

INVESTIGATIVE SUMMARY AND FINDINGS

PEACE OFFICER NAME: Jose ZAVALA

POST ID NUMBER: C28-A48

EMPLOYING AGENCY: Los Angeles Police Department (LAPD)

POST CASE NUMBER: POST2311370

WRITTEN BY: LEC Dave Sieber

DATE: 2/12/2026

Contents

I. Executive Summary and Findings 3

II. Investigative Methodology 4

III. Respondent's Background 5

A. Respondent's Peace Officer Certificates and Employment 5

B. Respondent's Service Record 5

IV. Factual Background 10

V. Analysis and Findings 15

A. Does the alleged conduct violate Commission Regulation 1205(a)(3)? 15

B. Summary of Findings 19

VI. Supporting Evidence 20

I. Executive Summary and Findings[1]

On December 18, 2021, Victim, hereinafter Victim, walked out of his residence holding a kitchen knife,[2] threatened members of the community, and then sat idle on the steps of a neighboring residence while holding the knife to his neck. Officers assigned to LAPD's Newton Patrol Division (NPD) and Newton Gang Enforcement Detail (GED) responded to the "attempt suicide" call for service within minutes and contained Victim. Officer Jose ZAVALA, hereinafter Respondent,[3] and his partner, Officer Julio QUINTANILLA, responded to the incident, established a perimeter position to the west of Victim, and were designated by the on-scene incident commander, Sergeant, as lethal cover officers.

After approximately 13 minutes of de-escalation efforts, Victim stood up and took four slow steps forward and then stopped. This movement triggered LAPD's deployment of a less-lethal projectile, which struck Victim in the hip. Nearly contemporaneously (.382 seconds after the less-lethal deployment), from a distance of approximately 25 feet and behind the cover of a police vehicle, Respondent fired three rounds from his service pistol, striking Victim. Approximately .322 seconds after Respondent discharged his third round, QUINTANILLA, from a distance of approximately 28 feet and behind the cover of a police vehicle, fired a single round from his service pistol. Victim was detained but ultimately succumbed to the injuries sustained from the use of force.

LAPD's Force Investigation Division (FID) investigated the Officer Involved Shooting (OIS) and the results were conveyed to the LAPD Use of Force Review Board (UOFRB). The UOFRB was critical of Respondent's and QUINTANILLA's perception of an "immediate threat" and found that their actions were not objectively reasonable, proportional, or necessary. A subsequent Department-initiated Complaint Investigation reached a SUSTAINED finding of "Out of Policy – Administrative Disapproval" regarding Respondent's use of force. The incident was not referred to LAPD's Board of Rights (BOR), as the Chief of Police (COP) did not seek Respondent's and QUINTANILLA's termination. Ultimately, Respondent received a 10-day suspension and QUINTANILLA received a 5-day suspension with loss of pay and benefits.

Later, on February 3, 2023, the Victim's family filed a complaint, which initiated a second Complaint Investigation, alleging Respondent's and QUINTANILLA's excessive use of force. The investigation ultimately reached the finding of UNFOUNDED. In July of

[1] Attachment A (Executive Review and Division Recommendation).

[2] The first officer to arrive on scene described the knife as a *"big butcher knife type meat clever."* LAPD's FID Investigative report described the knife as a "meat clever" with a 6.5-inch blade and a 5.25-inch black plastic handle.

[3] Attachment B (Respondent's EDI Profile).

2025, Victim's family was awarded an $8,000,000 settlement, in connection with a wrongful death lawsuit in the U.S. District Court for the Central District of California.

As of November 2025, the Los Angeles County District Attorney's Office's (LADA's) Justice System Integrity Division (JSID) has not reached a charging decision and continues to review the incident with the assistance of independent police oversight firm, OIR Group.

Based on an analysis of the results of the LAPD FID and Complaint Investigations, recommendations of the UOFRB and COP, and a detailed review of multiple Body Worn Video (BWV) perspectives of the OIS, the Division assesses that Respondent engaged in serious misconduct as defined in California Penal Code section 13510.8(b)(3) and Commission Regulation 1205(a)(3) - physical abuse, including, but not limited to, the excessive or unreasonable use of force. The Division arrived at this assessment because Victim:

- was contained;
- posed a danger only to himself;
- did not pose an imminent threat to officers or others;
- did not possess a demeanor that was particularly threatening;
- was unresponsive to verbal and less-lethal force, signaling a potential mental or physical health condition, cognitive deficiency, or influence of a controlled substance.

Distance and cover were effectively utilized to create time, in conjunction with de-escalation measures; however, Respondent initiated deadly force before exhausting other less-lethal options.

II. Investigative Methodology

This report summarizes the findings related to allegations of serious misconduct. The investigation was conducted in accordance with the regulations and policies of the Commission on Peace Officer Standards and Training (POST). The investigation included a detailed review of LAPD's FID, Complaint Investigations, BWV data and supporting documents, which included interviews of subject and witness officers.

The Division analyzed the information in this investigation using the clear and convincing evidence standard. For purposes of this report, clear and convincing evidence means "evidence of a charge is clear and convincing so long as there is a 'high probability' that the charge is true. The evidence need not establish a fact beyond a reasonable doubt."

This report is necessarily summary in nature and does not include every fact or issue that might be found in the underlying investigation and attachments. However, it does

contain reference to that evidence that the Division believes establishes the requisite facts and proves the serious misconduct charged by clear and convincing evidence.

III. Respondent's Background

A. Respondent's Peace Officer Certificates and Employment

The following table sets forth Respondent's employment history:

Dates	*Rank*	*Agency*
May 26, 2009	Trainee	Los Angeles Police Department
October 9, 2009	Police Officer	Los Angeles Police Department

Respondent is assigned POST ID C28-A48. He received the following peace officer certificate from POST:

Certificate Type	*Certificate Number*	*Date Issued*
Basic Certificate	143366	January 10, 2011

B. Respondent's Service Record

When evaluating whether suspension or revocation is appropriate, Penal Code section 13510.8(c)(5) and Commission Regulation 1213(a)(5) provide that the Commission must consider Respondent's prior conduct, discipline and service record. The relevance and weight the Commission may choose to assign to a peace officer's prior conduct and service record will depend on the facts in each case.

California Penal Code section 13510.8(c)(5) provides that the Commission "shall consider the peace officer's prior conduct and service record, and any instances of misconduct, including any incidents occurring beyond the time limitation for investigation in evaluating whether to revoke certification for the incident under investigation."

Service Record
Respondent's employment with LAPD began on May 26, 2009, as a full-time Trainee. On October 9, 2009, Respondent was sworn in as a Peace Officer; however, his Peace Officer powers were not conveyed until November 6, 2009, when Respondent completed the Basic Course and was promoted to Police Officer. On January 10, 2011, Respondent received his Basic Course certification. Respondent continues to serve as an LAPD Police Officer today. Respondent does not have any prior law enforcement appointments in the State of California.

Relevant Training

Respondent's POST Electronic Data Interchange (EDI) profile indicates Respondent completed 58 courses prior to the captioned incident, including the following relevant topics:

Date	***Course Title***
October 26, 2021	Firearms/Tactical-Advanced
February 26, 2021	Mental Health Intervention
February 16, 2021	Less Lethal Munitions
December 2, 2020	Crowd Control
June 5, 2019	De-escalation & Tactical Communication
November 5, 2018	Firearms/Tactical-Advanced
May 20, 2018	Ballistic Shield Operator
August 22, 2016	Firearms/Tactical-Advanced
March 25, 2015	Tactical Communications
February 26, 2015	Firearms/Tactical Handgun

Prior Complaints/Discipline

Respondent is the subject of the following eight allegations of serious misconduct with POST:

POST Case ID	***Allegation***	***POST Status***	***Disposition***
POST2306779	Bias	POST (Priority 4) – No Further Action (NFA)	Complaint of racial profiling based on a vehicle stop from March 23, 2020. LAPD determined allegations were unfounded. POST determined the allegations were not actionable because the allegations did not rise to the level of serious misconduct and the reported incident occurred before January 1, 2022, and closed the matter

			with No Further Action. (See Pen. Code § 13510.8(g)(1)(A).)
POST2302633	Bias	POST (Priority 3) - NFA	Complaint of abuse of power and bias based on a traffic stop from January 6, 2021. LAPD investigated and determined that the complaint was unfounded. POST reviewed the LAPD Complaint Investigation and determined the allegations did not rise to the level of serious misconduct and closed the matter with No Further Action. Additionally, the reported incident occurred before January 1, 2022, and therefore was not actionable by POST. (See Pen. Code § 13510.8(g)(1)(A).)
POST2502029	Abuse of Power/Use of Force	POST (Priority 3) – **CLOSED IN ERROR**	DUPLICATE of POST2502030
POST2502030	Abuse of Power/Use of Force	POST (Priority 3) – NFA	Complaint of abuse of power and excessive force from an incident on April 2, 2021, involving Respondent and several other officers. LAPD investigated and determined the complaint was unfounded with the exception of a single use of force by the Respondent. The LAPD determined the Respondent's use of a front kick during the arrest was excessive or unreasonable and rendered SUSTAINED. LAPD imposed a 5-day suspension on Respondent for this violation. POST reviewed the LAPD Complaint Investigation and assessed that the allegations did not rise to the level of serious misconduct and closed the matter with No Further Action.

POST2311370	Physical Abuse	POST (Priority 1) - **CAPTIONED MATTER**	On December 18, 2021, Respondent and his partner used lethal force, resulting in the death of Victim. LAPD's Complaint Investigation SUSTAINED allegations regarding the Use of Force. A second Complaint Investigation found the Officer's Use of Excessive Force UNFOUNDED. The LADA's JSID has not reached a charging decision in this matter. POST seeks to advance this matter to the POST Board and Commission.
POST2308738	Use of Force	POST (Priority 3) – NFA **CAPTIONED MATTER**	On December 13, 2022, a claim for civil damages, associated with POST2311370, was filed by Victim's ([redacted]) family. On June 26, 2025, POST closed the matter with No Further Action.
POST2504854	Abuse of Power	POST (Priority 4) - Unassigned	On March 27, 2024, the case of [redacted] *vs. City of Los Angeles, et al,* for an incident that occurred on December 18, 2019, was settled for $75,000. Clark alleged Officers abused their power. All allegations were determined to be UNFOUNDED. Five Officers, including Respondent, were dismissed from the lawsuit separately, prior to the settlement of the case between defendant City and plaintiff only. Additionally, the reported incident occurred before January 1, 2022, and therefore was not actionable by POST. (See Pen. Code § 13510.8(g)(1)(A).)
POST2407439	Bias	POST - Unassigned	On August 16, 2024, Complainant came to an LAPD station front lobby and interacted

			with Respondent. Complainant alleged Bias and believed Respondent favored "Mexicans" and "Latinos." As of November 12, 2025, LAPD has not completed the associated Complaint Investigation, and the allegation remains unassigned at POST.

POST closed both Bias allegations and the 2021 sustained Use of Force allegation with recommendations of “No Further Action.” The remaining four allegations represent duplicate or unassigned cases or are awaiting POST adjudication.

According to LAPD personnel records, Respondent was the subject of three prior LAPD Complaint Investigations involving:

- Use of profanity
- On-duty traffic collision
- 2015 On-duty Non-Categorical Use of Force (NCUOF). The NCUOF was found to be Out of Policy, resulting in a 15-day suspension. The following summary, based on a review of the LAPD Complaint Investigation and supporting documents, details the Respondent’s 2015 NCUOF incident:

On February 15, 2015, Respondent and his partner were assigned to LAPD’s Foothill Area Patrol when they responded to a radio call of “*Hot prowl suspect there now.”* Upon arrival, officers encountered Complainant, hereinafter CP, who was subsequently arrested for a misdemeanor warrant. CP was transported to the Van Nuys Jail. While at the jail, Respondent strip searched CP. During the search, Respondent asked to see a tattoo on CP's left calf. CP became irritated and refused. Respondent inquired again and CP suddenly and without warning punched Respondent on the right side of his jaw. In response, Respondent engaged in a NCUOF, striking CP eight times with his fists. Other officers in the booking area also responded.

CP received facial bruising and a laceration above his eye and was transported to the hospital for medical treatment. After treatment, officers exited the Emergency Room with CP and walked him to their patrol vehicle, at which point CP attempted to flee, resulting in a second NCUOF. As a result of the collective circumstances and complaint by witness Witness 1, LAPD initiated a Complaint Investigation on Respondent. The investigation resulted in the following allegations of misconduct:

- **ALLEGATION 1 -** The Department alleged on February 15, 2015, Respondent, while on-duty, used unauthorized force against CP during a NCUOF inside Van Nuys Jail - **SUSTAINED**

- **ALLEGATION 2 -** The Department alleged on February 15, 2015, Respondent, while on-duty, utilized tactics that substantially deviated from Department tactical training - **SUSTAINED**

- **ALLEGATION 3 –** Witness Complainant alleged on February 16, 2015, Respondent, while on-duty, inappropriately placed his foot on CP's head - **UNFOUNDED**

- **ALLEGATION 4 –** Witness Complainant alleged Respondent, while on-duty, inappropriately grabbed her identification card from her shirt - **NON-DISCIPLINARY**

- **ALLEGATION 5 –** Witness Complainant alleged Respondent, while on-duty, inappropriately sent a text message to a nurse to inquire about her next working day - **INSUFFICIENT EVIDENCE TO ADJUDICATE**

The Complaint Investigation found that Respondent's UOF was necessary and that his first two punches were within policy; however, the investigation found that Respondent let his emotions lead to excessive force when he followed up with punches three through eight. Ultimately, Respondent received a 15-day suspension with loss of pay and benefits.

In addition, to the 2015 out-of-policy NCUOF incident described above, Respondent was the subject of 24 other in-policy NCUOF incidents; one Categorical Use of Force, deemed in-policy; and 21 vehicle pursuits, two of which were deemed out-of-policy. Respondent was involved in two preventable traffic collisions.

IV. Factual Background

On December 18, 2021, at 1654 hours, Reporting Party 1 called Communications Division (CD) and reported that her brother, Victim (Victim),[4] walked out of their residence, located at Home Address, armed with a 6.5-inch kitchen knife. At approximately 1656 hours, an "Ambulance Attempt Suicide" radio call was generated for the Newton Patrol Division (NPD). According to Reporting Party 2, his son (Victim) had been drinking alcohol and using narcotics since he was 18

[4] Victim was a 22-year-old Hispanic male, 4'9" tall, weighing approximately 98 pounds. Victim's family claimed that Victim was going through a mental health crisis at the time of the incident.

years-old, causing what he described as *"an altered state of mind."* NPD Officers 1 and 2, along with Sergeant[5] responded "Code 3"[6] to the radio call. Newton Gang Detail (GED) Officers Jose ZAVALA (Respondent) and Julio QUINTANILLA responded "Code 2"[7] to the radio call.

At approximately 1654 hours, another bystander called CD reporting Victim was walking near Street 1 gazing at him angrily while swinging a knife in the air. At 1656 hours, RP 1 informed CD that Victim tried to hit someone and was going to attack a person with the knife. At 1657 hours, CD broadcast, "*additional on your attempt suicide,* Home Address*, the subject is now chasing people with the knife in front of* Home Address[8]

As Sergeant arrived on Street 2, a male and female directed Sergeant's attention to Victim. As Sergeant exited his patrol vehicle, Victim sat idle on the steps in front of the apartment building located at Incident Location, holding a knife in his right hand with the blade pressed against his neck. Sergeant attempted to communicate with Victim but failed to obtain compliance. At 1702:05 hours, Respondent and QUINTANILLA arrived and took positions to the west of Victim, behind their patrol vehicle doors, and unholstered their service pistols. QUINTANILLA gave commands to Victim to drop the knife and Respondent requested backup for a "*415 man with a knife*." Respondent also requested a rescue ambulance to stage near Street 2 and Street 1.

At 1702:22 hours, Officers 1 and 2 arrived on scene. In his role as OSC, Sergeant directed O-1 to retrieve his 40mm Less-Lethal Launcher (LLL). O-1 complied and took a position of cover behind the driver's side door, east of Sergeant's patrol vehicle. As depicted on Sergeant's BWV, at 1702:24 hours, Victim held the knife in front of his body at shoulder level, repeatedly moving the blade from side to side. Sergeant directed O-2 to take a position of cover behind the passenger side door, west of his patrol vehicle while unholstering his service pistol and designating Respondent and QUINTANILLA as "lethal cover officers." Sergeant also informed Respondent and QUINTANILLA of O-1's role as the "less-lethal officer" with the LLL.

At 1702:59 hours, as depicted on Respondent's BWV, Respondent told QUINTANILLA that he was going to attempt to communicate with Victim in Spanish. At 1703:02 hours, Victim placed the knife's blade against the side of his throat, prompting multiple officers to yell "*Don't do it!*" Sergeant directed O-1 to deploy the LLL; however, before O-1 could comply, Sergeant withdrew his command. Officer 3, from LAPD's Rampart Patrol

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[5] Sergeant Sergeant assumed On Scene Command (OSC) upon arrival at the incident.

[6] "Code 3" indicates an emergency response requiring the activation of vehicle lights and siren.

[7] "Code 2" indicates urgency but not to the level requiring the activation of vehicle lights and sirens.

[8] LAPD's Force Investigation Division (FID) investigation determined that the CD Radio Transmission Officer (RTO) embellished RP 1's statement that Victim was going to attack someone and broadcast *"the subject is now chasing people with a knife,"* when Victim was not in fact chasing anyone.

Division, arrived on scene in his patrol vehicle. Sergeant directed O-3 to join O-2 as part of the arrest team.

At 1703:35 hours, Sergeant retrieved a ballistic shield from his patrol vehicle and gave it to O-3. Sergeant yelled to Respondent and QUINTANILLA, *"You still got lethal coverage right here."* For the next several minutes, Respondent, QUINTANILLA and Sergeant alternated communicating with Victim. Moments later, Victim stood, held the knife to his throat and gestured the sign of the crucifix across his chest with his left hand. Sergeant directed O-1 to deploy the LLL by announcing, "*Forty stand by!*" At 1704:06 hours, O-1 discharged one 40mm round from his LLL at Victim from a distance of approximately 30 feet. The round struck Victim in the abdomen but did not appear to have any effect. Victim walked down a small flight of steps towards officers and then sat idle on the bottom step while holding the knife to his throat.

At 1705:36 hours, BWV recordings captured officers alerting one another that a bystander was attempting to exit the apartment building behind Victim. Sergeant yelled, *"Hey stay right there, do not come out."* Additional officers warned the bystander to stay inside and to move away from the windows. The bystander complied with the officers' orders and remained inside the building with the door closed. Victim appeared oblivious to the presence of the bystander in the building behind him (south of his position).

Newton GED Officers Meraz and Officer 4 arrived on scene. Meraz deployed a shotgun, positioning himself as a lethal cover officer alongside O-1. O-4 deployed a less-lethal "Beanbag" shotgun and was directed by Sergeant to move to the west side of the containment perimeter, to provide less-lethal cover for Respondent. Sergeant and Respondent continued alternating commands to Victim. Sergeant utilized the patrol vehicle's public address (PA) system to communicate his commands. Sergeant directed O-3 to re-position his vehicle to the southeast corner of Street 2 and Street 1 to block pedestrian traffic. At 1709:44 hours, Sergeant continued to use the PA system to communicate with Victim.

At 1710:17 hours, Victim stood up, removed his hat while holding the knife above his shoulders and looked east toward his family members who were standing behind the containment perimeter. Sergeant announced, *"Get ready,"* while transitioning from the passenger side of his patrol vehicle to the driver's side where O-1 had taken cover. Sergeant announced, *"Forty forty up."* Victim took four slow steps forward, turned to his left (west) and stopped. Contemporaneously, O-1 announced, *"Forty standby,"* as Sergeant instructed O-1 to fire the LLL. O-1 fired one 40mm round from a distance of approximately 22 feet, impacting the lower right side of Victim's torso. Approximately .382 seconds later, Respondent discharged the first of three rounds from his service pistol, from a distance of approximately 25 feet and behind the cover of his police vehicle, striking the Victim. Approximately .322 seconds after Respondent discharged his third round, QUINTANILLA fired a single round from his service pistol, from a distance of approximately 28 feet and behind the cover of his police vehicle. Victim fell

to the ground and was subsequently detained. Victim was provided with medical aid and transported to the hospital where he succumbed to his injuries.

On December 21, 2021, the Los Angeles County Coroner's Office performed a post-mortem examination of Victim.[9] The report indicated that Victim sustained three gunshot wounds, two to the torso and one to the neck. The coroner concluded that Victim's death was a result of a gunshot wound to the torso.

On December 18, 2021, in response to the Officer Involved Shooting (OIS) involving Respondent and QUINTANILLA, LAPD's Force Investigation Division (FID) initiated case FID NO.064-21.[10]

On September 12, 2022, the results of FID NO.064-21 were presented to LAPD's Use of Force Review Board (UOFRB). The UOFRB was critical of Respondent's and QUINTANILLA's perception of an "immediate threat" and found that their actions were not objectively reasonable, proportional, or necessary. Ultimately, the UOFRB arrived at the following findings:

- **Tactics:** Respondent, QUINTANILLA and O-1 - Tactical Debrief
  Sergeant - Administrative Disapproval
- **Drawing/Exhibiting:** Respondent, QUINTANILLA and O-2 – In Policy (No Further Action)
- **Less-Lethal Use of Force:** O-1 - In Policy (No Further Action)
- **Lethal Use of Force:** Respondent and QUINTANILLA - Out of Policy - Administrative Disapproval

On October 5, 2022, LAPD's COP informed the Honorable Board of Police Commissioners that he adopted the above-referenced recommendations of the UOFRB.[11]

On November 8, 2022, an LAPD-initiated Complaint Investigation (CF No. 22-003418)[12] reached a SUSTAINED finding of Out of Policy – Administrative Disapproval regarding Respondent's and QUINTANILLA's use of force; however, the incident was not referred to LAPD's Board of Rights, as the COP did not seek to terminate Respondent or QUINTANILLA. As a result, Respondent received a 10-day suspension with loss of pay

[9] On March 25, 2022, a Forensic Science Laboratories Report was approved by Department of Medical Examiner-Coroner, Los Angeles County. The blood analysis results identified the presence of Benzodiazepines, Cannabinoids and Ethanol in Victim's blood.

[10] Attachment C (LAPD Report FID NO.064-21-Redacted).

[11] Attachment D (COP Intradepartmental Communication).

[12] Attachment E (CF No. 22-003418 Letter of Transmittal).

and benefits and QUINTANILLA received a 5-day suspension with loss of pay and benefits.

Later, in February of 2023, Victim's family filed a complaint with LAPD which initiated a second Complaint Investigation (CF No. 22-003757)[13] alleging Respondent's and QUINTANILLA's Excessive Use of Force; however, the investigation ultimately reached the finding of UNFOUNDED.

In July of 2025, the Victim's family was awarded an $8,000,000 settlement,[14] in connection with a federal wrongful death suit in the U.S. District Court for the Central District of California.[15]

As of February 2026, the LADA Office's Justice System Integrity Division (JSID) has not reached a charging decision, despite the fact that they have a completed independent review of the incident from police oversight firm, OIR Group.

Post OIS Statements

Respondent told investigators the reason he fired the shots was because: "*The suspect gets up very rapidly with the -- with the large butcher knife in his right hand. He takes a deep breath, like getting courage, looks at me, looks at my fellow officers. At this point I already had my firearm out. Due to the tactical situation, I had reason to believe that the situation may escalate to the point where deadly force may be justified. The suspect then starts advancing towards the officers and turns his body towards myself and my partner. And in fear -- I was afraid, sir. I thought this guy was going to come at me with this butcher knife. He already cut his hand. He cut his throat -- he attempted to cut his throat. He chased pedestrians and civilians around the neighborhood with this large butcher knife. And to protect myself and my partner's life and the citizens nearby from serious bodily injury, imminent threat, I fired approximately two, three rounds to stop the threat, sir."*

QUINTANILLA told investigators the reason he fired was because: *"When he came down, we kept giving him commands and once he hit the sidewalk, I mean, I was scared and he ended up walking towards us -- towards the officers and myself and that's when I -- I had to use deadly force."* QUINTANILLA further stated, *"I had to stop the threat. He was coming towards us. He was going to cause myself or my partner serious bodily injury. He was going to cause death. And also, there was still civilians just*

[13] Attachment F (CF No. 22-003757 Letter of Transmittal).

[14] Attachment G (Los Angeles City Council (Item No. 34) Motion to Settle).

[15] Attachment H (Federal Civil Complaint, Case No. 2:22-cv-07534-FLA-MAA).

to the right of me, just a few feet away from me.[16] *So he could have caused serious bodily injury or death to them if I didn't do that. I had to do it."*

V. Analysis and Findings

Timeline:

On December 18, 2021, the captioned OIS occurred.

On December 18, 2021, LAPD's Force Investigation Division (FID) initiated an OIS investigation.

On November 8, 2022, an LAPD-initiated Complaint Investigation resulted in a SUSTAINED finding regarding Respondent's and QUINTANILLA's Use of Lethal Force.

On February 3, 2023, a Victim-family-driven Complaint Investigation resulted in an UNFOUNDED finding regarding Respondent's and QUINTANILLA's Use of Excessive Force.

On June 17, 2023, LAPD reported the incident to POST's Professional Conduct Bureau (PCB), alleging a violation of Commission Regulation 1205(a)(3) - physical abuse, including, but not limited to, the excessive or unreasonable use of force.

In July of 2025, Victim's family was awarded an $8,000,000 wrongful death settlement.

On February 6, 2026, Trichief Consulting Services completed an independent review of the incident.

As of February 10, 2026, the LADA's JSID has not reached a charging decision.

A. Does the alleged conduct violate Commission Regulation 1205(a)(3)?

Did Respondent use excessive force when he fired three rounds at Victim? According to Commission Regulation 1205(a)(3), excessive force is defined as:

> Physical abuse, including, but not limited to, the excessive or unreasonable use of force.

The United States Supreme Court recently addressed the issue of a police officer's use of deadly force in *Barnes v. Felix* (2025) 605 U.S. 73, and unanimously reaffirmed that a "police officer's use of deadly force violates the Fourth Amendment when it is not

[16] Based on a review of crime scene diagrams from the LAPD FID report and multiple BWV perspectives, it does not appear that any civilians were positioned inside the LAPD perimeter, nor were any civilians positioned between officers and Victim.

'objectively reasonable.'"[17] The Court also reaffirmed that an "inquiry into reasonableness…requires assessing the 'totality of the circumstances.'"[18]

In issuing its ruling, the Court rejected the "so-called moment-of-threat rule" adopted by lower courts, which "looks only to the circumstances existing at the precise time an officer perceived the threat inducing him to shoot."[19] Rather, the Court reiterated that "all the relevant circumstances, including facts and events leading up to the climactic moment…" must be considered when determining "whether a peace officer acted reasonably in using force."[20]

The *Felix* opinion is consistent with California law. Under Penal Code section 835a, peace officers may use deadly force "only when necessary in defense of human life."[21] Further, although peace officers may use "objectively reasonable force to effect arrest…," prevent escape, or overcome resistance, deadly force is only justified "when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary…" to: 1) "defend against an imminent threat of death or serious bodily injury to the officer or another person…;" or 2) "apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended."[22] However, a "peace officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person."[23]

In reviewing Respondent's statements regarding his decision to use deadly force, his decision was based primarily on the moments immediately preceding the application of deadly force without appearing to consider all relevant circumstances leading up to that moment. When applying the "totality of the circumstances" as required under *Felix, Graham v. Connor,* and Penal Code section 835a, however,[24] the Division concluded

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[17] *Barnes v. Felix* (2025) 605 U.S. 73, 76 (*"Felix"*), citing *Graham v. Connor* (1989) 490 U.S. 386, 397 ("*Graham v. Connor*") [internal citations omitted].

[18] *Id.*, citing *Graham* at 396.

[19] *Id.*

[20] *Id.*

[21] Pen. Code § 835a, subd. (a)(1).

[22] Pen. Code § 835a, subd. (c)(1)(A)-(B).

[23] Pen. Code § 835a, subd. (c)(2).

[24] Under Penal Code section 835a(a)(2), "in determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer."

that Respondent failed to leverage reasonable and available less-lethal alternatives at the time deadly force was utilized. Accordingly, Respondent's use of deadly force was both unreasonable and excessive.

Under California Penal Code section 835a(a)(2), "peace officers use deadly force only when necessary, in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer." Here, Respondent requested an ambulance upon arrival at the incident but did not request support from LAPD's Mental Evaluation Unit (MEU), despite having completed "Mental Health Intervention" training 10 months prior. Prior to Respondent's use of deadly force, officers fired two rounds from a LLL device, hardly exhausting its potential benefit, and the on scene commander (OSC) had not readied or directed the deployment of other available less-lethal options such as the "Bean Bag" shotgun, Conducted Energy Devices (CED) "taser," or a ballistic shield team equipped with CEDs and/or Oleoresin Capsicum (OC) "pepper" spray. Respondent's use of force did not result from an order from the OSC to employ lethal force. More importantly, the absence of the OSC's order to deploy other less-lethal options does not necessarily mean that the OSC wasn't considering them, nor did it render the threat posed by the Victim more imminent.

During his LAPD Complaint interview,[25] Respondent stated he was afraid Victim was going to come at him with the butcher knife and harm him or his partner. To protect himself, his partner and nearby citizens from imminent serious bodily injury, Respondent said he fired "two to three rounds" to stop the threat. LAPD's Personnel Complaint Investigation SUSTAINED that Respondent's use of lethal force was unreasonable. The subsequent Complaint Investigation initiated by the Victim's family, alleging Respondent's use of excessive force, reached a contradictory finding of UNFOUNDED; however, this investigation also appeared to focus on the moment Respondent used deadly force and did not consider the following relevant circumstances:

- Victim was contained - never closer than approximately 22 feet to any officer;
- Officers were positioned behind the cover of police vehicles;
- Victim only appeared to pose a danger to himself;[26]
- Once contained, Victim did not exhibit a demeanor that was particularly threatening, nor did he exhibit an intent to injure officers/others;
- State of Victim's mental/physical health, cognitive function and/or influence from alcohol or controlled substances;

[25] Attachment I (Respondent's Interview Transcript).

[26] California Penal Code section 835a(c)(2) states that "a peace officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person."

- OSC's rationale for delaying the deployment of other readily available less-lethal options.

During his LAPD Complaint interview, QUINTANILLA stated that he was scared when Victim walked towards officers, and that's when he decided the threat was imminent and he had to use deadly force. He further stated that Victim was going to cause death and that civilians were in harm's way. The Division opines that QUINTANILLA's statements were not supported by the collective facts at the time he utilized deadly force, nor were they supported in any showing in the FID investigation or subsequent Complaint Investigations. Again, LAPD's investigations collectively failed to consider all the relevant circumstances, starting with the Victim leaving his residence approximately 18 minutes before Respondent and QUINTANILA used deadly force.

At the moment QUINTANILLA chose to use deadly force, Victim was contained and had not exhibited an intent to harm bystanders or officers, attempted to avoid officers by entering the apartment building, nor had he used the knife to meaningfully injure himself. Approximately 13 minutes after responding to the incident, Victim stood up, took a few steps and then stopped. Victim was stationary, yet QUINTANILLA felt the threat was most imminent and required the use of deadly force. QUINTANILLA's use of deadly force appeared to be a sympathetic reaction to Respondent's initial use of deadly force.

Independent Subject Matter Expert Opinion

At the request of POST Executive Management, Rob Handy of Trichief Consulting Services was retained to provide an independent Subject Matter Expert (SME) opinion regarding the UOF incident involving LAPD Officers ZAVALA and QUINTANILLA. Handy is a policing executive with more than 35 years of comprehensive law enforcement experience, currently serving as the Director of Public Security for Grand Canyon University (GCU) in Phoenix, Arizona. Prior to that role, he served as the Chief of Police for the city of San Bernardino, California from December 28, 2011, to December 6, 2013, and the Chief of Police for the city of Huntington Beach, California from December 7, 2013, to October 16, 2020. In addition to reviewing thousands of UOF cases and hundreds of police shooting cases during his policing career, Handy has been retained as a SME to review police UOF incidents and policing practices and procedures nationwide.

On February 12, 2026,[27] based on a review of the reports, documents, audio recordings, photos and other evidence listed in the supporting-evidence section of this report, Handy concluded that given the totality of circumstances, the lethal force used by Officers Zavala and Quintanilla in this incident was not consistent with the requirements for use of deadly force in the California Penal Code, nor police officer training and standards in California. He further opined that the Victim's change in

[27] Attachment J (Trichief Consulting Service's Independent SME Report).

direction toward the two officers did not significantly change the circumstances to warrant a lethal response, and that the use of deadly force did not appear to be in response to an imminent threat as defined by the California Penal Code.

B. Summary of Findings

Based on a careful review of Respondent's, QUINTANILLA's, and other officer's BWV data, LAPD's Tactical Concept No. 11[28] (Edged Weapons), LAPD's Use of Force Policy[29], an evaluation of crime scene documentation, and a review of various sections of California Penal Code section 835a, Commission Regulation 1205(a)(3), in conjunction with recent case law, the Division assesses that both Respondent's and QUINTANILLA's belief that the Victim posed an imminent threat was not reasonable and that their application of deadly force was based solely on a perceived or future threat. BWV recordings depict the Victim standing up, taking four slow steps forward, turning, and then stopping. At no point did the Victim vocalize any intent to harm officer or others, attempt to leave the scene, conceal himself from officers, lunge, rapidly advance, or make any sudden or furtive movements towards officers or others that necessitated the use of deadly force.

While Victim certainly posed a threat to the community when he initially left his residence armed with a kitchen knife, the Division carefully considered all of the relevant circumstances during the approximately 18-minute incident and concluded that the threat was not imminent at the moment deadly force was utilized because the Victim was quickly contained, did not possess a particularly threatening demeanor and/or intent to cause injury to officers or others, and only posed a danger to himself. Officers were positioned between 22 and 30 feet from Victim and behind the cover of police vehicles during the incident. There were no bystanders positioned closer to the Victim than any officer and the occupants located inside the apartment building at [redacted] (behind Victim) had complied with officer's orders to remain inside the building with the door closed. Therefore, Respondent and QUINTANILLA failed to meet the standard set forth under California Penal Code section 835a(c)(2). Specifically, Respondent and QUINTANILLA's use of deadly force against the Victim was based on the danger the Victim posed to himself, not on an objectively reasonable belief that the Victim posed an imminent threat of death or serious bodily injury to themselves or another person.

Based on the totality of the evidence, the Division finds that reasonable grounds exist to refer this case to the Peace Officer Standards Accountability Advisory Board and the POST Commission for consideration of certificate revocation or suspension pursuant to California Penal Code section 13510.8.

[28] Attachment K (LAPD's Tactical Concept No. 11 - Edged Weapons)
[29] Attachment L (LAPD's Use of Force Policy - 10/2020 – 8/2022)

VI. Supporting Evidence

Evidence	Attachment
Executive Review and Division Recommendation	A
Respondent's EDI Profile	B
LAPD Report FID NO.064-21-Redacted	C
COP Intradepartmental Communication	D
CF No. 22-003418 Letter of Transmittal	E
CF No. 22-003757 Letter of Transmittal	F
Los Angeles City Council (Item No. 34) Motion to Settle	G
Federal Civil Complaint (Case No. 2:22-cv-07534-FLA-MAA)	H
Respondent's Interview Transcript	I
Trichief Consulting Service's Independent SME Report	J
LAPD's Tactical Concept No. 11 - Edged Weapons	K
LAPD's Use of Force Policy (10/2020 to 8/2022)	L