

OFFICE OF THE DISTRICT ATTORNEY

April 16, 2018



REPORT ON THE APRIL 9, 2017,
SHOOTING OF JOSE ROMERO GONZALEZ-RENDON
BY SANTA PAULA POLICE DEPARTMENT
SENIOR OFFICER MATT ALONZO

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I.

INTRODUCTION

On Sunday, April 9, 2017, at approximately 6:21 a.m., the Santa Paula Police Department received an anonymous 911 call of a suspicious subject on 116 East Ventura Street in the city of Santa Paula. The female reporting party stated she was driving to work and a Hispanic male armed with a knife rushed at her vehicle as she drove on East Ventura Street in Santa Paula. The reporting party described the male as 5 feet 3 inches tall, with a thin build. The male had a goatee and was wearing a grey shirt and blue jeans. The female reporting party also stated the male had been loitering around the apartment complex while holding the knife.

At about 6:32 a.m., Santa Paula Police Department Senior Officer Matt Alonzo, Officer John Coffelt, and Officer Frank Huerta were dispatched to the call of a man with a knife. The officers arrived on scene at about 6:36 a.m. The first officer to arrive was Senior Officer Alonzo.

Senior Officer Alonzo arrived on scene and proceeded west on East Ventura Street. As he drove west on East Ventura Street, he looked north up the driveway to an apartment complex and observed a man, later identified as Jose Romero Gonzalez-Rendon, holding a large knife. Gonzalez-Rendon looked at Senior Officer Alonzo and started running toward him while holding the knife in his right hand.

Senior Officer Alonzo stopped his marked patrol vehicle in the street and got out. He drew his service weapon as he went to the back of his patrol vehicle and observed that Gonzalez-Rendon was still running toward him with the knife. He yelled “drop the knife” two or three times in English as he pointed his service weapon at Gonzalez-Rendon. Gonzalez-Rendon continued to run toward Senior Officer Alonzo with the knife. Senior Officer Alonzo fired at Gonzalez-Rendon until he went to the ground. At about 6:37 a.m., officers on scene broadcasted “shots fired” on the radio.

Fire and American Medical Response paramedic personnel were requested and responded to the scene. Gonzalez-Rendon was pronounced dead at the scene by an AMR paramedic at about 6:48 a.m.

The Santa Paula Police Department requested assistance from the Ventura County Sheriff's Office to investigate the officer-involved shooting. The Major Crimes Bureau of the Sheriff's Office responded to conduct the investigation, which included interviewing witnesses, collecting physical evidence, and photographing the area of the shooting.

The District Attorney's Office has a 24-hour, on-call, officer-involved shooting team available to all Ventura County law enforcement agencies to assist in the investigation of officer-involved shootings. Once the District Attorney's Office was notified of the shooting, Deputy District Attorney Kelly Keenan, District Attorney Senior Investigator Tom Mendez, and District Attorney Investigator Dan Horan responded to the shooting scene and consulted with the investigating officers.

On December 19, 2017, the investigative reports of the Ventura County Sheriff's Office were submitted to the District Attorney's Office for a determination of whether the shooting of Jose Romero Gonzalez-Rendon was justified and, if not, whether criminal charges should be filed. The scope of the District Attorney's review was limited to those issues.

Deputy District Attorney Kelly Keenan was assigned to review this case. He examined approximately 871 pages of reports, materials, recordings of interviews of police and civilian witnesses, diagrams, photographs, videos, records, and radio transmissions.

Based on the evidence available for review, the District Attorney's independent investigation and the applicable legal authorities, it is the opinion of the District Attorney that the shooting of Jose Romero Gonzalez-Rendon by Santa Paula Police Department Senior Officer Matt Alonzo was justified and not a criminal act.

II.
STATEMENT OF FACTS

A. 911 Call

On April 9, 2017, at about 6:21 a.m., Santa Paula Police Department received a 911 call from an anonymous female reporting party. She told the 911 dispatcher that there is a “guy walking with a knife” on 116 East Ventura Street. She described him as a Hispanic male about 5 feet 3 inches tall. She stated that he had a goatee, was thin, and was wearing a grey shirt and blue pants. The reporting party explained that “we were driving off going to work” and the male “almost rushed to our car with the knife.” She had not seen the male before and restated that he was walking around with a knife. She was not sure if the male was “just going after people.”

The 911 dispatcher confirmed with the reporting party that the address was 116 East Ventura Street in Santa Paula. The dispatcher asked the reporting party for her name and she requested to remain anonymous. The 911 dispatcher agreed to list her as anonymous and told the reporting party that a police officer would be dispatched to check on the man with a knife. The reporting party replied, “Ok, please, because I'm really scared right now.” The dispatcher again stated that they will be sending someone out, and the reporting party said, “Thank you.” The call was then ended.

The anonymous female reporting party called back a short time later. The reporting party stated that she called 911 a little while ago, but she did not believe she was transferred to the Santa Paula Police Department. She asked if she was talking to the Santa Paula Police Department. The 911 dispatcher confirmed that she was.

The reporting party said she was calling because there was “a guy walking around with a kitchen knife approaching people at 116 East Ventura Street.” The reporting party said that “we saw him because we were leaving to work.” The male was walking with a kitchen knife and he “almost rushed to our car.” The reporting party said, “We have never seen him.” The reporting party said that she had called her parents a few minutes

ago. They told her that no police officers had shown up and that the male was still walking around. The dispatcher said that officers were already on their way to the call. The reporting party replied, “Ok, perfect. I just want someone to go before someone gets hurt.” The 911 dispatcher again told the reporting party that officers were already on their way. The reporting party confirmed with the 911 dispatcher the description of the male. The reporting party thanked the dispatcher and the call was ended.

The two 911 calls from the anonymous female reporting party were audio recorded.

B. Body Worn Cameras of Officers

The three Santa Paula Police Department officers involved in this incident were wearing department-issued body worn camera (BWC) on April 9, 2017. Santa Paula Police Department utilized BWCs that were manufactured by Wolfcom Enterprises at the time of this incident.

1. BWC of Senior Officer Matt Alonzo

Senior Officer Alonzo initially reported that he believed he had activated his BWC prior to the shooting and had recorded the entire incident. When Senior Officer Alonzo’s BWC was downloaded, no video of the incident was found. An extensive analysis conducted by the Southern California High Tech Task Force determined that Senior Officer Alonzo’s BWC was operating properly and was not recording during the incident.

The BWC worn by Senior Officer Alonzo started recording shortly after the shooting took place. Initially, Senior Officer Alonzo can be seen putting up crime scene tape on a stop sign pole. After putting up the crime scene tape, Senior Officer Alonzo made several statements about the shooting to various individuals.

Senior Officer Alonzo made contact with a former Santa Paula Police Department dispatcher, Jessica Gomez. Senior Officer Alonzo explained to her that they got a call of a guy with a knife. He said, “He came at me with the knife, so I dumped him.” Senior

Officer Alonzo stated that as he pulled up to the scene, the guy came running out of the complex.

Senior Officer Alonzo spoke to an unidentified firefighter, who asked if he was “good.” Senior Officer Alonzo replied, “Yeah, dude, fricking dude, man.” Senior Officer Alonzo said that they received a call of a man with a knife. Senior Officer Alonzo said that on his way to the call, he had “that feeling” and that “this is that time, right now.” Senior Officer Alonzo said that he rolled up and looked down the street. He saw the subject and “here he comes with the knife.” Senior Officer Alonzo said, “I come out of my car... and whatever.”

Later in the BWC video, Senior Officer Alonzo met with Officer Huerta and they discussed securing the shooting scene. When Officer Coffelt approached them, Officer Huerta pointed to handcuffs and a folding knife on the ground and said the items were his. He said the handcuff keys were also his. Officer Huerta instructed the officers to leave the evidence in its place. Senior Officer Alonzo told Officer Huerta, “Fucking dude, man.” Officer Huerta asked if Senior Officer Alonzo was okay. Senior Officer Alonzo stated, “Esta loco.” Officer Huerta replied, “I know.” Senior Officer Alonzo said, “Yeah, I mean, that was like textbook, like, you know?” Senior Officer Alonzo stated he was “behind cover, behind the car. Drop the knife, drop the knife. You know what I mean?” Senior Officer Alonzo then said it was like “that fricking video.” In his later interview, Senior Officer Alonzo explained he meant the shooting was like a video he had viewed during training.

Ventura County Sheriff’s Sergeant Mario Aguilar arrived on scene and Senior Officer Alonzo spoke with him. Senior Officer Alonzo identified himself as the shooting officer. Sergeant Aguilar asked Senior Officer Alonzo questions pertaining to public safety. Senior Aguilar asked Senior Officer Alonzo which way they were going, which way the shots went, and if there were any outstanding subjects. With his left hand, Senior Officer Alonzo pointed in a northeasterly direction toward the city water yard. Senior Officer Alonzo told Sergeant Aguilar that Gonzalez-Rendon came down the driveway and there was blood evidence on the north sidewalk of East Ventura Street. Senior Officer Alonzo

told Aguilar that they had responded to a call of a man with a knife. Officer Coffelt joined the conversation as Aguilar was asked again which direction the shots were fired. Both Officer Coffelt and Senior Officer Alonzo pointed in a northerly direction. Officer Coffelt confirmed for Aguilar that there was one subject. Aguilar asked how many shots were fired and Senior Officer Alonzo initially stated he did not know yet. Aguilar asked if both Senior Officer Alonzo and Officer Coffelt shot and Senior Officer Alonzo stated, "I did." He then estimated that he shot "5 or 6" times or "4 or 5."

2. BWC of Officer Frank Huerta

The BWC worn by Officer Huerta recorded two videos shortly after the shooting took place. One video recorded moments after the shooting occurred and a second video recorded a potential witness interview by Officer Huerta.

In the first video, Officer Huerta is seen approaching Senior Officer Alonzo and Officer Coffelt after the shooting. Senior Officer Alonzo had his gun drawn, pointed at Gonzalez-Rendon. Senior Officer Alonzo was standing approximately five to six feet southeast of his patrol vehicle. Officer Coffelt was standing approximately one foot to the rear of Senior Officer Alonzo's patrol vehicle on the passenger side. Officer Coffelt was holding handcuffs, which he attempted to secure to his gun belt.

Gonzalez-Rendon was lying face down on the ground approximately four to five feet east and to the rear of Senior Officer Alonzo's patrol vehicle. Gonzalez-Rendon's body was oriented in an approximate north/south direction with his head located toward the south. Gonzalez-Rendon's hands were lying near his head. Gonzalez-Rendon was wearing a grey shirt, blue pants, and greyish socks with no shoes. Gonzalez-Rendon can be heard to make a soft groan.

Officer Huerta placed handcuffs on Gonzalez-Rendon beginning with the left wrist. During the cuffing process, Gonzalez-Rendon's hands can be seen covered in blood. Officer Huerta then applied direct pressure to Gonzalez-Rendon's wounds. Officer Huerta attempted to cut open the shirt of Gonzalez-Rendon with a silver folding knife.

He was not able to cut the shirt completely open. Officer Huerta later appeared to toss the knife a short distance away. As Officer Huerta provided first aid, he repeatedly told Gonzalez-Rendon to breathe. Gonzalez-Rendon opened his mouth and his chest rose. His chest then fell, and a moaning noise can be heard. Simultaneously, a large gush of blood can be seen flowing from the upper chest area of Gonzalez-Rendon toward his neck and left shoulder.

Officer Huerta asked Senior Officer Alonzo how he was doing and if he was okay. Senior Officer Alonzo acknowledged that he was “good” and said, “As soon as uh....as soon as he saw me he started rushing towards me, man. I came around the car and I ... he got pretty close. He got within twelve feet or even less.” Shortly thereafter, Alonzo and Officer Huerta checked Gonzalez-Rendon for additional weapons and then removed the handcuffs from him and placed them on the ground nearby. Fire and EMS personnel arrived a few minutes later.

3. BWC of Officer John Coffelt

A review of the contents of the BWC worn by Officer Coffelt revealed his BWC was not activated at any point during the incident.

C. Surveillance Video

Santa Paula Police Department had installed a video camera at a city yard located on the northwest corner of the intersection of South Palm Avenue and East Ventura Street. At the time of this incident, the camera was pointed south and recorded a portion of East Ventura Street and the east alley of the apartment building at 116 East Ventura Street.

In the video, Gonzalez-Rendon is seen walking westbound on the north side of East Ventura Street at about 6:27 a.m. He crossed the street to the south sidewalk and looked around. He walked a short distance southbound in the east alley of 116 East Ventura Street. On the video, Gonzalez-Rendon can be seen carrying a shiny object in his right hand. He continually looked around.

At about 6:28 a.m., Gonzalez-Rendon stopped walking in the east alley of 116 East Ventura Street and turned to his right, looking west. At that point, the object in Gonzalez-Rendon's right hand is clearly visible, and it is a large kitchen knife (in red circle in photo below). Gonzalez-Rendon then walked back to the south sidewalk of East Ventura Street and walked eastbound out of the view of the camera. As he walked out of view, he continued to look around.



The first Santa Paula Police Department patrol unit was seen on the video arriving at about 6:36 a.m. Officer Huerta's patrol vehicle was seen arriving, driving up the alley at 116 East Ventura Street, suddenly braking, backing up, and then heading to the shooting scene. The shooting incident was not captured on the video. The shooting scene was to the west and off view of the camera.

D. Cellphone Video

Cellphone videos were recovered from a resident near the shooting scene. The cellphone videos show Senior Officer Alonzo and Officer Huerta providing medical attention to

Gonzalez-Rendon after the shooting. The cell phone videos also show EMS personal providing attention to Gonzalez-Rendon. The cell phone videos cover the same period of time that was covered by BWC video of Senior Officer Alonzo and Officer Huerta.

E. Witness Statements

Numerous individuals were interviewed by detectives from Ventura County Sheriff's Major Crimes division, including the involved officers, emergency medical personnel, and civilian witnesses. Summaries of the most pertinent witness statements are set forth below:

1. Senior Officer Matt Alonzo

Senior Officer Matt Alonzo was interviewed on April 13, 2017, at about 4:15 p.m., by detectives from Major Crimes in a conference room at the Sheriff's Special Services building in Camarillo. Senior Officer Alonzo stated he had been a peace officer for ten years with Santa Paula Police Department.

On Sunday, April 9, 2017, Senior Officer Alonzo was assigned to work day-shift patrol with Officers Coffelt and Officer Huerta. Senior Officer Alonzo was the acting shift supervisor since there was no sergeant on duty during the shift. Senior Officer Alonzo began his shift with a briefing sometime between 5:45 a.m. and 6:00 a.m. During the briefing, information was received about a stolen vehicle report call pending that stemmed from a pursuit involving the Ventura County Sheriff's Office. Officer Huerta was going to handle the stolen vehicle call.

Shortly after Senior Officer Alonzo was made aware of the stolen vehicle call, a dispatcher notified the officers of a 911 call reporting a man with a knife on East Ventura Street. Senior Officer Alonzo remembered the dispatcher stated the man with the knife was "acting erratic in some way." Senior Officer Alonzo and the other officers got up and grabbed their bags. Senior Officer Alonzo believed the dispatcher advised him there was a second reporting party who called about the male with a knife. Senior Officer

Alonzo then told Officer Huerta to respond with them to the man with the knife call prior to the stolen vehicle call. The officers hurried to get in their vehicles to respond to the call.

Senior Officer Alonzo remembered he was advised by the dispatcher that the male with the knife may have challenged somebody in a car. Senior Officer Alonzo said typically, when there are multiple callers reporting the same thing, it is a sign that the incident is “really happening.” Senior Officer Alonzo quickly loaded his gear bag into his patrol vehicle and began to drive to East Ventura Street. He drove fast but was not responding Code 3 with lights and siren. He saw Officers Coffelt and Officer Huerta were both behind him in their patrol vehicles when he left the station parking lot.

As he was responding to the call, Senior Officer Alonzo had a feeling that the man with a knife call “was going to be pretty real” and he had a “heightened awareness of what was going on.” When asked why he felt the call was going to be a “real one,” he said he did not know and he “just felt that way.”

When Senior Officer Alonzo arrived at the scene, he turned onto westbound East Ventura Street from South Palm Avenue. He knew the address would be immediately on his left. He looked down a driveway next to 116 East Ventura Street and did not see anyone matching the description of the subject. He continued to drive slowly westbound on East Ventura Street in order to go around to the rear of the building at 116 East Ventura Street. As he drove, Senior Officer Alonzo looked to his right where he “saw the suspect in that long driveway.” Senior Officer Alonzo slowed down and continued looking to his right. He saw “the suspect about halfway down the driveway.” He matched the description given by the reporting party and “he's got a big knife in his hand.” Senior Officer Alonzo said it was daylight when he saw Gonzalez-Rendon about halfway down the long driveway. He immediately knew it was the subject from the 911 call.

When Senior Officer Alonzo first saw him, Gonzalez-Rendon was walking from east to west in the driveway and then “he turned and looked right at” Senior Officer Alonzo. After turning and looking at Senior Officer Alonzo, Gonzalez-Rendon “started running

towards” Senior Officer Alonzo. Gonzalez-Rendon had a knife in his right hand and Senior Officer Alonzo remembered thinking “that's a big knife.” During the interview, Senior Officer Alonzo demonstrated how Gonzalez-Rendon held the knife in his right hand with his right arm from his shoulder to his elbow down at his side, parallel with his body. His forearm from his elbow to his fist was extended outward perpendicular to his body so the crook of his elbow made a near perfect 90-degree angle. He simulated holding an object tightly in the palm of his hand, causing his fingers to ball up into a fist. The point of the knife was pointing downward toward the ground.

Senior Officer Alonzo stopped his marked patrol vehicle when he first saw Gonzalez-Rendon. When Gonzalez-Rendon began to run toward him, Senior Officer Alonzo got out of his vehicle, removed his weapon from his holster, and moved around the back side of his patrol vehicle. Senior Officer Alonzo remembered seeing Officer Coffelt’s patrol vehicle arriving at this point. As he moved to the rear of his vehicle, Senior Officer Alonzo could not see Gonzalez-Rendon. As he came around the backside of his patrol vehicle, Senior Officer Alonzo saw Gonzalez-Rendon running straight toward him in “a full sprint” with the knife raised “over his head.” Senior Officer Alonzo did not hear Gonzalez-Rendon say anything throughout the incident.

Senior Officer Alonzo demonstrated how Gonzalez-Rendon held the knife in his right hand in a fist-like manner. Gonzalez-Rendon’s fist was positioned so that his thumb was nearest to his own face, with the knife blade protruding from the pad or base of his fist. Gonzalez-Rendon’s fist was roughly level with his head when he held the knife in this position. The blade of the knife was pointed away from Gonzalez-Rendon and toward Alonzo. Gonzalez-Rendon’s right arm from his elbow to his fist was pointing vertically straight up in the air, creating a near perfect 90-degree angle in the crook of his elbow, with his right arm from his shoulder to his elbow extended straight out perpendicular from his body.

Senior Officer Alonzo estimated that Gonzalez-Rendon was “approximately fifteen to twenty feet” from him when he arrived at the rear of his patrol vehicle. At that time, Senior Officer Alonzo thought, “this guy's coming to kill me.” He saw Gonzalez-Rendon

had the knife over his head. Senior Officer Alonzo shouted at him to “drop the knife, drop the knife!” Senior Officer Alonzo shouted at Gonzalez-Rendon to drop the knife “two to three times” in English. Gonzalez-Rendon did not drop the knife.

Senior Officer Alonzo first pointed his firearm at Gonzalez-Rendon at about the same time he came around the back of his patrol vehicle. He watched Gonzalez-Rendon run toward him while he simultaneously pointed his weapon at Gonzalez-Rendon. Senior Officer Alonzo said, “He didn't comply with my orders and I began to fire my weapon at him.” Before he made the decision to fire his weapon, Senior Officer Alonzo thought, “He's going to try to kill me with that knife.” Senior Officer Alonzo estimated Gonzalez-Rendon was “a car length, 15 to 20 feet” away when he fired the first shot.

Senior Officer Alonzo remembered firing six rounds in quick succession, aiming “center mass.” Senior Officer Alonzo fired because “he was closing on me quick” and he stopped firing when Gonzalez-Rendon went to the ground and “the threat was over.” Senior Officer Alonzo backed up as he was firing due to the rapid rate of approach of Gonzalez-Rendon. Senior Officer Alonzo said it appeared to him that Gonzalez-Rendon’s legs buckled, and he fell to the ground head first. Gonzalez-Rendon let go of the knife as he fell forward toward the ground. The knife landed on the ground within inches of Gonzalez-Rendon’s right hand. Senior Officer Alonzo did not see Gonzalez-Rendon make any further movements once he landed on the ground.

Senior Officer Alonzo then became aware of the presence of Officers Coffelt and Huerta. Officer Coffelt walked up to Gonzalez-Rendon and kicked the knife away from him. Senior Officer Alonzo notified police dispatch of the shooting and requested fire and EMS personnel to respond. He saw Officer Huerta walk up to Gonzalez-Rendon and handcuff him. Senior Officer Alonzo holstered his firearm once Gonzalez-Rendon was handcuffed. Senior Officer Alonzo searched Gonzalez-Rendon and found no other weapons on him. Senior Officer Alonzo then removed the handcuffs from Gonzalez-Rendon and retrieved his medical bag.

Senior Officer Alonzo and Officer Huerta rendered first aid to Gonzalez-Rendon. They applied direct pressure to the visible wounds on Gonzalez-Rendon. Shortly thereafter, Senior Officer Alonzo was relieved by EMS personnel. Senior Officer Alonzo then directed his attention toward securing the scene and making the proper notifications.

In the interview, Senior Officer Alonzo confirmed he was wearing a BWC at the time of the incident and thought he had activated it when he arrived in his patrol vehicle onto East Ventura Street. By the time of his interview, Senior Officer Alonzo had been made aware that he, in fact, had not activated his BWC prior to the incident.

In addition to his firearm, Senior Officer Alonzo said he was equipped with a taser and a baton. Alonzo did not choose to use any other force option because he believed it was an immediate lethal situation and there was no other option other than to use deadly force at that moment. Later in the interview, Alonzo was asked, "... if you didn't fire, what would have happened?" Alonzo responded, "I would have been stabbed and probably killed."

2. Officer John Coffelt

Officer John Coffelt was interviewed on April 13, 2017, at about 1:05 p.m., by detectives from Major Crimes of the Sheriff's Office in a conference room at the Sheriff's Special Services building in Camarillo. Officer Coffelt stated he had been a peace officer for 21 years with the Santa Paula Police Department.

On April 9, 2017, Officer Coffelt was assigned to work patrol with Senior Officer Alonzo and Officer Huerta. His shift began at about 5:45 a.m. and he arrived at work at about 5:25 a.m. Officer Coffelt received the shift briefing from Senior Officer Alonzo who assigned Officer Coffelt to his beat.

After 6:00 a.m., the dispatcher came into the briefing room and told the officers that there were two calls pending. One call was a stolen vehicle report related to an earlier vehicle pursuit with the Ventura County Sheriff's Office. The other call was a subject with a

knife in the 100 block of East Ventura Street. Officer Coffelt remembered that the dispatcher said a female reporting party had called, said a male had chased her car with a knife, and she was concerned for other people in the apartment complex. Officer Coffelt said Senior Officer Alonzo told Officer Huerta to handle the stolen vehicle report while Senior Officer Alonzo and Officer Coffelt went to handle the man with a knife call. Officer Coffelt loaded his equipment into his marked patrol vehicle and saw Senior Officer Alonzo drive out of the station parking lot. Officer Coffelt followed Senior Officer Alonzo to the call.

While driving to the call, Officer Coffelt saw Officer Huerta following behind him. Senior Officer Alonzo was a couple hundred yards ahead of him and arrived in the area of the call slightly before him. Officer Huerta was behind Officer Coffelt. Officer Coffelt notified dispatch that he and Officer Huerta had arrived on scene less than five seconds after Senior Officer Alonzo advised he had arrived. Officer Coffelt estimated they arrived on scene at around 6:30 a.m. and confirmed it was daylight at that time.

Officer Coffelt saw Senior Officer Alonzo drive slowly westbound on East Ventura Street apparently looking for the subject. Officer Coffelt traveled right behind Senior Officer Alonzo's vehicle. Senior Officer Alonzo stopped his vehicle, but Officer Coffelt did not immediately know why. He saw Senior Officer Alonzo exit his patrol vehicle. Officer Coffelt stopped his patrol vehicle about one and a half car lengths away from Senior Officer Alonzo's vehicle. Officer Coffelt said he saw Officer Huerta turn his patrol vehicle southbound into an alley of a condominium complex.

Officer Coffelt said he remained seated in his vehicle for a moment and observed Senior Officer Alonzo. Officer Coffelt saw Senior Officer Alonzo gesture toward an alley to the north of his vehicle. Officer Coffelt interpreted Senior Officer Alonzo's gesture as a sign that he saw the subject with the knife north of their location. Officer Coffelt got out of his vehicle and saw that Senior Officer Alonzo had drawn his firearm. Since Senior Officer Alonzo had his firearm drawn, Officer Coffelt decided to take his taser out so they had a less lethal option available. Officer Coffelt could not see anyone else other

than Senior Officer Alonzo. Officer Coffelt started to walk toward the front of his patrol vehicle while looking to the north, but he still could not see anyone at that point.

Officer Coffelt then heard Senior Officer Alonzo shout “drop the knife” in English at least twice. All of a sudden, Officer Coffelt saw Gonzalez-Rendon running at “a sprint with the knife over his head,” directly in Senior Officer Alonzo's direction “at a full speed.” Officer Coffelt described him running “full speed” with the knife over his head and looking at Senior Officer Alonzo. The wall, located on the north side of East Ventura Street, blocked Officer Coffelt’s view of the driveway itself. Officer Coffelt was not able to see Gonzalez-Rendon until he emerged from beyond the edge of the wall. At that point, Gonzalez-Rendon was already at the sidewalk and was running southbound at full speed, holding a knife in his right hand about level with his head. Officer Coffelt observed that the knife’s handle was enclosed in Gonzalez-Rendon’s fist. Officer Coffelt could clearly see the shiny metallic portion of the “long blade” protruding out in front of Gonzalez-Rendon’s fist. He saw the knife was pointed toward Senior Officer Alonzo. Officer Coffelt did not hear Gonzalez-Rendon say anything.

Officer Coffelt brought his taser up with both hands and was beginning to aim it at Gonzalez-Rendon when he heard what sounded like four to six gunshots. Officer Coffelt did not see Senior Officer Alonzo fire his weapon and explained their positioning prevented him from having Senior Officer Alonzo in his direct line of sight. Officer Coffelt stated that Gonzalez-Rendon had stepped off the curb and into the roadway when the first shot was fired. As Officer Coffelt heard the shots being fired, he saw Gonzalez-Rendon fall to the ground face first. When Gonzalez-Rendon fell to the ground, the knife landed very close to Gonzalez-Rendon’s right hand. Officer Coffelt saw Gonzalez-Rendon moving around on the ground and it appeared Gonzalez-Rendon may have been trying to grab the knife. Officer Coffelt told Alonzo to cover him and he kicked the knife away from Gonzalez-Rendon.

Officer Coffelt told Senior Officer Alonzo he was going to handcuff Gonzalez-Rendon. Officer Coffelt then holstered his taser and began to put on latex gloves. He saw Officer Huerta approaching. Officer Huerta said he would handcuff Gonzalez-Rendon. Officer

Coffelt saw Officer Huerta handcuff Gonzalez-Rendon and then heard Officer Huerta and Senior Officer Alonzo discuss providing first aid to Gonzalez-Rendon. Officer Coffelt repositioned his vehicle to block traffic in order to protect the scene.

Officer Coffelt explained he felt shock at how fast the incident happened and felt that Gonzalez-Rendon was going to kill Senior Officer Alonzo. Officer Coffelt thought Gonzalez-Rendon was within effective range of his taser when he began to aim it but said it would have been a difficult shot because Gonzalez-Rendon was a “running target” and was at an angle to Officer Coffelt. Officer Coffelt said if he had his firearm in his hand, he thought he would have shot Gonzalez-Rendon. He explained this decision would have been based on Gonzalez-Rendon running at a high rate of speed right at Senior Officer Alonzo while armed with a knife. Officer Coffelt said it was obvious to him that Gonzalez-Rendon’s intent was to try to hurt one of them. Officer Coffelt confirmed he did not capture any portion of the incident on his BWC.

3. Officer Frank Huerta

Officer Frank Huerta was interviewed on April 13, 2017, at about 2:35 p.m., by detectives from Major Crimes of the Sheriff’s Office in a conference room at the Sheriff’s Special Services building in Camarillo. Officer Huerta stated he had been a full-time peace officer for 11 ½ years with the Santa Paula Police Department. Prior to that, he was a reserve police officer for the City of Port Hueneme.

On April 9, 2017, Officer Huerta was assigned to work patrol with Senior Officer Alonzo and Officer Coffelt. His shift began at about 5:45 a.m. and he arrived at the station at about 5:30 a.m. Senior Officer Alonzo conducted the shift briefing. During the briefing, the dispatcher came into the room and notified the officers of two pending calls for service. One of the calls was a stolen vehicle call and the other was a man with a knife call in the 100 block of East Ventura Street. Officer Huerta was initially going to handle the stolen vehicle call but was told by Senior Officer Alonzo to respond to the man with a knife call.

Officer Huerta followed Senior Officer Alonzo and Officer Coffelt to the location of the call. When they arrived, Officer Huerta asked over the radio for the subject's last known location. He was advised by the dispatcher the last known location was in the alley at 116 East Ventura Street. Officer Huerta saw Senior Officer Alonzo and Officer Coffelt begin to drive westbound on East Ventura Street, passing 116 East Ventura Street. Officer Huerta turned left and drove southbound in the alley of 116 East Ventura Street looking for the subject.

While checking the alley, Officer Huerta heard multiple shots fired in rapid succession. He thought the shots came from north of his location. After hearing the shots, Officer Huerta heard Senior Officer Alonzo transmit on the police radio "shots fired - shots fired." Officer Huerta reversed out of the alley onto East Ventura Street. He drove westbound on East Ventura Street and saw Senior Officer Alonzo and Officer Coffelt in the street in front of him. Officer Huerta saw Gonzalez-Rendon lying face down on the ground. He saw Senior Officer Alonzo standing near the driver's side of his patrol vehicle with Gonzalez-Rendon at gunpoint. He saw Officer Coffelt standing on the opposite side of Senior Officer Alonzo's patrol vehicle.

Officer Huerta parked behind Officer Coffelt's patrol vehicle and exited his vehicle. He put on latex gloves, handcuffed Gonzalez-Rendon, and then started providing first aid to him. Prior to placing handcuffs on Gonzalez-Rendon, Officer Huerta noticed a large kitchen knife lying on the ground near Officer Coffelt. Officer Huerta could not remember seeing Gonzalez-Rendon move at that time but did recall hearing agonal breathing coming from Gonzalez-Rendon. He then asked Senior Officer Alonzo to retrieve a first aid kit.

Officer Huerta took out his knife and attempted to cut Gonzalez-Rendon's shirt. He could not completely cut the shirt with his knife, so he discarded it and lifted Gonzalez-Rendon's shirt up toward his neck. He used a cloth given to him by Senior Officer Alonzo to apply pressure to a wound on Gonzalez-Rendon's chest. He ultimately stopped rendering aid when he saw that Gonzalez-Rendon stopped breathing and was no longer bleeding.

Officer Huerta recognized Gonzalez-Rendon but did not know him by name. He had seen Gonzalez-Rendon before.

Officer Huerta confirmed he activated his BWC while he was still in his patrol car as he was approaching the location of Senior Officer Alonzo and Officer Coffelt shortly after the shooting took place. He was unsure of when he stopped the recording.

4. Anonymous Reporting Party

The anonymous female reporting party told detectives during an interview that she wished to remain anonymous due to concern for her safety. The reporting party was riding as a passenger in her sister's vehicle while the two drove out of their garage to go to work. She saw a Hispanic male standing on the sidewalk near a driveway on East Ventura Street near a mailbox. The male had a goatee and was wearing a grey shirt and blue pants. The reporting party saw the male was holding a kitchen knife with the point facing forward.

The reporting party and her sister turned eastbound onto East Ventura Street. They had to drive in front of the male. The male began to run toward the reporting party's vehicle. The male's actions made her panic and she began to shake out of fear. She told her sister to hurry up and drive away. Her sister was able to drive past the male with the knife and avoid any confrontation. She did not hear the male say anything. She declined to provide the contact information for her sister to law enforcement.

5. Jaime Rivera

Jamie Rivera was a roommate of Gonzalez-Rendon. They lived in an apartment near where Gonzalez-Rendon was first seen by Senior Officer Alonzo. Rivera said Gonzalez-Rendon had a history of psychiatric issues and he once spent about two weeks at an unknown mental health facility. Gonzalez-Rendon also had a history of alcohol problems. Gonzalez-Rendon had recently stopped drinking and was having trouble

sleeping. Rivera said Gonzalez-Rendon acted strange when he was not drinking, and that Gonzalez-Rendon had been awake all-night walking around the apartment and turning on the radio and television prior to the shooting.

On April 9, 2017, at approximately 6:00 a.m., Rivera said Gonzalez-Rendon attacked another roommate for no reason. Gonzalez-Rendon began punching the roommate while he was asleep in his bed. Rivera pulled Gonzalez-Rendon away from the roommate and told him to stop. Gonzalez-Rendon walked over to the kitchen and grabbed two kitchen knives. Rivera described both the knives as being about 10 inches in total length. One of the knives had a black handle and the other had a greyish handle.

Gonzalez-Rendon walked toward Rivera in a threatening manner and cornered him against the wall near the front door. Gonzalez-Rendon swung a kitchen knife at Rivera in a slashing motion but did not make contact with Rivera. Gonzalez-Rendon then left the apartment through the front door.

Rivera and another roommate, Heli Velasquez, watched Gonzalez-Rendon from a window which faced south toward East Ventura Street. Gonzalez-Rendon remained in the complex parking lot for a few minutes and paced up and down the driveway. Gonzalez-Rendon then headed toward East Ventura Street and turned eastbound out of their view. Rivera said he did not see Gonzalez-Rendon fight with anyone outside of the apartment.

Approximately 15 minutes after Gonzalez-Rendon left the apartment, Rivera saw Gonzalez-Rendon walking back and forth on East Ventura Street. He saw Gonzalez-Rendon walk up the driveway toward the apartment but stopped near a trash dumpster. Gonzalez-Rendon walked back toward East Ventura Street and that was when the officer arrived. He saw Gonzalez-Rendon approach or walk toward the officer and get close to the officer. Rivera estimated the distance between Gonzalez-Rendon and the officer to be approximately ten feet.

Rivera saw the officer shoot Gonzalez-Rendon and Gonzalez-Rendon immediately fell to the ground. He heard six to seven shots. He did not see a knife in Gonzalez-Rendon's hand when Gonzalez-Rendon dropped to the ground. When Gonzalez-Rendon dropped to the ground after being shot, Rivera saw the officer kick the knife away. Rivera heard the officer tell Gonzalez-Rendon in Spanish, "Breathe young man, breathe."

When asked about how a blood trail could have led to the door of their apartment, Rivera speculated that Gonzalez-Rendon may have cut his wrists with the knife on his way down the stairs when he left the apartment.

6. Heli Velasquez

Heli Velasquez was a roommate of Gonzalez-Rendon. On April 9, 2017, at about 6:00 a.m., Velasquez was in his bedroom and heard a commotion coming from the kitchen area. He saw Jaime Rivera in the living area. Rivera appeared to be scared because Gonzalez-Rendon had battered another roommate, Jose Guadalupe Hernandez. Velasquez saw Gonzalez-Rendon grab two large knives from the kitchen and run out of the apartment.

Velasquez yelled through his bedroom window to Gonzalez-Rendon as he ran down the stairs. Velasquez asked Gonzalez-Rendon where he was going with the knives and told him to leave the knives. Gonzalez-Rendon mumbled something that sounded like, "No." Velasquez recalled Gonzalez-Rendon said, "I'm going to kill myself" as he was leaving the apartment. Velasquez noticed blood in the driveway area and suspected Gonzalez-Rendon may have injured himself. Velasquez did not see Gonzalez-Rendon interact with anyone after he left.

7. Jose Guadalupe Hernandez

Jose Hernandez was a roommate of Gonzalez-Rendon. He had lived in the apartment for about a month and slept in a makeshift bedroom under a blue tarp in the living room. On April 9, 2017, at about 6:00 a.m., Hernandez heard Gonzalez-Rendon break the door

leading to his bedroom. He turned on a light to see what was wrong. Gonzalez-Rendon began to assault Hernandez by swinging his fists at him. Hernandez remained on his bed and put his hands on Gonzalez-Rendon's chest. Hernandez asked Gonzalez-Rendon what his problem was and told him to calm down. Hernandez also heard Jaime Rivera tell Gonzalez-Rendon to calm down. Gonzalez-Rendon eventually backed away from Hernandez. Hernandez was not injured.

Hernandez heard Rivera say Gonzalez-Rendon had a knife. Hernandez saw Rivera retreat into a bedroom and heard him make a comment to call the police. Gonzalez-Rendon did not have a knife when he assaulted Hernandez. Hernandez did not see when Gonzalez-Rendon grabbed the knife, due to being behind the tarp.

Within minutes after Gonzalez-Rendon left, Hernandez decided to leave. Hernandez got dressed, made sure that Gonzalez-Rendon was no longer in the immediate area, and left the apartment. Hernandez went to his vehicle parked in the garage and drove away. When he reached East Ventura Street, Hernandez made a left turn and drove to South Palm Avenue. At the southwest corner of South Palm Avenue and East Ventura Street, Hernandez saw Gonzalez-Rendon holding a knife and walking back towards the apartment. Hernandez called Heli Velasquez twice to warn them that Gonzalez-Rendon was heading back towards the apartment, but there was no answer.

8. Luis Salazar

Luis Salazar was a roommate of Gonzalez-Rendon. Salazar said Gonzalez-Rendon had been on a 15-day drinking binge. Salazar heard Gonzalez-Rendon was diagnosed with schizophrenia and had received treatment for it. Salazar had lived with Gonzalez-Rendon without any problems.

On the morning of April 9, 2017, Salazar was preparing to go to the laundromat. He heard someone kicking items in the kitchen. He looked outside of his room and heard Jaime Rivera telling Gonzalez-Rendon to calm down. Salazar looked at Rivera and

Hernandez and could tell by the look on their faces that they were scared. Salazar told Rivera and Hernandez to get into his room as Gonzalez-Rendon left the apartment.

Salazar saw Gonzalez-Rendon return to the area and walk along the driveway. Salazar commented during his interview that if police don't kill him, someone else would since Gonzalez-Rendon possessed the knives. A short time after seeing Gonzalez-Rendon return, Salazar heard gunshots and knew Gonzalez-Rendon had been killed. Salazar looked out the window and saw Gonzalez-Rendon fall to the ground.

Salazar then left and went to the laundromat. He walked past Gonzalez-Rendon, who was shot. At the laundromat, Salazar spoke to an unidentified male subject who told Salazar "some crazy guy" with knives tried to kill him. Salazar did not know the location where the subject claimed he was confronted by this person, but the subject told Salazar that the guy wanted to kill him.

9. Raul Victoria

Raul Victoria was a neighbor to Gonzalez-Rendon and his roommates. On April 9, 2017, just before 6:00 a.m., Victoria heard banging on the walls coming from the apartment of Gonzalez-Rendon. Victoria heard the door to the apartment open and close three or four times. At about 6:15 a.m., he looked out his front door to look for the cause of the disturbance. Victoria saw a male, who he knew as his neighbor and matched Gonzalez-Rendon's description, fighting with another male. Victoria saw the two men boxing and Gonzalez-Rendon appeared to be swinging a "butcher's knife." Victoria was not sure if Gonzalez-Rendon had stabbed the other male. Victoria yelled, "Hey!" and the other male ran southbound toward East Ventura Street holding his rib cage. Gonzalez-Rendon chased after the male.

Victoria got dressed and got into his car. He then drove to the area of East Ventura Street and South Palm Avenue. As he turned southbound onto South Palm Avenue, he saw Gonzalez-Rendon standing on the sidewalk. Gonzalez-Rendon was covered in blood and was still holding the knife. The blood covered both of Gonzalez-Rendon's arms from the

elbows down. He could not see the source of the blood. Victoria said it appeared to him that Gonzalez-Rendon was looking for someone. Victoria asked Gonzalez-Rendon if he was okay and Gonzalez-Rendon replied that he was fine. Gonzalez-Rendon said he was looking for someone and that he was going to kill him.

Detectives were unable to identify the possible victim who Victoria saw fighting with Gonzalez-Rendon outside the apartment building.

10. Canvass of Neighborhood

Ventura County Sheriff's detectives canvassed the neighborhood near where the incident occurred. No witnesses to the incident were found during the canvass. In general, the people who were interviewed stated they were asleep and woke up to the sound of gunshots or the first thing they heard was gunshots. After the shooting, several people saw officers handcuffing Gonzalez-Rendon and rendering aid to him.

F. Arrest of Gonzalez-Rendon by Santa Paula Police in April 2016

On April 14, 2016, at about 1:38 p.m., Santa Paula Police Detective Shane Norwood was seated in a parked unmarked Santa Paula police car with the engine running. Detective Norwood heard a noise that sounded like his right rear passenger door handle was being manipulated. When he looked, he saw Gonzalez-Rendon attempting to open the front and rear passenger doors of his vehicle. He feared Gonzalez-Rendon would assault him. Detective Norwood got out of his vehicle, drew his firearm, pointed it at Gonzalez-Rendon, and identified himself as a police officer. He ordered Gonzalez-Rendon to show his hands and to get on the ground. Gonzalez-Rendon stared at Detective Norwood and did not respond to his order. Detective Norwood thought Gonzalez-Rendon was either a non-English speaker or under the influence of alcohol and/or drugs. Detective Norwood holstered his firearm and took Gonzalez-Rendon to the ground.

Several other Santa Paula Police Department officers responded to assist Detective Norwood. Officer Frank Huerta responded and questioned Gonzalez-Rendon in Spanish.

Officer Huerta asked Gonzalez-Rendon why he tried to open the doors of the police vehicle. Gonzalez-Rendon replied it was just a game. Gonzalez-Rendon was arrested for vehicle tampering in violation of Vehicle Code section 10852.

G. Mental Health History of Jose Romero Gonzalez-Rendon

In response to a search warrant issued during the investigation, Ventura County Medical Center provided medical records for Gonzalez-Rendon to the Sheriff's Office. A review of the records revealed that Gonzalez-Rendon admitted himself into the Hillmont Psychiatric Center in Ventura on January 20, 2017. Gonzalez-Rendon told Hillmont staff he heard voices telling him to kill himself. Gonzalez-Rendon also told Hillmont staff he had attempted to commit suicide on at least two prior occasions. Gonzalez-Rendon was discharged on January 27, 2017. At discharge, Gonzalez-Rendon denied suicidal or homicidal ideations and was not considered an imminent risk to himself or others. He reported the voices were still present but less, and there were no commands to harm himself or others.

According to the medical records, Gonzalez-Rendon attempted suicide about two years prior to his hospitalization in January 2017. Gonzalez-Rendon heard voices telling him to stab himself in the heart. He did stab himself twice in the chest with a knife, resulting in hospitalization.

Gonzalez-Rendon told staff that he attempted suicide approximately seven months prior to his admission to Hillmont. He jumped off the Santa Monica pier. This suicide attempt resulted in his first inpatient psychiatric hospitalization in the city of Pasadena. Sheriff's detectives confirmed that on June 3, 2016, at 2:35 a.m., the Santa Monica Fire Department responded to a call after Gonzalez-Rendon jumped off the Santa Monica Pier. In response to a search warrant, Santa Monica Fire Department provided their records. Gonzalez-Rendon was found by Santa Monica Harbor Guard face down unconscious in the water and was rescued. He was alert and oriented by the time Santa Monica Fire Department arrived. He was transported to the hospital.

Gonzalez-Rendon appeared to have spoken to a doctor about his arrest on April 14, 2016, in Santa Paula while he was receiving treatment at Hillmont Psychiatric Center in January 2017. A notation in a progress note stated that Gonzalez-Rendon said he had acted on command auditory hallucinations to kill himself twice in the recent past resulting in attempts to kill himself and hospitalizations. He then stated he opened the door of a police car once acting on the command auditory hallucinations which resulted in him being placed in jail because they thought he was intoxicated.

III. PHYSICAL EVIDENCE

A. Shooting Scene

East Ventura Street is primarily a residential area lined with multiple large and medium sized apartment complexes bordered by South Palm Avenue on the east and a circular cul de sac on the west. The shooting scene was at the 100 block of East Ventura Street.

Gonzalez-Rendon's body was lying on the street in front of 123 East Ventura Street about 12 feet south of the north curb line. Gonzalez-Rendon was covered with a white sheet after the shooting. Senior Officer Alonzo's marked Santa Paula Police Department patrol vehicle was located on East Ventura Street just west of the body. Gonzalez-Rendon was approximately 10 feet east of the back of Senior Officer Alonzo's patrol vehicle. Officer Huerta's marked Santa Paula Police Department patrol vehicle was located on East Ventura Street, east of the body. Officer Coffelt's marked Santa Paula Police Department patrol vehicle was located on East Ventura Street, east of Officer Huerta's patrol vehicle and east of the body.

The entire crime scene was extensive due to multiple blood trails that extended from East Ventura Street to South Palm Avenue. Numerous apparent blood stains were located on East Ventura Street, the driveway to the apartment buildings at 123 East Ventura Street, and on South Palm Avenue. The blood trails extended into an apartment complex on a concrete driveway at 123 East Ventura Street. This driveway provides access to East

Ventura Street for the multiple apartments on the north side of East Ventura Street. There was a blood trail from the driveway to a walkway and up the stairs to the second story apartment of Gonzalez-Rendon.

DNA analysis of blood samples taken from the entire scene completed by the Forensic Services Laboratory of the Sheriff's Office determined that Gonzalez-Rendon was the source of the blood. The blood trails found throughout the entire scene likely originated from incised wounds on Gonzalez-Rendon's right and left wrists.

When detectives arrived, Gonzalez-Rendon was lying on his back facing up. It was later determined he had been rolled face up after the shooting. His head pointed south and his feet pointed north. His left and right arms were at his sides on the ground with both hands close to his hips. There was a pool of blood under Gonzalez-Rendon's upper body. Gonzalez-Rendon was wearing dark blue denim pants, a green web belt, white socks and a greyish shirt. Gonzalez-Rendon was not wearing shoes.

Six 40-caliber S&W cartridge cases from rounds fired by Senior Officer Alonzo were found at the scene. The cartridge cases were located just south of the body. Near Gonzalez-Rendon was a black handcuff key with blood on it, a pair of blue latex gloves, a pair of black latex gloves, a pair of handcuffs and a metal folding knife. The handcuffs and folding knife had blood on them. The folding knife, the latex gloves, handcuffs, and handcuff keys were brought to the scene by Officer Huerta and used by him after the shooting.

A large kitchen knife was found at the scene of the shooting several feet from Gonzalez-Rendon's body and approximately three feet north of the rear passenger side wheel of Senior Officer Alonzo's patrol vehicle. The knife had a black handle and a metal blade approximately eight inches long. (Officer Coffelt said he kicked the knife away from Gonzalez-Rendon after Gonzalez-Rendon had fallen to the ground.) The knife had blood on it. DNA analysis of blood samples taken from the knife completed by the Forensic Services Laboratory of the Sheriff's Office determined that Gonzalez-Rendon was the source of the blood.

B. Subsequent Search

During interviews, detectives were told that Gonzalez-Rendon possibly had two knives in his possession when he left his apartment. During the initial search of the crime scene area, no second knife was located.

On Thursday, April 13, 2017, Santa Paula Police Department Officer Michael Hoppin responded to 123 East Ventura Street regarding a report of found property. This location is north of the shooting scene near the driveway where Gonzalez-Rendon was first seen by Senior Officer Alonzo. He contacted Alejandra Aguirre, who is the property manager for the Lobero Condos. Alejandra Aguirre found a knife in the bushes. The knife was a large kitchen knife with a silver colored metal handle and blade. It had dried blood on the handle and the blade. Blood drops were found near the bushes where the knife was located.

C. Autopsy

On April 12, 2017, an autopsy was performed on Gonzalez-Rendon by Dr. Manny Montez, a forensic pathologist for the Santa Barbara County Sheriff's Coroner's Bureau. The autopsy was authorized by the Ventura County Medical Examiner's Office and was performed at the Santa Barbara County Sheriff's Office Coroner's Bureau in Santa Barbara.

Dr. Montez located a total of five gunshot wounds to Gonzalez-Rendon. One gunshot wound had two separate and distinct exit wounds caused by a single bullet. Dr. Montez identified the following gunshot wounds to Gonzalez-Rendon and the corresponding internal injuries (numbering does not indicate the sequence of the wounds):

- 1) A gunshot wound to the left chest resulting in perforations of the left lung, the pericardial sac, the heart, the diaphragm, the stomach, and the small intestine. The path of this wound was from front to back, downward, and slightly right to left.

- 2) A gunshot wound to the right upper abdomen resulting in perforations of the large bowel, multiple loops of small intestine, and the right kidney. The path of this wound was from front to back, downward, and slightly right to left.
- 3) A gunshot wound to the front left shoulder resulting in perforations of the left lateral chest muscle, the left lung, and the soft tissue and muscle of the left back. The path of this wound was from front to back, downward, and left to right.
- 4) A gunshot wound to the upper back was 1½ inches right of midline creating a subcutaneous wound pathway through the right upper back. This bullet likely hit the scapula and fragmented creating two separate and distinct exit wounds. One exit wound was 6 inches right of midline and the second exit wound was 7½ inches right of midline. A bullet fragment was located near the second exit wound. The path of this wound was from left to right and downward.
- 5) A gunshot wound to the front of the left thigh resulting in perforations of the muscles in the left thigh and the femur. The path of this wound was from front to back, upward, and slightly right to left.

Three bullets and a metallic jacket fragment were recovered from Gonzalez-Rendon during the course of the autopsy. For the bullets which were not recovered from within the body, there were corresponding exit wounds, indicating the bullets passed through the body. The only recovered expended bullets fired during the incident were the three expended bullets discovered during the autopsy.

In addition to the gunshot wounds, Dr. Montez located sharp force injuries to Gonzalez-Rendon, including incised wounds and blunt force injuries. Dr. Montez identified the following sharp force injuries:

- 1) A 1¼-inch horizontal superficial incised wound over the left chest.
- 2) Multiple horizontal overlapping superficial incised wounds around the right wrist in a 4-inch by 1-inch band-like area with no injuries to major tendons or blood vessels.
- 3) Multiple horizontal overlapping superficial incised wounds around the left wrist in a 5-inch by 1-inch band-like area with no injuries to major tendons or blood vessels.

- 4) Multiple abrasions of less than 1-inch over the left cheek, right elbow, left knee, and top of left foot near great toe.
- 5) Multiple contusions of an inch or less over the right forearm, right elbow, and left elbow.

Dr. Montez concluded that Gonzalez-Rendon died from multiple gunshot wounds.

D. Toxicology Report

Samples of Gonzalez-Rendon's blood were collected during the autopsy. Those samples were submitted for testing to NMS Labs, located in Pennsylvania. The test results revealed that Gonzalez-Rendon had caffeine and olanzapine in his blood at the time of his death. The common brand for olanzapine is Zyprexa. According to the report by NMS Labs, olanzapine is a drug used in the treatment of psychotic disorders (schizophrenia and bipolar mania).

IV.
LEGAL PRINCIPLES

A. Law of Homicide and Self-Defense

Homicide is the killing of one human being by another, either lawfully or unlawfully. Homicide encompasses murder and manslaughter, which are unlawful, and acts of excusable and justifiable homicide, which are lawful.

Homicide is justifiable when committed by any person "resisting any attempt to murder any person, or to commit a felony, or to do some great bodily injury upon any person." (Penal Code § 197(1).)

CALCRIM 505 sets forth the specific jury instruction on self-defense. It provides that a person is not guilty of murder or manslaughter if: 1) that person "reasonably believed that [the person] [or] someone else was in imminent danger of being killed or suffering great

bodily injury”; 2) that person “reasonably believed that the immediate use of deadly force was necessary to defend against that danger”; and 3) that person “used no more force than was reasonably necessary to defend against that danger.” (*Judicial Council of California Criminal Jury Instructions (Fall 2017 Edition), Calcrim 505.*)

CALCRIM 505 further provides that in deciding whether that person’s “beliefs were reasonable, consider all the circumstances as they were known to and appeared to [that person] and consider what a reasonable person in a similar situation with similar knowledge would have believed. If [that person]’s beliefs were reasonable, the danger does not need to have actually existed.” It also provides that “[a person] is not required to retreat. He or she is entitled to stand his or her ground and defend himself or herself and, if reasonably necessary, to pursue an assailant until the danger has passed. This is so even if safety could have been achieved by retreating.” (*Ibid.*)

A killing by a peace officer is justifiable when it was “necessarily committed in overcoming actual resistance to the execution of some legal process, or in the discharge of any other legal duty” or “when necessarily committed in arresting persons charged with [a] felony, and who are fleeing from justice or resisting such arrest.” (Penal Code § 196.)

Police officers have a duty “to maintain peace and security” and “to protect citizens from harm.” (*Batts v. Superior Court* (1972) 23 Cal.App.3d 435, 438.) A police officer may use deadly force when the circumstances create a reasonable fear of death or serious bodily injury in the mind of the officer. (*Graham v. Conner* (1989) 490 U.S. 386, 396-397.) Reasonableness includes “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.” (*Ibid.*)

Under the Fourth Amendment, police are “not required to use the least intrusive degree of force possible” but may use only such force as is objectively reasonable under the circumstances. (*Forrester v. City of San Diego* (9th Cir. 1994) 25 F.3d 804, 807-808.)

An officer's use of deadly force is reasonable only if "the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others." (*Tennessee v. Garner* (1985) 471 U.S. 1, 3.) Furthermore, "if police officers are justified in firing at a suspect in order to end a severe threat to public safety, the officers need not stop shooting until the threat has ended." (*Plumhoff v. Rickard* (2014) 134 S.Ct. 2012, 2022.)

"The test of reasonableness in this context is an objective one, viewed from the vantage of a reasonable officer on the scene. It is also highly deferential to the police officer's need to protect himself and others." (*Martinez v. County of Los Angeles* (1996) 47 Cal.App.4th 334, 343 (quoting *Graham* 490 U.S. at 396-397).) The reasonableness test requires careful attention to the facts and circumstances of each particular case, including: (1) "the severity of the crime at issue"; (2) "whether the suspect poses an immediate threat to the safety of the officers or others"; and (3) "whether [the suspect] is actively resisting arrest or attempting to evade arrest by flight." (*Graham* 490 U.S. at 396.)

B. Jose Romero Gonzalez-Rendon's Criminal Conduct

Gonzalez-Rendon engaged in felony and misdemeanor criminal conduct immediately prior to the shooting. If he had survived, he could have been charged with the commission of the following crimes:

- Attempted Murder of a Peace Officer in violation of Penal Code sections 664/187(a) and 664(e);
- Assault with a Deadly Weapon in violation of Penal Code section 245(a)(1);
- Assault with a Deadly Weapon on a Peace Officer in violation of Penal Code section 245(c);
- Brandishing a Deadly Weapon in violation of Penal Code section 417(a)(1);
- Resisting an Executive Officer from Performing a Duty in violation of Penal Code section 69(a); and
- Resisting, Obstructing, or Delaying a Peace Officer in violation of Penal Code section 148(a)(1).

V.
ANALYSIS

On the morning of April 9, 2017, Gonzalez-Rendon physically assaulted his roommate, Jose Guadalupe Hernandez, inside their apartment. When other roommates interceded and pulled him away, Gonzalez-Rendon armed himself with two large kitchen knives. He threatened his roommates with the knives. Gonzalez-Rendon then left the apartment with the two knives. One roommate heard Gonzalez-Rendon say, "I'm going to kill myself!" as he was leaving. This assault occurred less than 45 minutes before his encounter with the Santa Paula Police Department.

A neighbor, Raul Victoria, heard noises coming from Gonzalez-Rendon's apartment just before 6:00 a.m. on April 9, 2017. He looked out his front door and saw Gonzalez-Rendon fighting with another male. Gonzalez-Rendon was swinging a knife. The other male ran away holding his rib cage with Gonzalez-Rendon chasing him. Victoria was unsure if the other male was stabbed. Blood was found in this area, but it was determined to be Gonzalez-Rendon's blood.

Later, Raul Victoria saw Gonzalez-Rendon standing on the sidewalk on South Palm Avenue near the shooting scene. Gonzalez-Rendon was holding a knife and he had blood on his arms. Gonzalez-Rendon told Victoria that he was looking for someone and he was going to kill him. Although law enforcement was unable to identify the other male, Victoria saw Gonzalez-Rendon fighting with this man and heard him make threats less than 30 minutes before his encounter with the Santa Paula Police Department.

At 6:21 a.m., an anonymous female reporting party called 911 to report a "guy walking with a knife." The reporting party told dispatch he "almost rushed our car with the knife." When told an officer would be dispatched, she replied, "Ok, please, because I'm

really scared right now.” She called back to make sure an officer was responding “before someone gets hurt.”

The responding officers were dispatched to East Ventura Street regarding a man with a knife at 6:32 a.m. They were also told at that time that a second call had come in from the anonymous reporting party about the man with a knife.

At 6:28 a.m., Gonzalez-Rendon can be seen on a surveillance video in the alley of 116 East Ventura Street near the shooting scene. On the video, a large kitchen knife is clearly visible in his right hand. Gonzalez-Rendon’s roommates, a neighbor, an anonymous female reporting party, surveillance video, two police officers, and the knife’s location at the scene confirm that Gonzalez-Rendon was armed with a knife during his encounter with the Santa Paula Police Department.

The 911 call demonstrates that Gonzalez-Rendon was aggressive to other people besides his roommates and the unidentified male. His behavior caused the female anonymous reporting party to be fearful for her safety and the safety of others. His behavior prompted her to call the police a second time to make sure they were aware of Gonzalez-Rendon and the danger she perceived him to be. The responding Santa Paula Police officers responded to this “man with a knife” call 15 minutes after the call was received.

At about 6:36 a.m., Senior Officer Alonzo arrived on East Ventura Street and saw Gonzalez-Rendon, who immediately ran towards the marked patrol unit driven by Senior Officer Alonzo holding a knife in an offensive position. When Mr. Gonzales-Rendon ran at Senior Officer Alonzo’s patrol vehicle with a raised knife, he forced Senior Officer Alonzo to confront the threat to himself and to the public. Senior Officer Alonzo warned Gonzalez-Rendon at least twice to drop the knife. Officer Coffelt heard the warning. Based on the position of the Gonzalez-Rendon’s body at the scene, the shell casings, the statement of Jaime Rivera, and statements of Senior Officer Alonzo and Officer Coffelt, Gonzalez-Rendon was probably within 20 feet of Senior Officer Alonzo when Senior Officer Alonzo started firing his handgun. Senior Officer Alonzo fired six rounds at Gonzalez-Rendon. Gonzalez-Rendon continued to advance toward Senior Officer

Alonzo as he fired. Senior Officer Alonzo stopped firing his handgun when Gonzalez-Rendon went to the ground and no longer posed a threat.

The actions of Gonzalez-Rendon toward Senior Officer Alonzo constituted a number of crimes, including attempted murder in violation of Penal Code section 664/187(a), assault with a deadly weapon in violation of Penal Code section 245(a)(1), assault with a deadly weapon on a peace officer in violation of Penal Code section 245(c), brandishing a deadly weapon in violation of Penal Code section 417(a)(1), resisting an executive officer in violation of Penal Code section 69, and resisting, obstructing, or delaying a peace officer in violation of Penal Code section 148(a)(1).

The aggressive behavior of Gonzalez-Rendon toward Senior Officer Alonzo was consistent with his behavior toward his roommates, an unknown male, and the female anonymous reporting party. Senior Officer Alonzo told Gonzalez-Rendon to drop the knife and gave him an opportunity to stop before he used lethal force. Gonzalez-Rendon did not comply with Senior Officer Alonzo's commands to drop the knife and continued running at Senior Officer Alonzo with the knife. As Gonzalez-Rendon continued to run toward Senior Officer Alonzo with the knife, Senior Officer Alonzo honestly and reasonably believed the actions of Gonzalez-Rendon posed a significant threat of death or serious bodily injury to himself and fellow officers, and the immediate use of deadly force was necessary to defend against that danger. Officer Coffelt, based on his observations of the incident, stated that Senior Officer Alonzo's use of force was reasonable under the circumstances.

The evidence also shows Senior Officer Alonzo used no more force than was reasonably necessary to defend against the danger posed by Gonzalez-Rendon. Senior Officer Alonzo fired six shots as Gonzalez-Rendon continued to run towards him with a knife pointed in an offensive position. In total, Gonzalez-Rendon suffered five gunshot

wounds, with one bullet causing two separate wounds. While the autopsy revealed that one of the gunshot wounds was to his right upper back, the gunshot wound is consistent with Gonzalez-Rendon slightly spinning to his left and his body dropped down as shots impact his body and as his momentum moved him forward toward Senior Officer Alonzo. Gonzalez-Rendon's posture at that moment, relative to the gun, would have exposed his right upper back in a left to right downward angle to forward fire.

The law provides that if the police officer is justified in firing at a suspect in order to end a severe threat to public safety, the officer need not stop shooting until the threat has ended. Here, Gonzalez-Rendon posed a threat during the time all six shots were fired because Mr. Gonzales-Rendon continued to move with a knife directly toward Senior Officer Alonzo. From the perspective of a reasonable police officer, Gonzalez-Rendon moved toward an officer with a knife despite seeing a marked police vehicle and a uniformed police officer with his firearm pointed at him, hearing him shout commands to drop the knife, and seeing and hearing the initial discharge of the firearm. From the statements of Senior Officer Alonzo, Officer Coffelt, Jaime Rivera, and the physical evidence at the scene, Senior Officer Alonzo did not fire any shots after Gonzalez-Rendon collapsed and fell to the ground. Senior Officer Alonzo was justified in firing at Gonzalez-Rendon to end a significant threat of death or serious injury to himself or others.

The autopsy of Gonzalez-Rendon and the extensive amount of blood found at the incident scene is evidence Gonzalez-Rendon cut himself with a knife prior to the arrival of the Santa Paula Police Department. Gonzalez-Rendon had cuts on his left chest, right wrist, and left wrist consistent with a sharp force injury from a knife. Blood was found on the knife held by Gonzalez-Rendon and the knife recovered later in the bushes. Given the prior suicide attempts by Gonzalez-Rendon, his hospitalization prior to the shooting

incident, and his statement to his roommate that morning, it is possible that Gonzalez-Rendon was attempting to force Senior Officer Alonzo to shoot him.

It is not known if this was the intention of Gonzalez-Rendon. Even if it was, there is no evidence that Senior Officer Senior Officer Alonzo could have possibly had any knowledge of such an intent. Under the law, police officers are not required to use the least degree of force possible. No person is required to retreat when they are in imminent danger of being killed or suffering great bodily injury. All evidence clearly showed that Gonzalez-Rendon posed a deadly threat to Senior Officer Alonzo and his fellow officers and Senior Officer Alonzo's use of deadly force was reasonable under the circumstances.

VI. CONCLUSION

It is the conclusion of the District Attorney that:

- A. At the time Senior Officer Matt Alonzo fired his handgun at Jose Romero Gonzalez-Rendon, Senior Officer Matt Alonzo honestly and reasonably believed that he was in imminent threat of death or great bodily injury.
- B. Senior Officer Matt Alonzo honestly and reasonably believed that the immediate use of deadly force was necessary to defend himself against the danger posed by Jose Romero Gonzalez-Rendon at the time Senior Officer Matt Alonzo fired his weapon.
- C. Senior Officer Matt Alonzo used no more force than was reasonably necessary to defend against the apparent danger posed by Jose Romero Gonzalez-Rendon.
- D. The fatal shooting of Jose Romero Gonzalez-Rendon by Senior Officer Matt Alonzo was a justifiable homicide.