

**Fatal Officer Involved Shooting of Leonardo Diaz
Torrance Police Department**

Officer Jason Bermudez #22149

Officer Arturo Castillo #22165

Officer Jesus Garcia #17566

Officer Cody Wissler #23204

J.S.I.D. File #24-0370



NATHAN J. HOCHMAN

District Attorney

Justice System Integrity Division

May 8, 2026

MEMORANDUM

TO: CHIEF ROBERT DUNN
Torrance Police Department
Special Operations
3300 Civic Center Drive N
Torrance, California 90503

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

SUBJECT: Fatal Officer Involved Shooting of Leonardo Diaz
J.S.I.D. File #24-0370
T.P.D. File #240045785

DATE: May 8, 2026

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the December 2, 2024, fatal shooting of Leonardo Diaz by Torrance Police Department (TPD) Officers Arturo Castillo, Jason Bermudez, Jesus Garcia, and Cody Wissler. We conclude the officers acted in lawful self-defense at the time they fired their service weapons, reasonably believing based on the totality of the circumstances, deadly force was necessary to defend against an imminent deadly threat.

The District Attorney's Command Center was notified of this fatal officer involved shooting at approximately 5:11 p.m. on December 2, 2024. The District Attorney Response Team was provided a briefing and walk-through of the scene.

The following analysis is based on investigative reports, recorded interviews, photographs, body worn camera video (BWV), and surveillance video submitted to this office by TPD Detectives on October 9, 2025. Compelled statements from the officers were not considered in this analysis.

INTRODUCTION

On December 2, 2024, Leonardo Diaz called 9-1-1 and told the dispatch operator he had a gun and wanted to shoot and stab someone before disconnecting the call.

TPD Officers Jason Bermudez, Arturo Castillo, Jesus Garcia, and Cody Wissler arrived at the location, assisted by an aerial drone unit.¹ Officers observed Diaz exit his car with bloody hands while holding an object. Diaz advanced toward the officers and refused multiple orders to drop the object. The officers believed Diaz was wielding a knife and fired multiple rounds, striking

¹ The officers were dressed in TPD uniforms with police patches, badges, and nameplates. The patrol cars were marked black and white patrol cars with light bars on the roof and insignia on the doors.

him in the torso. Paramedics arrived and pronounced Diaz deceased at the scene. The object held by Diaz was later determined to be a screwdriver.

FACTUAL ANALYSIS

At approximately 4:35 p.m. on December 2, 2024, Leonardo Diaz called the TPD Communications Division 9-1-1 line and hung up. Diaz called again at 4:41 p.m. He told the dispatch operator, “There’s a man with a gun at [REDACTED] Oregon Court . . . Outside the business. It’s me . . . I have a gun.” The dispatch operator asked, “Okay, well what’s going on man?” Diaz told the operator, “Ah, I’m gonna shoot somebody. I’m gonna stab somebody.” The operator asked, “How come? What’s going on? Why do you want to?” Diaz did not respond and disconnected the line.

The dispatcher notified TPD field officers, “[Reporting party] states there is a man with a gun. States he wants to shoot someone.” Officers attempted to re-establish phone contact with Diaz. Diaz answered his phone and immediately disconnected the line. At approximately 4:44 p.m., Officer Jeffrey Clark deployed an Un-manned Aerial System (UAS) drone to the location on Oregon Court. Officers Garcia and Wissler arrived approximately two minutes later.²

Employees at TPD conducted an inquiry on the cell phone number and determined the subscriber was Diaz, who was possibly employed at Apollo Scooters located at [REDACTED] Oregon Court Unit 5C. Castillo learned from neighboring businesses that Apollo Scooters had vacated the unit approximately one week prior and the unit was currently vacant.³

Surveillance footage from two businesses located on Oregon Court and Maple Avenue captured the incident. At approximately 3:41 p.m., Diaz arrived at the location in a Dodge Charger. Diaz exited his car and walked to the trunk, where he fell onto his back. Diaz laid on his back for approximately ten seconds before getting up and stumbling around the side of his car. Diaz fell again onto his back. He stood up and walked to the driver’s side door and got into his car. Diaz got in and out of his car several more times, walking to the back of the trunk and the front of his car before returning to the driver’s side seat. At 4:48 p.m., TPD officers arrived at the location.

Clark, using the UAS, observed and reported the door of the Charger was slightly open. At approximately 5:00 p.m. Castillo and Wissler ordered Diaz to open the driver’s side door and show his hands. Clark reported Diaz was exiting his car with a knife in his hand. Castillo could see an object in Diaz’s hand and broadcast Diaz had a knife over his radio. The officers gave multiple orders to Diaz to stop, drop the knife, and get onto the ground. Diaz refused to follow orders, and walked to where the officers were standing next to their patrol vehicles.

Officers Kevin High and his partner Samuel Choi arrived to assist. High told investigators he heard the dispatch call was for a “man with a gun . . . [who] wanted to shoot some people.” High was concerned about their safety at the location. High described Diaz as a “big guy” who was holding what appeared to High to be a metal knife or “prison shank.”⁴ (*Figures 1*)

² Wissler and Garcia’s patrol car had its emergency overhead red and blue lights activated during the incident.

³ Diaz was employed as a scooter technician prior to the business closing.

⁴ Diaz was six-foot, one inch tall and weighed two hundred and eighty-five pounds.



Figure 1: UAS Drone Footage Showing Diaz Approaching Officers Holding an Object (Yellow Circle) in His Hand.

High said when Diaz exited his car he could see “both of [Diaz’s] forearms, wrists, and hands, were bloody.” Despite hearing multiple loud commands to, “Drop the knife! Stop! Turn around!” High said Diaz ignored their commands and walked towards them like he wanted to “cause damage.” (Figure 2)



Figure 2: Wissler’s BWV Depicting Diaz as He Approached the Officers, Seconds Before Being Shot.

High described Diaz's demeanor as unresponsive and erratic, like a "zombie . . . [with a] vacant look in his eyes." High said, "I thought this guy wants to commit suicide." High recalled that they were told over the radio broadcast, "[Diaz] wanted to shoot some people. He was going to shoot people." High observed Diaz approach within ten feet of the officers before he heard shots fired. High saw Diaz fall and believed he was still holding a knife.

Choi told investigators when he exited his patrol car, he heard one of the officers asking for someone to "grab [a] less lethal [weapon]." Choi ran to the back to his car to get a 40mm Less Lethal Launcher. Choi said the officers gave commands, "Stop! Get on the ground!" and heard their voices become "elevated." Choi said, he believed, "the subject is approaching the officers and I need to get there. Choi said while he was at the back of his patrol car for approximately 30 seconds when he heard rounds fired. He did not witness the shooting.

The Torrance Fire Department responded to the location and began treating Diaz. Diaz was pronounced deceased at 5:15 p.m.

Witness Statements

Diaz's wife, [REDACTED], told Detective Erika Chance, "[Diaz] was going through some stuff . . . He was doing Nos . . . we have kids and I told him to stop."⁵ According to [REDACTED], Diaz had gone back to using it.⁶ She stated Diaz had been suffering from a long-term nitrous oxide addiction, and in recent months his behavior had become more erratic. According to [REDACTED], Diaz was admitted to Los Angeles General Medical Center in 2024, for medical issues related to long term nitrous oxide abuse.

On the morning of the incident, [REDACTED] took Diaz to a physician because Diaz was experiencing paranoia, hallucinations, and insomnia which had lasted for several consecutive days. The physician prescribed sleeping medication but did not put Diaz on a mental health hold.

Later in the day, Diaz told [REDACTED] he was going for a walk near his former place of employment. [REDACTED] said Apollo Scooters, where Diaz was previously employed, had laid Diaz off and closed the business approximately one week prior to the incident. [REDACTED] knew Diaz was at Apollo Scooters using their iCloud account. She attempted to call Diaz several times, however, Diaz never answered her texts or calls.

FORENSIC EVIDENCE

Autopsy

On December 4, 2024, Deputy Medical Examiner Edwin Partovi performed a post-mortem examination of Diaz's remains. Dr. Partovi observed six penetrating and three perforating gunshot wounds to Diaz's upper torso, and determined the cause of death was multiple gunshot wounds.

⁵ Nos is the street vernacular for nitrous oxide gas which is often stored in balloons and inhaled.

⁶ [REDACTED]

Dr. Partovi noted multiple self-inflicted wounds to Diaz's body including his upper extremities, the tops of his hands, his forearm, and arms. Dr. Partovi observed several of the laceration wounds were large horizontal cuts along Diaz's left and right inner wrists.

Dr. Partovi also observed clusters of puncture wounds to Diaz's neck and upper torso, and opined the dimensions of the puncture wounds were consistent with being inflicted by a screwdriver.

Toxicology

Dr. Partovi reported Diaz had a history of nitrous oxide abuse, resulting in paranoia and delusions. Additionally, he wrote, "Diaz had recently been seen at a medical center [on November 30, 2024] for altered mental status with a [sic] discharge diagnoses including psychosis and illicit substance abuse." Toxicology testing conducted at the time of the autopsy determined Diaz did not have any illegal substances or alcohol in his body at the time of his death.⁷

Criminalist Investigation

Photographs taken of Diaz's car and the surrounding pavement show a significant amount of blood in the form of drops and smears on the car from self-inflicted wounds. The inside of Diaz's car was bloody, with a pool of blood on the floorboards of the driver's seat. (*Figure 3*)



Figure 3: Pools of Blood inside Diaz's Car from Self-Inflicted Wounds.

⁷ According to the Center for Disease Control and Prevention (CDC), nitrous oxide, a psychoactive substance, can lead to severe neurologic, cardiovascular, and psychiatric harm to the body. The euphoric properties last only for a few minutes and the gas is exhaled out of the body without metabolism, making it difficult to detect in standard drug tests.

Firearm Analysis

Bermudez fired three rounds, Castillo fired two rounds, Garcia fired three rounds, and Wissler fired three rounds.

Diaz's Weapon

Criminalists identified the weapon Diaz held as a Husky flathead screwdriver.⁸ Additionally, they found a single razor blade covered in blood in the center console of the car. (Figure 4)



Figure 4: The Screwdriver Held by Diaz During the Incident Later Booked Into Evidence.

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 of self-defense or the defense of others actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. Penal Code section 197; *People v. Randle* (2005) 35 Cal.4th 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4th 1172, 4E-1201); *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082; see also, CALCRIM No. 505.

A prior threat or harm to the person or others can be considered when determining whether a person's conduct and beliefs were reasonable. CALCRIM No. 3470. A person is not required to retreat. He is entitled to stand his ground and defend himself and, if reasonably necessary, to pursue an assailant until the danger of death or bodily injury has passed. This is so even if safety

⁸ A screwdriver qualifies as a deadly weapon pursuant to Penal Code section 245(a)(1).

could have been achieved by retreating. The People have the burden of proving beyond a reasonable doubt that the person did not act in lawful self-defense or the defense of another. *Id.*

A peace officer is justified in using deadly force when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for either of the following reasons: (1) to defend against an imminent threat of death or serious bodily injury to the officer or another person; or (2) to 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 section 835a(c)(1)(A) &(B).

Deadly force shall be used “only when necessary, in defense of human life,” and officers “shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer.” Penal Code section 835a(a)(2).

“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. 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 section 835a(e)(2).

When considering 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 section 835a(a)(4) and (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 section 835a(a)(4).

The evidence supports a finding that Diaz carried out a plan to commit “suicide by cop” by forcing officers into using lethal force against him. Diaz called the TPD Communications Division 9-1-1 line and told the dispatch operator, “There’s a man with a gun at 2909 Oregon Court . . . Outside the business. It’s me . . . I have a gun.” Diaz told the operator, “Ah, I’m gonna shoot somebody. I’m gonna stab somebody.” Diaz did not respond and disconnected the line.

The dispatcher notified TPD field officers, “[Reporting party] states there is a man with a gun. States he wants to shoot someone.” According to family members, Diaz was distraught. He had lost his job, and despite pressure from his family had gone back to using nitrous oxide. As a result, he had been experiencing paranoia, hallucinations, and insomnia.

Surveillance video from the area shows Diaz drove to the location of his prior employment. The business was closed, and the unit was empty. Surveillance video shows Diaz walking around his car and repeatedly falling down. A significant amount of blood was observed outside of Diaz’s car. Additionally, large pools of fresh blood on the inside the car are evidence Diaz was cutting

his wrists with a razor and stabbing himself in the body and neck with the screwdriver, prior to the officers' arrival.

Pursuant to Penal Code section 245(1)(1), assault with a deadly weapon requires proof of an assault. California law defines assault as an unlawful attempt, coupled with a present ability to commit a violent injury on another person. Additionally, the subject must not only intend to commit a battery, but the subject must also have the present ability to do so. *People v. Webb* (2023) 90 Cal. App. 5th 660.

After stabbing and cutting himself, Diaz called 9-1-1 and told the operator, "*I'm gonna shoot somebody. I'm gonna stab somebody.*" Diaz's own statements created a heightened sense of anxiety and stress in the responding officers, who were concerned for the community and their own safety because Diaz was unambiguous in his threats to cause great bodily injury to someone.

When the officers arrived, they could see Diaz left hand was bloody and he was holding an object in his right hand when he exited his car. The object Diaz held was a metal screwdriver, capable of being used as a deadly weapon. Despite their elevated voices and multiple orders commanding him to stop walking and drop the weapon, Diaz refused and came within ten feet of the officers before he was shot. Officers described Diaz's demeanor as he walked towards them as unresponsive and like a "zombie." When Diaz came within ten feet of the officers, he had the present ability to assault them because he was close enough to them to be able to quickly close the distance between them and stab one of them.

While the officers could not clearly see the weapon in Diaz's hand, Choi believed it was a knife and High described Diaz as holding what appeared to be a metal knife or "prison shank." Additionally, Diaz was dressed in a long black shirt which covered the waistband of his pants. From the officers' perspective, there was no way to determine whether Diaz was concealing a handgun.

When Diaz moved within ten feet of the officers, refusing to stop, and holding a deadly weapon in his hand, he was in a position to carry out an assault and inflict injury on the officers. Therefore, it was reasonable for them to believe Diaz intended to carry out his plan to "*stab or shoot someone*" and he posed an imminent deadly threat.

Based on the totality of the circumstances, Officers Castillo, Bermudez, Garcia, and Wissler reasonably believed that deadly force was necessary to defend themselves and others against an imminent threat of death or serious bodily injury.

CONCLUSION

For the foregoing reasons, we find that Officers Castillo, Bermudez, Garcia, and Wissler acted lawfully in self-defense when they used deadly force against Leonardo Diaz.