 3 following: separation of detainees and arrestees from potentially violent
  - 4 or dangerous inmates; use of security cameras to monitor violence within
  - 5 jail cells; training deputies to monitor detainees and inmates and
  - 6 immediately respond to acts of violence or threats of violence; monitoring
  - 7 drunken detainees who are unable to care for themselves.
  - 8 d. Failing to adequately train, supervise, and control deputies in the arts of
  - 9 law enforcement;
  - 10 e. Failing to adequately discipline deputies involved in misconduct; and
  - 11 f. Condoning and encouraging deputies in the belief that they can violate the
  - 12 rights of persons such as the Plaintiff in this action with impunity, and that
  - 13 such conduct will not adversely affect their opportunities for promotion
  - 14 and other employment benefits.
- 15 41. Defendant DOES 1 through 10, which included custodial and mental
- 16 health staff of WVDC acted with deliberate indifference and reckless disregard toward
- 17 ADAM PRESTON ADAMS' right to be protected and safe while housed at the
- 18 WVDC, and afforded due process of law, by among other things, the following acts:
- 19 a. Placing ADAM PRESTON ADAMS, a vulnerable detainee with mental
  - 20 health concerns, in a cell with an inmate and/or arrestees whom
  - 21 Defendants knew or should have known had propensities for aggressive
  - 22 acts or acts of violence and mental instabilities, and not watching and
  - 23 protecting him;
  - 24 b. Failing to properly classify and house his cellmate as a violent inmate or
  - 25 otherwise house and classify his cellmate in appropriate housing where he
  - 26 could be constantly monitored and/or isolated from other inmates;
  - 27 c. Placing ADAM PRESTON ADAMS, a vulnerable detainee with mental
  - 28 health concerns, in a cell with other detainees, arrestees and inmates under

1 circumstances that were conducive to the eruption of violence, including  
2 in a unit with other violent and dangerous inmates such as the one housed  
3 with ADAM PRESTON ADAMS;

4 d. Causing ADAM PRESTON ADAMS, to remain in the cell with another  
5 inmate after Defendants knew that physical violence was imminent; and

6 e. Not observing or protecting ADAM PRESTON ADAMS, or otherwise  
7 standing by and allowing a brutal beating on ADAM PRESTON ADAMS  
8 by another inmate to continue for an unreasonable period of time, resulting  
9 in unnecessary and severe critical injuries to ADAM PRESTON ADAMS  
10 that eventually caused his death on May 21, 2023.

11 42. Plaintiff are informed and believe that Defendants DOES 1 through 10  
12 were aware of the threat by his cellmate represented to ADAM PRESTON ADAMS,  
13 based on the inmate's criminal history or exhibited violent tendencies of which the  
14 deputies and other employees knew or should have known. Said defendants  
15 intentionally, recklessly and with deliberate indifference, failed to take any security  
16 measures to protect detainees and arrestees of minor offenses who were unable to  
17 defend themselves, such as ADAM PRESTON ADAMS, who was unable to care for  
18 himself or others from inmates with violent tendencies like those exhibited by his  
19 cellmate, MARCO ANTONIO LOPEZ-HERNANDEZ.

20 43. Plaintiff are informed and believe and thereupon allege, that defendants  
21 COUNTY and SBSB ordered, authorized, acquiesced in, tolerated, or permitted other  
22 defendants herein to engage in the unlawful and unconstitutional actions, policies,  
23 practices and customs set forth in the preceding paragraphs. Defendants' conduct as  
24 alleged herein constitutes a pattern of constitutional violations, based either on a  
25 deliberate plan by defendants, or on defendants' deliberate indifference or reckless  
26 disregard to the safety, security and constitutional and statutory rights of Plaintiff.

27 44. Plaintiff are informed and believe and thereupon allege that the brutal  
28 beating on ADAM PRESTON ADAMS was conducted with the approval of SBSB

1 deputies or because of the deliberate indifference or reckless disregard of Deputy  
2 Defendants, and DOES 1 through 10 to the safety and security of ADAM PRESTON  
3 ADAMS.

4 45. Plaintiff are informed and believe and thereupon allege that the Deputy  
5 Defendants and DOES 1 through 10, recklessly and with deliberate indifference, failed  
6 to immediately and appropriately respond to the brutal attack, and allowed the attack  
7 to continue for an extended period of time causing ADAM PRESTON ADAMS to  
8 suffer numerous and severe injuries, resulting in his death.

9 46. Plaintiff are informed and believe that SBSB deputies, intentionally,  
10 recklessly and with deliberate indifference, failed to take immediate action to summon  
11 medical care for ADAM PRESTON ADAMS, despite knowing he was in need of  
12 immediate medical care.

13 47. Defendants have been on notice for years that their provision of medical  
14 and mental health treatment to inmates is inadequate and results in needless harm and  
15 death.

16 48. Welfare and safety checks by custody and mental health staff, when done  
17 correctly, are an important part of protecting inmates in the SBSB's jails from harm,  
18 including inmate on inmate violence. Defendants knew that health and welfare checks  
19 conducted in units were part of violence prevention programs and that such checks  
20 were necessary for inmate-on-inmate attack prevention.

21 49. Prior to the attack of ADAM PRESTON ADAMS, Defendants were  
22 aware that there was a problem with custody staff failing to actually perform required  
23 welfare and safety checks in the units at SBSB jails, failing to perform adequate welfare  
24 and safety checks and/or failing to take adequate measures after observing violence  
25 during the welfare and safety checks.

26 50. Defendants actions and omissions, as herein above recited, directly placed  
27 ADAM PRESTON ADAMS at substantial risk of the grievous and tragic harm that  
28 ultimately occurred.





1           55. Given ADAM PRESTON ADAMS' documented mental health problems,  
2 inmates such as ADAM PRESTON ADAMS are more susceptible to violence.  
3 Individuals with mental health problems are more susceptible to violence from other  
4 inmates based upon manifestations from their mental health problems. The risk to harm  
5 to inmates such as ADAM PRESTON ADAMS are even greater when they are in  
6 confinement with other inmates who have a propensity for violence.

7           56. Indeed, upon information and belief, on or about May 21, 2023,  
8 Defendants DOES 1 through 10, and each of them continued to make the intentional  
9 decision to place ADAM PRESTON ADAMS in housing with his cellmate, who had  
10 a known history of attacking other inmates and had a history of violent propensities.  
11 Indeed, Defendants DOES 1 through 10, and each of them, made the intentional  
12 decision to recklessly mix dangerous inmates/detainees with pretrial detainees such as  
13 ADAM PRESTON ADAMS.

14           57. Upon information and belief, foreseeably, ADAM PRESTON ADAMS  
15 was attacked by his cellmate in his cell on or about May 21, 2023. This attack caused  
16 ADAM PRESTON ADAMS to suffer severe and critical injuries, ultimately causing  
17 his death.

18           58. Upon information and belief, Defendants DOES 1 through 10 knew that  
19 MARCO ANTONIO LOPEZ-HERNANDEZ had a propensity for violence and posed  
20 a danger to other inmates/detainees because, upon information and belief, MARCO  
21 ANTONIO LOPEZ-HERNANDEZ had a documented history of attacking other  
22 inmates, of which Defendants DOES 1 through 10 were aware of by reviewing incident  
23 reports related to his MARCO ANTONIO LOPEZ-HERNANDEZ's history of  
24 violence towards other inmates and detainees.

25           59. Nonetheless, despite having express and actual knowledge about the  
26 deadly risks that ADAM PRESTON ADAMS faced, given that he was being housed  
27 with a violent inmate, Defendants DOES 1 through 10 acted with deliberate  
28 indifference when they callously made the intentional decision of placing ADAM

1 PRESTON ADAMS in the same cell with MARCO ANTONIO LOPEZ-  
2 HERNANDEZ.

3 60. Defendants DOES 1 through 10 acted with deliberated indifference  
4 because they made the conscious choice of housing ADAM PRESTON ADAMS with  
5 a violent person and consciously disregarded the foreseeable consequence of such  
6 action, which was death or serious bodily injury to ADAM PRESTON ADAMS.

7 61. Clearly, given that, upon information and belief, his cellmate had a known  
8 history of violence towards other inmates and detainees. Placing ADAM PRESTON  
9 ADAMS in this cell with the hazards of his cellmate's violent acts put ADAM  
10 PRESTON ADAMS at substantial risk of suffering serious harm to which Defendants  
11 DOES 1 through 10, and each of them, did not take reasonable measures to reduce such  
12 risk even though any reasonable person would have appreciated the high risks involved  
13 in the situation, knowing of his cellmate's documented history of attacking other  
14 inmates and detainees.

15 62. In fact, Defendants DOES 1 through 10, and each of them, could have  
16 very easily placed ADAM PRESTON ADAMS in a different cell, module, or facility  
17 to reduce or abate the risks ADAM PRESTON ADAMS faced by being housed with a  
18 violent inmate like his cellmate.

19 63. By failing to take such reasonable measures, it was obvious and  
20 foreseeable that ADAM PRESTON ADAMS would get assaulted by his cellmate.

21 64. Furthermore, Defendants DOES 1 through 10, and each of them also  
22 placed ADAM PRESTON ADAMS in a condition wherein ADAM PRESTON  
23 ADAMS could face a tortious death at the hands of violent inmates. Defendants DOES  
24 1 through 10, and each of them were aware that ADAM PRESTON ADAMS was being  
25 housed with a violent inmate with a history of attacking other inmates. Therefore,  
26 ADAM PRESTON ADAMS was in a vulnerable state and was placed in a condition  
27 where he could be harmed by his cellmate, including being violently attacked and  
28 repeatedly beaten, which resulted in death.

1           65. Clearly, such conditions put ADAM PRESTON ADAMS at substantial  
2 risk of suffering serious harm. Despite having clear knowledge regarding the  
3 substantial risks that ADAM PRESTON ADAMS faced by being housed with his  
4 cellmate, Defendants DOES 1 through 10, and each of them did not take any reasonably  
5 available measures to abate or reduce the risks ADAM PRESTON ADAMS faced even  
6 though a reasonable person in the circumstances would have appreciated the high  
7 degree of risk involved.

8           66. Therefore, Defendants DOES 1 through 10's conduct caused the obvious  
9 consequence that ADAM PRESTON ADAMS would face death or serious bodily  
10 injury. Accordingly, by not taking such measures, Defendants DOES 1 through 10  
11 caused ADAM PRESTON ADAMS' death.

12           67. Defendants subjected ADAM PRESTON ADAMS to their wrongful  
13 conduct, depriving ADAM PRESTON ADAMS of rights described herein, knowingly,  
14 maliciously, and with conscious and reckless disregard for whether the rights and safety  
15 of ADAM PRESTON ADAMS and others would be violated by their acts and/or  
16 omissions.

17           68. As a direct and proximate result of Defendants DOES 1-10' acts and/or  
18 omissions as set forth above, ADAM PRESTON ADAMS, sustained injuries and  
19 damages.

20           69. The conduct of Defendants DOES 1-10 entitles Plaintiff to punitive  
21 damages and penalties allowable under 42 U.S.C. § 1983 and as provided by law.  
22 Plaintiff does not seek punitive damages against Defendants SBSD and COUNTY.

23           70. Plaintiff is also entitled to reasonable costs and attorneys' fees under 42  
24 U.S.C. § 1988, and other applicable United States and California codes and laws.

25 ///  
26 ///  
27 ///  
28 ///



1 available measures to abate or reduce the risk of serious harm, even though a reasonable  
2 person under the circumstances would have understood the high degree of risk  
3 involved—making the consequences of the Defendants DOES 1 through 10’s conduct  
4 obvious.

5 75. Clearly, given that ADAM PRESTON ADAMS life was in danger and at  
6 risk, Defendants DOES 1 through 10, and each of them, did not take reasonable  
7 measures to reduce such risk even though any reasonable person would have  
8 appreciated the high risks involved in the situation. By failing to take such reasonable  
9 measures, it was obvious and foreseeable that ADAM PRESTON ADAMS could die  
10 from his injuries if not provided medical care for his mental health condition.  
11 Therefore, by not taking such measures, Defendants DOES 1 through 10, and each of  
12 them, caused ADAM PRESTON ADAMS’ death.

13 76. As a direct and proximate result of Defendants’ conduct, the civil rights  
14 of ADAM PRESTON ADAMS, as protected by the Fourteenth Amendment of the  
15 United States Constitution were violated. Further, Decedent ADAM PRESTON  
16 ADAMS experienced physical pain, severe emotional distress, and mental anguish, as  
17 well as loss of his life and other damages alleged herein.

18 77. Defendants subjected ADAM PRESTON ADAMS to their wrongful  
19 conduct, depriving ADAM PRESTON ADAMS of rights described herein, knowingly,  
20 maliciously, and with conscious and reckless disregard for whether the rights and safety  
21 of ADAM PRESTON ADAMS and others would be violated by their acts and/or  
22 omissions.

23 78. As a direct and proximate result of Defendants DOES 1-10’s acts and/or  
24 omissions as set forth above, ADAM PRESTON ADAMS, sustained injuries and  
25 damages.

26 79. The conduct of Defendants DOES 1-10 entitles Plaintiff to punitive  
27 damages and penalties allowable under 42 U.S.C. § 1983 and as provided by law.  
28 Plaintiff do not seek punitive damages against Defendants COUNTY and SBSB.

1 80. Plaintiff is also entitled to reasonable costs and attorneys' fees under 42  
2 U.S.C. § 1988, and other applicable United States and California codes and laws.

3 **THIRD CLAIM FOR RELIEF**

4 **Deprivation of the Right to Familial Relationship with Decedent**

5 **(42 U.S.C. § 1983)**

6 **(By Plaintiff JENNIFER QUIENTERO, against Defendants DOES 1 through**  
7 **10)**

8 81. Plaintiffs reallege and incorporate herein by reference each of the  
9 preceding paragraphs of this complaint, and any subsequent paragraphs.

10 82. The aforementioned acts and/or omissions of Defendants DOES 1 through  
11 10 in being deliberately indifferent to Decedent ADAM PRESTON ADAMS'  
12 protection, safety, and serious medical and mental health needs, violating Decedent  
13 ADAM PRESTON ADAMS' constitutional rights, and their failure to train, supervise,  
14 and/or take other appropriate measures to prevent the acts and/or omissions that caused  
15 the untimely and wrongful death of ADAM PRESTON ADAMS and deprived Plaintiff  
16 JENNIFER QUIENTERO of her liberty interests in the familial relationship in violation  
17 of her substantive due process rights as defined by the Fourteenth Amendments of the  
18 Constitution.

19 83. All of the acts of Defendants DOES 1 through 10, and the persons  
20 involved were done under color of state law.

21 84. The acts and omissions of each Defendants deprived Plaintiff JENNIFER  
22 QUIENTERO of rights, privileges and immunities secured by the Constitution and laws  
23 of the United States, including but not limited to the Fourteenth Amendment by, among  
24 other things, depriving Plaintiff of their rights to a familial relationship with Decedent  
25 ADAM PRESTON ADAMS without due process of law by their deliberate  
26 indifference in denying ADAM PRESTON ADAMS protection and safety while  
27 incarcerated at the WVDC with an inmate known for propensity of violence towards  
28 other inmates and detainees.



1           85. Defendants DOES 1 through 10 and the other involved agents and  
2 employees acted pursuant to expressly adopted official policies or longstanding  
3 practices or customs of COUNTY and SBSD. These include policies and longstanding  
4 practices or customs of failing to provide persons in pretrial custody who are  
5 experiencing medical emergencies access to medical care as stated above and  
6 incorporated herein.

7           86. In addition, the training policies of the COUNTY and SBSD were not  
8 adequate to train its deputies, agents and employees to handle the usual and recurring  
9 situations with which they must deal with, including but not limited to encounters with  
10 individuals in custody who are experiencing medical emergencies. These Defendants  
11 and each of them knew that its failure to adequately train its COUNTY custody,  
12 medical and mental health staff, including other agents and employees, to interact with  
13 individuals suffering from medical emergencies made it highly predictable that its  
14 custody, medical and mental health staff would engage in conduct that would deprive  
15 persons such as Decedent ADAM PRESTON ADAMS, and thus Plaintiff of her rights.  
16 These Defendants were thus deliberately indifferent to the obvious consequences of  
17 their failure to train their deputies, agents and employees adequately.

18           87. Defendants COUNTY and SBSD's official policies and/or longstanding  
19 practices or customs, including but not limited to its training policies, caused the  
20 deprivation of the constitutional rights of Plaintiff JENNIFER QUINTERO, and  
21 Decedent ADAM PRESTON ADAMS, by each individual Defendant's official  
22 policies and/or longstanding practices or customs that are so closely related to ADAM  
23 PRESTON ADAMS' injuries and death, and thus to the deprivation of the rights of  
24 Plaintiff as to be the moving force causing those injuries.

25           88. Defendant SHERIFF SHANNON D. DICUS, a final policymaker for the  
26 COUNTY and SBSD, ratified the actions and omissions of Defendants DOES 1  
27 through 10, all of whom were custody, medical and mental health staff at the COUNTY  
28 Jails, including WVDC, in that he had knowledge of and made a deliberate choice to

1 approve their unlawful acts and omissions.

2 89. As a direct and proximate result of Defendants' conduct, the civil rights  
3 of ADAM PRESTON ADAMS, as protected by the Fourteenth Amendment of the  
4 United States Constitution were violated. Further, Decedent ADAM PRESTON  
5 ADAMS experienced physical pain, severe emotional distress, and mental anguish, as  
6 well as loss of his life and other damages alleged herein.

7 90. Defendants subjected Decedent to their wrongful conduct, depriving  
8 Decedent of rights described herein, knowingly, maliciously, and with conscious and  
9 reckless disregard for whether the rights and safety of Decedent and others would be  
10 violated by their acts and/or omissions.

11 91. As a direct and proximate result of Defendants' acts and/or omissions as  
12 set forth above, Plaintiff sustained injuries and damages.

13 92. The conduct of Defendants entitles Plaintiff to punitive damages and  
14 penalties allowable under 42 U.S.C. § 1983 and as provided by law. Plaintiff do not  
15 seek punitive damages against Defendants COUNTY.

16 93. Plaintiff are also entitled to reasonable costs and attorneys' fees under 42  
17 U.S.C. § 1988, and other applicable United States and California codes and laws.

18 **FOURTH CLAIM FOR RELIEF**

19 **Municipal Liability - Unconstitutional Policies, Customs, and Practices**

20 *(Monell - 42 U.S.C. § 1983)*

21 **(By Plaintiff ESTATE OF ADAM PRESTON ADAMS As Against Defendants**

22 **COUNTY OF SAN BERNARDINO and SAN BERNARDINO COUNTY**

23 **SHERIFF'S DEPARTMENT)**

24 94. Plaintiffs reallege and incorporate herein by reference each of the  
25 preceding paragraphs of this complaint, and any subsequent paragraphs.

26 95. At all times relevant hereto, the COUNTY and SBSD custody, medical  
27 and mental health staff were required to adhere to and enforce the following policies  
28 and procedures:

- 1 a. To deny pretrial detainees and other inmates safety and protection by  
2 mixing non-violent pretrial detainees with violent inmates.
- 3 b. To deny pretrial detainees and other inmates access to timely, appropriate,  
4 competent, and necessary care for serious medical needs, requiring such  
5 inmates in crisis to remain untreated in jail instead of providing for their  
6 emergency medical needs;
- 7 c. To allow and encourage deputies doing regular cell checks on inmates,  
8 including in safety cells, to fail to document their actual observations of  
9 the inmate's condition and status, in violation of County of San  
10 Bernardino's written policies and state law;
- 11 d. To allow and encourage inadequate and incompetent medical care for jail  
12 inmates and arrestees;
- 13 e. To hire, retain and contract for obviously inadequate medical care for jail  
14 inmates and arrestees, including creating financial incentives for custodial  
15 and medical personnel not to send inmates with emergency medical needs  
16 to a hospital;
- 17 f. To allow, encourage, and require medical staff, including licensed  
18 vocational nurses and registered nurses, to work outside their legal scope  
19 of practice and without appropriate supervision;
- 20 g. To fail to train custody staff that medical staff, including licensed  
21 vocational nurses, are not competent to assess or decide inmates' medical  
22 conditions, medical needs, or whether the inmate should be permitted to  
23 remain in the jail versus being sent to a hospital;
- 24 h. To allow, encourage, and require unlicensed, incompetent, inadequately  
25 trained and/or inadequately supervised staff to assess inmates' medical  
26 condition, needs, and treatment, including to decide whether or not to  
27 provide inmates with necessary emergency care and hospitalization;
- 28

- 1 i. To fail to institute, require, and enforce proper and adequate training,  
2 supervision, policies, and procedures concerning handling persons in  
3 medical crisis;
- 4 j. To cover up violations of constitutional rights by any or all of the  
5 following:
  - 6 i. By failing to properly investigate and/or evaluate incidents of  
7 violations of rights, including by unconstitutional medical care at  
8 the jail;
  - 9 ii. By ignoring and/or failing to properly and adequately investigate  
10 and/or investigate and discipline unconstitutional or unlawful  
11 conduct by custodial and medical personnel;
  - 12 iii. By turning a blind eye to custodial and medical personnel who  
13 direct, aid, and/or assist with the distribution of hazards, including  
14 illicit drugs, into County of San Bernardino jails; and
  - 15 iv. By allowing, tolerating, and/or encouraging custodial and medical  
16 personnel to: fail to file complete and accurate reports; file false  
17 reports; make false statements; and/or obstruct or interfere with  
18 investigations of unconstitutional or unlawful conduct by  
19 withholding and/or concealing material information;
- 20 k. To allow, tolerate, and/or encourage a “code of silence” among law  
21 enforcement officers, SBSB personnel, custodial personnel and medical  
22 personnel at the jail whereby an officer or member of the SBSB or medical  
23 staff does not provide adverse information against a fellow officer, or  
24 member of the SBSB or the medical staff;
- 25 l. To fail to have and enforce necessary, appropriate, and lawful policies,  
26 procedures, and training programs to prevent or correct the  
27 unconstitutional conduct, customs, and procedures described in  
28 subparagraphs (a) through (j) above, with deliberate indifference to the

1 rights and safety of pretrial detainees, such as ADAM PRESTON  
2 ADAMS, and in the face of an obvious need for such policies, procedures,  
3 and training programs.

4 96. The unconstitutional actions and/or omissions of Defendants DOES 1  
5 through 10, as well as other officers employed by or acting on behalf of the COUNTY  
6 and SBSB, on information and belief, were pursuant to the following customs, policies,  
7 practices, and/or procedures of the COUNTY and the SBSB, stated in the alternative,  
8 which were directed, encouraged, allowed, and/or ratified by policymaking officers for  
9 the COUNTY and SBSB, including Defendant SHERIFF DICUS:

- 10 a. To fail to properly and adequately hire, train, supervise, and monitor  
11 custodial and medical personnel at the jails;
- 12 b. To fail to use appropriate and generally accepted law enforcement  
13 procedures for handling persons in medical crisis;
- 14 c. To fail to institute, require, and enforce proper and adequate training,  
15 supervision, policies, and procedures concerning handling persons in  
16 medical crisis;
- 17 d. To cover up violations of constitutional rights by any or all of the  
18 following:
  - 19 i. By failing to properly investigate and/or evaluate complaints or  
20 incidents of handling of persons in medical crisis;
  - 21 ii. By ignoring and/or failing to properly and adequately investigate  
22 and/or discipline unconstitutional or unlawful law enforcement  
23 activity; and
  - 24 iii. By allowing, tolerating, and/or encouraging law enforcement  
25 officers to: fail to file complete and accurate reports; file false  
26 reports; make false statements; intimidate, bias and/or “coach”  
27 witnesses to give false information and/or to attempt to bolster  
28 officers’ stories; and/or obstruct or interfere with investigations of

1                   unconstitutional or unlawful law enforcement conduct by  
2                   withholding and/or concealing material information;

3           e.     To allow, tolerate, and/or encourage a “code of silence” among law  
4           enforcement officers whereby an officer does not provide adverse  
5           information against a fellow law enforcement officer;

6           f.     To allow, tolerate, and/or encourage a “code of silence” among custodial  
7           and medical personnel at the COUNTY jails whereby custodial and  
8           medical personnel does not provide adverse information against a fellow  
9           staffer;

10          g.     To fail to have and enforce necessary, appropriate, and lawful policies,  
11          procedures, and training programs to prevent or correct the  
12          unconstitutional conduct, customs, and procedures described in  
13          subparagraphs (a) through (g) above, with deliberate indifference to the  
14          rights and safety of pretrial detainees, such as ADAM PRESTON  
15          ADAMS, and in the face of an obvious need for such policies, procedures,  
16          and training programs.

17          97.    Defendant supervisors had knowledge of in adequacy of Supervision and  
18          deliberate indifference towards inmates’ rights to be protected from harm at the County  
19          of San Bernardino’s jails and failed to take corrective action.

20          98.    Prior to ADAM PRESTON ADAMS death, high-level COUNTY  
21          supervisors, including and SHERIFF DICUS, knew or should have known of a history  
22          of years of notice of ongoing failure to routinely check in on inmates, knew or should  
23          have known of inadequate and/or incompetent staffing, insufficient and inadequate  
24          training/supervision/control, the hiring of deputies in jails who exhibit deliberate  
25          indifference & reckless disregard to the safety of other inmates, subjection of violence  
26          in jails perpetrated by other inmates, and failure to take corrective measures, including  
27          separation of detainees from potentially violent or dangerous inmates, use of security  
28          cameras to monitor violence within jail cells, training deputies to monitor detainees



1 and inmates and immediately respond to it, and failing to adequately control and  
2 discipline deputies involved in misconduct. The number of lawsuits against the  
3 COUNTY and throughout the state and the evidence available from those actions is  
4 troubling and demonstrative of Defendants' years of deliberate indifference to  
5 protective detainees from and inmates from unnecessary harm and their failure to take  
6 corrective action.

7 99. As a preamble, between 2018 and 2023, the COUNTY had notice of a  
8 slew of cases revealing constitutional violations of inmates' rights to be protected from  
9 harm. Due diligence would have revealed these breaches of constitutional mandates:

10 100. In 2023, Defendant SAN BERNARDINO COUNTY SHERIFF'S  
11 DEPARTMENT'S COUNTY Jails resulted in twenty-six (26) in-custody deaths.

12 101. The Defendants' deliberate indifference towards pretrial detainees subject  
13 to inmate violence due to the above-referenced policies, customs and practices resulted  
14 in several inmate-on-inmate deaths since 2018. From June 2018 through March 2023,  
15 six (6) inmates have died due to inmate-on-inmate violence within the COUNTY jails:

- 16 i. In 2023, a woman, age 35, died of an inmate on intimate violence.
- 17 ii. In 2021, a male, age 58, died of an inmate on intimate violence.
- 18 iii. In 2021, a male, age 39, died of an inmate on intimate violence.
- 19 iv. In 2020, a male, age 58, died of an inmate on intimate violence.
- 20 v. In 2019, a male, age 62, died of an inmate on intimate violence.
- 21 vi. In 2018, a male, age 25, died of inmate on intimate violence.

22 102. As demonstrated by the twenty-six (26) in-custody deaths in 2023, and the  
23 six (6) inmates which died by due to inmate-on-inmate violence within the COUNTY  
24 jails, it is more than evident that the policies, customs and practices referenced above  
25 were widespread and longstanding within the COUNTY and SBSD.

26 103. Defendants COUNTY and SBSD, through their employees and agents,  
27 and through their policy-making supervisors, SHERIFF DICUS and DOES 1 through  
28 10, failed to properly hire, train, instruct, monitor, supervise, evaluate, investigate, and

1 discipline Defendants DOES 1 through 10, and other COUNTY and SBSB personnel,  
2 with deliberate indifference to the constitutional rights of ADAM PRESTON ADAMS,  
3 and others in similar positions, as described above, and therefore, those rights thereby  
4 violated.

5 104. The unconstitutional actions and/or omissions of Defendants DOES 1  
6 through 10, and other SBSB custody and medical staff, as described above, were  
7 approved, tolerated, and/or ratified by policymaking officers for the COUNTY and  
8 SBSB, including Defendants SHERIFF DICUS and DOES 1 through 10. Plaintiff are  
9 informed and believe and thereon allege that the details of this incident have been  
10 revealed to the authorized policymakers within the COUNTY and SBSB, and that such  
11 policymakers have direct knowledge of the fact that the death of ADAM PRESTON  
12 ADAMS was the result of deliberate indifference to his rights to be protected and safe  
13 while in the custody of the COUNTY/SBSB, and his rights to have access to medical  
14 care when suffering a medical emergency. Notwithstanding this knowledge, the  
15 authorized policymakers within the COUNTY and SBSB have approved of the conduct  
16 and decisions of Defendants DOES 1 through 10 in this matter, and have made a  
17 deliberate choice to endorse such conduct and decisions, and the basis for them, that  
18 resulted in the death of ADAM PRESTON ADAMS By so doing, the authorized  
19 policymakers within the COUNTY and SBSB have shown affirmative agreement with  
20 the individual Defendants' actions and have ratified the unconstitutional acts of the  
21 individual Defendants. Furthermore, Plaintiff are informed and believe, and thereupon  
22 allege, that Defendants SHERIFF DICUS and DOES 1 through 10, and other policy-  
23 making officers for the COUNTY and SBSB were and are aware of a pattern of  
24 misconduct and injury caused by COUNTY Jails custody and medical staff similar to  
25 the conduct of Defendants described herein, but failed to discipline culpable custody  
26 and medical staff and failed to institute new procedures and policy within the  
27 COUNTY and SBSB.

28



1 preceding paragraphs of this complaint, and any subsequent paragraphs.

2 110. “[T]he inadequacy of police training may serve as the basis for § 1983  
3 liability inly when the failure to train amounts to deliberate indifference to the rights of  
4 persons with whom the police come into contact.” *Flores v. County of Los Angeles*,  
5 758 F.3d 1154, 1158 (9th Cir. 2014) (quoting *City of Canton v. Harris*, 489 U.S. 378,  
6 388 (1989)).

7 111. Plaintiff THE ESTATE OF ADAM PRESTON ADAMS claims that the  
8 death of ADAM PRESTON ADAMS was a result of the Defendants COUNTY OF  
9 SAN BERNARDINO and SBSB’s failure to train their employees.

10 112. At all relevant times, the individual defendants, were acting in the course  
11 of his employment with the Defendants COUNTY and SBSB under color of law. The  
12 actions and omissions of the individual employees, inclusive deprived ADAM  
13 PRESTON ADAMS of particular rights guaranteed under the laws and Constitutions  
14 of the United States and California, as set forth in the relevant, earlier claims for relief.

15 113. Defendants COUNTY’S and SBSB’s training of the individual  
16 defendants did not adequately instill the necessary discipline, restraint, and respect for  
17 civil rights required of enforcement personnel, especially in light of the Defendants  
18 COUNTY and SBSB’s decision to continue to employ the individual defendants  
19 despite their incompetence.

20 114. Indeed, on and for some time prior to May 21, 2023 (and continuing to  
21 the present date), Defendants COUNTY and SBSB acting with deliberate indifference  
22 to the rights and liberties of the public in general, and of ADAM PRESTON ADAMS,  
23 and of persons in his class, situation and comparable position in particular, failed to  
24 train their employees in the following regard:

- 25 a. To fail to properly and adequately hire, train, supervise, and monitor  
26 custodial and medical personnel at the jails;
- 27 b. To fail to use appropriate and generally accepted law enforcement  
28 procedures for handling persons in medical crisis;

- 1 c. To fail to institute, require, and enforce proper and adequate training,  
2 supervision, policies, and procedures concerning handling persons in  
3 medical crisis;
- 4 d. To cover up violations of constitutional rights by any or all of the  
5 following:
  - 6 i. By failing to properly investigate and/or evaluate complaints or  
7 incidents of handling of persons in medical crisis;
  - 8 ii. By ignoring and/or failing to properly and adequately investigate  
9 and/or discipline unconstitutional or unlawful law enforcement  
10 activity; and
  - 11 iii. By allowing, tolerating, and/or encouraging law enforcement  
12 officers to: fail to file complete and accurate reports; file false  
13 reports; make false statements; intimidate, bias and/or “coach”  
14 witnesses to give false information and/or to attempt to bolster  
15 officers’ stories; and/or obstruct or interfere with investigations of  
16 unconstitutional or unlawful law enforcement conduct by  
17 withholding and/or concealing material information;
- 18 e. To allow, tolerate, and/or encourage a “code of silence” among law  
19 enforcement officers whereby an officer does not provide adverse  
20 information against a fellow law enforcement officer;
- 21 f. To allow, tolerate, and/or encourage a “code of silence” among custodial  
22 and medical personnel at the COUNTY jails whereby custodial and  
23 medical personnel does not provide adverse information against a fellow  
24 staffer;
- 25 g. To fail to have and enforce necessary, appropriate, and lawful policies,  
26 procedures, and training programs to prevent or correct the  
27 unconstitutional conduct, customs, and procedures described in  
28 subparagraphs (a) through (g) above, with deliberate indifference to the

1 rights and safety of pretrial detainees, such as ADAM PRESTON  
2 ADAMS, and in the face of an obvious need for such policies, procedures,  
3 and training programs.

4 115. This failure of Defendants COUNTY and SBSB to provide adequate  
5 training caused the variously alleged deprivations of ADAM PRESTON ADAMS'  
6 rights by the individual defendants; that is, the COUNTY and SBSB's failure to train  
7 is so closely related to the deprivation of ADAM PRESTON ADAMS' rights as to be  
8 the moving force that caused his ultimate injuries.

9 116. Clearly, Defendants COUNTY and SBSB, were deliberately indifferent  
10 to the obvious consequences of its failure to train its deputies and employees  
11 adequately.

12 117. Indeed, COUNTY and SBSB failed to trained its deputies and employees  
13 to such an unconstitutional degree that it resulted in a significant number of deaths  
14 based upon COUNTY and SBSB lacking the necessary training. Between 2018 and  
15 2023, the COUNTY had reflected the lack of training.

16 118. In 2023, Defendant SAN BERNARDINO COUNTY SHERIFF'S  
17 DEPARTMENT'S COUNTY Jails resulted in twenty-six (26) in-custody deaths.

18 119. The Defendants' deliberate indifference towards pretrial detainees subject  
19 to inmate violence due to the above-referenced policies, customs and practices resulted  
20 in several inmate-on-inmate deaths since 2018. From June 2018 through March 2023,  
21 six (6) inmates have died by due to inmate-on-inmate violence within the COUNTY  
22 jails.

23 120. The aforementioned customs, policies, practices, and procedures; the  
24 failures to properly and adequately hire, train, instruct, monitor, supervise, evaluate,  
25 investigate, and discipline; and the unconstitutional orders, approvals, ratification, and  
26 toleration of wrongful conduct of Defendants COUNTY and SBSB were a moving  
27 force and/or a proximate cause of the deprivations of ADAM PRESTON ADAMS'  
28 clearly established and well-settled constitutional rights in violation of 42 U.S.C. §



1 1983. Defendants subjected ADAM PRESTON ADAMS to their wrongful conduct,  
2 depriving ADAM PRESTON ADAMS of rights described herein, knowingly,  
3 maliciously, and with conscious and reckless disregard for whether the rights and safety  
4 of ADAM PRESTON ADAMS and others would be violated by their acts and/or  
5 omissions.

6 121. As a direct and proximate result of the unconstitutional actions, omissions,  
7 customs, policies, practices, and procedures of Defendants COUNTY and SBSB, as  
8 described above, ADAM PRESTON ADAMS suffered serious injuries, Plaintiff is  
9 entitled to damages, penalties, costs, and attorneys' fees against Defendants COUNTY  
10 and SBSB.

11 122. As a direct and proximate result of Defendants DOES 1-10's acts and/or  
12 omissions as set forth above, ADAM PRESTON ADAMS, sustained injuries and  
13 damages.

14 123. Plaintiff is also entitled to reasonable costs and attorneys' fees under 42  
15 U.S.C. § 1988, and other applicable United States and California codes and laws.

16 **SIXTH CLAIM FOR RELIEF**

17 **Supervisory Liability Causing Constitutional Violations,**

18 **(42 U.S.C. § 1983)**

19 **(By Plaintiff ESTATE OF ADAM PRESTON ADAMS As Against Defendants**  
20 **SHERIFF DICUS, and DOES 1 through 10)**

21 124. Plaintiffs reallege and incorporate herein by reference each of the  
22 preceding paragraphs of this complaint, and any subsequent paragraphs.

23 125. At all material times, SHERIFF DICUS and DOES 1 through 10 had the  
24 duty and responsibility to constitutionally hire, train, instruct, monitor, supervise,  
25 evaluate, investigate, staff, and discipline the other Defendants employed by their  
26 respective agencies in this matter, as well as all employees and agents of the COUNTY  
27 and SBSB.

28 ///

1           126. Defendants SHERIFF DICUS, and DOES 1 through 10 failed to properly  
2 hire, train, instruct, monitor, supervise, evaluate, investigate, and discipline the  
3 respective employees of their agencies, including Defendants DOES 1 through 10, and  
4 other COUNTY and SBSB personnel, with deliberate indifference to ADAM  
5 PRESTON ADAMS' and others' constitutional rights, which were thereby violated as  
6 described above.

7           127. As supervisors, Defendants SHERIFF DICUS, and DOES 1 through 10  
8 each permitted and failed to prevent the unconstitutional acts of other Defendants and  
9 individuals under their supervision and control, and failed to properly supervise such  
10 individuals, with deliberate indifference to the rights to safety and protection while  
11 incarcerated at WVDC and the rights to the serious medical and mental health needs of  
12 ADAM PRESTON ADAMS. Supervising Defendants either directed his or her  
13 subordinates in conduct that violated Decedent's and Plaintiff' rights, or set in motion  
14 a series of acts and omissions by his or her subordinates that the supervisor knew or  
15 reasonably should have known would deprive ADAM PRESTON ADAMS of rights,  
16 or knew his or her subordinates were engaging in acts likely to deprive ADAM  
17 PRESTON ADAMS of rights and failed to act to prevent his or her subordinate from  
18 engaging in such conduct, or disregarded the consequence of a known or obvious  
19 training deficiency that he or she must have known would cause subordinates to violate  
20 ADAM PRESTON ADAMS' rights, and in fact did cause the violation of ADAM  
21 PRESTON ADAMS' rights. (*See*, Ninth Circuit Model Civil Jury Instruction 9.4).  
22 Furthermore, each of these supervising Defendants is liable for their failures to  
23 intervene in their subordinates' apparent violations of ADAM PRESTON ADAMS'  
24 rights.

25           128. The unconstitutional customs, policies, practices, and/or procedures of  
26 Defendants COUNTY and SBSB, as stated herein, were directed, encouraged, allowed,  
27 and/or ratified by policymaking officers for Defendants COUNTY and SBSB,  
28 including Defendants SHERIFF DICUS, and DOE DEPUTIES 1 through 10,

1 respectively, with deliberate indifference to ADAM PRESTON ADAMS' and others'  
2 constitutional rights, which were thereby violated as described above.

3 129. The unconstitutional actions and/or omissions of Defendants DOES 1  
4 through 10, and other COUNTY and SBSB personnel, as described above, were  
5 approved, tolerated, and/or ratified by policymaking officers for the COUNTY and  
6 SBSB, including Defendants SHERIFF DICUS, and DOES1 through 10.

7 130. Plaintiff is informed and believes and thereon alleges that the details of  
8 this incident have been revealed to Defendants SHERIFF DICUS, and DOES 1 through  
9 10 through their review of incident reports and video footage of housing units following  
10 the death of a detainee or inmate and that such Defendant-policymakers have direct  
11 knowledge of the fact that the brutal attack by his cellmate on ADAM PRESTON  
12 ADAMS was not justified, necessary, and preventable because and DOES 1 through  
13 10 were on notice of his cellmate's predatory behavior towards other inmates and  
14 detainees and his documented history of violence towards other inmates and detainees,  
15 and thus represents deliberate indifference to ADAM PRESTON ADAMS rights to be  
16 protected and safe while in the COUNTY's custody. Notwithstanding this knowledge,  
17 on information and belief, Defendants SHERIFF DICUS and DOES 1 through 10 have  
18 approved and ratified the conduct and decisions of Defendants DOES 1 through 10 in  
19 this matter, and have made a deliberate choice to endorse such conduct and decisions,  
20 and the basis for them, that resulted in the harm that ADAM PRESTON ADAMS has  
21 suffered. By so doing, Defendants SHERIFF DICUS and DOES 1 through 10 have  
22 shown affirmative agreement with the individual Defendants' actions and have ratified  
23 the unconstitutional acts of the individual Defendants.

24 131. Furthermore, Plaintiff are informed and believe, and thereupon allege, that  
25 Defendants SHERIFF DICUS, and DOES 1 through 10 and other policymaking  
26 officers for the COUNTY and SBSB were and are aware of a pattern of misconduct  
27 and injury, and a code of silence, caused by COUNTY and SBSB custody, medical and  
28 mental health staff personnel similar to the conduct of Defendants described herein,

1 but failed to discipline culpable law enforcement officers and employees and failed to  
2 institute new procedures and policy within the COUNTY and SBSD.

3 132. The aforementioned customs, policies, practices, and procedures; the  
4 failures to properly and adequately hire, train, instruct, monitor, supervise, evaluate,  
5 investigate, and discipline; and the unconstitutional orders, approvals, ratification, and  
6 toleration of wrongful conduct of Defendants SHERIFF DICUS, and DOES 1 through  
7 10 were a moving force and/or a proximate cause of the deprivations of ADAM  
8 PRESTON ADAMS' clearly established and well-settled constitutional rights in  
9 violation of 42 U.S.C. § 1983, as more fully set forth above.

10 133. Defendants subjected ADAM PRESTON ADAMS to their wrongful  
11 conduct, depriving ADAM PRESTON ADAMS of rights described herein, knowingly,  
12 maliciously, and with conscious and reckless disregard for whether the rights and safety  
13 of ADAM PRESTON ADAMS and others would be violated by their acts and/or  
14 omissions.

15 134. As a direct and proximate result of the unconstitutional actions, omissions,  
16 customs, policies, practices, and procedures of Defendants SHERIFF DICUS, and  
17 DOES 1 through 10 as described above, Decedent lost his life and Plaintiff are entitled  
18 to damages, penalties, costs, and attorneys' fees.

19 **SEVENTH CLAIM FOR RELIEF**

20 **Negligence – Wrongful Death**

21 **(Plaintiff JENNIFER QUIENTERO As Against All Defendants)**

22 135. Plaintiffs reallege and incorporate herein by reference each of the  
23 preceding paragraphs of this complaint, and any subsequent paragraphs.

24 136. The present claim for relief is brought pursuant to Cal. Gov. Code §§  
25 815.2 and 820. Under Section 820 of the Government Code, as public employees,  
26 Defendants DOES 1-10, inclusive, are liable for injuries caused by their acts or  
27 omissions to the same extent as private persons. Under Section 815.2 of the  
28 Government Code, as public entities, Defendants COUNTY and SBSD are liable for

1 injuries caused by the acts or omissions of their employees committed within the course  
2 and scope of their employment. This cause of action is not alleging direct liability  
3 against Defendants COUNTY and SBSB, only vicarious liability. *See* Gov. Code, §  
4 815.2, subds. (a), (b); *Zelig v. County of Los Angeles* (2002) 27 Cal.4th 1112, 1128.

5 137. At all times, Defendants DOES 1 through 10 owed Plaintiff and Decedent  
6 ADAM PRESTON ADAMS the duty to act with due care in the execution and  
7 enforcement of any right, law, or legal obligation.

8 138. At all times, these Defendants owed Plaintiff and Decedent ADAM  
9 PRESTON ADAMS the duty to act with reasonable care.

10 139. These general duties of reasonable care and due care owed to Plaintiff and  
11 Decedent ADAM PRESTON ADAMS by these Defendants include but are not limited  
12 to the following specific obligations:

- 13 a. To properly take precautions in housing and confining an inmate who is  
14 being attacked by another inmate;
- 15 b. To house and confine inmates in a housing module, cell and facility free  
16 violence;
- 17 c. To refrain from unreasonably creating danger or increasing Decedent's  
18 risk of harm;
- 19 d. To use generally accepted law enforcement procedures and tactics that are  
20 reasonable and appropriate for Decedent's status as a person in medical  
21 and mental health crisis with serious medical and mental health needs;
- 22 e. To summon, or transport Decedent to necessary and appropriate  
23 emergency medical and mental health care
- 24 f. To conduct state mandated safety and welfare checks of inmates in the  
25 custody of the COUNTY Jails;
- 26 g. To refrain from abusing their authority granted them by law; and
- 27 h. To refrain from violating Plaintiff's and Decedent's rights as guaranteed  
28 by the United States and California Constitutions, as set forth above, and

1 as otherwise protected by law.

2 140. Defendants DOES 1 through 10, through their acts and omissions,  
3 breached each and every one of the aforementioned duties owed to Plaintiff and  
4 Decedent ADAM PRESTON ADAMS .

5 141. Defendants COUNTY and SBSB are vicariously liable for the violations  
6 of state law and conduct of their officers, deputies, employees, and agents, including  
7 individual named defendants, under California Government Code § 815.2.

8 142. As a direct and proximate result of these Defendants’ negligence, Plaintiff  
9 and Decedent ADAM PRESTON ADAMS sustained injuries and damages, and against  
10 each and every Defendant named in this claim for relief in their individual capacities  
11 are entitled to relief, including punitive damages against such individual Defendants.

12 **EIGHTH CLAIM FOR RELIEF**

13 **Negligence – Medical Malpractice**

14 **(Plaintiff ESTATE OF ADAM PRESTON ADAMSAs Against All Defendants)**

15 143. Plaintiffs reallege and incorporate herein by reference each of the  
16 preceding paragraphs of this complaint, and any subsequent paragraphs.

17 144. The present claim for relief is brought pursuant to Cal. Gov. Code §§  
18 815.2 and 820. Under Section 820 of the Government Code, as public employees,  
19 Defendants DOES 1-10, inclusive, are liable for injuries caused by their acts or  
20 omissions to the same extent as private persons. Under Section 815.2 of the  
21 Government Code, as public entities, Defendants COUNTY and SBSB are liable for  
22 injuries caused by the acts or omissions of their employees committed within the course  
23 and scope of their employment. This cause of action is not alleging direct liability  
24 against Defendants COUNTY and SBSB, only vicarious liability. *See* Gov. Code, §  
25 815.2, subds. (a), (b); *Zelig v. County of Los Angeles* (2002) 27 Cal.4th 1112, 1128.

26 145. Decedent ADAM PRESTON ADAMS was under the care and treatment  
27 of Defendants DOES 1 through 10, all of whom were COUNTY medical staff assigned  
28 to the COUNTY Jails, including WVDC, who were required to examine, treat, monitor,



1 prescribe for and care for him and to provide him with medical attention when he  
2 suffered a medical emergency. These Defendants, acting within the scope and course  
3 of their employment with Defendants COUNTY and SBSB, negligently, carelessly and  
4 unskillfully cared for, attended, handled, controlled; failed to monitor and follow-up;  
5 abandoned; failed to classify, failed to appropriately diagnose and/or refer decedent  
6 ADAM PRESTON ADAMS to specialist medical care providers; negligently failed to  
7 provide physician care; negligently failed to provide psychiatry care; carelessly failed  
8 to detect, monitor, and follow-up with his condition; and negligently, carelessly and  
9 unskillfully failed to possess and exercise that degree of skill and knowledge ordinarily  
10 possessed and exercised by others in the same profession and in the same locality as  
11 Defendants for the benefit of their patient and dependent pre-trial detainee ADAM  
12 PRESTON ADAMS .

13 146. Defendants DOES 1 through 10, all of whom were COUNTY medical  
14 staff assigned to the COUNTY Jails failed to properly monitor ADAM PRESTON  
15 ADAMS knowing that he was arrested for a minor misdemeanor and was being housed  
16 with a known violent inmate.

17 147. It was more than evident on about May 21, 2023, that ADAM PRESTON  
18 ADAMS' situation was dire after the beating he endured, and he needed immediate  
19 life-saving medical care. Instead of providing the appropriate medical care, Defendants  
20 DOES 1 through 10, and each of them, failed to take reasonable actions to summon  
21 medical care to a severely injured ADAM PRESTON ADAMS.

22 148. Defendant supervisors and each of them failed to supervise, train and  
23 monitor their subordinates, to maintain proper supervision, classification and staffing,  
24 to timely provide Decedent ADAM PRESTON ADAMS' emergency medical and  
25 mental health care, failed to provide adequate and competent staffing, and to ensure the  
26 care and treatment ordered for Decedent ADAM PRESTON ADAMS was provided.

27 149. As a direct and legal result of the aforesaid negligence and carelessness of  
28 Defendants' actions and omissions, Decedent sustained injuries and damages that cost

1 him his life, and Plaintiff and Decedent are entitled to compensatory damages and as  
2 applicable to this claim for Medical Negligence, to be proven at time of trial.

3 150. Defendants COUNTY and SBSB are vicariously liable for the violations  
4 of state law and conduct of their officers, deputies, employees, and agents, including  
5 individual named defendants, under California Government Code § 815.2.

6 **NINTH CLAIM FOR RELIEF**

7 **Violation of California Government Code § 845.6**

8 **(Plaintiff ESTATE OF ADAM PRESTON ADAMS As Against All Defendants)**

9 151. Plaintiffs reallege and incorporate herein by reference each of the  
10 preceding paragraphs of this complaint, and any subsequent paragraphs.

11 152. Defendants DOES 1 through 10 knew ADAM PRESTON ADAMS  
12 needed immediate medical care and treatment following the life-threatening beating he  
13 endured at the hand of his cellmate on or about May 21, 2023, and each failed to take  
14 reasonable action to summon immediate medical care and treatment. Each such  
15 individual defendant, employed by and acting within the course and scope of his/her  
16 employment with Defendants COUNTY and SBSB, knowing and/or having reason to  
17 know of Decedent ADAM PRESTON ADAMS' need for immediate medical care and  
18 treatment, failed to take reasonable action to summon such care and treatment in  
19 violation of California Government Code § 845.6.

20 153. In fact, it was more than evident on or about May 21, 2023, that ADAM  
21 PRESTON ADAMS' situation was dire, and he needed immediate medical care.  
22 ADAM PRESTON ADAMS needed immediate care to address his life-threatening  
23 injuries following the beaten he was subjected to after being housed with a known  
24 violent inmate. Instead of providing the appropriate medical care, Defendants DOES 1  
25 through 10, and each of them, failed to take reasonable actions to summon medical  
26 care.

1 154. Defendants COUNTY and SBSB are vicariously liable for the violations  
2 of state law and conduct of their officers, deputies, employees, and agents, including  
3 individual named defendants, under California Government Code § 815.2.

4 155. As a direct and proximate result of the aforementioned acts of these  
5 Defendants, Decedent ADAM PRESTON ADAMS lost his life as set forth above, and  
6 their losses entitle Plaintiff to all damages allowable under California law. Decedent  
7 lost his life and Plaintiff and Decedent are entitled to damages, penalties, costs, and  
8 attorney fees under California law, including punitive damages against these individual  
9 Defendants.

10 **TENTH CLAIM FOR RELIEF**

11 **Violation of California Civil Code § 52.1**

12 **(Tom Bane Act)**

13 **(Plaintiff ESTATE OF ADAM PRESTON ADAMS As Against All Defendants)**

14 156. Plaintiffs reallege and incorporate herein by reference each of the  
15 preceding paragraphs of this complaint, and any subsequent paragraphs.

16 157. The present claim for relief is brought pursuant to Civil Code § 52.1, Cal.  
17 Gov. Code §§ 815.2 and 820. Under Section 820 of the Government Code, as public  
18 employees, Defendants DOES 1-10, inclusive, are liable for injuries caused by their  
19 acts or omissions to the same extent as private persons. Under Section 815.2 of the  
20 Government Code, as public entities, Defendants COUNTY and SBSB are liable for  
21 injuries caused by the acts or omissions of their employees committed within the course  
22 and scope of their employment. This cause of action is not alleging direct liability  
23 against Defendants COUNTY and SBSB, only vicarious liability. *See* Gov. Code, §  
24 815.2, subds. (a), (b); *Zelig v. County of Los Angeles* (2002) 27 Cal.4th 1112, 1128.

25 158. Plaintiff brings the claims in this claim for relief as a survival claim  
26 permissible under California law, including Cal. Code of Civ. Proc. § 377.20 *et. seq.*

27 159. By their acts, omissions, customs, and policies, Defendants, each acting  
28 in concert/conspiracy, as described above, while Decedent ADAM PRESTON

1 ADAMS was in custody, and by threat, intimidation, and/or coercion, interfered with,  
2 attempted to interfere with, and violated ADAM PRESTON ADAMS' rights under  
3 California Civil Code § 52.1 and under the United States Constitution and California  
4 Constitution as follows:

- 5 a. The right to be free from objectively unreasonable treatment and  
6 deliberate indifference to Decedent's safety, protection, and serious  
7 medical needs while in custody as a pretrial detainee as secured by the  
8 Fourth and/or Fourteenth Amendments to the United States Constitution  
9 and by California Constitution, Article 1, §§ 7 and 13;
- 10 b. The right for the familial association to be free from government  
11 interference as secured by the Fourteenth Amendment to the United States  
12 Constitution;
- 13 c. The right to enjoy and defend life and liberty; acquire, possess, and protect  
14 property; and pursue and obtain safety, happiness, and privacy, as secured  
15 by the California Constitution, Article 1, § 1; and
- 16 d. The right to emergency medical and mental health care as required by  
17 California Government Code §845.6.
- 18 e. The right to be free from bodily harm.

19 160. Defendants' violations of decedent ADAM PRESTON ADAMS' due  
20 process rights with deliberate indifference, in and of themselves constitute violations  
21 of the Bane Act.<sup>1</sup> Alternatively, separate from, and above and beyond, Defendants'  
22 attempted interference, interference with, and violation of ADAM PRESTON  
23 ADAMS' rights as described above, Defendants violated ADAM PRESTON ADAMS'  
24 rights by the following conduct constituting threat, intimidation, or coercion:

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25 <sup>1</sup> See *Atayde v. Napa State Hosp.*, No. 1:16-cv-00398-DAD-SAB, 2016 U.S. Dist. LEXIS 126639,  
26 at \*23 (E.D. Cal. Sept. 16, 2016) (citing *M.H. v. Cty. of Alameda*, 90 F. Supp. 3d 889, 899 (N.D.  
27 Cal. 2013); see also, *Cornell v. City and County of San Francisco*, Nos. A141016, A142147, 2017  
28 Cal. App. LEXIS 1011 at \*58, f.n. 32 (Cal. Ct. App. Nov. 16, 2017) (approving *M.H.*, supra.);  
*Reese v. County of Sacramento*, 888 F.3d 1030, 1043-44 (9th Cir. 2018) (following *Cornell*);  
*Rodriguez v. County of L.A.*, 891 F.3d 776, 799, 802 (9th Cir. 2018) (following *Cornell*).

- 1 a. With deliberate indifference to hazards that posed a risk to pretrial
- 2 detainees, such as Decedent;
- 3 b. With deliberate indifference to the safety of pretrial detainees;
- 4 c. With deliberate indifference to Decedent's serious medical and mental
- 5 health needs, suffering, and risk of grave harm including death, depriving
- 6 Decedent of necessary, life-saving care for his medical needs;
- 7 d. Deliberately contracting for and causing the provision of inadequate and
- 8 incompetent medical health care to County of San Bernardino's jail
- 9 detainees and inmates;
- 10 e. Requiring medical and mental health staff to work outside their scope of
- 11 practice, and conduct assessments, triage, and make medical and housing
- 12 decisions for patients, including Decedent, they are not competent to
- 13 make; and
- 14 f. Instituting and maintaining the unconstitutional customs, policies, and
- 15 practices described herein, when it was obvious that in doing so,
- 16 individuals such as Decedent would be subjected to violence, threat,
- 17 intimidation, coercion, and ongoing violations of rights as Decedent was
- 18 here.

19 161. The threat, intimidation, and coercion described herein were not necessary  
20 or inherent to Defendants' violation of decedent ADAM PRESTON ADAMS' rights,  
21 or to any legitimate and lawful jail or law enforcement activity.

22 162. Further, all of Defendants' violations of duties and rights, and coercive  
23 conduct, described herein were volitional acts; none was accidental or merely  
24 negligent.

25 163. Further, each Defendant violated decedent ADAM PRESTON ADAMS'  
26 rights with reckless disregard and with the specific intent and purpose to deprive him  
27 of his enjoyment of those rights and of the interests protected by those rights.

28 ///

1 164. Defendant COUNTY and SBSD are vicariously liable for the violations  
2 of state law and conduct of their officers, deputies, employees, and agents, including  
3 individual named defendants, under California Government Code § 815.2.

4 165. As a direct and proximate result of Defendants' violation of California  
5 Civil Code § 52.1 and of decedent ADAM PRESTON ADAMS' rights under the  
6 United States and California Constitutions, Plaintiff sustained injuries and damages,  
7 and against each and every Defendant is entitled to relief, including punitive damages  
8 against all individual Defendants, and all damages allowed by California Civil Code  
9 §§ 52 and 52.1 and California law, not limited to costs attorneys' fees, and civil  
10 penalties

11 **REQUEST FOR RELIEF**

12 Wherefore, Plaintiffs ESTATE OF ADAM PRESTON ADAMS and JENNIFER  
13 QUINTERO respectfully requests that the Court enter a judgment as follows:

- 14 A. Wrongful death of ADAM PRESTON ADAMS, pursuant to Cal. Code of  
15 Civ. Proc. § 377.60 et. seq.;
- 16 B. Loss of support and familial relationships, including loss of love,  
17 companionship, comfort, affection, society, services, solace, and moral  
18 support, pursuant to Cal. Code of Civ. Proc. § 377.60 et. seq.;
- 19 C. ADAM PRESTON ADAMS' coroner's fees, funeral and burial expenses,  
20 pursuant to Cal. Code of Civ. Proc. § 377.20 et. seq.;
- 21 D. Violation of ADAM PRESTON ADAMS' constitutional rights, pursuant  
22 to Cal.  
23 Code of Civ. Proc. § 377.20 et. seq. and federal civil rights law;
- 24 E. ADAM PRESTON ADAMS' loss of life, pursuant to federal civil rights  
25 law;
- 26 F. ADAM PRESTON ADAMS' conscious pain, suffering, and  
27 disfigurement, pursuant to federal civil rights law;


28 ///



- 1 G. General Damages, including wrongful death and survival damages, in
- 2 excess of the mandatory amount for jurisdiction in the Unlimited Superior
- 3 Court;
- 4 H. Non-Economic Damages, including wrongful death and survival
- 5 damages, according to proof plus all further and proper relief;
- 6 I. Punitive damages as to individual defendants;
- 7 J. Attorney’s fees pursuant to State Law (Cal. Code Civ. Proc. § 1021.5 &
- 8 private attorney general doctrine);
- 9 K. A multiplier of damages, including treble damages, under the Tom Bane
- 10 Act;
- 11 L. Penalties under the Tom Bane Act;
- 12 M. Interest; and
- 13 N. All other damages, penalties, costs, interest, and attorneys’ fees as allowed
- 14 by 42 U.S.C. §§ 1983 and 1988; California Code of Civil Procedure §§
- 15 377.20 et seq., 377.60 et seq., and 1021.5; California Civil Code §§ 52 et
- 16 seq., 52.1; and as otherwise may be allowed by California and/or federal
- 17 law.

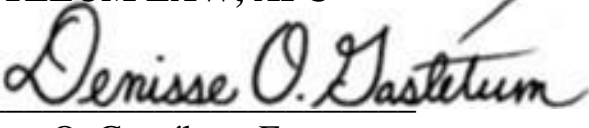
18 **Dated: July 12, 2024**

**LAW OFFICES OF CHRISTIAN CONTRERAS  
A PROFESSIONAL LAW CORPORATION**

20  
21 By:   
 22 Christian Contreras, Esq.  
 23 Edwin S. Salguero, Esq.  
 Attorneys for Plaintiff,  
 ESTATE OF ADAM PRESTON ADAMS, et al.

24 **Dated: July 12, 2024**

**GASTÉLUM LAW, APC**

25  
26 By:   
 27 Denisse O. Gastelum, Esq.  
 Attorneys for Plaintiff,  
 28 ESTATE OF ADAM PRESTON ADAMS, et al


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**DEMAND FOR JURY TRIAL**

Plaintiffs ESTATE OF ADAM PRESTON ADAMS and JENNIFER QUINTERO hereby makes a demand for a jury trial in this action.

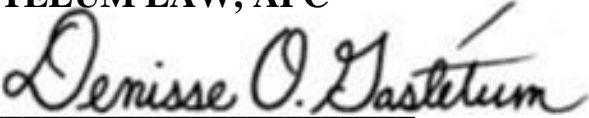
**Dated: July 12, 2024**

**LAW OFFICES OF CHRISTIAN CONTRERAS  
A PROFESSIONAL LAW CORPORATION**

By:   
Christian Contreras, Esq.  
Edwin S. Salguero, Esq.  
Attorneys for Plaintiff,  
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**Dated: July 12, 2024**

**GASTÉLUM LAW, APC**

By:   
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