



The City of San Diego  
M E M O R A N D U M

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INTERNAL AFFAIRS

DATE: May 14, 2024  
TO: Carlos Mejia, ID #7313, PO-II  
FROM: Jeffrey Peterson, Captain, Internal Affairs  
SUBJECT: Internal Affairs Investigation IA 2024-0160

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This is to inform you that you have been identified as a subject officer in an Internal Affairs investigation. The investigation is being conducted as the result of an internal investigation. This investigation concerns the following allegations:

1. Force
2. Procedure

Additional allegations may arise during the course of the investigation.

This investigation stems from an incident on October 16, 2023, at 1517 hours at 1400 National Avenue. This is a result of an Internal Investigation. Please review any reports or other documents you prepared in connection with this incident, prior to your interview. Detective Sergeant Patrick Kelly at the Internal Affairs Unit will contact you to schedule an interview.

As the subject officer you will be allowed to have a representative present during your interview. Representatives must not be connected with this investigation.

You are hereby ordered not to discuss this investigation or the allegations with anyone other than the investigating supervisor or your legal representative. Your failure to comply with this order will be deemed insubordination and subject you to disciplinary action up to and including termination. This requirement is set forth in Section 9.4 (Obedience to Lawful Orders Policy) of the San Diego Police Department Policy Manual.

You are also ordered to answer all questions directed to you during your interview fully and truthfully, as required by Section 9.29 (Truthfulness Policy) of the San Diego Police Department Policy Manual. Your failure to answer all questions fully and truthfully will subject you to disciplinary action up to and including termination.

[Redacted] is memorandum and agree to comply with the orders.

#7313

06-28-24

Date

This memorandum has been presented to me by:

[Redacted]

6/28/24

Date

Supervisor: Once the employee has signed the form, the original will be returned to the Internal Affairs Unit, MS-709 **within 10 days.**

JP/pk

# CONFIDENTIAL – DO NOT DUPLICATE

## San Diego Police Department Investigator's Report

**Date of Incident:** October 16, 2023  
**Time of Incident:** 1517 hours  
**Location of Incident:** 1400 National Avenue, San Diego, CA 92101  
**Subject:** Internal Investigation I.A. #2024-0160

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**CONFIDENTIAL:** THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR CITY ATTORNEY.

**SUBJECT OFFICER:** **Mejia, Carlos, PO-II, ID #7313**  
Date of Hire: 06/06/2019  
S.D.P.D., Central Division  
(619) 744-9500  
H/M, [REDACTED] years old

**SUBJECT OFFICER:** **Delimitros, Christopher, PO-II, ID #1671**  
Date of Hire: 07/22/2021  
S.D.P.D., Central Division  
(619) 744-9500  
W/M, [REDACTED] years old

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant [REDACTED] Date of Report: February 7, 2025

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## SUMMARY:

On October 16, 2023, at approximately 1517 hours, Officers Delimitros and Mejia witnessed a group of males using narcotics on the sidewalk. The officers contacted [REDACTED] Officer Mejia attempted to handcuff [REDACTED] and he pulled away and attempted to run. Officer Mejia maintained hold of [REDACTED] and he pulled him to the ground. Officers Delimitros and Mejia used force to take [REDACTED] into custody.

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## ALLEGATIONS:

**1. FORCE:**

Officers Mejia and Delimitros punched [REDACTED] in the face.

**2. FORCE:**

Officer Mejia kneed [REDACTED] in the stomach.

**3. FORCE:**

Officer Mejia punched [REDACTED] in the face.

**4. FORCE:**

Officer Delimitros tased [REDACTED]

**5. FORCE:**

Officer Delimitros tased [REDACTED]

**6. FORCE:**

Officer Mejia punched [REDACTED] in the face while he was being tased.

**7. PROCEDUE:**

Officer Mejia failed to accurately document his force.

**8. PROCEDUE:**

Officer Delimitros failed to accurately document his force.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant [REDACTED] Date of Report: February 2, 2025

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## INVESTIGATION:

On May 8, 2024, I was assigned this case investigation by Lieutenant Schmottlach. SDPD Force Analysis unit sent this incident to Internal Affairs on **April 29, 2024**, due to possible use of force concerns. The case included the following:

- Incident number (23100023102)

I reviewed the call for service from October 16, at 1517 hours. Officers called "Cover Now" and advised they were taking a subject into custody. Medics were called for the subject because he was tasered. The subject was transported to Mercy hospital.

Officer Mejia wrote in his arrest report that on October 16, 2023, at 1517 hours, he and Officer Delimitros were patrolling the East Village of San Diego when they saw three males who appeared to be smoking narcotics in the area of 1400 National Avenue. They contacted the group and Officer Mejia asked [REDACTED] to place his hands behind his back. [REDACTED] initially complied as Officer Mejia was going to handcuff him, Officer Mejia mentioned to Officer Delimitros there was a bag of possible narcotics on the ground.

Officer Mejia wrote once he mentioned seeing the narcotics, [REDACTED] attempted to pull his arm away. Officer Mejia noted he believed [REDACTED] may be unpredictable, violent, and carry weapons as a narcotic user. Officer Mejia documented holding onto [REDACTED] left wrist as he pushed him against a vehicle to regain control of him. [REDACTED] continued to attempt to get away and began to run. Officer Mejia was able to grab Mejia and push him to the ground. Officer Mejia wrote [REDACTED] attempted to get up and tensed his muscles. Officer Mejia noted [REDACTED] was actively resisting him and Officer Delimitros. Officer Mejia wrote he recognized the danger of sharp objects and a knife five feet away from where they were struggling with [REDACTED]. Officer Mejia further noted he had not patted [REDACTED] for weapons and was unaware if he had a weapon concealed on his person.

Officer Mejia documented hitting [REDACTED] with a quick straight jab to his face. He described the strike being quick and it was thrown with not much force or power. He explained the strike was used as a compliance blow in order to gain compliance from [REDACTED] and to prevent him from getting close to any weapons that could cause bodily injury. Officer Mejia described the strike was unsuccessful and [REDACTED] continued to tense up and attempt to get up from the ground. Officer Mejia wrote he and Officer Delimitros continued to give him verbal commands to turn around and put his hands behind his back. Officer Mejia wrote he stuck [REDACTED] in the stomach with his right knee to gain compliance.

Officer Mejia wrote [REDACTED] did not follow any commands and continued to stiffen his body and attempted to get up from the ground. Officer Mejia gave [REDACTED] a verbal warning he would be tased if he continued to resist but he continued to resist. Officer Mejia wrote he told [REDACTED] if he didn't turn around, he would be punched again. Officer Mejia wrote he grabbed [REDACTED] by the shirt and arm and attempted to turn him onto his stomach. [REDACTED] stiffened his body and pulled away from the direction he was guiding him to. Officer

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Mejia documented striking [REDACTED] in the face with two quick straight hands giving him commands with each strike. Officer Mejia wrote he realized this compliance technique was not going to achieve their goal in apprehending [REDACTED]. He wrote he and Officer Delimitros decided that tasing [REDACTED] would be a better option in order to overcome his resistance and prevent him from continuing to be assaultive towards them. He wrote Officer Delimitros tased him and they were able to handcuff him. Once handcuffed they recovered a Ziplock baggie containing a white powdery substance and second Ziplock baggie containing a white pill.

[REDACTED] was searched incident to arrest, and they located a narcotic smoking device. Officer Mejia wrote due to [REDACTED] being tased, medics were requested to the scene. When Medics arrived to assess [REDACTED] he became lethargic and was falling asleep mid-sentence. Medics checked [REDACTED] eyes and stated they were pinpoint. Medics also stated that they believed [REDACTED] was overdosing. [REDACTED] was transported to Scripps Mercy Hospital. Medics gave [REDACTED] a Narcan while in the ambulance on the way to the hospital. While in the ambulance [REDACTED] respiratory was low and the Medic stated they believed [REDACTED] swallowed narcotics and was on the verge of overdosing. Medics gave [REDACTED] two more Narcan on the way to the hospital. Once at the Hospital, [REDACTED] was in better condition and was attended to by medical professionals. [REDACTED] was then cleared and released from the hospital and transported to San Diego Police Department Headquarters (HQ). At HQ [REDACTED] was further processed. They then transported him to jail where he was further processed and booked.

In review of Officer Delimitros' written report, he states he and Officer Mejia saw a group of males standing near an electrical box at 1400 National Avenue. Officer Delimitros wrote he saw [REDACTED] holding a glass pipe to his mouth to use narcotics. He notes knowing people who use narcotics can be violent and unpredictable. [REDACTED] squatted down behind the electrical box after seeing the two officers.

Officer Delimitros' report states he and Officer Mejia exited their patrol car to contact the group. Officer Delimitros saw several folding knives and a lighter that was made to look like a firearm on the ground. He stated he believed the group had ready access to several weapons within a few steps of them. Officer Mejia notified Officer Delimitros he saw narcotics. Officer Delimitros saw [REDACTED] attempt to break free from Officer Mejia when he tried to handcuff him. Officer Delimitros wrote he assisted in restraining [REDACTED]. He noted Officer Mejia had [REDACTED] on the ground near a chain link fence and [REDACTED] turned his shoulders toward Officer Mejia and attempted to stand up. Officer Delimitros wrote he feared [REDACTED] could have been trying to access the knives on the ground so he struck him near the left ear with a closed fist. Officer Delimitros then used both of his open hands to place downward pressure on [REDACTED] head in order to make him lay flat. Officer Mejia was able to hold [REDACTED] on the ground and Officer Delimitros used his physical strength and body weight to attempt to hold [REDACTED] down.

Officer Delimitros described [REDACTED] behavior was inconsistent and sporadic and he believed [REDACTED] was experiencing the effects of the narcotics he observed him consuming earlier. [REDACTED] continued to lay on his right side and refused to roll onto his stomach. [REDACTED] squirmed his body around and tensed his muscles. Officer Delimitros wrote he recognized this as an assaultive cue as well as [REDACTED] attempt to evade officers. He drew his taser and pointed it at [REDACTED] because he and Officer Mejia exhausted all other efforts

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to gain compliance from [REDACTED]. Officer Delimitros wrote [REDACTED] continued to actively resist and he feared if he and Officer Mejia became fatigued, [REDACTED] could get up and assault them or access a weapon. Officer Delimitros gave [REDACTED] a verbal command, "Are you going to get on the ground, or are you going to get tased?" [REDACTED] quickly rolled onto his stomach and attempted to quickly stand up as he faced Officer Mejia and the same direction where Officer Delimitros had earlier observed the unsecured weapons. Officer Delimitros placed his taser directly on [REDACTED] upper right thigh and pulled the trigger. Both taser probes entered and stuck into [REDACTED] thigh. Officer Delimitros then removed the taser from his thigh and placed it on [REDACTED] right shoulder to lock the muscles of [REDACTED] and prevent him from being able to move. Officer Delimitros wrote the taser was effective and [REDACTED] laid on his stomach and was placed into handcuffs by Officer Mejia.

Officer Delimitros photographed the area where [REDACTED] was initially standing and where the knives were. He wrote the pipe he initially saw [REDACTED] smoking from was nowhere to be found.

On August 27, 2024, I submitted, BWC, Reports, and officer interviews to Department Use of Force Experts for review. On February 4, 2025, I received the use of force report authored by court recognized use of force expert, Officer James Bush.

Officer Bush reviewed the force used in the incident by both officers. The wrote the following:

*During the arrest of [REDACTED], the initial contact can be seen on Officer Mejia's BWC. (15:17:08z – 15:17:36z). Officer Mejia then attempts to handcuff [REDACTED]. During the handcuff attempt, Officer Mejia states, "The drugs is right there on the floor. A little fentanyl." (15:17:36z-15:17:41). Officer Mejia is only holding onto [REDACTED] left hand. [REDACTED] can be seen pulling his left hand forward as Officer Mejia attempts to handcuff. [REDACTED] right hand disappears as he repositions it in front of him and turns towards the left. [REDACTED] appears to be turning into/towards Officer Mejia as his body turns perpendicular to Officer Mejia and [REDACTED] original position. Officer Mejia holding [REDACTED] left hand driving it forward and up would make it difficult for [REDACTED] to finish turning left. (15:17:41z-15:17:43z).*

*Officers are trained to identify pre-assaultive cues (i.e.: taking a fighting stance, one foot stepping back, lowering hips, arms coming up in front of body/face in a striking position, trying to face the officer, target glancing etc) as officers are not required to get hit/assaulted before responding to the behavior.*

*Based on the BWC and SDPD policy, procedure, and training, [REDACTED] actions of pulling away and turning to face officers could reasonable be perceived as a pre-assaultive cue.*

*After running into the vehicle, the struggle moves in a semi-circle to the left and [REDACTED] hand can be seen reaching towards and getting very close to Officer Mejia's BWC. The struggle ends up on the ground facing the direction of the initial contact. [REDACTED] lands on the ground on his right hip, right hand on the ground, his left knee bent with foot on the ground and his left hand up in the air (15:17:43z-15:17:49z). [REDACTED] was facing the officers, and it would be reasonable for their initial perception to view [REDACTED] position as a "tactical get up." This position would be consistent with academy and defensive tactics*

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*training for a position to fight from on the ground able to deliver strikes and return to a standing position. In response, Officer Mejia and Officer Delimitros deliver close fist strikes (15:17:49z-15:17:51z).*

*Officer Mejia and Officer Delimitros recognized the above-described pre-assaultive cues and immediately responded with personal body weapons (close fist strikes) as defending force this would be consistent with SDPD policy, procedure, and training.*

*After [REDACTED] was punched, he turned away from the officers, [REDACTED] had both hands on the ground. Officer Delimitros and Officer Mejia were trying to control [REDACTED] attempting to use head control and personal strength to flatten [REDACTED] onto his stomach. [REDACTED] was bracing, tensing, and pushing off the ground keeping the officers from being successful. [REDACTED] was not grabbing striking, pushing hitting, etc. (15:17:51z-15:17:55z) [REDACTED] actions at this time would be consistent with active resistance.*

*Officer Mejia then delivered two knee strikes to [REDACTED] stomach (15:17:55z-15:17:58z). Officer Mejia's knee strike would not be consistent with a personal body weapon strike as he targeted the stomach area and not the lower body. As Mejia's articulation and the BWC demonstrate [REDACTED] actions as active resistance, Officer Mejia's knee strikes to the stomach would not be consistent with SDPD policy procedure and training.*

*As the altercation continued, [REDACTED] looked up towards Officer Mejia and his left hand came up off the ground. [REDACTED] reached toward Officer Mejia. [REDACTED] initially reaches for Officer Mejia's hand. Then [REDACTED] reaches for and/or pushes Officer Mejia on his right side/belt area. [REDACTED] hand is off screen and not visible to clearly see his actions. [REDACTED] hand eventually moves onto the BWC itself and can be seen pushing Officer Mejia. (15:17:59z-15:18:04z) This behavior could reasonably be perceived as assaultive behavior by [REDACTED]*

*The statements in Officer Mejia's interview would articulate a perception of assaultive behavior that would be consistent with what was seen in the BWC.*

*Officer Mejia responds by punching [REDACTED] in the face. Officer Mejia delivers these punches with his right hand and is holding his handcuffs in this hand. (15:18:04z-15:18:06z). Punching a subject in the face (personal body weapons) would be a reasonable force option as defending force in response to [REDACTED] grabbing, pushing, pulling etc. (assaultive behavior).*

*However, the court noted that determining the objective reasonableness for the use of force must be fact-specific and based on the totality of the circumstances confronting the officer at the time force is used. The determination of reasonableness must also allow that when a person resists an officer's attempts to control, they set off a chain of events that is chaotic, intense, uncertain, and rapidly evolving. This forces an officer to make split-second decisions about the amount of force that is necessary for a particular situation. A police officer's reactions and decisions are made based on what they perceive, the options available to them, and the time to act on those options. An officer is not expected to be superhuman and work beyond those factors.*

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█ reached up and assaulted Officer Mejia. In response to this assaultive behavior, Officer Mejia immediately reacted with defending force, punching Mejia. It does not appear that Officer Mejia intentionally struck with the handcuffs, it instead appears Officer Mejia made a split-second decision in reaction to █ and happened to have handcuffs still in his hand. Officer Mejia does appear to assess and drop the handcuffs to no longer have them in his hand as he stated in his IA interview.

Officer Mejia and Officer Delimitros attempt to turn █ onto his stomach face down so that they can handcuff him. █ gets on all fours and starts posturing up. █ is getting closer to a standing position and is facing the green electrical box where the altercation originated from and where the knives are on the ground. (15:18:22z-15:18:28z)

Per the movement witnessed in the BWC, the altercation had moved significantly farther than 6 feet away from the knives. The original location the altercation started would be more reasonably estimated at 6 feet away from the knives. During these rapidly unfolding events it is plausible that the originally estimated distance of 6 feet away is the snapshot distance the officer remembers and while the fight moves a significant distance the officers focus is on the suspects actions and force options available not how far the altercation traveled. Officer Delimitros' perception that █ is actively resisting, getting up off the ground and moving toward the weapons he had previously witnessed is a reasonable perception. Officer Delimitros' initial use of the Taser is consistent with policy, procedure, and training.

█ continued to lay on the ground with his hands defensively in front of his face. Officer Mejia gave him instructions to turn around or he would be punched. █ was not grabbing, reaching for, or even facing the officers. █ was not trying to get up or face the unsecured weapons. (15:18:35z-15:18:37z)

Officers are taught to continually assess a suspect's actions as they can escalate to a higher level of resistance or decrease to a lower level of resistance. They are additionally trained that the cover officer (non taser deployment officer) should be prepared to take control of the subject while the Taser is cycling and assessments should be made on the continued need/use of the Taser.

Based on this training and █ actions after the initial Tasing, a transition to control techniques would be a reasonable option. █ was no longer presenting active resistance with access to a weapon and still not displaying assaultive behavior. Therefore, an additional use of the Taser would not be consistent with SDPD policy Procedure and Training.

Officer Mejia's punch during this deployment would not be consistent with SDPD policy, procedure, and training.

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The following is a timeline of the BWC videos in chronological order with still shot photos. All still shot photos are accompanied with a Zulu time stamp.

Officer Mejia's first BWC video is 14 minutes and 38 seconds long. The following bullet points are key moments:

- 2:00 Officer Mejia exits the passenger side of the patrol car and tells [REDACTED] and an unknown male to stop. He walks up to [REDACTED] and asks him for identification.
- 2:28 Officer Mejia tells [REDACTED] to put his hands behind his back and he complies. Officer Mejia begins to handcuff [REDACTED] and he tells Officer Delimitros, "The drugs is right there on the floor. A little fentanyl." [REDACTED] immediately attempts to pull away from Officer Mejia. Officer Mejia holds onto [REDACTED] left wrist with both hands. [REDACTED] attempts to run away and Officer Mejia pushes him against a parked car. [REDACTED] continues to attempt to run away. Officer Mejia pulls [REDACTED] to the ground next to a construction fence. [REDACTED] attempts to get up.



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- 2:41 Officer Mejia uses his right fist to punch the left side of [REDACTED] face.



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- 2:41 Officer Delimitros uses his right fist to punch the left side of [REDACTED] face.



- 2:42 Officer Delimitros uses both hands and pushes [REDACTED] head toward the ground. [REDACTED] is on his hands and knees, and he attempts to get up as the officers tell him to turn around.
- 2:48 Officer Mejia delivers two knee strikes to [REDACTED] stomach. (Officer Mejia can be heard grunting each time he delivered a knee strike.) [REDACTED] says, "I don't do drugs. I was trying to light a cigarette."

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- 2:56 Officer Mejia uses his right fist, while holding handcuffs, to punch [REDACTED] on the left side of his face.



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- 2:57 Officer Mejia uses his right fist, while holding handcuffs, to punch [REDACTED] on the left side of his face a second time.



- 3:03 Officer Delimitros removes his taser and places it on [REDACTED] stomach.
- 3:08 Office Mejia tells [REDACTED] "Turn the fuck around or you're going to get punched."
- 3:08 Officer Mejia pulls [REDACTED] shirt to roll him from his side to his stomach. [REDACTED] then leaned back.

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- 3:09 Officer Mejia uses his right fist to punch the left side of [REDACTED] face.



- 3:15 Officer Mejia uses two hands to pull [REDACTED] to his stomach by his shirt.
- 3:17 [REDACTED] is on his hands and knees. Officer Mejia tells Officer Delimitros to tase [REDACTED]

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- Officer Delimitros tases [REDACTED] in the lower body and moves the taser to [REDACTED] right shoulder.



- 3:28 [REDACTED] falls to his left side but does not comply with commands.
- 3:28 Officer Mejia tells [REDACTED] "Turn around or your gonna get punched."

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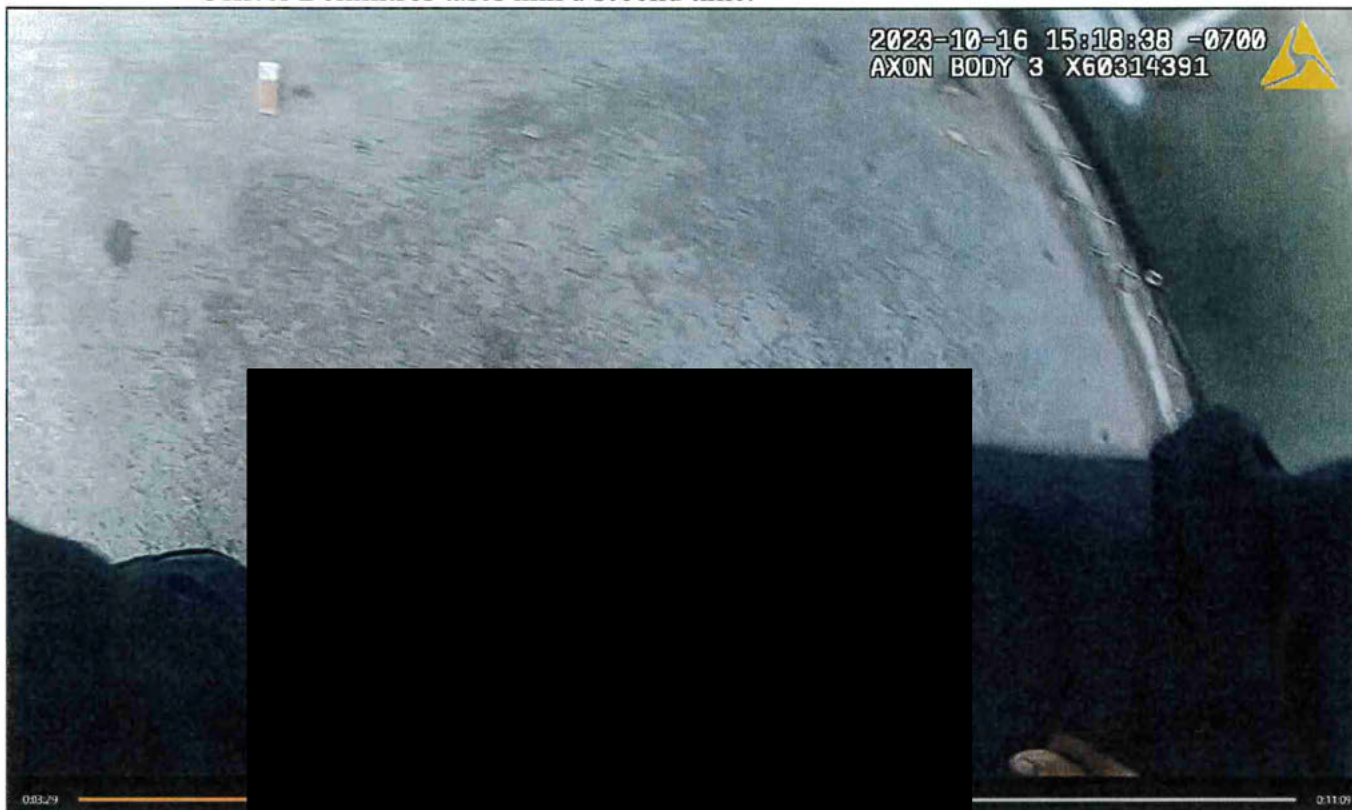
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- 3:29 Officer Mejia uses his right fist to punch [REDACTED] on the right side of the face while Officer Delimitros tases him a second time.



- 3:31 Officer Mejia tells [REDACTED] to turn around and Officer Mejia rolls him onto his stomach.
- 3:33 Officer Mejia pulls [REDACTED] hands behind his back.
- 3:45 Officer Mejia handcuffs [REDACTED] left wrist but is he is unable to handcuff his right wrist because the hand cuff is double locked.
- 4:12 Officer Delimitros assists Officer Mejia while he uses his cuff key to unlock the handcuff. He then completes the handcuffing.

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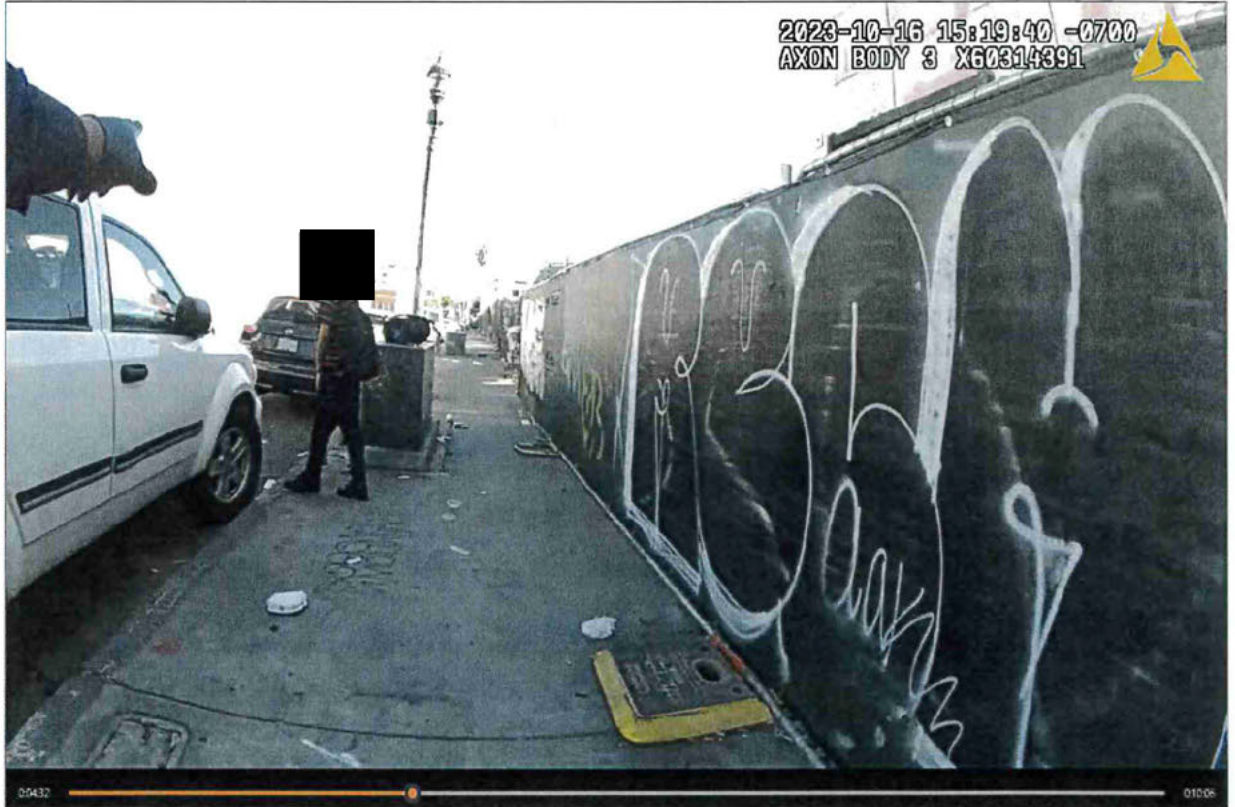
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- 4:32 Officer Mejia stands up after [REDACTED] is handcuffed. The green electrical box where [REDACTED] was first contacted can be seen.



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- 4:55 Officer Mejia walks to the green electrical box where [REDACTED] was standing when first contacted. A closed red folding pocket knife and a blue lighter in the shape of a gun is on the ground. Officer Mejia recovers a bag of narcotics.



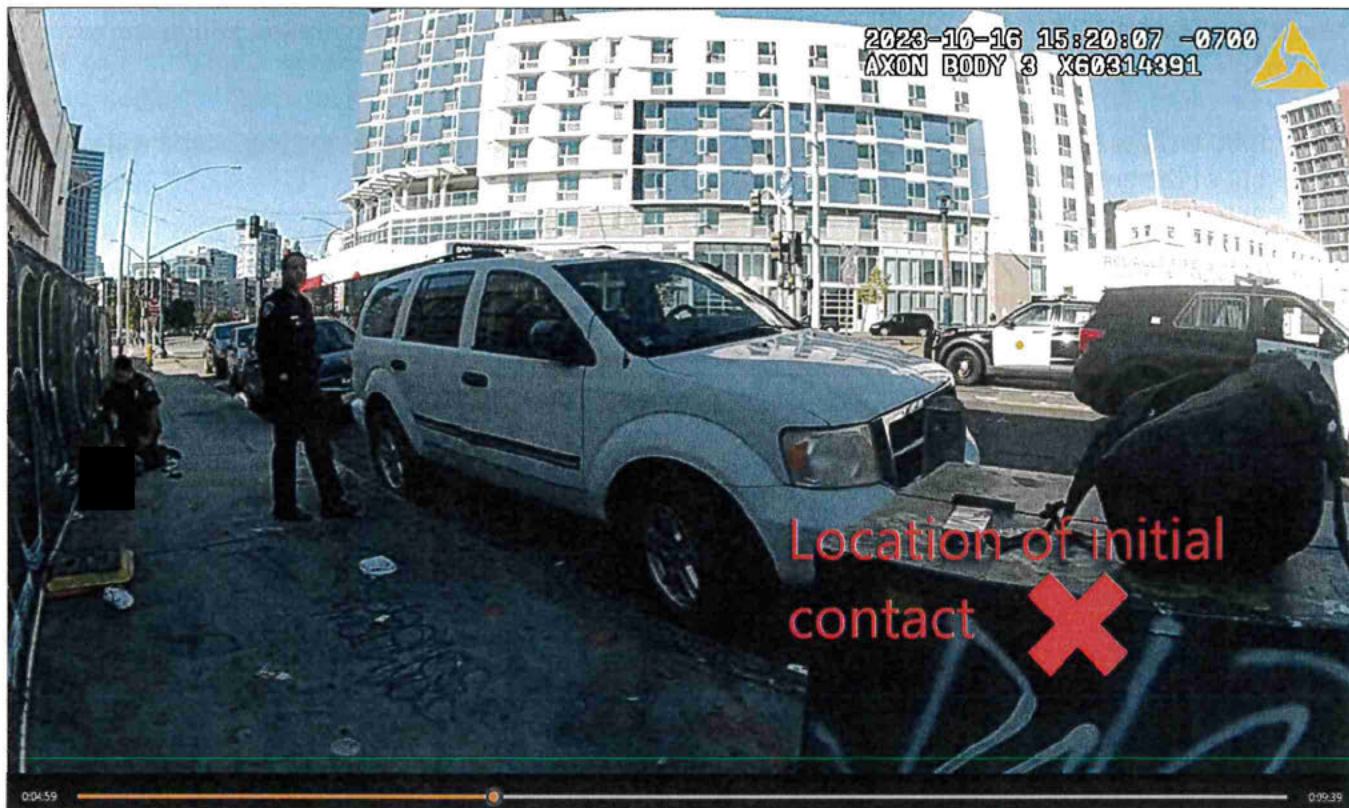
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- 5:18 Officer Mejia picks up possible narcotics off the ground.
- 5:28 Officer Mejia asks [REDACTED] if he needs medics to which he agrees. Officer Delimitros calls for medics over the radio. [REDACTED] is walked to the patrol car where he is searched and placed in the rear of the patrol car.

Video ends at 14:38

Officer Mejia's second BWC video is 25 minutes and 16 seconds long. The following bullet points are key moments:

- 1:22 Officer [REDACTED] gets into the rear of the ambulance where medics are treating [REDACTED]
- 3:35 The paramedic asks Officer Mejia, "Tased once partially in the leg and punched once in the face?" "Punched in the face?" Officer Mejia responds, "Ya, two times."
- 20:20 The paramedic administered Narcan to [REDACTED]
- 24:12 Officer Mejia and [REDACTED] arrive at the hospital.

The video ends at 25:16.

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Officer Mejia's third BWC video is 3 minutes and 4 seconds long. The following bullet points are key moments:

- 0:00 Officer Mejia is in the hospital and [REDACTED] is sitting on a wheelchair. Officer Mejia rolls [REDACTED] out of the hospital and to the patrol car.
- 2:46 [REDACTED] is placed in the rear of a patrol car.

Video ends at 3:04.

Officer Mejia's fourth BWC video is 15 minutes and 0 seconds long. The following bullet points are key moments:

- 2:00 [REDACTED] is transported to jail.

The video ends at 15:00.

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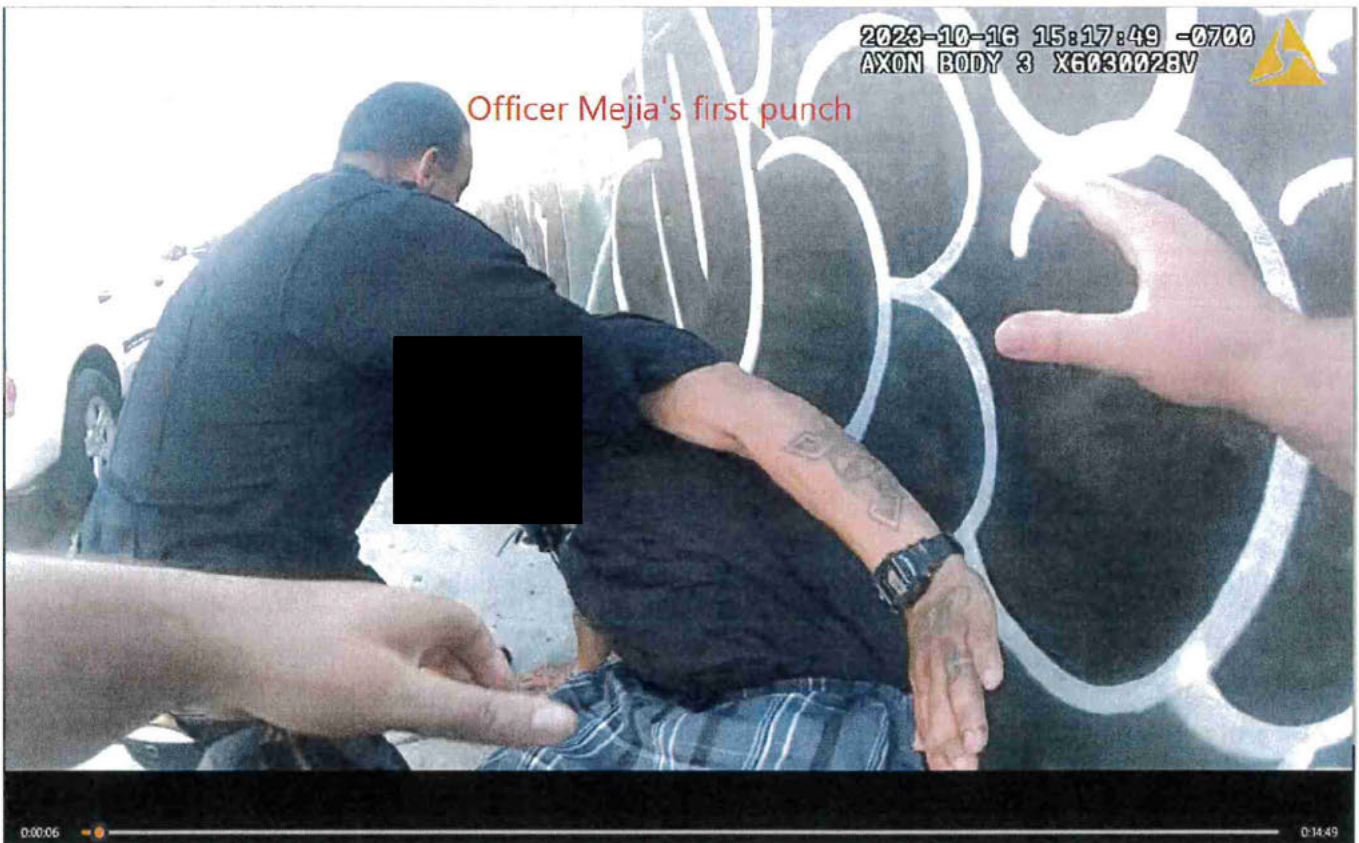
Officer Delimitros' first BWC video 26 seconds long. The following bullet points are key moments:

- The video captures Officer Delimitros driving. There is no audio.

The video ends at 0:26.

Officer Delimitros' second BWC video is 14 minutes and 54 seconds long. The following are key moments:

- 0:00 Officer Mejia is struggling with [REDACTED] as he attempts to run away. Officer Mejia has [REDACTED] pushed up against a parked car. Officer Mejia punches [REDACTED] in the face.



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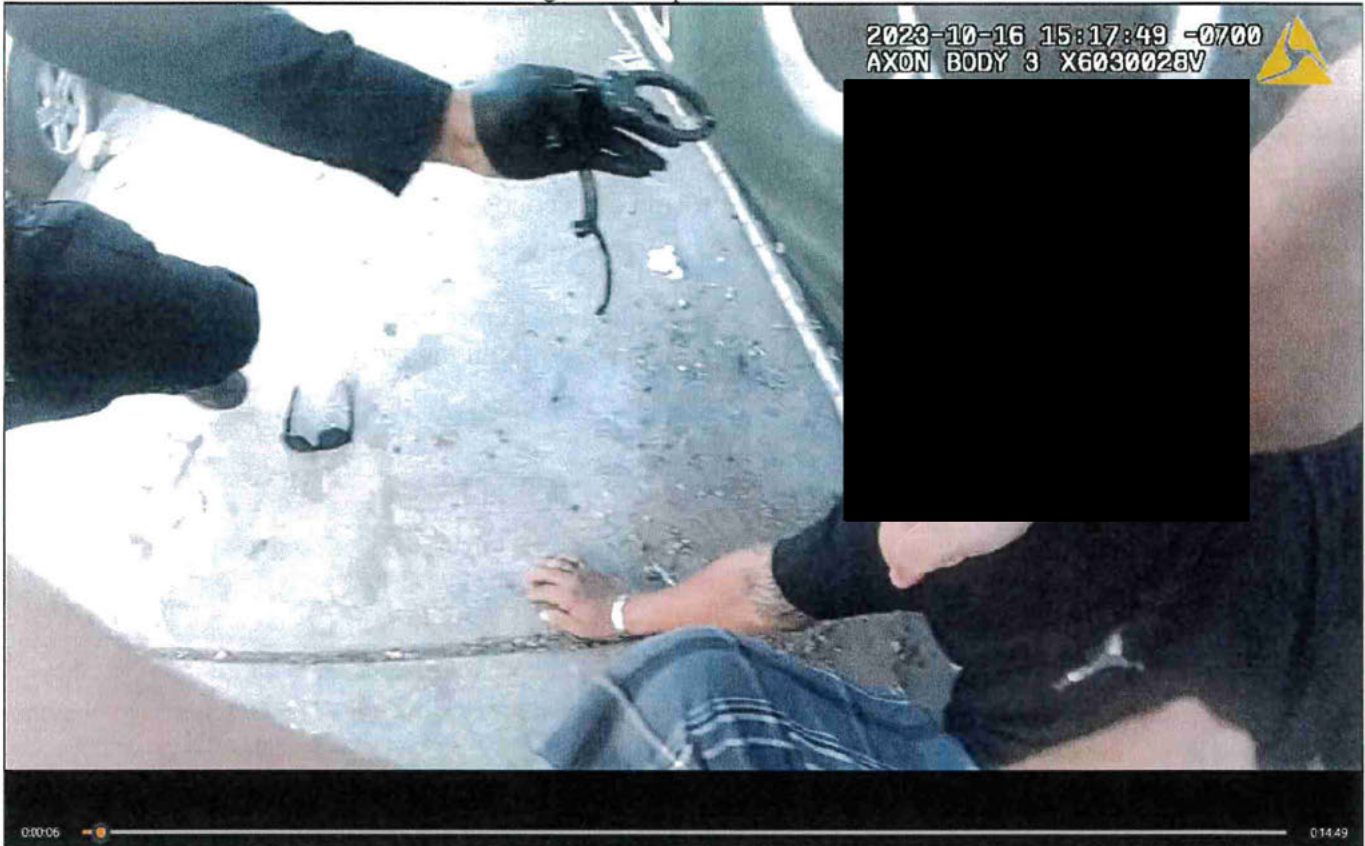
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- 0:06 Officer Delimitros used his right fist to punch the left side of Valle's face.



- 0:08 Officer Delimitros puts both hands on the back of [REDACTED] head to push his face toward the ground.
- 0:09 Grunting sounds from Officer Mejia can be heard as he delivers two knee strike to [REDACTED] stomach.
- 0:20 Officer Mejia tells [REDACTED] to turn around multiples times and tells him he is going to get tased.
- 0:18 Officer Mejia uses his left hand to push [REDACTED] face against the fence. [REDACTED] reaches his left arm out to hold Officer Mejia back.

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- 0:21 Officer Mejia punches Valle in the face two times.



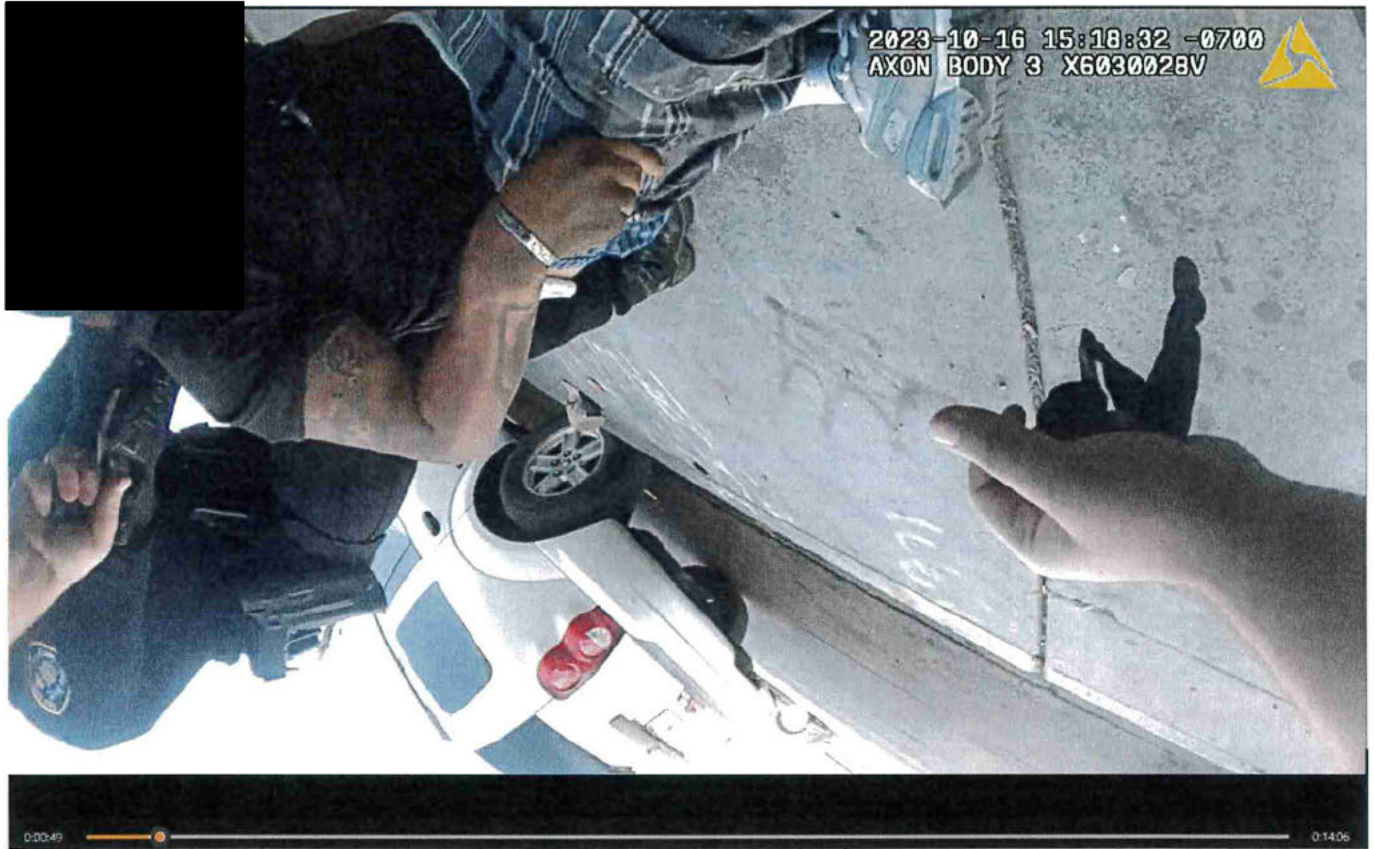
- 0:27 Officer Delimitros points his taser at [REDACTED] and tells him he is going to get tased.
- 0:29 Officer Mejia has a clenched right fist and tells [REDACTED] "I'm not going to tell you again. Turn the fuck around or your gonna get punched." [REDACTED] is laying on his right side face up with both hands up. Officer Mejia pulls [REDACTED] shirt to roll him to his stomach but [REDACTED] rolls back to his side. [REDACTED] says he was trying to light a cigarette.
- 0:34 Officer Mejia punches [REDACTED] in the face.
- 0:40 Officer Mejia rolls [REDACTED] onto his hands and knees. [REDACTED] attempts to stand up. Officer Delimitros says, "That's it he is going to get tased." Officer Delimitros fires both barbs into [REDACTED] right upper leg and then places the taser probes onto the middle of his upper back. [REDACTED] says, "Okay. I was trying to light a cigarette." [REDACTED] lays on his left side and Officer Mejia tells him to turn around.

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- 0:54 Officer Delimitros tases [REDACTED] a second time. [REDACTED] immediately rolls to his stomach and he is handcuffed. The electrical box where [REDACTED] was first contacted and the area where the pocket knife was located can be seen in the below picture.



- 3:08 Officer Delimitros calls for medics for [REDACTED] being tased.
- 4:07 [REDACTED] is searched at the patrol car and placed in the rear.
- 7:23 Officer Delimitros takes pictures of the scene.

The video ends at 14:55.

Officer Delimitros' third BWC video is 3 minutes and 2 seconds long. The following are key moments:

- 0:00 Officer Delimitros inventories [REDACTED] property.
- 0:54 Paramedics place [REDACTED] on the gurney and move him to the ambulance. Officer Mejia confirms he will ride with [REDACTED] in the rear of the ambulance.

The video ends at 3:02.

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## Subject Officer Interview: Christopher Delimitros

On July 30, 2024, at 0605 hours, I interviewed Officer Christopher Delimitros in the Internal Affairs interview room. [REDACTED] was present as his employee representative. Detective Sergeant McCool was also present. I read Officer Delimitros the Sworn Personnel Admonishment and he signed it. The following is a transcription of the interview. (For exact and complete details of the interview, refer to the audio recording)

I have been a police officer for two years. I am currently assigned to Central Division patrol. On October 16, 2023, Officer Mejia and I were riding together and assigned to Central Division Patrol.

We contacted [REDACTED] after I witnessed him smoking out of a glass narcotic pipe. We exited the vehicle to contact [REDACTED]. There were two other unknown males with him. I saw a red folding knife and a lighter in the shape of a firearm on the ground where they were standing. Officer Mejia contacted [REDACTED] and I went to talk to the others. Officer Mejia told me he located narcotics on the ground and at that point I saw Officer Mejia begin to physically struggle with [REDACTED]. [REDACTED] was pulling away, trying to flee, and he was possibly being assaultive. [REDACTED] was turning his shoulder and appeared to take a fighting stance and tense his muscles. Officer Mejia pushed [REDACTED] up against a vehicle while trying to handcuff him. [REDACTED] pulled away and they ended up on the ground. At that point I jumped in to assist I told him to put his hands behind his back and stop resisting.

*(I played Officer Mejia's BWC video for Officer Delimitros. The video began during the initial contact of [REDACTED] and I ended it after [REDACTED] was handcuffed.)*

*Now looking at Officer Mejia's video, do you see [REDACTED] taking a fighting stance or is he just trying to run?*

It appears he is trying to run but what I meant was it appears he takes a wider stance, tensed his muscles and lowered his base which I consider to be a fighting stance.

*Did you assist Officer Mejia in taking [REDACTED] into custody?*

I approached as Officer Mejia took [REDACTED] to the ground. [REDACTED] turned his shoulders toward Officer Mejia which led me to believe he was trying to get up. Also, the direction he was facing was toward the folding knife and torch lighter so I punched him in the face.

*What level of force was him trying to get up?*

Active resistance.

*And your concern was there was a pocket knife? How far away was it?*

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I would say six feet.

*(I played the video a second time showing Officer Delimitros where the knife was in relation to where [REDACTED] was taken into custody) I asked him to estimate the distance.*

Maybe ten to twelve feet. At least. It may have been more but the picture I had in my mind at the time was that it was close.

*Did you see Officer Mejia punch [REDACTED] in the face? How did he respond?*

Yes. He appeared to squirm around and try to get away.

*Why did you punch him in the head?*

Because he appeared to turn his shoulder toward us to get up and possibly take a fighting stance as well as face the direction where I observed the knife. He was being assaultive.

*What happened after you punched him?*

We were able to work him to his stomach but he continued to squirm around. At one point he appeared to grab at Officer Mejia's belt. It was a thought of mine that we were physically struggling with him on the ground, I was getting tired, Officer Mejia dropped his handcuffs, [REDACTED] dropped his body and the handcuffs were underneath him.

*And that was a concern for you?*

Absolutely. It is a piece of metal that could cause some harm. It was next to his right hand. That is when I drew my taser and decided to tase him.

*Did you see Officer Mejia deliver two knee strikes? What was he doing?*

I believe he was on his right side and trying to get back up.

*Did you see Officer Mejia punch [REDACTED] in the face while holding handcuffs?*

I would have to rewatch the video.

*(I played that portion of the video)*

*What level of resistance was [REDACTED] displaying at that time?*

Assaultive.

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*What was assaultive?*

He is turning his body and attempting to get up and he is actively reaching toward Officer Mejia's gun belt and tensing his muscles.

██████████ *Did you see where his hands were on Officer Mejia?*

Right by his gun and his neck.

*Did you see Officer Mejia punch ██████████ in the face a second time?*

I saw it in the video but I don't remember it at the time because I was controlling his body.

*Why did you pull out your taser and tell him he was going to be tased?*

Because of the presence of the handcuffs, the totality of the circumstances, him ingesting narcotics, acting erratic, and acting assaultive.

*What level of resistance was he displaying?*

Assaultive.

*Did you see Officer Mejia punch ██████████ in the face a third time?*

No.

*Was the taser effective?*

Not after the first cycle.

*You tased him a second time. Why?*

The first cycle was not effective, and he got up on his hands and knees. He broke free of me holding his legs and he was assaultive. I tased him a second time. I did not document it because it slipped my mind. Spur of the moment my adrenaline was going. It was my first time using a taser in the field so I didn't think I had to write I did it twice.

*Sergeant McCool: Did you review you BWC of this use of force before you authored your report?*

Yes.

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*Sergeant McCoolle: How long after viewing your BWC did you author your report?*

Same shift.

*Sergeant McCoolle: You mentioned [REDACTED] taking a fighting stance as Officer Mejia first tried to take him into custody. Why did you not document it in your report?*

I did not think to document it.

*Sergeant McCoolle: You mentioned part of the reason for the taser was because [REDACTED] was grabbing Officer Mejia's gun belt and neck. It is not mentioned in the report. Why is it not mentioned in the report?*

Because I did not document it that day. I observed it in the BWC and it was part of my decision making process but I didn't think to document it.

*Sergeant McCoolle: So, would this be a thorough documentation of why force was used?*

It could be more thorough.

*Did you see Officer Mejia punch [REDACTED] in the face during the second tasing?*

No I did not. I was focused on the taser.

*Did he comply after the second tasing?*

Yes. Officer Mejia handcuffed him.

*[REDACTED] To clarify, when you saw Officer Mejia attempt to handcuff [REDACTED] he turned and tried to flee. In your experience, have suspects tried to flee, turn their stance, and violently strike officers?*

Yes.

*[REDACTED] When someone tries to grab an officer's neck, what kind of behavior is that?*

Life threatening. You could lose consciousness and the suspect could gain access to the tools on our belt.

*Sergeant McCoolle: You agree information about [REDACTED] grabbing Officer Mejia's neck is extremely important to put in your report?*

Yes.

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*Sergeant McCoolle: And you have no reason for not putting it in your report other than you forgot?*

That's correct.

██████████ *Did you perceive ████████ trying to get up off the ground so he could be in a position of advantage?*

Yes.

██████████ *In the academy did you ever receive specific training in how to document force?*

Not that I recall. If I did it was a very small portion of the class.

██████████ *And in DETAC did they ever teach you how to document force?*

No.

*Sergeant McCoolle: In your academy report writing classes. Did they ever teach you how to document your observations in your reports?*

Yes.

*What was ████████ saying when he was trying to run away?*

He was mumbling. I couldn't understand what he was saying.

*Something similar to, "I was just trying to light a cigarette." Was he saying anything else? Something like, "I'm going to fuck you up"?*

I didn't hear him say anything like that.

The interview ended at 0634 hours.

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## Subject Officer Interview: Officer Carlos Mejia

On August 23, 2024, at 1416 hours, I interviewed Officer Carlos Mejia in the Internal Affairs interview room. [REDACTED] and [REDACTED] was present as his employee representative. Internal Affairs Detective Sergeant Clem was also present. I read Officer Mejia the Sworn Personnel Admonishment and he signed it. The following is a transcription of the interview. (For exact and complete details of the interview, refer to the audio recording

I have been a police officer for five years. I am currently assigned to Northern Division Patrol. On October 16, 2023, I was assigned to Central Patrol. I was partnered with Officer Delimitros. Prior to contacting [REDACTED] I witnessed him and another male smoking narcotics out of a glass narcotics pipe. I contacted [REDACTED] and he was compliant. I told him to place his hands behind his back and he did. I told Officer Delimitros I saw narcotics on the ground and that is when the use of force occurred. [REDACTED] violently cantered his body toward me to either flee or assault me.

*(I played Officer Delimitros' BWC video for Officer Mejia. I started the video when Officer Mejia was attempting to take [REDACTED] into custody. I stopped the video after [REDACTED] was handcuffed. Officer Mejia had not previously seen the video).*

*Look familiar?*

Yes.

*You said you initially tried to contact him and talked about narcotics. You mentioned he attempted to either flee or blade his body. What level of resistance was [REDACTED] displaying?*

I believe it was assaultive. The way he violently cantered his body towards me, I wasn't able to pat him down. There was a knife on the floor three feet away from us, we saw him smoking narcotics, so his pain threshold was probably diminished.

*I understand all those factors. But what was he doing that was assaultive?*

The way he bladed his body, once he fell to the floor, he got up, grabbed me. I don't know if you saw but he grabbed this area where my firearm is.

[REDACTED]: *OK. And just to go into it, you know, assaultive behavior is aggressive physical opposition to being physically controlled and conveys of threat of injury. And I think you've gone into as to the physical, aggressive physical opposition. But can you just discuss for us some of the threats that, you conveyed his actions as a threat towards physical injury towards you?*

So the, the grabbing at me and grabbing at the firearm side, he could have easily accessed my firearm, the knife on the floor which was like three feet away from the incident. The way he kept

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trying to get up. And grabbed me at the same time. To me it indicated he was trying to get a positional advantage on me or deli (Officer Delimitros).

*Did you feel he was trying to attack you?*

Yes.

*Why did you punch him in the face?*

To gain compliance.

*Can you describe what active resistance is?*

Just like trying to get away, moving your hand forward, stuff like that.

*Did you feel like he was actively resisting at all?*

I at first when he was moving his hand, I was like, OK, this could be actively resistant but then he kept cantering towards me and obviously grabbing at me and trying to get up. So, I thought he was going to try to assault us in order to get away.

*You talked about a knife, where was this knife?*

From the initial contact, three feet away from him.

*Did he run towards the knife or away from the knife when you're trying to handcuff him?*

He cantered towards me. So it was, we were three feet away from the knife at that moment.

*(I showed a portion of the BWC which captured the final arrest location and the area where [REDACTED] was initially contacted)*

*So here is the white SUV and there is a green electrical box where he's contacted, correct?*

Yes, Sir.

*And how far would you say that's from the issue?*

So from the electrical box, it would be three to four feet away from him, which is where the initial cantering started. I pushed him towards the truck and in order to gain control of his body.

*And when heading he's toward the vehicle, is that toward or away from the knife that was on the ground?*

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When he's on the vehicle, that would be away from the knife which I pushed him there.

*Did he try reaching for the knife?*

Not that I recall, no.

*How did he respond after you punched him in the face?*

He tried to get up.

*What level of resistance was he displaying when he was trying to get up?*

Assaultive.

*You appeared to knee him in the stomach two times. Why was that?*

To gain compliance and I was giving him commands to get on his stomach because he was on all fours stiffening his body up so we won't be able to gain control over.

*And how did he respond?*

He continued to resist.

*What level of resistance was he displaying?*

I believe the whole time it was assaultive. I wasn't able to pat him down. I didn't know what was his intentions towards us at that moment.

*Then you punched him in the face, um, approximately two times and while you had your handcuffs in your hand. Why did you punch him in the face two times and why were handcuffs in your hands like that?*

So the whole thing happened as you saw, pretty quickly. So I didn't have time to switch handcuffs. I punched him in the face once I reassessed and saw that I had the handcuffs. As you saw it dropped. It gave him commands to stop or I was gonna punch him. That's when he grabs on my right side, which where my firearm is and at one point I think he grabbed my neck or shoulder.

*██████████ And it just to be clear on the handcuffs part that you were not trying to use those as a weapon or as brass knuckles for example?*

No. So I had it already in hand trying to place him in handcuffs.

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*You punched him in the face twice. How did he respond?*

He continued to try to get up. He put his hand on the ground trying to go forward. And then he grabbed me a few times. OK, as you see, my hand is blading his hand away from me. He was grabbing on my right side, which is where my firearms was.

*Was he grabbing your firearm or was he grabbing your belt?*

I didn't see if he grabbed my firearm. I just know he was grabbing in this area and if you could tell from the video, I keep trying to blade his hand off of me.

*What level of resistance was he displaying at that point?*

The whole time for me until he gave up, was assaultive.

*Officer Delimitros pulled out his taser and you told [REDACTED] to turn around or you were going to punch him. Why did you say that?*

I kept saying taser and then I switched to punching him in hopes that he would just give up and stop taking punches.

*Was he displaying assaultive behavior at that point?*

Yes, Sir.

*You rolled him onto his stomach, as seen in the video, and then he leaned back. Was he displaying assaultive behavior then?*

Yeah, see he was trying to still to get up.

*Why did you punch him in the face again?*

Which time Sir?

*After you pulled him down and he rolled back up and then you right-handed jabbed his face.*

The same reason. I'm just trying to gain compliance.

*Did he continue to resist?*

Yes Sir. And I believe that was after the first taser. He still continued.

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*Actually before the tasing.*

OK.

*You told Officer Delimitros to tase [REDACTED] How come?*

We were struggling with him. We weren't able to place him in handcuffs. Nothing we were doing was working. I gave him a few strikes, Delimitros gave him a few strikes. Still nothing was working. He was still trying to get up. So that moment the best way that I thought to apprehend, would be to take them and lock them up.

*What was the tase effective?*

First time? No.

*Why not, do you know?*

Probably for him being under the influence and being able to take pain.

*He was tased a second time. Is that correct?*

Yes, Sir.

*Why did you punch [REDACTED] in the face while the second tase was cycling?*

The second time? I didn't punch him in the face the second time, it was just the first time.

*(I played the replayed the portion of the video that shows the two taser deployments)*

I think you're implying when I pull my hand back because the taser actually hit me. And I go, "oh, shit."

*(I played Officer Mejia's BWC of the taser deployments pointing out the first and second tase.)*

*It appears during the second tase you punch him in the face with your right hand.*

Oh. Yeah. OK.

*Did you just not recall at the time?*

No, I didn't.

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*And then were you able to handcuff him?*

Yes, Sir.

██████████ *Can you describe your training based as to strikes? Open hand versus closed hand?*

In the academy I was taught closest weapon closest target. We were taught to end the fight quickly. Now they are teaching open hand but when I first started it was closed hand.

██████████ *When was your last training?*

AOT as about a year ago.

*Do you get all the updated policies and procedures via email?*

Yes.

*I think we have had the closed fist striking policy for a while now. This isn't new.*

Yeah.

*In the written report you only documented one of the two knee strikes? Why is that?*

Probably a mistake. I wrote knee strike.

*While he was actively being tased you punched him in the face. Why did you not accurately document that in your report?*

It was a mistake I didn't document it.

*In the video you punched him one time after you tried rolling him forward and then he rolled back and then you punched him one time. Why did you not document that?*

My fault. I just didn't document it.

*We spoke about the knife being three feet away. (I showed the portion of the video where ██████████ was handcuffed and where the initial contact was) How far away was the knife?*

I'd say ten to fifteen feet away.

*That knife was a concern of yours?*

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Yes and I didn't know what was on him because I was unable to pat him down. I didn't know what he had on him.

*You referenced his behavior as assaultive in that he grabbed at your waist near your gun and at your neck. How come you didn't put that in your report?*

I did not write it.

*Do you think that would be important to articulate assaultive behavior?*

Yes sir.

*Anything else you would like to add that would be helpful to the investigation?*

I was served with an EEO that same day. That is why I believe I missed a few things in my report. While we were at the hospital I was called in by my captain and I was served with an EEO before I was able to write my paper. The next day I was sent to TRU.

*I understand what you are telling me but what does that have to do with it?*

It wasn't intentional. I was just going through a lot that day.

*Would it be fair to say you had a lot on your mind that day?*

Absolutely.

The interview concluded at 1445 hours.

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## CONCLUSION:

### 1. FORCE: EXONERATED

Officers Mejia and Delimitros punched ██████ in the face.

On October 16, 2023, at approximately 1517 hours, Officers Delimitros and Mejia witnessed a group of males using narcotics on the sidewalk. The officers contacted ██████. Officer Mejia attempted to handcuff ██████ and he pulled away and attempted to run. Officer Mejia maintained hold of ██████ and he pulled him to the ground. Officers Delimitros and Mejia used force to take ██████ into custody.

### **San Diego Police Department Procedure section 1.04, III (dated July 8, 2020) states in part:**

Penal Code section 835a(b) authorizes an officer to use reasonable force to make a lawful arrest, prevent an escape, or to overcome resistance. Officers are not required to retreat or desist from their efforts by reason of resistance or threatened resistance of the person being arrested. The decision to use deadly force in response to a perceived imminent threat of death or serious bodily injury to the officer or another person is one of the most critical decisions an officer will ever be called upon to make. Only force that is reasonable to overcome resistance may be used to effect a detention or an arrest, or take a person meeting the requirements of Welfare and Institutions Code section 5150 into protective custody. Additionally, officers shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.

The U.S. Supreme Court in *Graham v. Connor*, 490 U.S. 386 (1989), acknowledged that the “reasonableness” test in analyzing the use of force is “not capable of precise definition or mechanical application.” For that reason, in determining whether an officer’s use of force is reasonable in a particular case, it is necessary to evaluate the facts and circumstances confronting the officer at the time that force was used. All of the surrounding circumstances will be considered, including whether the subject posed an imminent threat to the safety of the officer or others, the severity of the crime at issue, and whether the suspect actively resisted arrest or attempted to flee.

The evaluation of an officer’s use of force will be undertaken from the perspective of a reasonable officer on the scene, not through the 20/20 vision of hindsight. The central inquiry in every use of force case is whether the amount of force used by the officer was objectively reasonable in light of the particular circumstances faced by the officer. When evaluating an officer’s use of force, it must be understood that the officer’s decision to use force is based on the totality of the circumstances known to or perceived by the officer at the time the force is used.

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**San Diego Police Department Procedure section 1.04, V, A (dated July 8, 2020) states:**

- A. Force, as defined above, may be used to effect an investigative detention or arrest; control a subject who is in lawful custody; prevent an escape; or, protect the officer, the subject, or another person from injury or death. Any time force is used, the officer shall apply a level of force that is reasonable for the situation.

In Officers Mejia and Delimitros' written reports, they wrote they contacted a group of males who appeared to be smoking narcotics. Officer Mejia attempted to handcuff [REDACTED]. They both documented [REDACTED] pulled away from Officer Mejia and attempted to flee before he was taken to the ground. Both officers noted [REDACTED] was resisting and attempting to get up off the ground. Officer Mejia documented being concerned sharp objects and a knife were five feet away from where they were struggling. Officer Delimitros documented seeing knives where [REDACTED] was initially contacted, and he saw [REDACTED] turn his shoulders toward Officer Mejia in an attempt to stand. Officer Delimitros wrote he was concerned [REDACTED] may access weapons in the area. Both officers documented punching [REDACTED] in the head and face.

In Officer Mejia's interview he said he and Officer Delimitros contacted a group of males they witnessed smoking narcotics. Officer Mejia said he contacted [REDACTED] and he was initially compliant when he was contacted but as he was about to be handcuffed, [REDACTED] violently cantered his body toward him. Officer Mejia believed [REDACTED] was going to either flee or assault him. Officer Mejia also said he was concerned about a knife that was on the ground. Officer Mejia said once he pulled [REDACTED] to the ground, [REDACTED] attempted to get up and he grabbed Officer Mejia's gun area. Officer Mejia said [REDACTED] was displaying assaultive behavior and [REDACTED] continued to attempt to get up after he punched him.

In Officer Delimitros' interview he said he and Officer Mejia witnessed a group of males smoking narcotics out of a glass pipe. He said they contacted the group and he saw a knife on the ground. He said Officer Mejia attempted to handcuff [REDACTED] and [REDACTED] pulled away, attempted to flee and was possibly assaultive. He said [REDACTED] was turning his shoulder and appeared to take a fighting stance and tensed his muscles indicative of assaultive behavior. He saw Officer Mejia push [REDACTED] up against a vehicle, but [REDACTED] pulled away and ended up on the ground. Officer Delimitros said [REDACTED] was facing the direction of where the knife was so he punched him in the face.

The body worn camera shows Officer Mejia attempting to handcuff [REDACTED] before [REDACTED] pulled away from Officer Mejia. Officer Mejia pushes [REDACTED] into a vehicle while [REDACTED] continues to attempt to flee. Officer Mejia pulls [REDACTED] to the ground and [REDACTED] attempts to get up. Officer Mejia punches [REDACTED] in the face. Officer Delimitros also punches [REDACTED] in the face. Body worn camera later shows a knife and lighter in the shape of a blue gun where [REDACTED] and the group were initially contacted.

In Officer Bush's report, he wrote: Officer Mejia and Officer Delimitros recognized pre-assaultive cues and immediately responded with personal body weapons (close fist strikes) as defending force. This would be consistent with SDPD policy, procedure, and training.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmotlach, Lieutenant Date of Report: February 2, 2025

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In conclusion, Officers Mejia and Delimitros contacted a group of males they witnessed smoking narcotics. Officer Mejia attempted to detain [REDACTED] in handcuffs when he violently pulled away and attempted to flee. Officer Mejia pulled [REDACTED] to the ground and [REDACTED] continued to resist and attempt to stand. Officer Mejia said [REDACTED] grabbed at the area where his gun was and both officers said [REDACTED] took a fighting stance. Department use of force expert, Officer Bush, reviewed the incident and determined the initial punches to the face are consistent with SDPD policy, procedure, and training. Therefore, this allegation is: **EXONERATED.**

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs  
Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025

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## 2. FORCE: SUSTAINED

Officer Mejia kned [REDACTED] in the stomach.

On October 16, 2023, at approximately 1517 hours, Officers Delimitros and Mejia witnessed a group of males using narcotics on the sidewalk. The officers contacted [REDACTED]. Officer Mejia attempted to handcuff [REDACTED] and he pulled away and attempted to run. Officer Mejia maintained hold of [REDACTED] and he pulled him to the ground. Officers Delimitros and Mejia used force to take [REDACTED] into custody.

**San Diego Police Department Procedure section 1.04, III (dated July 8, 2020) states in part:**

Penal Code section 835a(b) authorizes an officer to use reasonable force to make a lawful arrest, prevent an escape, or to overcome resistance. Officers are not required to retreat or desist from their efforts by reason of resistance or threatened resistance of the person being arrested. The decision to use deadly force in response to a perceived imminent threat of death or serious bodily injury to the officer or another person is one of the most critical decisions an officer will ever be called upon to make. Only force that is reasonable to overcome resistance may be used to effect a detention or an arrest, or take a person meeting the requirements of Welfare and Institutions Code section 5150 into protective custody. Additionally, officers shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.

The U.S. Supreme Court in *Graham v. Connor*, 490 U.S. 386 (1989), acknowledged that the "reasonableness" test in analyzing the use of force is "not capable of precise definition or mechanical application." For that reason, in determining whether an officer's use of force is reasonable in a particular case, it is necessary to evaluate the facts and circumstances confronting the officer at the time that force was used. All of the surrounding circumstances will be considered, including whether the subject posed an imminent threat to the safety of the officer or others, the severity of the crime at issue, and whether the suspect actively resisted arrest or attempted to flee.

The evaluation of an officer's use of force will be undertaken from the perspective of a reasonable officer on the scene, not through the 20/20 vision of hindsight. The central inquiry in every use of force case is whether the amount of force used by the officer was objectively reasonable in light of the particular circumstances faced by the officer. When evaluating an officer's use of force, it must be understood that the officer's decision to use force is based on the totality of the circumstances known to or perceived by the officer at the time the force is used.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmotlach, Lieutenant Date of Report: February 2, 2025

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**San Diego Police Department Procedure section 1.04, V, A (dated July 8, 2020) states:**

- A. Force, as defined above, may be used to effect an investigative detention or arrest; control a subject who is in lawful custody; prevent an escape; or, protect the officer, the subject, or another person from injury or death. Any time force is used, the officer shall apply a level of force that is reasonable for the situation.

As stated in allegation one, Officers Mejia and Delimitros attempted to detain [REDACTED] for using narcotics.

In Officer Mejia's written report he wrote after being punched, [REDACTED] continued to attempt to get up from the ground. He wrote he and Officer Delimitros gave verbal commands for him to turn around and put his hands behind his back. Officer Mejia wrote he delivered a knee strike to gain compliance. He wrote he did not follow any verbal commands and continued to stiffen his body and attempted to get up from the ground.

Officer Delimitros wrote after [REDACTED] had been punched, he used both of his open hands to place downward pressure on [REDACTED] head in order to make him lay flat. Officer Delimitros used his physical strength and body weight to attempt to hold [REDACTED] down. Officer Delimitros described [REDACTED] behavior was inconsistent and sporadic and he believed [REDACTED] was experiencing the effects of the narcotics he observed him consuming earlier. [REDACTED] continued to lay on his right side and refused to roll onto his stomach. [REDACTED] squirmed his body around and tensed his muscles. Officer Delimitros wrote he recognized this as assaultive as well as [REDACTED] attempt to evade officers.

In Officer Delimitros' interview, said he believes Officer Mejia delivered knee strikes to [REDACTED] when he was on his right side and trying to get back up.

In Officer Mejia's interview, he said he kneed [REDACTED] in the stomach to gain compliance. He said he was giving him commands to get on his stomach because he was in all fours stiffening his body up so they won't be able to gain control. He said [REDACTED] continued to resist.

Body worn camera video shows after being punched, [REDACTED] is on his hands and knees, and he attempts to get up as officers tell him to turn around. Officer Mejia delivers two knee strikes to [REDACTED] stomach.

In Officer Bush's report he wrote: [REDACTED] was bracing, tensing, and pushing off the ground keeping the officers from being successful. [REDACTED] was not grabbing striking, pushing hitting, etc. [REDACTED] actions at this time would be consistent with active resistance.

Officer Mejia then delivered two knee strikes to [REDACTED] stomach. Officer Mejia's knee strike would not be consistent with a personal body weapon strike as he targeted the stomach area and not the lower body. As Mejia's articulation and the BWC demonstrate [REDACTED] actions as active resistance, Officer Mejia's knee strikes to the stomach would not be consistent with SDPD policy procedure and training.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

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In conclusion, Officer Mejia delivered two knee strikes to [REDACTED] stomach area. [REDACTED] was displaying active resistance as he was attempting to get up and he was not being assaultive. Department use of force expert, Officer Bush, reviewed the incident and determined the knee strikes to the stomach are not consistent with SDPD policy, procedure, and training. Therefore, this allegation is: **SUSTAINED**.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025

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### 3. FORCE: EXONERATED

Officer Mejia punched [REDACTED] in the face.

On October 16, 2023, at approximately 1517 hours, Officers Delimitros and Mejia witnessed a group of males using narcotics on the sidewalk. The officers contacted [REDACTED]. Officer Mejia attempted to handcuff [REDACTED] and he pulled away and attempted to run. Officer Mejia maintained hold of [REDACTED] and he pulled him to the ground. Officers Delimitros and Mejia used force to take [REDACTED] into custody.

**San Diego Police Department Procedure section 1.04, III (dated July 8, 2020) states in part:**

Penal Code section 835a(b) authorizes an officer to use reasonable force to make a lawful arrest, prevent an escape, or to overcome resistance. Officers are not required to retreat or desist from their efforts by reason of resistance or threatened resistance of the person being arrested. The decision to use deadly force in response to a perceived imminent threat of death or serious bodily injury to the officer or another person is one of the most critical decisions an officer will ever be called upon to make. Only force that is reasonable to overcome resistance may be used to effect a detention or an arrest, or take a person meeting the requirements of Welfare and Institutions Code section 5150 into protective custody. Additionally, officers shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.

The U.S. Supreme Court in *Graham v. Connor*, 490 U.S. 386 (1989), acknowledged that the “reasonableness” test in analyzing the use of force is “not capable of precise definition or mechanical application.” For that reason, in determining whether an officer’s use of force is reasonable in a particular case, it is necessary to evaluate the facts and circumstances confronting the officer at the time that force was used. All of the surrounding circumstances will be considered, including whether the subject posed an imminent threat to the safety of the officer or others, the severity of the crime at issue, and whether the suspect actively resisted arrest or attempted to flee.

The evaluation of an officer’s use of force will be undertaken from the perspective of a reasonable officer on the scene, not through the 20/20 vision of hindsight. The central inquiry in every use of force case is whether the amount of force used by the officer was objectively reasonable in light of the particular circumstances faced by the officer. When evaluating an officer’s use of force, it must be understood that the officer’s decision to use force is based on the totality of the circumstances known to or perceived by the officer at the time the force is used.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025

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**San Diego Police Department Procedure section 1.04, V, A-B (dated July 8, 2020) states:**

- A. Force, as defined above, may be used to effect an investigative detention or arrest; control a subject who is in lawful custody; prevent an escape; or, protect the officer, the subject, or another person from injury or death. Any time force is used, the officer shall apply a level of force that is reasonable for the situation.

As stated in allegation one, Officers Mejia and Delimitros attempted to detain [REDACTED] for using narcotics.

In Officer Mejia's report he wrote [REDACTED] did not follow any commands and continued to stiffen his body and attempted to get up from the ground. Officer Mejia gave [REDACTED] a verbal warning he would be tased if he continued to resist but he continued to resist. Officer Mejia wrote he told [REDACTED] if he didn't turn around he would be punched again. Officer Mejia wrote he grabbed [REDACTED] by the shirt and arm and attempted to turn him onto his stomach. [REDACTED] stiffened his body and pulled away from the direction he was guiding him to. Officer Mejia documented striking [REDACTED] in the face with two quick straight hands giving him commands with each strike. Officer Mejia wrote he realized this compliance technique was not going to achieve their goal in apprehending [REDACTED]. He wrote he and Officer Delimitros decided that tasing [REDACTED] would be a better option in order to overcome his resistance and prevent him from continuing to be assaultive towards them.

In Officer Delimitros' written report he wrote [REDACTED] continued to lay on his right side and refused to roll onto his stomach. [REDACTED] squirmed his body around and tensed his muscles. Officer Delimitros wrote he recognized this as an assaultive cue as well as [REDACTED] attempt to evade Officers. He drew his taser and pointed it at [REDACTED] because he and Officer Mejia exhausted all other efforts to gain compliance from [REDACTED].

In Officer Delimitros' interview he said [REDACTED] was continuing to resist by turning his body and attempting to get up. He said he was actively reaching toward Officer Mejia's gun belt and tensing his muscles. He said [REDACTED] hands were right by Officer Mejia's gun and neck. Officer Delimitros said he does not remember seeing Officer Mejia punch [REDACTED] in the face because he was focused on controlling [REDACTED] body.

In Officer Mejia's interview, he was asked why he punched [REDACTED] in the face while holding handcuffs. Officer Mejia said the whole thing happened pretty quickly. He said he didn't have time to switch hands. He said he punched [REDACTED] in the face once and reassessed and he realized he had the handcuffs. He said he then dropped the handcuffs. Officer Mejia said it was not his intent to punch [REDACTED] while holding handcuffs. Officer Mejia said he gave [REDACTED] commands to stop or he was going to punch him. He said that is when [REDACTED] grabbed his right side, which is where his firearm is. He said he thinks [REDACTED] grabbed his neck or shoulder. He said [REDACTED] was displaying assaultive behavior. Officer Mejia said he rolled [REDACTED] onto his stomach but [REDACTED] rolled back to his side and he was trying to get up so he punched him in the face again to gain compliance.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmotlach, Lieutenant Date of Report: February 2, 2025

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The body worn camera shows Officer Mejia punching [REDACTED] two times in the face while holding handcuffs in his right fist. Officer Delimitros removes his taser and places it on [REDACTED] stomach. Officer Mejia tells [REDACTED] to turn around or he will be punched. Officer Mejia pulls [REDACTED] shirt and rolls him onto his stomach. [REDACTED] then leans back. Officer Mejia punches him in the face. [REDACTED] continues to try to stand.

In Officer Bush's report, he wrote: Officer Mejia responds to [REDACTED] assaultive behavior by punching [REDACTED] in the face. Officer Mejia delivers these punches with his right hand and is holding his handcuffs in this hand. Punching a subject in the face (personal body weapons) would be a reasonable force option as defending force in response to [REDACTED] grabbing, pushing, pulling etc. (assaultive behavior). [REDACTED] reached up and assaulted Officer Mejia. In response to this assaultive behavior, Officer Mejia immediately reacted with defending force, punching Mejia. It does not appear that Officer Mejia intentionally struck with the handcuffs, it instead appears Officer Mejia made a split-second decision in reaction to [REDACTED] and happened to have handcuffs still in his hand. Officer Mejia does appear to assess and drop the handcuffs to no longer have them in his hand as he stated in his IA interview.

In conclusion, Officer Mejia punched [REDACTED] in the face two times while holding handcuffs and then a third time without holding handcuffs. Department use of force expert, Officer Bush, reviewed the incident and determined punches to the face while holding handcuffs are generally not consistent with SDPD policy, procedure, and training. However, Officer Mejia did not appear to intentionally strike [REDACTED] with the handcuffs. Officer Mejia's strikes were a reasonable reaction as an immediate response to [REDACTED] assaultive behavior while Officer Mejia was already holding handcuffs. Therefore, this allegation is: **EXONERATED.**

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025

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## 4. FORCE: EXONERATED

Officer Delimitros tased [REDACTED]

On October 16, 2023, at approximately 1517 hours, Officers Delimitros and Mejia witnessed a group of males using narcotics on the sidewalk. The officers contacted [REDACTED]. Officer Mejia attempted to handcuff [REDACTED] and he pulled away and attempted to run. Officer Mejia maintained hold of [REDACTED] and he pulled him to the ground. Officers Delimitros and Mejia used force to take [REDACTED] into custody.

**San Diego Police Department Procedure section 1.04, III (dated July 8, 2020) states in part:**

Penal Code section 835a(b) authorizes an officer to use reasonable force to make a lawful arrest, prevent an escape, or to overcome resistance. Officers are not required to retreat or desist from their efforts by reason of resistance or threatened resistance of the person being arrested. The decision to use deadly force in response to a perceived imminent threat of death or serious bodily injury to the officer or another person is one of the most critical decisions an officer will ever be called upon to make. Only force that is reasonable to overcome resistance may be used to effect a detention or an arrest, or take a person meeting the requirements of Welfare and Institutions Code section 5150 into protective custody. Additionally, officers shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.

The U.S. Supreme Court in *Graham v. Connor*, 490 U.S. 386 (1989), acknowledged that the "reasonableness" test in analyzing the use of force is "not capable of precise definition or mechanical application." For that reason, in determining whether an officer's use of force is reasonable in a particular case, it is necessary to evaluate the facts and circumstances confronting the officer at the time that force was used. All of the surrounding circumstances will be considered, including whether the subject posed an imminent threat to the safety of the officer or others, the severity of the crime at issue, and whether the suspect actively resisted arrest or attempted to flee.

The evaluation of an officer's use of force will be undertaken from the perspective of a reasonable officer on the scene, not through the 20/20 vision of hindsight. The central inquiry in every use of force case is whether the amount of force used by the officer was objectively reasonable in light of the particular circumstances faced by the officer. When evaluating an officer's use of force, it must be understood that the officer's decision to use force is based on the totality of the circumstances known to or perceived by the officer at the time the force is used.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025

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**San Diego Police Department Procedure section 1.04, V, A (dated July 8, 2020) states:**

- A. Force, as defined above, may be used to effect an investigative detention or arrest; control a subject who is in lawful custody; prevent an escape; or, protect the officer, the subject, or another person from injury or death. Any time force is used, the officer shall apply a level of force that is reasonable for the situation.

As stated in allegation one, Officers Mejia and Delimitros attempted to detain [REDACTED] for using narcotics.

In Officer Delimitros' report, he described [REDACTED] behavior was inconsistent and sporadic and he believed [REDACTED] was experiencing the effects of the narcotics he observed him consuming earlier. [REDACTED] continued to lay on his right side and refused to roll onto his stomach. [REDACTED] squirmed his body around and tensed his muscles. Officer Delimitros wrote he recognized this as an assaultive cue as well as [REDACTED] attempt to evade Officers. He drew his taser and pointed it at [REDACTED] because he and Officer Mejia exhausted all other efforts to gain compliance from [REDACTED]. Officer Delimitros wrote [REDACTED] continued to actively resist and he feared if he and Officer Mejia became fatigued, [REDACTED] could get up and assault them or access a weapon. Officer Delimitros gave [REDACTED] a verbal command, "Are you going to get on the ground, or are you going to get tased?" [REDACTED] quickly rolled onto his stomach and attempted to quickly stand up as he faced Officer Mejia and the same direction where Officer Delimitros had earlier observed the unsecured weapons. Officer Delimitros placed his taser directly on [REDACTED] upper right thigh and pulled the trigger. Both taser probes entered and stuck into [REDACTED] thigh. Officer Delimitros then removed the taser from his thigh and placed it on [REDACTED] right shoulder in order to lock the muscles of [REDACTED] and prevent him from being able to move. Officer Delimitros wrote the taser was effective and [REDACTED] lied on his stomach and was placed into handcuffs by Officer Mejia.

Officer Mejia documented striking [REDACTED] in the face with two quick straight hands giving him commands with each strike. Officer Mejia wrote he realized this compliance technique was not going to achieve their goal in apprehending [REDACTED]. He wrote he and Officer Delimitros decided that tasing [REDACTED] would be a better option in order to overcome his resistance and prevent him from continuing to be assaultive towards them. He wrote Officer Delimitros tased him and they were able to handcuff him.

In Officer Delimitros' interview he said he and Officer Mejia were getting fatigued struggling with [REDACTED]. He said he pulled out his taser and told [REDACTED] he was going to get tased. He said he tased [REDACTED] because of the presence of the handcuffs under him which could be used as a weapon. He also noted [REDACTED] had ingested narcotics, he was acting erratic and acting assaultive. He said the first tase was not effective because [REDACTED] got up on his hands and knees and broke free of him holding his legs and he was assaultive.

In Officer Mejia's interview he said he told Officer Delimitros to tase [REDACTED] because they were struggling with him. He said they weren't able to place him in handcuffs and nothing they were doing was working. He said [REDACTED] was still trying to get up. Officer Mejia said at that moment the best way that he thought to apprehend him would be to tase him. He said the first tase was not effective and [REDACTED] continued to resist.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025

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Body worn camera shows Officer Delimitros point his taser at [REDACTED] and he tells him is he going to get tased. [REDACTED] rolled onto his hands and knees and attempt to stand up. Officer Delimitros fires both barbs into [REDACTED] right leg and then he places the taser into the middle of his upper back. [REDACTED] says, "Okay. I was trying to light a cigarette." [REDACTED] lays on is left side and Officer Mejia tells him to turn around. [REDACTED] does not comply.

In Officer Bush's report, he wrote: Officer Mejia and Officer Delimitros attempt to turn [REDACTED] onto his stomach face down so that they can handcuff him. [REDACTED] gets on all fours and starts posturing up. [REDACTED] is getting closer to a standing position and is facing the green electrical box where the altercation originated from and where the knives are on the ground.

Per the movement witnessed in the BWC, the altercation had moved significantly farther than 6 feet away from the knives. The original location the altercation started would be more reasonably estimated at 6 feet away from the knives. During these rapidly unfolding events it is plausible that the originally estimated distance of 6 feet away is the snapshot distance the officer remembers and while the fight moves a significant distance the officers focus is on the suspects actions and force options available not how far the altercation traveled. Officer Delimitros' perception that [REDACTED] is actively resisting, getting up off the ground and moving toward the weapons he had previously witnessed is a reasonable perception. Officer Delimitros' initial use of the Taser is consistent with policy, procedure, and training.

In conclusion, Officer Delimitros tased [REDACTED] the first time. Department use of force expert, Officer Bush, reviewed the incident and determined Initial Taser deployment is consistent with SDPD policy, procedure, and training. Therefore, this allegation is: **EXONERATED**.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025

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## 5. FORCE: SUSTAINED

Officer Delimitros tased [REDACTED] a second time.

On October 16, 2023, at approximately 1517 hours, Officers Delimitros and Mejia witnessed a group of males using narcotics on the sidewalk. The officers contacted [REDACTED] Officer Mejia attempted to handcuff [REDACTED] and he pulled away and attempted to run. Officer Mejia maintained hold of [REDACTED] and he pulled him to the ground. Officers Delimitros and Mejia used force to take [REDACTED] into custody.

### San Diego Police Department Procedure section 1.04, III (dated July 8, 2020) states in part:

Penal Code section 835a(b) authorizes an officer to use reasonable force to make a lawful arrest, prevent an escape, or to overcome resistance. Officers are not required to retreat or desist from their efforts by reason of resistance or threatened resistance of the person being arrested. The decision to use deadly force in response to a perceived imminent threat of death or serious bodily injury to the officer or another person is one of the most critical decisions an officer will ever be called upon to make. Only force that is reasonable to overcome resistance may be used to effect a detention or an arrest, or take a person meeting the requirements of Welfare and Institutions Code section 5150 into protective custody. Additionally, officers shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.

The U.S. Supreme Court in *Graham v. Connor*, 490 U.S. 386 (1989), acknowledged that the "reasonableness" test in analyzing the use of force is "not capable of precise definition or mechanical application." For that reason, in determining whether an officer's use of force is reasonable in a particular case, it is necessary to evaluate the facts and circumstances confronting the officer at the time that force was used. All of the surrounding circumstances will be considered, including whether the subject posed an imminent threat to the safety of the officer or others, the severity of the crime at issue, and whether the suspect actively resisted arrest or attempted to flee.

The evaluation of an officer's use of force will be undertaken from the perspective of a reasonable officer on the scene, not through the 20/20 vision of hindsight. The central inquiry in every use of force case is whether the amount of force used by the officer was objectively reasonable in light of the particular circumstances faced by the officer. When evaluating an officer's use of force, it must be understood that the officer's decision to use force is based on the totality of the circumstances known to or perceived by the officer at the time the force is used.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs  
Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025

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**San Diego Police Department Procedure section 1.04, V, A (dated July 8, 2020) states:**

- A. Force, as defined above, may be used to effect an investigative detention or arrest; control a subject who is in lawful custody; prevent an escape; or, protect the officer, the subject, or another person from injury or death. Any time force is used, the officer shall apply a level of force that is reasonable for the situation.

As stated in allegation one, Officers Mejia and Delimitros attempted to detain [REDACTED] for using narcotics.

Officers Delimitros did not document tasing [REDACTED] a second time. Officer Mejia did not document Officer Delimitros tasing [REDACTED] a second time.

In Officer Delimitros' interview he said the initial tasing of [REDACTED] was not effective because [REDACTED] got up onto his hands and knees. Officer Delimitros said [REDACTED] broke free of him holding his legs and he was assaultive. Officer Delimitros said [REDACTED] complied after being tased a second time. He was able to be handcuffed.

During Officer Mejia's interview, he said the initial tase of [REDACTED] was not effective. Officer Mejia said he was tased a second time and it was effective.

After the first tase, body worn camera shows [REDACTED] laying on the ground with his hands defensively in front of his face. [REDACTED] did not follow Officer Mejia's verbal commands to turn around. [REDACTED] was not attempting to get up or face the unsecured weapons. Officer Mejia punched [REDACTED] in the face while Officer Delimitros tased [REDACTED] a second time. [REDACTED] then rolled to his stomach and he was handcuffed.

In Officer Bush's report, he wrote: [REDACTED] continued to lay on the ground with his hands defensively in front of his face. Officer Mejia gave him instructions to turn around or he would be punched. [REDACTED] was not grabbing, reaching for, or even facing the officers. [REDACTED] was not trying to get up or face the unsecured weapons.

Officers are taught to continually assess a suspect's actions as they can escalate to a higher level of resistance or decrease to a lower level of resistance. They are additionally trained that the cover officer (non taser deployment officer) should be prepared to take control of the subject while the Taser is cycling and assessments should be made on the continued need/use of the Taser.

Based on this training and [REDACTED] actions after the initial Tasing, a transition to control techniques would be a reasonable option. [REDACTED] was no longer presenting active resistance with access to a weapon and still not displaying assaultive behavior. Therefore, an additional use of the Taser would not be consistent with SDPD policy Procedure and Training.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmotlach, Lieutenant Date of Report: February 2, 2025

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In conclusion, Officer Delimitros tased [REDACTED] a second time. Department use of force expert, Officer Bush, reviewed the incident and determined second taser deployment is not consistent with SDPD policy, procedure, and training. Therefore, this allegation is: **SUSTAINED.**

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025

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## 6. FORCE: SUSTAINED

Officer Mejia punched [REDACTED] in the face while being tased.

On October 16, 2023, at approximately 1517 hours, Officers Delimitros and Mejia witnessed a group of males using narcotics on the sidewalk. The officers contacted [REDACTED]. Officer Mejia attempted to handcuff [REDACTED] and he pulled away and attempted to run. Officer Mejia maintained hold of [REDACTED] and he pulled him to the ground. Officers Delimitros and Mejia used force to take [REDACTED] into custody.

### San Diego Police Department Procedure section 1.04, III (dated July 8, 2020) states in part:

Penal Code section 835a(b) authorizes an officer to use reasonable force to make a lawful arrest, prevent an escape, or to overcome resistance. Officers are not required to retreat or desist from their efforts by reason of resistance or threatened resistance of the person being arrested. The decision to use deadly force in response to a perceived imminent threat of death or serious bodily injury to the officer or another person is one of the most critical decisions an officer will ever be called upon to make. Only force that is reasonable to overcome resistance may be used to effect a detention or an arrest, or take a person meeting the requirements of Welfare and Institutions Code section 5150 into protective custody. Additionally, officers shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person.

The U.S. Supreme Court in *Graham v. Connor*, 490 U.S. 386 (1989), acknowledged that the “reasonableness” test in analyzing the use of force is “not capable of precise definition or mechanical application.” For that reason, in determining whether an officer’s use of force is reasonable in a particular case, it is necessary to evaluate the facts and circumstances confronting the officer at the time that force was used. All of the surrounding circumstances will be considered, including whether the subject posed an imminent threat to the safety of the officer or others, the severity of the crime at issue, and whether the suspect actively resisted arrest or attempted to flee.

The evaluation of an officer’s use of force will be undertaken from the perspective of a reasonable officer on the scene, not through the 20/20 vision of hindsight. The central inquiry in every use of force case is whether the amount of force used by the officer was objectively reasonable in light of the particular circumstances faced by the officer. When evaluating an officer’s use of force, it must be understood that the officer’s decision to use force is based on the totality of the circumstances known to or perceived by the officer at the time the force is used.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025

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**San Diego Police Department Procedure section 1.04, V, A (dated July 8, 2020) states:**

- A. Force, as defined above, may be used to effect an investigative detention or arrest; control a subject who is in lawful custody; prevent an escape; or, protect the officer, the subject, or another person from injury or death. Any time force is used, the officer shall apply a level of force that is reasonable for the situation.

As stated in allegation one, Officers Mejia and Delimitros attempted to detain [REDACTED] for using narcotics.

Officer Mejia did not document punching [REDACTED] in the face while he was being tased the second time.

In Officer Delimitros' interview, he said he did not see Officer Mejia punch [REDACTED] in the face while he was being tased the second time because he was focused on using the taser.

In Officer Mejia's interview he said he did not remember punching [REDACTED] in the face as he was being tased the second time.

Body worn camera shows Officer Mejia punch [REDACTED] in the face while he was actively being tased the second time.

In Officer Bush's report, he wrote: After [REDACTED] was tased the first time, he was no longer presenting active resistance with access to a weapon and still not displaying assaultive behavior. In the BWC [REDACTED] is not demonstrating active resistance with access to a weapon nor assaultive behavior, he is laying on his side facing away from the officers with his hands defensively in front of his face.

Officer Delimitros' second Taser deployment and Officer Mejia's punch during this deployment would not be consistent with SDPD policy, procedure, and training.

In conclusion, Officer Mejia punched [REDACTED] in the face while he was being tased a second time. Department use of force expert, Officer Bush, reviewed the incident and determined the punch to the face while being tased is not consistent with SDPD policy, procedure, and training. Therefore, this allegation is:

**SUSTAINED.**

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025

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## 7. PROCEDUE: SUSTAINED

Officer Mejia failed to document all his force.

On October 16, 2023, at approximately 1517 hours, Officers Delimitros and Mejia witnessed a group of males using narcotics on the sidewalk. The officers contacted [REDACTED] Officer Mejia attempted to handcuff [REDACTED] and he pulled away and attempted to run. Officer Mejia maintained hold of [REDACTED] and he pulled him to the ground. Officers Delimitros and Mejia used force to take [REDACTED] into custody.

**San Diego Police Department Procedure section 1.04, VI A (dated July 8, 2020) states in part:**

- A. Officers who use force shall ensure that detailed, accurate reports (arrest, detention, or ARJIS-9) describing the force used and all the circumstances and facts surrounding the use of that force are prepared, including, but not limited to, factors listed in the Force Matrix section of this procedure. In addition, force effectiveness statistical data is also collected whenever force is used. To facilitate this, officers will complete a Use of Force, BlueTeam entry.

As stated in allegation one, Officers Mejia and Delimitros attempted to detain [REDACTED] for using narcotics.

In Officer Mejia's written report, he documents kneeling [REDACTED] in the stomach one time. When [REDACTED] was on the ground, Officer Mejia tried to roll him to his stomach but [REDACTED] then leaned back. Officer Mejia punched him in the face but he did not document it. Officer Mejia did not document punching [REDACTED] in the face as he was being tased for the second time.

Body worn camera captures Officer Mejia kneeling [REDACTED] in the stomach two times. It also captures Officer Mejia punching [REDACTED] in the face as he attempted to roll [REDACTED] onto his stomach. Body worn camera captures Officer Mejia punching [REDACTED] in the face during the second tase.

In Officer Mejia's interview, when asked why he did not document the second knee strike, he said it was "Probably a mistake. I wrote knee strike." When asked why he did not document punching [REDACTED] in the face after he tried to roll him forward he said, "My fault. I just didn't document it." When asked why he did not document punching [REDACTED] in the face during the second tase, he said, "It was a mistake I didn't document it." When asked if he had anything to add at the end of the interview he said, "I was served with an EEO that same day. That is why I believe I missed a few things in my report. While we were at the hospital I was called in by my captain and I was served with an EEO before I was able to write my paper. The next day I was sent to TRU." He said his lack of documentation was not intentional and he was going through a lot that day.

In conclusion, Officer Mejia failed to accurately document all force he used when taking [REDACTED] into custody. Therefore, this allegation is: **SUSTAINED**.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025

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## 8. PROCEDUE: SUSTAINED

Officer Delimitros failed to document all his force.

On October 16, 2023, at approximately 1517 hours, Officers Delimitros and Mejia witnessed a group of males using narcotics on the sidewalk. The officers contacted [REDACTED] Officer Mejia attempted to handcuff [REDACTED] and he pulled away and attempted to run. Officer Mejia maintained hold of [REDACTED] and he pulled him to the ground. Officers Delimitros and Mejia used force to take [REDACTED] into custody.

**San Diego Police Department Procedure section 1.04, VI A (dated July 8, 2020) states in part:**

- B. Officers who use force shall ensure that detailed, accurate reports (arrest, detention, or ARJIS-9) describing the force used and all the circumstances and facts surrounding the use of that force are prepared, including, but not limited to, factors listed in the Force Matrix section of this procedure. In addition, force effectiveness statistical data is also collected whenever force is used. To facilitate this, officers will complete a Use of Force, BlueTeam entry.

As stated in allegation one, Officers Mejia and Delimitros attempted to detain [REDACTED] for using narcotics.

In Officer Delimitros written report, he wrote he placed his taser directly on [REDACTED] upper right thigh and pulled the trigger. Both taser probes entered and stuck into [REDACTED] thigh. Officer Delimitros then removed the taser from his thigh and placed it on [REDACTED] right shoulder in order to lock the muscles of [REDACTED] and prevent him from being able to move. Officer Delimitros wrote the taser was effective and [REDACTED] lied on his stomach and was placed into handcuffs by Officer Mejia. Officer Delimitros did not document the second tase.

In Officer Delimitros' interview, he said the first taser cycle was not effective. He said [REDACTED] got up on his hands and knees. He said [REDACTED] broke free of him holding his legs and he was assaultive. Officer Delimitros said he tased [REDACTED] a second time. He said he did not document the second tase because it slipped his mind. Officer Delimitros said his adrenaline was going and it was his first time using a taser in the field and he I didn't think he had to write I did it twice.

Body worn camera captures Officer Delimitros' tasing [REDACTED] falls to his left side but does not comply with commands. Officer Mejia punches [REDACTED] in the face while Officer Delimitros tases [REDACTED] a second time and [REDACTED] immediately rolls to his stomach and he is handcuffed.

In conclusion, Officer Delimitros failed to document the second tasing of [REDACTED] Therefore, this allegation is: **SUSTAINED**.

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025

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## DOCUMENTATION:

The results of this investigation are based on the following items:

1. Call for service
2. Arrest report
3. BWC of Officers Mejia and Delimitros
4. Interview of Officer Mejia and Delimitros
5. Use of force report by Department Use of Force Expert James Bush.

**CONFIDENTIAL: THIS REPORT IS FOR THE EXCLUSIVE USE OF THE CHIEF OF POLICE AND/OR CITY ATTORNEY.**

  
ID# 5682  
DATE: 2/12/2025

Reporting Officer: Patrick Kelly, Sergeant ID: 6540 Division Internal Affairs

Approved by: Tristan Schmottlach, Lieutenant Date of Report: February 2, 2025





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INTERNAL AFFAIRS

THE CITY OF SAN DIEGO

## MEMORANDUM

**DATE:** January 7th, 2025  
**TO:** Patrick Kelly, Detective Sergeant, Internal Affairs  
**FROM:** James Bush, Police Officer, In Service Training Division  
**SUBJECT:** Use of Force Review

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### Origin:

On August 29th, 2024, Sergeant Kelly asked me to review and provide a Use of Force Opinion on Event #23100023102 for the arrest of [REDACTED]. I was asked to review Officer Mejia's punches and knee strikes. I was asked to review Officer Delimitros' punches and use of the Taser. I reviewed Body Worn Camera (BWC) footage from both officers. I additionally reviewed both officers written reports and listened to their IA interviews.

### Incident Material Reviewed:

- Officer Mejia's Arrest Report of [REDACTED]
- Officer Delimitros' A-9 Report
- Officer Mejia's BWC of the incident
- Officer Delimitros BWC of the incident (shows consistent with Officer Mejia's BWC, however provides less information)
- IA interview/transcript of Officer Mejia and Officer Delimitros

### Opinion:

Police Officers are taught in the San Diego Regional Public Safety Training Institute under the guidelines of California Police Officer Standards and Training (POST) and Advanced Officer Training to respond to resistance with objectively reasonable force based on the totality of the circumstances. Police officers are to use objectively reasonable force to gain and maintain control of situations. This objective reasonableness precedent was set forth in *Graham v. Connor*, 490 U.S. 386 (1989). This is the case by which all police use of force is judged. In this

decision, the Supreme Court stated, "The test for reasonableness under the Fourth Amendment is *not capable of precise definition or mechanical application.*" Therefore, force used by officers must be judged by the totality of the circumstances through the perspective of a reasonable officer on the scene, at the time the force is used, and without the benefit of 20/20 hindsight. The reasonable officer standard evaluates whether another officer facing similar circumstances would act in the same way or use similar judgement.

The court noted that determining the objective reasonableness for the use of force must be fact-specific and based on the totality of the circumstances confronting the officer at the time force is used. The determination of reasonableness must also allow that when a person resists an officer's attempts to control, they set off a chain of events that is chaotic, intense, uncertain, and rapidly evolving. This forces an officer to make split-second decisions about the amount of force that is necessary for a particular situation. A police officer's reactions and decisions are made based on what they perceive, the options available to them, and the time to act on those options. An officer is not expected to be superhuman and work beyond those factors.

During the arrest of [REDACTED] the initial contact can be seen on Officer Mejia's BWC (15:17:08z – 15:17:36z). Officer Mejia then attempts to handcuff [REDACTED]. During the handcuff attempt Officer Mejia states, "The drugs is right there on the floor. A little fentanyl!" (15:17:36z-15:17:41). Officer Mejia is only holding onto [REDACTED] left hand. [REDACTED] can be seen pulling his left hand forward as Officer Mejia attempts to handcuff. [REDACTED] right hand disappears as he repositions it in front of him and turns towards the left. [REDACTED] appears to be turning into/towards Officer Mejia as his body turns perpendicular to Officer Mejia and [REDACTED] original position. Officer Mejia holding [REDACTED] left hand driving it forward and up would make it difficult for [REDACTED] to finish turning left. (15:17:41z-15:17:43z). Officer Mejia wrote:

*"The moment I mentioned this to Officer Delimitros, [REDACTED] attempted to yank his arm away from me. With knowledge of [REDACTED] recently consuming narcotics, I feared [REDACTED] was unpredictable. Based on my training and experience, I know individuals under the influence of narcotics tend to be violent and unpredictable and at times carry weapons for protection. I grabbed [REDACTED] left wrist and with both my arms pushed him up against a vehicle in order to regain control of him."*

In his IA interview Officer Mejia stated:

*"I pushed him towards the truck and in order to gain control of his body."*

Officer Delimitros wrote in his report:

*"Officer Mejia called out to me and essentially told me that he had found what he believed to be the controlled substance that I saw [REDACTED] consuming. I looked towards the ground where [REDACTED] squatted down and observed several folding knives as well as a lighter that was made to look like a firearm. After making these observations, I believed [REDACTED] and his companions had ready access to several weapons within a few steps from them."*

*I then observed [REDACTED] tried to break free from Officer Mejia while he was trying to handcuff him. I shifted my attention to [REDACTED] and lost sight of his companions (they fled the scene.)”*

In his IA interview Officer Delimitros stated:

*“Officer Mejia told me he located narcotics on the ground and at that point I saw Officer Mejia begin to physically struggling with [REDACTED] was pulling away, trying to flee and he was possibly being assaultive. [REDACTED] was turning his shoulder and appeared to take a fighting stance and tense his muscles. Officer Mejia pushed [REDACTED] up against a vehicle while trying to handcuff him.”*

SDPD Officers are trained in the Academy and Advanced Officer Training (AOT) to identify different levels of resistance from a suspect. Officers are taught active resistance includes physically evasive movements to defeat an officer’s attempt at control, including bracing, tensing, running away, or verbally or physically signaling an intention to avoid or prevent being taken into or retained in custody. Officers are taught assaultive behavior consist of aggressive physical opposition to being physically controlled and conveys a threat of injury to the officer; or, behavior that consists of a threat of attack conveyed through aggressive physical actions or aggressive physical actions coupled with verbal threats. Verbal threats alone do not constitute assaultive behavior. Assaultive behavior can be directed at the officer or others. Additionally, officers are trained to identify pre-assaultive cues (i.e.: taking a fighting stance, one foot stepping back, lowering hips, arms coming up in front of body/face in a striking position, trying to face the officer, target glancing etc) as officers are not required to get hit/assaulted before responding to the behavior.

Based on the BWC and SDPD policy, procedure, and training, [REDACTED] actions of pulling away and turning to face officers could reasonable be perceived as a pre-assaultive cue.

After running into the vehicle, the struggle moves in a semi-circle to the left and [REDACTED] hand can be seen reaching towards and getting very close to Officer Mejia’s BWC. The struggle ends up on the ground facing the direction of the initial contact. [REDACTED] lands on the ground on his right hip, right hand on the ground, his left knee bent with foot on the ground and his left hand up in the air (15:17:43z-15:17:49z). [REDACTED] was facing the officers and it would be reasonable for their initial perception to view [REDACTED] position as a “tactical get up.” This position would be consistent with academy and defensive tactics training for a position to fight from on the ground able to deliver strikes and return to a standing position. In response, Officer Mejia and Officer Delimitros deliver closed fist strikes (15:17:49z-15:17:51z).

San Diego Police Officers are taught in the San Diego Regional Public Safety Training Institute under the guidelines of California Police Officer Standards and Training (POST) and Advanced Officer Training that personal body weapons can be used as Defending Force in response to Assaultive Behavior. Personal body weapons include but are not limited to closed fist strikes, palm heel strikes, elbows, and knees. If Officer Mejia and Officer Delimitros recognized the above-described pre-assaultive cues and immediately responded with personal body weapons

(closed fist strikes) as defending force this would be consistent with SDPD policy, procedure, and training.

Officer Mejia wrote in his report:

*“ [REDACTED] then continued to attempt to get away from me and began to run away. I was able to quickly grab him and use my physical strength to push him to the ground.*

*Once on the ground, [REDACTED] attempted to get up and tensed his muscles. I recognized [REDACTED] was being actively resistant towards Officer Delimitros and I. I also recognized the danger that we faced near by with knives and other sharp material that can be used as a stabbing object approximately five feet away from our struggle with [REDACTED]. Please see pictures Officer Delimitros took and uploaded via Axon capture depicting the scene. Also, prior to the struggle I was unable to conduct a pat down on [REDACTED] person and was unaware if he had a weapon concealed on his person at the time.*

*As [REDACTED] was getting up, I hit [REDACTED] in the face with a quick straight jab. The strike was quick and was thrown with not much force or power. The strike was use as a compliance blow in order to gain compliance from [REDACTED] and prevent him from getting close to any weapons and causing us any bodily harm which we were in fear of. The strike was unsuccessful in the attempt, and [REDACTED] continued to tense up and attempt to get up from the ground.”*

Officers are not trained to deliver “compliance blows.” San Diego Police Officers are taught in the San Diego Regional Public Safety Training Institute under the guidelines of California Police Officer Standards and Training (POST) and Advanced Officer Training that personal body weapons can be used as Defending Force in response to Assaultive Behavior. They are additionally taught that personal body weapons are generally not acceptable as Distraction Techniques. Officers are taught that Distraction Techniques may include an open-handed strike (slap) to the upper body and/or knee strikes that specifically target the lower body, such as the buttock or thigh area. These are controlled strikes, using a lower level of force with a specific purpose in response to active resistance.

Officer Mejia’s articulation appears to confuse personal body weapons “quick straight Jab” to the face with distraction techniques limited “force or power.” Additionally, officer Mejia does not articulate a specific purpose or distraction instead he states, “in order to gain compliance.” It is my opinion Officer Mejia would benefit from additional training regarding, assaultive behavior, personal body weapons, defending force, distraction techniques, use of force articulation, and report writing.

Officer Delimitros wrote in his report:

*“I then observed [REDACTED] tried to break free from Officer Mejia while he was trying to handcuff him. I shifted my attention to [REDACTED] and lost sight of his companions (they fled the scene.) I assisted Officer Mejia in restraining [REDACTED]. Officer Mejia had [REDACTED] on the*

*ground near the chain linked fence that ran along the sidewalk. I observed [REDACTED] turned his shoulders towards Officer Mejia and I and attempted to quickly stand up. I feared [REDACTED] could have been trying to access the knives on the ground and reacted quickly by striking him near his left ear with a closed fist."*

Officer Delimitros articulates some of the pre-assaultive cues in his initial report, "[REDACTED] turned his shoulders towards Officer Mejia and I and attempted to quickly stand up." Officer Delimitros additionally articulated a specific belief that [REDACTED] had access to weapons "I looked towards the ground where [REDACTED] squatted down and observed several folding knives as well as a lighter that was made to look like a firearm... I feared [REDACTED] could have been trying to access the knives on the ground." Officer Delimitros articulation better identifies his concerns and reason for the force option chosen.

After [REDACTED] was punched, he turned away from the officers, [REDACTED] had both hands on the ground. Officer Delimitros and Officer Mejia were trying to control [REDACTED] attempting to use head control and personal strength to flatten [REDACTED] onto his stomach. [REDACTED] was bracing, tensing and pushing off the ground keeping the officers from being successful. [REDACTED] was not grabbing, striking, pushing, hitting, etc (15:17:51z-15:17:55z). [REDACTED] actions at this time would be consistent with active resistance.

Officer Mejia wrote:

*"The strike was unsuccessful in the attempt, and [REDACTED] continued to tense up and attempt to get up from the ground. We continued to give him commands to turn around since he was on his side and to put his hands behind his back."*

Police Officers are taught in the San Diego Regional Public Safety Training Institute under the guidelines of California Police Officer Standards and Training (POST) and Advanced Officer Training that use of force incidents are dynamic and continually changing. Officers are taught to continually assess a suspect's actions as they can escalate to a higher level of resistance or decrease to a lower level of resistance. Even though [REDACTED] initially displayed pre-assaultive cues, he did not actually assault (strike, push, grab, etc.) either officer. Officer Mejia's articulation of [REDACTED] behavior would be consistent with active resistance. [REDACTED] actions in the BWC would be consistent with active resistance and Officer Mejia's articulation. Both Officer Mejia and Officer Delimitros appear to have made this assessment as they stopped striking [REDACTED] and transitioned to a different technique.

Officer Mejia then delivered two knee strikes to [REDACTED] stomach (15:17:55z-15:17:58z).

Officer Mejia wrote:

*"I then struck [REDACTED] in the stomach with my right knee in order to gain compliance."*

In his IA interview Officer Mejia stated:

*"To gain compliance and I was giving him commands to get on his stomach because he was in all fours stiffening his body up so we won't be able to gain control over."*

San Diego Police Officers are taught in the San Diego Regional Public Safety Training Institute under the guidelines of California Police Officer Standards and Training (POST) and Advanced Officer Training that personal body weapons can be used as Defending Force in response to Assaultive Behavior. They are additionally taught that personal body weapons are generally not acceptable as Distraction Techniques. Officers are taught that Distraction Techniques may include an open-handed strike (slap) to the upper body and/or knee strikes that specifically target the lower body, such as the buttock or thigh area. These are controlled strikes, using a lower level of force with a specific purpose in response to active resistance. Officer Mejia's knee strike would be consistent with a personal body weapon strike as he targeted the stomach area and not the lower body. As Mejia's articulation and the BWC demonstrate [REDACTED] actions as active resistance, Officer Mejia's knee strikes to the stomach would not be consistent with SDPD policy procedure and training.

As the altercation continued, [REDACTED] looked up towards Officer Mejia and his left hand came up off the ground. [REDACTED] reached toward Officer Mejia. [REDACTED] initially reaches for Officer Mejia's hand. Then [REDACTED] reaches for and/or pushes Officer Mejia on his right side/belt area. [REDACTED] hand is off screen and not visible to clearly see his actions. [REDACTED] hand eventually moves onto the BWC itself and can be seen pushing Officer Mejia (15:17:59z-15:18:04z). This behavior could reasonably be perceived as assaultive behavior by [REDACTED]

Officer Mejia wrote in his report:

*"[REDACTED] once again did not follow any of my commands and continued to stiffen his body, attempting to get up from the ground. I warned [REDACTED] that if he continued, he would get tased. [REDACTED] continued to resist arrest. I then warned [REDACTED] that if he did not turn around, he would be punched again. I then grabbed [REDACTED] by the shirt and arm and attempted to turn him onto his stomach. [REDACTED] stiffen his body up again and pulled away from the direction I was guiding him to."*

Officer Mejia did not articulate any of [REDACTED] assaultive behavior in his initial report. In his IA interview Officer Mejia stated the following:

*"...So the, the grabbing at me and grabbing at the firearm side, he could have easily accessed my firearm, the knife on the floor which was like 3 feet away from the incident. The way he kept trying to get up. And grabbed me at the same time. To me it indicated he was trying to get a positional advantage on me or deli (Officer Delimitros)..."*

*"...He continued to try to get up. He was put his put his hand on the ground trying to go forward. And then he grabbed me a few times. OK, as you see, my hand is blading his hand away from me. He was grabbing on my right side, which is where my firearms was..."*

*"...I didn't see if he grabbed my firearm. I just know he was grabbing in this area and if you could tell from the video, I keep trying to blade his hand off of me..."*

The statements in Officer Mejia's interview would articulate a perception of assaultive behavior that would be consistent with what was seen in the BWC.

Officer Mejia responds by punching [REDACTED] in the face. Officer Mejia delivers these punches with his right hand and is holding his handcuffs in this hand (15:18:04z-15:18:06z).

Officer Mejia wrote in his report:

*"I then struck [REDACTED] in the face with two quick straight hands giving him commands with each strike. Once we realized this compliance technique was not going to achieve our goal in apprehending [REDACTED] Officer Delimitros and I decided that tasing [REDACTED] would be a better option in order to overcome his resistance and prevent him from continuing to be assaultive towards us."*

Officer Mejia did not articulate, discuss, or explain the reason he had handcuffs in his hand in his initial report. In his IA interview Officer Mejia stated:

*"So the whole thing happened as you saw, pretty quickly. So I didn't have time to switch handcuffs. I punched him in the face once I reassessed and saw that I had the handcuffs. As you saw it dropped. I gave him commands to stop or I was gonna punch him. That's when he grabs on my right side, which is where my firearm is and at one point I think he grabbed my neck or shoulder."*

Punching a subject in the face (personal body weapons) would be a reasonable force option as defending force in response to [REDACTED] grabbing, pushing, pulling etc. (assaultive behavior). San Diego Police Officers are taught in the San Diego Regional Public Safety Training Institute under the guidelines of California Police Officer Standards and Training (POST) and Advanced Officer Training that having handcuffs in hand and striking would be consistent with an impact weapon strike. Therefore, punching a subject in the face with handcuffs in hand would generally not be a reasonable force option.

However, the court noted that determining the objective reasonableness for the use of force must be fact-specific and based on the totality of the circumstances confronting the officer at the time force is used. The determination of reasonableness must also allow that when a person resists an officer's attempts to control, they set off a chain of events that is chaotic, intense, uncertain, and rapidly evolving. This forces an officer to make split-second decisions about the amount of force that is necessary for a particular situation. A police officer's reactions and decisions are made based on what they perceive, the options available to them, and the time to act on those options. An officer is not expected to be superhuman and work beyond those factors.

[REDACTED] reached up and assaulted Officer Mejia. In response to this assaultive behavior, Officer Mejia immediately reacted with defending force, punching Mejia. It does not appear that Officer Mejia intentionally struck with the handcuffs, it instead appears Officer Mejia made a split-

second decision in reaction to [REDACTED] and happened to have handcuffs still in his hand. Officer Mejia does appear to assess and drop the handcuffs to no longer have them in his hand as he stated in his IA interview.

Officer Mejia and Officer Delimitros attempt to turn [REDACTED] onto his stomach face down so that they can handcuff him. [REDACTED] gets on all fours and starts posturing up. [REDACTED] is getting closer to a standing position and is facing the green electrical box where the altercation originated from and where the knives are on the ground (15:18:22z-15:18:28z).

Officer Delimitros wrote in his report:

*"I used my physical strength and my body weight to attempt to hold [REDACTED] down. I noticed [REDACTED] behavior was inconsistent and sporadic. Based on my training and experience I believed [REDACTED] was experiencing the effects of the narcotics that I observed him consuming earlier. [REDACTED] continued to lie on his right side and refused to roll onto his stomach. [REDACTED] squirmed his body around and tensed his muscles. I recognized this as an assaultive cue as well as [REDACTED] attempt to evade Officers. I drew my department issued taser and pointed it at [REDACTED] as Officer Mejia and I had exhausted all other efforts to gain compliance from [REDACTED] continued to actively resist, and I feared if Officer Mejia and I became fatigued, [REDACTED] could get up and assault us or access a weapon. I gave [REDACTED] a verbal command, "Are you going to get on the ground, or are you going to get tased?" [REDACTED] quickly rolled onto his stomach and attempted to quickly stand up as he faced Officer Mejia and the same direction where I had earlier observed the unsecured weapons."*

Officer Delimitros articulation of [REDACTED] behavior (sporadic, squirming, tensing his muscles, etc.) is consistent with active resistance. These actions would not be consistent with pre-assaultive cues. [REDACTED] behavior as witnessed on the BWC at this time is consistent with active resistance.

In his IA interview Officer Delimitros states:

*"Because of the presence of the handcuffs, the totality of the circumstances, him ingesting narcotics, acting erratic and acting assaultive."*

Officer Delimitros also stated [REDACTED] was reaching for Officer Mejia, however that was no longer occurring when Officer Delimitros deployed his Taser. [REDACTED] actions during this portion of the incident per the BWC and Officer Delimitros' articulation are consistent with active resistance.

Officer Delimitros also articulates access to a weapon. He refers to [REDACTED] facing the same direction where unsecured weapons were laying on the ground. Officer Delimitros estimated the distance at 6 feet away and stated in his IA interview:

*"It may have been more but the picture I had in my mind at the time was that it was close."*

Per the movement witnessed in the BWC the altercation had moved significantly farther than 6 feet away from the knives. The original location the altercation started, would be more reasonably estimated at 6 feet away from the knives. During these rapidly unfolding events it is plausible that the originally estimated distance of 6 feet away is the snapshot distance the officer remembers and while the fight moves a significant distance, the officers focus is on the suspects actions and force options available not how far the altercation traveled. Officer Delimitros' perception that [REDACTED] is actively resisting, getting up off the ground, and moving toward the weapons he had previously witnessed is a reasonable perception.

Officer Delimitros wrote in his report:

*"I placed my taser directly on [REDACTED] upper right thigh and pulled the trigger. Both taser probes entered and stuck into [REDACTED] thigh. I then removed the taser from his thigh and placed it on his right shoulder, in order for the taser to perform its job, to lock the muscles of [REDACTED] and prevent him from being able to move. The taser was effective and [REDACTED] lied on his stomach and was placed into handcuffs by Officer Mejia."*

San Diego Police Officers are taught in the San Diego Regional Public Safety Training Institute under the guidelines of California Police Officer Standards and Training (POST) and Advanced Officer Training that use of the Taser is a reasonable force option for a suspect who is actively resisting with access to a deadly weapon. Officer Delimitros' initial use of the Taser is consistent with policy, procedure, and training. It is my opinion that Officer Delimitros could benefit from additional training on pre-assaultive cues, identifying assaultive behavior vs active resistance, and articulation of these concepts.

The Taser deployment would be considered successful, it appears Officer Delimitros achieved some neuromuscular incapacitation (NMI), the lock up effect from the Taser. The use of Taser allowed Officer Delimitros and Officer Mejia to get [REDACTED] back on the ground, stop him from standing up and moving toward the unsecured weapons. As the Taser cycle concluded [REDACTED] ended on his left side facing the fence and away from Officer Mejia (15:18:29z-15:18:34z).

[REDACTED] continued to lay on the ground with his hands defensively in front of his face. Officer Mejia gave him instructions to turn around or he would be punched. [REDACTED] was not grabbing, reaching for, or even facing the officers. [REDACTED] was not trying to get up or face the unsecured weapons (15:18:35z-15:18:37z).

Police Officers are taught in the San Diego Regional Public Safety Training Institute under the guidelines of California Police Officer Standards and Training (POST) and Advanced Officer Training that use of force incidents are dynamic and continually changing. Officers are taught to continually assess a suspect's actions as they can escalate to a higher level of resistance or decrease to a lower level of resistance. They are additionally trained that the cover officer (non taser deployment officer) should be prepared to take control of the subject while the Taser is cycling and assessments should be made on the continued need/use of the Taser.

Based on this training and [REDACTED] actions after the initial Tasing, a transition to control techniques would be a reasonable option. [REDACTED] was no longer presenting active resistance with

access to a weapon and was not displaying assaultive behavior. Therefore, an additional use of the Taser would not be consistent with SDPD policy Procedure and Training.

Officer Delimitros deployed the Taser a second time. During this Taser cycle, Officer Mejia punched [REDACTED] in the face an additional time (15:18:37z-15:18:40z).

Officer Delimitros did not document any additional information regarding the second deployment of the Taser in his report. In his IA interview he stated:

*"The first cycle was not effective, and he got up on his hands and knees. He broke free of me holding his legs and he was assaultive. I tased him a second time. I did not document it because it slipped my mind. Spur of the moment my adrenaline was going. It was my first time using a taser in the field so I didn't think I had to write I did it twice."*

Officer Mejia wrote in his report:

*"Officer Delimitros then tased [REDACTED] (See Arjis-9) and we were able to place him in handcuffs"*

Officer Mejia does not provide any additional documentation regarding this final punch during the second Taser cycle. In his IA interview he initially states:

*"The second time? I didn't punch him in the face the second time, it was just the first time"*

Officer Mejia then clarifies he did not recall the final punch.

Neither Officer articulates active resistance with access to a weapon nor assaultive behavior. Officer Mejia and Officer Delimitros fail to document the second Taser cycle or the punch during this cycle. In the BWC [REDACTED] is not demonstrating active resistance with access to a weapon nor assaultive behavior. [REDACTED] is laying on his side facing away from the officers with his hands defensively in front of his face.

Officer Delimitros' second Taser deployment and Officer Mejia's punch during this deployment would not be consistent with SDPD policy, procedure, and training.

**Reference:**

- SDPD Procedure 1.04
- SDPD Procedure 1.07
- POST Learning Domain 20
- POST Learning Domain 33

## Summary:

### Officer Mejia

- Initial punches to the face are consistent with SDPD policy, procedure, and training.
- Failed to demonstrate an understanding of personal body weapons vs distractionary techniques.
- Knee strikes to the stomach are not consistent with SDPD policy, procedure, and training.
- Punches to the face while holding handcuffs are generally not consistent with SDPD policy, procedure, and training, however Officer Mejia did not appear to intentional strike [REDACTED] with the handcuffs. Officer Mejia's strikes were a reasonable reaction as an immediate response to [REDACTED] assaultive behavior while Officer Mejia was already holding handcuffs.
- Punch to the face while [REDACTED] was being Tased a second time was not consistent with SDPD policy, procedure, and training.

### Officer Delimitros:

- Initial punches to the face are consistent with SDPD policy, procedure, and training.
- Initial Taser deployment is consistent with SDPD policy, procedure, and training.
- Second Taser deployment is not consistent with SDPD policy, procedure, and training.

Both officers failed to fully articulate and document their force throughout the incident. Both officers' articulation and understanding of pre-assaultive cues, active resistance, assaultive behaviors, and appropriate force options could be improved. It is my opinion they would both benefit from additional training.

**Training and Experience:**

James Bush

I have over 11 years of law enforcement experience.  
I have an Advanced Post certificate  
I have a BS in Criminal Justice and a BA in Communications (CSULB).  
I have a Masters in Law Enforcement Public Safety Leadership (USD)  
I have completed an 80 hour POST defensive Tactic Instructor course.  
I have completed a 40 hour POST Field Training Officer Academy  
I have completed a 40 hour POST Academy Instructor certification  
I have completed a 40 hour Firearms Instructor certification  
I have completed multiple 20 hour Taser Instructor Courses  
I have completed a 24 hour POST Force Options, Use of Force/De-Escalation Trainer Course  
I have a Post certificate in Force Encounter Analysis and Understanding Human Performance.  
I have taught Use of Force for Advanced Officer Training since 2020  
I have taught or assisted Academy Defensive Tactics since 2018.  
I have taught additional classes for the Academy and Advanced Officer training including:  
Traffic Stops, High Risk Vehicle Stops, Impact Weapon, Taser, Entry Training, Critical Response Team, Response to Active Shooter, De-escalation, Leadership, and Strategic Communications.

Entire resume available upon request.

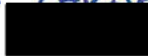
Reviewed: SGT Mike Rhoten #6224

LT LUIS CARTAJAL #6738

Appr



SR CAP.



# Call For Service

Event ID: **E23100023102**

Event Created: **10/16/2023 3:17:36**

**DM**

## Call For Service

Event ID	<b>E23100023102</b>	Reporting Party	
Event Created	<b>10/16/2023 3:17:36 PM</b>	Address	<b>14TH ST/NATIONAL AVE,</b>
Dispatcher	[REDACTED]	City, State, Zip	<b>SAN DIEGO, CA 92113</b>
Call Source	<b>OFFICER</b>	Phone	
Received	<b>10/16/2023 3:17:36 PM</b>	Call type	<b>PRISONER IN CUSTODY</b>
Dispatched	<b>10/16/2023 3:17:36 PM</b>	Event Type	<b>PRISONER IN CUSTODY</b>
Arrived	<b>10/16/2023 3:17:37 PM</b>	Reported Offense	
Cleared	<b>10/16/2023 10:54:50 PM</b>	Verified Offense	
Location	<b>14TH ST/NATIONAL AVE,</b>	Tow Company	
City, State, Zip	<b>SAN DIEGO, CA 92113</b>	Vehicle	
Beat	<b>1521</b>	Vehicle License	
Grid		Disposition	<b>default</b>
Jurisdiction	<b>East Village - San Diego</b>	Priority	
Map		Classification	
X Coordinate		Agency	<b>SDPD - San Diego Police Dept</b>
Y Coordinate		Cases	<b>23045176</b>
Longitude	<b>-117.151902</b>		
Latitude	<b>32.705407</b>		

### Officers

SD1671 - DELIMITROS, CHRISTOPHER

SD7313 - MEJIA, CARLOS

[REDACTED]

Notes 10/16/2023 15:17:36 7313 Field Event  
10/16/2023 15:17:37 7313 \*\* LOI search completed at 10/16/23 15:17:37  
10/16/2023 15:18:29 7313 527Z2 -- EMERGENCY TONE \*\* COVER NOW  
10/16/2023 15:18:39 7313 524S2 T4  
10/16/2023 15:18:55 7313 527Z2 -- TAKING ONE SIC  
10/16/2023 15:19:19 7313 527Z2 -- NO INJURIES  
10/16/2023 15:20:51 7313 527Z2 -- 1016  
10/16/2023 15:21:02 7313 527Z2 -- 1141 FOR THE SUSP / HAS TASER PROBES  
10/16/2023 15:21:34 7313 \*\* Event Type changed from 1151 to 1016 at: 10/16/23 15:21:34  
10/16/2023 15:21:43 7313 FIRE T4 ENRT  
10/16/2023 15:29:05 7313 511Y2 -- MED 12  
10/16/2023 15:42:12 7313 527Z2 -- MEDICS TO MERCY  
10/16/2023 15:42:37 7313 \*\* LOI search completed at 10/16/23 15:42:37  
10/16/2023 19:51:51 7313 \*\* Case number 23045176 has been assigned to event E23100023102  
10/16/2023 22:17:26 7313 \*\* Event held for 600 minutes and unit 527Z2  
10/16/2023 22:54:50 7313 \*\* Event E23100023102 closed.



# San Diego Police Dept Arrest/Juvenile Contact Report

Case No. **23045176**

CAD Event No.: **E23100023102**

Case Disposition: **Arrest**

Primary Victim: **State of California**

Report No. **23045176.1**

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<input checked="" type="checkbox"/> <b>ARREST REPORT</b>	<input type="checkbox"/> <b>JUVENILE CONTACT REPORT</b>	WARRANT: <input type="checkbox"/> LOCAL <input type="checkbox"/> OUT
--	---	--

**GENERAL CASE INFORMATION**

Primary Charge: <b>148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M)</b>			
Special Studies:		Related Cases:	
Location, City, State, ZIP: <b>14th St/national Ave., SAN DIEGO, CA 92113</b>		Occurred On: <b>10/16/2023 15:37:29 (Monday)</b>	
Jurisdiction: <b>East Village - San Diego</b>	Beat: <b>521</b>	Call Source: <b>OFFICER</b>	(and Between):
Means:	Motives:		

**VICTIM/S**

**IBR/UCR OFFENSE/S**

Offense Description: <b>148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M)</b>		Level: <b>M</b>	Against:	Completed?: <b>Yes</b>	Counts:	Using:
Location Type: <b>13 - Highway/Road/Alley</b>		Hate/Bias: <b>88 - None (no bias) (mutually exclusive)</b>			Domestic Violence: <b>No</b>	
Criminal Activity:	Type Security:	Gang Related:	Entry:	Point of Entry:		
Weapons/Force:	Tools:	Targets:				
Offense Description: <b>11350 (A) - HS - POSS NARCOTIC CONTROLLED SUBS (M)</b>		Level: <b>M</b>	Against: <b>SO</b>	Completed?: <b>Yes</b>	Counts:	Using:
Location Type: <b>13 - Highway/Road/Alley</b>		Hate/Bias: <b>88 - None (no bias) (mutually exclusive)</b>			Domestic Violence: <b>No</b>	
Criminal Activity: <b>P - Possessing/Concealing</b>	Type Security:	Gang Related:	Entry:	Point of Entry:		
Weapons/Force:	Tools:	Targets:				

**ARRESTEE/S**

**Arrestee #1**

Name: [REDACTED]	County Residence: <b>U - Unknown</b>	Interpreter Language:
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**ALIAS / AKA / NICKNAME / MONIKER:**

Name Type:	First:	Middle:	Last:	Suffix:
Home Address, City, State, ZIP: <b>Transient</b>		Res. Country:	Undocumented:	
		Complexion:		
Hair Style:	Hair Length:	Build:	Teeth:	Suspected User:
Employment Status:	Occupation/Grade:	Employer/School:	Employer Address, City, State, ZIP:	

**CONTACT INFORMATION:**

Type:	Number/Address:
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**IDENTIFICATION:**

Type: <b>DLN - Drivers License Number</b>	Number: [REDACTED]	State: [REDACTED]	Country: [REDACTED]
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**SCARS, MARKS, TATTOOS, ODDITIES:**

Attire:	Suspect Actions:
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Reporting Officer: <b>SD7313 - MEJIA, CARLOS</b>	Division / Organization: <b>Central Patrol (Central)</b>	Reviewed By: [REDACTED]
Report Date: <b>10/16/2023 8:35:34 PM</b>	Detective Assigned: [REDACTED]	Reviewed Date: <b>10/23/2023 20:23:33</b>



# San Diego Police Dept Arrest/Juvenile Contact Report

Case No. **23045176**

CAD Event No.: **E23100023102**

Case Disposition: **Arrest**

Primary Victim: **State of California**

Report No. **23045176.1**

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### ARREST INFORMATION

Arrest Type: <b>O - Probable Cause Arrest - New Case</b>		LE Disposition: <b>3 - Misdemeanor (Adult Only)</b>	JUS 750 Type: <b>2 - Booked</b>	Citation No.:	Booking No.: <b>72021</b>
Arrested For: <b>148 (A)(1) - PC - OBSTRUCT/RESIST PEACE OFCR/EMER MED TECH (M)</b>			Level: <b>M</b>	Completed: <b>Yes</b>	Counts:
<b>11350 (A) - HS - POSS NARCOTIC CONTROLLED SUBS (M)</b>			<b>M</b>	<b>Yes</b>	
Arrested By: <b>SD7313 - MEJIA, CARLOS</b>	Arrest Date and Time: <b>10/16/2023 16:38:44</b>	Arrest Location, City, State, ZIP: <b>1500 National Ave, San Diego, CA 92101</b>			Beat: <b>521</b>
Arrest Assisted By:			Transported By: <b>SD7313 - MEJIA, CARLOS</b>		
Miranda Read: <b>No</b>	Admonished By:	Miranda Response:	Jail Billing Code: <b>SDPD</b>	Booked Location: <b>San Diego Central Jail</b>	
Armed With: <b>01 - Unarmed</b>		Use of Force to effect Arrest:			

### JUVENILES

Adult Present:	Person Notified:	Juvenile Disposition:	Detention Name:
Parents Notified By:	Notification Method:	Date and Time Notified:	Juvenile Released To:

### RELEASE INFORMATION

Released Location:	Released On:	Released By:	Release Reason:
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### SUSPECT/S (Not Yet Arrested)

### WITNESSES

### OTHER ENTITIES

### PROPERTY

#### Property Item #1.000 - Fentanyl

Derivative No.: <b>0</b>	Property Category: <b>1915 - Drug - Unknown Powder/chunks</b>		
Status: <b>6 - Seized (Drug, Forgery/Counterfeit or Gambling Crime)</b>	Count: <b>1</b>	Value:	
Manufacturer:	Model:		
Serial No.:	Model Year:	OAN:	
Color:	Caliber:		
Body Style:	Recovered/ Seized Date:	<b>10/16/2023</b>	
Owner:	Disposition:		
Evidence Tag:	Alert(s):		
Drug Type: <b>U - Unknown Type Drug</b>	Drug Quantity: <b>1GM - Gram</b>		
Search Warrant:			
Notes:			

### REPORT NARRATIVE

On 10/16/2023, at approximately 1517 hours Officer Delimitros and I were working in full uniform and driving a marked patrol vehicle in the east village neighborhood of San Diego. While conducting proactive enforcement in the area of 14th and National Ave, we observed a male later identified as [REDACTED] via his Cal Photo and two other companions standing on the corner smoking what

Reporting Officer <b>SD7313 - MEJIA, CARLOS</b>	Division / Organization <b>Central Patrol (Central)</b>	Reviewed By [REDACTED]
Report Date <b>10/16/2023 8:35:34 PM</b>	Detective Assigned [REDACTED]	Reviewed Date <b>10/23/2023 20:23:33</b>



# San Diego Police Dept Arrest/Juvenile Contact Report

Case No. **23045176**

CAD Event No.: **E23100023102**

Case Disposition: **Arrest**

Primary Victim: **State of California**

Report No. **23045176.1**

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appeared to be a controlled substance. Quickly after observing this action, we activated our overhead emergency lights and walked up to the group of males including [REDACTED]

I asked [REDACTED] to place his hands behind his back and he began to comply. As I was placing him in handcuffs, I mentioned to Officer Delimitros that there was a small Zip lock bag containing a white powdery substance. Based on my training and experience I believed the controlled substance to be fentanyl. The moment I mentioned this to Officer Delimitros, [REDACTED] attempted to yank his arm away from me. With knowledge of [REDACTED] recently consuming narcotics, I feared [REDACTED] was unpredictable. Based on my training and experience, I know individuals under the influence of narcotics tend to be violent and unpredictable and at times carry weapons for protection. I grabbed [REDACTED] left wrist and with both my arms pushed him up against a vehicle in order to regain control of him. [REDACTED] then continued to attempt to get away from me and began to run away. I was able to quickly grab him and use my physical strength to push him to the ground.

Once on the ground, [REDACTED] attempted to get up and tensed his muscles. I recognized [REDACTED] was being actively resistant towards Officer Delimitros and I. I also recognized the danger that we faced near by with knives and other sharp material that can be used as a stabbing object approximately five feet away from our struggle with [REDACTED]. Please see pictures Officer Delimitros took and uploaded via Axon capture depicting the scene. Also, prior to the struggle I was unable to conduct a pat down on [REDACTED] person and was unaware if he had a weapon concealed on his person at the time.

As [REDACTED] was getting up, I hit [REDACTED] in the face with a quick straight jab. The strike was quick and was thrown with not much force or power. The strike was use as a compliance blow in order to gain compliance from [REDACTED] and prevent him from getting close to any weapons and causing us any bodily harm which we were in fear of. The strike was unsuccessful in the attempt, and [REDACTED] continued to tense up and attempt to get up from the ground. We continued to give him commands to turn around since he was on his side and to put his hands behind his back. I then struck [REDACTED] in the stomach with my right knee in order to gain compliance.

[REDACTED] once again did not follow any of my commands and continued to stiffen his body, attempting to get up from the ground. I warned [REDACTED] that if he continued, he would get tased. [REDACTED] continued to resist arrest. I then warned [REDACTED] that if he did not turn around, he would be punched again. I then grabbed [REDACTED] by the shirt and arm and attempted to turn him onto his stomach. [REDACTED] stiffen his body up again and pulled away from the direction I was guiding him to. I then struck [REDACTED] in the face with two quick straight hands giving him commands with each strike. Once we realized this compliance technique was not going to achieve our goal in apprehending [REDACTED] Officer Delimitros and I decided that tasing [REDACTED] would be a better option in order to overcome his resistance and prevent him from continuing to be assaultive towards us.

Officer Delimitros then tased [REDACTED] (See Arjis-9) and we were able to place him in handcuffs. Once in handcuffs we seized the Ziploc containing the white powdery substance and anther Ziplock bag

Reporting Officer <b>SD7313 - MEJIA, CARLOS</b>	Division / Organization <b>Central Patrol (Central)</b>	Reviewed By [REDACTED]
Report Date <b>10/16/2023 8:35:34 PM</b>	Detective Assigned [REDACTED]	Reviewed Date <b>10/23/2023 20:23:33</b>



# San Diego Police Dept Arrest/Juvenile Contact Report

Case No. **23045176**

CAD Event No.: **E23100023102**

Case Disposition: **Arrest**

Primary Victim: **State of California**

Report No. **23045176.1**

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containing a white pill. Based on my training and experience I believe that pill to be a controlled substance.

We then searched [redacted] incident to arrest and located a yellow in color make-shift smoking device. Due to [redacted] being tased, we requested medics to the scene in order to attend to any of [redacted] medical needs. When Medics arrived to assess [redacted] he became lethargic and was falling asleep mid-sentence. Medics checked [redacted] eyes and stated they were pinpoint. Medics also stated that they believed [redacted] was overdosing. We transported [redacted] to Scrips Mercy Hospital. Medics gave [redacted] a Narcan while in the ambulance on the way to the hospital. While in the ambulance [redacted] respiratory was low and the Medic stated that he believed [redacted] had swallowed narcotics and that he was on the verge of overdosing. Medics gave [redacted] two more Narcans on the way to the hospital. Once at the Hospital, [redacted] was in better conditions and was attended to by medical professionals. [redacted] was then cleared and released from the hospital and transported to the San Diego Police Department Headquarters (HQ). At HQ [redacted] was further processed. We then transported him to jail where he was further processed and booked.

All Evidence was impounded at the Central Division property room under the same case and event number attracted to the incident.

**BWC WAS ON THROUGHOUT THE INVESTIGATION AND ARREST.**

### TRAINING AND EXPERIENCE:

I have been an employee for the San Diego Police Department for approximately 4 years. Throughout my employment I have been involved in approximately 100 cases regarding narcotics.

Reporting Officer <b>SD7313 - MEJIA, CARLOS</b>	Division / Organization <b>Central Patrol (Central)</b>	Reviewed By [redacted]
Report Date <b>10/16/2023 8:35:34 PM</b>	Detective Assigned [redacted]	Reviewed Date <b>10/23/2023 20:23:33</b>



# San Diego Police Dept Officer Report

CAD Event No. **E23100023102**

Case No. **23045176**

Report No. **113473**

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### GENERAL CASE INFORMATION

Special Studies:		Related Cases:	
Location, City, State, ZIP: <b>14th St/national Ave., SAN DIEGO, CA 92113</b>		Occurred On: <b>10/16/2023 3:20:00 PM (Monday)</b>	
Jurisdiction: <b>East Village - Central</b>	Beat: <b>521</b>	Call Source:	(and Between):

### INDIVIDUAL/S

Name: [REDACTED]		Person Code:	Interpreter Language:
ALIAS / AKA / NICKNAME / MONIKER:			
Home Address, City, State, ZIP: [REDACTED]		Res. Country:	County Residence: <b>U Unknown</b>
Employment Status:		Occupation/Grade:	Employer Address, City, State, ZIP:
CONTACT INFORMATION IDENTIFICATION:			
Type: <b>DLN - Drivers License Number</b>	Number: [REDACTED]	State: [REDACTED]	Country: [REDACTED]
Attire: <b>BLACK TANK TOP/TAN SHORTS</b>	Injury:	Extent Of Treatment:	Violent Crime Circumstances:
Subject Injury Description:			
Officer Injury Description:			

### REPORT NARRATIVE

#### Officer Statement:

On 10/16/2023 at 1517 hours, Officer C. Mejia #7313 and I were on duty, wearing a full police uniform, and driving a marked police vehicle. We were conducting proactive enforcement near the intersection of 14th Street and National Avenue in the City of San Diego.

I observed a group of three males on the West Curbline of National Avenue, huddled around a green electrical box. I observed one of the males, later positively identified as [REDACTED] holding a glass pipe to his mouth. While quickly observing the pipe, I noticed it was constructed of glass and was cylindrically shaped. I also observed [REDACTED] was holding his hand closely to the front of the pipe. Based on my training and experience I believe the pipe that I observed [REDACTED] in possession of was a pipe commonly used to ingest narcotics. Based on my training and experience I also know that the area of 14th Street and National Avenue is on the border of the East Village and Barrio Logan neighborhoods of San Diego. This area is commonly known to the San Diego Police Department as a high narcotics area as well as an area with high numbers of violent crime. Based on my training and experience I know that individuals that consume narcotics tend to be violent and unpredictable when they are under the influence.

I reversed my police vehicle as my view of him had become blocked by a parked vehicle. When I regained view of [REDACTED] I noticed he had moved to the back of the electrical box and squatted down towards the ground. I believed [REDACTED] was actively trying to hide or conceal contraband as he saw Officer Mejia and I. We exited our police vehicle and Officer Mejia contacted [REDACTED] I attempted to contact one of his companions who had not been identified. Officer Mejia called out to me and essentially told me that he had found what he believed to be the controlled substance that I saw [REDACTED] consuming. I looked towards the ground where [REDACTED] squatted down and observed several folding knives as well as a lighter that was made to look like a firearm. After making these observations, I believed [REDACTED] and his companions had ready access to several weapons within a few steps from them.

I then observed [REDACTED] tried to break free from Officer Mejia while he was trying to handcuff him. I shifted my attention to [REDACTED] and lost sight of his companions (they fled the scene.) I assisted Officer Mejia in restraining [REDACTED] Officer Mejia had [REDACTED] on the ground near the chain linked fence that ran along the sidewalk. I observed [REDACTED] turned his shoulders towards Officer Mejia and I and attempted to quickly stand up. I feared [REDACTED] could have been trying to access the knives on the ground and reacted quickly by striking him near his left ear with a closed fist. I then used both of my open hands and placed downward

Reporting Officer <b>SD1671 - DELIMITROS, CHRISTOPHER J</b>	Division / Organization <b>CEPAT / CENTD - Central</b>	Reviewed By [REDACTED]
Report Date <b>10/16/2023 7:52:59 PM</b>	Detective Assigned [REDACTED]	Reviewed Date <b>10/16/2023 10:11:23 PM</b>



# San Diego Police Dept Officer Report

CAD Event No. **E23100023102**

Case No. **23045176**

Report No. **113473**

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pressure on [redacted] head in order to make him lay flat. Officer Mejia and I were able to keep [redacted] on the ground after this point. I used my physical strength and my body weight to attempt to hold [redacted] down. I noticed [redacted] behavior was inconsistent and sporadic. Based on my training and experience I believed [redacted] was experiencing the effects of the narcotics that I observed him consuming earlier. [redacted] continued to lye on his right side and refused to roll onto his stomach. [redacted] squirmed his body around and tensed his muscles. I recognized this as an assaultive que as well as [redacted] attempt to evade Officers. I drew my department issued taser and pointed it at [redacted] as Officer Mejia and I had exhausted all other efforts to gain compliance from [redacted] continued to actively resist, and I feared if Officer Mejia and I became fatigued, [redacted] could get up and assault us or access a weapon. I gave [redacted] a verbal command, "Are you going to get on the ground, or are you going to get tased?" [redacted] quickly rolled onto his stomach and attempted to quickly stand up as he faced Officer Mejia and the same direction where I had earlier observed the unsecured weapons. I placed my taser directly on [redacted] upper right thigh and pulled the trigger. Both taser probes entered and stuck into [redacted] thigh. I then removed the taser from his thigh and placed it on his right shoulder, in order for the taser to perform its job, to lock the muscles of [redacted] and prevent him from being able to move. The taser was effective and [redacted] lied on his stomach and was placed into handcuffs by Officer Mejia.

[redacted] was arrested (See Arrest Report.) [redacted] was treated by medics following the taser deployment. I photographed the area where [redacted] was initially standing and where the knives were. The pipe I initially saw [redacted] smoking from was nowhere to be found. [redacted] companions possibly took the pipe as they fled the scene. I later uploaded the photographs to evidence.com. I collected the taser cartridge as evidence. I collected the controlled substance as evidence. The Taser probes were not collected as the Doctor at Scripps Mercy disposed of them before I could ask him to give them to me. I impounded all evidence at the Police Headquarters property room labeled with the event number. For further details see the Arrest Report.

BWC on.

### TRAINING AND EXPERIENCE:

I'm a Police Officer with the San Diego Police Department and currently assigned to Central Division. I have been employed as a police officer for approximately 2 years. I have attended a regional police academy where I received approximately 12 hours of formal training on controlled substances, methods that narcotics are packaged and consumed, and someone who is under the influence of controlled substances. I have been assigned to the East Village area of San Diego for approximately 1.5 years. The East Village area is well known for high narcotics activity and is considered an "open air drug market." I have arrested or assisted in the arrest of more than 50 people for possession of controlled substance, possession of narcotic paraphernalia, controlled substance sales, and/or under the influence of a controlled substance.

Reporting Officer <b>SD1671 - DELIMITROS, CHRISTOPHER J</b>	Division / Organization <b>CEPAT / CENTD - Central</b>	Reviewed By [redacted]
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