



County of Los Angeles

June 30, 2026

Dawyn R. Harrison
County Counsel

Board of Supervisors

Hilda L. Solis
Supervisor, First District


Holly J. Mitchell
Supervisor, Second District

Lindsey P. Horvath
Supervisor, Third District

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Supervisor, Fourth District

Kathryn Barger
Supervisor, Fifth District

TO: JOSEPH M. NICCHITTA
Chief 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
Samuel Herrera, et.al v. County of Los Angeles, et al.
Los Angeles Superior Court Case No. 21STCV38673
Estate of Samuel Herrera, et al. v. County of Los
Angeles, et al.
Los Angeles Superior Court Case No. 21STCV36013



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 Consolidated cases: Samuel Herrera, et al. v. County of Los Angeles, et al. Los Angeles Superior Court Case No. 21STCV38673 and Estate of Samuel Herrera, et al. v. County of Los Angeles, et al. Los Angeles Superior Court Case No. 21STCV36013.

Los Angeles County Contract Cities Liability Trust Fund Claims Board's recommendation: Authorized Settlement of the matter entitled Consolidated cases: Samuel Herrera, et al. v. County of Los Angeles, et al. Los Angeles Superior Court Case No. 21STCV38673 and Estate of Samuel Herrera, et al. v. County of Los Angeles, et al. Los Angeles Superior Court Case No. 21STCV36013. in the amount of \$9,600,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department Contract Cities Trust Fund's budget.

These lawsuits concern allegations of wrongful death, assault, battery, negligence, false imprisonment, violations of Ralph Act and Bane Act arising from a fatal deputy-involved shooting.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Samuel Herrera, Jr., et al. v. County of Los Angeles, and Estate of Samuel Herrera, Jr., etc., et al. v. County of Los Angeles
CASE NUMBER	21STCV38673, and 21STCV36013
COURT	Los Angeles Superior Court
DATE FILED	October 20, 2021, and September 30, 2021
COUNTY DEPARTMENT	Los Angeles County Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 9,600,000
ATTORNEY FOR PLAINTIFF	CARL E. DOUGLAS NOEL ARREOLA Douglas / Hicks Law, APC, and MATTHEW J. LOMBARD Law Offices of Matthew J. Lombard
COUNTY COUNSEL ATTORNEY	RICHARD HSUEH Senior Deputy County Counsel STEVEN ROTHANS Carpenter, Rothans & Dumont
NATURE OF CASE	This is a recommendation to settle for \$9,600,000, inclusive of attorneys' fees and costs, the two consolidated State court civil rights lawsuits filed by the against the County of Los Angeles and Los Angeles County Sheriff's Department personnel. These lawsuits arise from the fatal deputy-involved shooting of Samuel Herrera, Jr. when the LASD executed a search warrant at Decedent's house. Given the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs.
PAID ATTORNEY FEES, TO DATE	\$ 641,611
PAID COSTS, TO DATE	\$ 470,295

Case Name: Samuel Herrera v. County of Los Angeles, et al.
Contract Cities v. County of Los Angeles



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:	September 10, 2020
Briefly provide a description of the incident/event:	<p style="text-align: center;">Summary Corrective Action Plan 2024-188</p> <p>Details in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.</p> <p>Multiple investigative reports indicate prior to September of 2020, Norwalk Operations Safe Streets (OSS) Bureau received information that the Decedent was involved in the sales of methamphetamine and being in possession of weapons. A Norwalk OSS Detective One began investigating the information he was provided.</p> <p>During the course of the investigation, it was learned the Decedent was an active member of the "Compton Vario Tokers" criminal street gang; the Decedent was selling narcotics inside a detached garage in the city Compton. The Decedent's criminal history revealed he had two prior convictions selling narcotics. It was also learned the Decedent concealed a black handgun on his person when he sold narcotics at the location.</p> <p>Detective One surveilled the residence and gathered information regarding both the residence and its occupants to obtain a search warrant. A search warrant for the Decedent's residence and garage was requested by Detective One and granted by the judge.</p> <p>On September 10, 2020, at approximately 5:00 a.m., Norwalk OSS team, including the Detective and the Norwalk Enforcement Team (NET) met at a location near the Decedent's residence to brief the search warrant operation. They developed a tactical plan to approach the residence.</p> <p>At approximately 5:30 a.m., the search team went to the Decedent's residence to execute the warrant which authorized them to search the residence, including the garage, for the Decedent, firearms, narcotics, and any evidence of criminal street gang membership.</p> <p>Upon arrival at the front door of the residence, Detective One and additional OSS detectives announced themselves and their</p>

	<p>purpose pursuant to Penal Code Section 844. Forced entry was used to make entry into the home. Upon entering the residence, they contacted the Decedent's mother and two of his brothers and removed them from the home.</p> <p>As detectives entered the residence, NET deputies walked to the rear of the location along the driveway. The driveway and backyard were riddled with debris.</p> <p>As the deputies in the backyard rounded the northwest corner of the garage, they saw the Decedent. They gave him commands, in an attempt to detain him, as he ran into the garage holding a dark object in his hand.</p> <p>Simultaneously, deputies spotted one of the Decedent's brothers walking from the rear of the garage towards them. He was detained without incident and told the deputies that no one else was in the rear of the garage. The Decedent's girlfriend appeared from the rear of the residence; she was detained and escorted to the front of location.</p> <p>Lieutenant One positioned himself at the rear of the exterior of the garage and noticed there were two doors at the rear of the garage. He believed those doors were connected to the main garage compartment, where the Decedent had barricaded himself. He took cover in a detached bathroom in the corner of the backyard.</p> <p>The team outside continued to give the Decedent commands to exit the garage. The Decedent refused to comply. The deputies could hear items being stacked against the door and the sound of "metal on metal." The deputies believed the Decedent was "racking" a gun. Deputy One heard the Decedent say, "I'm not coming out, I'm going to shoot it out."</p> <p>The deputies heard a loud pop sound that they believed was a gunshot or fireworks. The Decedent's nephew and nephew's girlfriend, who were asleep in the northeast room of the garage, woke to this sound. Less than 20 seconds later, there was another loud pop. The deputies believed the Decedent was shooting through the walls of the structure in their direction.</p> <p>Although the deputies had not fired their weapons, a deputy involved shooting was broadcast over Norwalk Station's dispatch channel; numerous assisting units responded to the location.</p> <p>Lieutenant One heard the gunshots but did not know where they were coming from. He observed one of the two rear pedestrian doors of the garage open and saw the barrel of a gun sticking out. He believed the Decedent was the person who opened the door and was trying to shoot him. Lieutenant One fired his firearm in the direction of the barrel of the gun. Approximately 45 seconds</p>
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	<p>later, he saw the other rear door to the garage open. Lieutenant One did not see a person or any part of a gun; however, he believed the Decedent was the only person in the garage and was opening the door to shoot him. Lieutenant One fired additional rounds at the door where he believed the Decedent was positioned.</p> <p>As this occurred Deputy One heard the initial two gunshots from inside the garage and believed the Decedent was firing at him and his partners. From his position, he could see someone pushing against the main roll-up garage door as if trying to open it. He heard what sounded like someone “racking” a gun.</p> <p>Deputy One observed video surveillance cameras around the garage and believed the Decedent was actively monitoring their movement. Deputy One believed the Decedent was trying to open the door to shoot at him. He fired towards the area of the garage door where he could see the pushing, simultaneous to Lieutenant One’s first volley of rounds fired. Deputy Six broadcast an assistance request over his hand-held radio.</p> <p>Lieutenant One moved from the rear of the detached bathroom back towards the residence and regrouped with additional personnel. The deputies heard two male voices inside the garage. Another one of the Decedent’s brothers crawled out of the garage with his hands up and was taken into custody without incident. Deputies realized he was not the Decedent and continued to give the Decedent commands to exit the garage. Minutes later, the Decedent’s nephew exited the garage and was taken into custody without incident.</p> <p>The deputies noticed smoke from the garage and believed the Decedent set fire to the garage. The Decedent’s nephew told the deputies that his girlfriend and her child were still inside the garage. Deputies began calling her by name to exit the garage and started making a plan to enter the garage to rescue her. Prior to a rescue attempt, she and her minor daughter exited the garage and were taken into custody without incident.</p> <p>Assisting units from Compton Station and Norwalk Station arrived on scene. The responding deputies were quickly briefed, positioned in different locations, and assigned different tasks.</p> <p>Several deputies proceeded to the rear of the neighboring property towards the Decedent’s garage and positioned themselves behind a gate separating the driveway from a pool.</p> <p>The fire in the garage grew and deputies heard a loud banging sound near the garage wall that separated the Decedent’s and the neighbor’s property. The deputies on the neighboring property saw the Decedent pound a hole through the wall.</p>
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	<p>The Decedent crawled through the hole, headfirst, and stood up. Smoke billowed out of the hole behind him. After the Decedent stood up, his body was partially blocked by shrubbery and clothes on a clothesline. The Decedent looked around, as if for an escape route.</p> <p>For approximately one minute, deputies gave the Decedent commands to show his hands and he did not comply. The Decedent paced back and forth, then turned to the left and made a sudden movement, as if to shoot at the deputies. Another deputy involved shooting occurred and was broadcast over the radio.</p> <p>After hearing the gunshots, additional deputy personnel ran to the backyard of the neighboring property. They saw the Decedent lying face down on the ground being held at gunpoint.</p> <p>The deputies gave the Decedent commands to show his hands and he did not comply. Deputies saw the Decedent reach for his waistband and continue to move. Deputies observed the magazine of a firearm in the Decedent's hands, heard "metal clicking" and believed the Decedent was armed with a firearm. The Decedent "punch out his arms" as if in a pistol grip position. Believing the Decedent was going to shoot at them, there was another volley of gunfire. Another deputy involved shooting was broadcast over the radio.</p> <p>By this time, the garage was fully engulfed in fire. Lieutenant One formulated a tactical plan to approach the Decedent. The deputies safely approached the Decedent. An AR-15 magazine and .45 Glock handgun magazine were found directly next to him. Deputies carried him to the driveway of the neighboring property so paramedics could render medical aid. The Decedent was pronounced deceased at the scene at 6:29 a.m. by a Compton Fire Station Paramedic.</p> <p>The Compton Fire Department entered the scene to extinguish the fully engulfed garage fire.</p> <p>Two expended .22 caliber casings were found west of the garage that matched the caliber of a gun that was in the garage where the Decedent had been; however, due to the damage caused by the fire, there was insufficient evidence to establish they were fired by the Decedent during the incident.</p>
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1. Briefly describe the **root cause(s)** of the claim/lawsuit:

A **Department** root cause in this incident was the Deputies' use of deadly force against the Decedent.

A **Department** root cause in this incident was the use of force and tactical actions employed by some deputies were inconsistent with established policy, practice and training. Contributing factors included deficiencies in coordination, use of cover, communication, and target acquisition.

A **non-contributing Department** root cause in this incident was the Deputies had not yet been issued Body Worn Cameras.

A **non-Department** root cause in this incident was the Decedent's failure to comply with the Deputies' lawful orders.

A **non-Department** root cause in this incident was the Decedent's actions which led the Deputies to believe he was firing a weapon at deputy personnel.

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

Criminal Investigation

This incident was thoroughly investigated by the Sheriff's Department's Homicide Bureau. The results of the investigation were submitted to the Los Angeles County District Attorney's Office, Justice System Integrity Division (JSID).

The JSID issued their findings on August 9, 2022, concluding that "There is insufficient evidence to prove beyond a reasonable doubt that these deputies did not act in lawful self-defense at the time they fired their weapons."

Administrative Investigation

The Department's Internal Affairs Bureau conducted a thorough investigation to determine if any administrative misconduct occurred before, during, or after this incident. The results of the investigation were presented to the Executive Force Review Committee (EFRC) for adjudication.

The EFRC Panel found the use of force and tactics for some of the involved personnel were out of policy. Appropriate administrative action was taken. Additionally, involved personnel attended training as a result of this incident.

Issuance of Body Worn Cameras

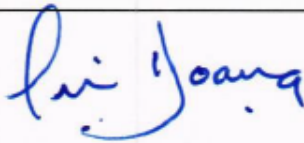
As of October 31, 2021, all sworn personnel assigned to Norwalk Station and OSS were issued a Body Worn Camera to ensure all public contacts are transparent.

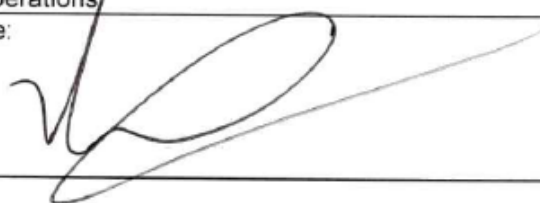
The use of BWCs ensures reliable recording of contact enforcement and investigative contacts with the public.

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 T. Hoang, Captain Risk Management Bureau	
Signature: 	Date: 1.20.26


Name: (Department Head)	
Myron Johnson, Assistant Sheriff Patrol Operations	
Signature: 	Date: 1/21/26

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:
1/23/26