

Officer Involved Shooting of Eric Rivera
Los Angeles Police Department

Officer Arturo Urrutia #36065
Officer Daniel Ramirez #40185

J.S.I.D. File #17-0278



JACKIE LACEY
District Attorney
Justice System Integrity Division
October 10, 2018

MEMORANDUM

TO: COMMANDER ALAN HAMILTON
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: Officer Involved Shooting of Eric Thomas Rivera
J.S.I.D. File #17-0278
F.I.D. File #F042-17

DATE: October 10, 2018

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the June 6, 2017, fatal shooting of Eric Thomas Rivera by Los Angeles Police Department (LAPD) Officers Daniel Ramirez and Arturo Urrutia. We have determined that Officers Ramirez and Urrutia used reasonable force in self-defense and defense of others.

The District Attorney's Command Center was notified of this shooting on June 6, 2017, at approximately 10:10 p.m. The District Attorney Response Team responded to the location. They were given a briefing and walk-through of the scene.

The following analysis is based on reports, interviews, audio and video recordings, and photographs submitted to this office by the LAPD Force Investigation Division. The compelled statements of Urrutia and Ramirez were considered in the analysis.

FACTUAL ANALYSIS

On Tuesday, June 6, 2017, at approximately 8:20 p.m., 20-year-old Eric Rivera entered the Jack in the Box restaurant at the intersection of Pacific Coast Highway and Wilmington Boulevard, in the City of Wilmington. Employee Heidi A. immediately noticed Rivera and watched him cautiously as he walked directly to the soda fountain machine and began to throw ice in the restaurant. He talked to himself while holding a green plastic toy water gun. Rivera filled the toy gun with water and soda and sprayed the contents throughout the restaurant. During the ten minutes that he was in the restaurant, Rivera talked to himself and appeared to be "stressed...mad...anxious." Heidi A. believed he may have been under the influence of an illegal substance because of his behavior, and because it seemed to her that "he didn't know what he was doing." Heidi A. asked Rivera to leave. Rivera argued with her and, after some time, he exited the restaurant, angrily yelling, "You cannot kick me out. Fuck you!" Heidi A. last saw Rivera walk southbound on Wilmington Boulevard at approximately 8:35 p.m.

At approximately 8:45 p.m., Alexis M. was standing on the west side of Wilmington Boulevard, one block south of Jack in the Box. It was dark outside.¹ Alexis M. observed Rivera walking “kind of fast” toward him, traveling southbound on the west sidewalk of Wilmington Boulevard. Alexis M. immediately noticed what appeared to be a handgun in Rivera’s right hand. Rivera walked past Alexis M. at a very close distance and appeared very upset and tense. Alexis M. heard Rivera saying to himself in Spanish, “He’s gonna pay me today!” Rivera carried the gun openly, with no attempt to conceal it. Alexis M. could not describe the gun due to the lighting conditions, but could see Rivera’s finger on the trigger. Alexis M. waited for Rivera to walk some distance before calling 911 at 8:48 p.m. He reported in Spanish, “This is an emergency. There is a man who has a handgun here on Wilmington.... He’s walking on the sidewalk with the handgun in his hand.” Alexis M. would later state to detectives that he was very relieved to see the police arrive because he was “100 percent sure” that Rivera was “gonna kill somebody.”



Google map showing area of North Wilmington Boulevard between Pacific Coast Highway and Denni Street.

LAPD Communications Division (CD) broadcast at 8:50 p.m., “Harbor units, 415 man with a gun. Wilmington Boulevard and Pacific Coast Highway... Suspect walking on the sidewalk, male Hispanic, 30 years, black clothes, on foot, Wilmington toward Anaheim, carrying unknown type handgun in his hand. Stand by for additional, Code-Three...”²

¹ The sun had set at 8:02 p.m. Two streetlamps, each approximately 50 feet away, provided some light to the area.

² A Code-Three call designates an emergency situation requiring immediate response with lights and sirens.

At approximately 8:50 p.m., LAPD Harbor Division Officers Andres Martinez and Marc Sternin in Unit 5A25 responded to the call Code-Three. Officers Daniel Ramirez and Arturo Urrutia in Unit 5A24 responded to the call as back up to Unit 5A25, but due to their proximity to the location, they responded Code-Two.³ Both units arrived in the area of Pacific Coast Highway and Wilmington Boulevard at 8:52 p.m. The two units passed each other in opposite directions on Wilmington Boulevard as they searched the area for Rivera. The four officers were in full police uniform and drove black-and-white, marked police vehicles. Ramirez was the driver of his police vehicle and Urrutia occupied the front passenger seat.

Several blocks away, Rivera continued to walk southbound on Wilmington Boulevard. A video surveillance camera captured Rivera walking southbound on the west sidewalk in front of [REDACTED] North Wilmington Boulevard at 8:53 p.m., holding what appears to be a handgun.



Still shots of surveillance footage from [REDACTED] North Wilmington Boulevard at 8:53 p.m., showing Rivera openly holding what appears to be a handgun.

By 8:54 p.m., Ramirez and Urrutia had driven southbound several blocks and passed L Street. Shortly thereafter, they observed Rivera to their right, walking southbound on the west sidewalk, and approaching [REDACTED] North Wilmington Boulevard. His description and location were consistent with the details of the original and follow-up broadcasts they had heard.

³ I.e., with urgency, but without lights and sirens activated. A Code-Two response is used when a unit is near the call location and lights and sirens would not expedite its arrival. The distinction is significant because a Code-Three response automatically activates the patrol vehicle's Digital In-Car Video System (DICVS), or dash camera. A Code-Two response does not.

Officer Ramirez

Ramirez provided a compelled statement to investigators after the shooting.⁴ [REDACTED]

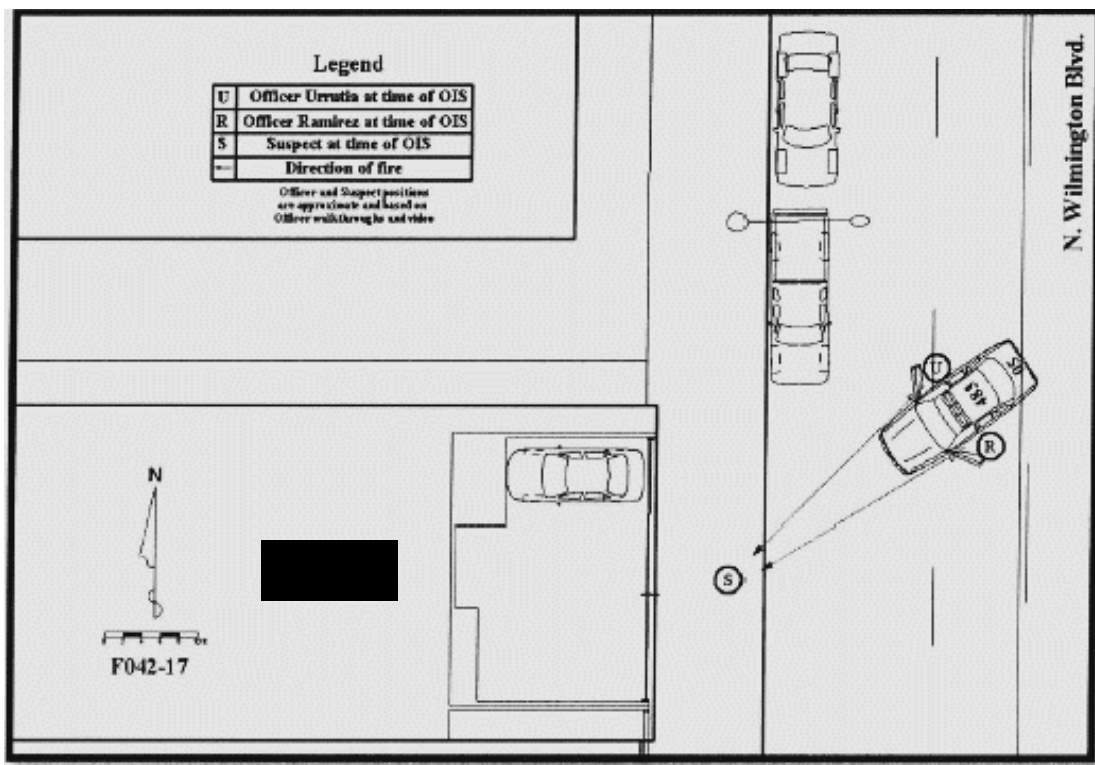
[REDACTED]

[REDACTED]
[REDACTED]
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⁴ Ramirez, like any individual, possesses a right under the Fifth Amendment of the United States Constitution to be free from being compelled to give testimony against himself. Uniformed Sanitation v. City of New York, (1968) 392 U.S. 280, 284-285. Unlike private citizens, however, public sector employees can be forced to submit to questioning regarding the performance of their official duties and, so long as they are not required to waive their privilege against self-incrimination, their refusal to submit to such questioning can result in administrative discipline including termination from public service. Gardner v. Broderick (1968) 392 U.S. 273, 278; Uniformed Sanitation, supra, at 284-285. The LAPD orders officers who are involved in an officer involved shooting incident to submit to questioning concerning the performance of their official duties. Because the LAPD ordered Ramirez to answer questions which might expose him to criminal liability, the LAPD is deemed to have compelled Ramirez to participate in the interview. The effect of this legal compulsion is that Ramirez's statement cannot be used against him in a criminal proceeding, nor can any material derived from the compelled interview be used against him. Garrity v. New Jersey (1967) 385 U.S. 493, 496-497; Spielbauer v. County of Santa Clara (2009) 45 Cal.4th 704, 715. Further, because the compelled statement is part of Ramirez's police personnel file, it is confidential and may not be disclosed absent an evidentiary showing and court order. Penal Code section 832.7.

⁵ [REDACTED]
[REDACTED]
[REDACTED]



[REDACTED]

[illegible]

(b) (7)(C), (b) (7)(D)

[REDACTED]

Officer Urrutia

[REDACTED]

[REDACTED]

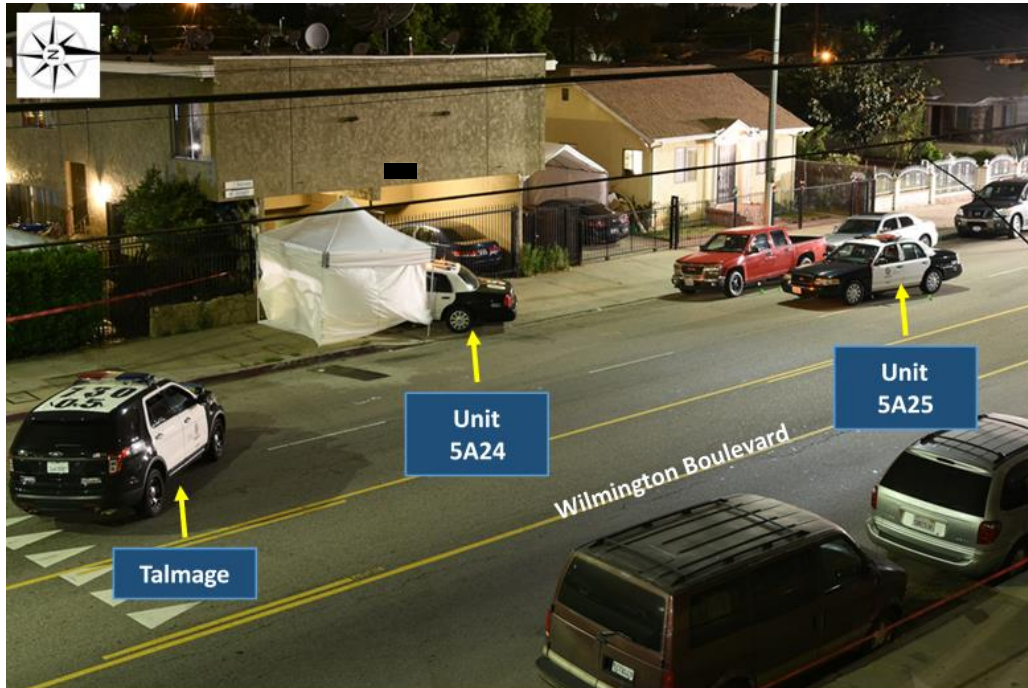
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Scene of the officer involved shooting. The coroner's white tent covers Rivera, who is under Unit 5A24's vehicle. [REDACTED]

[REDACTED] The scene is artificially illuminated by the LAPD Command Post vehicle out of frame, right.

Other Witnesses

Multiple witnesses heard yelling and multiple gunshots, but no one witnessed the actual shooting incident. One witness, who was inside her residence at the time, heard someone yell "Put the gun down!" three times, followed by an argument, and then the sound of gunshots.

[REDACTED]

Body Worn Video (BWV)

BWV cameras were worn by 26 officers who responded to the scene. Only the BWVs worn by Urrutia and Ramirez contained footage of any significant evidentiary value related to the shooting incident. Both officers' BWVs were activated before the shooting, while the officers were searching for Rivera on Wilmington Boulevard. Due to the positioning of the cameras during the incident, the BWVs did not capture a clear picture of Rivera's actions, his body positions, or any objects he might have been holding prior to the shooting.

The audio of the BWVs captured the initial broadcast of a suspect with a gun walking southbound on Wilmington Boulevard, with his physical description and approximate location. Ramirez is heard communicating through the window with Unit 5A25, both units reporting they had not seen the suspect.

Ramirez and Urrutia drive in search of Rivera for approximately 90 seconds. At 8:54 p.m., Ramirez says, “Maybe? On the right?” Rivera is then heard yelling, “What’s up?” and two seconds later Urrutia says, “Oh shit, partner – gun!” and he exits the vehicle. In the following seconds, Ramirez begins to exit the vehicle and Rivera yells, “What the fuck’s up?” Ramirez and Urrutia aim their weapons forward through the gap between the vehicle’s main frame and their respective open doors. Ramirez yells, “Hey, drop it!” and Urrutia yells, “Drop the gun!” Multiple gunshots are heard in a three-second span and in the distance Rivera is seen falling to the ground away from the officers.⁸ He is seen on the ground on his right side. His legs are bent slightly forward at the hips in a semi-seated position; his feet are closest to the officers, and his head is positioned away from the officers. Eleven seconds pass from the time the officers initially see Rivera to the final gunshot. Seven seconds pass from the moment Urrutia identifies the gun to the final gunshot.



Still shot from Urrutia's BWV showing Rivera on the ground immediately after the officer involved shooting, and as the patrol car is moving forward. Rivera is wearing a dark top and light blue jeans.

Immediately after all gunfire ceases, and after Rivera falls to the driveway, Urrutia yells to Ramirez about the movement of the police vehicle. Both Ramirez and Urrutia run alongside the

⁸ The footage of Ramirez’s BWV is grainy and it is difficult to see Rivera in the distance due to the jostling of the camera from Ramirez’s movement. Rivera is also obscured at several points by the main frame of the vehicle due to Ramirez’s position of cover behind the door. Urrutia’s video footage is clearer, but Rivera is initially obscured by Urrutia’s left hand that is holding the door frame as he positions himself. Shortly thereafter, Rivera is seen falling to the ground as the volley of gunshots concludes.

vehicle as it approaches Rivera. Urrutia appears to trip and fall at the lip of the driveway. Ramirez enters the vehicle immediately before it impacts the carport gate.⁹

In the minutes immediately following the shooting, the following events occur: Urrutia urges Ramirez to take cover behind 5A25's vehicle; the four officers of units 5A24 and 5A25 take cover behind the doors of 5A25's vehicle with their weapons aimed in Rivera's direction; Urrutia notifies CD of the shooting incident; Sergeant Talmage arrives and the four officers urge him to reposition himself due to the potential threat posed by Rivera; Urrutia is seen tightly gripping his elbow and is in obvious pain; an unknown officer asks Urrutia whether he was hit by gunfire and Urrutia indicates he does not know; a radio broadcast is heard indicating an officer suffered a gunshot wound to the arm.

At 9:07 p.m., approximately 12 minutes after the shooting, Talmage approaches Rivera with Ramirez and other officers who had since arrived, and confirms Rivera no longer poses a threat. At 9:08 p.m., Ramirez goes to check on his partner at the ambulance and several statements are exchanged between three officers that express the belief that Urrutia had suffered a gunshot wound to the arm.

Scene Description

The officer involved shooting occurred in front of an apartment complex at [REDACTED] North Wilmington Boulevard, at approximately 8:55 p.m., during the hours of darkness. Artificial light on the west sidewalk of Wilmington Boulevard was provided by a street lamp 35 feet directly north of the shooting location, as well as by lamps in the apartment complex carport that faced the street.

Evidence at Scene

Seven .40 caliber spent cartridge cases were recovered on the west side of the street in front of [REDACTED] North Wilmington Boulevard. Four .45 caliber spent cartridge cases were recovered in the same area. Several bullet fragments of undetermined caliber were recovered in the carport of [REDACTED] North Wilmington Boulevard.

Rivera's body lay under the police vehicle, within a few feet of the carport gate. He was positioned face up with his head in front of the driver side front wheel, and his upper body lay parallel with the front axle. His lower body was bent at a 90-degree angle at the waist to his right, with his legs running parallel with the length of the vehicle.

⁹ After reviewing the BWV footage, it was determined that Rivera fell to the ground approximately four seconds before the vehicle reached his position. The actual impact of the vehicle with Rivera is not seen. It is clear that Rivera fell to the ground during the gunfire, and not as a result of being struck by the vehicle.

A Fire Department hoist was utilized to remove the patrol vehicle. A baseball cap,¹⁰ left shoe,¹¹ and a green and black toy water gun¹² were found under the police vehicle, several feet from Rivera's body and near the location where he had initially fallen.



Evidence items found under the police vehicle. In the photograph, the street is to the left and Rivera's foot is seen to the right.



Close up view of the toy gun with which Rivera was armed. The photograph was taken during daylight hours.

¹⁰ The surveillance video at [REDACTED] North Wilmington Boulevard depicts Rivera wearing a baseball cap.

¹¹ When the police vehicle was removed, Rivera's left foot was found to be unshod.

¹² A DNA profile of a sample taken from the toy gun matched the DNA profile obtained from Rivera.

Firearms Analysis

Ramirez was armed with a department-issued .40 caliber Glock, Model 22, semiautomatic pistol. Urrutia was armed with a department-issued .45 caliber Glock, Model 21, semiautomatic pistol. It was determined that the .40 caliber cartridge cases recovered at the scene were ejected from Ramirez's pistol, and the .45 caliber cartridge cases were ejected from Urrutia's pistol. Five bullet projectiles were recovered from Rivera's body during the autopsy, discussed below. One projectile, recovered from Rivera's right hip, was determined to be consistent with having been fired from Ramirez's service weapon. Three projectiles – one recovered from Rivera's head and two from his right leg – were determined to be consistent with having been fired from Urrutia's service weapon. The remaining projectile, recovered from Rivera's left leg, could not be sufficiently analyzed to determine caliber information and thus could not be attributed to either officer's service weapon.

Coroner Investigation

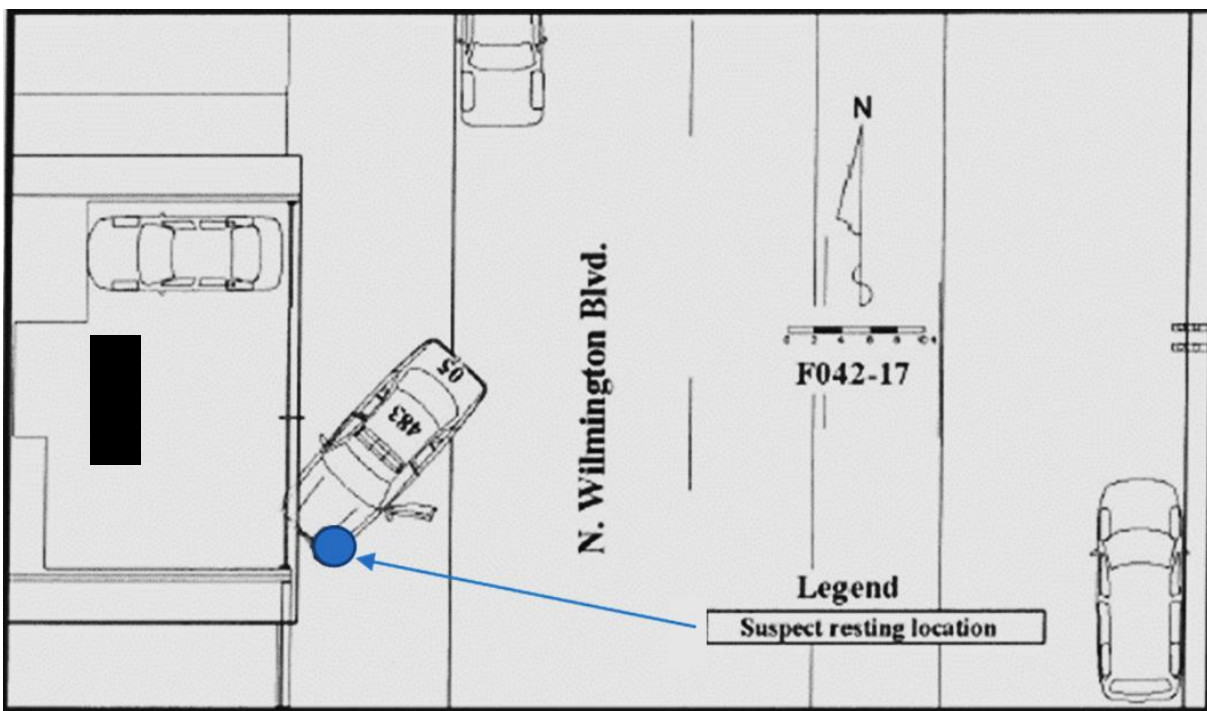
The Los Angeles County Coroner's Office determined Rivera's death was caused by multiple gunshot wounds to the head, chest, and extremities. Rivera sustained seven gunshot wounds (GSWs) in total.¹³ GSW #1 had an entry point approximately one inch to the rear of the left ear, with a trajectory from left to right. The projectile struck, but did not enter, the skull as it tracked through the soft tissue along the rear of the skull. The projectile caused multiple skull fractures and an exit wound, but remained in the neck;¹⁴ it was recovered from the soft tissue of the right side of the neck. GSW #1 was the only wound determined to be immediately fatal. GSW #2 had an entry point in the front right chest and an exit point from the lower right side of the chest. GSW #3 had an entry point in the front right hip, and the projectile was recovered from the right buttock. GSW #4 had an entry point in the lower right side of the right hip. The projectile was recovered from the right thigh. GSW #5 had an entry point in the lower left side of the left thigh. The projectile was recovered from the fractured left femur. GSW #6 had an entry point at the front of the right shin. The projectile was recovered from the fractured right tibia. GSW #7 was a grazing wound to the left medial ankle.

Multiple abrasions were also observed on Rivera's body. The largest abrasion, measuring six inches by four inches, was located on the medial aspect of the right thigh. An abrasion measuring four inches by two inches was located on the right hip. Smaller abrasions were found on the face, right shoulder, upper right chest, right shoulder blade, right hand, and lower right leg.¹⁵ Skin slippage, possibly indicative of heat from the vehicle or friction with the pavement was found on the posterior aspects of the thighs and lower left leg. There were no injuries that indicated the police vehicle rolled over Rivera's body.

¹³ The order of the gunshot wounds could not be determined. The numbering is arbitrary and not indicative of sequence.

¹⁴ The medical examiner opined that the exit wound was likely caused by a bullet fragment or by a piece of bone.

¹⁵ Rivera appeared to have been dragged by the front of the police vehicle approximately five feet to his final resting position near the carport gate. He was found to be wearing blue jeans and four shirts of varying sleeve lengths.



Rivera's body was found under the vehicle, as indicated. His head rested in front of the driver side front wheel, and his body lay toward the middle of the vehicle.

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

LEGAL ANALYSIS¹⁷

California law permits the use of deadly force in self-defense or in the defense of another if the person claiming the right actually and reasonably believed that he or another was in imminent danger of great bodily injury or death. People v. Randle (2005) 35 Cal.4th 987, 994; People v. Mercer (1962) 210 Cal.App.2d 153, 161.

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. CALCRIM No. 505.

Actual danger is not necessary to justify the use of deadly force in self-defense. If one is confronted by the appearance of danger which one believes, and a reasonable person in the same position would believe would result in death or great bodily injury, one may act upon those circumstances. The right of self-defense is the same whether the danger is real or apparent. People v. Toledo (1948) 85 Cal.App.2d 577.

In California, the evaluation of the reasonableness of a police officer's use of deadly force employs the standard of a reasonable person acting as a police officer. People v. Mehserle (2012) 206 Cal.App.4th 1125, 1146 (holding that California law "follows the objective 'reasonable person' standard—the trier of fact is required to evaluate the conduct of a reasonable person in the defendant's position [citations omitted] . . . the jury should consider all relevant circumstances surrounding the defendant's conduct. This enables the jury to evaluate the conduct of a reasonable person functioning as a police officer in a stressful situation—but this is not the same as following a special 'reasonable police officer' standard.")

"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 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.

Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh in too nice scales the conduct of the assailed and say he shall not be justified in killing because he might have resorted to other means to secure his safety. People v. Collins (1961) 189 Cal.App.2d 575.

In the present case, the evidence supports a finding of lawful self-defense and defense of others.

¹⁷ The legal analysis addresses the officer involved shooting only; it does not address any issues pertaining to the police vehicle striking Rivera. The Coroner's Office determined that the cause of Rivera's death was multiple gunshot wounds, with no indication that the vehicle ran over Rivera's body. There is no evidence that the police vehicle was intentionally allowed to strike Rivera after the shooting, and there is considerable evidence suggesting Ramirez's failure to properly secure the vehicle resulted from the immediate need to respond to the threat posed by Rivera.

Ramirez and Urrutia demonstrated by their actions that they each actually believed Rivera was armed with a firearm, and that he posed an imminent danger. [REDACTED]

Urrutia called out, “Oh shit, partner – gun!” [REDACTED]

Both officers yelled, “Drop the gun!” as they took a position of cover behind their respective ballistic-paneled doors. [REDACTED]

[REDACTED] each officer [REDACTED] firing multiple rounds, striking Rivera several times before he fell to the ground.

That the officers subjectively believed Rivera had a firearm, and that they were in imminent danger of great bodily injury or death, is also supported by their conduct after the shooting. When the police car rolled forward, [REDACTED]

[REDACTED] Instead of approaching him, Urrutia and Ramirez kept their service weapons drawn and immediately retreated behind the cover of Unit 5A25’s vehicle. They advised Martinez and Sternin that the suspect was under the vehicle and conveyed by words and actions that they believed he was a continuing threat. [REDACTED]

When Talmage arrived northbound on Wilmington Boulevard, the officers yelled to him to reposition, manifesting their concern that he was vulnerable to gunfire from Rivera. Additionally, Urrutia believed the “excruciating pain” in his elbow was possibly a gunshot wound inflicted by Rivera. He conveyed his concern to multiple officers and, as a result, at least one broadcast was made that an officer had sustained a gunshot wound. Not until 12 minutes after the shooting did a team of officers approach Rivera and confirm he no longer posed a threat. At that time, their conclusion was based on the fact that Rivera was clearly incapacitated or deceased; it was not learned until later that the perceived handgun was a toy.

In evaluating the reasonableness of the officers’ subjective belief that lethal force was necessary – particularly in light of the fact that the gun was later discovered to be a green and black plastic toy – all circumstances surrounding the officers’ actions must be considered. The analysis must be based on the police officers’ perspective at the time of the incident, weighing the information available to them, and considering the stressful nature of the situation.

From the officers’ perspective, a Code-Three call stated a man was walking down a street with a handgun of unknown type during nighttime hours. At 8:54 p.m., as they drove southbound,

Ramirez and Urrutia saw ahead of them a man matching the description of the armed suspect. Unprovoked, the man, [REDACTED] Yelling, "What the fuck's up?" [REDACTED] Despite the fact that officers issued commands with weapons drawn, Rivera continued his confrontational behavior [REDACTED] and the officer involved shooting occurred.

When viewed in the light of day, and when displayed on the ground as in the photographs above, the gun carried by Rivera is readily recognized as a green and black plastic toy gun. Heidi A. recognized it as such when Rivera entered Jack in the Box. However, when Alexis M. saw Rivera with the same object outside, under the area's street lighting at 8:45 p.m., he was certain that Rivera had a real handgun. He maintained this belief even as Rivera walked by him at a very close distance.

The still photographs taken from the surveillance footage at [REDACTED] North Wilmington Boulevard depict an object that appears to be a handgun. The footage was recorded at a location within the same block and with similar lighting conditions as the location of the shooting. Though the photograph is in black and white, the object nonetheless appears to be a dark-colored pistol, and is held by Rivera as one would hold a real handgun. It is reasonable to posit that when the officers encountered Rivera approximately one minute later, Rivera was holding the object in the same manner, and that the gun appeared as it did in the video footage.

When judging the officers' perceptions, consideration must be given to the fact that the black portions of the gun's frame create an outline consistent with that of a handgun. In the artificial lighting of a nighttime scenario, it is reasonable that a person would confuse the object with a real firearm. It is also reasonable to conclude that the translucent green portions of the gun did not have the same appearance to the officers in the diminished street lighting, as they would have otherwise had in a different context. [REDACTED]

[REDACTED] It is reasonable to believe that Ramirez observed the black plastic outline from his perspective, and that Urrutia observed the general outline of the black frame, [REDACTED]

Apart from the nature of the object itself, other circumstances also inform the reasonableness of the officers' beliefs. A key factor in the analysis is the context of the call. Ramirez and Urrutia were responding to a call of a man with a handgun. Apart from the suspect's physical description and location details, Ramirez and Urrutia had no other information as they searched for Rivera. As they approached Rivera from behind, they had reason to believe he was the reported suspect based on his appearance and his location. Their assessment of the dangerousness of the situation was appropriate given Rivera's refusal to comply with orders, the general appearance of the gun [REDACTED] and Rivera's aggressive demeanor. [REDACTED]

[REDACTED] was consistent with Heidi A.'s description of Rivera as "stressed...mad...anxious;" and even more so with Alexis M.'s observations that made him "100

percent sure” that Rivera was going to kill somebody. [REDACTED]
[REDACTED]
[REDACTED]

The final consideration in evaluating the reasonableness of the officers’ belief in the need to use lethal force is the suddenness of the perceived threat. [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] They made an instantaneous judgment in the midst of what they reasonably perceived to be a life-threatening situation. As stated above, “Where the peril is swift and imminent and the necessity for action immediate, the law does not weigh in too nice scales the conduct of the [police officer] and say he shall not be justified in killing because he might have resorted to other means to secure his safety.” Ramirez and Urrutia did not have the luxury of time or information. Instead, they were faced with a highly volatile situation that reasonably led them to believe Rivera was engaging them with an actual firearm. Given the nature of the radio call, and the diminished lighting at the time of the incident, the officers’ belief that Rivera possessed a firearm, though mistaken, was reasonable. Furthermore, the officers’ lethal response was objectively reasonable in light of Rivera’s unprovoked aggression, his refusal to respond to their commands, and the suddenness of his threatening actions.

CONCLUSION

Based on the foregoing considerations, we conclude that Officer Ramirez and Officer Urrutia each used reasonable force in self-defense and defense of others. We are closing our file and will take no further action in this matter.