

**Non-Fatal Officer Involved Shooting of Michael Duran**  
**West Covina Police Department**

**Officer Ian Papparro #431**  
**Officer Chris Quezada #400**

**J.S.I.D. File #19-0460**



**GEORGE GASCÓN**

**District Attorney**

**Justice System Integrity Division**

**July 29, 2021**

**MEMORANDUM**

TO: CHIEF RICHARD BELL  
West Covina Police Department  
1444 West Garvey Avenue  
West Covina, California 91790

CAPTAIN JOE MENDOZA  
Los Angeles County Sheriff's Department  
Homicide Bureau  
One 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 Michael Duran  
J.S.I.D. File #19-0460  
W.C.P.D. File #19-7951  
L.A.S.D. File #019-00092-3199-057

DATE: July 29, 2020

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the November 7, 2019, non-fatal shooting of Michael Duran by West Covina Police Department (WCPD) Officers Ian Paparro and Chris Quezada. We have determined that Officer Paparro acted lawfully in self-defense, and Officer Quezada acted lawfully in defense of others.

The District Attorney's Command Center was notified of the shooting on November 7, 2019, at 4:20 a.m. The District Attorney Response Team responded to the location and was given a briefing and walk-through of the scene.

The following analysis is based on investigative reports submitted to this office by Los Angeles Sheriff's Department Sergeant Paul Cardella and Detective Q. Rodriguez. The reports include photographs, audio-recorded interviews of officers, radio transmissions, crime scene diagrams, and dash camera videos. The voluntary statements of Officers Paparro and Quezada were considered in this analysis.

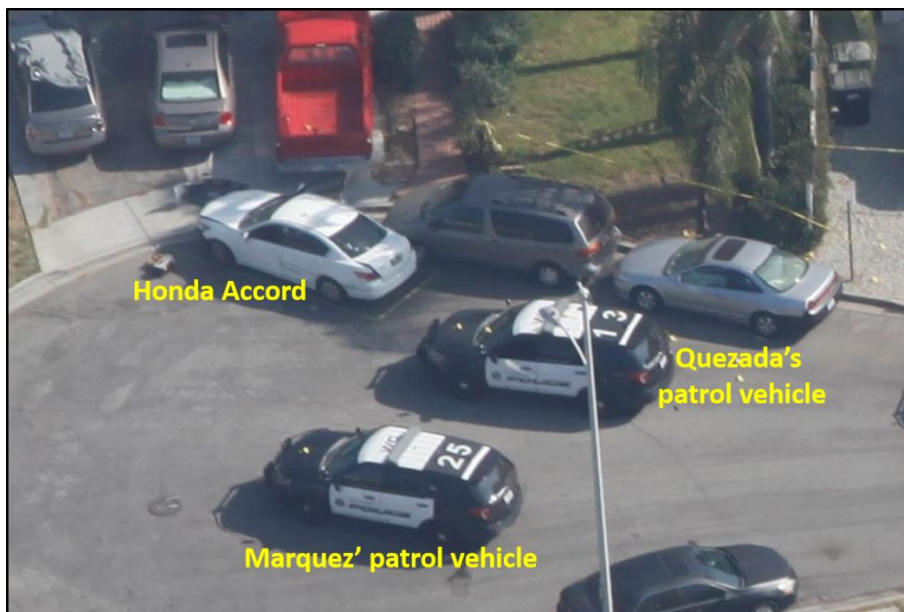
**FACTUAL ANALYSIS**

On November 7, 2019, WCPD Officers Ian Paparro and Chris Quezada were working patrol in the City of West Covina. Quezada was driving a distinctively marked black and white WCPD

patrol vehicle, and Papparro was sitting in the front passenger seat.<sup>1</sup> Both officers wore their WCPD uniforms. At approximately 2:36 a.m., Papparro exited the patrol vehicle and attempted to contact Michael Duran, who was sitting alone in the driver's seat of a parked white Honda Accord with no license plates.<sup>2</sup> When Papparro shined his flashlight into the interior of the Honda, Duran started the car, conducted a U-turn, and drove away at a high rate of speed. Papparro entered the patrol vehicle and a high-speed pursuit ensued.

Quezada followed Duran with his patrol vehicle's lights and siren activated. During the pursuit, Duran exceeded the speed limit, failed to stop at numerous stop signs, and drove on the wrong side of a road separated by a raised center median. WCPD Officer Jose Marquez joined the pursuit, driving his patrol vehicle behind Quezada and Papparro. Approximately four minutes after the pursuit began, Duran made a left turn on a cul-de-sac in a residential area.

Duran stopped the Honda when he reached the end of the street. Quezada quickly parked the patrol vehicle approximately four feet behind the Honda. Quezada and Papparro immediately exited their vehicle, drew their service weapons, and took cover behind the patrol vehicle doors. Simultaneously, Marquez was stopping his patrol vehicle to the left of Quezada's patrol vehicle.



*Figure 1 – Aerial photograph taken after the incident depicts the location of the patrol vehicles during the incident and the approximate location of the Honda.*

After Quezada and Papparro exited their vehicle, Duran immediately reversed the Honda toward the passenger side of Quezada's patrol vehicle where Papparro was standing. The rear driver's side of the Honda collided with the front passenger's side of Quezada's patrol vehicle, causing the patrol vehicle to jolt backward. Duran continued driving in reverse, and the driver's side of the Honda scraped against the front push bar of the patrol vehicle. Quezada and Papparro began

<sup>1</sup> Quezada's patrol vehicle was equipped with two cameras. One camera faced forward out the front windshield. The second camera recorded the rear passenger compartment of the vehicle. The front and rear passenger windows were in the camera's field of view.

<sup>2</sup> It was later determined that the Honda Accord had been reported stolen.

discharging their service weapons at Duran. As Paparro retreated backward, the Honda forcefully struck the patrol vehicle's front passenger door and caused it to close. At this time, Paparro was approximately three feet away from the Honda.<sup>3</sup>



*Figures 2 & 3 – Still images from Quezada's patrol vehicle dash camera depicting Duran stopping (brake lights) the Honda and then reversing (backup lights) toward the patrol vehicle.*



*Figures 4 & 5 – Dash camera still images depicting the Honda colliding into the side of Quezada's patrol vehicle.*

Quezada and Paparro continued discharging their duty weapons into the interior of the Honda as it came to a stop against the side of the patrol vehicle. The Honda then quickly pulled forward. The officers ceased firing once the Honda turned slightly to the right and collided into a car parked in a residential driveway.<sup>4</sup> Quezada and Paparro each discharged ten rounds from their service weapons.

Additional police units arrived at the scene, and Duran was ordered to exit the Honda. Duran exited the passenger side of the vehicle and was taken into custody. Duran was transported to Pomona Valley Hospital and treated for his injuries. Duran sustained a gunshot wound to each arm and one to the left side of his face.<sup>5</sup>

<sup>3</sup> Paparro's retreat backward as the Honda approached him was recorded by the patrol vehicle's rear passenger compartment camera. While the incident can be seen in the video, the quality is insufficient to reproduce demonstrative still images.

<sup>4</sup> Approximately seven seconds elapsed between Duran initially stopping at the end of the cul-de-sac and the Honda colliding into the car parked in the driveway.

<sup>5</sup> It is unknown which of the officers' bullets struck Duran.

On November 13, 2019, Duran was charged in case KA123471 with several felony counts, including two counts of assault upon a peace officer in violation of Penal Code section 245(c). The matter is pending trial.

### Incident Location

Quezada's patrol vehicle sustained damage to the front push bar and passenger side door during the incident.



*Figures 6 & 7 – Photographs depicting damage done to Quezada's WCPD patrol vehicle.*



*Figure 8 – Photograph depicting damage to the Honda Accord Duran drove during the incident.*

Nineteen expended cartridge cases stamped “FC 9mm Luger” and one stamped “FC 9mm +P+” were recovered from the area surrounding Quezada's patrol vehicle. Investigators located numerous bullet holes and impacts in the Honda Accord's body and windows, along with multiple bullet fragments. Investigators also located a single through and through bullet hole in the passenger side wing mirror of Quezada's patrol vehicle.

A Hungarian Arms Works, Model R-9, 9mm semiautomatic firearm was located in the bed of a red Dodge pick-up truck that was parked in the residential driveway near where the Honda came to rest. A 9mm bullet and a firearm magazine loaded with 9mm bullets were found on the ground near the red truck.<sup>6</sup> On the morning of the incident, investigators contacted Israel R., the

---

<sup>6</sup> Duran's DNA was found on the firearm recovered. Neither Quezada nor Paparro reported seeing Duran with a firearm.

owner of the red truck. Israel R. denied ownership of the firearm and indicated that he had never seen it before. Israel R. did not believe the bullet, magazine, or firearm were in his driveway or truck prior to the incident.

### Officer Statements<sup>7</sup>

#### Statement of Officer Paparro

Investigators interviewed Paparro on the day of the incident. Paparro stated that Quezada stopped their patrol vehicle approximately three feet behind the Honda Accord following the pursuit. As Paparro exited the patrol vehicle, Duran “immediately” reversed in his direction. Paparro thought he was going to be trapped and crushed by the patrol vehicle’s passenger side door or run over by Duran. The only direction he could move was backward because the patrol vehicle was to his left, and two parked cars were to his right. Paparro believed there was “just enough” room between the vehicles for the Honda to pass through. Paparro retreated toward the rear passenger door and began firing. Paparro stated, “I wanted to get his foot off the gas pedal, and I had to fire – I had to fire my weapon to stop him.” Paparro stated he stopped firing when the Honda began moving forward. Paparro estimated he discharged his service weapon five to six times.

#### Statement of Officer Quezada

Investigators interviewed Quezada on the day of the incident. Quezada stated that when Duran drove down the residential street, he and Paparro knew it ended in a cul-de-sac, and he expected a foot pursuit. When the Honda Accord stopped, he and Paparro immediately exited the patrol vehicle. Upon exiting, Quezada saw the Honda traveling backward toward Paparro “really fast.” Quezada saw Paparro standing next to the passenger side door when the Honda reversed into the patrol vehicle’s front bumper and then struck the front passenger side door, forcing it closed. Quezada no longer saw Paparro and thought he was under the Honda. To prevent Duran from reversing further, Quezada discharged three to four rounds from his service weapon.

#### Statement of Officer Marquez

Investigators interviewed Marquez on the day of the incident. Marquez told investigators that he joined the vehicle pursuit as the secondary unit and followed behind Quezada and Paparro. As the pursuit came to an end, Marquez drove his patrol vehicle to the west of Quezada’s patrol vehicle to position himself to assist in a high-risk traffic stop. As he did that, he saw Quezada and Paparro exit their vehicle. The Honda reversed and collided with Quezada’s patrol vehicle. Marquez saw the Honda strike the front passenger door area of Quezada’s patrol vehicle and believed Paparro had been struck. Marquez heard approximately five to six gunshots during the incident. Marquez exited his vehicle, checked on the well-being of the involved officers, and assisted in the arrest of Duran.

---

<sup>7</sup> There were no civilian witnesses to the incident. Duran did not provide a statement to investigators.

## 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.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. In protecting himself or another, a person may use all the force which he believes reasonably necessary and which would appear to a reasonable person, in the same or similar circumstances, to be necessary to prevent the injury which appears to be imminent. CALCRIM No. 3470

“Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh in too nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety.” *People v. Collins* (1961) 189 Cal.App.2d 575, 589.

In evaluating whether a police officer’s use of deadly force was reasonable in a specific situation, it is helpful to draw guidance from the objective standard of reasonableness adopted in civil actions alleging Fourth Amendment violations. “The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight... The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.” *Graham v. Connor* (1989) 490 U.S. 386, 396-397.

In this matter, Duran led Quezada and Paparro on a high-speed and dangerous pursuit. Once Duran was prevented from proceeding further by a cul-de-sac, the officers quickly exited their patrol vehicle to conduct a high-risk traffic stop and take Duran into custody. When Paparro exited, he was interposed between the patrol vehicle and two parked cars. Duran quickly reversed the Honda directly toward Paparro, crashing into the patrol vehicle’s front push bar and continuing backward into the passenger side door that Paparro was using for cover. The Honda came within several feet of striking Paparro.

Had Paparro not retreated, he would have been struck by the patrol vehicle’s door and likely the Honda that Duran was driving. The vehicles surrounding Paparro prevented him from moving in any direction other than backward, forcing him to remain in the Honda’s path. Based on the circumstances, Paparro reasonably believed he had to use deadly force on Duran to defend himself. Quezada reasonably believed he had to use deadly force on Duran to protect Paparro.

Quezada and Paparro continued discharging rounds as the Honda reversed direction and began moving forward. Duran’s actions had evidenced his desperation to escape and his willingness to jeopardize the safety of others and use deadly force against the officers in the process. As such, it was reasonable for Quezada and Paparro to continue to use deadly force on Duran until he no longer posed a threat. As soon as Duran traveled a short distance away from the officers and came to rest, both officers ceased firing their service weapons.

## **CONCLUSION**

We find that Officer Papparro acted lawfully in self-defense and Officer Quezada acted lawfully in defense of others when they used deadly force against Michael Duran.