

**Non-Fatal Officer Involved Shooting of Edwin Pizarro**  
**Los Angeles County Sheriff's Department**

**Deputy Larry Aguilar, #642985**  
**Deputy David Sanchez, #537860**

**J.S.I.D. File #21-0373**



**GEORGE GASCÓN**

**District Attorney**

**Justice System Integrity Division**

**April 13, 2023**

## **MEMORANDUM**

TO: CAPTAIN ANDREW D. MEYER  
Los Angeles County Sheriff's Department  
Homicide Bureau  
1 Cupania Circle  
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION  
Los Angeles County District Attorney's Office

SUBJECT: Non-fatal Officer Involved Shooting of Edwin Pizarro  
J.S.I.D. File #21-0373  
L.A.S.D. File #021-11704-2611-057

DATE: April 13, 2023

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the September 11, 2021, non-fatal shooting of Edwin Pizarro by Los Angeles County Sheriff's Department (LASD) Deputies Larry Aguilar and David Sanchez. We have concluded that the deputies acted lawfully in self-defense and in defense of others.

The District Attorney's Command Center was notified of the shooting at approximately 9:03 p.m., on September 11, 2021. The District Attorney Response Team (DART) responded to the location and was given a briefing regarding the circumstances surrounding the shooting and a walk-through of the scene.

The following analysis is based on investigative reports, audio recordings, crime scene sketches, photographic and video evidence, and witness statements submitted by LASD Homicide Detectives Kasey Woodruff and Christian Mezzano. Compelled statements were not considered in this review.

### **FACTUAL ANALYSIS**

On September 11, 2021, at approximately 1:26 p.m., Pizarro was involved in an argument with his girlfriend [REDACTED] ([REDACTED]) at a soccer field in Lancaster. Upset by the encounter, Pizarro forcefully grabbed [REDACTED] car keys and cell phone and stated, "Now you're going to see who I really am." He then drove away in his own car (a white Chevrolet Tahoe), returned on foot a short time later, and stole [REDACTED] vehicle. [REDACTED] reported the incident to LASD.

During the investigation of Pizarro's robbery of [REDACTED] it was learned that Pizarro was a parolee. Pizarro's parole agent informed LASD personnel that Pizarro was required to wear an ankle monitor. Investigators were able to determine Pizarro's location using the ankle monitor and units were dispatched to detain him.

At approximately 7:30 p.m., Deputies Cory Anderson and Jose Gomez found Pizarro's Tahoe near 42<sup>nd</sup> Street West and Avenue L in Lancaster. The deputies pulled up behind the Tahoe and began to exit their car. Pizarro then started the Tahoe and sped away. A high-speed vehicle pursuit ensued. Pizarro headed westbound on Avenue L., ran several red lights, and merged onto the southbound 14 Freeway where he drove at a high rate of speed and veered through traffic. The pursuit was terminated for reasons of public safety. An LASD Aero Bureau unit continued to monitor Pizarro's movements from overhead.

Pizarro exited the freeway onto eastbound Palmdale Boulevard in Palmdale. Based on a belief that Pizarro might be headed to a residence in the neighborhood, Anderson and Gomez drove to an apartment complex near 250 East Avenue R. Pizarro repeatedly drove a one-and-a-half-mile route along Palmdale Boulevard, Tenth Street East, Avenue R, and Sierra Highway in Palmdale.

While Pizarro was eastbound on Avenue R, Aguilar and Sanchez deployed a spike strip and succeeded in puncturing both of the Tahoe's driver's side tires. The deputies re-entered their patrol car (unit 113B) to continue monitoring Pizarro's movement. Pizarro kept driving on flat tires.

Anderson and Gomez (unit 111G) saw Pizarro driving eastbound on Avenue R. As 111G approached, Pizarro accelerated and veered towards the unit. Anderson swerved to avoid being struck and conducted a U-turn that placed 111G eastbound behind and to one side of unit 113B.

Pizarro, who was at that moment eastbound on Avenue R conducted a U-turn. Pizarro accelerated westbound in the direction of units 111G and 113B. Aguilar saw Pizarro's vehicle headlights "rise" leading him to conclude that the vehicle was accelerating. Sanchez stated that he heard the Tahoe's engine being revved and saw the vehicle accelerate towards them. Aguilar said he could not back up because he did not know what was behind him. Aguilar did not feel he could turn to one direction or the other for fear that Pizarro would T-bone the patrol car. Aguilar decided that the safest thing to do was remain in position and trust their vehicle's airbags. Sanchez stated that he was afraid they were going to be killed.

In Aguilar's body worn video, he is heard to utter a profanity. A moment later, he fires his pistol one time through the windshield.



**Figure 1:** Still frame image shows Aguilar behind the wheel pointing his pistol prior to impact, with headlights of an approaching vehicle visible through the windshield.

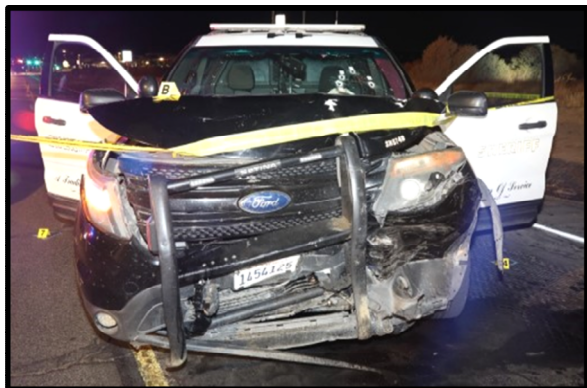
Aguilar told investigators that he fired the round when the Tahoe was approximately a car length away. Immediately following the gunshot, a loud bang can be heard on the video corresponding with the moment of impact.

A civilian cell phone video captured the moment a split second after the collision between the Tahoe and unit 113B.



**Figure 2:** This still frame from a cell phone video shows the two vehicles a split second following the collision.

Investigative photos taken at the scene confirmed that both vehicles involved in the collision sustained major front-end damage. Airbags on both vehicles deployed.



**Figure 3:** Image shows front end of unit 113B after the collision.



**Figure 4:** Image shows front end of Tahoe after the collision.

Aguilar, whose legs struck the dashboard during the collision, told investigators that he was unable to get out of the car. His knee hurt and he knew that he had sustained neck injuries as a result of whiplash. Looking through the windshield, he could see the Tahoe some distance away. Aguilar said that he heard Pizarro rev the Tahoe's engine. Trapped behind the wheel, and believing himself in danger, Aguilar stated that he attempted to fire another round, but his pistol jammed. Aguilar cleared and reloaded his weapon. Aguilar is seen on body worn video ejecting

one magazine and inserting another. Aguilar then fired three more rounds through his own windshield towards the Tahoe.

Sanchez stated that the impact of the Tahoe caused immediate pain to his right foot. Struck by the deploying airbag, he felt dizzy as though he had been punched. Sanchez opened the passenger door and stepped out of the car. He thought he heard Pizarro rev the engine and believed that Pizarro was about to ram them again. Realizing that his partner was not getting out of the patrol car and was vulnerable, Sanchez fired ten to twelve rounds at the Tahoe.



**Figure 5:** Still frame image from Sanchez' body worn video shows vantage point from where he fired at the Tahoe.

Aguilar can be heard on his own body worn video calling for a cease fire. After the shooting, Sanchez was unable to remain standing on his right foot and collapsed to the ground in pain.<sup>1</sup>

Anderson parked 111G behind the Tahoe. As he and Gomez exited the unit, they heard gunshots and saw glass breaking on the Tahoe's windows. Anderson and Gomez retreated to the back of their patrol car for cover. When the shooting stopped, Anderson observed Pizarro slumped over in the driver's seat of the vehicle. Utilizing the patrol car's public announcement system, Anderson called out to Pizarro, but Pizarro did not respond. Other LASD units in the area converged on the scene.

Aguilar had to be assisted out of the disabled patrol car. Deputies then formed an arrest team and approached the Tahoe. Deputies removed Pizarro from the vehicle. He appeared to be unconscious but had a pulse. Los Angeles County Fire Personnel arrived on scene and assessed Pizarro. Judging from body worn video of a deputy on scene, Pizarro had minor abrasions, but no visible signs of a gunshot wound or other serious injury. LACFD transported Pizarro to the Antelope Valley Hospital, where he was medically evaluated and cleared for release a few hours later.<sup>2</sup> Pizarro was then transported to the Lancaster Sheriff's station for booking.

After being booked, Pizarro was interviewed. During the interview, he admitted taking his girlfriend's vehicle, fleeing from deputies, and running red lights during a pursuit. Pizarro stated

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<sup>1</sup> Per Sanchez, he sustained broken bones in the right foot as a result of the collision. Medical records supporting this claim were not obtained as part of this investigation. Sanchez limps visibly on body worn video.

<sup>2</sup> No medical records were provided with the investigation report.

that deputies popped his tires with spike strips but that he kept driving for several minutes. Pizarro claimed that deputies drove right at him at one point, but that he could not stop because his tires were flat. He was uncertain whether he had been grazed by a bullet during the shooting.

Pizarro claimed that he tried to swerve out of the way of the patrol car that he struck but was unable to do so. When informed that a witness heard and saw his vehicle accelerate towards a patrol car, Pizarro explained that the Tahoe has “loud exhaust.” Asked if he was attempting to commit “suicide by cop,” Pizarro stated, “To be honest with you, I have tried that before.” He explained that in 2013, he tried to make the San Diego police shoot him by getting close to them and acting as if he had a knife. However, when asked again if he intentionally rammed the deputies, Pizarro claimed he attempted to swerve to the right to avoid the collision, but flat tires prevented his doing so.

Data from the Tahoe’s Event Data Recorder (EDR) was analyzed. The data showed that in the six seconds before impact the Tahoe accelerated from 11 to 32 miles per hour.

Four expended shell casings bearing Federal 45 Auto headstamps were located inside Unit 113B. A fifth casing with the same headstamp was located on the ground outside the driver’s side of the car. Aguilar’s service weapon, a Glock 41 .45 caliber, was inventoried and found to contain one live .45 caliber round in the chamber and nine live rounds in the affixed 13 round capacity magazine. Aguilar reported that he began his shift with the weapon fully loaded to include one round in the chamber and 13 rounds in the affixed magazine. Based on the round count, the magazine change, body worn video, and the number of expended shell casings, it appears that Aguilar fired either four or five rounds.<sup>3</sup>

Nine expended shell casings bearing FC 9mm Luger headstamps were located on the ground between the two patrol cars. Sanchez’s service weapon, a M&P 2.0 9mm, was inventoried and found to contain one live 9mm round in the chamber and five live 9mm rounds in the magazine seated in the weapon’s magazine well. Based on the round count, the casing count, and body worn video, it appears that Sanchez fired twelve rounds.

There were four bullet holes to the driver’s side of the patrol car windshield. There were three bullet holes to the windshield of the Tahoe. There were multiple bullet impacts to the passenger side of the Tahoe. Four bullets and multiple bullet jackets and jacket fragments were recovered from inside the Tahoe. A bullet impact was also observed on a nearby blue Jeep Compass that was parked along the south curb of East Avenue R, just southeast of the Tahoe.

On March 17, 2022, Pizarro entered pleas of no contest in case number MA081991 to two counts of assault on a peace officer in violation of Penal Code § 245(c) and one count of taking a

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<sup>3</sup> There is a discrepancy between the number of discernible shots fired in the body worn video and the number of .45 caliber shell casings found on scene, as well as between the number of rounds that Aguilar reported firing (four) and the number of .45 caliber shell casings found on scene (five). This discrepancy may result from an indiscernible discharge occurring at the moment the airbag deployed, a corresponding failure of a shell casing to eject from the weapon’s ejection port, and the possibility that Aguilar’s subsequent clear and reload ejected that casing. However, there are only four discernible holes to the windshield of 113B. It is possible that a round fired at airbag deployment was deflected off path by the airbag, or that one of the shell casings is unrelated to the shooting.



vehicle without owner's consent in violation of Penal Code § 10851. He was sentenced to 11 years in prison.

## LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if the person claiming the right actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. Penal Code § 197; *People v. Randle* (2005) 35 Cal.4<sup>th</sup> 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4<sup>th</sup> 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4<sup>th</sup> 1073, 1082; *see also*, CALCRIM No. 505.

A peace officer is justified in using deadly force upon another person when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary either to: (1) defend against an imminent threat of death or serious bodily injury to the officer or to 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. Penal Code § 835a(c)(1)(A) & (B).

A threat of death or serious bodily injury is imminent when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed. Penal Code § 835a(e)(2).

In assessing the totality of the circumstances, all facts known to or perceived by the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force, are taken into consideration. Penal Code § 835a(a)(4) & (e)(3). The peace officer's decision to use force is not evaluated with the benefit of hindsight and shall account for occasions when officers may be forced to make quick judgments about using force. Penal Code § 835a(a)(4).

The evidence in this investigation shows that Pizarro assaulted the deputies after leading them on a high-speed vehicle pursuit. Once contained, he accelerated his Tahoe to over 30 miles per hour and rammed an occupied patrol car head on causing injury to both deputies. Prior to being struck, Aguilar fired one round through the windshield. After being rammed, both deputies reported hearing what sounded like the Tahoe's engine again being revved. The sound caused them to believe that they were about to be assaulted again. Both deputies then fired at the Tahoe to prevent further attack.

Under these circumstances, an objectively reasonable peace officer could fairly conclude that Pizarro had the present ability, opportunity, and intent to cause immediate death or serious bodily injury to the deputies. Accordingly, it was reasonable for them to believe that it was necessary to use deadly force.

## **CONCLUSION**

We find that Deputies Aguilar and Sanchez acted in lawful self-defense and defense of others when they used deadly force against Pizarro.