

**Non-Fatal Officer Involved Shooting of
Sandra Toscano Ochoa
Los Angeles Police Department
Officer Anthony Engelman, #42883**

J.S.I.D. File #20-0188



GEORGE GASCÓN

District Attorney

Justice System Integrity Division

September 18, 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 of Sandra Toscano Ochoa
J.S.I.D. File #20-0188
F.I.D. File #F023-20

DATE: September 18, 2023

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the May 31, 2020, non-fatal shooting of Sandra Toscano Ochoa by Los Angeles Police Department (LAPD) Officer Anthony Engelman. We have concluded that the shooting was not unlawful.

The District Attorney's Command Center was notified at 11:13 p.m. on May 31, 2020, of the shooting. The District Attorney's Response Team did not respond to the scene.

The following factual analysis is based on body worn camera videos (BWCV), surveillance videos, LAPD communications recordings, evidence collected, and reports submitted on May 18, 2021, by the LAPD Force Investigation Division (FID). None of the officers agreed to provide voluntary statements. Compelled statements were not considered in this evaluation.

SUMMARY

At about 9:24 p.m. on May 31, 2020, the Los Angeles Police Department dispatch center received numerous calls from residents on the six hundred block of North Wilton Street that a woman was being stabbed to death in front of a residence there. LAPD Officer Engelman was among the first law enforcement officers who arrived. Residents pointed him to the house at [REDACTED] North Wilton Street. When he arrived at the front gate, he could see Sandra Toscano Ochoa stabbing a woman in her neck who was on the ground. Officer Engelman immediately called out for Ms. Ochoa to stop and get up. She did not and Officer Engelman shot her. The woman on the ground was later identified as [REDACTED]. She was pronounced dead at the scene. Ms. Ochoa was treated at Cedar-Sinai for a non-life-threatening bullet wound to her knee. She was subsequently charged in case number BA487602 with the murder of [REDACTED].

FACTUAL ANALYSIS

The officer involved shooting took place on the front steps of a duplex located on the northwest corner of North Wilton Place and Raleigh Street. The front doors of both duplex units, [REDACTED] and [REDACTED], open onto a small elevated concrete porch facing North Clinton Street. A walkway leads from the porch through the front yard to a white wooden gate in a chain link fence onto North Wilton Place.

The following analysis is based exclusively on the audio recordings of the Los Angeles Police Department's communications frequencies, the audio/video recording from the body-worn cameras of officers Engelman and Hsu, the audio/video recordings by civilians using their cellular phones, and the video from the surveillance camera above the door into [REDACTED].

Beginning shortly after 9:24 p.m. on May 31, 2020, LAPD dispatch received within a span of under two minutes four 9-1-1 calls reporting a stabbing in progress at [REDACTED] North Wilton Place.



Image Capture # 1 - Ms. Ochoa stabbing Mercedes P.

LAPD dispatch put out a call to all units, "187 [murder], suspect there now." LAPD unit 20A[dam]39 responded that it was enroute. LAPD unit 20A39 was occupied by the driver, LAPD Officer Albert Hsu and passenger LAPD Officer Engelman.

Officers Hsu and Engelman arrived at the location from the north at 9:30 p.m. There were four civilians standing in the street south of the patrol SUV. Officer Engelman shouted, "Where's she at?" One of the civilians said "right here" pointing in the direction of [REDACTED].



Image Capture # 2 - Residents directing officers to Ms. Ochoa.

Officers Engleman and Hsu approached the fence gate. Officer Hsu's view was partially obstructed by shrubbery, while Officer Engleman had an unobstructed view over the gate. [REDACTED] was lying prone on her back on the ground in front of the steps into the house. Ms. Ochoa was sitting on top of her, stabbing her in the neck with an in-discernable weapon later (determined to be a pair of scissors). There was a pool of blood beneath [REDACTED]'s head and neck.



Image Capture # 3 - In progress stabbing captured by Officer Engleman's body-worn camera.



Image Capture # 4 - Cell-phone video excerpt of Ms. Ochoa with weapon at [REDACTED]'s throat

As Officer Engelman approached the gate, his pistol drawn, he shouted “Hey! Stop! Hey! Getup! No! Get up! Get up! No!” Ms. Ochoa did not comply, and Officer Engelman shot six times. Ms. Ochoa put her hands over her face and lay down partially on top of [REDACTED]. She remained in that position, ignoring Officer Engelman’s command that she get up, for almost three minutes. She then got up and went into the front door of [REDACTED].

Ms. Ochoa remained ambulatory, but it was determined that she had suffered a bullet wound to her knee. None of the bullets injured [REDACTED], who succumbed to the injuries to her head and neck. Ms. Ochoa was treated at Cedar-Sinai hospital and booked for the murder of [REDACTED] in felony case number BA487602. The case is currently pending.

LEGAL ANALYSIS

Pursuant to California statute, an attempted homicide is not unlawful (i.e., attempted murder or attempted voluntary manslaughter) if the attempted homicide is justifiable or excusable.¹ California law provides that, “[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 . . . [t]o defend against an imminent threat of death or serious bodily injury to the officer or to another person.”²

The threat of death to [REDACTED], in this case, was not only imminent, but present. At the time Officer Engelman shot Ms. Ochoa, [REDACTED] was being mortally injured as he watched. Therefore, the facts support a reasonable belief that deadly force was necessary to defend against an imminent threat of death or serious bodily injury to another person.

¹ California Penal Code sections 187 and 199.

² Penal Code sections 196(b) and 835a(c)(1)(A).

CONCLUSION

The evidence here establishes that the use of deadly force by Officer Engelman was not unlawful.