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December 1, 2026

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
Kenji Howard v. County of Los Angeles, et al.
United States District Court Case No. 2:24-CV-04365

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

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Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Kenji Howard v. County of Los Angeles, et al., United States District Court Case No. 2:24-CV-04365, 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's budget.

This federal civil rights lawsuit arises from the alleged wrongful conviction and imprisonment of Plaintiff for 26 years.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME		Kenji Howard v. County of Los Angeles, et al.
CASE NUMBER		2:24-CV-4365
COURT		United States District Court
DATE FILED		May 24, 2024
COUNTY DEPARTMENT		Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	$	4,000,000
ATTORNEY FOR PLAINTIFF		DONALD W. COOK, ESQ. Law Offices of Rober Mann and Donald W. Cook
COUNTY COUNSEL ATTORNEY		MINAS SAMUELIAN Senior Deputy County Counsel Justice and Safety Division ANDREW BAUM, ESQ. Glaser Weil Fink Howard Jordan & Shapiro, LLP
NATURE OF CASE		This is a recommendation to settle for $4,000,000 inclusive of attorneys' fees and costs, a lawsuit filed by Kenji Howard, alleging federal civil rights violations for his alleged wrongful conviction. 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	$	338,076
PAID COSTS, TO DATE	$	106,822

Case Name: Kenji Howard v. County of Los Angeles, et al.

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:	March 17, 1995
Briefly provide a description of the incident/event:	Summary Corrective Action Plan 2025-290 **Details in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.** On October 10, 1997, a jury found the Plaintiff guilty of one count of first-degree murder, three counts of attempted murder, and one count of shooting at an occupied vehicle. The Plaintiff was sentenced to a prison term of 25 years to life on the murder count, plus additional years for the attempted murder counts, firearms, and great bodily injury enhancements. The Plaintiff's *habeas* petition, based on new evidence submitted, was granted on July 16, 2021. The reviewing court found that the new evidence would have likely affected the outcome of the criminal trial, vacated the Plaintiff's convictions, and ordered him to be re-tried within 60 days. The DA's Office declined to retry the Plaintiff consistent with Special Directive 20-14, the charges were dismissed, and he was released. The Plaintiff served 26 years in prison.

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

A **Department** root cause in this incident was the allegation that Homicide Investigators, and the Polygraph Deputy used subjectively coercive and deceptive interview and interrogation methods.

A **Department** root cause in this incident was the manner in which investigative information was shared with the assigned firearms expert during the forensic examination of the suspect vehicle. The absence of contextual information ***allegedly*** limited the firearms expert's ability to fully evaluate relevant forensic factors during the examination.

A **non-Department** root cause in this incident was the Plaintiff's failure to be forthcoming with Homicide Investigators.

A **non-Department** root cause in this incident was the co-defendant later confessed to the murder years after the trial.

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

CUSTODIAL INTERROGATION OF JUVENILES

As part of a package of seven Senate bills passed in 2017 to address juvenile criminal justice reform, Senate Bill 395 took effect on January 1, 2018, and was later amended due to the enactment of Senate Bill 203 (2020). This resulted in section 625.6 of the Welfare and Institutions Code (WIC) creating new requirements for law enforcement when interrogating juveniles in their custody.

Prior to a custodial interrogation, and **before** the waiver of any Miranda rights, a youth **17 years of age or younger** shall consult with **legal counsel** in person, by telephone, or by video conference. **The consultation may not be waived.**

AB 2644 (2024), as codified in WIC section 625.7, also prohibits law enforcement officers from employing threats, physical harm, deception, or psychologically manipulative tactics during custodial interrogation of a person 17 years of age or younger. The bill defines **"psychologically manipulative interrogation tactics"** as including interrogation practices that rely on a presumption of guilt or deceit, make promises of leniency, or employ a "forced choice" strategy.

POLYGRAPH PROCEDURE:

In addition to procedures that must be followed prior to the administration of a polygraph examination, a parent or legal guardian must sign for persons under 18 years of age, unless they are married, in military service or in any other way emancipated.

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: Tri Hoang	Date: 8.17.26

Name: (Department Head) Jason A. Skeen, Assistant Sheriff Countywide Operations	
Signature:	Date: 8/26/26

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: Betty Karmirlian	Date: 8/27/26