



C A L I F O R N I A

# DEPARTMENT of JUSTICE

## **Report on the Investigation into the Death of Victor Nava on April 5, 2023**

Los Angeles County AB 1506

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January 2026

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## 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 names and other identifying information of witnesses. 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 reasons related to privacy, as well as readability of this report, the witnesses will be indexed as follows:

- Witness 1 (“W-1”), Employee at GT’s Living Foods
- Witness 2 (“W-2”), Second Employee at GT’s Living Foods
- Witness 3 (“W-3”), Security Guard at GT’s Living Foods

## INTRODUCTION

On April 5, 2023, at approximately 7:12 AM, South Gate Police Officer Jazmin Vasquez fatally shot Victor Nava during an operation to locate and apprehend him on suspicion of assault with a deadly weapon and violating terms of probation. The shooting took place in the City of Vernon in Los Angeles County.

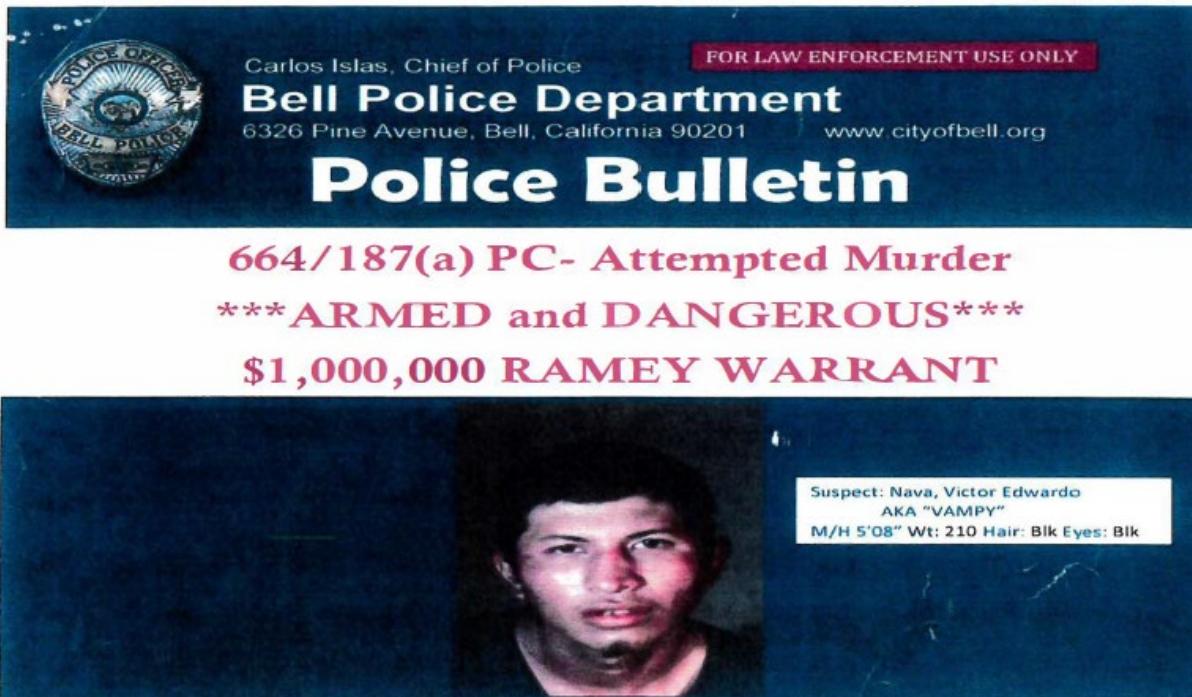
The California Department of Justice (“DOJ”) investigated and reviewed the Officer-Involved Shooting (“OIS”) pursuant to Government Code section 12525.3 (enacted by Assembly Bill 1506 (2019-2020 Reg. Sess.)). This report is the final step in DOJ’s review of the fatal OIS of Mr. Nava and is limited solely to determining whether criminal charges should be brought against the involved officer. 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). Upon thorough examination, and as discussed in detail below, we conclude that no criminal charges will be filed because the evidence is insufficient to prove that Officer Jazmin Vasquez committed a crime.

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

## SUMMARY OF INCIDENT

According to detectives with the Bell Police Department, on March 1, 2023, Mr. Nava and an acquaintance were on the Slauson Bridge in the City of Bell, when a verbal altercation occurred between them. Mr. Nava produced a handgun and shot the acquaintance three to four times. The acquaintance was transported to the hospital and underwent surgery. He later identified Mr. Nava as the person who shot him.

On March 22, 2023, the Bell Police Department issued a Police Bulletin announcing that Mr. Nava was wanted for attempted murder. The bulletin also announced that a \$1,000,000 warrant had been issued for Mr. Nava's arrest and that he was considered armed and dangerous:



Carlos Islas, Chief of Police  
**Bell Police Department**  
6326 Pine Avenue, Bell, California 90201 [www.cityofbell.org](http://www.cityofbell.org)

**FOR LAW ENFORCEMENT USE ONLY**

**Police Bulletin**

**664/187(a) PC- Attempted Murder**  
**\*\*\*ARMED and DANGEROUS\*\*\***  
**\$1,000,000 RAMEY WARRANT**

**Suspect: Nava, Victor Edwardo**  
AKA "VAMPY"  
M/H 5'08" Wt: 210 Hair: Blk Eyes: Blk

On 3/1/23, Nava and the victim were on the Slauson Bridge in the City of Bell. After a disagreement, Nava shot the victim three to four times. The victim was transported to the hospital and had to get surgery as a result of the shooting. Nava was positively identified as the shooter. Nava should be considered ARMED and DANGEROUS. If Nava is detained by law enforcement, arrest and immediately contact the Bell Police Department. Nava is currently a transient and is known to frequent on the Los Angeles Riverbed near the Slauson Bridge. Nava has a no bail warrant out of the Department of Parole for 2800.2(a) VC. Refer to DR 23-526 for further information.

**ANY QUESTIONS OR INFORMATION CONTACT:**  
Bell Police Department – Detective Bureau  
ATTENTION: Detective C. Zamora at 323-585-1245  
ext. 4033 or [c.zamora@cityofbell.org](mailto:c.zamora@cityofbell.org)  
03/22/2023

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Persons appearing therein are not necessarily associated with criminal activity. Information is to assist officers in their investigative functions and is **For Official Use Only (FOUO)**

Bell Police Department Bulletin issued March 22, 2023.

Mr. Nava was considered a transient and was known to frequent the Los Angeles Riverbed near East Slauson Avenue.

On April 5, 2023, at approximately 6:00 AM, law enforcement personnel with the Southeast Gang Task Force (comprised of detectives and officers from the South Gate, Bell, Bell Gardens, Huntington Park, and Vernon Police Departments), gathered and briefed “Operation Vampy.” The primary purpose of the operation was to arrest Mr. Nava, who used the street name “Vampy.” The briefing was conducted at the Bell Community Center and was led by Detective J. Avila. During the briefing, Detective Avila explained that Mr. Nava was the suspect in at least one homicide, one attempted homicide, and several armed robberies, and was believed to be living in and frequenting several locations and encampments around the Los Angeles Riverbed and East Slauson Avenue. Participants were told that Mr. Nava had a history of resisting arrest and carrying a handgun and should be considered armed and dangerous.

A team consisting of Bell Police Department Sergeant Jaime Baltazar, Officer Jose Cerecero, Detective Esther Duran, and Officer Matthew Rincon were assigned to search for Mr. Nava on the east side of the Los Angeles Riverbed, north of Slauson Avenue.

Directly across the river, searching the area underneath the Slauson Avenue Bridge was a team consisting of South Gate Police Department Sergeant Ismael Ververa, Detectives I. Beteta and A. Reyes, Officer Jazmin Vasquez, and Vernon Police Department Detective Corporal Lucas.

Three other teams were assigned to search additional areas of the riverbed. The Los Angeles County Fire Department was on stand-by if emergency medical services were required, and the Los Angeles County Sheriff's Department's Aero Bureau unit provided helicopter support during the arrest operation.

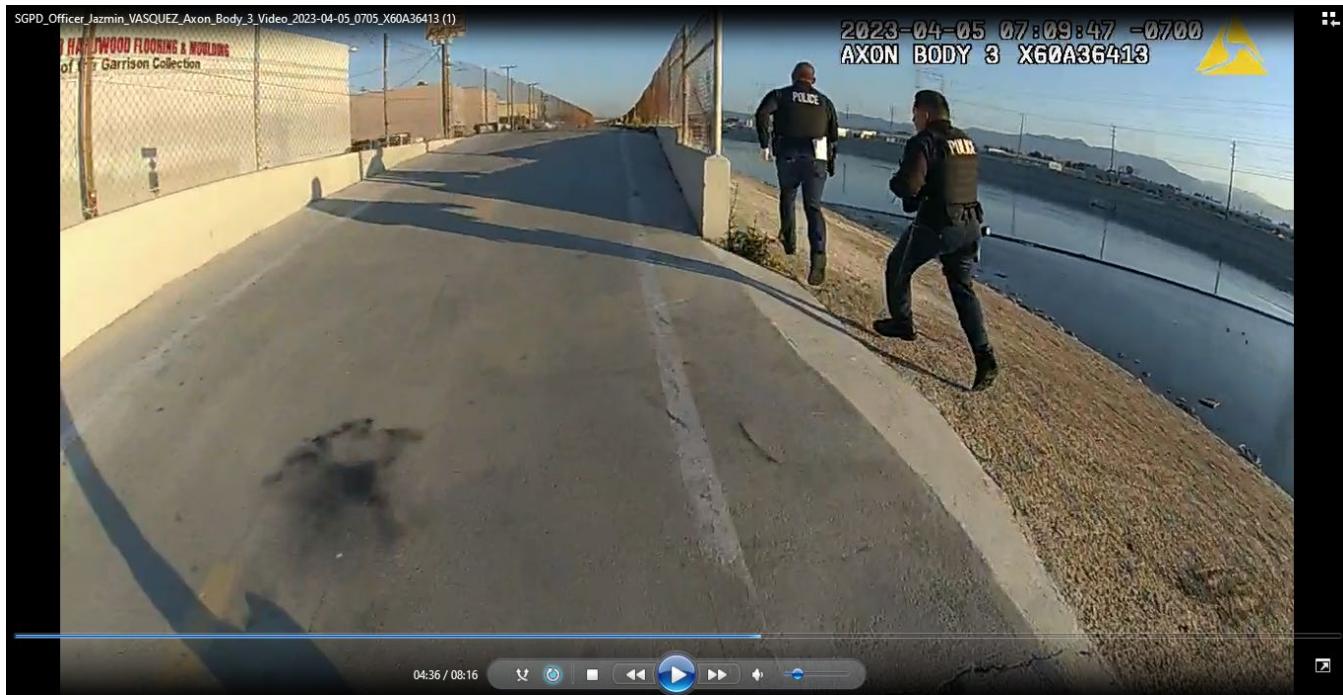
The operation began at approximately 7:00 AM on April 5, 2023. Shortly thereafter, Detective Duran located a person later determined to be Mr. Nava in a blue tent on the east side of the Los Angeles Riverbed, north of Slauson Avenue. She announced that they were police and instructed Mr. Nava to get out of his tent. Initially, Detective Duran was unable to identify him, because he was wearing a baseball cap that obscured his face from her viewpoint, but Officer Rincon and Sergeant Baltazar both recognized Mr. Nava from information provided during the briefing. At approximately 7:09 AM, Sergeant Baltazar radioed that his team had located Mr. Nava, stating that they were “out with Vampy.” Mr. Nava burst out of his tent from a crouching position. Detective Duran tried to detain Mr. Nava in a “bear hug,” but Mr. Nava pulled out of her grasp, knocking her to the side. Mr. Nava then fled down the embankment toward the river, crossed to the west side of the river and up the opposite embankment. Officers Rincon and Cerecero pursued him across the river.



Mr. Nava's tent, located near railroad tracks west of the 710 Freeway and north of Slauson Avenue.

At the same time, Officer Jazmin Vasquez, who was equipped with a body-worn camera, was searching an encampment with her team on the west side of the Los Angeles Riverbed, under the Slauson Avenue bridge. At approximately 7:09:20 AM, Officer Vasquez's body-worn camera and radio dispatch recordings captured a radio transmission stating, "Team One, we're out with Vampy," Immediately after, at approximately 7:09:28 AM, an officer radioed, "He's running! To the riverbed!"

Officer Vasquez told investigators that when she heard these radio messages, she redirected her attention to the river, where she saw Mr. Nava running from other officers. The body-worn camera depicts Officer Vasquez and the other officers on her team moving away from the encampment and beginning their pursuit of Mr. Nava at approximately 7:09:31 AM. At 7:09:47 AM, the body-worn camera recorded Officer Vasquez yelling to her team, "Hey I'm gonna take the path."



Still image of Officer Vasquez's body-worn camera recording depicting the beginning of Officer Vasquez's pursuit of Mr. Nava, when she began running on the bike path adjacent to District Boulevard.

As Officer Vasquez began running along the bike path that runs parallel to the Los Angeles River and District Boulevard, her body-worn camera fell to the ground. The camera remained on the ground for almost two minutes, before it was retrieved by South Gate Police Department Sergeant Ismael Ververa at 7:11:45 AM. While it was on the ground, the body-worn camera recorded no relevant audio or video.

Between 7:09 AM and 7:12 AM, Mr. Nava ran west from the riverbed of the Los Angeles River to the bike path, over a fence and onto District Boulevard, and into the parking lot of GT's Living Foods, at 5699 District Boulevard in the City of Vernon. Officer Vasquez pursued him northwest along the bike path, which was separated from District Boulevard by a four to six-foot fence on top of an approximately eight-foot, three-inch wall.

The Aero Bureau unit radioed Mr. Nava's path of travel and his movements after entering the parking lot to Officer Vasquez and other pursuing officers. Recordings of radio messages during the pursuit and OIS do not contain any statements from Officer Vasquez.

Surveillance video from GT's Living Foods and other nearby businesses also recorded Mr. Nava's and Officer Vasquez's movements from the bike path and in the GT's Living Foods parking lot. Mr. Nava dropped down to District Boulevard after he has crossed the bike path that ran between District Boulevard and the Los Angeles River.

04-05-2023 Wed 07:10:40



Still image from surveillance camera "Outside01" belonging to GT's Living Foods showing Mr. Nava dropping from the bike path to District Boulevard.

Mr. Nava then crossed the street and into parking lot and loading area of GT's Living Foods. After passing a security guard shack, Mr. Nava made his way under the parked delivery trucks/trailers located on the south side of the parking lot. In surveillance video, Huntington Park Officer Matthew Rincon and Bell Police Department Officer Jose Cerecero can be seen on the bike path in pursuit as Mr. Nava runs toward the trailers.

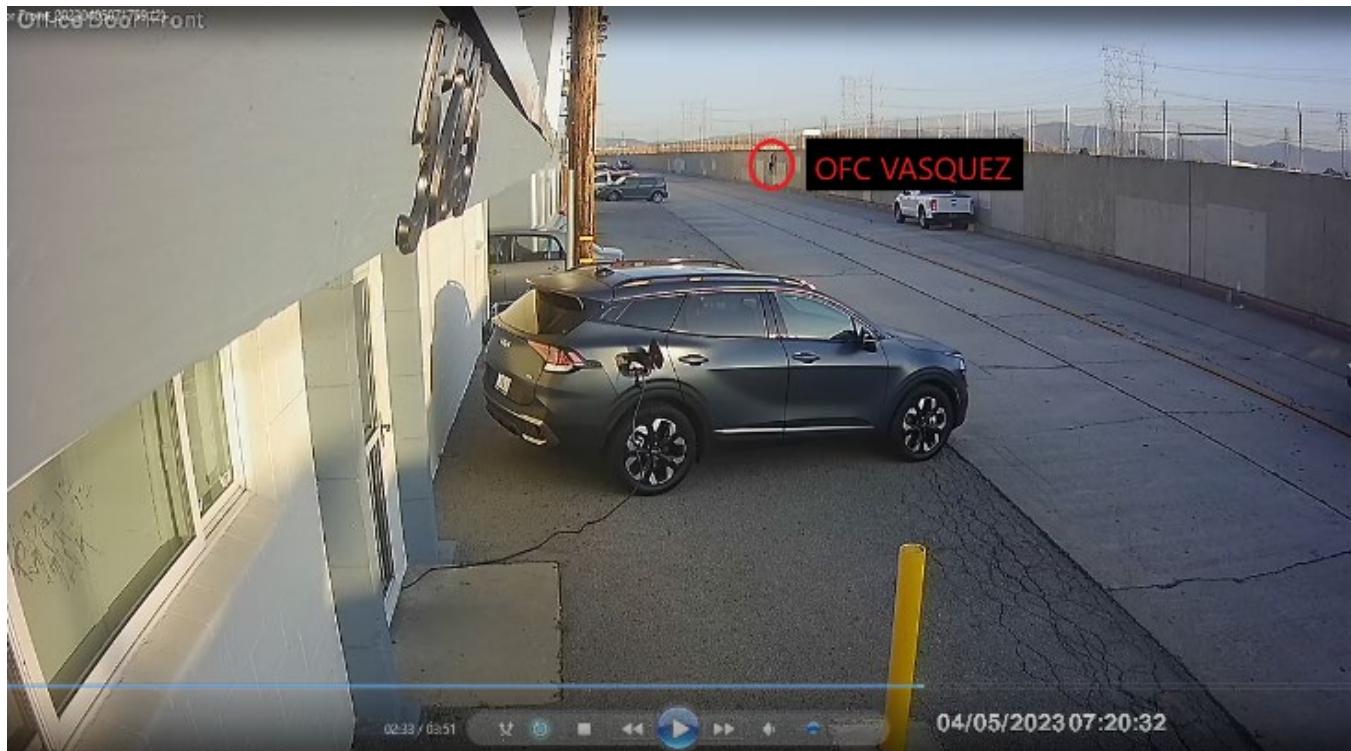
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Still image from surveillance camera "Outside01" belonging to GT's Living Foods showing Mr. Nava crossing the GT's Living Foods parking lot as Officers Rincon and Cerecero looked on.

Neither of these pursuing officers initially attempted to follow Mr. Nava into the GT's Living Foods loading area, and they remained on the bike path during the OIS. Officer Cerecero later explained that they were trying to find a way down from the top of the fence to District Boulevard.

Surveillance footage from Pinnacle Products, a business at 5725 District Boulevard, similarly shows Mr. Nava running on the bike path, climbing over a fence, and dropping onto District Boulevard.<sup>1</sup> From the angle in this footage, Officer Vasquez can also be seen running toward Mr. Nava as he dropped to District Boulevard, finding a gap in the fence and similarly dropping to District Boulevard as she continued her pursuit.



Still image from surveillance camera "Office Front Door" belonging to Pinnacle Products showing officer Vasquez lowering herself from the bike path to District Boulevard.

Officer Vasquez can then be seen in GT's Living Foods video entering the loading area, slowing down and looking toward the trailers, then running toward the walkway and alcove where the OIS would take place.

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<sup>1</sup> Time stamps on this footage do not match those collected from GT's Living Foods surveillance footage.

04-05-2023 Wed 07:11:40



Still image from surveillance camera "Outside01" belonging to GT's Living Foods showing Officer Vasquez crossing the GT's Living Foods parking lot as Officers Rincon and Cerecero look on.

As Officer Vasquez entered the parking lot, she searched for Mr. Nava under the trailers with her firearm drawn. Mr. Nava ran out from behind the containers and up a set of stairs that led to a landing and the GT's Living Foods warehouse. Mr. Nava passed in front of W-1, a warehouse employee, and into a bathroom in an alcove to the right.

Officer Vasquez followed, running toward the end of the trailer loading area, up onto the landing area, where she encountered W-1. Officer Vasquez told W-1 to leave the area and placed herself between W-1 and where she believed Mr. Nava had gone with her gun drawn.



Still image from surveillance camera "Outside02" belonging to GT's Living Foods showing Officer Vasquez facing the alcove with her firearm drawn, as W-1 leaves the area.

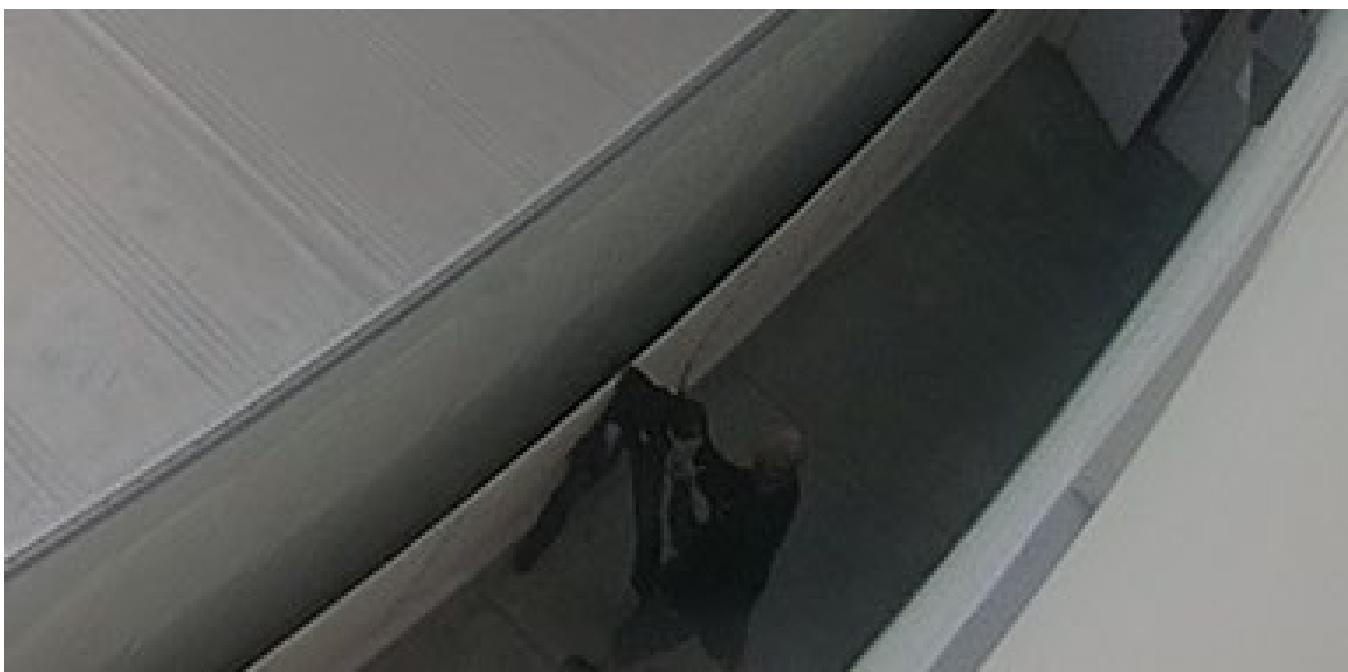
At 7:11:48 AM, the Aero Bureau unit radioed, "I only got one officer here if I have anyone else who's coming." Approximately 15 seconds later, at 7:12:02 AM, a male voice radioed, "Shots fired, shots fired, shots fired."

In her subsequent statement, Officer Vasquez described the sequence of events before the OIS as follows. Mr. Nava quickly exited the bathroom and pushed Officer Vasquez, who kicked back at him in an effort to create distance between the two of them. Officer Vasquez recalled telling Mr. Nava to "get back" repeatedly. Officer Vasquez remembered Mr. Nava reaching for her gun twice in a way that made her think he was trying to take it from her. She recalled Mr. Nava pushed her back against the railing of the landing, so that she had nowhere to retreat. Mr. Nava then punched Officer Vasquez in the left side of her temple, which was temporarily disorienting.

Surveillance video from GT's Living Foods also captured this sequence of events. At 7:11:58 AM, Mr. Nava came back into view from the bathroom area and pushed Officer Vasquez with both arms. At 7:12:00 AM, Mr. Nava also touched either Officer Vasquez's right hand or the gun in her right hand with his left hand. They struggle briefly, and Mr. Nava pushes Officer Vasquez backward toward the railing alongside the walkway. At 7:12:02 AM, Mr. Nava holds down her left hand and strikes the side of her face with his right arm hard enough to knock her head to the side. W-1 retreats inside the building while the two are fighting.

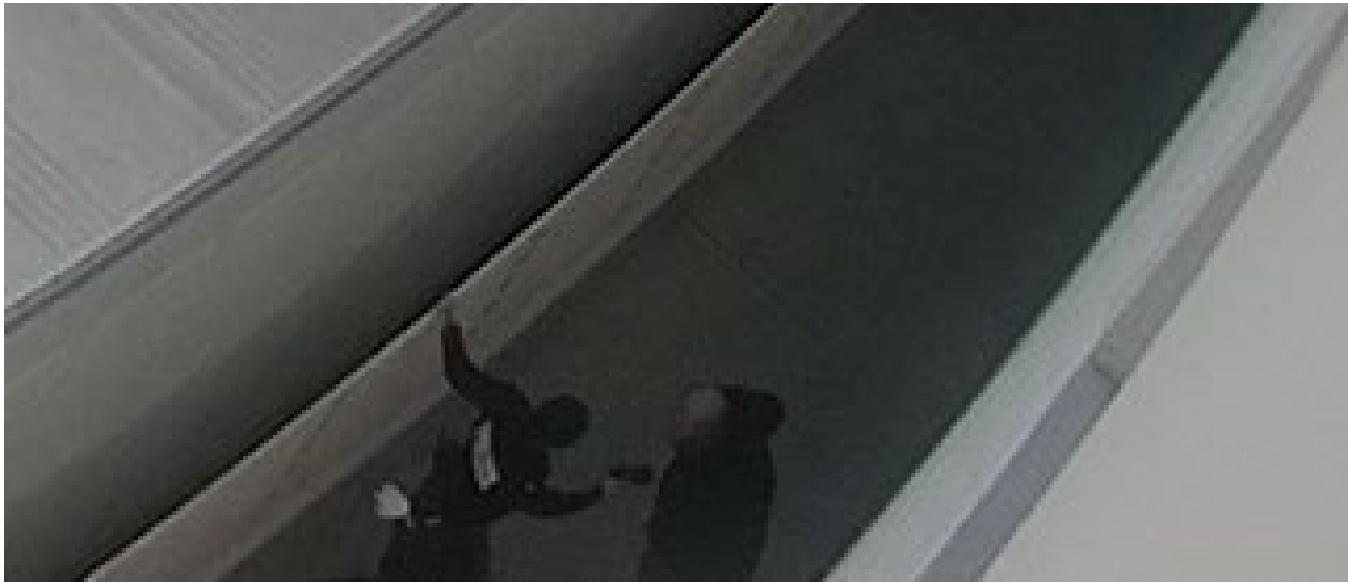


Still image from surveillance camera "Outside02" belonging to GT's Living Foods, showing Mr. Nava pushing Officer Vasquez with both arms.



Still image from surveillance camera "Outside02" belonging to GT's Living Foods, showing Officer Vasquez fighting with Mr. Nava while backed up against a railing and holding a firearm in her right hand.

Immediately after, still at 7:12:02 AM, as Mr. Nava started to move toward Officer Vasquez again, Officer Vasquez fired two shots at Mr. Nava, striking him in the torso.



Still image from surveillance camera "Outside02" belonging to GT's living foods, showing the OIS.

Mr. Nava moved backward and fell to his knees after being shot and attempted to stand back up. Officer Vasquez kicked Mr. Nava twice until he stayed on the ground and then kicked in a sweeping motion along his side. One of Mr. Nava's arms was hidden under his body, and Officer Vasquez later told investigators she was worried he might have a weapon.

Officer Cerecero arrived within a minute of the OIS, searched Mr. Nava's body, secured him in handcuffs, and then applied a tourniquet and performed CPR, with chest compressions beginning at approximately 7:14 AM in the surveillance footage. Los Angeles County Fire Department paramedics arrived and took over at approximately 7:24 AM. After evaluating him, paramedics determined that he was deceased.

## INVESTIGATION

### Overview

On April 5, 2023 at 9:50 AM, the DOJ Division of Law Enforcement (DLE) California Police Shooting Investigation Team (CaPSIT) received notification of an OIS in the City of Vernon in Los Angeles County, California. The incident involved an officer from the South Gate Police Department 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 the South Gate and Bell Police Departments and the Los Angeles County Sheriff's Department, with the entire area blocked off with crime scene tape to preserve evidence.

The DOJ 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 the Bell and South Gate Police Departments and the Los Angeles County Sheriff's Department, and were assigned investigative tasks.

Over the course of several months, DOJ conducted an extensive investigation and reviewed comprehensive materials regarding the incident, including reports from investigating officers, the autopsy report, body worn camera footage, crime scene photographs, surveillance video, interview transcripts and audio recordings of interviews conducted by CaPSIT, radio transmissions, and recovered items of physical evidence.

## Incident Scene Description

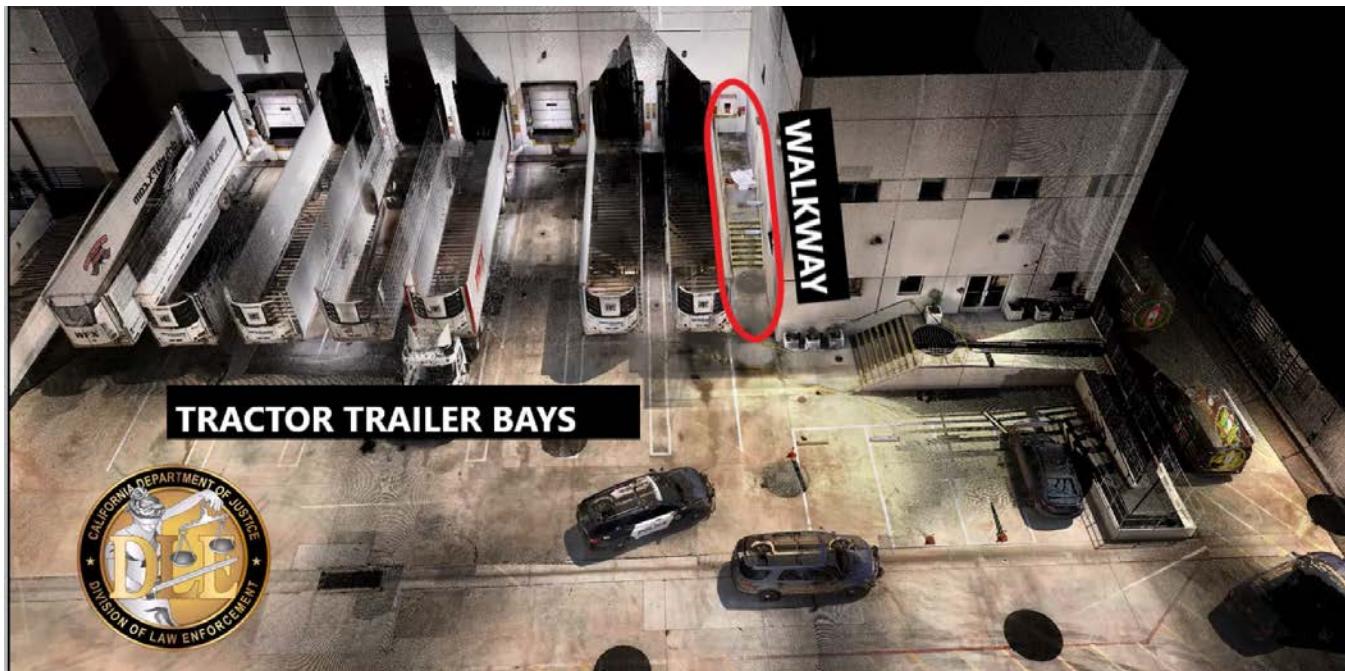
The police pursuit that ended in Mr. Nava's shooting began in a tent on the east side of the Los Angeles River, just north of Slauson Avenue in the City of Bell in Los Angeles County, California. It continued across the Los Angeles River to a bike path running along the west side of the river, across District Avenue in Vernon, California and into the parking lot and loading zone of GT's Living Foods, at 5699 District Boulevard in an industrial area of Vernon.

The shooting occurred outside of a restroom adjacent to the parking lot and loading zone of GT's Living Foods. District Boulevard runs north to south, and GT's Living Foods is located on the west side of the street. To the east of District Boulevard is an approximately eight-foot three-inch wall, with a bike path on top of the wall running parallel to the Los Angeles River. Indy's Demolition is located south of GT's Living Foods, and Steel Services Inc. is located to GT's Living Foods' north. The GT's Living Foods parking lot and loading area was paved with concrete and fenced on all sides. A gate leading from District Boulevard to the parking lot was open and featured a small brown security guard shack on the south side of the entrance.



Satellite view of the incident scene area

To the west of the gate and guard shack were semi-trailer bays, marked one through eight, on the building above the bays. West of semi-trailer bay number eight and adjacent to it was a raised north/south walkway. Stairs led from the parking lot to the raised walkway. The walkway led to a door on the north of the building.



Still image from recreation of incident scene using Faro Focus S150 3D scanner and Faro SCENE software

On the west side of the walkway was a short alcove into the building that had a locked door on the west of the building and a door on the north of the alcove that led to a restroom. The shooting took place on the walkway outside of this alcove.

## Incident Scene Evidence Recovery

The California Department of Justice, Bureau of Forensic Services was notified of the OIS, and criminalists responded to process the scene. They arrived at the location on April 5, 2023, at approximately 10:50 AM. The criminalists conducted an examination of the OIS scene for ballistic impacts, trajectories, and projectiles. In processing the scene, a total of 25 items were documented, recovered, and booked as evidence. The most relevant items were found at 5699 District Boulevard, and included two WIN 9mm Luger casings found on the steps leading to the walkway where the OIS occurred. A projectile was also found under Mr. Nava's body in his clothing.

## OFFICER PROCESSING

### Officer Description

Officer Jazmin Vasquez was processed at approximately 12:53 p.m. on April 5, 2023. Officer Vazquez stood approximately 5'1" tall and weighed 115 pounds. She was wearing blue jeans, a black long sleeve polo shirt, and black boots. The front right side of the polo shirt had a cloth South Gate Police Department badge, and the front left side was embroidered with the words, "SOUTH GATE, POLICE, J.

VASQUEZ.” “POLICE” was written on the back of Officer Vasquez’s polo shirt in large white letters. Officer Vasquez carried a handcuff key and pen in the left sleeve pocket of the polo shirt. An Axon body-worn camera (BWC) was attached by magnet to the lower portion of her polo shirt.

### **Officer Firearm Details**

Officer Vasquez carried a Glock 19, Generation 5, 9mm pistol with an attached gun light. As configured, the firearm had an 18 round capacity with one (1) round in the chamber and 17 rounds in the magazine. Officer Vasquez stated that at the beginning of her shift on April 5, 2023, she had 16 rounds in the magazine and one in the chamber. Officer Vasquez possessed four additional magazines. The three magazines stored in her duty belt had a capacity of 15 rounds each, and the magazine stored in her ankle pouch had a capacity of 17 rounds. When examined, the firearm had one (1) round in the chamber and 14 rounds in the magazine, consistent with two rounds being fired during the incident.

### **Officer Equipment**

Officer Vasquez was equipped with a basket weave duty belt with a belt underneath, with a thigh rig holster on her right leg. From left to right on Officer Vasquez’s duty belt were:

- three (3) ammunition magazines for her duty weapon
- a Conducted Energy Device (TASER) equipped with one cartridge in a black holster
- a collapsible baton
- a police radio with an attached earpiece and lapel mic
- a single handcuff case which contained one set of handcuffs
- a second single handcuff case which contained one set of handcuffs
- a drop down thigh holster (right side), which contained the Glock 19, Generation 5 pistol, with an attached gun light, a key holder with a set of keys, and a SGPD badge, #79, wrapped with a memorial band
- four (4) keepers

Additionally, attached to Officer Vasquez’s right ankle, underneath her right jean leg, was an ankle pouch which contained an additional magazine. Officer Vasquez stated she also carries a knife in one of the pouches, but believed she dropped it during her pursuit of Mr. Nava. The knife was later found by Sgt. Ververa and photographed by Criminalist Maragliano, in the vicinity of the OIS.

### **Video Recordings**

CaPSIT investigators collected visual documentation through post-incident photographs, including drone photographs and video footage, video from body-worn cameras, and closed-circuit television video from businesses in the vicinity of the OIS.

### **Closed-Circuit Television Video from Surveillance Cameras**

On April 5, 2023, Special Agent T. Baca of California Department of Justice CaPSIT obtained ten closed-circuit television video clips from three surveillance camera locations at GT’s Living Foods. A camera named “Outside02” captured the OIS, and one named “Outside01” captured a portion of Officer Vasquez’s pursuit of Mr. Nava.

On April 11, 2023, he recovered additional video clips from Steel Services Grinding, located at 5637 District Boulevard. On April 14, 2023, Special Agent A. Hernandez of California Department of Justice CaPSIT obtained five video clips from Pinnacle Products at 5725 District Boulevard. And on April 24, 2023, Special Agent Hernandez obtained a video clip from Old Master Products, at 5051 E. Slauson Avenue. One of the clips from Pinnacle Products depicted a portion of Officer Vasquez's pursuit of Mr. Nava, but it did not depict the OIS.

### **Body-Worn Video**

On the morning of the April 5, 2023 operation, Officer Vasquez was equipped with a body-worn camera. The camera fell from her uniform while she was in pursuit and did not capture the OIS. On April 7, 2023, Special Agent A. Oratovsky of California Department of Justice CaPSIT obtained six (6) individual Axon body-worn camera videos from South Gate Police Department Lieutenant S. Brown. These videos were thoroughly reviewed, and it was determined that none captured the OIS.

### **Drone**

On April 5, 2023, after the investigation into the OIS had begun, Special Agent Baca flew a department-issued drone near the vicinity of the OIS to capture the incident scene. On October 24, 2023, he flew the drone and captured video footage of Officer Vasquez's path of pursuit.

### **Photographs**

On April 5, 2023, Bureau of Forensic Services personnel took 531 digital photographs of Mr. Nava's tent and the OIS scene, and 31 photographs during officer processing.

### **Communications**

On April 5, 2023, Special Agent Hernandez obtained an incident report and compact disc from the Bell Police Department, which contained 427 audio clips from the radio transmissions recorded during the operation and OIS. On October 26, 2023, Special Agent Hernandez obtained the Air Support Patrol Activity Report from Captain B.R. Arevalo with the Los Angeles County Sheriff's Department, Aero Bureau. Captain Arevalo told Special Agent Hernandez that there were no recorded audio communications available from her department because the pilots switched to the Bell Police Department frequency during the operation.

## **CORONER'S INVESTIGATION**

The autopsy of Victor Nava was conducted by Dr. Richard Ou of the Los Angeles County Department of Medical Examiner-Coroner in Los Angeles California on April 8, 2023. Mr. Nava was a 24-year-old man, whose body measured 66 inches, and weighed 175 pounds. The autopsy report documented two gunshot wounds sustained by Mr. Nava during the incident. The cause of death was determined to be "gunshot wounds," and the manner of death was ruled as "homicide."

- Gunshot wound #1: The shot entered Mr. Nava's body at his left chest with no exit wound. The direction was front to back, left to right, and down, and the path was through skin, soft tissues, left rib three, left lung upper lobe, heart (left ventricle, left circumflex artery, left atria), esophagus, right lung lower lobe, and right intercostal muscle 10. A deformed copper and lead colored projectile was recovered from the right back soft tissues, and range of fire was indeterminate.

- Gunshot wound #2: The shot entered Mr. Nava's left palm and exited at his lateral left wrist. The direction was front to back, right to left, and up, and the path was through skin and soft tissues. The range of fire was indeterminate, and no projectile was recovered from Mr. Nava's body.

Other non-fatal blunt trauma injuries documented included (1) abrasions of the left face, left chin, and right face; (2) abrasions of the left elbow; (3) contusion of the left biceps; (4) contusion of the right shin; and (5) abrasion of the right calf.

The toxicology test revealed the presence of amphetamine and methamphetamine.

## INTERVIEWS OF OFFICERS

Officer Vasquez, and Detective Esther Duran, Sergeant Jamie Baltazar, and Officer Jose Cerecero of the Bell Police Department provided voluntary statements. Officers Kenneth Dailey and Tyler Wilson of the Los Angeles Sheriff's Department, and Officer Matthew Rincon of the Huntington Park Police Department declined voluntary interviews. 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 statements are summaries of interviews, which describe the incident from the point of view of the individual officers. Please note that the interviews contain facts relayed by the officers that may be inaccurate or inconsistent with the facts of this incident as they are currently understood.

### ***Officer Jazmin Vasquez, South Gate Police Department***

On April 20, 2023, Special Agents Baca and Hernandez interviewed Officer Vasquez. Also present was Robert M. Wexler, of Rains Lucia Stern St. Phalle & Silver, PC, who represented Officer Vasquez.

Officer Vasquez joined the South Gate Police Department as a trainee in September 2017 and was promoted to Police Officer after six months. She joined the Crime Impact Team, which focuses on gang-related crime, in January 2023.<sup>2</sup>

About two weeks before the April 5, 2023 operation, Officer Vasquez received a police bulletin from her department featuring a picture of Mr. Nava, stating that he had a million-dollar warrant for attempted murder. About two days before the operation, her sergeant advised her that the Bell Police

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2 On June 20, 2017, Officer Vasquez and two colleagues were involved in the shooting death of David Pacas, while they attempted to recover a stolen vehicle. According to a report by the Justice Integrity Division of the Los Angeles County District Attorney's Office, Officer Vasquez fired one shot at the fleeing suspect, believing that he had a gun and was turning to fire it at her. It is unclear if the shot hit Mr. Pacas. The report concluded that Officer Vasquez, and two other officers who separately fired at Mr. Pacas, had acted lawfully in self-defense.

Department was hosting a Southeast Gang Task Force operation to apprehend Mr. Nava, and Officer Vasquez volunteered to participate.

On the morning of April 5, 2023, Officer Vasquez arrived at the South Gate Police Department at approximately 4:30 AM to get ready with her colleagues and then traveled to the Bell Police Department for a briefing. The Vernon, Huntington Park, Bell Gardens, and Bell Police Department, along with the Probation Department, all participated in the briefing and operation.

On April 5, 2023, Officer Vasquez was wearing blue jeans and a department-issued black polo shirt, which was embroidered with “POLICE” in large white letters on the back and featured an embroidered badge on the right side of the front of the shirt, and her name and position embroidered in white letters on the left side. She wore a vest underneath her polo shirt. Her duty belt held her badge, keys, gun holster and Glock 19 handgun, radio, two handcuff cases, a baton, taser, and a magazine holder. She also wore an ankle holster that held an additional magazine and a knife. In total, Officer Vasquez carried four extra magazines, not including the one in her gun. The one in her duty weapon and the one in her ankle holster carried 17 rounds, and the three on her belt carried 15 rounds.

Officer Vasquez was equipped with a body-worn camera that was affixed to the center of her shirt with a magnet. Officer Vasquez verified that the camera was working and activated it before beginning to clear the first encampment as part of the April 5, 2023 operation. She also function-tested her taser before the operation began.

Detective Avila of the Bell Police Department briefed the group on Mr. Nava’s criminal history, including arrests for prior property crimes and armed robbery. Detective Avila also told the group that there was evidence connecting Mr. Nava to a homicide that had happened about a year earlier, a more recent murder where the victim had been set on fire, and for the attempted murder that was the subject of a million-dollar arrest warrant. Detective Avila also noted that Mr. Nava had been armed when officers had contacted him in the past and was known to fight with officers. Detective Avila also mentioned that the Saturday before the operation, they had received a phone call reporting a man dressed in all-black pointing a tan Glock-like handgun at victims. Detective Avila noted that when Mr. Nava had previously been contacted by police, he was always wearing black clothes.

Each team at the briefing was assigned to search for Mr. Nava in specific areas of the riverbed. Officer Vasquez was assigned to Team 4 with Sergeant Rivera, Officer Reyes, and Sergeant Garcia from Huntington Park, and Detective Lucas from the Vernon Police Department. The Bell Police Department provided copies of an operation plan that summarized some of the information covered in the briefing and listed the teams and where each team should search. Within her team, they confirmed that everyone had both a gun and a taser as a less lethal option. While the overall purpose of the operation was to find and arrest Mr. Nava, Officer Vasquez was specifically tasked with documenting anyone who acknowledged a gang affiliation on field identification cards for later entry into a database and searching any women they encountered during the operation.

After the briefing, Officer Vasquez believed that Mr. Nava was likely to be uncooperative, and that he was violent due to his status as a suspect in multiple murders and having been identified as the shooter by one of his victims. She also remembered thinking that the Police Bulletin stated that Mr. Nava was much taller and heavier than she was. She was scared given how little she thought he would want to

be captured, his size, and his history of violence. Officer Vasquez reported that she was approximately 5'1" tall and weighed about 115 pounds.

Team 4 began by searching an encampment underneath a bridge near the corner of Slauson Avenue and District Boulevard. Officer Vasquez encountered a few men and one woman who were inside plywood structures built under the bridge, when she heard the team that was working across the river radio that they were "out with Vampy." The Los Angeles Sheriff's Department had assigned a helicopter to the operation which picked up on Team 3's message and relayed that a subject dressed in all black was fleeing from officers westbound across the river. Officer Vasquez looked in that direction and saw a man dressed in all black (Mr. Nava) running across the river with two officers in pursuit.

Officer Vasquez, Sergeant Rivera, and Officer Reyes began running toward Mr. Nava, with Officer Vasquez splitting off to run on the bike path in the hopes of cutting him off. Her body worn camera fell off, but by the time she noticed and turned around to look for it, she was quite some distance away and did not see anyone running behind her, so decided to keep running. Throughout, she listened to the helicopter messages about Mr. Nava's movements. The bike path was lined with a six-foot chained link fence on both sides. When Officer Vasquez was 50 to 100 feet away from him, Mr. Nava jumped one of the fences, ran across the bike path, and then jumped the other fence, dropping down to District Boulevard. She then saw Mr. Nava run into a trucking business where there were several big rigs and containers parked. Officer Vasquez worried that because Mr. Nava was trying to get away from the police, he might hold a worker hostage or possibly kill someone to try to get away. This fear motivated her to keep running fast after Mr. Nava.

Officer Vasquez saw a hole in the fence along the bike path, which she went through and then tried lowering herself down to District Boulevard. Because the wall down to District Boulevard was so high, when Officer Vasquez dropped herself down, she ended up falling on her left side. She continued running after Mr. Nava toward the business parking area, stopping at the business' fence to ask two officers on the bike path if they were coming down. She then heard the helicopter say that Mr. Nava was moving, and she worried that she had lost track of him while speaking to the officers. She thought to herself that Mr. Nava was considered armed and dangerous, she did not know if he had a gun, and he was running, so she could not turn her back on him. She heard the helicopter announce that Mr. Nava was behind some of the containers, so she unholstered her handgun and kept it in a low-ready position, entered the business parking lot and started looking under the containers, which were lifted. She looked under the containers from a distance, to use the containers as coverage, and lifting her gun occasionally as she slowly angled herself to see different areas. She did this because she was unsure if Mr. Nava had a gun on him and wanted to have cover in case he did. She saw Mr. Nava's legs toward the rear of one of the containers, and then she saw him start running, and pop out from behind one of the containers and up some stairs. Officer Vasquez believed that Mr. Nava intended to go into the business. She also noticed for the first time that Mr. Nava had some sort of clothing or black cloth covering one of his arms which led her to suspect that he was carrying something.

When Officer Vasquez followed Mr. Nava up the stairs, she no longer saw him but did see an employee standing there. She was worried about the employee getting injured or killed, so told him to leave the area, asked if he saw where Mr. Nava had gone, and stood between the employee and where she suspected Mr. Nava had gone. Officer Vasquez did not remember whether the employee responded or not, but she thought he left the area. She looked toward a side hallway, saw a bathroom, and heard a door slam inside the bathroom and a lock. She started looking around the area for somewhere she

could get cover while still seeing the bathroom door and a long hallway that led into the business. She continued to hear the helicopter providing updates and assumed that other officers would be showing up in seconds to support her. However, everything happened very quickly.

Immediately after she told the employee to get out of the area, the bathroom door opened, and Mr. Nava charged at her. He had both of his hands up toward her, but his entire right hand was covered with cloth, and the distance from where he charged her was only about five to ten feet. When he charged her, he reached to grab her handgun, and she remembers pulling it away and kicking with her right leg to try to create distance from him. He came again and tried grabbing the gun a second time, and she remembered hitting a railing that was behind her and having nowhere else to go. There was a container behind the railing that was like a wall behind her. Officer Vasquez told Mr. Nava to "get back" repeatedly, but he punched her with his right fist in the side of the head near her temple. She immediately felt dizzy and like she was going to pass out after he punched her, and she felt his hand go over her right hand and gun again. She described experiencing a "black blink" after being hit and having a blurry or dizzy feeling that made her fear that Mr. Nava was trying to overpower her, take her gun, and kill her and shoot at any officers who arrived to help her. She believed that he was capable of knocking her out, given how hard he had hit her, and how much larger and stronger he was than her.

When he continued attacking her, she fired two quick shots toward his center body mass. He fell down after being shot but tried to get back up. Officer Vasquez commanded him to get down and show her his hands. When he did not listen, she kicked him a couple of times to get him to stay on the ground and was worried because he kept his left hand under his body near his waistband. She tried to move his hand with her foot a couple of times, because she was still worried he might have a gun or try to attack her again if she got too close to him. She remembered everything feeling blurry at this point and having to rest against the railing, because of the "head shake" that she suffered when Mr. Nava punched her. She was completely winded from the pursuit and the struggle. She told Mr. Nava to stay on the ground and show her his hands, but she could not hear what he said in response because her ears were ringing and she was disoriented from when he hit her. It was not until she had left the area of the shooting and was sitting in the parking lot speaking with other officers about what had happened that her head began to clear. She did not even remember walking down the stairs away from the walkway, because she was so disoriented.

At this point, other officers arrived and took over, and she told them that she did not know if he had a gun or anything on him. When she met up with other officers from her unit, she told them that she had been punched in the head and needed to sit down. She was taken to the unit to wait for medics. She was ultimately transported to the hospital, where she said that a CT scan was done, which confirmed that she had a concussion. Officer Vasquez reported that she suffered blood blisters on her right hand from gripping her gun's trigger guard to prevent Mr. Nava from taking it from her. She also reported a roughly two-by-two-inch bump near her left temple, from Mr. Nava striking her with his right fist. She also had a bruise on her left arm, below her elbow, but was unsure how she got this injury.

Officer Vasquez did not believe that there was any opportunity to de-escalate the situation because Mr. Nava charged her so quickly, and there was so little space between them. She was unable to retreat because Mr. Nava had backed her into a railing and had no time to re-holster her gun or switch to a taser or a baton because of how quickly Mr. Nava had attacked her.

### ***Detective Esther Duran, Bell Police Department***

On April 14, 2023, Special Agents Baca and Hernandez interviewed Detective Duran, who agreed to give a voluntary statement.

Detective Duran participated in the operation to arrest Mr. Nava for attempted murder and violating the terms of his parole, for which he had two warrants outstanding. Even before being briefed on the operation, Detective Duran was aware that Mr. Nava was a suspect in the murders of three people, at least two of which had been shot, and in an attempted murder whose victim had identified Mr. Nava as his shooter.

Detective Avila, the case agent investigating the attempted murder, ran a briefing for all the officers participating in the operation, including Detective Duran. During the briefing, Detective Avila discussed Mr. Nava's criminal history, including a prior robbery conviction, Mr. Nava's gang affiliation, and his likely location around Los Angeles River encampments. Officers were assigned to different teams, and the teams were assigned to search different locations. All the officers participating in the operation were equipped with tasers, and the officers would work out within each team who would be prepared to use less lethal versus lethal force. Detective Duran assigned herself to use a taser rather than a firearm, because other members of her team were prepared to use firearms.

On the morning of the operation, Detective Duran was dressed in a vest that said "Police" on the front and back in white letters and displayed her badge and name. She carried a department-issued firearm, taser, two extra magazines, handcuffs, and pepper spray. She did not wear a body-worn camera. Her team approached their assigned location on the east side of the Los Angeles River, and found a man later identified as Mr. Nava laying down inside a tent, fully covered with a blanket from head to toe. Detective Duran identified herself as a member of the Bell Police Department and instructed Nava to come out of the tent with his hands up and not to bring any objects with him as he left the tent. She said that she was from the Bell Police Department repeatedly as she gave him instructions. Mr. Nava was wearing a black t-shirt, a black baseball cap, grayish basketball shorts, and black socks.

As he uncovered himself and began to leave the tent, Officer Matthew Rincon and Sergeant Baltazar identified him as Mr. Nava and radioed, "We're out with Vampy." Detective Duran did not get a good look at his face as he left the tent, because he was wearing a baseball cap that blocked his face from her vantage point. Detective Duran tried to detain him by grabbing him in a bear hug, but he kept running and pulled out of her grip, knocking her to the side. Detective Duran then started chasing him down the riverbank, and was passed by Officer Rincon and Officer Cerecero, who followed Mr. Nava into the water and across the river. Sergeant Baltazar called Officer Duran back to the encampment so that they could finish looking for other occupants. After she did this, she looked back at where Mr. Nava had gone and saw that a female officer from the South Gate Police Department was running along the bike path toward Mr. Nava. Mr. Nava climbed over the fence and jumped down to District Boulevard, and then the South Gate officer also lowered herself onto District Boulevard and out of Detective Duran's view.

Detective Duran, Sergeant Baltazar, and Canine Officer Nichols looked inside the tent to see what was visible in plain view and noticed a handgun close to the tent's exit. The handgun had a black frame with a gray, green, or silver slide. Shortly after they spotted the handgun, they heard a radio broadcast of "shots fired." Detective Duran did not hear the shots herself, but after hearing the broadcast, she taped off the encampment where Mr. Nava had been found as part of the crime scene.

***Sergeant Jamie Baltazar, Bell Police Department***

On April 14, 2023, Special Agents Baca and Hernandez interviewed Sergeant Baltazar, who agreed to give a voluntary statement.

At the time of his interview, Sergeant Baltazar had been a pull-out patrol sergeant for the Bell Police Department for one year, where he supervised between three and five officers per shift. He had worked for the Bell Police Department for 24 years, including 12 years as a detective and 12 years as a patrol officer and Homeland Security Task Force Officer. During “Operation Vampy,” the operation to locate and arrest Mr. Nava, Sergeant Baltazar led a team (Team 1) that included Detective Duran, Detective Zamora, Officer Cerecero, Officer Rincon, K9 Officer Nichols, and Officer Solae.

Before joining “Operation Vampy,” Sergeant Baltazar was not involved in any of the investigations into Mr. Nava. He responded to the scene of a shooting on February 21, 2023, with which Mr. Nava may have been connected, but Sergeant Baltazar did not know the identity of any suspects when he responded, and he was not involved in any follow-up investigation.

On April 5, 2023, Sergeant Baltazar participated in a briefing for “Operation Vampy” which began at around 6:00 AM. During the briefing, which was given by Detective Bobby Lau and Detective Avila, Sergeant Baltazar was given a copy of an operations plan, the outstanding arrest warrants for Mr. Nava, and a police bulletin that described Mr. Nava as “armed and dangerous.” The briefing included information about where Mr. Nava was likely to be found, which teams were assigned to different portions of the encampment they would be searching, and the clothing Mr. Nava typically wore. The briefing also mentioned that Mr. Nava carried a handgun and was wanted for up to three murders and one attempted murder. Officers were instructed to use only the force necessary to make the arrest and to be prepared to use less lethal force like pepper spray if needed.

When Team 1 approached their assigned portion of the encampment, Detective Duran and Officer Rincon announced their presence at one empty tent before moving to the tent where Mr. Nava was found. There, they re-announced their presence, and Mr. Nava began to move toward the tent’s entrance. Officer Rincon then told Sergeant Baltazar that Mr. Nava was in the tent. Sergeant Baltazar then looked inside the tent and made eye contact with Mr. Nava and radioed that Team 1 had contacted Mr. Nava. Mr. Nava then got out of the tent from a crouch and ran straight forward, hitting Detective Duran with his shoulder while she tried to grab him and knocking her to the side. He continued down the embankment toward the Los Angeles River. Detective Duran, and Officers Cerecero and Rincon ran after Mr. Nava, but Sergeant Baltazar instructed Detective Duran to return to the encampment to help Sergeant Baltazar clear it.

Sergeant Baltazar saw Mr. Nava cross the river with Officers Cerecero and Rincon in pursuit and run up the opposite embankment toward a bike path. A South Gate police officer was running along the bike path toward Mr. Nava, and Mr. Nava went over or through a fence on the side of the bike path closest to District Boulevard, with the South Gate police officer following him. Sergeant Baltazar also said he saw Officers Cerecero and Rincon climb over the fence and drop toward District Boulevard. Once Mr. Nava and the pursuing officers had dropped to District Boulevard from the bike path, Sergeant Baltazar could no longer see anything, and he returned to finish clearing the encampment. While doing so, he saw a handgun in Mr. Nava’s tent, but did not enter the tent or move anything, and he confirmed that one remaining tent was vacant.

While clearing the tent, Sergeant Baltazar heard radio messages from the LA County Sheriff's department helicopter saying that there was only one officer with Mr. Nava. Sergeant Baltazar then heard two shots, and the helicopter radio that shots had been fired. There was then a radio call for medics.

Sergeant Baltazar did not leave the encampment after the announcement that shots were fired. Before the shots were fired, he did not radio that Mr. Nava had knocked Detective Duran to the side while charging out of his tent, nor that a handgun had been found in the tent.

#### ***Officer Jose Cerecero, Bell Police Department***

On May 30, 2023, Special Agents Genens and Hernandez interviewed Officer Cerecero, who agreed to give a voluntary statement.

Officer Cerecero volunteered to join the April 5, 2023 operation to apprehend Mr. Nava. On the morning of the operation, he was dressed in a black department-issued polo shirt that featured a badge, "POLICE" written in large white letters, and his name. He also wore a tactical vest that identified him as a police officer. He carried a firearm, five magazines, a taser, and pepper spray on his belt and vest.

The morning of the operation, he attended a briefing where it was explained that Mr. Nava had been involved in several shootings and known to carry a handgun. Officers were instructed to consider Mr. Nava armed and dangerous.

Officer Cerecero was assigned to a team searching an encampment under the northeast side of the Slauson bridge. His role was to keep an eye on all the other tents as his colleagues approached individual tents. While he was doing this, the other officers on his team announced that they were with the Bell Police Department, and then he heard someone announce that they had identified Mr. Nava, who then jumped out of a tent and started running. Officer Cerecero and Officer Rincon pursued Mr. Nava across the river and up an embankment, but Mr. Nava was pretty far ahead of them. Mr. Nava jumped over two fences and down to District Boulevard, which Officer Cerecero said was about a ten-foot drop. Officer Cerecero saw Mr. Nava run into a warehouse area with shipping containers and a parking lot across District Boulevard. A South Gate Police Department officer followed Mr. Nava into the parking lot. The warehouse was operating as if doing business as usual, with people walking through the gate and around the parking lot.

As Officer Cerecero tried to get over the fence and down to District Boulevard, he heard two shots. He then went over the fence and ran toward where he heard the shots as quickly as he could. When he arrived at the scene of the shooting, Mr. Nava was on the ground, but still breathing. Officer Cerecero held him until other officers arrived to help search him for weapons and then applied a tourniquet and began chest compressions.

## **INTERVIEWS OF EMERGENCY RESPONDERS**

On April 26, 2023, Special Agents Baca and Hernandez interviewed Los Angeles County Fire Department Paramedic Christian Safina, who gave a voluntary statement.

When he was interviewed, Mr. Safina had been a paramedic for approximately ten years, working for two years at AMR Riverside, and four years for the City of Downey fire department, before joining the Los Angeles County Fire Department.

A couple days in advance of the April 5, 2023 operation, the Los Angeles County Fire Department received noticed from the police department that they were needed for a “PD stand-by” which means that the ambulance is dedicated to a police unit in case something happens with the officers that would require emergency medical assistance. A Los Angeles Fire Department Engineer named Jeff Riley attended the police briefing on the morning of the operation. Mr. Riley told the rest of the paramedic team that the police were looking for someone in the riverbed to apprehend for committing crimes including murder.

On the morning of April 5, the police officers on the scene radioed requesting assistance from the fire department, which led to Mr. Safina’s team being “toned out” and responding to the scene of the shooting. When they arrived at the scene, the police department had Mr. Nava on the Automated External Defibrillator (AED) and were administering CPR. However, upon conducting an initial assessment, Mr. Safina’s team determined that Mr. Nava met all the criteria for a determination of death, under the “determination of death protocol.” This protocol includes determining that the victim was “pulseless, AV nick, and asystolic without pupillary responses with a penetrating trauma.” Mr. Safina’s partner, Reyes, made the determination of death.

Mr. Safina’s team also assessed Officer Vasquez. Officer Vasquez said that she had been attacked by Mr. Nava and he hit her in the head. Mr. Safina determined that she had a mild injury, which he described as “very superficial” with “no bumps, no bruising.” Officer Vasquez was sent to the Kaiser hospital in Downey at the request of her senior officer or sergeant.

## **INTERVIEWS OF CIVILIAN WITNESSES**

Three civilian witnesses were interviewed by CaPSIT special agents. Summaries of these civilian witness interviews, which describe the incident from the point of view of each person, follow. The interviews contain facts relayed by the witnesses that may be inaccurate or inconsistent with the facts of this incident as they are currently understood.

### ***W-1***

On April 5, 2023, W-1 was interviewed by Special Agents Baca and Hernandez and provided a voluntary statement.

W-1 is an employee at GT’s Living Foods. On April 5, 2023, he began his shift at 6:00 AM. About an hour after his shift began, he left the warehouse to use the restroom, and saw a man appear from underneath a trailer and run up the stairs, past W-1, and into the restroom. Immediately after, a female police officer appeared from beside the trailers and ran up the stairs toward the restroom. W-1 knew that she was a police officer because she was wearing a police uniform. The officer then withdrew her firearm and looked like she was trying to get a better view of where the man was inside of the restroom. The officer also told W-1 to create some space and go back inside the warehouse. She also issued loud commands to the man in the restroom, which W-1 did not understand, because he does not understand English. As he was trying to go back inside, W-1 saw the man run out of the restroom toward the officer and forcefully push the officer’s chest with both of his hands. The man and the officer fought briefly and then the officer shot the man twice. It all happened in an instant, and he saw the first shot go through the center of the man’s chest. The second shot was below that one.

W-1 initially hesitated going inside because he was not sure if the officer would need his help, because she was a woman. However, he was also afraid of the man and had initially assumed that he was a drug addict who wanted to use drugs in the restroom and thought that the man might harm him. While he did not understand everything the officer said before the shooting, W-1 believed that the officer was trying to protect him from the man. After he heard the shots, W-1 went back inside the warehouse quickly, and told GT's Living Foods employees not to go out to the area where the shooting had happened.

After W-1 went inside, he spoke with a coworker who told him that she had heard some shots and some screams.

### ***W-2***

W-2 was also interviewed on April 5, 2023 by Special Agents Baca and Hernandez and provided a voluntary statement.

W-2 was an employee of GT's Living Foods who was working at the time of the OIS. She said that she was walking out of her office when she heard two loud "detonations" and saw a coworker walking in the building at the same time. When W-2 went to grab the handle of the exterior door, she saw and heard a female police officer screaming something in English at someone, and the officer had both hands on her gun and was pointing it. W-2 knew that the officer was a police officer, because she was wearing a police uniform. W-2 could not see another individual at the scene from where she was standing.

### ***W-3***

W-3 was interviewed on the afternoon of April 5, 2023 by Special Agents Baca and Hernandez and provided a voluntary statement.

W-3 was working as a security guard at GT's Living Foods on the morning of April 5, 2023. That morning, W-3 saw a man come to the gate at GT's Living Foods. W-3 asked him what he needed, and the man made a shushing gesture with his index finger over his mouth, which confused W-3, until he saw a helicopter flying overhead. The man was wearing a gray shirt and pants or shorts, appeared about 5'7" with light skin, and had a bald head. He did not appear to be carrying anything. The man then took off running, and two seconds later, a police officer came through the gate with her gun drawn. W-3 knew she was a police officer because she was wearing a police uniform and holding a gun with both hands. She spotted the man under some trailers. Then the man began running toward the south side of the building and the officer followed. W-3 heard the officer yell something that might have been "freeze" at the man as she chased him, but W-3 could not tell exactly what she said, or if she said anything else to him, because the loading area was noisy. After the man and the police officer were out of sight, W-3 heard shots. An additional police officer then came by the guard shack and told W-3 to stay there.

## 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**

The DOJ has completed an independent investigation and review of the facts and circumstances that led to the death of Victor Nava. This analysis is based on all the evidence gathered by DOJ in this matter, including police reports, witness statements, forensic evidence, Coroner's report, body-worn camera footage, and surveillance footage from the incident location.

Because a prosecuting agency would need to affirmatively prove beyond a reasonable doubt that Officer Vasquez did not act in lawful defense of herself 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 herself, or that the officer did not actually hold this view. Therefore, the evidence is insufficient to support criminal charges.

## **Subjective Belief**

The evidence shows that Officer Vasquez actually believed in the need to defend against imminent peril or great bodily injury. Officer Vasquez stated that she fired lethal rounds at Mr. Nava because she believed Mr. Nava was attempting to overpower and take her gun from her, and that she feared for her life. When "Operation Vampy" was briefed, she was told that Mr. Nava was suspected of

committing multiple murders and assaults, and was likely to be armed and dangerous. She therefore believed that Mr. Nava posed a danger to the workers at GT's Living Foods when he ran into the business while fleeing from police officers, which required her to continue pursuing Mr. Nava into the business even though she arrived there without backup.

Once Mr. Nava attacked Officer Vasquez, she felt his hand reach for her handgun and was backed into a position where she felt that she could not escape. She told investigators that Mr. Nava hit her hard enough that she was worried that if she did not fire at him, Mr. Nava would be capable of knocking her out, taking her weapon, and using against her or her fellow officers. Before shooting Mr. Nava, she instructed him to move away from her, and Mr. Nava did not follow this instruction. She also believed throughout the pursuit and altercation that Mr. Nava might have been armed, based on the briefing she received before the operation, and the fact that Mr. Nava had a loose piece of clothing covering his arm and hand. Her effort to sweep his arm out from under his body after the shooting, which was depicted in surveillance footage, supports her stated belief that she was concerned that Mr. Nava was armed.

### **Objective Reasonableness**

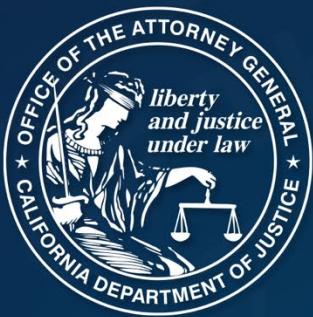
It was not unreasonable for Officer Vasquez to believe based on the totality of the circumstances that deadly force was necessary to defend against an imminent threat of death or serious bodily injury to the officer.

Her decision to follow Mr. Nava with her firearm ready was reasonable, given that she was the first on the scene with no backup, Mr. Nava's status as a suspect in multiple shootings, and the instruction she and other officers had received during their briefing to consider him armed and dangerous. Although several civilian witnesses at GT's Living Foods easily recognized Officer Vasquez as a police officer, and although she issued loud verbal commands to Mr. Nava to "get back," Mr. Nava chose to attack Officer Vasquez, instead of allowing himself to be arrested. Mr. Nava was significantly taller and heavier than Officer Vasquez, making him a more menacing opponent in a fight. Surveillance footage corroborated Officer Vasquez's statement that Mr. Nava reached toward her gun at least once, backed her against the railing, and struck her hard in the temple with sufficient force to result in a concussion. Mr. Nava also attacked her so quickly that she had no opportunity to flee or to re-holster her firearm in favor of her less lethal taser or baton.

Thus, the totality of the evidence shows that Officer Vasquez held the subjective belief that deadly force was necessary to defend herself and others from an imminent threat of death or serious bodily injury and that her belief was objectively reasonable. A prosecution, therefore, could not prove beyond a reasonable doubt that the officer's use of force was unlawful.

## **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 Vasquez. As such, no further action will be taken in this case.



C A L I F O R N I A

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# DEPARTMENT OF JUSTICE

## **Policy and Practice Recommendations for the South Gate Police Department Related to the Officer-Involved Shooting of Victor Nava on April 5, 2023**

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

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January 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 (PPS) 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. PPS 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. PPS’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 5, 2023, the multi-jurisdictional Southeast Gang Task Force<sup>1</sup> executed an arrest warrant operation for decedent Victor Edwardo Nava, the subject in a March 1, 2023, attempted murder, who was considered armed and dangerous. Bell Police Department (BPD) authored the operational plan and conducted a briefing for members of the Southeast Gang Task Force. Following the briefing, Southeast Gang Task Force teams went to assigned areas along the Los Angeles Riverbed in Bell, California, arriving at approximately 7:00 a.m. BPD officers located Mr. Nava on the east side of the Los Angeles Riverbed, north of Slauson Avenue, and attempted to arrest him. Mr. Nava fled, and a foot pursuit involving two BPD officers ensued. South Gate Police Department (SGPD) Officer Jazmin Vasquez joined the foot pursuit after she heard the pursuit broadcast on the radio at approximately 7:09 a.m. Officer Vasquez’s body worn camera fell off the mount approximately sixteen seconds into the foot pursuit. Los Angeles County Sheriff’s Department Aero Bureau provided aerial support during the foot pursuit.

Officer Vasquez entered the parking lot of GT’s Living Foods, located at 5699 District Blvd., Vernon, California 90058, at approximately 7:11 a.m. Officer Vasquez proceeded across the parking lot and up a set of stairs to a narrow, raised walkway, adjacent to a semi-trailer bay. The walkway led to a door on the north for a bathroom, and a locked door on the west, which led into the business. Mr. Nava, who was unarmed, exited the bathroom and advanced toward Officer Vasquez. Officer Vasquez kicked Mr. Nava as he pushed her with both of his arms and reached for her service pistol. Mr. Nava then punched her in the head. Officer Vasquez discharged her service pistol twice at Mr. Nava at approximately 7:12 a.m.

After the shooting, Mr. Nava fell to the ground and began to get up with his upper body. In response, Officer Vasquez kicked him twice, to “try and get him to . . . stay on the ground[.]” As Mr. Nava began

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<sup>1</sup> The Southeast Gang Task Force includes the following law enforcement agencies: Bell Police Department, Bell Gardens Police Department, Huntington Park Police Department, South Gate Police Department, and Vernon Police Department.

to move again, Officer Vasquez kicked him another two times, “to sweep his hand out of his waist area[.]” Mr. Nava was pronounced deceased at the scene fifteen minutes after the shooting.

A GT’s Living Foods employee was present in the walkway at the beginning of the altercation. Officer Vasquez told the employee to leave, and the employee entered the business through the locked door on the west of the walkway seconds before the officer-involved shooting occurred. Officer Vasquez was the only officer on scene at the time of the officer-involved shooting, but additional officers arrived seconds after the officer-involved shooting.

After a thorough review of the Division of Law Enforcement’s investigation files, and our evaluation of the evidence, PPS advises SGPD to review and implement two recommendations:

## **RECOMMENDATION ONE**

### **Body Worn Camera Equipment and Policy**

SGPD Policy 451 on Body Worn Cameras (BWC) provides in pertinent part:

Each sworn uniformed member shall be responsible for making sure that he/she is equipped with a BWC issued by the Department, and that the recorder is in good working order prior to each shift. If the recorder is not in working order or malfunctions at any time, the member shall promptly report the failure to his/her supervisor and obtain a functioning device as soon as practicable.

BWCs benefit officers, supervisors, oversight bodies, and members of the public by providing footage of officer-public interactions and incidents, including incidents like this one involving deadly force. BWC footage can be critical to determinations regarding administrative violations, civil liability, and deficiencies in training, tactics, and equipment, as well as positive interactions that merit commendation.

Officer Vasquez’s BWC fell off its mount approximately sixteen seconds into her foot pursuit of Mr. Nava. As a result, there is no BWC footage of the shooting, though there is surveillance footage that captured the shooting from a distance.

Although there is no indication that there was advance knowledge of any problem with the BWC mount in this case, SGPD Policy 451 requires only that personnel ensure that the recorder is “in good working order.” Thus, the PPS recommends SGPD amend its policy to require that *all* BWC equipment, including mounts, are in good working order prior to each shift. PPS further recommends SGPD conduct a review to determine whether their current BWC equipment is capable of remaining intact during a foot pursuit. If not, SGPD should consider any available alternatives to ensure all foot pursuits are captured on BWC.

## **RECOMMENDATION TWO**

### **Update Website to Conspicuously List Current Policies**

SGPD fails to list all of its current policies on its website as required by Penal Code section 13650. PPS attempted to locate on SGPD’s website all current policies, but the only SGPD policy manuals PPS identified on SGPD’s website are dated (1) December 31, 2019 (South Gate Police Department, Policy

Manual (Dec. 2019)) and (2) November 17, 2021 (South Gate Police Department, Jail Manual (Nov. 2021).) SGPD should “conspicuously post on [its] internet websites all current standards, policies, practices, operating procedures, and education and training materials that would otherwise be available to the public if a request was made pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).” (Pen. Code § 13650.)