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PRESS RELEASE

March 26, 2019

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DISTRICT ATTORNEY FINDS THAT SALINAS POLICE OFFICERS ACTED IN DEFENSE OF OTHERS AND SELF DEFENSE IN SHOOTING THAT OCCURED ON FEBRUARY 1, 2019

SALINAS, California- Monterey County District Attorney Jeannine M. Pacioni announced today that that no charges will be filed against any police officer involved in the February 1, 2019 shooting of Guadalupe Aguirre Espinoza.

Pursuant to state and federal law, any person—including a peace officer—is allowed to use deadly force in self-defense or in defense of others if the person reasonably believes the immediate use of deadly force is necessary to defend against an imminent danger of great bodily injury or death. The danger does not need to have actually existed as long as the person reasonably believed the danger existed. Further, a person acting in self-defense or defense of others is not required to retreat. The person is entitled to stand his or her ground or even, if reasonable, to pursue an assailant until the danger of death or bodily injury has passed. This is so even if safety could have been achieved by retreating.

The scope of this review is narrow. It is not to advise concerning best practices for law enforcement in the field, but rather to determine if any officer committed a crime beyond a reasonable doubt.

For details on the finding that there is insufficient evidence to prove guilt beyond a reasonable doubt, please see the attached letter to Salinas Police Chief Adele Fresé.