

Fatal Officer Involved Shooting of Enrique Ruiz
Los Angeles Police Department

**Officer Jorge Trejo, #41045,
Officer Christian Williams, #44635**

J.S.I.D. File #21-0549



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

June 5, 2023

MEMORANDUM

TO: CAPTAIN RICH GABALDON
Los Angeles Police Department
Force Investigation Division
100 West First Street, Suite 431
Los Angeles, California 90012

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

SUBJECT: Fatal Officer Involved Shooting of Enrique Ruiz
J.S.I.D. File #21-0549
F.I.D. File #F067-21

DATE: June 5, 2023

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the December 26, 2021, fatal shooting of Enrique Ruiz by Los Angeles Police Department (LAPD) Officers Christian Williams and Jorge Trejo. We conclude there is insufficient evidence to prove the officers did not fire their weapons in lawful self-defense.

The District Attorney's Command Center was notified of this shooting on December 26, 2021, at approximately 7:18 p.m. The District Attorney Response Team responded to the location. They were given a briefing and walk-through by LAPD personnel.

The following analysis is based on dashboard camera video (dash cam), body worn camera video (BWV), cell phone video, witness statements, and reports. The involved officers did not provide voluntary statements, and their compelled statements, if any exist, were not considered. These materials were submitted to this office by the LAPD Force Investigation Division.

INTRODUCTION

On December 26, 2021, at approximately 5:56 p.m., a Chevron station employee called 9-1-1 to report a man that entered the station covered in blood with injuries to his neck. Fire department paramedics responded and requested police assistance when the man, later identified as Enrique Ruiz, refused aid and indicated that he had inflicted several knife wounds to himself, according to dispatch records and fire department personnel statements. Fire personnel did not see any weapon upon initially encountering Ruiz. Uniformed Officers Williams and Trejo arrived in a marked police car and pulled behind Ruiz's sedan, parked in the Chevron parking lot.

According to multiple videos, Ruiz, who had been seated in his car's driver seat with the door closed, immediately exited the car, holding a knife in his right hand. Both officers exited their car, drew service pistols, and positioned behind, respectively, the front driver and passenger doors. They repeatedly yelled for Ruiz to stop and to drop the knife.

He ignored their commands and slowly walked to the front bumper of the patrol car with both arms outstretched from his sides, saying “shoot me,” gripping the knife blade-down in his fist. Ruiz continued toward the passenger side of the car, where Trejo stood. As Ruiz walked to within approximately eight feet of Trejo, still gripping the knife, Williams fired two rounds, hitting Ruiz twice. Trejo fired and hit Ruiz once, as he twisted away from Trejo, knife still in hand, and fell to the ground.

Ruiz suffered three gunshot wounds. He was transported by ambulance to the hospital, where he was pronounced dead, at 6:48 p.m.

FACTUAL ANALYSIS

Video Footage

Williams and Trejo were the only officers at scene when the shooting occurred. The incident was recorded by the officers’ BWV, patrol car dash cam, and a bystander’s cell phone. About one minute and ten seconds elapsed between Ruiz exiting his car and Officer Williams’ first shot.

Dash Cam

Dash cam footage shows the officers drive into the Chevron parking lot and stop approximately a dozen yards behind Ruiz’s black sedan. Several fire department personnel stand near Ruiz’s driver door. Ruiz opens the driver door and exits. He is bleeding from apparent self-inflicted knife wounds to his neck and abdomen. Fire personnel back away. Ruiz faces the officers with both arms outstretched from his sides; a large butcher knife dangles from his right hand fingers, blade down. He places a firmer grip around the knife handle, still pointing the blade down. After standing near his car for about 50 seconds, Ruiz slowly walks to the front middle of the patrol car. Both officers repeatedly yell for him to stop and to drop the knife. He ignores them. He makes unintelligible utterances. Ruiz reaches the front of the car in about 14 seconds and pauses. His arms remain outstretched. He turns and slowly walks toward the car’s passenger side, where Officer Trejo stands behind the open front door. Two seconds later, three shots are heard, spaced less than one half second apart. Ruiz grabs his chest and falls out of view between the second and third shots.



Figure 1: Dash cam still; Ruiz faces officers, gripping butcher knife in right hand.



Figure 2: Ruiz walks toward passenger door after pausing in front of car, seconds before shooting.

BWV

As Ruiz turned and began to walk toward Trejo, on the passenger side of the patrol car, Williams' BWV recorded Williams fire two shots at Ruiz. Trejo is seen in his BWV standing and pointing his weapon behind the open passenger door as Ruiz walks toward the front of the patrol car. Trejo rolls down the passenger window. After Ruiz pauses and begins walking toward him, Trejo steps out from behind the passenger door. Williams' shots are heard. Ruiz, apparently hit, staggers and spins away from Trejo, who fires one shot, less than one second after Williams' last shot, as Ruiz falls to the ground. Using the video footage, investigators estimate Ruiz was eight feet from Trejo at the time of Williams' shots.



Figure 3: BWV still; Williams (driver side) points weapon at Trejo just before firing two shots.



Figure 4: BWV still; Ruiz walks toward Trejo (passenger side) just before Williams fires.



Figure 5: Ruiz falling to ground just before Trejo fires weapon.

Cell phone video

An apartment resident filmed the incident through a second story window that overlooks the station parking lot. As Ruiz walks toward the patrol car, the resident says, “He’s saying to shoot him” (referring to Ruiz). According to the footage, Williams held his fire until just after Ruiz turned in Trejo’s direction and stepped toward him, as Trejo moved out from behind the passenger door.

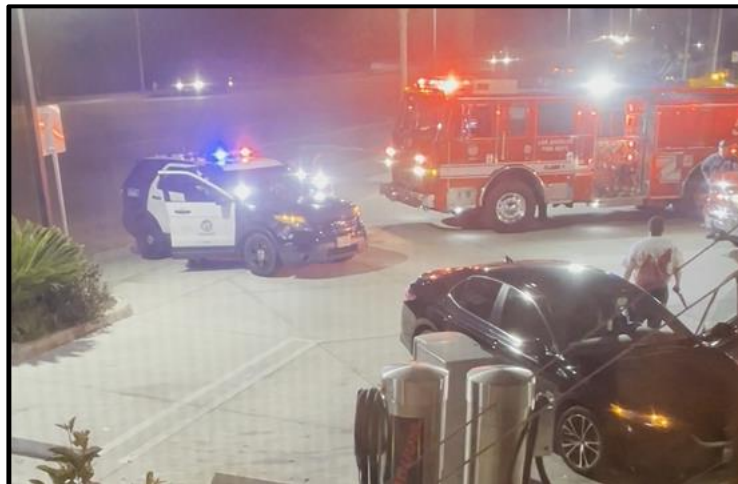


Figure 6: Cell video still; Ruiz stands holding knife before he walks toward officers.



Figure 7: Ruiz reaches front of patrol car.



Figure 8: Williams' first shot.

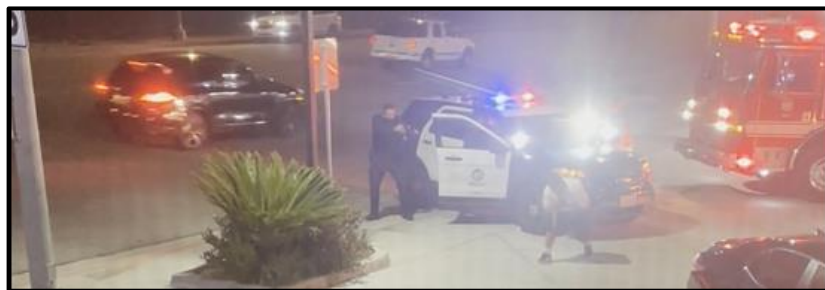


Figure 9: Trejo's shot.

Witness Statements

The Chevron employee who called 9-1-1 told investigators that Ruiz entered the station store covered in blood and approached the cash register. He opened his mouth but no words or sounds were audible. She asked him if he wanted her to call the police; he nodded "yes," then walked out of the store.

Fire personnel told investigators that when they responded to the scene, Ruiz ignored their instructions and attempts to render aid. He entered his car and rolled up the window. They did not see a weapon but called for police assistance. Ruiz eventually rolled down his window. It appeared to fire personnel that his vocal cords were severed.

Ruiz communicated to them that his injuries were self-inflicted and his “intent was to kill himself.”¹ They believed they were developing a “rapport,” but “a soon as” the officers arrived, Ruiz grabbed a knife and exited the car. One fire personnel opined: “He wanted the police to show up. ... [H]e walked towards the cops with the intent to have them shoot him.”

Evidence Collected



Figure 10: Ruiz's knife.

Dispatch Records

According to dispatch records, at 5:56 p.m., the Chevron employee called 9-1-1 and reported a man, later identified as Ruiz, who had possibly been stabbed, covered in blood, with “a hole in his neck.” At 6:05 p.m., the fire department requested police backup for a “combative subject,” who had “slit his throat.” It was unknown if he possessed a weapon. Williams and Trejo were dispatched to the call at approximately 6:06 p.m. and arrived on scene approximately four to five minutes later, according to records.

Autopsy

On December 30, 2021, Doctor Juan Carrillo of the Los Angeles County Coroner’s Office performed an autopsy of Ruiz’s remains. Dr. Carrillo ascribed the cause of death to multiple gunshot wounds. Contributing to but not related to the immediate cause of death were multiple “sharp force” injuries.

Ruiz suffered three fatal gunshot wounds. In no particular order, gunshot wound number one penetrated the right upper chest, traveled front to back, right to left, and punctured both lungs. Gunshot wound number two penetrated the right posterior shoulder, traveled back to front, right

¹ Although Ruiz’s vocal cords were severed, based on footage and witness statements, he was capable of some muffled speech.

to left, and punctured the esophagus and heart. Gunshot wound number three penetrated the right side of the torso, traveled back to front, right to left, and punctured the diaphragm and liver.

Additionally, Dr. Carrillo observed thirteen apparent knife wounds to Ruiz's neck and abdomen. One neck wound ran "across the neck at a depth of approximately 1 inch ... exposing the vocal cords within the thyroid cartilage." (The jugular veins and carotid artery were undamaged.) Dr. Carrillo deemed the wounds to Ruiz's neck—eight in total—to be self-inflicted and "cumulatively fatal."

THE LAW

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 to 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. 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 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) & (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).

LEGAL ANALYSIS

Ruiz arrived at the Chevron station bleeding from several self-inflicted knife wounds, including a one-inch-deep wound across his neck that exposed his vocal cords. He indicated to a Chevron employee a desire for police assistance. Fire personnel arrived and tried to render aid, but Ruiz retreated to his car and declined their offers. According to fire personnel witnesses, upon the police car's arrival, Ruiz immediately retrieved a knife, exited his car, and walked toward the officers. These circumstances corroborate the opinion of one witness, that Ruiz "walked toward the cops with the intent to have them shoot him."

According to multiple videos, Ruiz held the knife in a manner that would allow him to use it as a stabbing weapon: full fist grip, blade pointed down.

He closed the distance between his car and the front of the police car in about 14 seconds. He paused for a second or two then turned and walked toward Trejo, who had just repositioned by stepping out from behind the passenger door (apparently to avoid being cornered). The cell phone video, in particular, shows that Williams held his fire until Ruiz was within about eight feet of Trejo, and about to break the plane of the front of the car and breach the passenger side. Ruiz was saying “shoot me.” Just behind both officers was a busy four lane roadway with fast moving traffic (apparent from the video footage).

These circumstances suggests that Ruiz, already grievously injured and apparently desperate, intended to force the officers to shoot him by advancing toward them until (literally) within striking distance if they did not forcibly halt his advance.

However, while the above circumstances point to a dangerous and unpredictable situation, the officers stood with pistols drawn, behind car doors, for 50 seconds as Ruiz stood stationary near his car before he walked toward them. According to the footage, he approached slowly, with an unsteady gait, and was visibly injured, suggesting a weakened condition. There is no evidence from the BWV that the officers during this time considered less lethal resources. And while, as outlined above, Ruiz appeared intent to force the officers to shoot, there may be some question whether Ruiz was an *imminent* threat at the particular moment the officers chose to fire—whether Ruiz, as he stood at the front of the car, injured and moving slowly, had the *present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury* to the officers.

The law imposes no duty to retreat—on officers or civilians—and with a busy roadway at their back, it is unclear Williams or Trejo could have done so safely. Neither is it clear less lethal resources would have been safe or feasible given Ruiz’s behavior and physical condition.

Accordingly, considering the totality of the circumstances known to the officers at the time, taking account that they were forced to make quick judgments without the benefit of hindsight, because Ruiz ignored all commands to stop and drop the knife and walked to within eight feet of Trejo before the officers fired, there is insufficient evidence to prove beyond a reasonable doubt that their decision to use deadly force was not reasonable and necessary.

CONCLUSION

For the foregoing reasons, we find insufficient evidence to prove beyond a reasonable doubt that Officers Williams and Trejo did not act in lawful self-defense when they used deadly force against Enrique Ruiz.