

Fatal Officer Involved Shooting of Oscar Sanchez
Los Angeles Police Department

Officer Diego Bracamontes, #40514
Officer Christopher Guerrero, #41997

J.S.I.D. File #23-0005



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

August 26, 2024

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: Fatal Officer Involved Shooting of Oscar Sanchez
J.S.I.D. File #23-0005
L.A.P.D. File #F003-23

DATE: August 26, 2024

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the January 3, 2023, fatal shooting of Oscar Sanchez by Los Angeles Police Department (LAPD) Officers Diego Bracamontes and Christopher Guerrero. We have concluded that Officers Bracamontes and Guerrero acted in lawful self-defense at the time they fired their service weapons, reasonably believing, based on the totality of the circumstances, that deadly force was necessary to defend against an imminent deadly threat.

The District Attorney's Command Center was notified of the shooting on January 3, 2023, at 6:56 p.m. The District Attorney's Response Team responded and was given a briefing and walk-through of the scene by LAPD Force Investigation Division (FID) Lieutenant David Davis.

The following analysis is based on body worn camera video (BWV), investigative reports, audio recordings and transcripts of witness interviews, crime scene diagrams, autopsy, and toxicology reports submitted to this office by LAPD FID Detective Humphrey Hyoung, on January 30, 2024. Compelled statements, if any, were not considered as part of this analysis.

INTRODUCTION

On January 3, 2023, Los Angeles Police Officers from the Newton Division responded to multiple 9-1-1 calls regarding a man throwing objects at passing cars. Officers saw a possible person of interest, later identified as 37-year-old Oscar Sanchez (Sanchez), who fled from officers to the second story of an abandoned residence. The officers did not attempt to detain Sanchez when the victim of the damaged car left the scene without giving a statement.

Approximately 45 minutes later, officers returned to the same location after receiving a second radio call regarding a man throwing metal tools at passing cars. Officers spoke to a second victim who told them that the man who had thrown the tools at his car had also vandalized the victim's car and threatened the victim with a knife.

The second victim directed the officers to Sanchez’s location at the abandoned residence. Officers observed Sanchez go up the stairs and into the residence. Officers stood in the backyard and asked Sanchez to come down and talk to them. The officers were concerned for the safety of the other residents living inside the abandoned residence and went up the stairs to the balcony to contact Sanchez.

When the officers pushed open the exterior door to the residence, Sanchez quickly opened an interior door and stepped toward the officers while holding an improvised stabbing weapon. Two officers fired their service weapons at Sanchez while a third officer fired a 40mm less-lethal launcher (40mm).

Sanchez was struck by gunfire and transported by the Los Angeles City Fire Department (LAFD) to a local hospital, where he was pronounced deceased.

SUMMARY

First Incident

On January 3, 2023, at approximately 4:45 p.m., █████ called 9-1-1 to report a man [Sanchez] removing the wiring from a light pole and wrapping it around a large kitchen knife. █████ told the 9-1-1 operator that Sanchez was armed with a knife and walking along Central Avenue. █████ saw him throw a knife and other objects at passing cars. The dispatch operator broadcast the call of an “ADW suspect there now.”¹

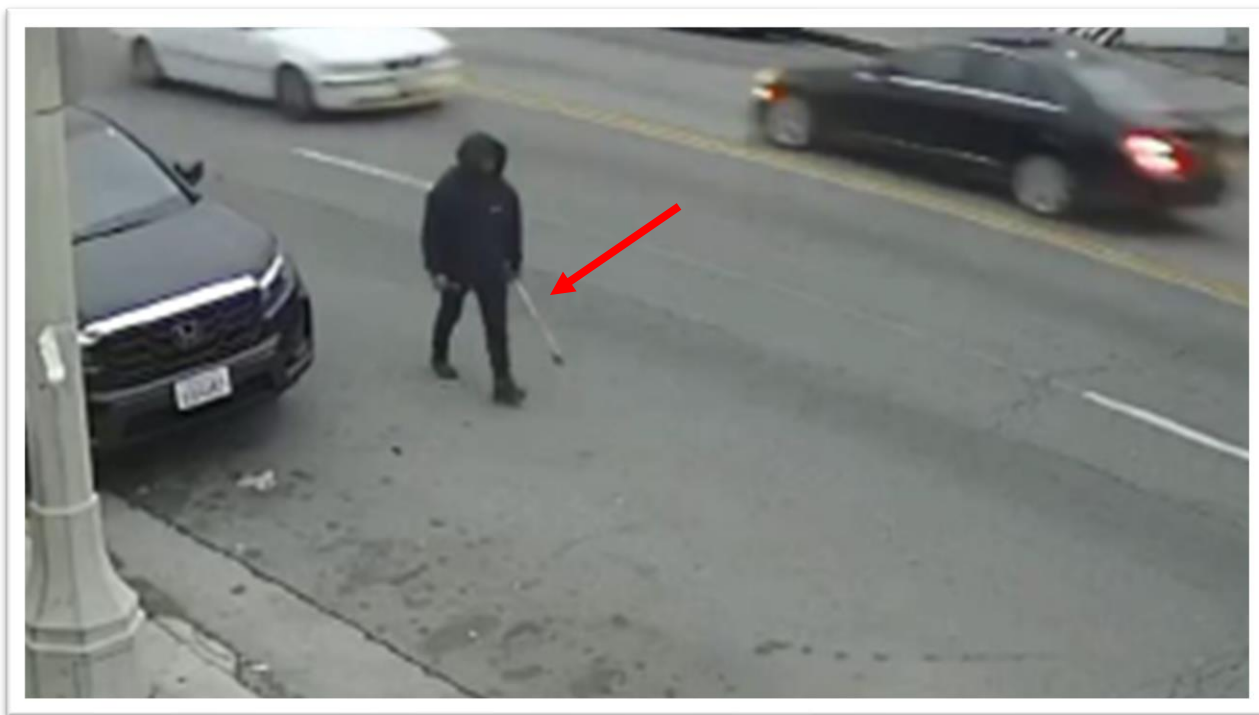


Figure 1: Business surveillance footage showing Sanchez carrying a metal pole (red arrow).

¹ “ADW” is the acronym for Assault with a Deadly Weapon.

Officers Diego Bracamontes (Bracamontes) and Christopher Guerrero (Guerrero) responded to the call. Officer Jose Solórzano (Solórzano) told investigators that he and his partner, Officer Diana Gallardo (Gallardo), also responded to the radio broadcast, “415-man with a knife, throwing a knife at a passing vehicle.”² Solórzano and Gallardo arrived at the location and met with Guerrero and Bracamontes.^{3, 4}

Solórzano told investigators that he observed Sanchez walking on 28th Street carrying a “black, long object . . . a metal pole or wooden stick.” (*Figure 1*) Solórzano saw Guerrero and Bracamontes exit their patrol car and talk to Sanchez. Sanchez ignored their attempts to communicate with him and walked away from them through the yard of an abandoned residence.⁵

Guerrero contacted dispatch and asked for additional descriptive information. The dispatch operator told Guerrero that the 9-1-1 caller described the man with the knife as wearing a dark blue sweater with the words “Electrical Crew” on the back. As Sanchez walked away from the officers, they observed that Sanchez was wearing a dark blue sweater with the words “Electrical Crew” written on the back. The dispatch operator updated the officers and informed them that the victim had left the scene and all parties were “GOA [Gone on Arrival].” The officers returned to their patrol cars and left the area.

Second Incident

At 5:23 p.m., ■■■ saw Sanchez acting aggressively toward ■■■ and called 9-1-1 a second time. ■■■ told the dispatch operator that Sanchez, “[A]ttacked one of [her] clients . . . and [Sanchez is] throwing stuff at cars!” ■■■ told the operator, “He just threw something at another car right now!”

■■■ was driving on Central Avenue when [Sanchez] threw a metal object at him, hitting his car. ■■■ called 9-1-1. When the officers arrived, ■■■ told them that when he stopped and exited his car after the impact, Sanchez approached ■■■ on the driver’s side of his car. ■■■ observed Sanchez holding a 3-foot metal tube in his left hand and a 5-inch knife in his right hand. ■■■ told Sanchez, “You hit my car!” Sanchez moved towards ■■■ while holding the knife, forcing ■■■ to step backward.

■■■ stated he was standing approximately six feet away from Sanchez when Sanchez made slashing motions with the knife at ■■■ while advancing in ■■■s direction. When ■■■ pulled out his phone to call 9-1-1, Sanchez stopped advancing towards ■■■ Sanchez turned and walked to

² Solórzano referred to California Penal Code section 415 the crime of disturbing the peace.

³ Bracamontes and Guerrero were the primary handling field unit.

⁴ All officers were dressed in LAPD uniforms with badges and nametags and driving marked black and white vehicles.

⁵ The abandoned property at ■■■ East 28th Street was demolished in May 2023, after the Los Angeles City Attorney’s Office pursued an abatement order.

the back of ■■■'s car, where Sanchez smashed out ■■■ car's taillight.⁶ (Figure 2) As Sanchez walked away from ■■■'s car, ■■■ saw Sanchez throw an object at another passing car.



Figure 2: Surveillance showing Sanchez (in red) confronting ■■■ (in yellow) and forcing ■■■ to retreat. The words “Electrical Crew” are visible on the back of Sanchez’s hoodie.

Dispatch rebroadcast the call for service, and Bracamontes, Guerrero, Solórzano, and Gallardo responded to the second 9-1-1 call. While at the scene, Solórzano interviewed ■■■ and asked him to show Solórzano, “Exactly how [the assault with the knife] happened.” Solórzano gave ■■■ his flashlight to demonstrate. ■■■ “Put the flashlight up and pointed it towards [Solórzano] and walked towards [Solórzano]. And [■■■ said that [Sanchez slashed at him] twice.”

Solórzano relayed the information that Sanchez had committed an assault with a deadly weapon on ■■■ to Guerrero, Bracamontes, Sergeant Edward Asawesna (Asawesna), and the other officers present at the scene.⁷ Solórzano told investigators that Sanchez was dangerous because Sanchez was armed with a knife and had threatened a victim.

Eight officers and a sergeant were present at the location: Officers Bracamontes, Guerrero, Solórzano, Gallardo, Omar Ortiz (Ortiz), Carlos Manzo (Manzo), Jack Stannard (Stannard), Daniel Moreno (Moreno), and Sergeant Asawesna. As they stood in the abandoned residence’s rear yard, they saw Sanchez on the second-floor landing. Manzo told the investigators that he could hear Sanchez upstairs, “Pacing back and forth” while clanging a metal object.

■■■ was standing in the backyard when officers asked to speak to him. ■■■ told Bracamontes that the man they were looking for was “Oscar” and that Oscar and his brother lived in one of the rooms on the second floor.⁸

It was dark outside as the officers stood in the rear yard of the abandoned property. The two-story residence was accessed by a set of broken and unstable stairs leading to a deteriorating

⁶ ■■■ was interviewed by the Force Investigation Unit at the scene. ■■■ directed the investigators to an object found next to his rear tire, a drill bit with an improvised handle, but was unsure if that was the object Sanchez used to slash at him. The item tested positive for the presence of Sanchez’s DNA.

⁷ Sergeant Asawesna was assigned to the call as part of the LAPD Department’s edged weapon protocol.

⁸ ■■■ reported that he also lived in the abandoned property, in an area separate from where Sanchez lived.

balcony. Since the residence had no electricity, the officers used their flashlights to illuminate the second story. (Figure 3)



Figure 3: (A) BWV showing the abandoned residence on the first call for service. (B) Sanchez was visible on the balcony on the second floor (red arrow).

Asawesna received information that Sanchez, who was now inside the residence, was armed with a knife and that other people also lived in the residence.⁹ Asawesna did not want the officers getting into a physical fight with Sanchez on the structurally unsound balcony on the second floor. However, Asawesna was concerned that since Sanchez was armed with a knife, Sanchez posed a danger to the other inhabitants inside the residence.

As the officers stood outside in the backyard, they told Sanchez, “Drop whatever is in your hands and come down [the stairs].” The officers repeated the commands in English and Spanish for over four minutes. Solórzano heard Sanchez say, “[Y]ou’re just trying to rob me,” in Spanish.

Manzo told investigators that as he responded to the call, “[Sanchez] was armed with a knife.” Manzo stated he could see Sanchez pacing back forth on the second floor and hear him dragging heavy metal chains. Manzo heard Sanchez say, “You’re not going to take me!”

When Sanchez entered the residence, Asawesna decided to take Sanchez into custody because Asawesna feared Sanchez would stab the occupants inside the residence. Bracamontes and Guerrero were armed with their service weapons. Manzo and Ortiz were armed with less lethal 40mm guns (40mm). Bracamontes, Guerrero, and Manzo ascended the stairs in single file and approached the exterior residence door where Sanchez entered. When they reached the top of the landing, they observed that the exterior door was ajar. Guerrero pushed the door slightly

⁹ Officers located five people who were unharmed, inside the two additional units at the front of the property.

more open. Bracamontes, standing on Guerrero's left side, fully opened the door. (Figures 4 and 5)



Figure 4: Guerrero's BWV as Guerrero, Bracamontes, and Manzo stood at the exterior door.

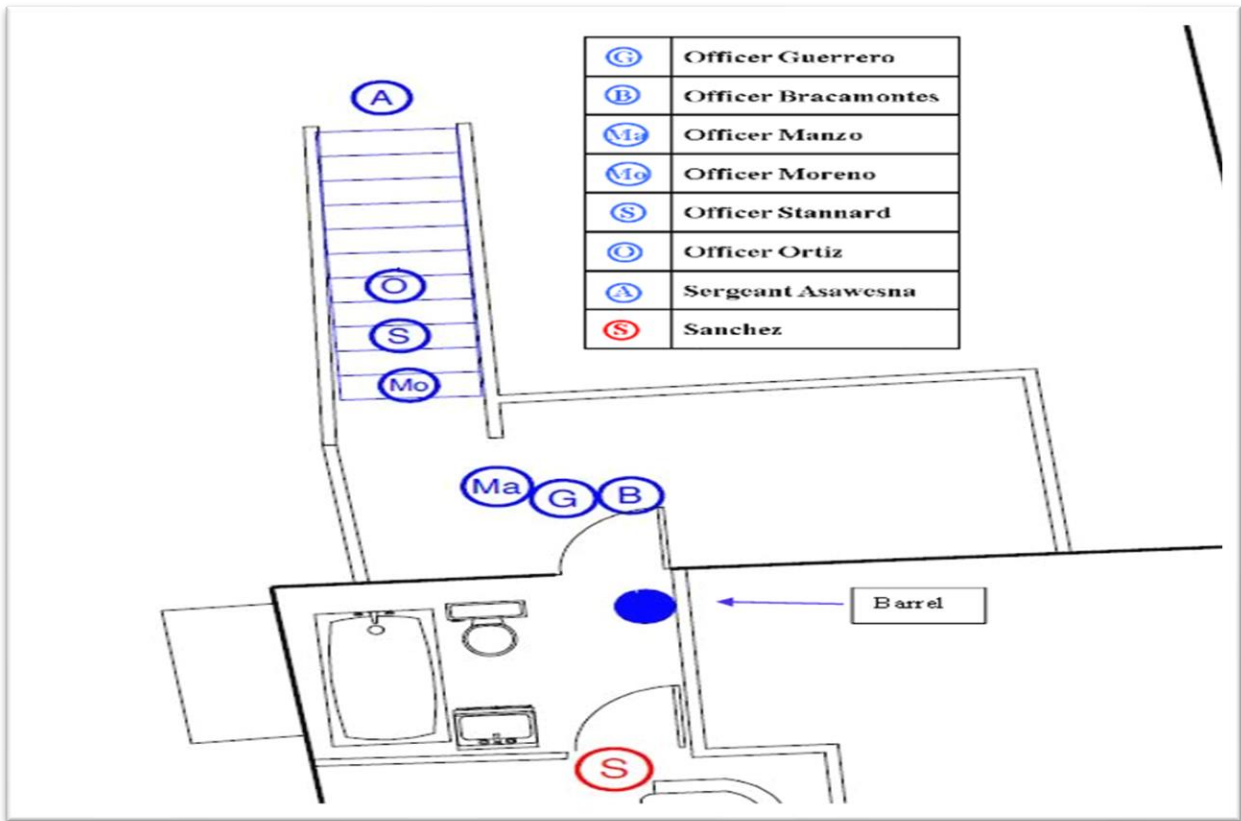


Figure 5: Relative positions of the officers when the shooting occurred.

Manzo told investigators that when they were at the open exterior door, Manzo saw the interior door of the residence “immediately” swing open. Manzo saw Sanchez holding a “sharp spear object, silver in color” in his right hand. Manzo heard Bracamontes and Guerrero order Sanchez to drop the weapon. Manzo stated, when he saw Sanchez, “[L]unge forward . . . five to 10 feet [away from the officers],” Manzo fired his 40mm. Bracamontes and Guerrero each fired three shots from their service weapons.

As the officers crowded around the entrance to the residence, their body positions interfered with their BWV’s ability to visually record the shooting incident. All the shots, lethal and non-lethal, were fired less than two seconds apart.

While Solórzano and Gallardo were standing in the front yard, Solórzano heard officers yelling, “Drop it! Drop it!” and then he heard five to six shots fired. Solórzano heard an officer say, “Hey! Shots fired! Shots Fired!” Solórzano put out a broadcast, “Shots fired. Officers need a backup. I have a suspect/victim shot multiple times. Let me get an R.A. [Rescue Ambulance].”¹⁰

When Solórzano ran up the stairs into the residence, he saw Sanchez handcuffed and placed on his right side in the recovery position. Sanchez was breathing and moaning as Guerrero applied pressure to Sanchez’s wounds with a towel. When Guerrero looked for other gunshot wounds, he observed that Sanchez was wearing homemade body armor. Guerrero said, “. . . it looks like [Sanchez] has makeshift body armor on.” The officers moved Sanchez’s shirt and saw that he had black plastic material over his chest, secured by elastic on each side, holding a piece of glass or plexiglass sheet over the center mass of his chest.

As the officers were treating Sanchez, Manzo removed an “L-shaped” utility knife from the left front pocket of Sanchez’s hooded sweatshirt. Solórzano searched around the area where Sanchez was detained and found an “L-shaped” item with one end that looked like a box cutter, an electrician’s tester with a “. . . screwdriver type . . . pointy object . . . sharpened, kind of like an icepick,” and the pole that Sanchez was carrying from the first incident. Solórzano moved all the weapons to the couch out of Sanchez’s reach. Solórzano described the pole weapon as “[It appeared to be] the front pole of a Bird scooter without the handles. Three to four feet [long].”

Solórzano was concerned that the stairs would collapse under the weight of the responding paramedics because the stairway was missing a handrail, and the stairs were flimsy and cracking. The officers agreed that they should carry Sanchez down the stairs. Manzo, Moreno, and Guerrero carried Sanchez down the stairs, where they met the arriving paramedics at the bottom of the stairs. The paramedics immediately took over the care of Sanchez and put him on a gurney. At 5:57 p.m., LAFD paramedics transported Sanchez to Los Angeles General Hospital where he was pronounced deceased by Dr. Demetrios Demetriades at 7:55 p.m.

¹⁰ Solórzano did not witness the shooting but assumed that Sanchez sustained multiple gunshot wounds after hearing multiple rounds fired.

Civilian Witnesses Statements

█████

FID detectives interviewed █████ after the officer-involved shooting. █████ stated he lived in the abandoned building. He told the investigators that on the day of the incident, when he saw Sanchez going up the stairs, Sanchez was carrying an “iron bar.” █████ told investigators that Sanchez makes weapons and has threatened to stab █████ in the past. █████ believed that Sanchez was mentally ill.

Forensic Evidence

Ballistics

FID Video Technology Unit analyzed the officer’s BWV footage and performed a Sound Graph Analysis to identify when each lethal and nonlethal round was discharged. The analysts concluded that one less-lethal round and six lethal rounds were fired within 1.236 seconds. However, the analysts could not determine in what order the officers fired their weapons.

A review of BWV determined that four seconds elapsed between the time that Sanchez opened the interior door and the officers fired their weapons. FID investigators determined that Bracamontes and Guerrero were standing approximately 10 feet from Sanchez when they fired their service weapons. Bracamontes and Guerrero each fired three rounds while they stood at the threshold of the residence.¹¹

Improvised Weapons

Sanchez was armed with four improvised weapons during the day leading up to the officer-involved shooting. At the time of the shooting, Sanchez armed himself with a device made from a sharpened flat-head screwdriver attached to an electric scooter fork. (*Figure 6*)



Figure 6: Sanchez’s improvised stabbing weapon.

¹¹ Due to the constrained space on the balcony and the narrow confines of the doorway, the officers’ positions obstructed their BWV, and the actual shooting incident was not visually recorded.

Surveillance footage from Central Avenue depicted Sanchez walking in the street holding a metal pipe. Manzo's BWV depicted Sanchez holding the pipe in his left hand at the time of the shooting. The improvised weapon was the vertical neck of a Bird electric scooter, with the horizontal handlebars removed. (Figure 7)



Figure 7: The metal pole that Sanchez held in the surveillance video.

The third improvised weapon was a utility knife found in the left front pocket of Sanchez's hoodie. The utility knife had a piece from a car door secured with a plastic zip tie. (Figure 8)



Figure 7: Manzo removed an improvised utility knife from Sanchez's pocket before the officers began providing medical aid.

Autopsy

On January 11, 2023, Los Angeles County Deputy Medical Examiner, Dr. Lawrence Nguyen performed the postmortem examination of Sanchez's remains. Dr. Nguyen classified the manner of death as a homicide and ascribed the cause of death as multiple gunshot wounds.

Dr. Nguyen identified four gunshot wounds. One entered Sanchez's left arm and exited the left forearm and a second entered Sanchez's left thigh and exited the left thigh. Dr. Nguyen reported that these gunshot wounds were non-life-threatening.

A third gunshot wound identified by Dr. Nguyen entered Sanchez's left chest, perforating the diaphragm and liver, exiting the right upper abdomen. A fourth gunshot wound entered the left abdomen, penetrating the colon, small bowel, and iliac arteries. There was no exit wound. Dr. Nguyen reported that both these gunshot wounds were immediately life-threatening.

Toxicology

Toxicology results were finalized and approved on June 29, 2023, by Los Angeles County Department of Medical Examiner Coroner Supervising Criminalist Sarah Buxton de Quintana. The analysis identified the presence of ketamine, amphetamine, and methamphetamine in Sanchez's body.¹²

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 section 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 section 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 section 835a(e)(2).

When considering the totality of the circumstances, 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, are taken into consideration. Penal Code section 835a(a)(4) and (e)(3). The peace officer's decision to use force is not evaluated with the benefit of hindsight and shall account for

¹² Femoral blood sample: Methamphetamine 1.8 µg/mL, Amphetamine 0.10 µg/mL, and Ketamine 154 ng/mL.

occasions when officers may be forced to make quick judgments about using force. Penal Code section 835a(a)(4).

Analysis

By the time the officers arrived in response to the second 9-1-1 call, Sanchez had thrown multiple metal objects at passing cars and threatened ■■■ with a knife. Both times the officers attempted to contact Sanchez, the officers believed that Sanchez was armed and posed a threat to them and the other inhabitants living inside the abandoned property.

The officers called out in Spanish to Sanchez for over four minutes, asking him to come down and talk to them. Sanchez was acting erratically and told the officers that he believed that the officers were trying to rob him. The toxicology analysis confirms that Sanchez was under the influence of methamphetamine and ketamine during the incident, and the drugs may have contributed to his erratic and unpredictable behavior.

Prior to the shooting, ■■■ told the officers that other people lived in the abandoned residence. Sergeant Asawesna made the decision that since Sanchez had recently attacked ■■■ he posed a credible threat to the residents inside the building. That is when Bracamontes, Guerrero, Manzo, and Moreno climbed the stairs to contact and detain Sanchez. All the officers were aware that Sanchez had stabbing implements and was carrying a metal pole.

As the three officers stood in the open doorway, they were prepared to use both lethal and non-lethal weapons. When Sanchez quickly opened the interior door while armed with the metal pole and the improvised stabbing device, he was 10 feet away from the officers. When Sanchez lunged in the direction of the officers, he posed an imminent and deadly threat to Guerrero and Bracamontes, who were standing in the doorway.

When Sanchez refused to drop the weapons, Guerrero and Bracamontes fired their service weapons while Manzo fired the 40mm. Guerrero and Bracamontes did not have the time or the ability to retreat while in the small confines of the abandoned apartment's balcony and had to resort to using deadly force to protect themselves and Manzo from Sanchez's attack.

Under these circumstances, the evidence supports a reasonable belief that the use of deadly force was necessary to defend against an imminent threat of death or serious bodily injury to the officers or another person.

CONCLUSION

For the foregoing reasons, we find that Officer Guerrero and Officer Bracamontes acted lawfully in their own self-defense and in defense of others.