

**Non-Fatal Officer Involved Shooting  
of Alfonso Mauldin  
Los Angeles Police Department**

**Officer William Wheat, #43788  
Officer Jessica Solis, #443782**

**J.S.I.D. File #20-0294**



**GEORGE GASCÓN**

**District Attorney**

**Justice System Integrity Division**

**August 9, 2023**

**MEMORANDUM**

TO: CAPTAIN OMAR BAZULTO  
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: Non-Fatal Officer Involved Shooting involving Alfonso Mauldin  
J.S.I.D. File #20-0294  
F.I.D. File #F033-20

DATE: August 9, 2023

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the August 5, 2020, non-fatal shooting involving Los Angeles Police Department (LAPD) Officers William Wheat and Jessica Solis. Based on the evidence, it is our conclusion that Wheat and Solis acted in lawful self-defense and defense of others at the time they fired their weapons. One of the bullets fired by Officer Solis struck a fellow LAPD officer. Based on the evidence, we conclude that this injury was inflicted accidentally and no criminal liability attaches.

The District Attorney's Command Center was notified of this shooting on August 5, 2020, at approximately 3:35 p.m. The District Attorney Response Team responded and was given a briefing and walk-through of the scene.

The following analysis is based on reports submitted to our office by LAPD, Force Investigation Division, body worn video (BWV) of LAPD officers, and third-party video on March 22, 2023. The compelled statement of Wheat was read but not considered or relied upon in this analysis. The compelled statement of Solis was not read or considered in this analysis. The compelled statements of the other LAPD officers who were present but did not discharge their firearms were read and considered in this analysis.

**FACTUAL SUMMARY**

On August 5, 2020, at approximately 2:11 p.m., [REDACTED] called 9-1-1 to report that her husband, Alfonso Mauldin, had attempted to cut himself with kitchen scissors inside their residential apartment located on [REDACTED] in the city of Los Angeles. [REDACTED] further stated that Mauldin was "manic and bipolar."

LAPD Officers Wheat and Solis responded while monitoring further radio traffic related to the call. LAPD Officers Cristal Munoz-Preciado, Pamela DeJesus, Johnny Rios, Nicole Hoffman-Amir, and LAPD Sergeant Jaime Flores also responded to the call.

As the officers were responding, they received updated information that Mauldin had a Rottweiler dog inside the residence.

After the officers arrived at the residential apartment on Wilton Place, ██████████ exited the apartment. She told Wheat and Solis that there were three children inside the apartment barricaded in the bathroom and that her mother, ██████████, was also inside the apartment. ██████████ told Wheat and Solis that Mauldin was armed with kitchen scissors and blocking the bathroom door with his Rottweiler dog. ██████████ stated that Mauldin had attempted to cut himself with the scissors and charged at her when she tried to gather the three children. ██████████ told Wheat and Solis that the dog was not violent unless threatened, that the dog was afraid of Mauldin, and that Mauldin had told the dog to “get ready.”

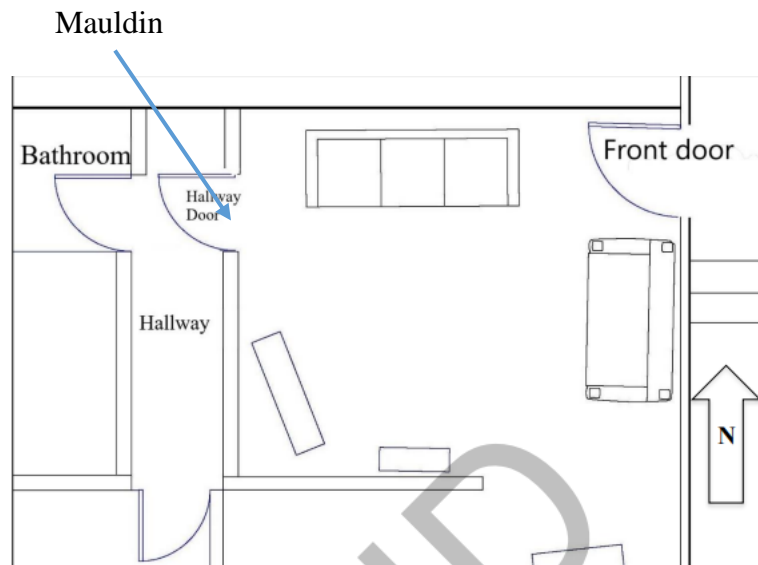
Flores considered contacting the LAPD Mental Evaluation Unit (MEU).<sup>1</sup> However, he stated that he felt there was not enough time to do so because time was of the essence based on the children being in the apartment and Mauldin being armed.

Wheat, Solis, DeJesus, Rios, Hoffman-Amir and Munoz-Preciado approached the front door of the residential apartment, which was located on the ground floor and accessible from a landing at the top of a small stairway. Wheat, Flores and Solis gave commands for Mauldin to exit the apartment but received no response. Wheat opened the front metal security door of the apartment. Flores observed ██████████ inside the apartment and requested that she exit the residence. ██████████ exited the apartment.

Mauldin was inside the apartment standing in front of an open hallway door and the Rottweiler dog was standing, leashed, beside him. Officers attempted to communicate with Mauldin. They told him that he was not in trouble, to drop the scissors, and asked him to come outside. Solis told the officers around her that Mauldin was holding scissors in his left hand along with the end of the leash.

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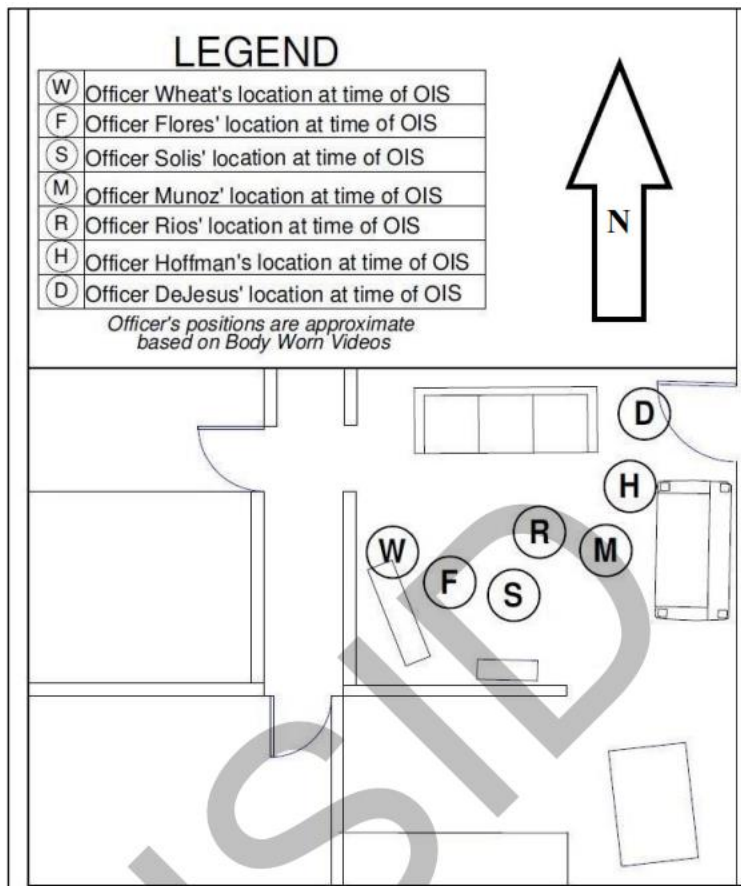
<sup>1</sup> The LAPD MEU assists LAPD officers with mental health-related calls, and includes trained dispatchers, co-response teams, follow-up case managers and focused community engagement. *See* <https://www.lapdonline.org/office-of-the-chief-of-police/office-of-special-operations/detective-bureau/detective-services-group/mental-evaluation-unit/>



Mauldin's location inside of the residence

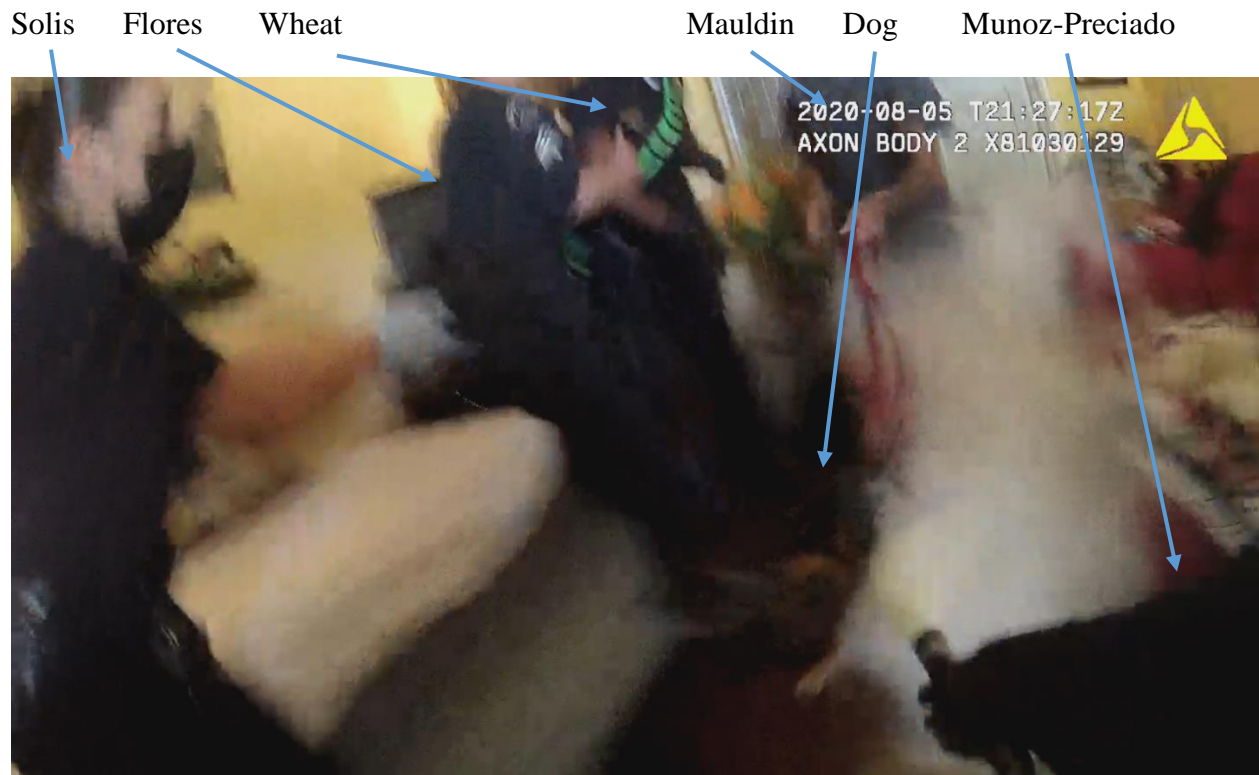
Mauldin refused to exit the residence, responding, "Talk your shit," "Come get me" and "Let her go, just shoot me right here." Mauldin raised a cellphone in front of his face and appeared to be recording the incident. Mauldin moved backwards into the hallway and closed the door in front of him.

Flores ordered the officers to enter the apartment, and Wheat, Flores, Solis, Munoz, Rios, Hoffman and DeJesus went inside.



Solis cleared the kitchen of any additional individuals. Flores attempted to open the door just closed by Mauldin and found it locked. Wheat attempted to force the door open using his left hand and forearm but was unsuccessful. Flores ordered Wheat to kick the door open. Wheat attempted to kick the door open but was unsuccessful, although he did break the bottom panel of the door. Wheat backed away from the door.

Mauldin suddenly opened the door. Mauldin stated, “Get ‘em” and released the leash attached to the Rottweiler dog. The dog ran towards Solis. Munoz-Preciado activated her fire extinguisher, filling the room with white propellant. DeJesus fired one round from his less-lethal beanbag shotgun at Mauldin, striking Mauldin in the right bicep. Wheat fired one round from his pistol at the dog. Solis fired two rounds from her pistol at the dog. Mauldin jumped over the dog and grabbed onto Solis’s shirt. Solis fired a third round which struck Munoz-Preciado.



Officers', Mauldin's, and dog's positions at the time Wheat fired his weapon



Mauldin jumps at Solis

Solis fell backwards as Mauldin jumped towards her and made contact with her. Solis and Mauldin fell onto a sofa and then onto the floor.



Mauldin jumps and makes contact with Solis



Solis and Mauldin fall to the floor

Wheat was armed with a department-authorized Glock 9mm Model 19 semiautomatic pistol. He fired one round during the incident.

Solis was armed with a department-authorized Glock 9mm Model 19 semiautomatic pistol. She fired three rounds during the incident.

Mauldin was armed with kitchen scissors having a four-inch blade. The scissors were recovered by investigators in the bathroom entryway.



The scissors Mauldin was armed with in the bathroom entryway

Mauldin sustained a contusion to his left bicep as a result of being struck with a police beanbag round.

Munoz-Preciado sustained a gunshot wound to her right forearm as a result of being struck by a gunshot fired by Solis.

The Rottweiler dog sustained two wounds to his right shoulder and a small wound to his lower lip. It was undetermined how he sustained these wounds; however, no bullets or fragments were recovered.

## **OFFICER WITNESS STATEMENTS<sup>2</sup>**

Flores gave a statement regarding the incident. Flores stated that he responded to an edged weapon call regarding a man with scissors trying to hurt himself. Flores stated he arrived at the scene, and was further advised that there were three children in the bathroom and that the suspect was inside the residence. Flores stated his concern was for the children that were in the bathroom. Flores stated he saw a female inside the residence and that she told him, “There’s

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<sup>2</sup> All officers’ statements were recorded.



kids in there.” Flores stated he saw Mauldin in the doorway of the hallway with a sharp metal object that resembled the scissors in the call. Flores stated he also saw Mauldin had a dog with him. Flores stated that officers told Mauldin to drop the weapon but that Mauldin did not comply. Flores stated that Mauldin closed the hallway door and that he (Flores) felt the children were now in danger. Flores stated that he ordered the officers to move into the residence and kick the door in. Flores stated that Mauldin opened the door with the dog in front. Flores stated that Mauldin came towards the officers. Flores stated that the fire extinguisher propellant caused him to lose sight. Flores stated that he heard shots but did not know if it was a firearm or a beanbag. Flores stated he did not call the MEU team because he felt there was not enough time because of the danger to the children.

DeJesus gave a statement regarding the incident. DeJesus stated that she and her partner, Munoz-Preciado, responded to a radio call of a violent male with a mental illness. DeJesus stated that she was armed with a 40mm less-lethal beanbag shotgun and that Munoz-Preciado was armed with a fire extinguisher. DeJesus stated that at the scene she was informed that Mauldin was armed with scissors, had attempted to cut himself, and had a Rottweiler dog. DeJesus was further informed that Mauldin and the dog were blocking access to the bathroom inside the residence where three children were inside. DeJesus stated that she looked into the residence and saw that Mauldin was armed with a knife in his left hand and that he had the dog in his right hand. DeJesus stated that Flores gave Mauldin commands to step outside the residence, but Mauldin closed the hallway door. DeJesus stated she along with the other officers entered the residence and that Wheat unsuccessfully attempted to kick open the door. DeJesus stated that Mauldin opened the door and came rushing towards the officers. DeJesus stated Mauldin was armed with a sharp object in his left hand and the dog on a chain in his right hand. DeJesus stated she fired one beanbag round and then the fire extinguisher went off and she was unable to see anything. DeJesus stated she fired the beanbag because Mauldin was closing the distance to the officers and was armed with a knife in his left hand and a dog in his right hand. DeJesus stated she felt there was an urgency to the situation because of the danger to the children.

Hoffman-Amir gave a statement regarding the incident. Hoffman-Amir stated that she and her partner, Rios, responded to a call regarding a violent male with a mental illness. Hoffman-Amir stated that she arrived at the scene and spoke with Mauldin’s spouse. Hoffman-Amir stated she was informed by Mauldin’s spouse that Mauldin was hearing voices and that he had advanced on her (Mauldin’s spouse) armed with scissors or a kitchen knife. Hoffman-Amir stated she was further informed that Mauldin had attempted to cut himself. Hoffman-Amir stated that she and other officers went to the front door of the apartment. Hoffman-Amir stated she heard other officers state that Mauldin was armed with scissors. Hoffman-Amir stated that Mauldin said, “Just shoot me.” Hoffman-Amir stated that Mauldin retreated into the hallway and closed the door in front of him. Hoffman-Amir stated Wheat attempted to kick the door down but was unsuccessful. Hoffman-Amir stated that Mauldin came out from the doorway and charged aggressively at the officers. Hoffman-Amir stated she heard a beanbag round being fired and then heard firearm discharges.

Munoz-Preciado gave a statement regarding the incident. Munoz-Preciado stated that she and her partner, DeJesus, responded to a call of a man with a mental illness. Munoz-Preciado stated that she arrived at the scene and that officers already present asked for a fire extinguisher. Munoz-Preciado stated she went and retrieved a fire extinguisher from a police vehicle at the

scene. Munoz-Preciado stated she heard other officers giving Mauldin commands to come outside of the residence and that other officers requested that she come up to the door with the fire extinguisher. Munoz-Preciado stated she went to the front door of the residence and entered the residence along with other officers. Munoz-Preciado stated that she saw another officer attempting to knock down a door but was unsuccessful. Munoz-Preciado stated that the door opened and she saw a dog charging at the officers and that she deployed the fire extinguisher. Munoz-Preciado stated that she then felt pain in her right arm and realized she had been shot. Munoz-Preciado stated that she exited the residence.

Rios gave a statement regarding the incident. Rios stated that he and his partner, Hoffman, responded to a call regarding an edged weapon. Rios stated that the call additionally stated that a man with a mental illness had armed himself with scissors and had a Rottweiler dog with him. Rios stated at the scene he spoke with Mauldin's spouse who informed him that Mauldin was armed with scissors and that he had attempted to cut himself and lunged at her with the scissors. Rios stated that he was further advised that there were three children inside of the bathroom at the rear of the residence, that Mauldin was outside of the bathroom armed with the scissors and the Rottweiler dog, and that Mauldin would not allow her (Mauldin's spouse) access to the children. Rios stated that he and other officers went to the front door of the residence, announced their presence, and told Mauldin to exit the residence. Rios stated that Flores attempted to speak with Mauldin and get Mauldin to exit the residence. Rios stated that Mauldin did not comply. Rios stated that Mauldin said, "Shoot me, shoot me." Rios stated that Mauldin was armed with scissors in his left hand and the dog in his right hand. Rios stated that Mauldin shut a door in front of him (Mauldin) and barricaded himself in the back hallway. Rios stated Wheat attempted to kick the door in but was unsuccessful. Rios stated that Mauldin opened the door and came running out, and that he (Rios) and multiple other officers called out for Mauldin to stop. Rios stated that Mauldin threw the dog out in front of him and told the dog to attack or words to that effect. Rios stated that the fire extinguisher was deployed and that he saw Mauldin with his fists clenched. Rios stated he was unable to see if there was anything in Mauldin's hands. Rios stated that that he heard beanbag shots fired. Rios stated that Mauldin jumped and attacked Solis. Rios stated that he heard gunfire.

### **MAULDIN'S STATEMENT<sup>3</sup>**

Mauldin made a statement regarding the incident. Mauldin stated that on the day of the incident he was inside his residence. Mauldin stated he had scissors before the police arrived and was using the scissors to cut his nails. Mauldin initially stated that he had put the scissors away before the police arrived, but later stated he did not know if he had put the scissors away or if they were in his hand. Mauldin denied that the Rottweiler dog lunged at the police. Mauldin stated he had the dog on a leash throughout the incident. Mauldin stated that the dog does not understand any commands to hurt anyone. Mauldin denied lunging at any officer. Mauldin stated that he went into panic mode when he heard gunshots and stated, "Maybe I thought I was grabbing my wife."

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<sup>3</sup> The statement was recorded.

## **CIVILIAN WITNESS STATEMENTS<sup>4</sup>**

██████████ gave a statement regarding the incident. ██████████ was a resident at the residence where the incident occurred. She stated that her daughter had called the police and that she ██████████ was trying to get Mauldin to calm down and speak with the police when they arrived. ██████████ stated that she was unsuccessful. ██████████ stated she made a video recording of Mauldin when the police first arrived. She stated that when the police arrived at the residence they told her that she needed to leave the residence and stop recording. She stated that she told the police not to shoot Mauldin and that Mauldin was armed with scissors. She stated that she told the police that there were children in the bathroom of the residence. ██████████ stated that she exited the apartment and a short time later heard gunshots. ██████████ did not witness the incident.

██████████ gave a statement regarding the incident. She stated that on the morning of August 5, 2020, Mauldin had woken up angry. She stated that Mauldin was her husband of 14 years at the time of the incident. ██████████ stated that she observed Mauldin attempting to cut himself with scissors. She stated that she asked him to stop and that Mauldin threw the scissors in her general direction. She stated that she tried to get the scissors but that Mauldin grabbed them and came at her with the scissors. She stated that she called 9-1-1. She stated that Mauldin then attempted to “go after” ██████████ as well as the three children with the scissors. She stated that she and ██████████ told the children to go into the bathroom. She stated that the police arrived and asked her to step outside. She stated she exited the residence and a short time later heard approximately three gunshots and observed white powder coming from the residence. ██████████ did not witness the incident.

██████████ gave a statement regarding the incident in the presence of her mother, ██████████ ██████████. She stated that on the day of the incident she observed Mauldin attempting to cut himself with scissors. She stated that ██████████ told her and her two siblings to go into the bathroom. She stated that Mauldin attempted to open the bathroom door but that she ██████████ held it closed. ██████████ stated she heard Mauldin state, “Watch me die.” She stated that she heard Mauldin state to the dog, “When I say attack, you go attack them.” ██████████ stated that she heard the police officers state to Mauldin, “Come out, you’re not in trouble. We just want to talk to you.” ██████████ stated she heard three gunshots.

██████████ gave a statement regarding the incident. She stated she was the next-door neighbor to Mauldin. She stated that on the day of the incident Mauldin had sent her text messages stating that Mauldin had “the light and the dog,” that Mauldin was waiting for the police to come and that they will have to “kill us both.” She stated that she was in her kitchen when she observed police arrive and shortly thereafter heard two or three gunshots. ██████████ did not witness the incident.

## **CRIMINAL CHARGES**

Mauldin was charged in case number BA489151 with three felony counts of Penal Code (PC) section 245(c), Assault with a Deadly Weapon Upon Peace Officer. Mauldin eventually entered

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<sup>4</sup> The statements were recorded.

a plea of no contest to a felony charge of PC section 69 – Resisting an Executive Officer and was placed into the Office of Diversion and Reentry (ODR) program on two years of formal probation. The remaining counts were dismissed pursuant to PC 1385 – Dismissal in the Interests of Justice.

## **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. 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. 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).

“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. Penal Code § 835a(a)(4) and (e)(3).

The evidence examined shows that the officers responded to a call of a man armed with scissors. Upon arriving at the scene officers learned that there were three children barricaded in a bathroom inside of a residence, and the man, Mauldin, was still armed with scissors and in possession of a Rottweiler dog. Mauldin refused commands to exit the residence and stood in between officers and the three children. Officers were informed that Mauldin had been violent with his spouse a short time before they arrived. Mauldin closed the door in between himself and the officers, placing the three children barricaded in the bathroom in danger. Mauldin then opened the door and leapt at the officers. Mauldin’s non-compliance with officers’ commands, being armed with scissors as well as a Rottweiler dog, the presence of three children barricaded in a bathroom behind Mauldin, and Mauldin’s sudden leap from behind a quickly opened door at the officers all contribute to the reasonableness of the officers’ conclusions that Mauldin presented an immediate and deadly threat.

Mauldin stated that he never lunged at any officer and did not remember if he had the scissors in his hands or not when officers arrived. BWV clearly shows Mauldin leaping at Solis, and audio from officers’ BWV indicates that officers saw Mauldin armed with scissors in his hand.

The totality of the evidence indicates that Wheat and Solis acted lawfully when they used deadly force in this situation.

If a person commits an act accidentally—without the intent required for a particular crime—he or she cannot be found guilty of that crime. CALCRIM 3404. However, if someone commits an assault with a deadly weapon, that person may be criminally liable even without the intent to use force against that person or without the knowledge that harm might occur to another when he or she committed the assaultive act. *People v. Williams* (2001) 26 Cal.4th 779, 790.

When Solis fired her third round, the bullet struck Munoz-Preciado. There is no evidence that Solis intended to shoot Munoz-Preciado. The evidence indicates that when Solis fired her weapon the room was filled with the propellant of the discharged fire extinguisher and visibility was poor at best. Mauldin was in the act of leaping at Solis and the Rottweiler dog was advancing upon Solis. Solis fired her weapon in self defense and in defense of others, and therefore is not liable for her round that struck Munoz-Preciado.

## **CONCLUSION**

Wheat and Solis acted lawfully in self-defense and defense of others when they fired their weapons.