

**Non-Fatal Officer Involved Shooting of Francisco J. Alva
Los Angeles Police Department**

Officer Jason Pedroza, #39723

J.S.I.D. File #23-0416



NATHAN J. HOCHMAN

District Attorney

Justice System Integrity Division

February 18, 2026

MEMORANDUM

TO: CAPTAIN OMAR BAZULTO
Los Angeles Police Department
Force Investigation Division
100 West First Street
Los Angeles, California 90012

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

SUBJECT: Non-Fatal Officer Involved Shooting of Francisco J. Alva
J.S.I.D. File #23-0416
L.A.P.D. File #F068-23

DATE: February 18, 2026

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the November 30, 2023, non-fatal shooting of Francisco J. Alva by Los Angeles Police Department (LAPD) Officer Jason Pedroza. We have concluded the totality of the circumstances support a reasonable belief that deadly force was necessary to defend himself and others against an imminent deadly threat.

The District Attorney's Command Center was notified of the shooting at 8:00 p.m. on November 30, 2023. The District Attorney Response Team (DART) responded and was given a briefing and walk-through of the scene by LAPD Force Investigation Division (FID) Lieutenant Anthony Ljubetic.

The following analysis is based on radio calls, body worn camera video (BWV), investigative reports, and witness interviews submitted to this office by Ljubetic on January 23, 2025. Compelled statements were not considered in this review.

INTRODUCTION

On November 30, 2023, at approximately 2:30 p.m., LAPD North Hollywood officers responded to an assault with a deadly weapon call at Sal's Liquor, located at 7552 Laurel Canyon Boulevard. Francisco J. Alva had entered the liquor store, threatened to kill the cashier, and shattered a plexiglass divider, causing injuries.¹ Alva fled the store but remained nearby exhibiting erratic behavior. Officers responded to the location. Alva refused to comply with officers' commands and confronted them while armed with a hammer. The hammer had a 12-

¹ Alva was subsequently charged in case 23VWCF00116 with one count of Penal Code § 245(c), assault with a deadly weapon on a peace officer; one count of Penal Code § 422(a), criminal threats; one count of Penal Code § 594(a), vandalism; and one count of Penal Code § 417.8, brandishing a weapon. A doubt was declared pursuant to Penal Code § 1368 on January 9, 2024. Alva was granted community-based restoration diversion on January 21, 2026, with court supervision. A progress report is currently set for February 20, 2026, in Department 103 (HW).

inch wooden handle with a two-inch metal hatchet blade on one end, and a hammer head on the other. Despite repeated verbal commands and the deployment of multiple less-lethal weapons, including a Taser, Alva advanced undeterred at an increasingly rapid pace toward Pedroza. When Alva was within five to ten feet of Pedroza—extending the hammer near his head and shouting, “Shoot it!”—Pedroza fired four rounds, striking Alva twice in the abdomen and once in the thigh. Alva continued to advance toward Pedroza with the hammer extended. Pedroza fired a fifth round, causing Alva to stop. Alva was taken into custody and transported to Holy Cross Hospital for treatment.

FACTUAL SUMMARY

On November 30, 2023, at approximately 1:59 p.m., Store owner [REDACTED] (Sal’s Liquor), called 9-1-1. [REDACTED] reported his employee, [REDACTED], was attacked and injured by a male suspect who was currently across the street from his establishment. Hanna advised an ambulance was not needed. As a result of the reported attack, a radio call was generated.

At 2:32 p.m., uniformed LAPD North Hollywood Patrol Officers William Johnston and George Ramirez arrived on scene in a marked patrol vehicle and met with [REDACTED] in the parking lot of Sal’s Liquor. [REDACTED] told the officers Alva attacked [REDACTED] and threatened to kill him. [REDACTED] advised [REDACTED] was afraid to defend himself due to concerns about potential injury or getting into trouble for engaging with Alva. [REDACTED] said Alva used a stick and shattered the plexiglass partition located on the store counter next to the cash register. Johnston and Ramirez told [REDACTED] they would take a report, speak with Alva, and instruct him not to return to the store or he would be arrested for trespassing.

The officers were standing by their police vehicle completing the Investigative Report (IR) when Alva approached them carrying beverage cans and a drywall hammer. Alva began speaking unintelligibly. Ramirez advised Alva in Spanish not to return to the store. Alva became agitated and forcefully stated, “No, never you say, you are coming right here. All of the country, this is mine. Listen to me, Sal’s Liquor, they are my family. They are (unintelligible).” Ramirez continued to inform Alva in both English and Spanish the store employees did not want him to return to the location. Alva interrupted, telling Ramirez “I could put you down in a (unintelligible),” then told Ramirez to be quiet and briefly walked away, back across the street.²

Due to Alva’s erratic behavior and possession of the drywall hammer, officers requested additional units. Ramirez’s BWV captured the officers’ discussion regarding Alva’s behavior, expressing uncertainty as to whether Alva was intoxicated or suffering from mental illness. The officers continued to monitor Alva as they waited for additional units to arrive. The officers

² Ramirez’s BWV shows Alva shouting unintelligibly, stating he could “put you down,” while brandishing a hammer in a threatening manner toward the officers. Shortly thereafter, Alva briefly walks away, and Johnston is heard stating, “That was a little too close for comfort.”

intended to advise Alva to leave the area and not return to the store. Ramirez later told investigators Alva was “hitting the hammer against the pole, just yelling constantly.”³

Officers Elizabeth Atwater, Lizbeth Luna, Jason Pedroza, Rudolph Rivera, Joe Gonzalez, John Kim, and Sergeant Dominic Primo responded to the additional unit request.

Sergeant Primo contacted North Hollywood Patrol Division Watch Commander Sergeant Cameron Kim, and advised him of the incident and their intention to leave the location. At approximately 3:35 p.m., Johnston called the Mental Evaluation Unit, discussed the situation, and was informed circumstances appeared too “weak” for a mental health hold of Alva.

Ramirez directed Alva in Spanish to gather his belongings and leave. BWV footage shows Alva instead rapidly walking into the street, while holding the drywall hammer in his left hand, yelling at officers. Several officers command Alva to, “Stay there!” in both English and Spanish.

Primo directed officers to get less-lethal equipment, and assigned Johnston as the Designated Cover Officer (DCO). Officers retrieved both a 40mm less-lethal launcher (40mm LLL) and beanbag shotguns. Officers positioned themselves to block both vehicular and pedestrian traffic from Alva’s location.⁴

Officers’ Shawn Smith and Wessam Ismail arrived as an additional unit and parked their vehicle south of the officers in the traffic lanes, to stop vehicle traffic from proceeding north on Laurel Canyon Boulevard. Upon gaining control of traffic, Ismail retrieved a 40mm LLL from his vehicle.

Gonzalez and Luna yelled commands as Alva walked toward them, directing him to stop and put the hammer down.

Luna used the patrol vehicle’s public address (PA) system to communicate with Alva in Spanish, directing him to put the hammer down and leave the area. Alva refused to comply, continuing to yell at the officers while holding the hammer. Luna told investigators she exited her patrol vehicle and attempted to engage Alva in conversation, to build a rapport and de-escalate the situation.

Gonzalez attempted to engage with Alva, who initially appeared to comply by placing the hammer on the sidewalk. Gonzalez and Luna were standing in the street when Gonzalez directed Alva to come talk with them. Instead, Alva picked up the drywall hammer from the sidewalk and rapidly walked toward the officers, holding the hammer raised at chest level.⁵ BWV captured the officers repeatedly commanding Alva to stop and put the hammer down, however, Alva ignored their commands and continued to walk toward them. Alva held the hammer near his head in his left hand, while extending his right arm out in front of himself, pointing his index finger at the officers and aggressively shouting, “Shoot It!

³ On Ramirez’s BWV at 1506:12 hours, a metallic banging sound can be heard. At 1513:27, the BWV depicts Alva on the west sidewalk striking a concrete light pole with the drywall hammer. Alva can also be heard yelling.

⁴ The incident occurred on a weekday on Laurel Canyon Boulevard, with active pedestrian and vehicular traffic.

⁵ YouTube video posted on the internet by member of the public.

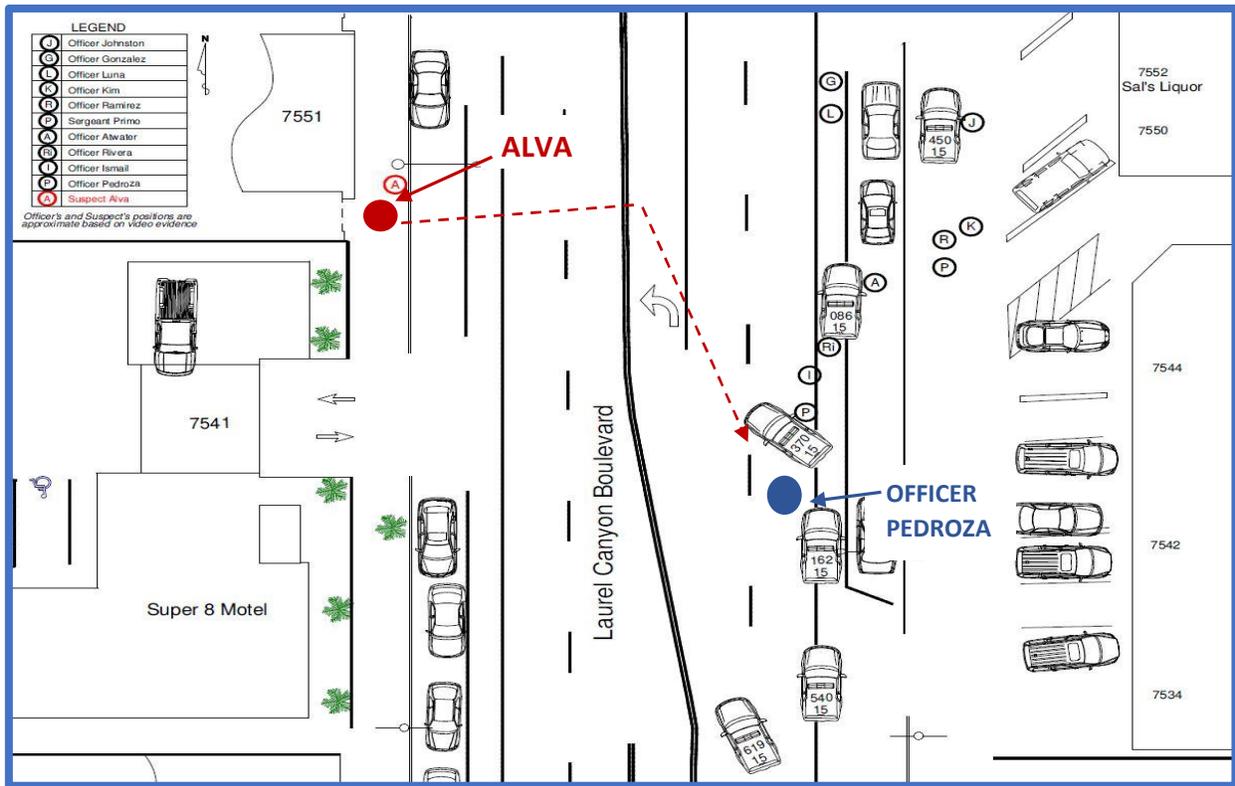


Figure 1-Diagram Depicting Position of the Officers and Alva as Alva Advanced toward Pedroza.

Primo yelled, “Hit him with the 40!”

Atwater fired a 40mm LLL round from an approximate distance of 35 feet in a westerly direction. The round struck Alva in the abdomen area but had no effect.

Rivera’s BWV shows Rivera yelling the announcement, “Beanbag! Beanbag! Beanbag!” before firing a beanbag super-sock round from an approximate distance of 25 feet in a northwesterly direction. The round strikes Alva in the abdomen area but is ineffective. The BWV shows Alva continuing toward the officers as he points his right index finger in the direction of Rivera and Ismail. Rivera fires a second beanbag shotgun round from an approximate distance of 20 feet. The round strikes Alva in the abdomen area but is ineffective. Ismail yells, “Drop it! Drop it!”

Rivera told investigators, “They’re still trying to talk to him a bit and then he looks -- he looks at us, and I want to describe it as acquiring me and my partner (Pedroza) as a target. Like he looked at us and just was like -- the determination in his eyes was like okay. I’m coming this way and he did.”

Gonzalez fired two additional beanbag super-sock rounds from an approximate distance of 25 feet. One round struck Alva in the left chest area but was ineffective. Alva moved the drywall hammer from his left hand to his right hand as he continued to walk toward Rivera and Ismail.

Ismail yelled, “Forty stand by! Forty stand by!” and fired a 40mm LLL round from an approximate distance of 35 feet. The round struck Alva in the abdomen area but was ineffective. Alva changed directions away from Gonzalez but continued toward other officers at an increased pace.



Figure 2-Still Frame from You Tube Video As Alva Retrieved the Hammer and Began Rapidly Advancing and Shouting.

Johnston exited his patrol vehicle, unholstered his Taser, yelled, “Taser! Taser!” and fired his Taser from an approximate distance of 20 feet. The Taser probes struck Alva, however, appeared to have no visible effect. Alva continued walking in a southern direction toward the officers while holding the drywall hammer at chest level.

Officers continued giving commands to Alva drop the hammer. Alva refused and continued advancing toward the officers. Alva had the hammer raised in his left hand and pressed against his chest as he pointed his right finger at the officers.

Rivera fired a third super-sock round from the beanbag shotgun, from an approximate distance of 15 feet in a westerly direction. The round struck Alva in the abdomen area but was ineffective. Officers continued yelling, “Back up! Back up! Back up!” Officers moved back onto the sidewalk to increase distance between themselves and Alva, however, he continued moving toward the officers.

Ismail was standing next to the east curb in the street and to the left of Pedroza when he fired a second 40 mm LLL round from an approximate distance of 15 feet. The round struck Alva in the abdomen area but was ineffective.

Ismail told investigators he fired the second round to stop Alva, who was aggressively approaching him and Pedroza with a weapon. Rivera and Ismail backed away from the police vehicle and onto the east sidewalk.

Atwater was on the east sidewalk when she fired a second round from the 40 mm LLL, from an approximate distance of 15 feet away. Based on the BWV, it is unclear where Alva was struck, however, the round appeared ineffective. Alva continued advancing.

Atwater told investigators, “So he started to cross the street and walk in our direction of all the officers. At that point he was approximately 25 feet away from me...he had the weapon in his hand that was held with a –like the blade end toward us, as well as parallel to the ground. And he continued to advance toward us, and so I deployed the 40 less-lethal to his navel area. It hit him in the navel area and was ineffective (sic).” Atwater told investigators she deployed the second round because “he was still advancing toward the officers...” She said Alva “didn’t just cross the street straight. He crossed the street straight toward Pedroza and he was making eye contact with Pedroza as far as what I could see, and he just kept on advancing toward him and nobody else.”⁶

Because Alva continued advancing while holding the hammer, Atwater and Ramirez unholstered their respective pistols and held them in a low-ready position, believing the situation could escalate to a use of deadly force.

Following Rivera’s third round, Pedroza yelled, “Back up!” Alva instead walked at a rapid pace toward Pedroza, pointing his right index finger at him. Alva transitioned the hammer from his left hand to his right hand and said, “Shoot it!” as he held the hammer raised at shoulder level with the bladed side facing Pedroza. Pedroza’s BWV depicts Alva walking at an increasing pace toward Pedroza holding the hammer in his right hand at chest level as he repeats, “Shoot it!” Pedroza repeatedly yells, “Back Up!” Alva continues to advance, however, closing the distance between them.

At approximately 1538:14 hours, Pedroza attempts to create distance between himself and Alva by stepping backward. Alva, however, continues to advance aggressively and without hesitation. Pedroza, maintaining a two-handed grip on his pistol, fires four rounds in rapid succession over a two-second period in a northern direction from an approximate and decreasing distance of ten to four feet. Alva is struck in the abdomen and right thigh. The third round strikes the wooden handle of the of the hammer, causing a portion of the handle to break off. (*Figure 3*).

Alva continues to move forward. Pedroza steps backwards, holds his pistol in a single hand grip with his right hand and fires a fifth round.

⁶ Atwater’s statement, Page 9, lines 21-25 to Page 10, Lines 1-7

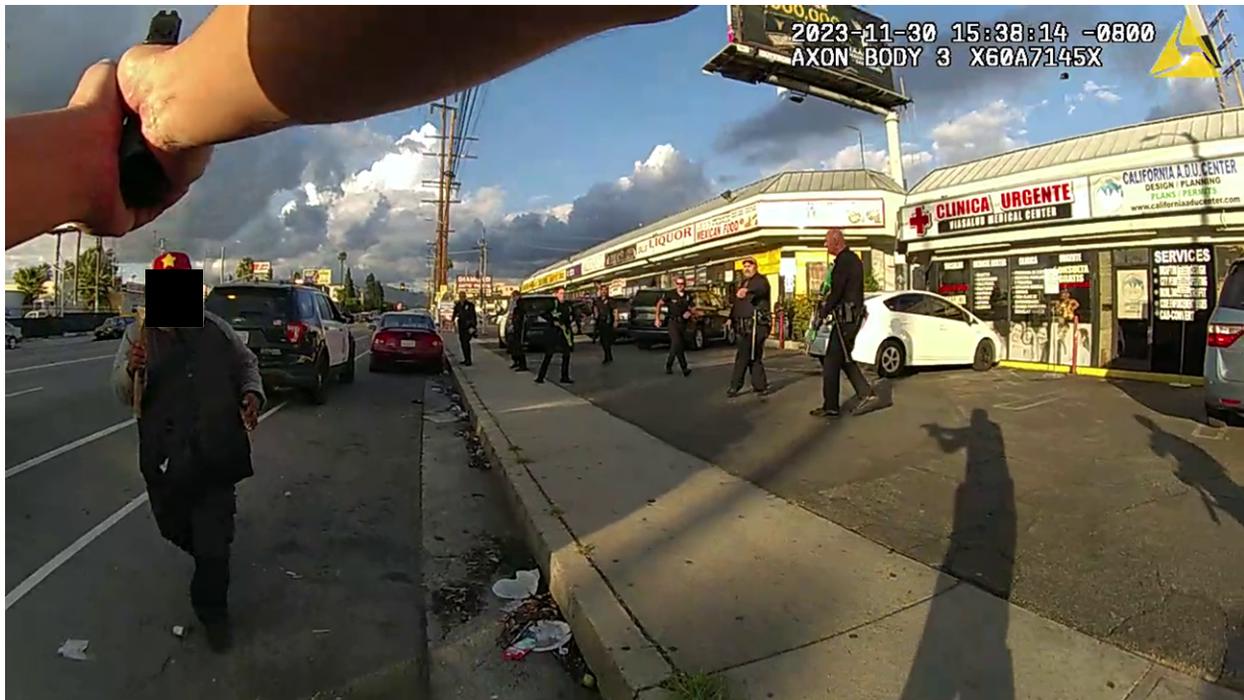


Figure 3-Still Frame Photograph from Pedroza's BWV of Alva Advancing Prior to First Round Being Fired.

Based on the video footage, investigators determined Alva was approximately four feet away and closing in when Pedroza fired the fifth round from his service weapon.

Pedroza's BWV shows Alva falling to his knees while still holding the hammer in his right hand, with his arm fully extended above his shoulder pointing the hammer at Pedroza after Pedroza's fifth round.

Alva was taken into custody. Atwater stepped on the hammer to secure it. Rivera removed a screwdriver from Alva's right front pants pocket. Johnston recovered a folding knife from Alva's left front pants pocket.



Figure 4- The Hammer in Alva's Possession; Screwdriver Found in Alva's Left Pant Pocket; Knife Found in Alva's Right Pant Pocket

FORENSIC EVIDENCE

Alva's Weapons

Alva was armed with a drywall hammer. The hammer had a two-inch hatchet blade on one end, a hammer head on the other end, and a twelve-inch wooden handle. Alva was also in possession of a screwdriver and a folding knife.

Ballistics

Pedroza was equipped with an LAPD department-issued, Glock, Model 22, .40 caliber, semi-automatic service pistol. Pedroza fired a total of five rounds from his service weapon.

Less-Lethal Weapons

A total of eleven less-lethal rounds were deployed in efforts to stop Alva. The less-lethal deployments were ineffective, due in part to the multiple layers of clothing worn by Alva, which diminished the impact and effectiveness.

Atwater was equipped with an LAPD department-issued 40mm LLL. Atwater fired two less-lethal sponge rounds during the incident which were ineffective.

Ismail was equipped with an LAPD department-issued 40mm LLL. Ismail fired two less-lethal sponge rounds during the incident.

Gonzalez was equipped with an LAPD department-issued beanbag shotgun. Gonzalez fired two super-sock rounds during the incident.

Rivera was equipped with an LAPD department-issued beanbag shotgun. Rivera fired three super-sock rounds during the incident.

Johnston was equipped with an LAPD department-issued Taser 7. Johnston executed two trigger activations during the incident.

Injuries

Alva was treated for gunshot wounds to his abdomen and right thigh.

Toxicology

Toxicology testing identified the presence of alcohol, stimulants, and depressants in Alva's system at the time of his treatment at Holy Cross Medical Center.

LEGAL ANALYSIS

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 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 §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 §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 §835a(e)(2).

“The decision by a peace officer to use force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances, known to or perceived by the peace officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force.” Penal Code §835a(a)(4) The totality of the circumstances includes “the conduct of the officer and the subject leading up to the use of deadly force.” Penal Code §835a(e)(3).

Analysis

There is independent compelling evidence in this case, including still photographs and BWV, showing Alva was advancing toward an officer while wielding a hammer in a threatening manner at the time deadly force was used. Additionally, Alva made statements to the officers implying he intended to cause them physical harm. At the time of the shooting, officers were aware Alva was possibly suffering from mental illness and was also possibly under the influence of alcohol and narcotics. Officers also knew Alva had threatened to kill a store employee and had assaulted the employee with a hammer, resulting in injury, as well as having vandalized a plexiglass divider in the store prior to their arrival. Prior to the shooting, officers made repeated verbal attempts to engage Alva in an effort to de-escalate the situation and disarm him.

Officers engaged in repeated verbal efforts to de-escalate the situation for over one hour. Alva failed to comply with lawful commands. BWV captures Alva shouting unintelligibly and yelling he could “put you down,” while brandishing the hammer in a threatening manner toward officers. Alva then briefly walked away. Shortly thereafter, Johnston is heard on BWV telling Ramirez, “That was a little too close for comfort,” reflecting the immediate physical threat posed by Alva’s conduct. Additional units were subsequently requested.

As additional units arrived, officers issued multiple commands directing Alva to stop and to drop the hammer. Alva ignored these commands, remained armed, and advanced toward the officers

in a confrontational and defiant manner. Atwater and Ramirez each independently unholstered their pistols, fearing that Alva posed an imminent deadly threat to Pedroza.

Alva maintained an aggressive stance, held the hammer in a threatening position, and locked his focus on Pedroza, while advancing at an increasing pace and repeatedly shouting, "Shoot it!" When all de-escalation efforts, and eleven less-lethal uses of force, proved ineffective and Alva, still armed and yelling, rapidly closed the distance to within approximately five feet of Pedroza, it was reasonable for Pedroza to perceive Alva as an imminent threat capable of inflicting serious bodily injury or death to himself and others.

In response to this threat, Pedroza discharged four rounds from his service pistol. When Alva continued to advance while holding the hammer near his head, Pedroza fired one additional round to stop the threat and prevent Alva from inflicting harm upon him, fellow officers, or members of the public.

Alva's continued aggression, refusal to comply with lawful commands, and rapid advance toward an officer while armed with a bladed hammer created a clear and immediate threat of serious bodily injury or death to Pedroza and other officers present.

These circumstances support a reasonable belief that the use of deadly force was reasonable.

CONCLUSION

For the foregoing reasons, we find Pedroza acted lawfully when he used deadly force against Alva.