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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
Martis Childs v. Los Angeles County, et al.
United States District Court Case No. 2:25-CV-00415

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 Martis Childs v. Los Angeles County, et al., United States District Court Case No. 2:25-CV-00415, in the amount of $5,250,000, and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Office of the District Attorney and Sheriff's Department's budget.

This federal civil rights lawsuit arises from the alleged wrongful conviction and imprisonment of Plaintiff for 14 years.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME		Martis Childs v. Los Angeles County, et al.
CASE NUMBER		2:25-CV-00415
COURT		United States District Court
DATE FILED		February 28, 2025
COUNTY DEPARTMENT		Los Angeles County Sheriff's Department and District Attorney's Office
PROPOSED SETTLEMENT AMOUNT	$	5,250,000
ATTORNEY FOR PLAINTIFF		DALE K. GALIPO Law Office of Dale K. Galipo
COUNTY COUNSEL ATTORNEY		DON NGHIEM Deputy County Counsel ADAM KAMENSTEIN Adams, Duerk & Kamenstein
NATURE OF CASE		We recommend settlement for $5,250,000, inclusive of attorneys' fees and costs, this federal civil rights lawsuit filed pursuant to Title 42 of United States Code section 1983 brought by Martis Childs against the County of Los Angeles and former Los Angeles County Sherriff's Department Deputies Richard Biddle, Barry Hall, and Kent Wegener, for wrongful conviction and incarceration. Plaintiff's suit also includes federal and state claims of malicious prosecution, false imprisonment, false arrest, negligence, and a Bane Act violation. Given the high risks and uncertainties of litigation, a reasonable settlement at this time will avoid further litigation costs.
PAID ATTORNEY FEES, TO DATE	$	223,090
PAID COSTS, TO DATE	$	13,257

Case Name: Martis Childs 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:	January 16, 2025
Briefly provide a description of the incident/event:	Summary Corrective Action Plan 2026-303 **Details in this document summarize the incident. The information provided is a culmination of various sources to provide an abstract of the incident.** Based on multiple investigative reports, in February of 2006, assailants approached a group of young people standing near a residential driveway. One assailant questioned the group's gang membership and searched their pockets. One of the young victims resisted. While he resisted, he and the assailant fought until the assailant retrieved a firearm. As, the victim tried to flee, the assailant shot him six times and killed him. A separate victim attempted to flee but was also shot in the upper back/ shoulder area. This victim survived. Minutes later and blocks away, Los Angeles County Sheriff's Department (LASD) deputies detained the Plaintiff for a traffic violation and arrested him on unrelated drug charges. After further investigation, in 2009, the Plaintiff was charged with the murder and attempted murder for the 2006 shooting. The Plaintiff was implicated in the crime by his presence near the crime scene minutes after the shooting, codefendant testimony, the Plaintiff's purported admission to a third-party witness, and a canine scent lineup identification. Additionally, a witness pointed to a photograph of the Plaintiff and stated it looked like the person who shot the victim; however, he was not 100 percent sure (6/10 confidence). At the Plaintiff's March 2009 arraignment, LASD surreptitiously recorded him and criminal codefendants' holding cell conversations (Recording). There is no indication the prosecution team provided a copy of the Recording to the Plaintiff or the Plaintiff's criminal defense counsel prior to his initial criminal trial. The Plaintiff was convicted at trial.

	The Plaintiff's immediate appeal was denied, and his convictions were affirmed. In 2019, the court vacated the Plaintiff's conviction pursuant to his habeas petition, and the Los Angeles District Attorney's office (LADA) elected to retry him. Prior to the Plaintiff's retrial, the handling Deputy District Attorney (DDA) reviewed LASD's investigatory file to ensure its completeness. In doing so, the DDA located the holding cell recording. In 2023, prior to retrial, the DDA provided the Plaintiff's criminal defense retrial counsel with the holding cell recording for the first time. At retrial, the Plaintiff's criminal defense counsel argued extensively that the holding cell recording exonerated the Plaintiff. The jury acquitted the Plaintiff at retrial, ending his incarceration.

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

A **Department** root cause in this incident was the inability of current Homicide Investigators to confirm whether exculpatory evidence, mainly a recording between the Plaintiff and co-defendants in lock-up, was ever disclosed to the District Attorney's Office before the initial trial in 2011.

A **Department** root cause in this incident was the alleged use of improper identification procedures conducted by the Homicide Investigators.

A **Department** root cause in this case was the co-defendant/witnesses' failure to be forthcoming with Homicide Investigators during interviews and changing statements during testimony in trial.

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

Retention of Victim/Witness Interview Notes/Recordings

Homicide Bureau utilizes Evidence.com as a tool to store and provide discovery to the DA's Office. Evidence.com has been in use since 2020.

Evidence Checklist

Homicide Bureau is in the process of implementing another layer of oversight by creating a checklist to memorialize and standardize all homicide evidence shared with the DA's Office.

Suspect Identification Procedures

A Department Manual of Policy and Procedures section related to suspect identification procedures was published and briefed to Department members after this investigation was conducted.

Responsibility of Documentation

A Department Manual of Policy and Procedures section related to responsibility for documentation was published and briefed to Department members after this investigation was conducted.

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: 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

Case Name: *Martis Childs v. Los Angeles County, 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:	2009-2023
Briefly provide a description of the incident/event:	In 2009, Plaintiff was arrested and charged with murder and attempted murder for a 2006 gang related shooting involving two victims. Investigators linked Plaintiff to the crime based on his proximity to the scene shortly after the shooting, statements from codefendants, an alleged admission to a third party witness, and a canine scent lineup identification. Plaintiff was convicted at trial in 2011 and sentenced to 90 years to life. His appeal was denied. During the initial investigation, LASD created a scent pad from crime scene shell casings and compared it to Plaintiff's clothing using a canine scent lineup. Detectives also recorded conversations in a 2009 holding cell. Although a recording existed, it was not provided to Plaintiff or his defense counsel before the 2011 trial, and there was no documentation showing it had ever been disclosed. In 2019, Plaintiff's conviction was vacated based on his habeas petition. Before retrial, a deputy district attorney discovered the previously undisclosed holding cell recording in the LASD file and produced it to defense counsel for the first time in 2023. By that time Plaintiff had already served approximately 14 years. At the 2023 retrial, key evidence differed significantly from the original trial, resulting in plaintiffs acquittal. In 2025, Plaintiff filed a civil lawsuit against the County based on issues arising from the investigation, nondisclosure of evidence, and the prolonged period of incarceration

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

After review of the facts and circumstances of this incident, the department is unable to identify any discernible root cause or systemic deficiency that contributed to the underlying events. As a result, no corrective actions or policy modifications are recommended at this time.

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

N/A

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

x Yes – The corrective actions address department-wide system issues.

No – The corrective actions are only applicable to the affected parties.

Name: (Risk Management Coordinator) Julie Dixon Silva, Director	
Signature:	Date: 10/05/2026

Name: (Department Head) Steven Katz, Chief Deputy	
Signature:	Date: 10/05/2026

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.

X No, the corrective actions are applicable only to this department.

Name: (Risk Management Inspector General) Betty Karmirlian	
Signature: Betty Karmirlian	Date: 10/8/26