



PUBLIC RELEASE MEMORANDUM

SUBJECT: Officer Involved Shooting (Non-Fatal)

Officers: Corporal Richard Hunt
Fontana Police Department

Involved Subject: Ralph Lopez
Date of Birth 03/18/1987

Date of Incident: October 2, 2018

Incident location: 1400 Block of East San Antonio Drive
Colton, CA

DA STAR #: 2021-30623

Investigating Agency: San Bernardino County Sheriff's Department

Case Agent: Detective Charles Phillips

Report Number #: DR# 601800141 / H# 2018-095

PREAMBLE

This was a non-fatal officer involved shooting by a corporal from the Fontana Police Department. The shooting was investigated by the San Bernardino County Sheriff's Department. This factual summary was based on a thorough review of all the investigative reports, photographs, audio recordings, and video recordings submitted by the San Bernardino County Sheriff's Department, DR# 601800141/H# 2018-095.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 2

FACTUAL SUMMARY

On October 1, 2018, Fontana police officers investigated an attempted homicide that stemmed from an armed robbery of a victim who posted jewelry for sale on "Offer Up." The victim met the suspects within the city limits of Fontana. During the robbery, the suspects shot at the victim's head but missed. The next day as the investigation continued, detectives linked the suspects in the attempted homicide to other robberies in the neighboring cities of Moreno Valley, Rialto, and Colton. Detectives learned that the alleged victims in each of these other robberies had also been shot or shot at.

As the investigation progressed, detectives learned that one of the suspects was associated with an address in Colton. Fontana Police Sergeant Scott Snyder assigned Corporal Richard Hunt and Officer Shawn Michels to respond to the Colton location and maintain surveillance while other detectives wrote a search warrant for that location.

Corporal Hunt and Officer Michels drove unmarked police cars and wore plain clothes. They went to the apartment in Colton and set up in the parking lot of the apartment complex to surveil the location. During the surveillance, Corporal Hunt and Officer Michels located a blue two-door Hyundai Genesis car parked facing west on the paved apartment parking lot, east of the suspect apartment. The Hyundai was registered to a person of interest in the robberies. Ralph Lopez was not the registered owner.¹ Soon thereafter Sergeant Snyder drove an unmarked car to join Corporal Hunt and Officer Michels in surveillance of the incident location.

As Sergeant Snyder drove past the apartment, Corporal Hunt and Officer Michels saw a suspect, later identified as Ralph Lopez exit the apartment they were watching with a black backpack and walk to the Hyundai which was registered to a person of interest in the robberies. While a search warrant was being written, the plan was to detain Lopez pending investigation into his involvement in the robberies being investigated.

As Lopez walked to the Hyundai, Officer Michels parked his Honda Odyssey southeast of the Hyundai. Officer Michels quickly exited his vehicle and displayed his Fontana Police badge, centered on his chest, hanging from a chain around his neck. Officer Michels attempted to detain Lopez by identifying himself verbally with the word "police." He ordered Lopez away from the Hyundai. Lopez stood at the Hyundai's driver side door and looked at Officer Michels and the badge displayed on his chest. Lopez quickly opened the driver's door, sat in the driver's seat, closed the door, and started the car. Officer Michels opened the driver's door and stood in the threshold.

¹ After investigation, Lopez was found to not be involved in the robberies that Fontana PD was investigating.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 3

Sergeant Snyder saw Lopez enter the car and parked his undercover vehicle east of the Hyundai in an attempt to box Lopez in and prevent him from driving away from officers. As Sergeant Snyder exited his vehicle to help Officer Michels, Lopez placed the Genesis in reverse and drove backward between five and ten miles per hour. Lopez's open driver's door hit Officer Michel's left hip and knee. Officer Michel disengaged and stepped away from Lopez's vehicle to avoid being pinned or crushed between the Hyundai and another car.

Sergeant Snyder saw Lopez's vehicle rapidly accelerate backwards towards Sergeant Snyder's vehicle, and in response, Sergeant Snyder quickly jumped back into the driver's seat of his car in an attempt to avoid being seriously injured or killed by Lopez's incoming vehicle. The rear passenger side of the Hyundai collided with Sergeant Snyder's vehicle. Lopez continued to reverse and rammed the driver's side door of Sergeant Snyder's vehicle causing it to shut. Sergeant Snyder's left foot was still outside the vehicle and when Lopez's vehicle hit Sergeant Snyder's vehicle; the door slammed shut and pinned Sergeant Snyder's left foot in the door. The impact caused collision damage to the left side of Sergeant Snyder's vehicle and injured the sergeant's foot and ankle. After the collision, Sergeant Snyder exited his damaged vehicle with his Fontana Police badge hanging from his neck, centered on his chest.

Lopez then drove forward and collided with a concrete curb. Lopez continued pushing on the accelerator and his back right rear tire began to spin. Corporal Hunt wore his department-issued tactical vest with "Police" patches and approached the passenger side of the Hyundai. Corporal Hunt held his duty weapon in his right hand and used his pistol to shatter the passenger window of the Hyundai. When the gun hit the window a second time, it malfunctioned and fired one round. The fired bullet ricocheted inside the vehicle and struck Lopez's right index finger. Officer Michels and Sergeant Snyder removed Lopez from the Hyundai and after a brief struggle, Lopez was arrested.

A search of the black backpack carried to the vehicle by Lopez revealed two semi-automatic handguns. Lopez was treated at a nearby hospital and was later discharged.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 4



Scene photo that shows the tires of the Lopez's car right up against the curb, the damage to Sergeant Snyder's vehicle on the Flex in the background, and an overview of the intended "boxing in" of Lopez's vehicle.

STATEMENTS BY POLICE OFFICERS

On October 2, 2018, **Corporal Rich Hunt** was interviewed by Detectives David Lara and Oscar Godoy.

On October 2, 2018, **Corporal Rich Hunt** was employed by the Fontana Police Department assigned to patrol. Corporal Hunt drove a 2016 Honda Accord that was unmarked/undercover. Corporal Hunt was dressed in plainclothes as per his assignment in the Fugitive Apprehension Team, but also wore a bullet proof ballistics vest with the words POLICE emblazoned across the back, with a cloth Fontana PD patch on the front, and a patch with his name also affixed to the front.

As a member of the Fugitive Apprehension Team, Corporal Hunt was assigned to locate fugitives that were wanted by law enforcement. Corporal Hunt and others on his team were involved in the search for robbery suspects from the night before that had allegedly committed three-armed robberies and shot one victim with a 9mm. Corporal Hunt worked with station detectives that were investigating that crime and was assigned to provide assistance with apprehension as suspects were identified.

As part of this investigation Corporal Hunt and his team went to an apartment complex in San Bernardino. While there Detective Hunt's team arrested multiple subjects believed to be involved. Based on information received during those arrests, detectives working the case identified the incident location in Colton as also potentially involved. Corporal Hunt's

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 5

team was sent to the incident location in Colton to establish surveillance and continue the investigation.

Corporal Hunt and Officer Michels went to the Colton address to establish surveillance in front of the apartment complex. They were in separate vehicles. Corporal Hunt parked in a parking stall that faced the front of the apartment so that he had a clear view of the front door of the apartment that was the subject of the investigation. Corporal Hunt did not have a computer in his undercover car, and asked Officer Michels to run "a bunch of plates," and check registered owners to see if any cars parked in the apartment complex parking lot matched any of the people detectives may be looking for.

When a person of interest's name was connected to the blue Hyundai parked in front of the apartment, Corporal Hunt and Officer Michels relayed that information to detectives at the station for the search warrant. The other detectives at the station wrote a search warrant for the apartment while Corporal Hunt and Officer Michels maintained visual surveillance.

Corporal Hunt and Officer Michels devised a plan that if anyone left that apartment, and got into a car to leave the location, they would detain them for detectives to come and interview and/or further investigate. Corporal Hunt and Officer Michels also planned to secure the apartment, in the event someone left, for service of the search warrant that was being written. Corporal Hunt and Officer Michels conducted surveillance for approximately forty-five minutes to an hour.

Sergeant Synder arrived on scene and drove past the apartment complex. Corporal Hunt radioed the sergeant with the exact apartment number that they were watching. In response, Sergeant Snyder made a U-turn. As Corporal Hunt radioed Sergeant Snyder about the location, a subject, later identified as Ralph Lopez exited the apartment carrying a backpack. Corporal Hunt had been told prior that the person they were looking for worked the night shift at a local business, and Corporal Hunt believed that because it was approximately 5 p.m., that Lopez may be the person leaving to work his shift.

Lopez made his way to the blue Hyundai as Sergeant Snyder said, "lets go take him down right here," which is also what Corporal Hunt and Officer Michels had previously discussed and planned. Corporal Hunt saw Lopez reach and open the driver's side door of the Hyundai. Corporal Hunt backed out of the parking stall he was in and pulled his police vest from his back seat.² Officer Michels pulled up to the rear quarter panel of the blue Hyundai, and Sergeant Snyder also pulled in behind it.

While Corporal Hunt was still seated in his vehicle Lopez had reached the Hyundai and sat in the driver's seat. Officer Michels approached the Hyundai and reached the driver's side door. Through the windshield of his car, Corporal Hunt saw Lopez quickly reverse the

² Corporal Hunt did not wear his police vest while he was parked in his car conducting surveillance. Corporal Hunt was in an unmarked vehicle and wore street clothes so as to conceal his identity during surveillance.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 6

Hyundai and ram into Sergeant Synder's vehicle. The collision caused the Hyundai's tail lamps to be "blasted out," and dented Sergeant Snyder's door. As Corporal Hunt got out of his car to assist, he heard Sergeant Synder yell "'he broke my ankle my foot's broken or my ankles broke,' something along those lines." At the same time Lopez accelerated forward and the Hyundai's front right tire hit the curb. Lopez's car was stuck on the curb but Lopez's right rear tire continued to spin as if Lopez was trying to drive his car over the curb.

As Corporal Hunt approached the unfolding incident, he activated his body worn camera. Corporal Hunt heard Officer Michels and Sergeant Snyder "screaming and yelling" at Lopez to show them his hands.

Corporal Hunt approached the passenger side of the Hyundai with his gun drawn, weapon held in two hands in a master grip.³ Corporal Hunt went to the passenger side of the blue Hyundai with his weapon drawn while Lopez attempted to drive forward. Corporal Hunt believed that Lopez had almost killed Sergeant Snyder with his vehicle. Corporal Hunt saw Officer Michels physically struggle with Lopez on the driver's side and saw the wheels of Lopez's vehicle still spinning as though Lopez was trying to jump the curb.

Corporal Hunt reasoned that Lopez was still actively resisting and trying to escape, and that Lopez was boxed in from the front by the curb, so the only other way for Lopez to get his vehicle out was to try and go through where Sergeant Snyder was again. Corporal Hunt made the decision to break the passenger side window on Lopez's blue Hyundai. Officer Michels continued to physically struggle with Lopez on the driver's side. Corporal Hunt planned to break the passenger side window and reach in to turn off the car through that broken window.

Corporal Hunt hit the window with the only thing in his hands, his firearm. He held his firearm in his right hand, and his finger was off the trigger. The first time Corporal Hunt tried to break the window the strike was ineffective and made "a little dent on the window." Corporal Hunt hit the window again a second time and his weapon discharged the single round that was chambered. Corporal Hunt said out loud, "I AD'd," and looked at his gun. His gun was locked and the slide lock and safety were still up, and his magazine was still in place. Corporal Hunt released the magazine and confirmed that there was a total of eight rounds still inside and confirmed that the chambered round had discharged. Corporal Hunt did not intentionally discharge his weapon.

This was not the first time that Corporal Hunt had used his firearm as an impact tool, but it was the first time it was used on glass. Corporal Hunt approximated that he had used his firearm as an impact tool three times prior and his weapon had never discharged.

³ Corporal Hunt explained that as a right-handed shooter, master grip meant that he held his gun in his right hand with his three bottom fingers (pinky, ring, and middle) wrapped around the pistol grip. His thumb was "riding the safety," because on the 1911 firearm it has an external thumb safety. His forefinger/trigger finger was not on the trigger but rested on the slide or frame of the gun, and above the trigger guard.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 7



Above: a still frame from Corporal Hunt's BWC showing the glass shattering on the passenger side window, Corporal Hunt's finger outside of the trigger guard, and the slide of his Kimber 1911 in the rearward position, confirming an accidental discharge.

Corporal Hunt's firearm remained inoperable after the accidental discharge. Lopez was finally detained and Corporal Hunt went around to the driver's side to help further subdue Lopez and place handcuffs on him. Corporal Hunt went back to his own vehicle, retrieved his backup firearm, radioed dispatch with what happened, and went inside the apartment to conduct a protective sweep. Fire was called to the scene to assist and after Lopez was handcuffed, Lopez self-reported that he had been shot in the finger. Approximately five minutes had passed since the discharge.

On October 3, 2018, **Officer Shawn Michels** was interviewed by Detective David Lara of the San Bernardino County Sheriff's Department.

On October 2, 2018, Officer Michels was employed by the Fontana Police Department and on duty, assigned to the Fugitive Apprehension Team. The day of the incident, Officer Michels drove an unmarked gray Honda Odyssey minivan. As part of his assignment, Officer Michels' daily dress attire was personally owned plain clothing in the form of gray khaki shorts and a black t-shirt. Officer Michels wore a Fontana Police Department badge, in a leather badge holder that was around his neck and rested on the center of his chest. A black drop-down handgun holster was strapped on his right thigh over his shorts, which contained a Glock 22, .40 caliber firearm.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 8

Officer Michels learned that investigators from the Fontana Police Department were investigating an attempted homicide that occurred in the city of Fontana. The attempted homicide stemmed from an armed robbery that occurred on the evening of October 1, 2018.

Officer Michels learned that the robbery suspects communicated with the victim using the phone application "Offer Up." During the robbery, the suspect shot at the victim's head, but missed. Similar robberies involving the same suspects and vehicle occurred throughout the night into the following morning in cities within San Bernardino and Riverside Counties. The suspects also shot at the victims in those other incidents. One victim was potentially struck by gunfire during a robbery in the city of Rialto. Officer Michels learned that a possible involved suspect was connected to an apartment in the City of Colton.

Officer Michels and Corporal Richard Hunt headed to the Colton location to conduct surveillance. Officer Michels provided the apartment description to Fontana Police Department investigators to author a search warrant. Corporal Hunt advised Officer Michels of a license plate to a blue Hyundai, that was parked facing the suspect apartment. After conducting a registration check of the vehicle, Officer Michels found that it was registered to a person of interest in the robberies being investigated. Corporal Hunt parked east of building #6, where the apartment was located. Officer Michels parked southeast, which gave him a line of sight to the apartment's front door.

After approximately 20 minutes, Sergeant Scott Snyder arrived at the apartment complex to join the surveillance detail. As Sergeant Snyder drove past the apartment, a subject, later identified as Ralph Lopez, exited the apartment wearing a black t-shirt, shorts, and carrying a black backpack. Officer Michels also observed Lopez exit the apartment. Sergeant Snyder instructed the surveillance detail to contact and detain Lopez. Officer Michels observed Sergeant Snyder drive past him towards Lopez and followed. Lopez walked to the blue Hyundai parked in front of the apartment building. Officer Michels wanted to stop Lopez from getting in the vehicle and prevent a pursuit from occurring. Due to events unfolding quickly, Officer Michels was unable to secure his tactical vest on his person but did expose his department badge.

Officer Michels brought his unmarked Honda Odyssey to a stop as Lopez stood at the driver's door of the blue Hyundai. The Honda was positioned approximately 12 feet behind Lopez's vehicle, to block Lopez in. Officer Michels exited his vehicle, approached Lopez with his department badge exposed and said, "Hey bud, this is the Police," and ordered Lopez to step away from the vehicle.

Lopez turned his head over his shoulder and made eye contact with Officer Michels. Officer Michels thought Lopez looked down to his chest, causing him to believe that Lopez saw his badge. Once again, Officer Michels identified himself as "police," and unholstered his duty weapon. Lopez turned away from Officer Michels and opened the driver's door. Officer Michels identified himself as "police" at least three additional times as he walked towards Lopez. Lopez then hurried into the driver's seat and closed his door. Within a second,

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 9

Officer Michels opened the door. Officer Michels stood between the driver's door and the door frame. The vehicle's engine was running, and Lopez placed the car in reverse.

Sergeant Snyder parked his unmarked unit behind Lopez's vehicle, blocking his egress, and began to exit when Lopez moved the vehicle backwards. Officer Michel's left hip and knee were hit by Lopez's driver's door. If he did not move away from the vehicle, Officer Michels knew it was possible that he would be pinned or crushed by his unit, which was positioned behind Lopez's vehicle. Officer Michels disengaged and stepped away from the vehicle as it reversed. Lopez struck Officer Michel's unmarked unit, continued in reverse, and violently rammed Sergeant Snyder's unmarked unit. Officer Michels observed Sergeant Snyder's foot below the open door just before the collision and saw him jump back into his unit. Officer Michels did not immediately know if Sergeant Snyder was injured during the impact.

Officer Michels ordered Lopez to stop the vehicle. Lopez shifted the gear into drive and drove forward into the same parking stall he backed out of. Lopez attempted to jump the curb but was unsuccessful. Officer Michels attempted to open the driver's door, but it was locked. Once again, he ordered Lopez to stop the car, but Lopez continued to accelerate and try to jump the curb. Officer Michels tried to break the driver's side window by kicking it but was unsuccessful. Officer Michels thought to use his duty weapon to break the window, but decided against it, as he feared striking the window with his firearm could cause an accidental discharge.

Sergeant Snyder exited his unit and walked around to Officer Michels' unit. Both stood at Lopez's door and tried to open it. Corporal Hunt approached Lopez's vehicle from the passenger side. Lopez appeared to be moving around with his right hand on the steering wheel and his left hand near the steering wheel. Corporal Hunt struck the passenger window with his duty weapon and the window shattered. Corporal Hunt announced that he had an accidental discharge. Lopez remained non-compliant with commands, as he tried to jump the curb and would not open the car door. Officer Michels did not know how the driver's door was unlocked but he pulled on the door handle and it opened after the discharge. Along with Sergeant Snyder, the two pulled Lopez out of the vehicle and placed him on the ground. Neither Officer Michels nor Sergeant Snyder had handcuffs on them, so Corporal Hunt walked around the vehicle and handcuffed Lopez.

Officer Michels and Corporal Hunt conducted a security sweep of the apartment, while Sergeant Snyder remained with Lopez. Upon his return, Lopez complained that his finger was broken. Medical aid was summoned. During processing for this incident, Officer Michels complained of pain to his left knee which had been hit by Lopez's car.

On October 3, 2018, **Sergeant Scott Snyder** was interviewed by Detective Oscar Godoy of the San Bernardino County Sheriff's Department.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 10

On October 2, 2018, Sergeant Snyder was employed by the Fontana Police Department, assigned to the Fugitive Apprehension Team. The day of the incident, Sergeant Snyder drove an unmarked Ford Flex and wore plainclothes as part of his undercover detail, consisting of tan khaki shorts and a maroon t-shirt. Sergeant Snyder carried a Kimber TLE .45 as his duty weapon, alongside his compact handgun, a Glock 43.

On October 2, 2018, Sergeant Snyder was briefed by the Detective unit on a string of armed robberies that had occurred within the city of Fontana and surrounding cities. Information was passed that a possible subject involved resided at the incident location in Colton.

At approximately 4:39 p.m., Sergeant Snyder sent Corporal Hunt and Officer Michels to conduct surveillance on the apartment until the search warrant for the apartment was completed. Sergeant Snyder remained at the previous location for an additional 30 minutes before heading to Colton.

The operation plan for the Colton location was to wait for the search warrant to be authored and signed but if anyone attempted to leave the location, they would make contact and detain everyone. Investigators did not want any evidence to be destroyed or removed from the location.

At about 5:10 p.m., Sergeant Snyder arrived at the Colton location. As he passed the suspect apartment, he observed a male subject, later identified as Lopez, walking out of the apartment. Sergeant Snyder advised Corporal Hunt and Officer Michels to make contact. Sergeant Snyder turned his vehicle around and observed Lopez walking towards a blue vehicle. Officer Michels drove towards Lopez and the vehicle. Sergeant Snyder pulled in behind the blue vehicle and stopped about seven feet away. He saw Officer Michels exit his vehicle and walk towards the driver's door. Sergeant Snyder reached over to the passenger side of the vehicle and attempted to grab his compact handgun (Glock 43) but was unable to retrieve this smaller pistol. Although a shooter from these robberies was still outstanding, Sergeant Snyder did not yet have reason to believe that Lopez would try to flee or fight, "99.9 percent of the time when we do these takedowns like this most people are compliant." Then, he reached for his larger gun, his duty weapon (Kimber TLE .45). He opened the driver's door and heard Officer Michels telling Lopez, "Don't do it. Get out, it's the Police," several times.

With his gun in his right hand and his badge hanging around his neck, Sergeant Snyder stepped out of his vehicle and used his foot to open the door as is his habit. Sergeant Snyder saw the blue car reversing towards him at speeds of approximately five to ten miles per hour, "coming right for me." Sergeant Snyder jumped back into his vehicle and Lopez "slammed into" the sergeant's vehicle and Sergeant Snyder's left foot got jammed between the door and the door frame. He felt his foot get jammed between the door for about three to five seconds and was unable to get it out. Sergeant Snyder remembered yelling but could not remember what he said. The blue vehicle moved forward and he pulled his foot completely into the vehicle. Sergeant Snyder believed his foot was broken.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 11

Sergeant Snyder opened the door and exited his unit. After being able to put pressure on his foot, he believed it was not broken. He ran up to the driver's side of the blue vehicle with his duty handgun in his right hand. The vehicle continued forward and attempted to jump the curb several times. Both Sergeant Snyder and Officer Michels yelled at Lopez to "get out of the fucking car." Sergeant Snyder and Officer Michels attempted to kick the driver's side window but were unsuccessful. They ordered Lopez to unlock the door and get out. Lopez looked down at the floorboard and continued to attempt to jump the curb.

Lopez was observed to be manipulating something in the center console area, near the gear shifter, but Sergeant Snyder was unable to determine what Lopez was reaching for. Corporal Hunt approached the front passenger's side of the vehicle. Sergeant Snyder heard a loud noise, "a bump," and he heard the glass from the window shatter.

Both Sergeant Snyder and Officer Michels continued to order Lopez to unlock the door and get out of the vehicle. Lopez finally unlocked the door and they opened it. Sergeant Snyder and Officer Michels attempted to pull Lopez out of the driver's seat. Lopez was not cooperating and pulled himself back into the vehicle. Sergeant Snyder struck Lopez once in the head with the tactical light that was on top of his handgun in an attempt to gain Lopez's compliance. Sergeant Snyder believed that given Lopez resistance to being taken into custody, he felt that striking Lopez in the head was his "only option." He did not want Lopez to continue to use his vehicle as a weapon and possibly run over/hit pedestrians in the area, or drive into the apartments located in front of the where Lopez's vehicle was. Lopez was pulled out of the vehicle and placed on his stomach, with his hands behind his back.

Corporal Hunt came over and handcuffed Lopez. Sergeant Snyder recalled Lopez stating his finger was broken but did not know what he was talking about. Sergeant Snyder never checked the vehicle and did not see if it was still in drive. He walked back to his unit, notified dispatch of the circumstances, and requested medical aid for Lopez and the officers.

After Lopez was in custody, Corporal Hunt approached Sergeant Snyder and said he had an accidental discharge (AD). Sergeant Snyder had Corporal Hunt search for the bullet to confirm that no one had been hit or injured. The Colton Fire department arrived and treated Lopez for his head injuries. At this time, he learned that Lopez had been shot by the AD in the right index finger. Lopez was treated for the gunshot wound to his finger. During processing for this incident Sergeant Snyder complained of pain to his left foot and right knee. Sergeant Snyder's left foot was swollen and had an abrasion on the top. There was also an abrasion on his right knee.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 12



The above picture shows the damage on Lopez's vehicle after backing into and hitting Sergeant Snyder's vehicle.



The corresponding damage on Sergeant Snyder's vehicle shows where Lopez backed into the driver's side where Sergeant Snyder was exiting.

INCIDENT AUDIO AND VIDEO

BODY WORN CAMERA⁴. Corporal Hunt was outfitted with a BWC during the incident. The video footage did not have a date or time stamp; the video was one minute and 31 seconds in length and the time stamp will be referred to as the time on the BWC video.

The video begins with Corporal Hunt exiting his unmarked vehicle, an unknown male officer⁵ is heard yelling, "Get out of the car." Another officer asked, "Are you alright?"

⁴ Officer Michels and Sergeant Snyder did not activate their BWC prior to the incident under review.

⁵ The officers denoted in this section are Officer Michels and Sergeant Snyder. Given that only Corporal Hunt had his BWC activated during this portion, it is difficult to discern between Officer Michels and Sergeant Snyder's commands.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 13

Corporal Hunt walked southwest towards the left side of Lopez's blue two-door Hyundai Genesis.

Officer #1 repeated the command for the subject to "Get out of the car." Officer #2 yelled, "God damn motherfucker!" For the third time, Officer #1 repeated "Get out of the car!" Officer #2 also then yelled for the subject to "Get out of the car!"

At approximately 10 seconds, Officer #1 issued the command to the subject to "Get out of the fucking car," overlapping with Officer #2's commands. At the same time, Corporal Hunt struck the vehicle's front passenger window with his firearm in his right hand but did not successfully break it.

Corporal Hunt struck the window a second time, the window shattered, and his pistol fired. As Sergeant Snyder and Officer Michels continued to yell for the suspect to exit the vehicle, Lopez said, "Okay, okay, okay."

At approximately 14 seconds, Corporal Hunt said, "I AD'd,⁶" and used his left hand to remove the magazine from his handgun. Once again, Officer #1 yelled, "Get out of the fucking car!" Officer #2 said, "Get out." At approximately 17 seconds, Corporal Hunt attempted to return the slide to the forward position but was unable to.

At approximately 23 seconds, Officer #1 issued the command, "Put your hands behind your back." Lopez was heard yelling as Corporal Hunt walked around the front of the vehicle to the driver's side. At approximately 30 seconds, Lopez was heard yelling, "My head hard." Sergeant Snyder told Corporal Hunt, "Take him Rich, my gun's fuckin..." Corporal Hunt placed his firearm on the top of the Genesis and responded, "Yeah, mine just..."

At approximately 44 seconds, Corporal Hunt retrieved his handcuffs. Officer #2 said, "Motherfucker." Corporal Hunt placed his handcuffs on Lopez, who was lying on the pavement next to the Genesis. At approximately 47 seconds, Lopez said, "Get my glasses please." One of the unknown males said, "We don't give a shit about your glasses." One of the males stated, "I'm live."

At approximately 52 seconds, one of officers said, "You just rammed an officer." Lopez responded, "I didn't...I didn't see the car [unintelligible]." The officer said, "You absolutely saw it," and Lopez continued to deny, "No, I just seen..." The officer said, "Don't you lie to me."

At approximately 59 seconds, Corporal Hunt entered the Genesis via the driver's side door and turned the ignition off. Lopez repeated, "Get my glasses please." At approximately 1 minute and 12 seconds, Corporal Hunt retrieved his pistol from the top of the Genesis. Officer Michels said, "You're fine, don't move." During this, Corporal Hunt removed the

⁶ This is an acronym for "accidental discharge."

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

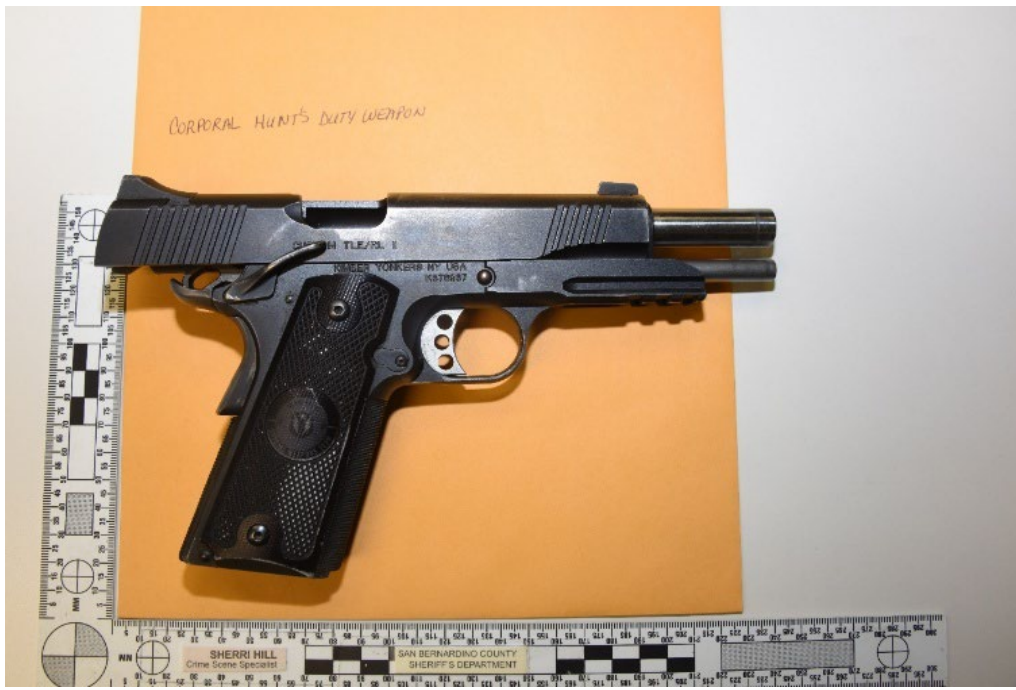
Page 14

magazine from his pistol and attempted to return the pistol's slide to the forward position but was unsuccessful.

At approximately 1 minute and 24 seconds, Corporal Hunt walked around Officer Michels and Lopez and towards his vehicle. The video footage ends at 1 minute and 31 seconds.

WEAPON

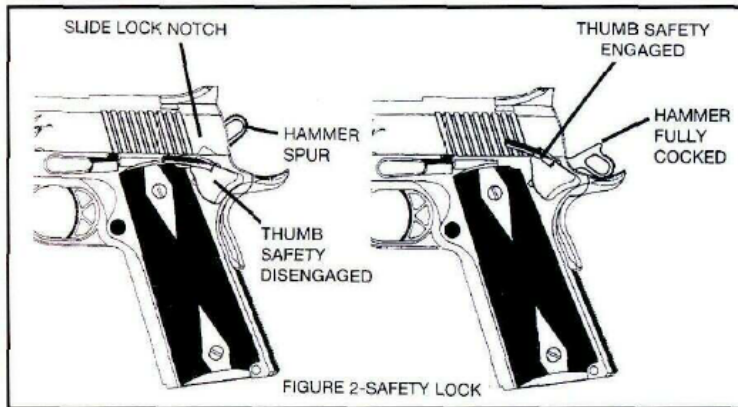
Corporal Hunt's Kimber 1911, .45 caliber pistol was also equipped with a Surefire-X300 tac-light. Corporal Hunt loaded the magazine with eight .45 caliber cartridges which were recovered during processing. The single expended bullet was chambered at the time of the incident and was also recovered.



Corporal Hunt's gun was analyzed at the San Bernardino County Sheriff's Department Scientific Investigations Division by a firearms expert. During that examination, the Kimber pistol was received with the slide positioned rearward, and the thumb safety was engaged and held the slide in this position. The expert disengaged the thumb safety to allow the slide to move back in place. The Kimber's grip safety and thumb safety were examined and both found to be in working order. However, when the thumb safety was re-engaged, it moved outward from the frame when rearward pressure was applied to the slide. Outward movement indicates that the thumb safety is not securely locking in place. According to the Kimber's manual, when the thumb safety is engaged it should prevent the slide from moving rearward. Otherwise, the weapon test-fired without malfunction.

GRIP SAFETY

The grip safety is located on the upper rear portion



10

From page ten of the Kimber 1911 manual which illustrates the thumb safety.

During surveillance, Lopez was seen leaving the apartment and entering the vehicle with a black backpack. Inside the backpack were two loaded firearms: one .40 caliber Glock 35, and one .40 caliber Smith and Wesson SW 40F. The backpack was carried by Lopez from the apartment and placed on the front seat of the car by Lopez. The backpack was open during the incident.



SUSPECT INFORMATION

SUSPECT STATEMENT.

On October 2, 2018, Lopez was interviewed by Detective Tramayne Phillips. Lopez admitted to ingesting cocaine and marijuana that morning and left the apartment that day to get food. Lopez got inside of his vehicle, turned it on, and put it in reverse. Lopez saw

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 16

a dark gray minivan pull up behind him and Lopez believed that the minivan intended to park in the open stall next to Lopez's Hyundai.

An unknown male, later identified as Officer Michels approached Lopez's driver's side door and yelled at him to "get the fuck out the car," while holding a firearm. Lopez believed that he was going to be robbed for "his chain." Lopez yelled, "aww hell, he ain't robbin' me." Lopez ducked down believing he would be shot and next felt an impact on his rear bumper. Lopez saw another unknown male approach his car on the passenger side and shifted his car into drive in an attempt to drive forward. Lopez heard Officer Michels yell, "police officer, stop."

Lopez put his hands at chest level to signal that he was surrendering, and Officer Michels yelled, "put your hands up." Lopez asked Officer Michels not to shoot him. Lopez heard a gun shot and smelled gun powder. Lopez felt pressure on his right hand and realized he was shot on his right index finger. Lopez was taken out of the vehicle and further suffered abrasions on his upper right shoulder and arm, an abrasion on the lower right kneecap, and a one-inch laceration to the top of his head. Lopez's right index finger was struck by Corporal Hunt's accidental discharge.

CRIMINAL HISTORY.

2006, 245(a)(1) of the Penal Code, Assault with a Deadly Weapon or by Means Likely to Cause Great Bodily Injury. San Bernardino County court case FSB051864, a felony.

2010, 10801 of the Vehicle Code, Chop-Shop. San Bernardino County court case FSB905419, a felony.

2010, 136.1 of the Penal Code, Dissuading a Witness. San Bernardino County court case FSB1002214, a misdemeanor.

2012, 12316(b)(1) of the Penal Code, Prohibited Person with a Firearm or Ammo. San Bernardino County court case FSB1105564, a felony.

2012, 273.5(a) of the Penal Code, Inflict Corporal Injury on a Spouse or Co-Habitant. Riverside County court case RIF1204926, a felony.

2015, two counts of 246 of the Penal Code, Shooting at an Inhabited Dwelling. San Bernardino County court case FSB1403701, a felony.

2016, 10851 of the Vehicle Code, Vehicle Theft. Riverside County court case RIF1402503, a felony.

2016, Violation of Parole.

2017, Violation of Parole.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 17

On April 9, 2021, Lopez plead guilty to a violation of Penal Code section 245(a)(1) Assault with a Deadly Weapon, and Penal Code section 245(a)(4), Assault by Means Likely to Cause Great Bodily Injury. He was sentenced to five years in state prison for the crimes committed during this incident.

DE-ESCALATION

The incident under review unfolded quickly when officers moved toward Lopez in an attempt to detain him. Corporal Hunt estimated that the total incident took approximately thirty seconds. However, within those thirty seconds Lopez was given numerous commands by Officer Michels and Sergeant Snyder, all of which were ignored. Not only were the multiple commands ignored, but Lopez, within those thirty seconds escalated the situation by engaging the vehicle in reverse while Officer Michels was inside the door frame, and by ramming the Hyundai into Sergeant Snyder's vehicle causing Sergeant Snyder to be injured.

APPLICABLE LEGAL PRINCIPLES

A peace officer may use objectively reasonable force to effect an arrest if he believes that the person to be arrested has committed a public offense. (Calif. Penal C. §835a(b).)⁷ Should an arresting officer encounter resistance, actual or threatened, he need not retreat from his effort and maintains his right to self-defense. (Penal C. §835a(d).) An officer may use objectively reasonable force to effect an arrest, prevent escape or overcome resistance. (Penal C. §835a(d).)

An arrestee has a duty to refrain from using force or any weapon to resist arrest, if he knows or should know that he is being arrested. (Penal C. §834a.) This duty remains even if the arrest is determined to have been unlawful. (*People v. Coffey* (1967) 67 Cal.2d 204, 221.) In the interest of orderly resolution of disputes between citizens and the government, a *detainee* also has a duty to refrain from using force to resist detention or search. (*Evans v. City of Bakersfield* (1994) 22 Cal.App.4th 321, 332-333.) An arrestee or detainee may be kept in an officer's presence by physical restraint, threat of force, or assertion of the officer's authority. (*In re Gregory S.* (1980) 112 Cal.App.3d 764, 778, *citing*, *In re Tony C.* (1978) 21 Cal.3d 888, 895.) The force used by the officer to effectuate the arrest or detention can be justified if it satisfies the Constitutional test in *Graham v. Connor* (1989) 490 U.S. 386, 395. (*People v. Perry* (2019) 36 Cal.App.5th 444, 469-470.)

An officer-involved shooting may be justified as a matter of self-defense, which is codified in Penal Code at §§196 and 197. Both of these code sections are pertinent to the analysis of the conduct involved in this review and are discussed below.

⁷ All references to code sections here pertain to the California Penal Code.

PENAL CODE SECTION 196. Police officers may use deadly force in the course of their duties, under circumstances not available to members of the general public. Penal Code §196 states that homicide by a public officer is justifiable when it results from a use of force that “is in compliance with Section 835a.” Section 835a specifies a ***police officer is justified in using deadly force*** when he reasonably believes based upon the totality of the circumstances, that it is necessary:

- (1) to defend against an imminent threat of death or serious bodily injury to the officer or another, or
- (2) to apprehend a fleeing felon who threatened or caused death or serious bodily injury, if the officer also reasonably believes that the fleeing felon would cause further death or serious bodily injury unless immediately apprehended.

(Penal C. §835a(c)(1).) Discharge of a firearm is “deadly force.” (Penal C. §835a(e)(1).) The “ ‘[t]otality of the circumstances’ means all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force.” (Penal C. §835a(e)(3).) A peace officer need not retreat or desist from efforts to arrest a resistant arrestee. (Penal C. §834a(d).) A peace officer is neither deemed the aggressor in this instance, nor does he lose the right of self-defense by the use of objectively reasonable force to effect the arrest, prevent escape or overcome resistance. (*Id.*)

While the appearance of these principals was new to section 835a in 2020,⁸ the courts have been defining the constitutional parameters of use of deadly force for many years. In 1985, the United States Supreme Court held that when a police officer has probable cause to believe that the suspect he is attempting to apprehend “has committed a crime involving the infliction or threatened infliction of serious physical harm” to the officer or others, using deadly force to prevent escape is not constitutionally unreasonable. (*Tennessee v. Garner* (1985) 471 U.S. 1, 11-12.) California courts have held that when a police officer’s actions are reasonable under the Fourth Amendment of our national Constitution, that the requirements of Penal Code § 196 are also satisfied. (*Martinez v. County of Los Angeles* (1996) 47 Cal.App.4th 334, 349; *Brown v. Grinder* (E.D. Cal., Jan. 22, 2019) 2019 WL 280296, at *25.) There is also a vast body of caselaw that has demonstrated *how* to undertake the analysis of what is a reasonable use of force under the totality of the circumstances. (See *Reasonableness* discussion, *infra*.) As such, our pre-2020 state caselaw, developed upon the former iteration of section 196, is still instructive.

⁸ Assem. Bill No. 392 (2019-2020 Reg. Sess.) approved by the Governor, August 19, 2019. [Hereinafter “AB-392”]

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 19

There are two new factors in section 835a that did not appear in the section previously, nor did they develop in caselaw pertaining to use of deadly force. First, a peace officer must make reasonable efforts to identify themselves as a peace officer and warn that deadly force may be used, prior to using deadly force to affect arrest. (Penal C. §835a(c)(1).) This requirement will not apply if an officer has objectively reasonable grounds to believe that the person to be arrested is aware of those facts. (Penal C. §835a(c)(1).) Second, deadly force cannot be used against a person who only poses a danger to themselves. (Penal C. §835a(c)(2).)

While the codified standards for use of deadly force in the course of arrest are set forth at subsections (b) through (d) of Section 835a, the legislature also included findings and declarations at subsection (a). These findings and declarations lend guidance to our analysis, but are distinct from the binding standards that succeed them within the section. In sum, the findings are as follows:

- (1) that the use of force should be exercised judiciously and with respect for human rights and dignity; that every person has a right to be free from excessive uses of force;
- (2) that use of force should be used only when necessary to defend human life and peace officers shall use de-escalation techniques if it is reasonable, safe and feasible to do so;
- (3) that use of force incidents should be evaluated thoroughly with consideration of gravity and consequence, lawfulness and consistency with agency policies;⁹
- (4) that the evaluation of use of force is based upon a totality of the circumstances, from the perspective of a reasonable officer in the same situation; and

⁹ Penal C. §835a(a)(3) conflates a demand for thorough evaluation of a use of force incident with a dictate that it be done “in order to ensure that officers use force consistent with law and agency policies.” On its face, the section is clumsily worded. Nothing included in AB-392 plainly requires that a use of force also be in compliance with agency policies. A provision in the companion bill to AB-392—Senate Bill No. 230 [(2019-2020 Reg. Sess.) approved by the Governor, September 12, 2019] (Hereinafter “SB-230”), does explicitly state that “[a law enforcement agency’s use of force policies and training] may be considered as a factor in the totality of circumstances in determining whether the officer acted reasonably, but shall not be considered as imposing a legal duty on the officer to act in accordance with such policies and training.” (Sen. Bill No. 230 (2019-2020 Reg. Sess.) §1.) It is noteworthy, however, that this portion of SB-230 is uncoded, unlike the aforementioned portion of Penal C. §835a(a)(3).

- (5) that those with disabilities may be affected in their ability to understand and comply with peace officer commands, and suffer a greater instance of fatal encounters with law enforcement, therefore.

(Penal C. §835a(a).)

PENAL CODE SECTION 197. California law permits *all persons* to use deadly force to protect themselves from the imminent threat of death or great bodily injury. Penal Code §197 provides that the use of deadly force by any person is justifiable when used in self-defense or in defense of others.

The pertinent criminal jury instruction to this section is CALCRIM 505 (“Justifiable Homicide: Self-Defense or Defense of Another”). The instruction, rooted in caselaw, states that a person acts in lawful self-defense or defense of another if:

- (1) he reasonably believed that he or someone else was in imminent danger of being killed or suffering great bodily injury;
- (2) he reasonably believed that the immediate use of deadly force was necessary to defend against that danger; and
- (3) he used no more force than was reasonably necessary to defend against that danger.

(CALCRIM 505.) The showing required under section 197 is principally equivalent to the showing required under section 835a(c)(1), as stated *supra*.

IMMINENCE. “Imminence is a critical component” of self-defense. (*People v. Humphrey* (1996) 13 Cal.4th 1073, 1094.) A person may resort to the use of deadly force in self-defense, or in defense of another, where there is a reasonable need to protect oneself or someone else from an apparent, *imminent* threat of death or great bodily injury. “An imminent peril is one that, from appearances, must be instantly dealt with.” (*In re Christian S.* (1994) 7 Cal.4th 768, 783.) The primary inquiry is whether action was instantly required to avoid death or great bodily injury. (*Humphrey, supra*, 13 Cal.4th at 1088.) What a person knows and his actual awareness of the risks posed against him are relevant to determine if a reasonable person would believe in the need to defend. (*Id.* at 1083.) In this regard, there is no duty to wait until an injury has been inflicted to be sure that deadly force is indeed appropriate. (*Scott v. Henrich, supra*, 39 F.3d at 915.)

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 21

Imminence, more recently defined in the context of use of force to effect an arrest, is similar:

A threat of death or serious bodily injury is “imminent” when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.

(Penal C. §835a(e)(2).)

REASONABLENESS. Self-defense requires both subjective honesty and objective reasonableness. (*People v. Aris* (1989) 215 Cal.App.3d 1178, 1186.) The United States Supreme Court has held that an officer’s right to use force in the course of an arrest, stop or seizure, deadly or otherwise, must be analyzed under the Fourth Amendment’s “reasonableness” standard. (*Graham v. Connor, supra*, 490 U.S. at 395.)

The ‘reasonableness’ of a particular use of force must be judged from the perspective of a reasonable officer on scene, rather than with the 20/20 vision of hindsight....The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation.

(*Id.* at 396-397, citations omitted.)

The “reasonableness” test requires an analysis of “whether the officers’ actions are ‘objectively reasonable’ in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation.” (*Id.* at 397, citations omitted.) What constitutes “reasonable” self-defense or defense of others is controlled by the circumstances. A person’s right of self-defense is the same whether the danger is real or merely apparent. (*People v. Jackson* (1965) 233 Cal.App.2d 639.) If the person’s beliefs were reasonable, the danger does not need to have actually existed. (CALCRIM 505.) Yet, a person may use no more force than is reasonably necessary to defend against the danger they face. (*Id.*)

When deciding whether a person’s beliefs were reasonable, a jury is instructed to consider the circumstances as they were known to and appeared to the person and considers what a reasonable person in a similar situation with similar knowledge would have believed. (*Id.*) It was previously held that in the context of an officer-involved incident, this standard does not morph into a “reasonable police officer” standard. (*People v. Mehserle* (2012) 206

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 22

Cal.App.4th 1125, 1147.)¹⁰ To be clear, the officer's conduct should be evaluated as "the conduct of a reasonable person functioning as a police officer in a stressful situation." (*Id.*)

The *Graham* court plainly stated that digestion of the "totality of the circumstances" is fact-driven and considered on a case-by-case basis. (*Graham v. Connor, supra*, 490 U.S. at 396.) As such, "reasonableness" cannot be precisely defined nor can the test be mechanically applied. (*Id.*) Still, *Graham* does grant the following factors to be considered in the "reasonableness" calculus: the severity of the crime committed, whether the threat posed is immediate, whether the person seized is actively resisting arrest or attempting to flee to evade arrest. (*Id.*)

Whether the suspect posed an immediate threat to the safety of the officer or others has been touted as the "most important" *Graham* factor. (*Mattos v. Agarano* (9th Cir. 2011) 661 F.3d 433, 441-442.) The threatened use of a gun or knife, for example, is the sort of immediate threat contemplated by the United States Supreme Court, that justifies an officer's use of deadly force. (*Reynolds v. County of San Diego* (9th Cir. 1994) 858 F.Supp. 1064, 1071-72 "an officer may reasonably use deadly force when he or she confronts an armed suspect in close proximity whose actions indicate an intent to attack.") Again, the specified factors of *Graham* were not meant to be exclusive; other factors are taken into consideration when "necessary to account for the totality of the circumstances in a given case." (*Mattos v. Agarano, supra*, 661 F.3d at 441-442.)

The use of force policies and training of an involved officer's agency *may* also be considered as a factor to determine whether the officer acted reasonably. (Sen. Bill No. 230 (2019-2020 Reg. Sess) §1. See fn. 3, *infra*.)

When undertaking this analysis, courts do not engage in *Monday Morning Quarterbacking*, and nor shall we. Our state appellate court explains,

under *Graham* we must avoid substituting our personal notions of proper police procedure for the instantaneous decision of the officer at the scene. We must never allow the theoretical, sanitized world of our imagination to replace the dangerous and complex world that policemen face every day. What constitutes 'reasonable' action may seem quite different to someone facing a possible assailant than to someone analyzing the question at leisure.

(*Martinez v. County of Los Angeles, supra*, 47 Cal.App.4th at 343, citing *Smith v. Freland* (6th Cir. 1992) 954 F.2d 343, 347.) Specifically, when a police officer reasonably believes a suspect may be armed or arming himself, it does not change the analysis even if

¹⁰ The legislative findings included in Penal C. section 835a(a)(4) suggest to the contrary that "the decision by a peace officer to use force shall be evaluated from the perspective of a reasonable officer in the same situation." As such, if the officer using force was acting in an effort to *effect arrest*, as is governed by section 835a, then it appears the more generous standard included there would apply.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 23

subsequent investigation reveals the suspect was unarmed. (*Baldrige v. City of Santa Rosa* (9th Cir. 1999) 1999 U.S. Dist. LEXIS 1414 *1, 27-28.)

The Supreme Court's definition of reasonableness is, therefore, "comparatively generous to the police in cases where potential danger, emergency conditions or other exigent circumstances are present." (*Martinez v. County of Los Angeles, supra*, 47 Cal.App.4th at 343-344, citing *Roy v. Inhabitants of City of Lewiston* (1st Cir. 1994) 42 F.3d 691, 695.) In close-cases therefore, the Supreme Court will surround the police with a fairly wide "zone of protection" when the aggrieved conduct pertains to on-the-spot choices made in dangerous situations. (*Id.* at 343-344.) One court explained that the deference given to police officers (versus a private citizen) as follows:

unlike private citizens, police officers act under color of law to protect the public interest. They are charged with acting affirmatively and using force as part of their duties, because 'the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it.

(*Munoz v. City of Union City* (2004) 120 Cal.App.4th 1077, 1109, citing *Graham v. Connor, [supra]* 490 U.S. 386, 396.)

NON-LETHAL FORCE. This does not suggest that anything *less than* deadly force requires no justification. "[A]ll force—lethal and non-lethal—must be justified by the need for the specific level of force employed." (*Bryan v. MacPherson* (9th Cir. 2010) 630 F.3d 805, 825, citing *Graham [v. Connor]* (1989) 490 U.S. [386], 395.) The *Graham* balancing test, as described *supra*, is used to evaluate the reasonableness of lethal and non-lethal force, alike. (*Deorle v. Rutherford* (9th Cir. 2001) 272 F.3d 1272, 1282-83.)

Use of a Taser or a shotgun-fired bean bag has been categorized as intermediate non-lethal force. (*Bryan v. MacPherson, supra*, 630 F.3d at 825 [Taser]; *Deorle v. Rutherford, supra*, 272 F.3d at 1279-80 [bean bag].) This designation exists despite the fact that such force is *capable* of being used in a manner causing death. (*Id.*) To be deemed "lethal force" the instrumentality must be force that "creates a substantial risk of death or serious bodily injury." (*Smith v. City of Hemet* (9th Cir. 2005) 394 F.3d 689, 693.); use of a Taser or shotgun-fired bean bag both fall short of this definition. (*Bryan v. MacPherson, supra*, 630 F.3d at 825; *Deorle v. Rutherford, supra*, 272 F.3d at 1279-80.) Similarly, the use of a trained police dog does not qualify as "deadly force" as it too has fallen short of the lethal force definition set forth in *Smith*. (*Thompson v. County of Los Angeles* (2006) 142 Cal.App.4th 154, 165-169.)

Beyond the traditional *Graham* factors, and particularly in the use of non-lethal force, the failure of officers to give a warning and the subject's mental infirmity can also be considered when assessing the totality of the circumstances. (*Bryan v. MacPherson, supra*, 630 F.3d at 831; *Deorle v. Rutherford, supra*, 270 F.3d at 1283-84.) Failure to pass-muster under *Graham* can deem the use of non-lethal force as "excessive" and therefore violate the

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 24

Fourth Amendment. (*Id.*) On the other hand, active resistance could justify multiple applications of non-lethal force to gain compliance and would not be deemed “excessive” nor violate the Fourth Amendment. (*Sanders v. City of Fresno* (9th Cir. 2008) 551 F.Supp.2d 1149, 1182 [not excessive to use physical force and tase an unarmed but actively resisting subject with 14 Taser cycles where such was needed to gain physical control of him].)

ANALYSIS

SERGEANT SCOTT SNYDER’S USE OF FORCE.

In this case, Sergeant Scott Snyder arrived at the Colton incident and saw Lopez walk from an apartment that was under surveillance and connected to a string of robberies that spanned multiple counties, involved multiple victims, and included gun use against said victims. Upon arrival Sergeant Snyder put into action a plan that had Corporal Hunt and Officer Michels approach and attempt to detain Lopez before he could leave the scene while an active investigation was ongoing.

The plan included boxing in Lopez so that he would not be able to leave. As Officer Michels approached, he believed that Lopez saw his badge and knew he was a police officer. Officer Michels also announced himself as such. Lopez instead chose to get inside his vehicle and start the car. Lopez put his car in reverse despite Officer Michels being close and within the door frame. Had Officer Michels not had the wherewithal to get out of the door frame of Lopez’s vehicle, he too may have been severely injured when Lopez hit the gas pedal and sent his car backwards into Sergeant Snyder’s vehicle. The sergeant’s foot and ankle were pinned between his car door and the frame of the sergeant’s vehicle. Sergeant Snyder initially believed that his foot or ankle was broken because of the impact.

Lopez persisted and next tried to drive his vehicle forward over the curb in an effort get away. Sergeant Snyder tested his ankle and then moved forward to help Officer Michels stop the threat that Lopez posed. Despite numerous commands, and Officer Michels trying to open Lopez’s door which was locked, it was Corporal Hunt that managed to break the window on the passenger side of Lopez’s vehicle with his firearm causing an accidental discharge. Once the driver’s side door was open, Lopez continued to resist being pulled from the vehicle. Lopez was engaged in actively fighting Officer Michels and Sergeant Snyder. Sergeant Snyder had already been injured by Lopez, and Lopez continued to try and drive forward and resist being taken into custody. Sergeant Snyder had an honest and objective belief that Lopez would continue to resist lawful arrest and was in a position to continue to injure officers. Sergeant Snyder was justified in his use of force when he used his firearm as an impact weapon on Lopez.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 25

CORPORAL HUNT'S USE OF FORCE AND ACCIDENTAL DISCHARGE.

Corporal Hunt's discharge was accidental and unintentional. Therefore, this inquiry is to determine whether the actions he took with the firearm were justified during this incident. Here, we find that Corporal Hunt had an honest and objective belief that Lopez caused an imminent threat to Sergeant Snyder, Corporal Hunt, and Officer Michels. Corporal Hunt witnessed Lopez drive his car into Sergeant Snyder's vehicle, injuring the sergeant, as well as watching Lopez continue to try to flee the scene by driving forward, and refusing to obey multiple commands.

Corporal Hunt's primary objective was to stop the threat by getting inside Lopez's vehicle and turn off the engine. To effectuate that Corporal Hunt needed to get inside the locked vehicle quickly, before Lopez could hurt anyone else. Corporal Hunt was justified in using his firearm to break the passenger side window of the vehicle Lopez was in.

It is also important to note that Corporal Hunt had limited options with which to break the window given that he was outside of Lopez's vehicle and in plain clothes (save his ballistic vest). Had Corporal Hunt been in standard uniform, he may have had access to other tools, such as a baton or taser. Even despite having additional tools available to Corporal Hunt, it is likely, and again reasonable, that Corporal Hunt would have nonetheless used his firearm given that he almost certainly would have approached the vehicle with his firearm out given the level of danger associated with this investigation and Lopez's actions up to that point. Reasonableness is judged from the perspective of a reasonable officer on scene.

PUBLIC RELEASE MEMORANDUM

DA STAR #2021-30623

May 14, 2026

Page 26

CONCLUSION

Given the totality of the circumstances that Lopez created, including the circumstances of the crime that they were investigating, Lopez's reaction to being contacted by Officer Michels, and his assault on Sergeant Snyder, both Sergeant Snyder's use of force, and Corporal Hunt's use of his firearm as an impact tool were reasonable and justified.

Based on the facts presented in the reports and the applicable law, Sergeant Scott Snyder's use of force was reasonable under the circumstances, and his actions were legally justified.

Based on the facts presented in the reports and the applicable law, Corporal Richard Hunt's actions were reasonable under the circumstances, and were legally justified.

Submitted By:
San Bernardino County District Attorney's Office
303 West Third Street
San Bernardino, CA 92415

