

**Fatal Officer Involved Shooting of Willie Pendleton**  
**Los Angeles County Sheriff's Department**

**Deputy Ervin Francois, #457210**  
**Deputy Stephen Williams, #548799**

**J.S.I.D. File #22-0448**



**NATHAN J. HOCHMAN**

**District Attorney**

**Justice System Integrity Division**

**August 19, 2025**

## **MEMORANDUM**

TO: ACTING CAPTAIN ARTURO R. SPENCER  
Los Angeles County Sheriff's Department  
Homicide Bureau  
1 Cupania Circle  
Monterey Park, California 91755

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

SUBJECT: Fatal Officer Involved Shooting of Willie Pendleton  
J.S.I.D. File #22-0448  
L.A.S.D. File #022-00116-3199-013

DATE: August 19, 2025

The Justice System Integrity Division of the Los Angeles County District Attorney's Office (LADA) has completed its review of the December 22, 2022, fatal shooting of Willie Pendleton by Los Angeles County Sheriff's Department (LASD) Deputies Ervin Francois and Stephen Williams. We have determined Francois and Williams acted in lawful self-defense and in the defense of a third party when they fired their service weapons. We further conclude, based on the totality of the circumstances, that Francois and Williams reasonably believed the use of lethal force was necessary to defend against an imminent threat of death or serious bodily injury to themselves or another person.

The District Attorney's Command Center was notified of the shooting on December 22, 2022, at 7:40 p.m. The District Attorney Response Team responded and was given a briefing and walk-through of the scene at 10:35 p.m. by LASD Lieutenant Omar Camacho.

The following analysis is based on body worn camera video (BWV), investigative reports, forensic reports, audio recordings, surveillance videos, photographs, and medical reports submitted to this office by LASD personnel on May 30, 2024. No compelled statements by Francois or Williams were considered as part of this analysis.

### **INTRODUCTION**

Willie Pendleton and his neighbor, ■■■, had a disagreement on December 20, 2022, regarding Pendleton looking through storage lockers in the shared parking garage of the apartment complex where they both lived. On December 21, 2022, ■■■ drove his vehicle into the underground parking garage and encountered Pendleton. Pendleton brandished a handgun and fired three rounds at ■■■'s vehicle with ■■■ inside. ■■■ was uninjured and able to drive his vehicle out of the garage and call police. Pendleton fled to his apartment and a standoff with law enforcement ensued. The Gardena Police Department (GPD) Special Weapons and Tactics (SWAT) team was deployed. Over the course of approximately 30 hours, several SWAT teams

contributed resources and personnel to the situation.<sup>1</sup> Pendleton corresponded with members of Crisis Negotiations Teams (CNT) from various agencies, telling them he would not surrender or be taken alive. The combined agencies made several unsuccessful attempts to remove Pendleton from the apartment – utilizing CS and OC chemical agents,<sup>2</sup> drones and robots with cameras, and a K-9.<sup>3</sup>

On December 22, 2022, at approximately 3:15 p.m., LASD Special Enforcement Bureau (SEB) took command. After utilizing drones, cameras, and chemical agents without success, SEB made entry into the apartment and attempted to arrest Pendleton. SEB deputies encountered Pendleton on the stairwell leading to the second floor. SEB deputies deployed a K-9. After the K-9 made contact, Pendleton fired his weapon twice at the deputies. Francois and Williams fired multiple rounds in response, and Pendleton retreated to the second floor of his unit. Deputies located Pendleton, crouched on a balcony in an upstairs bedroom, wrestling with the K-9. Pendleton shot the K-9 in the head/neck and pointed the weapon at the deputies. Francois fired multiple rounds, striking Pendleton. Pendleton and the K-9 succumbed to their injuries.

## **FACTUAL ANALYSIS**

### Interview of ■■■

■■■ was interviewed at the scene by GPD Officer Christopher De La Rosa. ■■■ indicated he lived in the same apartment complex as Pendleton in the ■■■ block of west 145<sup>th</sup> Street in Gardena, California. The location is a multi-story apartment complex with a subterranean shared parking garage. On a prior date, ■■■ had installed a surveillance camera in the garage and saw Pendleton looking through other residents' storage lockers. On December 20, 2022, at 7:00 p.m., ■■■ confronted Pendleton and told him to stop looking through storage cabinets. Pendleton replied, "I'll shoot your ass! You don't know who you messing with!" The next morning at approximately 7:40 a.m., ■■■ drove his vehicle into the parking garage and saw Pendleton. Pendleton said, "Mother Fucker!" and removed a gray revolver from his right jacket pocket. Suddenly, Pendleton fired one round into the driver's side of ■■■'s vehicle. As ■■■ accelerated to the far end of the parking garage, he heard three more shots fired at his vehicle. ■■■ hid in his vehicle and called 9-1-1. ■■■ waited inside his vehicle until Pendleton exited a pedestrian door to the apartments. ■■■ then drove his vehicle out of the garage.<sup>4</sup>

---

<sup>1</sup> SWAT team personnel from GPD, Manhattan Beach Police Department, Hawthorne Police Department, and El Segundo Police Department (ESPD) were utilized.

<sup>2</sup> CS (2-Chlorobenzalmalononitrile) gas, commonly known as tear gas and OC (Oleoresin Capsicum) gas, the active ingredient in pepper spray are non-lethal chemical agents employed by law enforcement for barricade situations, riot control, and hostage situations. The chemical agents can be used in powder or liquid form, termed "cold" gas. The chemical agents can also be heated for an incendiary effect, termed "hot" gas.

<sup>3</sup> A K-9 is a dog utilized by law enforcement and trained to assist law enforcement personnel in numerous capacities. A K-9 is frequently utilized to search for explosives, narcotics, or firearms; to locate missing people; to protect officers; and to attack suspects as a less-than-lethal force option.

<sup>4</sup> The information provided by ■■■ would eventually be relayed to SEB personnel once SEB took charge of the incident.



Figure 1: BWC of Officer De La Rosa: ■'s truck - displaying bullet hole and shattered window.

#### Interview of ■

■ is Pendleton's wife. They lived in unit ■ of the apartment complex for 19 years. On the morning of December 21, 2022, ■ awoke to two loud bangs outside her apartment. She was unsure if they were gunshots. Pendleton was not in the apartment but returned a short time later. He acted very "serious" and "odd" which was unusual for him. Pendleton told ■ to call her sister to come to the house because she "didn't need to be alone." He also told her, "You're going to need someone with you." Later, ■ fled the home after she received a call from her sister, and the GPD CNT told her to leave. ■ indicated Pendleton did not have any known psychiatric conditions.

#### Involvement of Other Police Agencies

Personnel from multi-agency SWAT teams assisted in this operation from approximately 8:30 a.m. on December 21, 2022, until approximately 3:15 p.m. on December 22, 2022, prior to LASD SEB involvement. GDP responded to the assault call and set up a perimeter containment around the apartment complex. GPD CNT personnel communicated, or attempted to communicate, with Pendleton over 80 times for more than 24 hours via phone calls, video calls, and text messages. Pendleton consistently expressed his refusal to give up his weapon or surrender. Throughout the standoff, Pendleton made numerous threatening statements such as: "I'm going to make y'all kill me;" "I am going to leave on a stretcher;" "You'll have to shoot me;" "I'm too old to go to jail;" "I have 27 minutes (referring to cell phone battery) before you kill me;" "You will need to kill me and take me to a mortuary, and my wife will need to make a burial plan;" "You'll have to kill me. This is the last roll for me. I will see my 62<sup>nd</sup> birthday from a graveyard;" "Come kill me cause I'm not coming out;" and "You will be the last person I ever talk to."

Personnel from the multi-agency SWAT teams engaged in a variety of actions to de-escalate the standoff. Verbal announcements were made for the suspect to surrender. Utilities were

disconnected to apartment ■. Multiple drones, throw phones<sup>5</sup>, an AVATAR robot, pole cameras, and bore cameras were used to reveal the interior of the apartment, but many of the devices were tampered with by Pendleton or became otherwise immobilized. Personnel deployed numerous “cold” and “hot” chemical agents at intervals, but none of these actions succeeded in removing Pendleton from the apartment.

On December 22, 2022, at 8:00 a.m., GPD SWAT entered the apartment and encountered Pendleton standing at the top of the stairs. He threatened to shoot any officers that approached. A K-9 from ESPD was deployed for a directed bite and contacted Pendleton.<sup>6</sup> Pendleton, who was partly obscured by a wall, displayed a grey revolver and continued to threaten officers. Pendleton twice pointed the revolver at GPD SWAT Officers Oscar Qunitero and Laurent Hentges. GPD SWAT withdrew from the apartment.

### Involvement of LASD SEB

LASD SEB was notified by GPD at 11:20 a.m. on December 22, 2022. SEB CNT took over responsibility for negotiations at 2:00 p.m., but by 2:35 p.m. Pendleton’s phone had died. At 3:15 p.m., SEB assumed command of the operation and the perimeter. SEB personnel and command staff generated a multi-tiered plan to resolve the standoff. PA announcements were started at 3:49 p.m., but Pendleton was unresponsive. At 4:15 p.m., multiple drones were utilized to ascertain Pendleton’s location and condition, but he could not be located. At 5:26 p.m., multiple “hot” and “cold” chemical agents were deployed to saturate the home. A robot and a drone were utilized after the insertion of chemical agents, however, Pendleton could not be located. At 5:42 p.m., after the chemical agents appeared to have no effect on Pendleton, SEB personnel entered the residence to determine Pendleton’s status and whereabouts. Deputies Cesar Villanova, Edgar Solano, Francois, and Williams (K-9 handler) were part of the seven deputies who made up the entry team.<sup>7</sup>

### Interview of Deputy Ervin Francois

Francois was interviewed by investigators on December 23, 2022, at 1:22 a.m. Francois was the scout for SEB tan team.<sup>8</sup> He arrived at the apartment complex and began gathering information from the other SWAT teams. Francois learned the incident had been ongoing for more than 24 hours, and he was advised of the numerous prior actions taken by other departments to de-escalate and to resolve the standoff.<sup>9</sup> Francois and his team formulated a tactical mission plan to resolve the standoff as quickly and safely as possible. The strategy involved verbal announcements, the insertion of technology, and the deployment of chemical agents. Once these

---

<sup>5</sup> A throw phone is a durable communication device equipped with a telephone receiver, video camera and speaker phone function to allow a continuous, discreet, and secure communication channel during a crisis.

<sup>6</sup> ESPD Officer Brian Slover deployed his K-9 “Xena.” Pendleton fled up the stairs and kicked at the dog. Pendleton told officers the dog had bitten him. Officers recalled the K-9 and offered medical aid, but Pendleton ignored them. Officers were uncertain whether Pendleton had been bitten.

<sup>7</sup> Investigators interviewed each of the four deputies in a conference room at either SEB or Sheriff’s Homicide headquarters. While no admonition was provided, Detective Manfree indicated the interview was voluntary and the deputies could refuse or discontinue the interview at any time. All four deputies agreed to speak to the investigators. All the deputies except for Francois chose to be represented by counsel during the interviews.

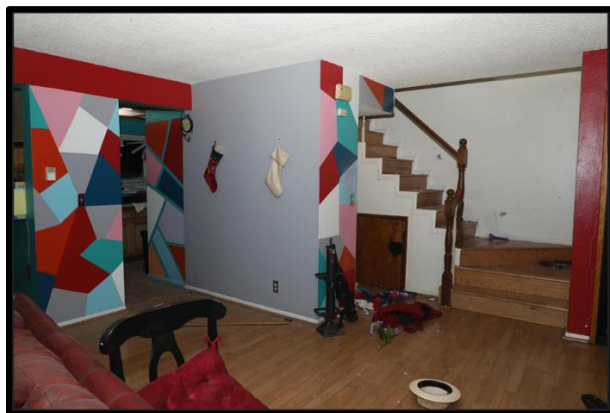
<sup>8</sup> SEB has six separate tactical teams. Each team has a team leader, known as a scout. The scout oversees tactical planning and leads the team during each mission. SEB SWAT deputies are never equipped with BWC.

<sup>9</sup> Villanova collected information from GPD officers at the command center and relayed this information to Francois and the entry team.

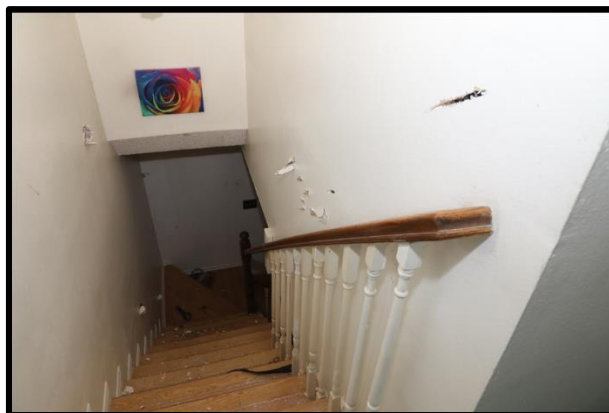
initial attempts to locate and to remove Pendleton from the apartment failed, SEB decided to make entry into the apartment.

Inside the apartment, Francois saw Pendleton at the top of the stairs, partly obscured by the wall and a barrier Pendleton had erected. Francois stood at the base of the stairs and asked Pendleton to show his hands and surrender. SEB brought several less-lethal options, including additional chemical agents, a Taser, a 40 mm launcher with sponge rounds, and the K-9. Francois considered these less-lethal alternatives, but Pendleton's erratic movement and obscured position made it unlikely these devices would be successful. Also, the 40 mm launcher is classified as a lethal weapon when aimed at the head or neck areas, which were the body parts of Pendleton most visible to the deputies. Finally, a deputy using any of the less-lethal options would be exposed to potential gun fire from Pendleton. Consequently, the team decided to deploy the K-9 with the goal of quickly detaining Pendleton once the dog made contact.<sup>10</sup>

Once deployed, the K-9 immediately contacted Pendleton. Deputies were unsure if the K-9 contacted Pendleton's arm or lower body because he was obscured by the barrier and the wall. Pendleton produced a revolver and fired a round downward in the direction of Francois and Williams. In response, both Francois and Williams fired multiple rounds from their service weapons at Pendleton. Francois estimated he fired approximately five rounds. Pendleton quickly fired a second round and moved out of view on the second floor.<sup>11</sup> Francois could see the muzzle flash from Pendleton's revolver the two times it fired. After the gunfire, Pendleton and the K-9 had moved away from the top of the stairs. Francois did not know if Pendleton required medical aid for being bitten or shot, so he decided to continue up the stairs. The team stopped at the top of the stairs, and Williams stepped to the rear as Villanova and Solano came forward. Outside SEB personnel radioed they could see Pendleton crouched on a balcony outside the primary bedroom.



*Figure 2: Living room – view toward stairs.*



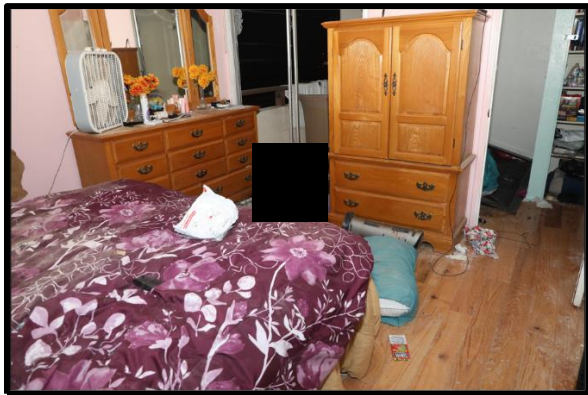
*Figure 3: View down the stairs from where Pendleton was standing.*

Upon entering the bedroom, Villanova held a ballistic shield on the right side, while Francois provided lethal cover on the left. Francois saw Pendleton crouched on the threshold of the patio

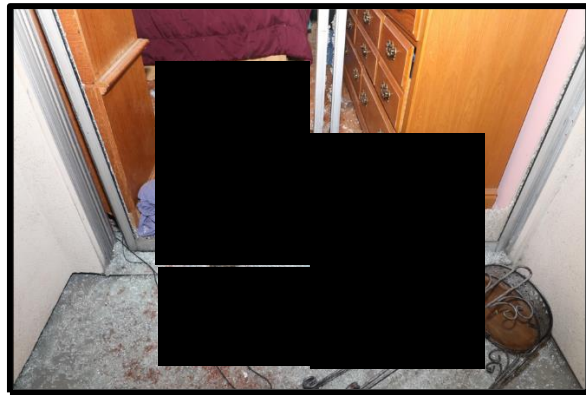
<sup>10</sup> Solano told investigators that upon seeing the dog, Pendleton said, "If you let that dog go, I am going to shoot him!"

<sup>11</sup> Villanova and Solano confirmed they heard Pendleton fire two rounds at deputies and saw muzzle flash, but they could not see the gun from their position.

and the bedroom. The K-9 stood on all fours just inside the bedroom and appeared to be biting Pendleton. Pendleton fired a round into the dog's head/neck area.<sup>12</sup> Francois immediately yelled, "Drop it! Let me see your hands! Just drop it! Drop it!"<sup>13</sup> Francois was approximately three to five feet from Pendleton when Pendleton started to elevate from his crouched position, still holding the revolver and "spun toward" Francois.<sup>14</sup> Francois fired approximately three rounds. Pendleton started to fall but continued to hold the revolver in his hand. Francois believed Pendleton still presented a significant risk with the gun in his hand based on everything that had happened. Francois told investigators he fired approximately two more rounds to protect his life and the lives of his team. Pendleton collapsed to the ground at 5:50 p.m. Francois continued to train his weapon on Pendleton while he called for SEB paramedics to render aid.



*Figure 4: Primary bedroom with hallway entrance on right and patio entrance on left.*



*Figure 5: Pendleton's body after receiving medical with LASD canine near threshold of patio and bedroom.*

### Interview of Deputy Stephen Williams

Williams was interviewed by investigators on January 4, 2023. Williams was the K-9 handler assigned to the entry team.<sup>15</sup> Williams was briefed on all events leading to SEB's involvement. Upon entry into the apartment, Williams joined Francois at the base of the stairs as Pendleton was speaking to Francois. Francois and other deputies gave commands for Pendleton to surrender. Pendleton told the deputies, "You're gonna have to kill me! I'm not giving up!" Pendleton would periodically poke his head out from the top of the stairs, but the deputies could not see his hands. He also erected a barrier at the top of the stairs which further obscured him. After exploring other alternatives, Francois and Williams decided to send the K-9 up the stairs to contact the suspect. The K-9 appeared to bite Pendleton on the left arm.

---

<sup>12</sup> Villanova (behind the ballistic shield) and Solano (behind Francois) could not see Pendleton on the balcony, but they both heard Pendleton fire the revolver, and Villanova saw muzzle flash.

<sup>13</sup> Solano confirmed to investigators that Francois issued verbal commands to Pendleton prior to firing his service weapon in the upstairs bedroom.

<sup>14</sup> Villanova told investigators Pendleton had been crouched down low, but stood up as deputies approached and pointed his gun in the direction of the deputies.

<sup>15</sup> Williams' police K-9 was a seven-year-old Belgian Malinois named "Jack."

Immediately, Pendleton produced a firearm and fired one round down the stairs at the entry team. Williams felt the round go past him and saw the muzzle flash. Williams fired a single round at Pendleton but his gun malfunctioned, so he ejected the round in the chamber. At the same time, Williams heard Francois fire several rounds. As Williams was clearing the malfunction, he heard Pendleton fire a second round at the deputies. The suspect and the K-9 had moved out of view at the top of the stairs. Williams could not see Pendleton, so he fired into the drywall where Pendleton could have been standing. Williams told investigators he fired approximately seven additional rounds because he feared Pendleton would continue shooting at the deputies. Afterward, Williams ejected his magazine in the stairwell and reloaded with a new magazine. Williams tried to recall the dog, but it did not respond. The deputies ascended the stairs. Radio traffic notified deputies Pendleton was on the balcony. As they made their approach into the bedroom, Williams could not see Pendleton but heard him fire another round. Williams witnessed Francois fire his weapon multiple times. After the shooting, Williams saw Pendleton and the canine lying next to one another near the threshold of the balcony.

#### Medical Treatment and Coroner's Investigation

LASD SEB paramedics provided Pendleton medical treatment at the scene. Despite their efforts, paramedics pronounced Pendleton deceased at 6:00 p.m. Dr. Michael Harrell of the Los Angeles County Department of the Medical Examiner – Coroner performed an autopsy on Pendleton's remains on January 4, 2023. He concluded Pendleton died from multiple gunshot wounds to the following areas: head (x2), neck, left shoulder (x2), and back. The general trajectory of the wounds was left to right and back to front. Pendleton also suffered patterned injuries to the front and back of the left forearm which were consistent with canine bites.<sup>16</sup>

#### Ballistic Evidence

Pendleton's .38 caliber revolver was located between the K-9 and a desk in the upstairs bedroom. The firearm capacity was five rounds, and the firearm contained five expended .38 caliber cartridge casings. Five unexpended .38 caliber casings were found on the floor of the upstairs bedroom. Numerous bullet fragments were determined to have been fired from Pendleton's revolver. Investigators located two of these bullet fragments in the underground parking garage. The firearm was tested and found to contain Pendleton's DNA.

20 expended 9mm Luger cartridge cases were collected from the apartment: eleven from the stairs and living room area and 9 from the upstairs bedroom.

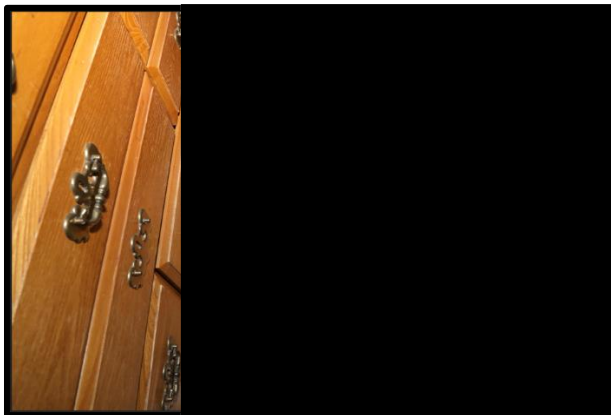
On December 23, 2022, at approximately 1:00 a.m., LASD crime lab personnel conducted round counts for Williams' and Francois' service weapons. Williams carried a 9mm Smith & Wesson semi-automatic pistol. The chamber contained one unexpended round and the fully loaded magazine contained 17 un-expended rounds for a total capacity of 18 rounds in the weapon. Williams' previously ejected initial magazine was located on the stairs. His initial magazine had a 20-round capacity with one round in the chamber for a total capacity of 21 rounds. This magazine contained 9 un-expended rounds. After his weapon's malfunction, Williams cleared one un-expended round which was recovered on the stairs. The unexpended round in the

---

<sup>16</sup> The only area of Pendleton's body which had injuries consistent with K-9 bites was the left forearm. The evidence from witness statements suggests that K-9 "Jack" likely bit Pendleton. It is also possible ESPD K-9 "Xena" bit Pendleton. The medical evidence cannot distinguish between K-9 bites.

chamber of the weapon at the round count would have been cycled through the gun from his initial magazine. The evidence suggests Williams fired ten rounds in total on the stairs.

Francois carried an MP5K 9mm semi-automatic collapsible shoulder weapon. The weapon was loaded with one round in the chamber and 27 rounds in the magazine for a total capacity of 28 rounds. During the round count, the magazine contained 17 live rounds, and the chamber contained one live round, totaling 18 rounds. The evidence suggests Francois fired ten rounds in total. Since Francois was the only deputy who discharged his weapon in the bedroom, the evidence suggests Francois fired all 9 rounds in the upstairs bedroom and one round on the stairs or in the living room.



*Figure 6: Location where Pendleton's revolver was discovered between canine and dresser in bedroom.*



*Figure 7: Pendleton's revolver with five expended cartridge casings.*

## LEGAL ANALYSIS

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 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 § 835a(b), (c)(1)(A), and (c)(1)(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 the 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).

“Totality of the 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).

#### First Incident

Law enforcement arrived after Pendleton fired multiple rounds at his neighbor. Prior to SEB involvement, officers from multi-agency SWAT teams attempted to de-escalate and resolve the standoff with Pendleton for over 24 hours. The agencies utilized numerous tactics, including PA announcements, frequent CNT communication, robots, drones, chemical agents, and K-9s which attempted to end to the barricade situation with minimal injury to Pendleton. When GPD made entry, Pendleton twice pointed his revolver at two officers. SEB was provided all this information when they took command. SEB also attempted to resolve the situation with all the same tactics employed by the multi-agency force with identical results. When SEB deployed their K-9, Pendleton fired multiple rounds at SEB deputies from his elevated and shielded position. Only then did Francois and Williams utilize lethal force. Based on the totality of events that Williams and Francois knew from Pendleton's prior contacts, and their own experience of being fired upon, the evidence supports their stated beliefs deadly force was necessary to defend against an imminent threat to themselves and the other deputies present.

#### Second Incident

After Pendleton and K-9 "Jack" disappeared upstairs, SEB deputies pursued Pendleton to the second floor to possibly render aid as they believed Pendleton may have been shot, or may have been in an ongoing struggle with the K-9. When Francois and the other deputies entered the upstairs bedroom, the succeeding events unfolded quickly. Pendleton was observed crouched down on the balcony, struggling with the K-9. With deputies inside the bedroom, Pendleton fired his weapon into the head/neck of the K-9, ultimately killing the dog. As Pendleton stood from his crouch, Francois issued multiple commands for Pendleton to drop the weapon, which were all ignored. Pendleton turned his gun toward the deputies, and Francois fired multiple rounds. When Pendleton still did not drop the weapon, Francois fired again, causing Pendleton to drop the weapon and collapse. After the prior exchange of gunfire on the stairs, Pendleton's assault on his neighbor, and his numerous threats of violence, Francois could reasonably believe Pendleton would fire again if he was afforded the opportunity. Francois showed restraint by issuing final commands for Pendleton to drop the weapon, and only fired when Pendleton turned the weapon toward the deputies. Based on the totality of the circumstances known to Francois at the time of the incident and the preceding moments, the evidence supports his stated belief that the use of deadly force was necessary to defend against an imminent threat to himself or the other deputies present.

#### **CONCLUSION**

For the foregoing reasons, we find that Deputies Williams and Francois acted lawfully in self-defense and in the defense of a third party when they fired their service weapons.