



County of Los Angeles

January 6, 2026

Dawyn R. Harrison  
County Counsel

**Board of Supervisors**

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Supervisor, First District

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Supervisor, Second District

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TO: JOSEPH M. NICCHITTA  
Acting Chief Executive Officer

EDWARD YEN  
Executive Officer  
Board of Supervisors

FROM: TIMOTHY J. KRAL   
Assistant County Counsel  
Justice and Safety Division

RE: **Item for the Board of Supervisors' Agenda**  
**County Contract Cities Liability Trust Fund**  
**Claims Board Recommendation**  
**Adrian Martinez v. County of Los Angeles.**  
**Los Angeles Superior Court Case No. 23SMCV04047**



Attached is the Agenda entry for the Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation in the above-referenced matter. Also attached is the Case Summary and the Summary Corrective Action Plan for the case.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

TJK:as

Attachment

Board Agenda

MISCELLANEOUS COMMUNICATIONS

**Settlement for Matter Entitled Adrian Martinez v. County of Los Angeles.** Los Angeles Superior Court Case No. 23SMCV04047

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation: Authorized Settlement of the matter entitled **Adrian Martinez v. County of Los Angeles**, Los Angeles Superior Court Case No. 23SMCV04047 in the amount of \$4,000,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department Contract Cities Trust Fund's budget.

This lawsuit concerns allegations of civil rights violations, unreasonable use of deadly force, battery and negligence involving Sheriff's deputies.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Adrian Martinez v. County of Los Angeles	
CASE NUMBER	23SMCV04047	
COURT	Los Angeles County Superior Court	
DATE FILED	August 28, 2023	
COUNTY DEPARTMENT	Sheriff's Department	
PROPOSED SETTLEMENT AMOUNT	\$	4,000,000
ATTORNEY FOR PLAINTIFF	Brian Dunn & Megan Gyongyos	
COUNTY COUNSEL ATTORNEY	Minas Samuelian Senior Deputy County Counsel	
NATURE OF CASE	This is a recommendation to settle for \$4,000,000 inclusive of attorneys' fees and costs, a lawsuit filed by Adrian Martinez (Plaintiff), alleging negligence and battery against the County.  Given the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs. The full and final settlement of the case in the amount of \$4,000,000 is recommended.	
PAID ATTORNEY FEES, TO DATE	\$	93,030
PAID COSTS, TO DATE	\$	18,451



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	February 20, 2022
Briefly provide a description of the incident/event:	<p style="text-align: center;"><b>Summary Corrective Action Plan 2024-217</b></p> <p><b>Details in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.</b></p> <p>Based on multiple investigative reports, on February 20, 2022, at approximately 12:09 p.m., the Sheriff's patrol station received a call of a person (the Plaintiff) with no shirt waving a machete near a lifeguard tower at a State Beach.</p> <p>On-duty Los Angeles County Sheriff Deputies (Deputy One and her partner) assigned to the patrol station arrived at the scene in their marked black and white patrol vehicle and saw the Plaintiff waving the machete.</p> <p>Two assisting deputies (Deputies Two and Three) arrived afterward and detained the Plaintiff at gunpoint. Numerous civilians were in the area at the time, and the deputies believed the Plaintiff could injure or kill someone by holding the machete over his head and negligently swinging it around as he walked along the beach.</p> <p>Sergeant One arrived and supervised the deputies' actions. The Plaintiff ignored the deputies' commands to stop walking and drop the machete. The deputies at the scene re-entered their patrol vehicles and followed him as he walked eastbound on the roadway.</p> <p>While seated in the passenger seat, Deputy Two fired the 40-mm baton launcher three times at the Plaintiff from the open passenger window of his patrol vehicle. Two rounds impacted the Plaintiff on his torso area but did not stop him from proceeding further down toward the beach. However, the rounds effectively kept the Plaintiff from advancing toward the patrol vehicles.</p>

	<p>The Mental Evaluation Team was requested by using a Department-issued hand held radio to the Sheriff's Communication Center (SCC). Additional assisting units arrived at the scene.</p> <p>The Plaintiff eventually walked near a blue bus, belonging to him, which was parked along a highway. Deputies One, Three, Four, and Five positioned themselves around the bus. Deputy One fired a round from the Department Stun Bag shotgun and ordered the Plaintiff to drop the machete. The Plaintiff entered the bus and exited again, still holding the machete.</p> <p>Sergeant One directed Deputy One to fire another round at the Plaintiff. Simultaneously, Deputy Three fired one round from his Department 40-mm baton launcher at the Plaintiff but missed. He entered and exited the bus two more times with the machete in his hand. Each time the Plaintiff exited the bus, Deputy Three fired one round from his Department 40-mm baton launcher and struck the Plaintiff. As the Plaintiff was struck the second time, he ran away from the bus and jumped down onto the sand, toward the beach.</p> <p>The Plaintiff ran eastbound with the machete still in his left hand. The Plaintiff walked toward women, children and elderly people near the beach line. Deputy Three and Four were concerned about the beachgoers' safety. As the Plaintiff got closer to the civilians, Deputy Three fired two more rounds from the 40-mm at the Plaintiff while Deputy Four fired three rounds from the Department Stun Bag shotgun. Deputy Five fired several rounds from the Stun Bag shotgun at the Plaintiff. These rounds effectively stopped the Plaintiff from running toward the civilians; however, he did not drop the machete.</p> <p>This incident progressed into an extended standoff between the deputies and the Plaintiff. The deputies followed the Plaintiff on foot and repeatedly gave verbal commands, ordering him to drop the machete. He did not comply with the verbal commands. Deputies Three, Four and Five deployed the pepper ball gun and stung bags during the standoff. The rounds struck the Plaintiff in the leg, arm, abdomen and torso area; however, the Plaintiff did not drop the weapon.</p> <p>Sergeant One directed Deputies One, Three, Four, Six, and Sergeant Two to fire their less-lethal weapons at the</p>
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	<p>Plaintiff at the same time; however, this tactic also proved to be ineffective in getting the Plaintiff to drop his weapon.</p> <p>Sergeant One requested an update regarding MET's response and was advised by SCC they were half an hour away. Sergeant One noticed the Plaintiff to be fixated on a cellular phone which was in his left hand. The Plaintiff extended the cellular phone in front of him as he stood and talked into it.</p> <p>Sergeant One ordered the deputies armed with baton launchers to fire their respective weapons at the suspect to dislodge the cellular phone from the Plaintiff's left hand when they saw fit. Deputy One fired two rounds at the Plaintiff while Deputy Three fired two 40-mm rounds at the Plaintiff, striking him on his lower abdomen and causing him to kneel in the sand.</p> <p>The Plaintiff stayed kneeling in the sand for some time, but did not release the machete from his right hand. Sergeant One directed Deputy One to fire a 37-mm round at the Plaintiff's left hand, which was holding the cellular phone. Deputy One fired a 37-mm baton launcher round, striking the Plaintiff on the right side of his head. The Plaintiff dropped the machete, and deputies immediately rendered aid.</p> <p>Los Angeles County Fire Department personnel and paramedics arrived on scene and transported the Plaintiff to a local medical center where he was medically treated for his injuries. The Plaintiff was admitted to the hospital with a skull fracture, amongst other injuries, and subsequently required surgery.</p> <p>This incident was reviewed by the Department's Executive Force Review Committee and found the force to be within Department policy.</p>
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1. Briefly describe the root cause(s) of the claim/lawsuit:

A **Department** root cause in this incident was Sergeant One directed the deputies to shoot the Plaintiff's cell phone out of his hand using a 37-mm baton launcher.

A **Department** root cause in this incident was Deputy One attempted to use the 37-mm baton launcher to shoot a cellular phone out of the Plaintiff's left hand and inadvertently shot him in the head instead.

A **Department** root cause in this incident was the deputies continued to use less lethal force on the Plaintiff as he stood in the sand, holding the machete and was fixated on his phone, but did not pose an immediate threat.

A **Department** root cause in this incident was the deputies were ordered to use less lethal force on the Plaintiff to drop the machete, instead of waiting for MET even though he was not posing an immediate threat.

A **non-Department** root cause was the Plaintiff negligently brandished a machete in public toward civilians and deputies, causing fear.

A **non-Department** root cause was the Plaintiff did not comply with the deputies' repeated lawful verbal orders to drop the machete.

A **non-Department** root cause was the Plaintiff's state of mind was altered by drug use and mental illness.

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

#### **Administrative Investigation:**

The Internal Affairs Bureau investigated this use of force. The investigation covered all involved personnel's actions during the incident, possible violations of Department policy, tactics, and a training review. No violations of Department policy were found.

Although the Department personnel acted within the scope of current guidelines, training is encouraged to reinforce procedures and support continued professional development. Additional training was requested.

#### **Station Training:**

- All deputies at the station were sent to an Arrest and Control/Use of Force refresher course.
- All deputies at the station were briefed on MPP 3-10/150.00 – Tactical Incidents.

#### **Tactical Debrief:**

All station field personnel were debriefed regarding the incident. Best practices regarding similar incidents were discussed. The training also included other tactical incidents such as ones involving:

- Active shooter
- Mentally ill persons
- De-escalation and re-assessment

County of Los Angeles  
Summary Corrective Action Plan

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3. Are the corrective actions addressing Department-wide system issues?

Yes – The corrective actions address Department-wide system issues.  
 No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)

Tri Hoang, Captain  
Risk Management Bureau  
Signature:



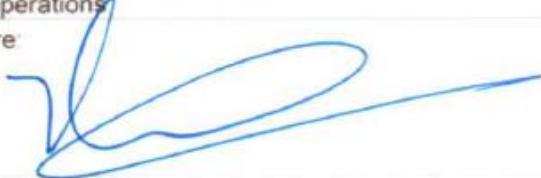
Date:

10-17-25

Name (Department Head)

Myron Johnson, Assistant Sheriff  
Patrol Operations

Signature:



Date:

10/21/25

**Chief Executive Office Risk Management Inspector General USE ONLY**

Are the corrective actions applicable to other departments within the County?

Yes, the corrective actions potentially have County-wide applicability.  
 No, the corrective actions are applicable only to this Department.

Name: Betty Karmirlian (Risk Management Inspector General)

Signature:



Date:

10/22/25