



OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF TULARE

Tim Ward, *District Attorney*

PRESS RELEASE

9/3/20

**NO INDICTMENT RETURNED BY GRAND JURY IN JUNE 2019
DELANO OFFICER-INVOLVED SHOOTING**

On Wednesday, September 2, a Tulare County Criminal Grand Jury found No True Bill after hearing the evidence in an officer-involved shooting that occurred in Delano on June 14, 2019. On that date, a Delano police officer was involved in a fatal shooting of a suspect who was wanted in connection with a prior shooting and assault that occurred on June 13, 2019 in the City of Richgrove. Additionally, on June 14, 2019, moments after the Delano officer fired his weapon, a Tulare County Sheriff's Deputy was involved in a non-fatal shooting of an associated suspect. Both shootings occurred at the Best Western Hotel located at the intersection of Highway 99 and County Line Road in Delano. The Porterville Police Department conducted an investigation into the incidents, and submitted it to the Tulare County Office of the District Attorney for the review.

Shooting by Tulare County Sheriff's Deputy

After reviewing the facts and circumstances surrounding the non-fatal shooting by the Tulare County Sheriff's Deputy, the Office of the District Attorney has determined that no criminal charges are appropriate against the deputy. This office has notified the Porterville Police Department and the Tulare County Sheriff Office of its findings. Those notifications and a report containing the office's findings are attached to this press release. The attached report contains a factual summary of the events leading up to the shooting by the Tulare County Sheriff's deputy as derived from the investigative reports of the Porterville Police Department.

Shooting by Delano Police Officer

According to the submitted investigation, Arturo Ramirez, age 24 from Richgrove, CA, was struck twice, once in the back, and once again, grazing his arm. Both shots were fired by a single Delano police officer and Ramirez succumbed to his wounds. The shooting took place behind the hotel on the rear walkway. TCSO deputies were at the hotel following up on a prior case, which involved a shooting at a house in Richgrove. Arturo Ramirez and Alexis R. were wanted by TCSO in conjunction with those prior events. *(Refer to the attached evaluation for more details surrounding the events leading up to the shooting.)* While TCSO deputies were inside the hotel attempting to contact Mr. Ramirez along with Alexis R., Mr. Ramirez leapt out the second story hotel window onto the rear walkway. Ramirez began immediately running away from officers heading south along the rear walkway. One of two Delano officers providing security outside the hotel fired 12 rounds from his department-issued rifle. Mr. Ramirez did not have a weapon at the time he was shot.

After reviewing the facts and circumstances contained in the investigative reports regarding the fatal shooting by the Delano Police Officer, this office deemed it appropriate to present the case to a Tulare County Grand Jury to determine if a true bill would be returned indicting the officer. After receiving all of the available evidence the Grand Jury has determined not to return an indictment, thus the officer will not be facing charges.

The decision to present the matter before a Grand Jury was based upon a number of factors including, but not limited to, the following: After reviewing the pertinent video footage obtained in the investigation, it was determined that additional

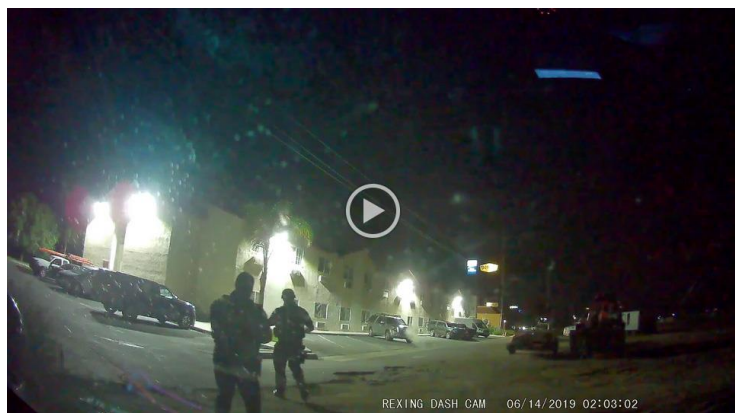


Figure 1: A Segment of Dash Cam Video

investigation and testimony regarding the shooting, as well as prior events, were



Figure 2: *A Segment of surveillance camera footage from a nearby business*

warranted. A Grand Jury also allows for witnesses who were uncooperative with the criminal investigation to be compelled under subpoena to testify. Ultimately, the office felt it appropriate for a Grand Jury, comprised of members of the community, to determine if the actions of the officer were reasonable under the circumstances. Under California law in effect at the time, a police officer may utilize deadly force if the officer had probable cause to believe that the suspect posed a

threat of death or great bodily injury to either the officer or others, or that the suspect had previously committed an atrocious crime, and that crime threatened others with death or great bodily injury. At the moment in time when an officer shoots there must be a threat to the officer or to someone else.

This office has since petitioned the Tulare County Superior Court to unseal the transcript of the proceeding as authorized by recent legislation and Penal Code section 924.6. However, the Office of the District Attorney has not received the formal records, and until such time we cannot discuss specifics related to the Grand Jury proceedings.

Based on the findings of the Grand Jury, we have notified the Porterville Police Department and the Delano Police Department that no further proceedings will be forthcoming by this office on this case.

This matter is deemed closed.

*Media inquiries may be directed to the Office of the District Attorney, County of Tulare
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