CALIFORNIA

DEPARTMENT OF JUSTICE

Report on the Investigation into the Death of Jesus Guzman, Jr. on April 29, 2023

Glenn County AB 1506

November 2026

TABLE OF CONTENTS

BACKGROUND—AB 1506 ..... **1**

PRIVACY STATEMENT **2**

INTRODUCTION **2**

SUMMARY OF INCIDENT **3**

INVESTIGATION **9**

Incident Scene Description 10

Incident Scene Evidence Recovery 11

Officer Processing 14

Video and Audio Recordings 18

Communications 18

Coroner's Investigation 18

INTERVIEW OF OFFICER BRYANT **19**

SUMMARIES OF LAW ENFORCEMENT REPORTS **21**

INTERVIEW OF CIVILIAN WITNESS **24**

APPLICABLE LEGAL STANDARDS **24**

LEGAL ANALYSIS **27**

CONCLUSION **28**

INVESTIGATION OF OFFICER INVOLVED SHOOTING

BACKGROUND—AB 1506

Pursuant to California Assembly Bill 1506 (AB 1506), the California Department of Justice is required to investigate all incidents of an officer-involved shooting resulting in the death of an unarmed civilian in the state. Historically, these critical incidents in California had been primarily handled by local law enforcement agencies and the state's 58 district attorneys.

AB 1506, signed into law on September 30, 2020, and effective July 1, 2021, provides the California Department of Justice (DOJ) with an important tool to directly help build and maintain trust between law enforcement and the communities they serve by creating a mandate for an independent, statewide prosecutor to investigate and review officer-involved shootings of unarmed civilians across California. DOJ investigates and reviews, for potential criminal liability, all such incidents covered under AB 1506, as enacted in California Government Code section 12525.3. Where criminal charges are not appropriate, DOJ is required to prepare and make public a written report, like this one, communicating:

- A statement of facts, as revealed by the investigation;
- An analysis of those facts in light of applicable law;
- An explanation of why it was determined that criminal charges were not appropriate; and
- Where applicable, recommendations to modify the policies and practices of the involved law enforcement agency.

Recommendations to modify policies and practices of the involved law enforcement agency will be based on the facts of the incident, any known policies and practices of the relevant law enforcement agency, and the experience and expertise developed by DOJ personnel.

PRIVACY STATEMENT

This report includes redactions of the name and other identifying information of a witness. The public interest in such information is limited as it is not necessary to gain an understanding of the incident. Thus, the interest in nondisclosure outweighs any public interest in disclosure. For this reason, as well as the readability of this report, the witness will be referred to as follows:

- Witness 1 (W-1), resident of nearby property.

INTRODUCTION

On April 29, 2023, California Highway Patrol (CHP) Officer Steven Bryant was conducting traffic and speed enforcement on southbound Interstate 5 in Glenn County, California, when he observed a silver-colored Toyota sedan, later determined to be driven by Jesus Guzman, Jr., speeding down the highway.[1] Officer Bryant attempted to conduct a traffic enforcement stop which resulted in a vehicle pursuit. During this pursuit, Mr. Guzman was alternating between slowing down and speeding away while Officer Bryant pursued him in his patrol vehicle with siren and lights activated. Eventually, Mr. Guzman's vehicle experienced an apparent mechanical failure, forcing him to pull over. Mr. Guzman exited his vehicle and fled on foot into an almond orchard, despite verbal orders from Officer Bryant to stop. Officer Bryant pursued on foot, caught up to Mr. Guzman, and attempted to detain him. Mr. Guzman resisted, striking Officer Bryant, and an extended struggle ensued. During the struggle, Officer Bryant shot and killed Mr. Guzman.

DOJ investigated and reviewed the officer-involved shooting (OIS) pursuant to Government Code section 12525.3 (enacted by Assembly Bill 1506). This report is the final step in DOJ's review of the fatal OIS of Mr. Guzman. The scope of this report is limited to determining whether criminal charges should be brought against the involved officer and offering possible policy and practice recommendations. The review does not encompass or comment on any potential administrative or civil actions. It does, however, include policy and practice recommendations, as required by Government Code section 12525.3, subdivision (b)(2)(B)(iii). Based on the criminal investigation, review of evidence, and evaluation of the case, we have determined that there is insufficient evidence to support the filing of criminal charges against Officer Bryant.

CAUTION: The images and information contained in this report may be graphic and disturbing. Therefore, discretion is advised, especially for young children and sensitive individuals.

1 Officer Bryant chased Mr. Guzman on foot for approximately two minutes, covering nearly 300 yards. The foot pursuit and altercation between Officer Bryant and Mr. Guzman occurred outside the view of the patrol vehicle's dash camera, and Officer Bryant was not wearing a body worn camera. As a result, neither the shooting nor any part of the physical altercation was captured on video. Accordingly, and because there were no other witnesses, the description in this report of what transpired during the foot pursuit and altercation is based on Officer Bryant's interview, the dispatch audio, and evidence from the inspection of the scene.

SUMMARY OF INCIDENT

On April 29, 2023, CHP Officer Bryant was on duty, conducting traffic and speed enforcement on Interstate 5 South in or near the area of Glenn County, California. He was working alone, wearing his on-duty uniform, and driving a distinctively marked CHP Dodge Charger patrol vehicle. The patrol vehicle was positioned on the west (right-side) shoulder of southbound Interstate 5.

The Dodge Charger was equipped with a Wireless Mobile Video/Audio Recording System (WMVARS). The WMVARS captured video via a front-facing camera mounted behind the windshield of the Dodge Charger. The audio recording system was electronically tethered to a microphone device attached to Officer Bryant's duty belt. The system could be manually activated by pressing a button on the microphone or automatically activated when the patrol vehicle's emergency lights were turned on. Officer Bryant was not issued a body-worn camera and thus was not wearing one during this incident.

At approximately 9:41 AM, Officer Bryant was in his patrol vehicle parked on the shoulder of southbound Interstate 5. He observed a silver sedan, later determined to be driven by Mr. Guzman, approaching his position and driving southbound on Interstate 5. Officer Bryant activated his rear radar antenna which revealed the silver sedan was travelling at 88 miles per hour. The speed limit in this area was 70 miles per hour.

Officer Bryant entered the roadway to conduct an enforcement stop. As he approached, the silver sedan merged into the number 2 lane in front of a slower-moving tractor trailer truck. The silver sedan slowed down in front of the tractor trailer truck to the point where Officer Bryant could not merge behind the silver sedan to perform the enforcement stop.

In his voluntary interview, Officer Bryant indicated he made eye contact with the driver, Mr. Guzman, when he was driving alongside Mr. Guzman's vehicle. Officer Bryant said he believed there was no way for Mr. Guzman to not know Officer Bryant was a peace officer given that Officer Bryant was in his uniform and driving his CHP patrol vehicle. However, Officer Bryant said his lights and siren had not yet been activated.



Still image of Mr. Guzman's vehicle taken from Officer Bryant's WMVARS dashcam.

The tractor trailer truck slowed down, allowing Officer Bryant to pull his patrol vehicle in behind Mr. Guzman's vehicle. After pulling behind Mr. Guzman's vehicle, Officer Bryant activated his forward-facing red light. Mr. Guzman slowed down his vehicle, activated his rear right-turn signal light, and began to pull off the freeway before accelerating and driving back onto Interstate 5 South. Officer Bryant activated his patrol vehicle's siren and accelerated, engaging in a pursuit of Mr. Guzman's vehicle. In his interview, Officer Bryant estimated accelerating to approximately 80 miles per hour in an attempt to match the speed of Mr. Guzman's vehicle.

Within a short distance, Mr. Guzman's vehicle suffered an apparent mechanical failure. WMVARS video footage showed Mr. Guzman's vehicle expelling smoke during the pursuit. The video footage also showed debris falling off Mr. Guzman's vehicle and hitting the windshield of Officer Bryant's patrol vehicle.



Still image of Mr. Guzman's vehicle emitting smoke taken from Officer Bryant's WMVARS dashcam.

Mr. Guzman continued to drive southbound on Interstate 5 despite the smoke and debris coming from his vehicle. Mr. Guzman eventually pulled off to the right shoulder of Interstate 5 but continued to drive his vehicle with Officer Bryant's patrol vehicle behind him. WMVARS audio captures Officer Bryant telling dispatch that he estimated Mr. Guzman's vehicle to be traveling approximately 35 miles per hour at this time.

Mr. Guzman's vehicle slowed and eventually stopped at the end of an almond orchard located north of Artois, California. Officer Bryant pulled his patrol vehicle to a stop behind Mr. Guzman's vehicle. Mr. Guzman exited his vehicle, looked in Officer Bryant's direction, and then picked up an unknown object from the road next to the driver-side door of his sedan. WMVARS video footage captured the unknown object falling from inside Mr. Guzman's vehicle onto the ground, and Mr. Guzman picking it up.

Mr. Guzman then fled on foot, running around the front of his vehicle and into the almond orchard. Officer Bryant pursued Mr. Guzman into the orchard on foot.



Still image taken from Officer Bryant's WMVARS dashcam showing Mr. Guzman exiting his vehicle.



Still image taken from Officer Bryant's WMVARS dashcam showing Mr. Guzman bending down to pick up an unknown object from ground.



Still image taken from Officer Bryant's WMVARs dashcam showing Mr. Guzman fleeing into the orchard with Officer Bryant in foot pursuit.

WMVARS audio captures Officer Bryant giving a verbal command to "get on the ground" before audio capture ends.[2]

In his voluntary interview with DOJ investigators, Officer Bryant stated that during the pursuit, he drew his service pistol from his holster while giving repeated verbal commands to Mr. Guzman to stop and get on the ground. However, Guzman continued to flee. Officer Bryant stated that after pursuing Guzman further into the orchard, he observed Mr. Guzman abruptly stop. Officer Bryant continued to get closer to Mr. Guzman when he realized Mr. Guzman had pulled down his shorts and appeared to be urinating in the orchard. Bryant slowed, continued to give verbal commands to get on the ground and, with his service pistol trained on Mr. Guzman, walked around and to the side of Mr. Guzman to check for weapons. Officer Bryant saw that Mr. Guzman's hands did not contain any weapons, and Mr. Guzman was in fact urinating. Officer Bryant stated Mr. Guzman told him to "hold on" in response to Officer Bryant's verbal commands. Officer Bryant said he holstered his service pistol and began to approach Mr. Guzman as he finished urinating. Mr. Guzman pulled up his shorts and walked away from Officer Bryant while ignoring Officer Bryant's repeated verbal orders to get down on the ground.

Officer Bryant approached Mr. Guzman to detain him. Officer Bryant's service pistol remained holstered. Officer Bryant attempted to take hold of Mr. Guzman's arm, but Mr. Guzman turned around and struck Officer Bryant on the left side of his head with a closed fist. Officer Bryant stated this blow to his head dazed him. A struggle ensued, despite Officer Bryant giving verbal commands to Mr. Guzman to stop.

2 No audio or video evidence was recovered that documented the events following Officer Bryant walking outside the range of the WMVARS capture.

Officer Bryant noted that Mr. Guzman did not appear to try to flee and instead appeared to want to fight. Officer Bryant recalled having felt physically exhausted and having difficulty breathing during the struggle. Officer Bryant said Mr. Guzman significantly outweighed him and that he (Officer Bryant) could not physically control Mr. Guzman.

At one point during the struggle, Officer Bryant said he managed to wrestle Mr. Guzman to the ground, with Mr. Guzman ending up face down on his stomach. Officer Bryant said he straddled Mr. Guzman around Mr. Guzman's waist area and was able to place a handcuff on Mr. Guzman's left wrist but could not control Guzman's right hand. Officer Bryant said that Mr. Guzman reached under his (Guzman's) stomach and Officer Bryant could not see if he was reaching for anything. Officer Bryant said he tried to take Mr. Guzman's right hand out from under him but was unable to control it. When Mr. Guzman's right hand was visible again, Officer Bryant did not see anything in his hand. Officer Bryant grabbed his radio and attempted to call dispatch for help but did not hear anything in reply.

Officer Bryant noted Mr. Guzman was stronger than him. Officer Bryant drew his Taser from his service belt, disengaged the safety, and intended to use the Taser to "drive stun"[3] Mr. Guzman in his lower back. However, Officer Bryant was "bucked off" by Mr. Guzman and fell onto his right side in the dirt. In doing so, Officer Bryant lost grasp of the Taser. The Taser landed nearby on the ground, not yet having been deployed.

Officer Bryant and Mr. Guzman both stood up, and the struggle continued. With his left hand, Mr. Guzman reached for Officer Bryant's duty pistol, which was holstered on Officer Bryant's duty belt. Officer Bryant said he used his right hand to clamp down on his pistol to keep it secure in its holster and away from Mr. Guzman. However, Mr. Guzman then attempted to pry Officer Bryant's hand away from the holster in an attempt to gain control of the pistol. Officer Bryant then used both hands to try and prevent Guzman from gaining control of his service pistol.

While using his left hand to try and pry Officer Bryant's hands away from the pistol holster, Mr. Guzman again struck Officer Bryant on the left side of his head.[4] In his statement, Officer Bryant recalled that after being struck this time he lost consciousness and fell backwards onto his back. The amount of time Officer Bryant was unconscious is unknown.

Officer Bryant stated that after regaining consciousness, he sat up on the ground and saw Mr. Guzman standing upright. Mr. Guzman walked approximately five feet away, picked up the Taser on the ground with his right hand, and pointed the Taser at Officer Bryant. Officer Bryant told DOJ investigators he estimated Mr. Guzman was "eight feet, maybe ten feet" away at this point.

Officer Bryant then began drawing his service pistol. Officer Bryant described that Mr. Guzman, taser in hand, "reach[ed] back and point[ed] [the Taser] directly at me." In his interview with special agents, Officer Bryant physically demonstrated Mr. Guzman's positioning and movements, indicating that Mr. Guzman was turning to his right, motioning towards Officer Bryant as he was turning, with the taser in

3 A "drive stun" is initiated on some Taser models by physically contacting the taser to the target and initiating a charge, rather than shooting the taser from a distance and having the charge transmitted through prongs and wires.

4 The initial DLE Overview Report erroneously states that at this point Mr. Guzman struck Officer Bryant on the right side of his head (page 7, line 19). Upon further review of the evidence, lead investigator Special Agent Brian Meeker discovered the error and noted this in a supplemental report.

his right hand. Officer Bryant then recalled hearing the distinct "pop" and "sparking" of the Taser being deployed, as well as seeing the "wires and confetti," or Taser Anti-Felon Identification Discs (AFIDs), flying in the air towards him. It was at this point that Officer Bryant drew his service pistol and shot Mr. Guzman several times.

In the interview, Officer Bryant stated:

> *He had already gone for my gun once -- um -- ph -- physically assaulted me multiple times. Um -- and an -- anything I tried on him had no effect and, you know, yeah, he could have -- I was pretty much concussed at that moment -- uh -- I [was] just exhausted. I had nothing left. My only option at that point was as many rounds as fast as I could on him before those probes hit me and incapacitated me. And then he walks over, and grabs my gun, and kills me.*

Officer Bryant said Mr. Guzman then stumbled an estimated 10 to 15 feet before collapsing onto his stomach. Once Mr. Guzman collapsed, Officer Bryant ceased shooting, as he believed Mr. Guzman no longer presented a threat. Officer Bryant then used his radio to report "shots fired" and requested further assistance and medical aid. Officer Bryant then rolled Mr. Guzman over onto his back and began lifesaving efforts on Mr. Guzman, including CPR, until being relieved by responding officers.

Westside Ambulance personnel were dispatched to the scene to render aid. Mr. Guzman was pronounced deceased at the scene by responding Westside Ambulance Paramedic Kristopher Fullmore at 10:06 AM.

Law enforcement personnel from various agencies responded to the scene to conduct an initial investigation and process the scene. This included officers from CHP and Orland Police Department (OPD), deputies from the Glenn County Sheriff's Office (GCSO), and a K9 Unit from the California Department of Fish and Wildlife. Since none of these responders witnessed the OIS, they were not interviewed by DOJ. Relevant observations contained in their reports are contained in the corresponding sections of this report.

INVESTIGATION

Overview

On April 29, 2023, at approximately 11:58 AM, DOJ's Division of Law Enforcement (DLE) California Police Shooting Investigation Team (CaPSIT) received notification of an OIS in Glenn County, California. The incident involved an officer from the CHP and was determined to be a qualifying event within the meaning of Government Code section 12525.3. CaPSIT agents promptly responded to the incident scene to initiate a criminal investigation on behalf of DOJ. A Deputy Attorney General also responded. When CaPSIT agents arrived, the incident location was secured by CHP and GCSO personnel, with the entire area blocked off with crime scene tape to preserve evidence.

DOJ's Bureau of Forensic Services (BFS) also responded to the scene to monitor the processing of the incident scene and the collection of evidence. CaPSIT agents walked the incident scene, reviewed the location of evidence, received a briefing on the incident from GCSO, including Officer Bryant's public safety statement, and were assigned investigative tasks.

DOJ then conducted a thorough investigation. DOJ received and reviewed extensive investigation materials regarding this incident, including numerous reports from investigating officers from various agencies, the coroner's report, the autopsy and toxicology reports, interview transcripts and audio recordings from the interview conducted by DOJ agents of Officer Bryant, Mr. Guzman's prior criminal history, crime scene photos, autopsy photos, drone photos, audio and video obtained from Officer Bryant's dash camera, and use of force policies.

Incident Scene Description

The OIS took place in an almond orchard located west of Interstate 5 and south of County Road 28 in Glenn County, California. The property is owned and operated by an agricultural production company.

In this area, Interstate 5 is a north/south four lane freeway with two lanes in each direction. The north and south directions are separated by a dirt center median which is approximately 40 feet wide and consists of large bushes. Signage in the area indicated the speed limit was 70 miles per hour.

Glenn County Road 28 is an east/west roadway which crosses over Interstate 5 by way of a two-lane concrete overpass. The overpass has one lane in each direction and was approximately 1.8 miles north of where Mr. Guzman's vehicle was found parked on Interstate 5. Mr. Guzman's vehicle was a silver-colored 2007 four-door Toyota Camry with Washington license plates of CFB6625 affixed to both the front and rear bumpers. It was found parked on the right shoulder of southbound Interstate 5 facing southbound.



Image of Mr. Guzman's vehicle parked on southbound Interstate 5 after first responders extinguished what had turned into an engine fire.

The orchard consisted of almond trees planted in a grid format and approximately 15-20 feet from each other.

There were no buildings or structures near the area except for the short barbed-wire fence that Mr. Guzman and Officer Bryant scaled during the foot pursuit. The ground in the orchard was entirely dirt, including the dirt road that led from the shoulder of Interstate 5 to the location of the OIS.



Still image of orchard taken from CHP Helicopter (Tail N979HP). Video taken at 10:18:00 (30 mins after shooting).

Incident Scene Evidence Recovery

Multiple agencies responded to the scene. CaPSIT Special Agent Meeker noted that Mr. Guzman's body was still at the scene and within the taped off area. Special Agent Meeker also noted the presence of yellow evidence markers and small red cones placed throughout the taped off areas.



Photograph taken by CHP showing proximity of Taser to Mr. Guzman at the conclusion of the incident.



Photograph taken by CHP showing the probes between Mr. Guzman and where Officer Bryant said he was sitting at the time of the OIS.

Special Agent Meeker observed a yellow Model X-2 Taser located to the northwest of Mr. Guzman. The Taser was on its right side facing in a southwest direction approximately five feet away from Mr. Guzman's left hand. The Taser was marked with a label with the letters and numbers "#7-1T." Both cartridges had been discharged. The safety latch was in the "off" or "fire" position, represented by a red dot exposed on the body of the Taser which would have been concealed if the safety were in the "on" or safe position (See image below).



Photo taken by CHP ISU Investigator Valdez of Taser on ground with probes in between the area where Mr. Guzman was found and where Officer Bryant stated he was at the time he fired shots.

Special Agent Meeker also noted four Taser wires from the two cartridges, four Taser probes, Taser cartridge blast doors, and multiple AFIDs directly from the Taser, which had already been marked with evidence markers. The probes were in between where Mr. Guzman fell and where Officer Bryant indicated he was at the time of the shooting. The wires were in the general direction of where Officer Bryant was.

Special Agent Meeker also observed six chrome-colored shell casings in a large cluster. Based on Special Agent Meeker's training and experience, he believed these to be .40 caliber casings. These were marked by evidence placards and collected from the scene.

Officer Bryant's patrol vehicle was photographed and removed from the scene. It was transported to the Willows Area Station where it was processed and further photographed by CHP Investigative Services Unit (ISU) Investigators Valdez and May.

Officer Processing

Prior to Officer Bryant being transported from the scene, he was photographed by CHP Sergeant C. Regnani and CHP Officer S. Roach at two different times. The images they took were of Officer Bryant in the almond orchard shortly after the OIS and prior to him being transported for processing. The images documented the condition of Officer Bryant's uniform and his injuries prior to any form of medical intervention. Officer Bryant was processed and sent home from the Willows Area Station prior to CaPSIT investigators arriving at the scene.

Officer Roach took 20 digital images using an iPhone belonging to GCSO Deputy C. Turner who was at the scene. The photos memorialized dirt and grass stains embedded on the back and seat area of Officer Bryant's uniform shirt and pants. Also visible from the photos are what appear to be injuries to Officer Bryant's hand and elbow.



Photos taken by CHP Officer Roach depicting grass and dirt stains on the back of Officer Bryant's uniform and injury to Officer Bryant's left hand.





Photos taken by CHP Officer Roach depicting injury to Officer Bryant's right elbow and blood stains on Officer Bryant's uniform pants.

CHP Sergeant Regnani arrived at the scene shortly after Officer Roach. He took 25 digital images of Officer Bryant to document his physical appearance and injuries.



Photo taken by CHP Sgt. Regnani showing dirt and grass embedded in Officer Bryant's duty belt and dirt/grass stains on seat of Officer Bryant's uniform pants.





Photos taken by CHP Sergeant Regnani depicting injury to Officer Bryant's hand and the dirt and grass material on edge of pistol magazine base plate.

The images taken by CHP Sergeant Regnani depicted injuries to Officer Bryant's hands, forearms, and elbows. The images also showed dirt, grass, and other plant material embedded in his duty belt keepers, on his handcuff cases, and to the leading edge of the pistol magazine base plate.

CHP Officer Roach escorted Officer Bryant to the CHP Willows Area Station located at 464 N. Humboldt Avenue, in the nearby City of Willows. Officer Roach collected Officer Bryant's uniform and separated his equipment. He placed the evidence in an evidence locker at the Willows Area Station.

Officer Bryant was processed at approximately 11:30 AM on April 29, 2023, by CHP ISU Investigator Adriana Warner. Officer Bryant was wearing a CHP departmentally approved tan uniform with short sleeves and pants, complete with CHP shoulder patches, departmental badge to the left chest area, and brass nameplate engraved "Bryant" to the right chest area. Officer Bryant was also wearing departmentally issued soft body armor. While processing the equipment, Investigator Warner noted that Officer Bryant was missing a set of handcuffs from his duty belt.

Officer Bryant carried a Smith & Wesson Military and Police (M&P) .40 caliber pistol. The firearm had a Streamlight TLR-1 HL tactical light attached. Investigator Warner determined Officer Bryant's departmentally owned and issued service pistol was still loaded and had a magazine inserted inside the weapon.

Investigator Warner's report indicated there was a single round in the chamber, and it had a magazine inserted into the magazine well which contained 9 unspent .40 caliber rounds. She reported the magazines were designed to hold 15 rounds of .40 caliber ammunition. Officer Bryant's other two duty magazines were collected from his duty belt, and each was loaded with 15 rounds of ammunition.

During her processing of Officer Bryant, Investigator Warner took a number of digital photos after she had collected his uniform and other equipment. The images primarily depicted different injuries and marks on Officer Bryant's arms and legs.

During the review of the photos, Special Agent Meeker noted different abrasions and marks he said were consistent with a physical struggle. Of particular note, he noticed an image of abrasions to the inside of Officer Bryant's inner right arm.



Photo taken by CHP Investigator Warner depicting scratches to Officer Bryant's inner forearm.

Special Agent Meeker determined these markings to be consistent with fingernail scratch marks.

Dr. Katherine Raven, M.D., who conducted the autopsy of Mr. Guzman, collected fingernail clippings from Mr. Guzman during her examination at the Butte County Sheriff's Coroner's Office. These fingernail clippings were collected as evidence by BFS Senior Criminalist Wallace.

Special Agent Meeker obtained a voluntary buccal sample (swab), taken from the inside of the cheek, from Officer Bryant on May 17, 2023. The purpose of the swab was to compare the DNA to any DNA found on Mr. Guzman's fingernail clippings.

BFS Senior Criminalist Rebecca Gaxiola examined the fingernail clippings. Her report indicated there were six clippings collected from each of Mr. Guzman's hands. Senior Criminalist Gaxiola identified a singular fingernail clipping with DNA foreign to Mr. Guzman. Using Mr. Guzman's reference bloodstain card and the buccal swab collected from Officer Bryant, Senior Criminalist Gaxiola concluded in her report that "the DNA analysis provides strong support that Stephen Bryant is a contributor to the DNA mixture recovered from one of the left hand fingernail clippings from [Mr.] Guzman Jr."

Video and Audio Recordings

Officer Bryant was not wearing a body-worn camera during this incident, because CHP did not issue them to officers. Officer Bryant's patrol vehicle was equipped with a Wireless Mobile Video/Audio Recording System (WMVARS). The WMVARS captured video via a front-facing camera mounted behind the windshield of the Dodge Charger. The WMVARS system captured video and partial audio of the initial vehicle pursuit in Interstate 5. There is also video footage showing the beginning of the foot pursuit into the orchard, but audio cuts off shortly after Officer Bryant exits out of frame of the camera.

Communications

DOJ obtained and reviewed records of law enforcement communications related to the OIS, including copies of dispatch calls, and radio communications related to the incident. All the information was consistent, and consistent with Officer Bryant's statement.

Coroner's Investigation

Dr. Raven conducted an autopsy on May 4, 2023, at the Butte County Coroner's Office in Chico, CA. At the time of the autopsy, Mr. Guzman weighed 258 pounds and measured approximately 69 inches in length. Dr. Raven determined that the cause of death was multiple gunshot wounds to the torso and the manner of death "homicide." Dr. Raven was unable to determine which specific gunshot wound was the proximate cause of Mr. Guzman's death. Dr. Raven was not able to determine the sequencing of the gunshot wounds.

Dr. Raven identified five gunshot wounds with five entry points and one exit wound:

- The first gunshot wound was to the left back. Dr. Raven determined that the bullet traveled back to front, left to right, and upwards.
- The second gunshot wound was to the left back. Dr. Raven determined that the bullet traveled back to front and right to left.
- The third gunshot wound was to the left back. Dr. Raven determined that the bullet traveled back to front and right to left.
- The fourth gunshot wound was to the mid lower back. Dr. Raven determined that the bullet traveled back to front and right to left.
- The fifth gunshot wound was to the right back. Dr. Raven determined that the bullet traveled right to left and upwards.

Dr. Raven recovered five bullets: four from Mr. Guzman's body and one loose in Mr. Guzman's body bag/clothing. Dr. Raven also observed minor blunt force injuries, including scratch abrasions of Mr. Guzman's extremities and contusions on Mr. Guzman's abdomen.

The blood toxicology was positive for the presence of ethanol, with a Blood Alcohol Concentration (BAC) of 0.112.

INTERVIEW OF OFFICER BRYANT

Officer Bryant provided a voluntary statement. Police officers, like all individuals, have the right to remain silent and decline to answer questions in the face of official questioning. (*Spielbauer v. County of Santa Clara* (2009) 45 Cal.4th 704, 714; see generally *Miranda v. Arizona* (1966) 384 U.S. 436.)

Public employees, including police officers, may be compelled by an employer to answer questions for administrative purposes, but the use of such statements in criminal proceedings is prohibited. (Lybarger v. City of Los Angeles (1985) 40 Cal.3d 822, 827-828, citing *Lefkowitz v. Turley* (1973) 414 U.S. 70, 77-79, *Garrity v. State of New Jersey* (1967) 385 U.S. 493, 500.) Accordingly, no compelled statements were considered as part of this investigation.

The following statement is a summary of the interview, which describes the incident from the point of view of the individual officer. Please note that the interview contains facts relayed by the officer that may be inaccurate or inconsistent with the facts of this incident as they are currently understood.

On May 5, 2023, Officer Bryant was interviewed by DOJ Special Agents Meeker and T.J. Lewis. Also present during the interview was attorney Sean Currin, representing Officer Bryant.

The following is a summary of his interview as it pertained to his observations and stated beliefs during the encounter.

Vehicle Pursuit on Interstate 5

Officer Bryant stated to DOJ investigators that he believed Mr. Guzman intentionally tried to avoid being pulled over during the initial vehicle pursuit. After Officer Bryant began following Mr. Guzman's vehicle to affect a traffic stop, Mr. Guzman merged into the right lane in front of a tractor trailer truck. He said he thought Mr. Guzman slowed down in front of the truck to close off any space for Officer Bryant's patrol vehicle to merge behind Mr. Guzman. Officer Bryant matched the speed of Mr. Guzman's vehicle and noted that Mr. Guzman looked directly at him. At this point, Officer Bryant believed Mr. Guzman knew Officer Bryant was a police officer and was trying to pull him over. Officer Bryant described slowing down even further to try to get behind Mr. Guzman, but Mr. Guzman kept slowing down as well. Eventually Officer Bryant was able to get behind Mr. Guzman's vehicle after activating his patrol vehicle's lights and siren, when the tractor trailer truck slowed down and there was space for Officer Bryant's patrol vehicle. Mr. Guzman initially appeared to be pulling over to the shoulder before abruptly accelerating back onto the Interstate 5 away from Officer Bryant. Shortly after accelerating back onto the freeway, Mr. Guzman's vehicle began to smoke and debris from the vehicle began to strike Officer Bryant's vehicle. At that point, Mr. Guzman pulled over, exited the vehicle and fled on foot into the orchard.

Foot Pursuit into Orchard and Ensuing Struggle

Just before Mr. Guzman fled on foot, Officer Bryant recalled observing Mr. Guzman pick up an unknown object from the ground. Mr. Guzman then jumped the fence into the orchard and placed his right hand into his pocket. Officer Bryant did not know what the object was. Officer Bryant stated that he unholstered his pistol during the foot pursuit.[5] Officer Bryant then saw Mr. Guzman kick off his sandals and continue running.

Officer Bryant recalled seeing Mr. Guzman stop running when Mr. Guzman was approximately 40 feet away from him. As Officer Bryant moved closer, he saw Mr. Guzman urinating and telling Officer Bryant to "hold on" when Officer Bryant told him to get down on the ground. Officer Bryant holstered his pistol after seeing there were no weapons in Mr. Guzman's hands. After Mr. Guzman finished urinating, he began to walk away from Officer Bryant and did not listen to commands from Officer Bryant to get on the ground. Officer Bryant then attempted to detain Mr. Guzman by taking control of his left arm and attempting a leg sweep. However, Mr. Guzman spun around and struck Officer Bryant on the left side of his head. Officer Bryant recalled feeling "dazed" after the strike.

A struggle ensued. Officer Bryant believed Mr. Guzman did not want to get away or create distance. Instead, Officer Bryant described Mr. Guzman as being "up and personal" with him and "wanting to fight." After ultimately bringing Mr. Guzman to the ground, Officer Bryant stated to DOJ investigators, "I can barely breathe, I'm exhausted. The hit I already took was – it dazed me pretty good. I'm trying to get control of his hands and I'm trying to grab his – his left hand. I'm telling him to give me his hands, you know, stop resisting …."

Officer Bryant stated he managed to get one handcuff on Mr. Guzman's left hand but was unable to control Mr. Guzman. Officer Bryant observed Mr. Guzman use his right hand to reach underneath his stomach towards his shorts. Officer Bryant could not see if Mr. Guzman was reaching for anything and did not see anything once Mr. Guzman's right hand was visible again. Officer Bryant again noted he couldn't control Mr. Guzman because Mr. Guzman significantly outweighed him and was stronger than him. Officer Bryant described how Mr. Guzman tried to counter everything he (Bryant) tried to do by looking at Bryant or feeling for shifts in weight while Bryant was on top of him and then fighting even harder. Officer Bryant attempted to use his Taser to "drive stun" Mr. Guzman in his lower back but was "bucked off" by Mr. Guzman before he could do so. This caused Officer Bryant to fall to the ground to the right of Mr. Guzman, and the Taser was knocked out of his hand.

Officer Bryant and Mr. Guzman got back on their feet and the scuffle continued. Officer Bryant noted that Mr. Guzman was "in close again." Officer Bryant stated that, in his mind, Mr. Guzman was not trying to escape but instead wanted to fight. Officer Bryant then described how Mr. Guzman used his left hand to reach for Officer Bryant's service pistol in its holster. Officer Bryant dropped his right hand on top of his service pistol to block Mr. Guzman. Mr. Guzman grabbed Officer Bryant's arm trying to pry Officer Bryant's hand away from the pistol. At this point in the struggle, Officer Bryant said he believed Mr. Guzman wanted to kill him. He stated to DOJ investigators,

> *"[Mr. Guzman] continue[d] and grabbe[d] my arm trying to pull my hand off. And right then that's like the – I don't know why I – I see like my daughters and then like, I'm thinking to myself*

5 WMVARS video shows Officer Bryant running into the orchard with his pistol holstered. The initial unholstering of the pistol must therefore have occurred after Officer Bryant was out of the range of the video capture.

– um – like he's going to kill me. Like he's – he's already bigger than me. He's stronger than me. He's already – he already wants to fight. He doesn't want to get away. He's going for my gun. This is happening whether I like it or not. And I got to – I got to prevent it."

During the struggle for his gun, Officer Bryant described being struck again on the side of his head. He stated he was "out until I hit the ground." When he regained consciousness, his ears were ringing and he had a "metallic, iron taste" in his mouth. Officer Bryant recognized this as being an indication he had a concussion. He sat up and observed Mr. Guzman walk approximately five feet away, pick up the Taser from the ground with his right hand, and while still crouched down, turn to his right towards Officer Bryant, and aim the Taser at him. Officer Bryant stated he remembered thinking to himself, "He's already tried to go for my gun. He hasn't tried to get away. And … I can't, I couldn't control him. I'm near concussed. I figured I – I was already knocked out."

Officer Bryant recalled that Mr. Guzman did not say anything while he reached for the Taser and described Mr. Guzman's demeanor as "deliberate." "Just … there was no running, he walked straight … he's walking straight to it. I just … right hand and then it's – it's – there's no hesitation at all. It's just right hand picks it up, looks back at me, points it back at me."

Officer Bryant stated he began to draw his pistol at this time and then heard the "pop" from the Taser. Officer Bryant recalled also hearing the "sparking" from the wires and seeing the "wires and confetti" coming out. Officer Bryant recalled thinking to himself, "I need to get as many rounds at him as possible … before the … electrodes hit me and … incapacitate me, so he could then walk over, grab my pistol, and – and kill me." Officer Bryant reiterated in his interview that he "100 percent" believed if he was incapacitated by the Taser, Mr. Guzman would use his service pistol to kill him.

Officer Bryant stated he began shooting, still seated in the dirt, "almost simultaneously" as when he heard the pop of the Taser. Officer Bryant then recalled seeing Mr. Guzman stumble approximately 10 to 15 feet before collapsing onto his stomach. Once Mr. Guzman collapsed, Officer Bryant ceased shooting, as he believed Mr. Guzman was no longer a threat.

Officer Bryant then got to his feet, holstered his weapon, and told dispatch, "Shots fired." He described Mr. Guzman as having multiple gunshot wounds to his upper body. Officer Bryant did not know whether dispatch received his message, as he did not hear any sirens, and did not know if anyone was enroute. Officer Bryant then rolled Mr. Guzman over onto his back to check for weapons and to check for a pulse. Sensing no pulse, Officer Bryant began CPR and radioed dispatch requesting medical "straight to the scene." Officer Bryant continued CPR until being relieved by responding officers.

Paramedics Kurt Glaziner and Kristopher Fullmore, both from Westside Ambulance, were dispatched to the OIS scene. Despite efforts to revive him, Mr. Guzman was pronounced dead at the scene at approximately 10:06 AM.

SUMMARIES OF LAW ENFORCEMENT REPORTS

There were no witnesses to the incident. However, multiple individuals from various agencies responded after the OIS to process the scene. The responding individuals issued reports, and relevant information pertaining to their observations, as indicated in those reports, is summarized here. The individuals were not interviewed by DOJ.

CHP Officer R. Benfer

On the morning of the OIS, Officer Benfer and Officer Bryant were the only on-duty CHP officers assigned to the Willows area. Both were on patrol, in different vehicles.

At approximately 9:43 AM Officer Benfer said he heard Officer Bryant over dispatch request information on a vehicle with Washington license plates driving on Interstate 5 South. Shortly after, Officer Bryant reported the same vehicle failed to yield. Officer Benfer could hear Officer Bryant's patrol vehicle sirens in the background. Officer Benfer began driving to assist Officer Bryant in the vehicle pursuit. Over the radio, Officer Bryant reported the vehicle had stopped and that the subject, later identified as Mr. Guzman, had "foot bailed" into an almond orchard.

While enroute to assist, Officer Benfer heard Officer Bryant advise on the radio that shots were fired. Officer Benfer noted in his report that Officer Bryant sounded "exhausted" was "panting heavily" and sounded like he was having difficulty breathing while speaking. Officer Benfer believed "based on the circumstances and the sounds Officer Bryant was making coming through the radio" that "Officer Bryant had suffered major injuries and could be dying." Officer Benfer also noted radio reception seemed to be cutting in and out. At approximately 9:50 AM Officer Benfer heard Officer Bryant state over radio "suspect down, HMA, Physical 415, taser."[6] Officer Benfer also said he heard Officer Bryant state he suffered minor injuries, and that the suspect had multiple gunshot wounds.

Officer Benfer said he arrived at the scene at approximately 9:52 AM and parked his vehicle behind Officer Bryant's patrol vehicle. Officer Benfer observed smoke coming from Mr. Guzman's vehicle and requested the fire department respond to assist with the possible vehicle fire.

Officer Benfer located Officer Bryant near the east edge of the orchard performing CPR on Mr. Guzman. Officer Benfer observed Mr. Guzman was lying on his back with his arms stretched out to each side. Officer Benfer also observed a set of handcuffs applied to Mr. Guzman's left wrist. Officer Benfer also noted, "I saw a yellow Taser on the ground, a couple feet away (northwest direction) from the subject's left hand and I noted there were discharged Taser wires on the ground near the subject." Lastly, Officer Benfer observed "the subject was laying in an approximate 15 foot area of freshly disturbed dirt that looked as if an intense struggle had just occurred."

Officer Bryant asked Officer Benfer to assist him with CPR, which he did. The two continued to perform CPR until being relieved by OPD Sergeant Cessna and GCSO Deputy Turner.

Officer Bryant told Officer Benfer that he had some cuts to his fingers and hands. Officer Benfer observed Officer Bryant's uniform appeared disheveled and dirty. Officer Benfer observed fresh dirt and green grass stains on the back and sides of Officer Bryant's shirt, duty belt, and pants. There was fresh blood on the thigh portion of Officer Bryant's pants. Officer Benfer observed Officer Bryant's hands were bleeding.

CHP Officer M. Dubendorf

On April 30, 2023, Officer Dubendorf called Officer Bryant to check on Officer Bryant's health and well-being. Officer Bryant stated he was experiencing back pain, his head hurt, and his entire body was sore.

6 "HMA" is shorthand for "Hispanic Male Adult" and "Physical 415" refers to Penal Code section 415 and is used in this context to indicate a physical fight.

Officer Dubendorf then drove to Officer Bryant's residence to speak with Officer Bryant. Officer Bryant again noted his injuries and showed Officer Dubendorf the back of his head behind his left ear. Officer Dubendorf noted swelling in the area. Officer Bryant stated the swelling began after the incident and had worsened since. Officer Dubendorf took photos to document the swelling. He also received additional photos documenting Officer Bryant's physical appearance and injuries, which were apparently taken by Officer Bryant's wife.



Photo of Officer Bryant taken by CHP Officer Dubendorf on 4/30/2023 depicting swelling on back of Officer Bryant's head

On May 1, 2023, Officer Dubendorf received photos of the swelling behind Officer Bryant's left ear. The photos were taken by Officer Bryant's wife. Officer Bryant reported the swelling had worsened since April 30, 2023.



Photo of Officer Bryant reportedly taken by Officer Bryant's wife on 5/1/2023 depicting swelling on back of Officer Bryant's head

INTERVIEW OF CIVILIAN WITNESS

A GCSO detective learned the orchard was part of Hart Farms. The detective spoke with the manager of the farm, W-1. W-1 stated that he lived in the area and heard gunshots. He came to the scene but left shortly after. He did not witness the incident. There were no other civilian witnesses.

APPLICABLE LEGAL STANDARDS

Homicide is the killing of one human being by another. (*People v. Beltran* (2013) 56 Cal.4th 935, 941.) There are two types of criminal homicide, murder and manslaughter.

Murder

Murder is the unlawful killing of a human being with malice aforethought. (Pen. Code, § 187, subd. (a).) Murder is divided into first and second degrees. A willful, deliberate, and premeditated killing is murder of the first degree. (Pen. Code, § 189; *People v. Hernandez* (2010) 183 Cal.App.4th 1327, 1332.)

Second degree murder is the unlawful killing of a human being with malice aforethought but without the additional elements of willfulness, premeditation, and deliberation that would support a conviction of first degree murder. (*People v. Knoller* (2007) 41 Cal.4th 139, 151.) The malice required for second degree murder may be express or implied. (Pen. Code, § 188; *Hernandez, supra*, 183 Cal.App.4th at p.1332.) Malice is express when there is an "intent to kill." (Pen. Code, § 188; People v. Delgado (2017)

2 Cal.5th 544, 571.) Malice is implied "when the killing results from an intentional act, the natural consequences of which are dangerous to life, which act was deliberately performed by a person who knows that his [or her] conduct endangers the life of another and who acts with conscious disregard for life." (*People v. Dellinger* (1989) 49 Cal.3d 1212, 1215.)

A homicide may also be reduced to second degree murder if premeditation and deliberation are negated by heat of passion arising from subjective provocation. If the provocation precludes a person from deliberating or premeditating, even if it would not cause an average person to experience deadly passion, the crime is second degree murder. (*People v. Padilla* (2002) 103 Cal.App.4th 675, 678.)

Voluntary Manslaughter

Manslaughter is an unlawful killing without malice. (Pen. Code, § 192; *People v. Thomas* (2012) 53 Cal.4th 771, 813.) Several factors may preclude the formation of malice and reduce a killing that would otherwise be murder to voluntary manslaughter including: (1) heat of passion, and (2) imperfect self-defense. (*People v. Moye* (2009) 47 Cal.4th 537, 549.)

Imperfect self-defense is the killing of another human being under the actual but unreasonable belief that the killer was in imminent danger of death or great bodily injury and that the use of deadly force is necessary to defend against that danger. Such a killing is deemed to be without malice and thus cannot be murder. (*People v. Cruz* (2008) 44 Cal.4th 636, 664.) The doctrine of imperfect self-defense cannot be invoked, however, by a person whose own wrongful conduct (for example, a physical assault or commission of a felony) created the circumstances in which the adversary's attack is legally justified. (*People v. Booker* (2011) 51 Cal.4th 141, 182.)

Self-Defense

A homicide is justified and lawful if committed in self-defense. Self-defense is a complete defense to a homicide offense, and, if found, the killing is not criminal. (*People v. Sotelo-Urena* (2016) 4 Cal. App.5th 732, 744.) When a person is charged with a homicide-related crime and claims self-defense, the prosecution must prove beyond a reasonable doubt that the homicide was not committed in self-defense. (*People v. Winkler* (2020) 56 Cal.App.5th 1102, 1167.)

Penal Code sections 196 *et. seq*. sets forth the law of self-defense in homicide cases. Penal Code section 196 provides that a homicide committed by a peace officer is justified when the use of force complies with Penal Code section 835a. (*Cf*. Pen. Code, § 197 [listing circumstances where homicide committed by "any person" is justifiable, which includes self-defense or the defense of others].)

Under Penal Code section 835a, an officer may use deadly force only when the officer "reasonably believes, based on the totality of the circumstances, that such force is necessary": (1) "to defend against an imminent threat of death or serious bodily injury to the officer or to another person"; or (2) to apprehend a fleeing person who has committed a felony "that threatened or resulted in death or serious bodily injury," and the officer "reasonably believes that the person will cause death or serious bodily injury" if not immediately apprehended. (Pen. Code, § 835a, subd. (c)(1); see Pen. Code, § 835a, subd. (a)(2) [peace officers may lawfully use deadly force "only when necessary in defense of human life"]; see *People v. Randle* (2005) 35 Cal.4th 987, 994 [self-defense arises when a person actually and reasonably believes in the necessity of defending against imminent danger of death or great bodily injury], overruled on other grounds by *People v. Chun* (2009) 45 Cal.4th 1172.)

To determine whether deadly force is necessary, "officers shall evaluate each situation in light of the particular circumstances of each case, and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer." (Pen. Code, § 835a, subd. (a)(2); *People v. Hardin* (2000) 85 Cal.App.4th 625, 629-630 ["only that force which is necessary to repel an attack may be used in self-defense; force which exceeds the necessity is not justified" and "deadly force or force likely to cause great bodily injury may be used only to repel an attack which is in itself deadly or likely to cause great bodily injury"].)

A threat of death or serious bodily injury is "imminent" when, based on the "totality of the circumstances," a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or to another person. (Pen. Code, § 835a, subd. (e)(2); see *People v. Lopez* (2011) 199 Cal.App.4th 1297, 1305-1306 [imminent peril is "immediate and present" and "must be instantly dealt with"; it is not prospective or even in the near future].)

"Totality of the circumstances" means all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force. (Pen. Code, § 835a, subd. (e)(3).) De-escalation methods, tactics, the availability of less than lethal force, and department policies may be used when evaluating the conduct of the officer. However, when an officer's use of force is evaluated, it must be considered "from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using force." (Pen. Code, § 835a, subd. (a)(4); accord, Graham v. Connor (1989) 490 U.S. 386, 396-397 ["The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight"]; People v. Humphrey (1996) 13 Cal.4th 1073, 1082-1083 [to determine whether use of force is objectively reasonable for self-defense, trier of fact must consider all the circumstances that were known or appeared to the officer as well as consideration for what a reasonable person in a similar situation with similar knowledge would have believed]; People v. Bates (2019) 35 Cal.App.5th 1, 9-10 [knowledge of another person's prior threatening or violent conduct or reputation for dangerousness may provide evidence to support a reasonable belief in imminent harm].)

Self-defense also has a subjective component. (*Humphrey, supra*, 13 Cal.4th at p. 1082.) The subjective element of self-defense requires that a person actually believes in the need to defend against imminent peril or great bodily injury. (*People v. Viramontes* (2001) 93 Cal.App.4th 1256, 1262.)

Burden of Proof

A prosecutor bears the burden of proving a criminal defendant's guilt beyond a reasonable doubt. (Pen. Code, § 1096.) Where an investigation is complete and all of the evidence is available for review, prosecutors should file charges only if they believe there is sufficient admissible evidence to prove the charges beyond a reasonable doubt at trial. (See, e.g., Nat. Dist. Attys. Assn., National Prosecution Standards (3d ed. 2009) Part IV, § 2 pp. 52-53; United States Department of Justice Manual § 9-27.220; Melilli, Prosecutorial Discretion in an Adversary System (1992) B.Y.U. L.Rev. 669, 684-685 [surveying ethical standards used in the exercise of charging discretion by prosecutors]; accord, *People v. Catlin* (2001) 26 Cal.4th 81, 109 ["A prosecutor abides by elementary standards of fair play and decency by refusing to seek indictments until he or she is completely satisfied the defendant should be prosecuted and the office of the prosecutor will be able to promptly establish guilt beyond a reasonable doubt,"

quotation and internal quotation marks omitted]; *People v. Spicer* (2015) 235 Cal.App.4th 1359, 1374 [explaining that a prosecutor may have probable cause to charge a crime but reasonably decline to do so if they believe there is a lack of sufficient evidence to prove the charge beyond a reasonable doubt at trial]; cf. Rules Prof. Conduct, Rule 3.8(a) [prosecutor should not initiate or continue prosecution of charge that is not supported by probable cause].)

Further, the prosecution has the burden of proving beyond a reasonable doubt that a killing is not justified. It is not a criminal defendant's burden to prove that the force was necessary or reasonable. (*People v. Banks* (1976) 67 Cal.App.3d 379, 383-384.) Thus, in an officer-involved shooting, the prosecution must prove beyond a reasonable doubt that the officer did not have an actual or reasonable belief in the need for self-defense or the defense of others.

LEGAL ANALYSIS

DOJ has completed an independent investigation and review of the facts and circumstances that led to the death of Jesus Guzman. This analysis is based on all the evidence gathered by DOJ in this matter, including voluntary statements from the officer involved in the shooting, forensic evidence, the autopsy report, drone photos, and reports from law enforcement officers who responded to the scene after the OIS.

Because a prosecuting agency would need to affirmatively prove beyond a reasonable doubt that Officer Bryant did not act in lawful defense of himself or others, this is the primary issue in determining whether criminal charges should be filed. A detailed analysis of the evidence pertaining to the OIS demonstrates that a prosecution could not establish that the officer was objectively unreasonable in determining that lethal force was necessary to protect himself or others, or that the officer did not actually hold this view. Therefore, the evidence is insufficient to support criminal charges.

Subjective Belief

Officer Bryant stated more than once in his interview that he feared for his life. After an intense and extended struggle with Mr. Guzman, including being struck on the head and thrown from Mr. Guzman's back, Mr. Guzman reached for Officer Bryant's gun. When describing this in his interview, Officer Bryant remembered thinking:

> "*He's going to kill me. Like he's – he's already bigger than me. He's stronger than me. He's already – he already wants to fight. He doesn't want to get away. He's going for my gun. This is happening whether I like it or not. And I got to – I got to prevent it."*

Officer Bryant further stated that, after being knocked unconscious and falling to the ground, he awoke to see Mr. Guzman retrieve the Taser from the ground and aim it at him. Officer Bryant stated he heard and saw the Taser discharge towards him, and unequivocally believed Mr. Guzman intended to incapacitate him with the Taser and then use his service pistol to kill him. Officer Bryant stated in his interview that he believed Mr. Guzman had a chance to run away after knocking Officer Bryant out but chose instead to go for the Taser. This, coupled with the prolonged struggle and Mr. Guzman previously reaching for his service pistol, led Officer Bryant to believe that Mr. Guzman intended to use the Taser to incapacitate him and kill him. Further, Officer Bryant indicated Mr. Guzman was turning to his right with the taser in his right hand, towards Officer Bryant, and that Officer Bryant fired upon Mr. Guzman from a seated position. Since the coroner's report indicates

the trajectory of most of the bullets was from right to left, the location of the bullet wounds is consistent with Officer Bryant's statements and demonstration to special agents in his interview. The Taser was found near Mr. Guzman's body, which is also consistent with Officer Bryant's statement to special agents.

Thus, the evidence supports Officer Bryant's stated belief that Mr. Guzman posed an imminent threat of death or great bodily injury to him.

Objective Reasonableness

Video footage shows Mr. Guzman evading Officer Bryant trying to pull him over. After apparently being forced to pull over by the engine failure in his car, Mr. Guzman fled the scene and ignored verbal commands from Officer Bryant to stop. Video evidence further shows Mr. Guzman picking up an unknown object from the ground prior to fleeing into the orchard.

Physical evidence collected and analyzed at the scene corroborates the physical fight between Officer Bryant and Mr. Guzman. Photographs of Officer Bryant's uniform showing dirt, blood, and grass stains, along with photos of disturbed dirt at the scene, corroborate Officer Bryant's account of the physical struggle in the orchard. Photographs of Officer Bryant's physical condition depicted several injuries to Officer Bryant's person including scratch marks, contusions, and swelling on the left side of his head, where Officer Bryant reported being struck by Mr. Guzman. Investigators documented fingernail scratch marks on Officer Bryant's arm, and analysis of scrapings from Mr. Guzman's fingernails found the DNA of Officer Bryant. The Taser recovered from the scene was located near Mr. Guzman's hand, and it had been discharged with "confetti" and probe wires pointed in the direction where Officer Bryant said he was sitting at the time of the shooting. Officer Bryant stated in his interview that Mr. Guzman had pointed the Taser at him, and Officer Bryant heard and saw the Taser discharge.

Officer Bryant's account of the incident detailed an intense struggle in which Officer Bryant described being struck twice on the head, the first time dazing him and the second time knocking him unconscious. Officer Bryant also reported that Mr. Guzman tried to pry the pistol from Officer Bryant's holster during the fight. Lastly, Officer Bryant reported that Mr. Guzman deployed the Taser against him despite having an opportunity to escape after Officer Bryant was knocked unconscious. Given these facts, at the time the OIS occurred, it was not unreasonable for Officer Bryant to believe that Mr. Guzman had the present ability, opportunity, and apparent intent to inflict great bodily injury or death up on him.

As such, a reasonable officer, under the same circumstances, and with the same knowledge, could have believed that deadly force was necessary to defend against imminent threat to life. The evidence is also consistent with the conclusion that Officer Bryant subjectively believed that the use of deadly force was necessary to defend himself from imminent deadly attack. Accordingly, in a criminal prosecution, the People would be unable to meet their burden of proving beyond a reasonable doubt that the use of force resulting in Mr. Guzman's death was not justified.

CONCLUSION

Based on the investigation and review of evidence, along with the applicable statutes, legal principles, and subsequent analysis, there is insufficient evidence to support a criminal prosecution of Officer Steven Bryant. As such, no further action will be taken in this case.

CALIFORNIA

DEPARTMENT OF JUSTICE

Policy and Practice Recommendations for the California Highway Patrol Related to the Officer-Involved Shooting of Jesus Guzman, Jr. on April 29, 2023

ISSUED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 12525.3, SUBDIVISION (B)(2)(B)(III)

November 2026

POLICY AND PRACTICE RECOMMENDATIONS

The Attorney General is required to include "[r]ecommendations to modify the policies and practices of the law enforcement agency, as applicable" as a component of this report. (Gov. Code, § 12525.3, subd. (b)(2)(B)(iii).) Therefore, the Department of Justice (DOJ) through its Police Practices Section conducts a review of the information obtained through the criminal investigation, which may include a review of policies concerning body worn camera footage, interview recordings, video recordings, witness statements and other records, as well as the publicly available policies of the agency employing the officers who are subject to the criminal investigation. The Police Practices Section uses the review process to identify applicable recommendations, including any recommendations to modify policies and practices that may reduce the likelihood that officers use deadly force, as well as recommendations to address any other deficiency or concern related to the officers' conduct or the agency's response. The Police Practices Section's goal is that these recommendations will assist the agency and the officers involved in the incident in understanding, from an independent perspective, improvements that may be made to address what was observed through this incident.

As background, on April 29, 2023, at approximately 9:41 a.m., California Highway Patrol (CHP) Officer Bryant attempted to conduct a traffic enforcement stop with activated lights and sirens on Interstate 5 in Glenn County of a vehicle driven by Jesus Guzman, Jr. Officer Bryant observed Mr. Guzman driving 88 miles per hour, nearly 20 miles per hour in excess of the posted speed limit. Mr. Guzman failed to stop, leading to a vehicle pursuit. During the pursuit, Mr. Guzman made several evasive maneuvers, including pulling in front of a truck to prevent Officer Bryant from getting behind him, and repeatedly slowing and accelerating. Approximately two minutes into the vehicle pursuit, Mr. Guzman's vehicle began emitting smoke and debris. Mr. Guzman slowed to approximately 35 miles per hour, and the pursuit continued for approximately one more minute, at which time Mr. Guzman exited the vehicle and fled into an adjacent almond orchard.

Officer Bryant chased Mr. Guzman on foot for approximately two minutes, covering nearly 300 yards. The foot pursuit and altercation between Officer Bryant and Mr. Guzman occurred outside the view of the patrol vehicle's dash camera, and Officer Bryant was not wearing a body worn camera.[1] As a result, neither the shooting nor any part of the physical altercation was captured on video. Accordingly, the description of the foot pursuit and altercation is based on Officer Bryant's interview, the dispatch audio, and evidence from the inspection of the scene.

According to Officer Bryant's interview, Officer Bryant reached Mr. Guzman, who stopped to urinate. Officer Bryant then instructed Mr. Guzman to get onto the ground, but Mr. Guzman refused. Officer Bryant attempted to grab Mr. Guzman by the arm and place him in handcuffs, but Mr. Guzman turned toward Officer Bryant and struck him in the head with a closed fist. Officer Bryant attempted to restrain

1 At the time of this incident, CHP did not equip all its officers with a body worn camera (BWC). However, CHP's updated BWC policy, dated April 29, 2025, provides that "Sworn employees working in an enforcement capacity, to include warrant service, shall be equipped with a BWC for the duration of their shift."

Mr. Guzman, but Mr. Guzman struck Officer Bryant several more times. Officer Bryant eventually wrestled Mr. Guzman onto the ground. While straddling his back, Officer Bryant attempted to use his TASER on Mr. Guzman in drive-stun mode. But Mr. Guzman bucked Officer Bryant off, causing Officer Bryant to drop his TASER. Mr. Guzman attempted to grab Officer Bryant's pistol, but Officer Bryant was able to hold the pistol in his holster. Mr. Guzman then punched Officer Bryant in the head, causing Officer Bryant to briefly lose consciousness and fall onto his back.

Mr. Guzman walked several feet away and picked up Officer Bryant's TASER. Mr. Guzman turned towards Officer Bryant, pointing the TASER at him. Officer Bryant drew his pistol as Mr. Guzman picked up the TASER, approximately five feet away from Officer Bryant. Officer Bryant heard the sound of the TASER being fired and saw the "wires" flying in the air toward him. Fearing that he would be incapacitated by the TASER, Officer Bryant fired six rounds at Mr. Guzman, striking and killing him.

The Police Practices Section evaluated all the facts and available evidence, and pursuant to its obligations under Government Code section 12525.3, subdivision (b)(2)(B)(iii), advises California Highway Patrol to review and implement the following five recommendations:

Recommendation One: Provide Further Training on Initiating Foot Pursuits

The Police Practices Section recommends that California Highway Patrol provide additional training regarding the factors to be considered in deciding whether to initiate a foot pursuit, particularly alone.

After Mr. Guzman fled from his vehicle, Officer Bryant pursued him on foot, alone and without backup. The foot pursuit was in an almond orchard with no other people present. These factors contributed to Officer Bryant's vulnerability to the threats posed by Mr. Guzman, particularly once the physical altercation began. This incident is illustrative of the inherent danger in foot pursuits, which put the officer, and potentially others, at risk of physical harm.

The decision as to whether and when to engage in a foot pursuit will depend on a multitude of factors, as addressed in Highway Patrol Manual 70.6, Chapter 8.[2] For example, officers should assess the risk presented to the officer in deciding whether to continue a foot pursuit. Officers should also continually weigh the risk to public safety against law enforcement's duty to enforce the law and apprehend violators. Officers should consider, among other factors, the seriousness of the crime, the type of area involved in the pursuit, and whether the officer is acting alone.[3]

Under the circumstances presented here, Mr. Guzman did not pose a substantial threat to public safety at the time Officer Bryant initiated the foot pursuit. Officer Bryant initially attempted a traffic stop for a speeding violation. When Mr. Guzman failed to yield, Officer Bryant initiated a brief vehicle pursuit, during which time Mr. Guzman alternated between slowing down and speeding

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[2] California Highway Patrol does not make this policy available to the public in its entirety because it claims its high risk apprehensions policy is "exempted material" under the California Public Records Act, but it allowed the Police Practices Section to review the policy in its assessment of this incident.

[3] International Association of Chiefs of Police, Considerations Document: Foot Pursuits, (July 2019)

away. This lasted for several minutes, during which time Officer Bryant was able to relay the vehicle's license plate to dispatch. Mr. Guzman then abandoned his vehicle and fled into an almond orchard. Mr. Guzman did not present a substantial risk of a hostage situation or other immediate threat to public safety. Officer Bryant initiated the foot pursuit while acting alone in a relatively remote, rural area. In doing so, the officer placed his safety in jeopardy. Furthermore, once Mr. Guzman fled the vehicle, the presence of a license plate number, as well as the Vehicle Identification Number (VIN) number of the vehicle, could have allowed officers to identify and apprehend Mr. Guzman at a later time, rather than initiating a foot pursuit.[4]

The Police Practices Section recommends that California Highway Patrol provide additional training in weighing the risks to officer and public safety against the factors to be considered before initiating a foot pursuit.

Recommendation Two: Provide Additional Training on Disengagement of Foot Pursuits

The Police Practices Section recommends that California Highway Patrol provide additional training regarding the factors to be considered in deciding whether to disengage from a foot pursuit.

There are several factors which would have supported disengaging from the foot pursuit in this incident. California Highway Patrol Manual 70.6, Chapter 5 outlines circumstances under which an officer should consider disengagement. Specifically, Officers should discontinue a foot pursuit if officer safety is in jeopardy. In making this evaluation, an officer should balance the risks presented against the known offense and perceived need for apprehension. An officer should also consider whether known information about the subject might enable apprehension at a later time. In the context of a vehicle pursuit, the availability of a license plate often provides information which would enable apprehension at a later time. The Police Executive Research Forum (PERF) has recognized the utility of tactical disengagement when a suspect's identifying information is known and an arrest can be made at a later time.[5]

The California Peace Officer Standards and Training Commission (POST) also recognizes disengagement as a de-escalation tactic. POST recommends that officers "[k]now when and how to use disengagement as a technique/tactic" and "[c]onsider disengagement as avoiding a battle to subsequently win the war."[6] It recommends that agencies provide training on strategic disengagement, including "the skills to recognize and act upon circumstances in which police withdrawal may be the most effective tactic."[7]

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[4] The International Association of Chiefs of Police (IACP) published a guidance for law enforcement agencies about foot pursuits. The IACP noted that one factor in deciding not to engage in a foot pursuit is if "apprehension at another time and place when the officer knows the identity of the subject or has other information that would likely allow for later apprehension." International Association of Chiefs of Police, Considerations Document: Foot Pursuits (Jul. 2019).

[5] PERF, Critical Issues in Policing Series: Guiding Principles on Use of Force, at pp. 11 & 39, March 2016; PERF, Critical Issues in Policing Series: Re-Engineering Training on Police Use of Force, at pp. 5 to 6, August 2015; PERF, Critical Issues in Policing Series, An Integrated Approach to De-Escalation and Minimizing Use of Force, at pp. iv, 18 to 19, August 2012.

[6] POST, De-Escalation Strategies and Techniques for California Law Enforcement, at p. 68, 2020.

[7] *Id*. at p. 90.

Again, under the circumstances presented, Officer Bryant continued a pursuit with conditions which presented clear risks to his safety. Mr. Guzman had not committed any violent offenses. Likewise, there was no apparent risk of a hostage situation or other immediate threat to public safety. As a result, the need for immediate apprehension was relatively low. The IACP guidance explains that, even after initiating a pursuit, a factor to be considered in deciding whether to terminate the pursuit is whether "a suspect's identity is established or other information exists, allowing for the suspect's probable apprehension without immediate threat to the public or officers."[8] As noted above, a license plate and VIN number were available to Officer Bryant. At the time he initiated the pursuit, Officer Bryant had reported the license plate number by radio, but no information had been returned before he began the foot pursuit.

The Police Practices Section recommends that California Highway Patrol provide additional training regarding the factors to be considered in deciding whether to disengage from a foot pursuit.

Recommendation Three: Provide Additional Training on Waiting for Backup

The Police Practices Section recommends that California Highway Patrol provide further training on when to wait for backup before engaging in a high-risk traffic stop.

California Highway Patrol policy provides that a high-risk stop arises when there is reasonable cause to believe the vehicle stopped will create an extraordinary safety risk to the officer, the subject, or the public. Extreme attempts to avoid apprehension and willful attempts to evade are two factors which might qualify a situation as presenting a high-risk stop. Under those circumstances, California Highway Patrol policy states that officers should request an additional unit, if available.

As outlined above, Officer Bryant engaged Mr. Guzman in a high-speed vehicle pursuit followed by a foot pursuit. Although Officer Bryant requested backup units via dispatch during the vehicle pursuit, Officer Bryant did not wait for backup before pursuing Mr. Guzman on foot. Officer Bryant also did not wait for information about the vehicle license plate from dispatch. When he pursued Mr. Guzman without backup, Officer Bryant did, in fact, face a deadly threat from Mr. Guzman. Specifically, Mr. Guzman resisted Officer Bryant's efforts to place him in handcuffs, engaged in a physical altercation with Officer Bryant, and gained control of the officer's TASER. This threat could have been greatly reduced or eliminated by the presence of a backup officer.

This incident provides an example of the risks that can be presented when completing a high-risk stop without the support of a backup officer. Responding officers from California Highway Patrol, Glen County Sheriff's Department, and other agencies arrived on scene within five minutes of the shooting. Additionally, Mr. Guzman did not present any immediate threat to public safety. As a result, there was no urgent need to apprehend Mr. Guzman immediately, without waiting for backup or summoning additional resources.

[8] International Association of Chiefs of Police, Considerations Document: Foot Pursuits (Jul. 2019), p. 3.

The Police Practices Section recommends that California Highway Patrol provide further training and instruction regarding circumstances under which it is appropriate to request backup units, or to wait to pursue a suspect on foot until backup is available.

Recommendation Four: Provide Additional Training on Operational Safety Tactics

The Police Practices Section recommends that California Highway Patrol provide additional training on operational safety tactics, including using time, distance, and cover when attempting to restrain or handcuff a non-compliant individual.

California Penal Code section 13519.10 mandates that use of force policies and training guidelines include "[d]e-escalation and interpersonal training, including tactical methods that use time, distance, cover, and concealment, to avoid escalating situations that lead to violence." Agencies are encouraged to provide periodic updates on "use of force scenario training, including simulations of low-frequency, high-frequency, high-risk situations and calls for service, shoot-or-don't shoot situations, and real-time force option decision-making." (Pen. Code, § 13519.9, subd. (b)(1); Gov. Code, § 7286, subd. (b)(1).) When officers follow their training by maintaining distance and cover, it can reduce the intensity of the situation, minimize the need to use force, including deadly force, and improve safety outcomes for subjects and officers. (Police Executive Research Forum, *Integrating Communications, Assessment, and Tactics: A Training Guide for Defusing Critical Incidents* (Oct. 2016), p. 49.)

Based upon Officer Bryant's statements, once Officer Bryant approached Mr. Guzman after the foot pursuit, Mr. Guzman ignored multiple orders to get on the ground. Officer Bryant then approached, closed the distance, and attempted to restrain Mr. Guzman by grabbing him. By doing so, Officer Bryant reduced the space and distance between himself and Mr. Guzman.

When Mr. Guzman escalated his aggression and resistance, Officer Bryant was left with limited options. Even when he attempted to use his TASER in drive-stun mode, Officer Bryant was unable to control Mr. Guzman in order to apply handcuffs. By closing the distance and going hands on with Mr. Guzman, Officer Bryant diminished his available options, and therefore, did not have time to use distance and cover to further assess the situation, de-escalate, or have alternatives to the use of force.

The Police Practices Section acknowledges that this was a rapidly unfolding, dynamic incident. The Police Practices Section also acknowledges Officer Bryant was responding to Mr. Guzman's decision to flee and later fight Officer Bryant. Given the inherent dangers of attempting to arrest fleeing individuals or combative individuals, California Highway Patrol should provide further training on operational safety tactics, including using time, distance, and cover.

Recommendation Five: Provide Additional Training on Taser Deployment

The Police Practices Section recommends that California Highway Patrol provide additional training regarding the effective use of TASERs.

Based on Officer Bryant's statements, after Mr. Guzman struck Officer Bryant in the head with a closed fist, Officer Bryant was able to wrestle Mr. Guzman onto the ground and straddle his back. While straddling Mr. Guzman, Officer Bryant pulled out his TASER and pressed it against Mr. Guzman's lower back, intending to use his TASER in drive-stun mode. However, before he could do so, Mr. Guzman was able to buck Officer Bryant off his back and ultimately gain control of Officer Bryant's TASER.

As background, TASERs have two modes: probe mode and drive-stun mode. In probe mode, the TASER fires two barbs into a person's skin to send incapacitating jolts of electricity. If deployed successfully, TASER probes temporarily override the central nervous system, causing neuromuscular incapacitation.[9] In drive-stun mode, an officer presses the TASER directly against a person's body, pulling the trigger to activate electricity. Drive-stun mode does not induce neuromuscular incapacitation but relies upon pain compliance to be effective.[10]

In this case, even if Officer Bryant was able to deploy the TASER in drive-stun mode, it would not have incapacitated Mr. Guzman. At best, the TASER may have encouraged compliance through the infliction of pain upon Mr. Guzman. However, it is also possible that this effort at pain compliance could have provoked Mr. Guzman to increase his efforts to resist Officer Bryant. Furthermore, Officer Bryant's attempt to deploy the TASER would have further limited his efforts to place Mr. Guzman in handcuffs by occupying one of his hands while attempting to restrain Mr. Guzman.

The Police Practices Section recognizes that Officer Bryant was responding to a rapidly-evolving situation, with a subject who was actively fleeing, forcibly resisting, and at times attacking Officer Bryant. However, as outlined above, there were a number of factors which made Officer Bryant's efforts to use his TASER in drive-stun mode tactically unsound, and it was ultimately ineffective. The Police Practices Section recommends that California Highway Patrol provide further training and instruction regarding operational safety tactics and the effective use of TASERs.

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[9] *See Bryan v. MacPherson* (9th Cir. 2010) 630 F.3d 805, 824 (explaining that, in probe mode, the TASER fires a pair of steel barbs that strike a person to send an "electrical impulse instantly overrides the victim's central nervous system, paralyzing the muscles throughout the body").

[10] *See Marquez v. City of Phoenix* (9th Cir. 2012) 693 F.3d 1167, 1171 ("'Drive-stun mode' does not incapacitate the target but instead encourages the suspect to comply by causing pain.").