

**Non-Fatal Officer Involved Shooting of Max Casillas**

**Gardena Police Department**

**Officer Michael Medeiros #116230**

**J.S.I.D. File #18-0148**



**JACKIE LACEY**

**District Attorney**

**Justice System Integrity Division**

**September 3, 2020**

**MEMORANDUM**

TO: CHIEF MIKE SAFFELL  
Gardena Police Department  
1718 West 162nd Street  
Gardena, California 90247

CAPTAIN KENT WEGENER  
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: Non-Fatal Officer Involved Shooting of Max Casillas  
J.S.I.D. File #18-0148  
L.A.S.D. File #018-00029-3199-057

DATE: September 3, 2020

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the April 18, 2018, non-fatal shooting of Max Casillas by Gardena Police Department (GPD) Officer Michael Medeiros. We have concluded that Officer Medeiros acted lawfully in self-defense.

The District Attorney's Command Center was notified of the shooting at approximately 1:14 p.m., on April 18, 2018. The District Attorney Response Team (DART) responded to the location, received a briefing regarding the circumstances surrounding the shooting, and conducted a walk-through of the scene.

The following analysis is based on investigative reports, audio recordings, medical reports, crime scene diagrams and sketches, photographic and video evidence, and witness statements submitted by Los Angeles County Sheriff's Department (LASD) Homicide Detective Esteban Soliz and Sergeant Domenick Recchia.

**FACTUAL ANALYSIS**

On April 18, 2018, at approximately 11:51 a.m., Max Casillas walked southbound along the railroad tracks traversing the center median of Vermont Avenue toward the intersection of Redondo Beach Boulevard in the City of Gardena.<sup>1</sup> Near the intersection, Casillas produced a

---

<sup>1</sup> His ingress to the area was captured by a front-facing surveillance camera at the Hustler Casino.

large knife and began stabbing himself repeatedly in the left forearm. Several passing motorists saw what was happening and called 9-1-1. A short time later, law enforcement personnel responded. Police Assistant Edwin Ortiz drove his marked police pickup truck southbound on Vermont Avenue towards the location. As he approached the intersection, motorists honked at him and bystanders attempted to flag him down. Ortiz stopped just north of Redondo Beach Boulevard to control traffic. Ortiz saw Casillas standing on the railroad tracks stabbing himself in the arm four to five times.

GPD Sergeant Alexander Rivera arrived on scene at approximately 12:02 p.m. and parked his SUV on the north side of the intersection in a southbound lane of Vermont Avenue about 25 feet from Casillas. Rivera could see that Casillas was holding a large knife and that Casillas was bleeding. Rivera maintained a position of cover behind the SUV, called for additional units, and began talking to Casillas. Casillas said, “Kill me!” Rivera replied, “I will not kill you. I am here to help you.” Rivera continued speaking with Casillas in an effort to build rapport.

GPD motor Officer Michael Medeiros approached the intersection traveling westbound on Redondo Beach Boulevard. Arriving at approximately 12:03 p.m., Medeiros rode his motorcycle across the tracks and blocked the northbound lanes of Vermont Avenue. Medeiros saw Sergeant Rivera outside his vehicle and also saw Casillas brandishing a knife as he paced near the tracks. To avoid a potential cross-fire, Medeiros moved back across the tracks on foot in the direction of Rivera. Medeiros began to shout at Casillas, “Put the knife down!” Medeiros repeated the command at least nine times.<sup>2</sup> Casillas responded, “Shoot me! Just shoot me!” and “Someone kill me!” Medeiros responded by telling Casillas that he was not going to kill him, and to put the knife down. Medeiros’ interaction with Casillas was captured on Medeiros’ BWV.



**Figure 1:** BWV still frame image of Casillas with the knife in hand; inset is a photo of the recovered knife.

Los Angeles Police Department (LAPD) Officers Armando Leyva and Evan Mott arrived as Medeiros began to engage Casillas. Mott armed himself with a bean bag shotgun. Leyva and Mott assumed supporting positions behind and to the left of Medeiros, at which point Casillas suddenly began walking towards Medeiros. Medeiros trained his service weapon on Casillas and

<sup>2</sup> Medeiros’ body worn video (BWV) captured Medeiros giving these commands and telling Casillas that no one wants to shoot him.

said, “Don’t! Don’t do it! Don’t fuckin’ do it!” Casillas continued approaching, then charged toward Medeiros.



**Figure 2:** BWV image of Casillas charging at Madeiros with a knife in his right hand.

Medeiros back-peddled for a second and then discharged two rounds at Casillas.<sup>3</sup> One round struck Casillas’ right wrist. Contemporaneous with Medeiros firing his service weapon, Mott fired a round from his bean bag shotgun that struck Casillas’ mid-torso. Casillas collapsed to the pavement and dropped the knife, but it remained within reach.

After approximately seven seconds, and in disregard of officers’ repeated orders to stay down, Casillas stood up. Mott fired another bean bag round, knocking Casillas down. Once again, officers shouted for Casillas to stay on the ground, but this time Casillas rolled to his knees. Mott fired a third bean bag round that toppled Casillas. With officers continuing to shout for him to stay on the ground, Casillas dropped his back pack, and returned to a kneeling position with his back towards the officers. One of the officers said, “We’re not going to shoot you brother!” to which Casillas shouted in response, “Shoot me!” Casillas posted his left leg as if preparing to stand.



**Figure 3:** Casillas on one knee after the third bean bag round was fired.

---

<sup>3</sup> When Medeiros fired his service weapon, he was unaware that Mott had a bean bag shotgun; Medeiros realized the bean bag gun was present when he heard the shotgun round and Leyva shouting, “Bean bag!”

Mott fired a fourth bean bag round that knocked Casillas over. Casillas rolled into a crouch, bent at the waist, leaned over onto his left arm, and remained relatively motionless for about half a minute. During this interval, officers formed a line and advanced towards Casillas. Leyva moved toward the knife and kicked it away.

As the officers got close to him, Casillas jumped to his feet and attempted to flee. Rivera deployed his Taser, causing Casillas to fall to the pavement. Casillas was restrained and taken into custody. County firefighter/paramedics treated Casillas on scene and transported him to Harbor-UCLA Medical Center for medical evaluation. Casillas sustained multiple self-inflicted-stab-wound lacerations to his left forearm; and a gunshot wound to his right wrist. Toxicology reports gave no indication of Casillas being under the influence of either controlled substances or alcohol.

Following his arrest, Casillas waived his Miranda rights and was interviewed.<sup>4</sup> Casillas claimed that he was running from people who were chasing him, but had no explanation as to why he was being chased. A little later in the interview, Casillas claimed that the police who responded to the scene were the same people who had chased him earlier. Casillas said that he began stabbing himself near the intersection because he became nervous and that he wanted to either go to the hospital or be picked up by the police. Casillas stated that he obtained the knife from his mother's house. Casillas admitted that the police had ordered him to stop, drop the knife, and stay on the ground after he was shot; and that he did not comply. Casillas recalled telling police officers to shoot him and admitted wanting the police to kill him.

Both of Casillas' parents were interviewed following his apprehension. They confirmed that Casillas had displayed recent behavioral changes that caused them concern, but that Casillas had no prior history of suicide attempts.

Medeiros' service weapon (a Glock 21 .45 caliber semiautomatic pistol) has a 14 round capacity consisting of 13 rounds in the magazine and one round in the chamber. The pistol was inventoried after the shooting and found to contain 11 rounds in the magazine and a round in the chamber. Two .45 caliber cartridge casings were recovered from the scene. The evidence was consistent with Medeiros firing two rounds.

## **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 actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. Penal Code § 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 evaluating whether a police officer's use of force was reasonable, 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 the 20/20 vision of hindsight. . . . The calculus of reasonableness

---

<sup>4</sup> The interview was audio-recorded.

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 protecting oneself or another, a person may use all the force which that person believes reasonably necessary and that 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. An officer has “probable cause” in this context when he knows facts which would “persuade someone of reasonable caution that the other person is going to cause serious physical harm to another.” CALCRIM No. 507. If the person’s beliefs were reasonable, the danger does not need to have actually existed. *Id.*

A police officer may use reasonable force to effect an arrest, prevent escape, or overcome resistance of a person the officer believes has committed a crime. Penal Code § 835a. An officer “may use all the force that appears to him to be necessary to overcome all resistance, even to the taking of life; [an officer is justified in taking a life if] the resistance [is] such as appears to the officer likely to inflict great bodily injury upon himself or those acting with him.” *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1146. The officer may only resort to deadly force when the resistance of the person being taken into custody “appears to the officer likely to inflict great bodily injury on himself or those acting with him.” *Id.* at 1146; quoting *People v. Bond* (1910) 13 Cal.App. 175, 189-190.

The evidence examined in this investigation shows that Casillas charged at Medeiros while wielding a large knife after disregarding repeated orders to put the knife down and efforts to de-escalate the situation. Under the circumstances, a reasonable person could conclude that Casillas intended to inflict great bodily injury or death on Medeiros, and possessed the means to do so. Medeiros, reasonably in fear of suffering death or great bodily injury, fired his service weapon at Casillas. Simultaneously, Mott fired his less-lethal shotgun at Casillas. Casillas dropped his weapon. After Casillas dropped the knife, officers utilized less lethal force to subdue him, thus adapting their level of force to the changed circumstances. A successful transition to less lethal measures did not negate the danger initially posed by Casillas. Accordingly, Medeiros’ use of deadly force was warranted in protecting himself.

## **CONCLUSION**

We find that Officer Medeiros acted in lawful self-defense when he used deadly force against Max Casillas. We are closing our file and will take no further action in this matter.