



County of Los Angeles

May 5, 2026

Dawyn R. Harrison  
County Counsel

**Board of Supervisors**

Hilda L. Solis  
Supervisor, First District

Holly Mitchell  
Supervisor, Second District

Lindsey P. Horvath  
Supervisor, Third District

Janice Hahn  
Supervisor, Fourth District

Kathryn Barger  
Supervisor, Fifth District

TO: EDWARD YEN  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: LILIANA CAMPOS  
Litigation Cost Manager

RE: **Item for the Board of Supervisors' Agenda  
County Claims Board Recommendation  
Estate of Nicholas Burgos, et al. v. County of Los Angeles, et al.  
United States District Court Case No. 2:21-cv-05566**



Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and Summary Corrective Action Plan to be made available to the public.

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

LC:tf

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Estate of Nicholas Burgos, et al. v. County of Los Angeles, et al., United States District Court Case No. 2:21-cv-05566, in the amount of \$1,100,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This federal civil rights lawsuit arises from a Sheriff's Department deputy's use of deadly force during an encounter with Nicholas Burgos at Harbor-UCLA Medical Center.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Estate of Nicholas Burgos v. County of Los Angeles, et al.
CASE NUMBER	2:21-CV-05566-FMO-GJSx
COURT	United States District Court
DATE FILED	July 9, 2021
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ \$1,100,000
ATTORNEY FOR PLAINTIFF	Arnoldo Casillas, Esq.
COUNTY COUNSEL ATTORNEY	Timothy J. Kral Principal Deputy County Counsel
NATURE OF CASE	<p>This is a recommendation to settle for \$1,100,000, inclusive of attorneys' fees and costs, a federal civil rights lawsuit brought by the Estate of Nicholas Burgos and his minor son, J.N.B., arising from a deputy's use of deadly force during an encounter with Mr. Burgos at Harbor-UCLA Medical Center on October 6, 2020.</p> <p>Given the 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 \$1,100,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 278,895
PAID COSTS, TO DATE	\$ 100,374



## 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:	October 6, 2020
Briefly provide a description of the incident/event:	<p style="text-align: center;">Summary Corrective Action Plan 2024-208</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>Multiple investigative reports indicate, on October 6, 2020, at approximately 11:15 p.m., hours, Deputies One and Two were on the 4<sup>th</sup> floor of the hospital for a Department personnel (Witness One); who was admitted to the Hospital. The deputies heard a commotion and yelling coming from a patient's room. Deputy One also heard approximately 20 loud bangs and screaming from multiple people in the hallway.</p> <p>Deputy Two exited the room to investigate the disturbance and Deputy One stayed with Witness One.</p> <p>While standing in the doorway, Deputy One saw approximately 15 nurses screaming, blocking her view of Deputy Two. Deputy One heard Deputy Two yell at the nurses to "get back!"</p> <p>When Deputy Two arrived at the patient's room, she saw the Decedent along with three patients and three nurses. The Decedent was holding a large medical device which he used to break an exterior window. Deputy Two and the attending nurses began to move two of the three patients out of the room and into the hallway. Once the patients were out of the room, Deputy Two returned to Witness One's room and closed the door.</p> <p>While inside of Witness One's room, Deputies One and Two heard screaming which was becoming amplified. Moments later, the glass window on Witness One's room door shattered and opened approximately three-quarters.</p> <p>Deputy One took a bladed stance approximately two feet from the door. Deputy One stood between the door and the sink to protect Witness One, in order to give her the best vantage point to see all of the occupants in the room.</p> <p>Deputy One opened the door wider and stepped into the door frame to have an unobstructed view of the threat (Decedent).</p>

	<p>The Decedent stood directly in front of the door, approximately six (6) feet away, facing Deputy One. The Decedent had an enraged look on his face and advanced toward Deputy One as he held the medical device over his head. Deputy One feared for her life, her partners' lives, the safety of the medical staff and other patients. As a result, Deputy One fired her duty weapon at the Decedent.</p> <p>The Decedent did not immediately fall to the floor after being struck; the Decedent continued walking toward Deputy One as he held the medical device, then fell to the floor and landed on his left side. He attempted to stand by pushing himself up from the floor. Deputy One ordered the Decedent to stop, lay on the floor, and place his hands behind his back. The Decedent ultimately complied.</p> <p>Deputy Two handcuffed the Decedent as he attempted to kick her. Deputies One and Two rendered medical aid. Deputies One and Two provided medical care to the Decedent until he was transported to the emergency room, where he underwent surgery for his injuries.</p> <p>The Decedent was pronounced deceased on November 1, 2020.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

- A Department** root cause in this incident was Deputy One's use of deadly force.
- A Department** root cause in this incident was Deputy One's failure to immediately broadcast the incident over the Sheriff's Communication Center frequency.
- A Department** root cause in this incident was Deputies One and Two were not equipped with a Body-Worn Camera (BWC). The recorded video would have captured Deputies One and Two's contact with the Decedent in order to prove or disprove the Plaintiff's allegations.
- A non-Department** root cause in this incident was the Decedent's failure to comply with Deputy One and Two's verbal commands.
- A non-Department** root cause was the Decedent utilizing a medical device to try and assault Deputies One, Two, and Witness One.

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

**Criminal Investigation**

The Department's Homicide Bureau investigated the shooting and gathered facts and evidence to determine if Deputy One potentially engaged in criminal misconduct.

The Los Angeles County District Attorney's Office, Justice System Integrity Division, reviewed the circumstances involved in the shooting. On February 20, 2024, the District Attorney's Office concluded there was insufficient evidence present to prove Deputy One did not act in lawful self-defense and/or defense of others when she used deadly force.

### **Administrative Review**

This use-of-force was investigated by the Internal Affairs Bureau (IAB) to determine if any Department policy violations occurred during the use-of-force used against the Decedent.

On February 6, 2025, the IAB investigation into this matter concluded. This case was subsequently reviewed by the Executive Force Review Committee (EFRC) who determined the following:

The EFRC Committee determined the force and tactics used by Deputy One in this incident were within policy and the tactics used by Deputy Two in this incident were within policy. Deputy One and Two received additional training surrounding the circumstances in this incident.

### **Body-Worn Cameras**

As of January 31, 2021, all sworn personnel assigned to South Los Angeles Station were issued BWCs in an effort to ensure all public contacts are transparent. The use of BWCs ensures reliable recording of enforcement and investigative contacts with the public. The Department established policy and procedures for the purpose, use, and deployment of the Department issued BWC:

County of Los Angeles  
Summary Corrective Action Plan

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- 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:

09/05/25

Name: (Department Head)

Myron Johnson, Assistant Sheriff  
Patrol Operations

Signature:



Date:

9/10/25

**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:

9/15/25