AGENDA ITEM REPORT

Title: FINAL DECISION / STATUS OF SETTLEMENT DISCUSSIONS - POST2302971 - GABRIEL MERCADO GAXIOLA (POST ID B49-S96)

REPORT PROFILE

MEETING DATE 12/03/2025	**BUREAU SUBMITTING THE REPORT** Legal Affairs Bureau	
RESEARCHED BY Carrie Woolley	**REVIEWED BY** Toby Darden	
REPORT DATE 11/19/2025	**APPROVED BY** Manuel Alvarez, Jr.	**DATE APPROVED** 11/19/2025
PURPOSE	**FINANCIAL IMPACT** No	

ISSUE, BACKGROUND, ANALYSIS, & RECOMMENDATION

ISSUE: The matter is before the Commission for review and action regarding a stipulated settlement agreement concerning the subject peace officer's certification status.

BACKGROUND: The Respondent began his employment with the Los Angeles Police Department (LAPD) on October 26, 1998, as a police officer and was promoted to the rank of sergeant on July 7, 2019. At the time of the incident, he was assigned as a full-time sergeant. Currently, the Respondent is employed with the LAPD as a sergeant. This position is a peace officer position as defined under California Penal Code section 830.1(a) and is required to be certified pursuant to California Penal Code section 13510.1(a).

On May 13, 2022, while off-duty, Respondent was arrested for driving while under the influence of alcohol. As an aggravating circumstance, Respondent had been previously arrested for driving under the influence of alcohol on July 10, 2016, for which Respondent received a misdemeanor conviction and 3 years of probation. On January 26, 2024, Respondent signed a Rehabilitation Agreement with the LAPD, which required him to complete certain specified terms in rehabilitation in return for the LAPD holding any disciplinary terms in abeyance. On February 9, 2024, Respondent pled no contest to the misdemeanor driving under the influence charge for his May 13, 2022 driving under the influence arrest, and was placed on probation for 60 months, ordered to install an ignition interlock device on his vehicle, and ordered to complete an 18-month

alcohol program.

On January 16, 2025, the Peace Officer Standards Accountability Advisory Board (POSAAB) recommended revocation of Respondent's peace officer certification, with the revocation stayed for 10 years, subject to a stipulated settlement agreement to be approved by the Commission. On March 5, 2025, the Commission reviewed and the Board's recommendation and adopted the Board's recommendation to revoke the Respondent's peace officer certification and impose a stay on the revocation but modified the stay of the revocation to 5 years, subject to a stipulated settlement agreement between Respondent and the Commission.

ANALYSIS:

On March 5, 2025, the Commission heard the case and passed a motion directing counsel to draft specified settlement terms and negotiate said terms with the Respondent based on the goals identified by the Commission.

Staff was able to reach an agreement on the proposed settlement in this matter and, as such, the matter is again before the Commission for a motion to adopt the settlement agreement and impose the terms and conditions on Mr. Gaxiola's peace officer certification status as set forth in the signed stipulated settlement agreement.

RECOMMENDATION:

If the Commission concurs, the appropriate action would be a **MOTION** to adopt the settlement terms as described in the staff report.

ATTACHMENT(S):

Stipulation _Gaxiola_Redacted.pdf