

Fatal Officer Involved Shooting of Jose Meza

Los Angeles County Sheriff's Department

Deputy Grant Roth, #502208

San Gabriel Police Department

Detective Enrique De Anda, #116

J.S.I.D. File #19-0258



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

August 29, 2022

MEMORANDUM

TO: CHIEF GENE HARRIS
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CAPTAIN ANDREW D. MEYER
Los Angeles County Sheriff's Department
Homicide Bureau
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Monterey Park, California 91755

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

SUBJECT: Fatal Officer Involved Shooting of Jose Meza
J.S.I.D. File #19-0258
S.G.P.D. File #2019-01323
L.A.S.D. File #019-00054-3199-013

DATE: August 29, 2022

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the June 6, 2019, fatal shooting of Jose Meza by Los Angeles County Sheriff's Department (LASD) Deputy Grant Roth and San Gabriel Police Department (SGPD) Detective Enrique De Anda. We have determined that Deputy Roth and Detective De Anda 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 June 6, 2019, at approximately 7:15 p.m. The District Attorney Response Team responded to the scene and was given a briefing and walk-through by Lieutenant Rodney Moore.¹

The following analysis is based on reports and other materials, including recorded interviews, photographs, video recordings, and radio communications submitted to this office by LASD Homicide Bureau. No compelled statements were considered in this analysis.

FACTUAL ANALYSIS

On June 6, 2019, at approximately 12:30 p.m., San Gabriel Police Department (SGPD) officers were notified of a family disturbance at a property on Brighton Avenue in the City of San Gabriel. The property is comprised of three separate residences, Unit A and Unit B, which are attached, and Unit C. The property is owned by Meza's mother. A family member reported that

¹ The walk-through was limited to the perimeter of the property due to the recent fire damage to the structures.

Meza was armed with a handgun, and Meza had previously stated that if he had any contact with the police, he would have a shootout because he did not want to go back to prison.

Family members described Meza as a methamphetamine user and a gang member known to regularly be armed with a handgun. Family members also reported Meza's recent violent confrontations with other family members. On the weekend of May 5, 2019, Meza fired one or more rounds from a handgun at his brother-in-law at the property. Several hours later, he pointed a handgun at another family member and told the family member he was going to kill his brother-in-law.² On June 1, 2019, Meza fired three rounds at his brother-in-law's car, which was parked at the property. Meza left the property prior to the SGPD officers' arrival.

SGPD OIS

On June 6, 2019, after family members informed SGPD officers that Meza was armed and dangerous, SGPD Detective Enrique De Anda responded to the property. Family members were concerned about the safety of Meza's brother-in-law, who was reported to be sleeping inside Unit B.

After repeated attempts, officers contacted Meza's brother-in-law via cell phone and asked him to exit the unit. At approximately 2:00 p.m., as Meza's brother-in-law walked along the driveway toward the street, Meza fired several rounds from inside Unit A toward his brother-in-law's direction. De Anda later stated to investigators that he heard four gunshots come from the property and saw Meza's brother-in-law run for cover.

Shortly thereafter, De Anda stated he observed a cloud of smoke rise from the stucco of Unit A that faced his direction. De Anda believed that Meza fired in his direction when he was standing with SGPD Officer Martinez.³ Later, De Anda heard approximately three gunshots being fired at a man exiting a condominium complex across the street from the property. At approximately 3:00 p.m., another man exited the complex, and De Anda yelled for the man to return to his residence. Again, Meza fired approximately two times from within Unit A. De Anda saw puffs of smoke coming out of the stucco of Unit A's wall, which faced the condominium complex across the street. De Anda stated that he believed Meza fired at the man, and De Anda was concerned for the man's safety. In response, De Anda fired one round from his service weapon, a handgun, in the direction of the source of the gunfire inside Unit A. No civilians were struck by Meza's gunfire. Also, based on the totality of the circumstances, it appears that Meza was not struck by De Anda's gunfire. SGPD requested assistance and at approximately 3:30 p.m., LASD's Special Enforcement Bureau (SEB) responded to the location.

LASD OIS

Roth was a deputy assigned to SEB. After SEB and Roth arrived at the property, Meza continued to fire several volleys of gunshots in different directions outside the property.

² These incidents were not initially reported to the police.

³ Martinez saw "concrete splatter" on the ground near the brother-in-law as he walked toward the street. Martinez also believed Meza fired a round in his direction when he was speaking with De Anda and he heard a "zip" sound and an impact near the cinderblock wall near where they stood.

At approximately 4:30 p.m., Meza set fire to the interior of Unit A. At approximately 5:15 p.m., Meza exited the rear door of Unit A into the backyard and shortly thereafter entered Unit C. Meza continued to shoot at and ignite fireworks in the direction of SEB deputies located on the perimeter of the property.⁴ Unit A became engulfed in flames and the smoke affected the deputies' visibility. Some deputies attempted to extinguish the fire with the fire department's water hoses, but firefighting efforts were hindered because of the deadly threat Meza posed.

Video footage from news helicopters captured an aerial view of the fire and Meza's movements around the property – Meza moved between vehicles and a boat in the backyard. News footage captured Meza crawling under a truck holding two silver handguns before running inside Unit C.



Video footage from a news helicopter captured Meza's movements on the property.

Roth was positioned to the rear of the residence behind a wall adjoining the freeway offramp near an Armored Response Vehicle (ARV). Roth stated to investigators that he heard Meza shooting several "volleys" of gunfire in different directions, including his location in the rear. At one point, Roth was notified via his radio that a 40 mm "less-lethal" round was deployed and Meza was "down."⁵ Roth exited the ARV to help arrest Meza, but was notified that Meza had moved to another location in the yard. As Roth ran back to the ARV for cover, he heard eight gunshots behind him. Deputy Toone told Roth that Meza had fired rounds toward Roth.⁶ Roth entered the ARV and took a position in the turret. Meza returned inside Unit C. Roth was advised that Meza was firing directly at other SEB deputies. Several public announcements were

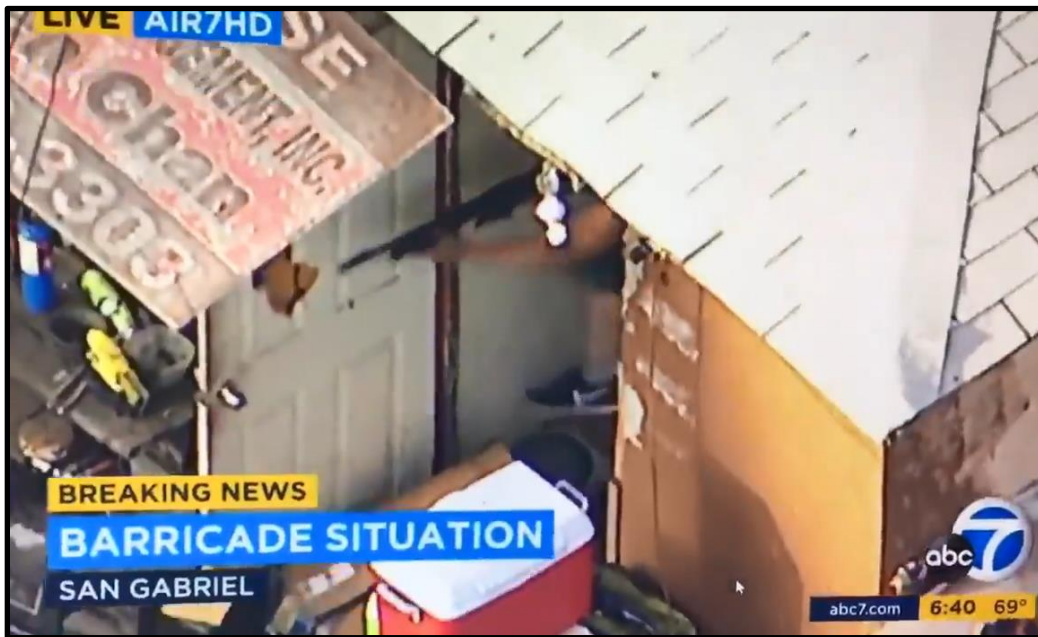
⁴ Investigators interviewed numerous peace officers that stated they heard anywhere from 30 to 60 handgun rounds and eight to ten shotgun rounds being fired from the property. At one point, a detective saw Meza in the rear yard holding two silver handguns. Meza did not comply with the detective's commands and returned inside the residence.

⁵ At approximately 6:13 p.m., LASD Deputy Munoz fired and struck Meza in the back with a 40 mm "less-lethal" round. Munoz stated that Meza fell to the ground and ran back into Unit C.

⁶ Toone told investigators that he warned Roth to stay behind cover because Meza had shot at him.

made asking Meza to surrender peacefully. SEB deputies formulated a plan and deployed tear gas into Unit C.

Shortly thereafter, at approximately 6:40 p.m., Roth, armed with a service rifle, saw Meza in the doorway of the rear residence armed with a shotgun. Meza looked directly at Roth, took three steps toward him, and pointed the shotgun at him. Roth stated he believed Meza was going to shoot him. Concerned for his own safety and the safety of others, Roth fired seven rounds from his service rifle at Meza.⁷ Meza succumbed to his injuries at the scene.



Video footage from a news helicopter recorded Meza pointing a shotgun before he was fatally wounded.

⁷ Seven .223 expended cartridge cases were retrieved near where Roth fired his service rifle.



The 12-gauge pump action shotgun was photographed in the backyard of the property.⁸

Two loaded semiautomatic handguns, a 9mm and a .40 caliber, were photographed and collected inside the bathroom of Unit C.



Meza's handguns photographed inside the bathroom.

⁸ The shotgun was owned by a resident of Unit C.

On June 12, 2019, an autopsy was conducted, and the medical examiner determined that the cause of Meza's death was multiple gunshot wounds. Laboratory analysis confirmed methamphetamine in Meza's blood.

LEGAL ANALYSIS

California law permits any person to use deadly force in self-defense or in the defense of others if he actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. CALCRIM No. 505. In protecting himself or another, a person may use that amount of 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 imminent injury. *Id.*

In California, the evaluation of the reasonableness of a police officer's use of deadly force employs a reasonable person acting as a police officer standard, which enables the jury to evaluate the conduct of a reasonable person functioning as a police officer in a stressful situation. *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1146.

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 the month leading up to the instant officer involved shootings, Meza had threatened family members and fired a gun at his brother-in-law and his brother-in-law's car. Meza had also told family members that he would have a shootout with the police to avoid going back into custody. When officers arrived at the property, Meza acted in conformity with his threats. Over the course of several hours, Meza fired both handgun and a shotgun ammunition. He fired rounds in the direction of his brother-in-law, civilians, and police officers. He also set fire to his family's residences. Meza's actions placed civilians and officers in the vicinity of the property in imminent threat of great bodily injury and death. De Anda fired his service handgun in Meza's direction shortly after Meza fired upon a second neighbor across the street. Several hours later, Roth fired his service rifle at Meza when Meza appeared to exit Unit C and pointed the barrel of the shotgun in Roth's direction.

CONCLUSION

We conclude that the deadly force utilized by Deputy Grant Roth and Detective Enrique De Anda was legally justified in self-defense and the defense of others.