

**Fatal Officer Involved Shooting of Lauren Archibeque
Long Beach Police Department**

**Sergeant Christopher Valdez, #6229
Officer Eddie Diaz, #10912
Officer Michael Genna, #11386**

J.S.I.D. File #21-0131



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

May 24, 2023

MEMORANDUM

TO: CHIEF WALLY HEBEISH
Long Beach Police Department
400 West Broadway
Long Beach, California 90802

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

SUBJECT: Fatal Officer Involved Shooting of Lauren Archibeque
J.S.I.D. File #21-0131
L.B.P.D. File #21-15272

DATE: May 24, 2023

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the April 2, 2021, fatal shooting of Lauren Archibeque by Long Beach Police Department (LBPB) Sergeant Christopher Valdez, Officer Eddie Diaz, and Officer Michael Genna. We have determined that they acted in lawful self-defense and the defense of others when they fired their duty weapons.

The District Attorney's Command Center was notified of this shooting on April 2, 2021, at approximately 7:40 a.m. The District Attorney Response Team responded to the scene and was given a briefing and walk-through by Detective Mark Mattia.

The following analysis is based on reports and other materials, including recorded interviews, photographs, body worn videos, and radio communications submitted to this office by LBPB's Special Investigations Division, Homicide Detail. No compelled statements were considered in this analysis.

FACTUAL ANALYSIS

On April 2, 2021, several persons resided in a multiple-bedroom house located on Golden Avenue in the City of Long Beach. Archibeque and [REDACTED] were in a dating relationship and resided in one of the bedrooms. In the early morning hours, [REDACTED], another resident, woke up and went to use the restroom when he saw a considerable amount of blood in the bathtub, sink, and floor. [REDACTED] went to the bedroom shared by Archibeque and [REDACTED]. [REDACTED] saw Archibeque on the floor holding [REDACTED]'s head in her arms. Archibeque stated, "[REDACTED]'s dead and I tried to kill myself."

At approximately 5:16 a.m., [REDACTED] called 9-1-1 requesting the "police" and "paramedics." [REDACTED] stated that Archibeque was suicidal, and he described [REDACTED]'s condition, "We have

a man down.” Archibeque attempted to drive away from the location, but ██████. dissuaded her. Archibeque returned to the house and armed herself with a rifle.

At 5:22 a.m., ██████. told the operator that ██████. had “died.” ██████. is heard speaking to Archibeque on the recorded call, “Lauren, the cops are coming. Please put the gun down.” ██████. was still on the call when LBPD officers arrived. On the same call, he is heard telling someone, “She’s inside. I think they got her.” He also stated that he believed that Archibeque “wants to die” and “she wants them to fucken shoot her.”¹

At approximately 5:25 a.m., updated radio communications indicated a “245” at the location – a man was “deceased,” “possible throat is slit,” and a woman was threatening suicide.² At approximately 5:27 a.m., two officers, including Officer Bailey, entered the house and observed ██████ on his cellphone. ██████. directed them to the “north side of the residence and stat[ed] someone was deceased.” ██████. exited the house. The officers heard Archibeque crying and observed a considerable amount of blood throughout the house. Bailey entered the bedroom from where he heard “hysterical cries” and saw Archibeque sitting on the floor next to a bed holding a rifle. Archibeque did not comply with Bailey’s request to drop the rifle. The officers retreated from the house, radioed to other officers that Archibeque was armed, and established a perimeter.

For several minutes, Bailey used a loud-speaker and requested that Archibeque exit the house, “Lauren, it’s the Long Beach Police Department. We are just here to help you. Please come outside with your hands up. Come outside to the sound of my voice. We can help you.” Archibeque did not acknowledge Bailey’s announcements throughout the incident.

At approximately 5:50 a.m., Archibeque exited the house while holding a rifle. Body worn videos captured the movements and communications of several officers taking cover behind marked patrol cars parked at the intersection near the house. The officers stated to each other that Archibeque was pointing a rifle in their direction. Several officers ordered her to drop the rifle numerous times. Archibeque did not comply with the commands to drop the rifle. Numerous police officers, including non-shooting officers, also wrote in their reports that Archibeque raised the rifle and pointed it at the officers.

Diaz, Genna, and Valdez fired their service weapons at Archibeque. Diaz fired one round from his service rifle. Genna fired one round from his service handgun. Valdez fired three rounds from his service handgun. The officers’ body worn videos did not capture Archibeque’s position at the doorway as the officers were taking cover behind a patrol SUV.

Archibeque was struck by gunfire and fell on top of the rifle at the steps leading up to the house. She succumbed to her injuries at the scene. Investigators later examined the rifle and determined that it was operational but not loaded with ammunition.

¹ ██████. was possibly speaking to another housemate who was outside the house when the first officers arrived at the scene. Also, another housemate remained asleep in another bedroom throughout the incident.

² “245” refers to Penal Code section 245(a), the crime of assault.



Several officers, including the shooting officers, took cover behind the police cars parked in the intersection with a direct view of the steps (circled) where Archibeque was shot.



The rifle (circled) was photographed near the steps where Archibeque was shot.



Archibeque's rifle was photographed at the scene.

Autopsy of Archibeque

On April 5, 2021, an autopsy was conducted, and the medical examiner determined that the cause of Archibeque's death was multiple gunshot wounds. The autopsy report also noted other injuries unrelated to the cause of death – "multiple superficial, non-fatal incised wounds of the right neck . . . forearms and wrists." Toxicology tests revealed the presence of numerous drugs in Archibeque's blood.

Statement of Officer Eddie Diaz

Diaz wrote a report related to the officer involved shooting. Diaz learned from radio communications that "a subject inside the residence had slit another subjects [sic] throat and was threatening suicide with a firearm." He also learned from radio communications that other officers had entered the residence and observed Archibeque armed with a rifle. He responded to the location "to assist with the perimeter and apprehension of a possible murder suspect."

When he arrived at the scene, Diaz armed himself with his service rifle. After 15 to 30 minutes of loud-speaker announcements, Diaz saw Archibeque open the metal security door of the house a few inches and crouch down in the doorway with a long object under her right arm in her right armpit extending a few feet long and her left hand was grabbing the object from underneath. Archibeque did not respond to additional commands on the loud-speaker to drop what she had in her hands. When Archibeque stepped out of the doorway onto the exterior concrete platform, a few steps above ground level, Diaz saw a rifle with a wooden frame. Archibeque crouched on the concrete platform with the rifle positioned toward the ground. Then, she raised the barrel and pointed it in his direction. Diaz stated he was "in fear she would fire the rifle and kill [him] and kill or cause serious bodily injury to other officers and other residents in the surrounding

neighborhood.” In response, Diaz fired his rifle one time at Archibeque. Simultaneously, he “heard other weapons discharged in [his] surrounding area.”

Statement of Officer Michael Jenna

Jenna wrote a report related to the officer involved shooting. Prior to his arrival at the scene, Jenna learned through dispatch and other officers’ radio communications that Archibeque was armed with a rifle. When Jenna arrived, Bailey confirmed that he saw Archibeque armed with a rifle and blood inside the house.

Jenna saw Archibeque open the metal security door while “hunched over.” Initially, he was unable to “identify the object she was carrying in her arms.” Bailey, using the loud-speaker requested, “Whatever is in your hand please drop it on the ground and step outside so we can get you some help.” Shortly thereafter, Jenna saw Archibeque point the barrel of the rifle in the officers’ direction in a manner consistent with someone who was going to fire it. “The subject was looking in our direction, was not speaking or making any body gestures and had a blank expression on her face.” Jenna stated that he believed “the subject had established herself as an imminent threat of death or serious bodily harm [sic] injury to [himself], surrounding officers and the surrounding residences.” Jenna heard surrounding officers fire three rounds prior to Jenna firing one round from his service handgun. He saw Archibeque fall forward on the steps of the doorway on top of the rifle.

Statement of Sergeant Christopher Valdez

Valdez wrote a report related to the officer involved shooting. When he arrived at the scene, Valdez saw Archibeque holding a rifle at the cement steps leading to the door of the house. Archibeque did not follow Bailey’s commands. She did not point her rifle at any officers, but, “At one point [Valdez] saw [Archibeque] place the rifle vertically underneath her chin. She lowered the rifle and walked back inside the residence while armed.”

While Valdez was taking cover behind a police car with Diaz and Jenna, Archibeque exited the same door in a “half-crouched down” position, and “she appeared to be holding something along the right side of her body.” Valdez heard other officers stating that Archibeque had a rifle and then that Archibeque was pointing the rifle at them. Then, Valdez saw Archibeque pointing a rifle at him and the other officers. “[Valdez] believed [his] life, and [his] officers’ lives, were in danger and [Archibeque] would shoot at any moment.” He fired three rounds from his service handgun, heard other officers discharge their firearms, and saw Archibeque slump over the rifle onto the cement landing.

Autopsy of [REDACTED].

After the officer involved shooting, officers cleared the house and discovered [REDACTED]. deceased in the bedroom he shared with Archibeque. An autopsy was conducted, and the medical examiner determined [REDACTED]. had committed suicide from numerous “self-inflicted incised wounds.” Toxicology tests revealed the presence of numerous drugs in [REDACTED]’s blood.

LEGAL ANALYSIS

Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force to effect the arrest, to prevent escape, or to overcome resistance. A peace officer is justified in using deadly force upon another person only when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary to defend against an imminent threat of death or serious bodily injury to the officer or to another person. Cal. Penal Code § 835a(b) and (c)(1)(A).

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. Cal. Penal Code § 835a(e)(2).

“Totality of circumstances” means 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. 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. Cal. Penal Code § 835a(a)(4) and (e)(3).

In the early morning hours, one of Archibeque’s housemates discovered a chaotic and grim scene in a house shared by multiple people. Reconstructing parts of what had happened prior to LBPD’s arrival only became possible after the officer involved shooting, collection and examination of the evidence at the scene, and the autopsies. However, the subject of the instant analysis – whether the officers’ use of deadly force was justified – relies on the *totality of the circumstances* known to the officers, including Archibeque’s actions at the time of the officer involved shooting.

When the first LBPD officers responded, Bailey observed Archibeque distraught and armed with a rifle. He and his partner repositioned – they exited the house and waited for backup. The officers attempted to deescalate by giving Archibeque ample opportunity with minimal pressure to surrender peacefully. During this time, officers believed Archibeque was a murder suspect as ██████’s demise was not obviously a suicide as later concluded by the medical examiner.

In her final moments, Archibeque actions – deliberately pointing a rifle in the direction of several officers placed those officers in reasonable fear of imminent death and or great bodily injury. The officers had no reason to believe that the rifle was not loaded, and their belief that the use of deadly force was necessary to stop the imminent threat they perceived was reasonable. In hindsight and in conjunction with her autopsy report, it appears Archibeque acted with the intent to provoke deadly force by the police as her rifle was not loaded and the autopsy report revealed that Archibeque may have already attempted to commit suicide by cutting herself. The totality of this evidence supports a reasonable belief that deadly force was necessary to defend against an imminent threat of death or serious bodily injury to the officers or other persons within the meaning of Penal Code section 835a.

CONCLUSION

We conclude that Sergeant Christopher Valdez's, Officer Eddie Diaz's, and Officer Michael Genna's beliefs that deadly force was necessary in self-defense and the defense of others were reasonable.