



County of Los Angeles

June 9, 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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Supervisor, Third District

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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
Marlen Medina v. County of Los Angeles, et al.
United States District Court Case No. 2:24-cv-05277**



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 Marlen Medina v. County of Los Angeles, et al., United States District Court Case No. 2:24-cv-05277, in the amount of \$2,500,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Probation Department's budget.

This federal wrongful death lawsuit stems from the overdose death of Plaintiff's decedent while in custody at Barry J. Nidorf Juvenile Hall.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Marlen Medina v. County of Los Angeles, et al.
CASE NUMBER	2:24-CV-05277-AH-MAA
COURT	United States District Court
DATE FILED	June 21, 2024
COUNTY DEPARTMENT	Los Angeles County Probation Department
PROPOSED SETTLEMENT AMOUNT	\$ 2,500,000
ATTORNEY FOR PLAINTIFF	DAVID S. McLANE LINDSAY BATTLES LAURA F. DONALDSON McLane, Bednarski & Litt, LLP
COUNTY COUNSEL ATTORNEY	ANNA R. REITANO Deputy County Counsel Justice and Safety Division ANDREW BAUM Glaser Weil Fink Howard Jordan & Shapiro LLP
NATURE OF CASE	<p>This is a recommendation to settle a federal civil rights lawsuit filed by Marlen Medina arising from the overdose death of Bryan Diaz while in custody at the Los Angeles County Probation Department's Barry J. Nidorf Juvenile Hall on May 9, 2023, for a \$2,500,000, inclusive of attorneys' fees and costs.</p> <p>Given the high risks and uncertainties of litigation, this settlement is considered reasonable and will avoid further litigation expenses. Approval of the full and final settlement in the amount of \$2,500,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 102,170
PAID COSTS, TO DATE	\$ 20,190



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:	May 9, 2023
Briefly provide a description of the incident/event:	<p>Plaintiff alleged the Department was negligent and failed to protect and prevent youth in our care from the use of deadly narcotics, such as fentanyl. Plaintiff also alleged the Department was severely understaffed and officers were poorly trained.</p> <p>On May 9, 2023, a youth adult (18 years old) was found deceased at Barry J. Nidorf Juvenile Hall in his living unit. The Department of Health Services' Nursing staff responded and immediately administered emergency services, including the use of Narcan. To no avail, all life-saving attempts were unsuccessful.</p> <p>During the administrative review, it was discovered that the mandatory safety checks had not been conducted as required. Additionally, there was inadequate supervision due to critical staffing issues.</p>

1. Briefly describe the **root cause(s)** of the claim/lawsuit:

- A. Lack of training on use of Narcan/ insufficient number of staff issued Narcan and
- B. Insufficient measures to prevent Narcotics from entering the facility
- C. Lack of conducting routine safety checks in compliance with Departmental policy
- D. Windows covered – sight of view blocked.

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

- A. The department-initiated training in December 2022. Narcan training was on-going when this event occurred. The department continued with training as planned and all Deputized staff were trained to administer Narcan. Two doses of Narcan and two holsters are issued to staff after the completion of training. All Narcan will be replaced upon its expiration date.
- B. A clear bag policy was implemented on May 9, 2023, which requires that all personal property bags and containers brought into juvenile institutions, whether by sworn or non-sworn department employees, must be constructed of a clear material. A maximum of one clear backpack and one clear bag or lunch box will be allowed per staff member.
- C. In September 2023, an airport grade baggage scanner was installed at the facility. The scanner provides an enhanced screening of belongings and packages for a multi-layered approach to security coverage. The baggage scanner utilizes dual-energy x-ray transmission technology to identify organic, inorganic, metallic substances/materials that may be concealed inside bags such as drugs, weapons, and unauthorized electronics. This technology is Food and Drug Administration (FDA) approved for safe screening of food items.
- D. On August 19, 2025, a millimeter wave body scanner, which uses radio-frequency energy to scan the surface of a person's body, was installed at the facility. This body scanner can detect any metallic or non-metallic objects such as plastics, powders, liquids, and organic material concealed on the body/clothing or in the natural body contours (e.g., between buttocks, under breasts, or in armpits) of a person, and suspected areas are then highlighted on a monitor with an avatar of the person. The security personnel will then be able to request the person place the items through the baggage scanner and re-enter the body scanner until they are cleared.
- E. Supervisors are required to conduct a daily safety check audit of missed/late safety check reports by unit and shift to ensure that safety checks are conducted in accordance with Title 15 and policy that was published April 3, 2023 and May 10, 2024, and is still in effect.
- F. The Department conducted an internal investigation, and it was determined that safety checks were not conducted as required by policy. As a result, disciplinary action was imposed.
- G. Youth are orientated to the Secure Youth Treatment Facility (SYTF) rules and regulations of the facility, which include instructions for youth not to cover windows. If a youth's window is covered, staff immediately remove or instruct youth to remove obstruction. If youth are found to be covering windows, the Department utilizes a behavior management program known as Developmental Stage System (DSS), which deducts points for negative behaviors, including covering windows or graffiti. The points are used as rewards for canteen and stage promotions

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.

Name: (Risk Management Coordinator) Crystal Hurtado	
Signature: <i>Crystal Hurtado</i>	Date: 3/25/2026

Name: (Department Head) Stacy Lopez-Maddox	
Signature: <i>SLMaddox</i>	Date: 3/25/26

Chief Executive Office Risk Management Inspector General USE ONLY
Are the corrective actions applicable to other departments within the County?
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General) Betty Karmirlian	
Signature: <i>Betty Karmirlian</i>	Date: 3/25/26