



OFFICE OF INDEPENDENT REVIEW

**REPORT FOR THE PERIOD OF
JANUARY 1, 2026, TO SEPTEMBER 30, 2026**

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ABOUT THE OFFICE OF INDEPENDENT REVIEW

The Office of Independent Review (OIR) works to strengthen community trust in the Fresno Police Department (FPD) by providing a neutral, third-party review of police policies, strategies, and Internal Affairs (IA) investigations. The OIR operates independently of the FPD and provides City leaders and the public with an objective analysis of policing data, actions, and outcomes. The OIR analyzes complaints filed by the community, and those initiated by the department to ensure they have been investigated fairly and thoroughly. Periodically, the OIR provides an objective analysis of individual units within the FPD to ensure compliance with policy and procedure, best practices, and the law. This includes recommendations and findings to increase thoroughness, quality, and accuracy of each police unit reviewed.

The work of the OIR is guided by the following principles:

- Independence
- Fairness
- Integrity
- Honesty
- Transparency
- Participation of Stakeholders, both internally and externally
- Acceptance, Cooperation, and Access
- Obedience to Legal Constraints



Please contact our office if you would like us to speak to your group or participate at your next community event. Contact information can be found on the last page of this report.

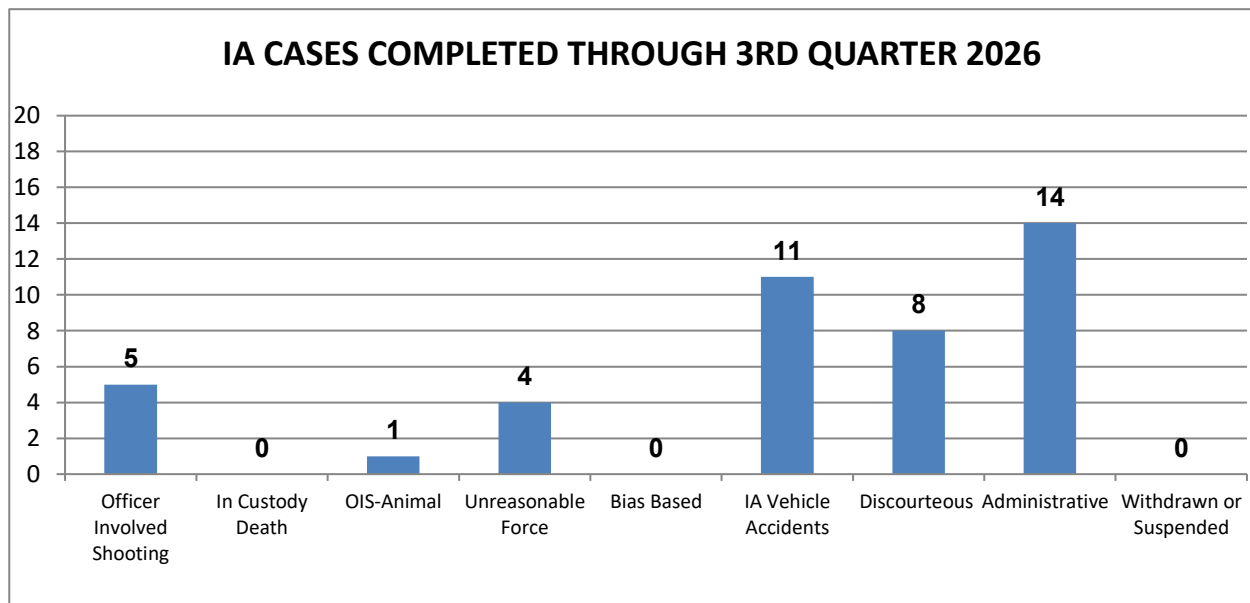
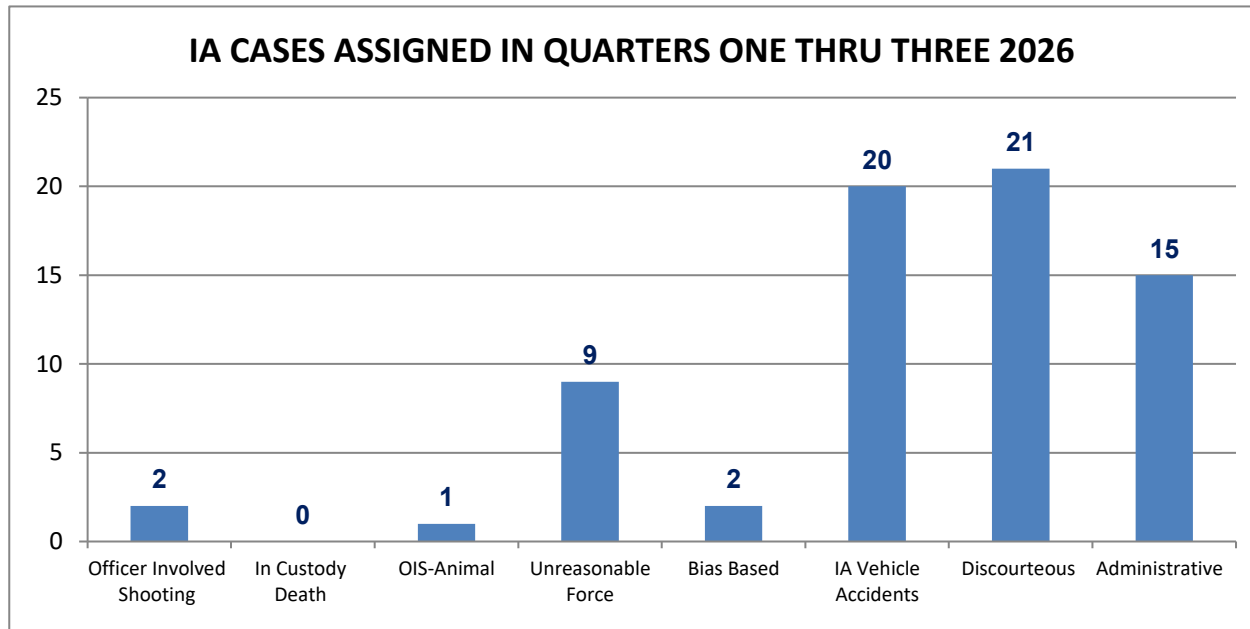
OIR REPORT FORMAT

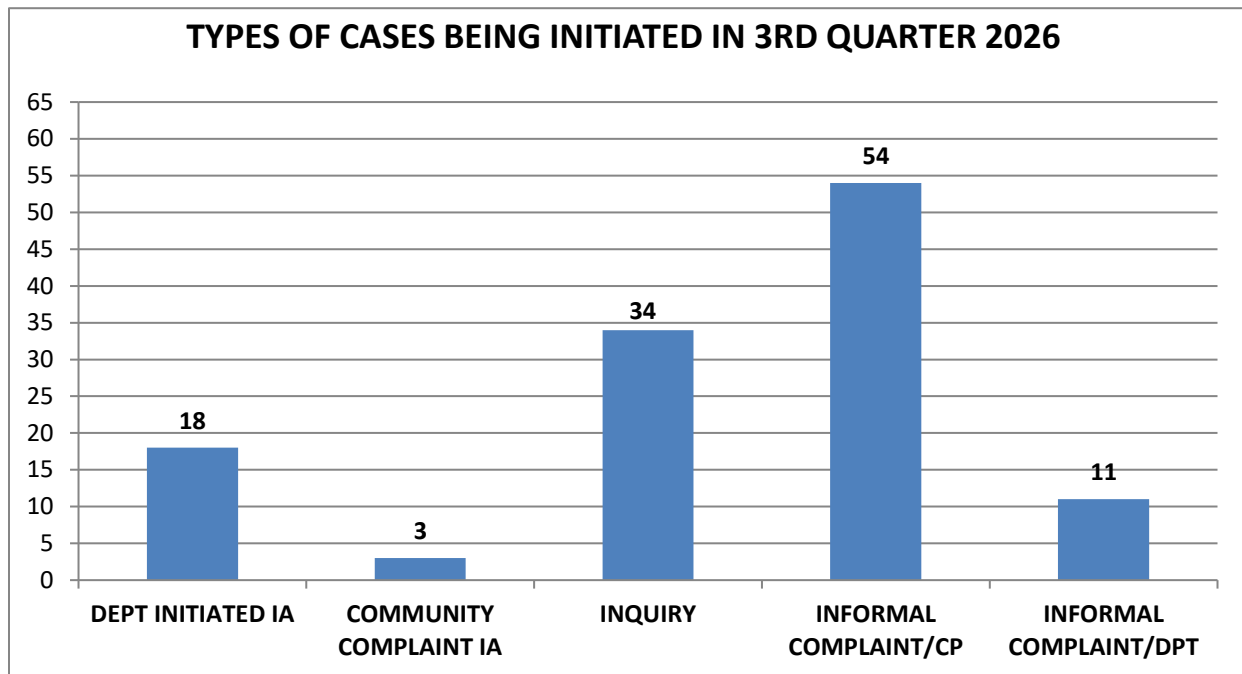
The OIR adheres to the following guidelines, format, and definitions in all quarterly reports:

- ✓ *This report includes IA cases initiated and completed through the three quarters of 2026.*
- ✓ *The discipline imposed section includes cases that were closed in 2026, but several were opened in 2023, 2024, and 2025.*
- Officers are referred to as “O” and where there is more than one officer involved, they will be identified as Os, or O1, O2, and so on depending on the total number of officers.
- The incident type charts list all cases which were pending, assigned, or closed during the review period, and where applicable Year to Date (YTD) data will be listed.
- All cases in which the FPD IA determined the employee(s) was Exonerated, Unfounded, or Not Sustained are reviewed by the OIR. The findings reached by the OIR for these cases will also be listed. If IA and the OIR have not reached the same decision the OIR explanation will appear following the chart. Cases in which IA deemed the allegation was Sustained will not be reviewed by the OIR.
- Cases are not reviewed by the OIR until IA has completed their investigation and the case is classified as closed by IA, thus allowing for all information/evidence to be reviewed.
- In the event the OIR proposes a recommendation or corrective action, it will appear directly following the chart summarizing the cases within the specific incident type.
- Recommendations or corrective actions which are not directly related to a charted incident type will appear at the end of the report prior to the summary.
- The report is previewed by Mayor Jerry Dyer, City Manager Georgeanne White, Chief Assistant City Attorney Tina Griffin, and Police Chief Mindy Casto, prior to finalization. This allows the respective parties an opportunity to respond to recommendations and/or findings, and those responses may be included in the final report. However, their reviews and responses will not alter the recommendations or corrective actions suggested by the OIR.
- All FPD responses to OIR recommendations, including if the FPD implemented a policy change(s) in response to recommendation(s) listed in the previous quarterly report, will be addressed before the summary section of this report. The response received from the FPD will be included without changes or edits.
- Previously when the officer or employee’s employment status changed the cases were no longer listed as pending or closed, which created doubt on their status. However, as of January 1, 2023, each law enforcement agency shall be responsible for the completion of investigations of allegations of serious misconduct by a peace officer, regardless of their employment status, per [Senate Bill 2](#), Section 13510.8.(9)(c)(1).
- Depending on the policy they were found to have violated, officers/employees may be offered a Last Chance Agreement (LCA) in lieu of proposed termination. The individual must adhere to strict guidelines for the duration of their employment with the City of Fresno or be subjected to termination as outlined in their agreed upon and signed LCA.
- If CA DOJ is reviewing an OIS it will be noted in the OIS case chart with the letters **DOJ**.

REVIEW OF INTERNAL AFFAIRS INVESTIGATIONS

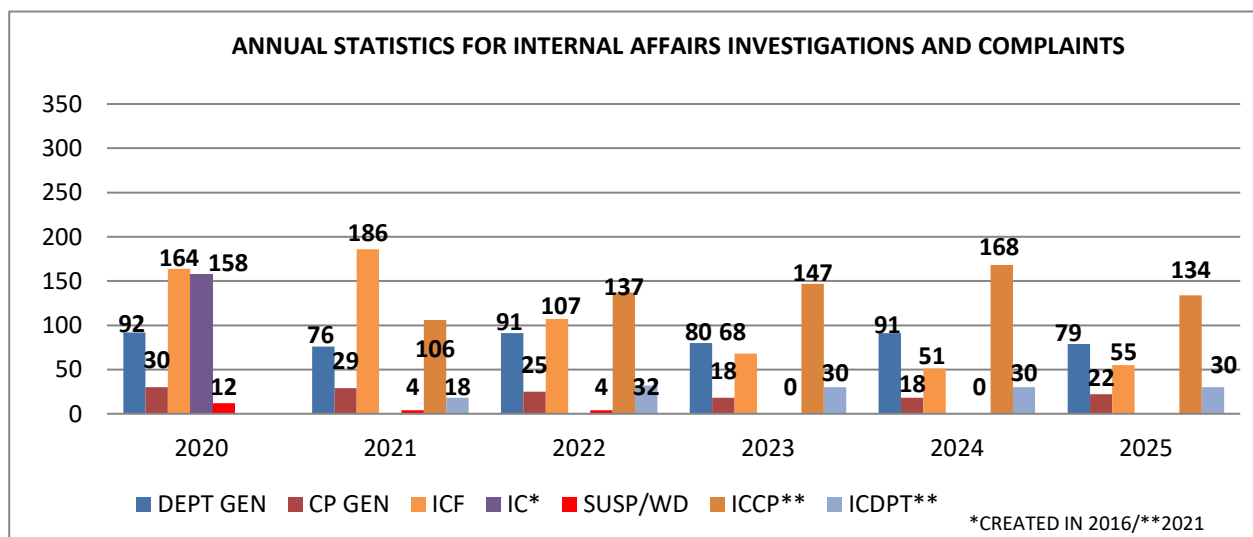
The following charts list the number and types of IA cases assigned and closed during the first three quarters of 2026. For classification purposes, Discourteous Treatment also includes cases in which the officer was accused of conduct unbecoming of a police officer. The classification of Administrative Matters includes officers or employees accused of violating policies which do not involve responding to a call for service or interacting with the public.





Inquiry: An inquiry involves a question about the policy or procedures of the FPD. Inquiries may be documented via an Inquiry Complaint Form (ICF).

Informal Complaint: A matter which can be handled at the supervisor level within a district/division and is not reasonably likely to result in disciplinary measures. Generally, complaints handled via this process include minor allegations or general violations. A finding of Sustained, Not Sustained, Unfounded, or Exonerated is required. As of January 1, 2021, the informal complaints will be categorized by the manner the complaint was initiated, either by the community (CP) or the department (DPT).



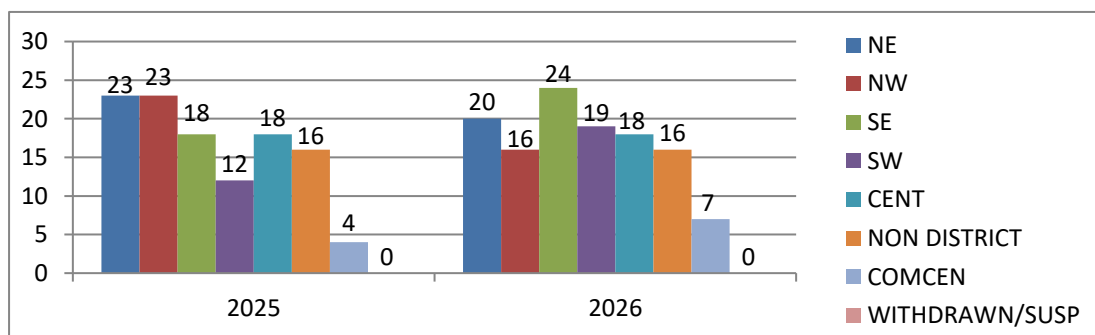
COMPLAINTS OR INQUIRIES ASSIGNED BY POLICING DISTRICT

The following charts reflect the complaints or inquiries assigned in each of the five policing districts for the third quarter of 2026 and a third quarter comparison between 2025 and 2026. The informal complaints are listed by the manner in which the complaint was initiated, community complaint (CP), or department generated (DPT).

EXPLANATION OF TERMS IN CHART	
NE	NORTHEAST
NW	NORTHWEST
SE	SOUTHEAST
SW	SOUTHWEST
CENT	CENTRAL
NON-DISTRICT	NOT ATTRIBUTED TO A SPECIFIC DISTRICT (OFF-DUTY, ETC)
COMCEN	COMMUNICATION CENTER (DISPATCH)
WITHDRAWN/SUSPENDED	COMPLAINT WAS WITHDRAWN BY CP OR EMPLOYEE IS NO LONGER WITH FPD

MATTERS ASSIGNED BY POLICING DISTRICTS FOR THE THIRD QUARTER OF 2026									
ASSIGNED	NE	NW	SE	SW	CENT	NON-DISTRICT	COMCEN	WITHDRAWN/SUSPENDED	TOTAL
IA CASES	1	1	2	2	10	4	1	0	21
INFORMAL COMPLAINTS-CP	12	6	12	13	3	7	1	0	54
INFORMAL COMPLAINTS-DPT	1	0	1	1	1	2	5	0	11
INQUIRIES	6	9	9	3	4	3	0	0	34
3 rd QTR TOTALS	20	16	24	19	18	16	7	0	120

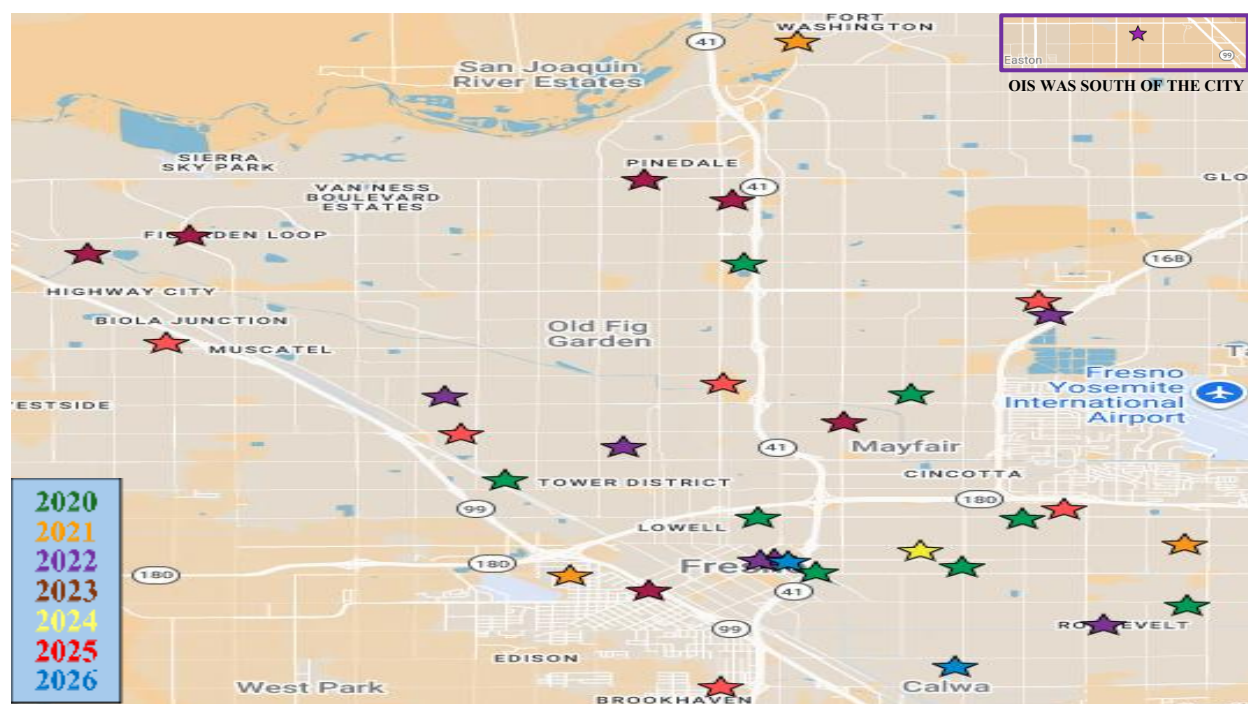
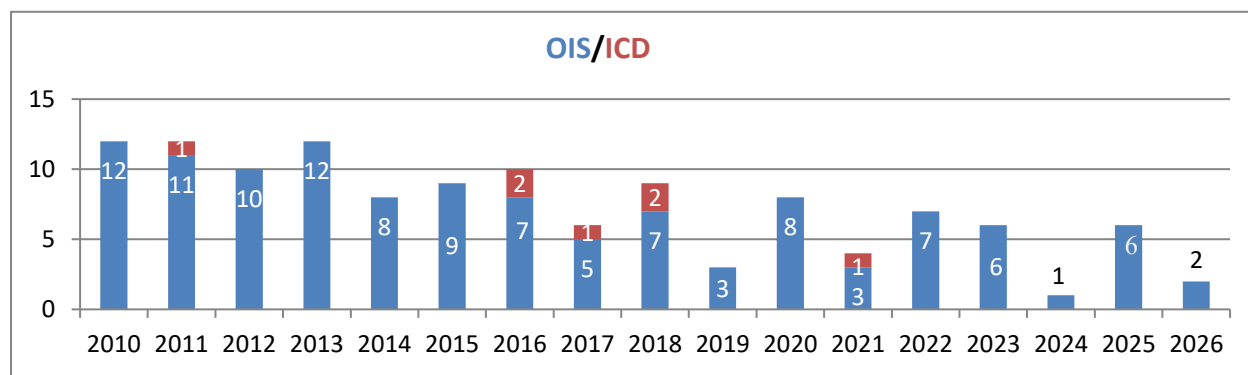
QUARTERLY COMPARISON OF MATTERS BY DISTRICT



EXPLANATION OF TERMS AND ABBREVIATIONS

UNF	UNFOUNDED: THE INVESTIGATION CLEARLY ESTABLISHED THE ALLEGATION WAS NOT TRUE. COMPLAINTS WHICH ARE DETERMINED TO BE FRIVOLOUS WILL FALL WITHIN THE CLASSIFICATION OF UNFOUNDED [PENAL CODE 832.5(C)]
EX	EXONERATED: THE INVESTIGATION CLEARLY ESTABLISHED THE ACTIONS OF THE PERSONNEL WHICH FORMED THE BASIS OF THE COMPLAINT DID NOT VIOLATE THE LAW OR FPD POLICY
NS	NOT SUSTAINED: THE INVESTIGATION FAILED TO DISCLOSE SUFFICIENT EVIDENCE TO CLEARLY PROVE OR DISPROVE THE ALLEGATION WITHIN THE COMPLAINT
SUS	SUSTAINED: THE INVESTIGATION DISCLOSED SUFFICIENT EVIDENCE TO PROVE THE TRUTH OF THE ALLEGATION IN THE COMPLAINT BY THE PREPONDERANCE OF THE EVIDENCE.
P	PENDING: THE INVESTIGATION HAS NOT BEEN COMPLETED
O	OFFICER: IF FOLLOWED BY A 1, 2, 3, ETC., INDICATES MORE THAN ONE OFFICER WAS BEING INVESTIGATED
RAI	REQUESTED ADDITIONAL INFORMATION WAS MADE BY OIR BEFORE A DECISION COULD BE MADE
NR	NOT REVIEWED: OIR DID NOT REVIEW THE CASE DUE TO FPD FINDING OF SUSTAINED OR THE CASE WAS SUSPENDED
CP	COMPLAINING PARTY: THE PERSON WHO FILED THE COMPLAINT
SUSP	SUSPENDED: THE OFFICER/EMPLOYEE RESIGNED OR RETIRED PRIOR TO THE CONCLUSION OF THE INVESTIGATION
BWC	BODY WORN CAMERAS: DEVICE AFFIXED TO UNIFORMS WHICH RECORDS AUDIO & VIDEO OF CONTACT WITH PUBLIC
DATE ASSIGNED IS THE DATE THE CASE WAS ASSIGNED TO AN IA INVESTIGATOR, NOT THE ACTUAL DATE OF OCCURRENCE	

OFFICER INVOLVED SHOOTINGS (OIS) & IN-CUSTODY DEATHS (ICD) 2010 THROUGH 2026 (OIS FOR 2020 TO 2026 MAPPED BELOW)



COMPLETED AND PENDING OFFICER INVOLVED SHOOTING INVESTIGATIONS

FPD Officers were involved in two OIS incidents of a person, and one with a dog, during the first three quarters of 2026. Six previously pending OIS investigations were completed during this review period and reviewed by this office. One of the completed cases, IA2023-0009, was also reviewed by the California Attorney General's Office (CA DOJ), per [AB 1506](#). At the conclusion of the third quarter, there were three pending OIS investigations still being investigated by IA.

OFFICER INVOLVED SHOOTING (OIS) AND IN CUSTODY DEATHS (ICD)					
IA CASE NUMBER	DATE ASSIGNED	DATE COMPLETED	FPD FINDING	OIR FINDING	SUMMARY
23-0009	3/4/2023	6/12/2026	W/IN POL	W/IN POL	SUBJECT SHOT AT AND HIT O AFTER A SHORT PURSUIT, Os RETURNED FIRE, FATAL (DOJ)
25-0030	4/10/2025	2/17/2026	W/IN POL	W/IN POL	O SHOT SUBJ WHO HELD HOSTAGE AT KNIFE POINT, NON-FATAL
25-0042	5/7/2025	6/12/2026	W/IN POL	W/IN POL	O SHOT AT SUBJ WHO HAD JUST SHOT AT A MOTHER AND CHILD AFTER SUBJ ENGAGED IN A VEH CHASE. SUBJ WAS NOT HIT BY O's GUNFIRE, NON-FATAL
25-0049	6/1/2025	7/15/2026	W/IN POL	W/IN POL	O SHOT AT PAROLEE WHO POINTED A WEAPON AT OFFICERS, NON-FATAL
25-0077	8/23/2025	6/24/2026	W/IN POL	W/IN POL	Os SHOT SUBJ WHO STRANGLED GF AND ADVANCED ON Os WHILE HOLDING TWO KNIVES, FATAL
25-0105	12/7/2025	P			Os SHOT SUBJ AFTER SUBJ SHOT AT OFFICER STRIKING O's DEPT BASEBALL HAT, NON-FATAL
26-0039	6/5/2026	P			Os SHOT SUBJ AFTER SUBJ SHOT AT OFFICERS AND REFUSED TO SURRENDER, FATAL
26-0056	7/22/2026	7/30/2026	W/IN POL	W/IN POL	O SHOT PITBULL THAT HAD ATTACKED A VICTIM AND HER SMALLER DOG, FATAL
26-0067	9/1/2026	P			Os SHOT SUBJ WHO HAD SHOT AT OFFICERS, NON-FATAL

Each of the following OIS reviews includes a hyperlink to a Critical Incident Video which contains pertinent information summarizing the OIS. In addition to portions of the officers' body worn camera recordings, the video may include time, date, location, 9-1-1 call recordings, and police radio traffic. By including the link, the reader will be able to view pertinent information firsthand. The intent of including the link to the Critical Incident Video is to provide as much transparency as possible, which is a primary goal of this office. **All OIR OIS reviews are conducted after personally viewing the full unedited BWC recordings, along with other numerous amounts of evidence, including but not limited to reports and interviews.**

IA2023-0009: On March 4, 2023, at 4:55 PM, officers attempted a traffic stop on a vehicle near Fresno Street and Shaw Avenue. The vehicle was driven by Robert Corchado, who was wanted on several outstanding felony warrants. Corchado failed to yield and entered the off ramp to Highway (HWY) 41 in the opposite direction of traffic. Due to concern for the safety of the public, the officers terminated the pursuit. Corchado then drove northbound on HWY 41.

Responding officers located Corchado driving northbound on HWY 41, just south of the Bullard exit. Officer #1 activated his BWC, although it was not a policy requirement, and began following Corchado but he did not initiate a pursuit. The FPD helicopter, AIR 1, was now overhead and was able to call out the direction of Corchado. AIR 1 advised Corchado was driving at a high rate of speed, failing to stop at intersections, and narrowly missing a collision with another vehicle. FPD patrol units were following the directions being provided by AIR 1 but were not engaged in a pursuit.

Based upon the dangerous driving displayed by Corchado an FPD sergeant authorized the responding officers to re-initiate a pursuit and authorized a pursuit immobilization technique (PIT) if Corchado failed to yield. In the area of Herndon and Ingram Avenues Officer #1 activated his lights and siren. Corchado failed to yield and Officer #1 performed a PIT maneuver. Corchado's vehicle came to rest on the center median and was disabled as a result.

Officers #2 and #3, who were riding together, were following Officer #1 when the PIT maneuver was applied. The officers stopped their patrol car just east of Corchado's vehicle. Corchado immediately fired a handgun several times at Officers #2 and #3 before they exited the patrol cars. Fearing for their safety and the safety of other responding officers #2 and #3 fired their department handguns. One of the rounds fired by Corchado struck Officer #2 in the chest. The officer's ballistic vest stopped the round from penetrating any further. The below photograph shows where the round struck the vest.



Corchado then ran from his vehicle in an eastbound direction in the westbound lanes of Hendon Avenue. Believing Corchado was still armed Officers #2 and #3 pursued Corchado on foot while yelling commands for him stop and get on the ground. Corchado failed to stop and was now running in the direction of an occupied vehicle that had stopped on Hendon Avenue. Officer #2 fired his weapon again hitting Corchado. Officers immediately began providing medical aid and requested an ambulance. Corchado was pronounced deceased on scene by the responding paramedics.

The handgun used by Corchado was found on the ground just outside the open driver's door of his vehicle. The weapon still had a round in the chamber, but the magazine was empty. Ejected fired shell casings were found in his vehicle which confirmed he had fired at the officers before leaving his vehicle. An assault style .22 caliber rifle was also found in the vehicle between the driver and passenger seats. Evidence was discovered that showed three rounds fired by Corchado struck Officer #2's patrol vehicle.

The FPD released a [Critical Incident Video](#) shortly after this OIS. The video can be found by following the above link. In addition to the IA investigation, the CA DOJ dispatched investigators to the scene to conduct their own independent investigation, per AB1506. Their 39 page report can be found at this [link](#).

The OIR review, along with the IA investigation, is to determine if the officers' actions were within department policy. The FPD Use of Force Policy, Section 300.8 can be found at this [link](#), and reads in part as follows:

The use of deadly force is only justified when the officer reasonably believes it is necessary in the following circumstances (Penal Code § 835a):

(a) An officer may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury to the officer or another person.

(b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

The actions of Corchado from the moment he elected to flee from the traffic stop, to the point he fired at Officers #2 and #3, clearly demonstrated he posed a great danger to the public and the responding FPD officers. The officers used deadly force only after being shot at, and hit, by the rounds fired by Corchado. Additionally, he was running in the direction of a stopped occupied vehicle while refusing to comply with the officers' orders to stop. Therefore, it is the opinion of this office that the officers use of deadly force was within policy as outline above.

It is worth noting, CA DOJ has conducted investigations of 49 OIS incidents since AB1506 was implemented. To date, the CA DOJ has not pursued criminal charges against any of the officers involved in the 49 OIS cases. However, in 46 of the 49 cases the CA DOJ has made recommendations to the respective departments. The recommendations range from suggesting

additional training to equipment acquisition. The number of recommendations have varied to as few as one to as many as 14 for one case. CA DOJ did not make recommendations on only three of the 49 cases. Two of those three were the FPD OIS investigated by CA DOJ. In this OIS, CA DOJ pointed out the following steps taken by FPD that were in adherence to department policy and efforts to exercise restraint in their consideration of public safety.

The following was extracted directly from the CA DOJ detailed public report:

POLICE PRACTICES SECTION CONCLUDES NO RECOMMENDATIONS ARE WARRANTED

The Police Practices Section has completed a thorough review of the investigation file from the DOJ's Division of Law Enforcement, all available multi-media, and a review of the involved agency's policies and training materials. Based upon that review the Police Practices Section concluded: (1) Fresno PD officers terminated the initial vehicle pursuit when traffic conditions made it unsafe to continue the pursuit; (2) Fresno PD officers quickly deployed additional resources, including a helicopter, to locate Mr. Corchado; (3) Fresno PD officers continued to track Mr. Corchado, and a PIT maneuver was authorized to stop Mr. Corchado's vehicle and apprehend Mr. Corchado; (4) Fresno PD officers also made an effort to hold traffic at westbound Herndon Avenue where the PIT maneuver was executed; and (5) Fresno PD officers only discharged their firearms at Mr. Corchado after: (a) Mr. Corchado fired at them, (b) Mr. Corchado closed the distance in direct approach to an uninvolved motorist, and (c) Mr. Corchado shot and struck Officer Hammond in his ballistic vest.

Fresno PD officers demonstrated extensive efforts to exercise restraint in their consideration of public safety during the pursuit of Mr. Corchado. Therefore, the Police Practices Section has concluded that no recommendations are warranted for this shooting. 2

2 After a thorough review of Fresno PD's policies, the Police Practices Section concluded that Fresno PD updated its de-escalation and use of force policy on November 22, 2024, and the Police Practices Section commends Fresno PD for updating and posting its policies.

Similar to CA DOJ, this office on occasion will make recommendations even when the officers actions are within policy. In fairness to the FPD, the absence of recommendations, and the positive CA DOJ comments are worthy of being shared with Fresno community.

IA2025-0030: On April 10, 2025, at 10:25 AM, FPD officers assigned to the Fresno Area Express Unit (FAX), were dispatched to the FAX area transit center in response to a radio broadcast by a FAX bus supervisor. The supervisor advised an unknown woman, later identified as Joanna Lopez. The first officer arriving was Officer #1, who located Lopez in the area of the FAX bus stop in front of the Manchester Mall on Blackstone Avenue. Officer #1 began issuing commands for bystanders to move away from Lopez while instructing her to drop the knife.

Lopez refused to comply with Officer #1's commands and began walking towards a 68 year-old woman who had just exited a FAX bus. Lopez grabbed the woman and began using her as a shield between herself and Officer #1. Lopez was given commands by Officer #1 to drop the

knife six times and also told she would be shot. At the same time Officer #2, who was now on scene, ordered Lopez to drop the knife three times. Officer #1 also told Lopez that he did not want to shoot her. Lopez maintained her grasp of the elderly woman while holding the knife to her throat. Lopez continued to move about in an effort to shield herself from Officer #1. It was apparent that Lopez presented a threat of great bodily harm or possibly death, to the elderly woman, Officers #1, #2, and the others at the FAX bus stop.

At this point during the short 20 second encounter with the officers, Lopez moved slightly which exposed herself, allowing Officer #1 to address the threat she posed. Officer #1 fired one round from his department issued handgun striking Lopez. Both woman fell to the ground. Officer #2 moved the elderly woman to safety and Officer #1 began administering medical aid to Lopez while awaiting the arrival of paramedics. Lopez was transported to the hospital in critical condition but passed away several days later.

I responded to the scene of this OIS and monitored the subsequent interviews of the elderly woman and involved officers. When the woman was asked if she was scared the woman replied she was terrified. She also believed the officers did everything right and did everything they should have done.

The unfortunate outcome of this incident was dictated by the actions of Lopez. Her actions posed an imminent threat of death or serious bodily injury to the elderly woman and the others in the area, to include Officer #1. Therefore, the following portion of FPD Policy 300, Use of Force, was applicable:

The use of deadly force is only justified when the officer reasonably believes it is necessary in the following circumstances (Penal Code § 835a):

(a) An officer may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury to the officer or another person.

The FPD released a [Critical Incident Video](#) which shows the entire interaction between the officers and Lopez. It is the opinion of this office that the use of deadly force in this OIS was within policy.

IA2025-0042: On May 7, 2025, FPD Communication Center received a 9-1-1 call at approximately 2:30 PM from a female, hereafter referred to as the victim. The victim advised her ex-boyfriend, later identified as Martin Campos, had just pistol-whipped her. The attack occurred in the parking lot of a shopping center at First Street and Shield Avenue. The victim was seated in her car, along with her young daughter, at the time of the attack. The victim drove out of the parking lot and noticed Campos was now chasing her in his vehicle.

Campos continued to pursue the victim in his vehicle as she tried to create a distance between the two vehicles. The victim informed the call taker that Campos was repeatedly ramming her car to attempt to get her to stop. It was obvious from the frantic pleas for help that were captured on the 9-1-1 recording Campos posed an imminent threat of great bodily harm or death to the victim

and her daughter, who was seated in the back seat. Even when the victim informed Campos that her daughter was in the car, he continued to threaten to kill her as he pursued her. The victim continued to provide her location updates to the call taker which allowed Officer #1 to locate the two vehicles as they were driving in the westbound lanes of Jensen Avenue.

Campos was now positioned along the passenger side of the victim's vehicle. As Officer #1 pulled up behind the two vehicles with his lights and siren activated Campos fired a shot from his vehicle directly into the victim vehicle. Officer #1 immediately exited his vehicle while drawing his department issued handgun. Officer #1 began giving commands for Campos to show his hands as Campos' driver's side window was fully retracted. Campos ignored Officer #1's command and began to drive away westbound on Jensen Avenue. Officer #1 then discharged his weapon at the direction of Campos.

Campos continued driving westbound and collided with two vehicles that were driving through the intersection at Jensen Avenue and Elm Avenue. Officer #1 ran after Campos, who was now in the middle of intersection. Officer #1 fired his weapon a second time and stopped firing when Campos raised his hands through his opened car window. At this time, additional officers arrived on scene and Campos was taken into custody.

The FPD released a [Critical Incident Video](#) of this OIS. The video captured Campos disregarded the authority of law enforcement by firing at the victim while Officer #1 was positioned behind him with lights and siren activated. If Campos was willing to fire at the victim with a marked FPD vehicle behind him, the threat to the public if Campos was able to flee was obvious and alarming. Campos' actions clearly met the threshold of when an officer can use deadly force per FPD Policy 300. Therefore, the use of deadly force in this OIS was within policy.

IA2025-0049: Officers from the Southwest Policing District Safety Team (DST) attempted to contact Andrew Garcia during a traffic stop on Friday, May 30th, 2025. Garcia delayed the officers by providing false information regarding his identity and eventually fled in his vehicle preventing the officers from detaining him. Officers canvassed the area where they last saw him, but they were unsuccessful in locating him. The officers were able to positively identify Garcia based on the registration of the vehicle he had fled in and eventually located the car in the area of East Turner Avenue and Sierra Avenue.

On Sunday, June 1, 2025, SW DST was conducting a follow-up investigation at East Turner Avenue for Garcia. When the officers attempted to make contact and arrest the suspect, he threatened them, leading the officers to believe he might be armed by saying he "had something" for the officers, and he was loading it. The officers established a perimeter around residence at this location.

A [Critical Incident Video](#) was released by FPD which provided an accurate summary of the events that occurred during the incident although the actual incident lasted more than four hours. During the four hour incident, Garcia came in contact with officers and FPD technical resources, such as a drone and public address announcements. It is a reasonable to believe Garcia was fully aware of the FPD presence.

Rather than complying with their request to surrender, Garcia made verbal threats to the officers who were positioned outside the bedroom window through which he tried to escape. He implied he had a weapon and was loading it. This threat caused the officers to reposition themselves to an area which afforded them protection from possible gunfire. Over the next several hours Garcia also displayed a weapon, which was documented in radio traffic by the officers who had established a perimeter around the home.

Numerous BWC recordings captured the events during the four hour standoff. At one point Garcia attempted to flee in the vehicle parked at this residence. Knowing Garcia was in possession of a weapon, and he had already verbally threatened the FPD officers, Officer #1 believed Garcia presented a serious threat to FPD officers and the public. A moving vehicle can also be considered a deadly weapon capable of causing death or serious bodily injury. Officer #1 fired four rounds at Garcia when Garcia maneuvered his vehicle in the direction of Officer #1. The rounds did not hit Garcia, and he attempted to escape by driving through several adjacent yards and fences.

A standoff ensued as Garcia remained contained within the established perimeter. Garcia eventually gave up and surrendered to officers without any further incident. Garcia caused several thousand dollars in damage to approximately 40 feet of fence, a gazebo, and residential homes.

In view of Garcia displaying a weapon, verbal threats made at the officers, and the threat to others by his driving, the use of deadly force was within policy for this OIS.

IA2025-0077: On August 23, 2025, at 1:45 PM, officers were dispatched to the area of North Blythe Avenue and Austin Way in response to a 9-1-1 call from a domestic violence victim. The victim advised that her husband, Joseph Merical, had beaten and strangled her to the point she lost consciousness. She later was able to escape from her apartment with her baby. The victim advised that Merical was still in the apartment. The victim added that Merical may try to harm himself because he did not want to go back to prison.

In response to the two 9-1-1 calls placed by the domestic violence victim, FPD officers were on scene for over six hours. Officers attempted to persuade the subject to surrender during the six hours. The subject refused to exit the apartment and surrender causing the officers to make several attempts to enter the apartment. However, the subject barricaded the door and tried to stab the officers with the knives he was holding when the officers partially forced open the door. The actions of the subject caused the officers to back away from the apartment and establish a perimeter. The officers then began using a public address system and a crisis negotiator to persuade the subject to exit the apartment and surrender.

An accurate summary of the incident was released by the FPD in the form of a [Critical Incident Video](#). Several still frames from the numerous BWC camera recordings appear in the video highlighting the actions of Merical threatening the officers. After numerous attempts to convince Merical to surrender he quickly exited the upstairs apartment and ran down the steps in the direction of several SWAT officers who had established a perimeter. When the subject reached the bottom of the stairs and ran towards the officers while still holding the knives, officers

utilized less than lethal rounds before using deadly force. The less than lethal rounds were delivered by a 40mm Multi-Launcher, per FPD:

The 40MM multi-launcher (six less lethal rounds) is intended to provide SWAT officers with an intermediate force option to assist in controlling violent or aggressive individuals while reducing the risk of death or serious physical injury.

Merical was afforded numerous opportunities to peacefully surrender during the six hour standoff. He refused to comply with the demands of the responding officers or the pleas from the crisis negotiator. In fact, Merical attempted to cause great bodily harm or possibly death to the officers when he tried to stab them as they forced open the apartment door. The standoff ended when Merical exited the apartment and ran down the steps while still holding knives in each hand. Once he reached the bottom of the steps he turned and ran in the direction of the officers. It is worth noting a “throw phone” was also deployed in attempt to convince the subject to surrender.

Two officers fired a total of 11 less than lethal rounds which failed to stop the advancing subject. The officers positioned near the bottom of the steps were now being threatened with great bodily harm or death leaving them with no other option but to utilize deadly force to protect themselves. The [Use of Force Policy](#) clearly outlines when an FPD officer is justified in using force. Specifically, section 300.8 addresses when deadly force can be used. The section reads as follows:

300.8 DEADLY FORCE APPLICATIONS

The intentional discharge of a firearm at an individual, with the exception of those firearms dedicated to less lethal munitions, constitutes deadly force.

It is the intent of the Department that peace officers use deadly force only when necessary, in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer. (Penal Code 835a(a)(2))

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers shall evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force. To the extent that it is reasonably practical, officers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm (GC § 7286(b)(5)).

The use of deadly force is only justified when the officer reasonably believes it is necessary in the following circumstances (Penal Code § 835a):

- (a) An officer may use deadly force to protect themselves or others from what they reasonably believe is an imminent threat of death or serious bodily injury to the officer or another person.*
- (b) An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably*

believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

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 officer or to another person (PC §835a).

Where feasible, the officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts (PC §835a(c)(1)(B)(2)).

Merical refusing to surrender and subsequently advancing towards the officers while holding two knives met the definition of subsection (a) of when an officer could use deadly force. Merical's physical assault on his wife initiated the response from the FPD. Merical then continued to display a threat of great bodily harm or death by trying to stab the officers as they attempted to enter the apartment. The subject again displayed a serious threat to others as he rapidly descended the steps from his apartment and ran towards the officers while holding a knife in each hand.

Therefore, the use of deadly force by the FPD officers to protect themselves and their fellow officers was within policy.

IA2026-0056: On January 1, 2026, at approximately 5:46 PM, the FPD Communications Center received a call for service regarding a loose pit bull that had attacked a small dog and its owner. Several bystanders were attempting to separate the pit bull from the smaller dog, but the pit bull continued to attack the other dog and had also bitten the owner who was now trying to shield her dog from the attacking pit bull.

When officers arrived on scene they found the pit bull actively attacking the smaller dog who was being held by its owner. A bystander was attempting to pull the pit bull away by grasping its tail, but the dog would not release its bite of the smaller dog. The officer had no other option but to discharge their weapon to defend the smaller dog and its owner. Below is a frame taken from the officers' BWC recording just before the bystander began pulling the dog's tail:



Image shows the pit bull biting the victim dog as the dog owner is shielding her dog

FPD Policy 337.10 addresses dangerous animals and reads in part as follows:

“Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances in which officers have sufficient advanced notice that a potentially dangerous domestic animal (e.g. dog) may be encountered, such as in the serving of a search warrant, officers should develop reasonable contingency plans for dealing with the animal without the use of deadly force (e.g. Fire extinguisher, Electronic Control Device ECD, OC Spray, animal control officer). Nothing in this policy shall prohibit any officer from resorting to deadly force to control a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical. Supervisors shall complete an Admin Review Memo through their chain of command outlining the circumstances and justification for the discharge of a firearm at a dangerous animal.”

In view of the pit bull aggressively attacking a dog and its owner, and showing no signs of retreating, the officer was justified in using their weapon to stop the threat to the dog’s owner. Therefore, the use of deadly force was within policy.

STATUS OF INTERNAL AFFAIRS INVESTIGATIONS BY CLASSIFICATION

Two Bias Based IA investigations were initiated during the review period. The two cases remain pending and no cases in this category were completed during 2026.

BIAS BASED					
IA CASE NUMBER	DATE ASSIGNED	DATE COMPLETED	FPD FINDING	OIR FINDING	SUMMARY
26-0042	6/8/2026	P			CP ALLEGED O WAS RACIALLY BIASED AND DID NOT HAVE PC TO DETAIN CP
26-0052	6/22/2026	P			CP ALLEGED RACIAL BIAS AND UNREASONABLE FORCE

Nine new case involving an Unreasonable Force allegation was initiated during the review period with four of the case investigation being completed. In each of the completed investigations FPD determined the officers’ actions were within department policy. After a thorough review of each of the completed investigations this office concurred with the findings of exonerated for each of the accused officers. Five Unreasonable Force investigations were pending at the conclusion of the review period.

UNREASONABLE FORCE					
IA CASE NUMBER	DATE ASSIGNED	DATE COMPLETED	FPD FINDING	OIR FINDING	SUMMARY
26-0003	1/7/2026	8/12/2026	EX	EX	DEPT ALLEGED O USED UNREASONABLE FORCE

UNREASONABLE FORCE					
IA CASE NUMBER	DATE ASSIGNED	DATE COMPLETED	FPD FINDING	OIR FINDING	SUMMARY
26-0024	4/21/2026	P			CP ALLEGED O USED UNREASONABLE FORCE
26-0031	5/19/2026	8/17/2026	EX	EX	DEPT ALLEGED O USED UNREASONABLE FORCE
26-0035	5/27/2026	9/9/2026	EX x 2	EX x 2	CP ALLEGED O USED UNREASONABLE FORCE
26-0040	6/8/2026	9/9/2026	EX x 2	EX x 2	CP ALLEGED O USED UNREASONABLE FORCE
26-0041	6/8/2026	P			CP ALLEGED O USED UNREASONABLE FORCE
26-0058	7/24/2026	P			CP ALLEGED O USED UNREASONABLE FORCE
26-0063	8/7/2026	P			CP ALLEGED O USED UNREASONABLE FORCE
26-0072	9/11/2026	P			CP ALLEGED Os USED UNREASONABLE FORCE AND WERE DISCOURTEOUS

Twenty-one new investigations were initiated regarding allegations of Discourteous Treatment or Conduct Unbecoming of a Police Officer in 2026. Eight of the investigations within this category were completed during the review period. In two of the completed investigations the officer or department member was found to have violated a department policy. The officers or members in the remaining cases were in compliance with the applicable policy.

In the remaining completed investigations the findings were not sustained, exonerated, or unfounded. After a thorough review of each case this office arrived at the same finding for each case. Thirteen cases were still pending at the conclusion of this review period.

DISCOURTEOUS TREATMENT OR CONDUCT UNBECOMING OF A POLICE OFFICER					
IA CASE NUMBER	DATE ASSIGNED	DATE COMPLETED	FPD FINDING	OIR FINDING	SUMMARY
26-0006	1/21/2026	7/29/2026	UNF EX UNF	UNF EX UNF	CP ALLEGED Os TOOK CURRENCY DURING A SEARCH CP ALLEGED Os DAMAGED PROP DURING A SEARCH CP ALLEGED Os WERE DISCOURTEOUS
26-0008	2/12/2026	8/10/2026	SUS	NR	DEPT ALLEGED O MADE FALSE STATEMENT TO SUPV DEPT ALLEGED FAILED TO PERFORM DUTIES
26-0009	2/12/2026	7/15/2026	NS	NS	CP ALLEGED O MADE INAPPROPRIATE COMMENTS

DISCOURTEOUS TREATMENT OR CONDUCT UNBECOMING OF A POLICE OFFICER					
IA CASE NUMBER	DATE ASSIGNED	DATE COMPLETED	FPD FINDING	OIR FINDING	SUMMARY
26-0010	2/12/2026	P			DEPT ALLEGED Os & NON SWORN EMPLOYEES ACCESSED REPORTS NOT RELATED TO THEIR DUTIES
26-0017	4/1/2026	6/24/2026	SUS	NR	DEPT ALLEGED ESD WAS INVOLVED IN DV MATTER
26-0025	4/21/2026	9/10/2026	NS UNF	NS UNF	CP ALLEGED O STOLE A TRADING CARD FROM CP DEPT ALLEGED O DID NOT OBTAIN WORK PERMIT
26-0027	4/29/2026	P			CP ALLEGED O QUERIED DATABASE AND GAVE INFO TO CP'S DAUGHTER
26-0028	4/29/2026	7/30/2026	UNF	UNF	DEPT ALLEGED O FAILED TO EXCHANGE CHILD WITH CHILD'S MOTHER AND LOCAL PD RESPONDED
26-0029	5/5/2026	8/12/2026	UNF	UNF	CP ALLEGED O TOOK CP'S MONEY DURING A VEHICLE CONSENT SEARCH
26-0036	5/28/2026	P			DEPT ALLEGED O FLASHED A GANG SIGN WHILE ON DUTY
26-0037	5/29/2026	P			DEPT ALLEGED O WAS ARRESTED FOR A DV MATTER
26-0043	6/9/2026	P			CP ALLEGED O1 AND O2 DID NOT PROVIDE NAME AND BADGE NUMBER
26-0044	6/10/2026	P			CP ALLEGED O REMOVED CURRENCY DURING THE ARREST OF CP's COUSIN
26-0045	6/10/2026	P			CP ALLEGED O DID NOT CONTACT CP DURING INV DEPT ALLEGED O FAILED TO DOC CHILD ABUSE
26-0049	6/19/2026	P			DEPT ALLEGED Os ASSOCIATED WITH SUBJ INVOLVED IN CRIMINAL ACTIVITY
26-0050	6/22/2026	P			DEPT ALLEGED O FAILED TO INV ELDER ABUSE DEPT ALLEGED O WAS DISCOURTEOUS TO CIT DEPT ALLEGED O ENTERED INACCURATE INFO IN REPORT
26-0051	6/22/2026	9/18/2026	EX	EX	DEPT ALLEGED OFF DUTY O WAS PRESENT AT ADULT SOCCER GAME WHEN O's BROTHER ASSAULTED VICTIM

DISCOURTEOUS TREATMENT OR CONDUCT UNBECOMING OF A POLICE OFFICER					
IA CASE NUMBER	DATE ASSIGNED	DATE COMPLETED	FPD FINDING	OIR FINDING	SUMMARY
26-0062	8/7/2026	P			DEPT ALLEGED O ADMITTED TO USING MARIJUANA PRIOR TO SUBMITTING TO RANDOM TEST
26-0065	8/12/2026	P			DEPT ALLEGED OFF DUTY O WAS ARRESTED FOR PUBLIC INTOXICATION AND ATTEMPTED BURGLARY
26-0066	8/31/2026	P			DEPT ALLEGED OFF DUTY O WAS INVOLVED IN A DV MATTER
26-0070	9/8/2026	P			DEPT ALLEGED O ABUSED ACCESS TO FLOCK CAMERA DATA DEPT ALLEGED O SEARCHED CLETS NOT ASSOC WITH A CASE DEPT ALLEGED O DID NOT ACT BWC ON TRAFFIC STOP

During the review period there were 15 new cases initiated by IA. During the same period 14 case investigations were completed. Eight of the completed investigations were for cases opened before January 2026. Twelve of the 14 completed investigations determined the officers were in violation of an FPD Department Policy. The two cases in which the officers were found not to be in violation of a policy were reviewed by this office. Following a thorough of the investigation conducted by IA it was determined the officers did not violate a policy.

ADMINISTRATIVE OR PERFORMANCE MATTERS					
IA CASE NUMBER	DATE ASSIGNED	DATE COMPLETED	FPD FINDING	OIR FINDING	SUMMARY
24-0009	1/30/2024	4/22/2026	SUS	NR	DEPT ALLEGED Os VIOLATED SEVERAL DEPT POL
25-0022	3/11/2025	1/6/2026	SUS X 3	NR	O ALLEGED OTHER Os WERE NOT TRUTHFUL DURING THEIR INTERVIEWS IN AN IA INVESTIGATION
25-0028	4/9/2025	1/15/2026	SUS	NR	DEPT ALLEGED O FAILED TO BOOK CELL PHONES
25-0039	5/2/2025	2/5/2026	SUS	NR	DEPT ALLEGED O DID NOT COMPLETE REPORTS WITHIN THE POLICY TIMEFRAME
25-0040	5/6/2025	2/24/2026	SUS	NR	DEPT ALLEGED O FAILED TO DEVOTE ALL ON DUTY TIME TO ASSIGNED DUTIES AND ALSO PROVIDED FALSE STATEMENTS TO SUPERVISOR
25-0043	5/8/2025	2/17/2026	SUS	NR	DEPT ALLEGED O DID NOT PROPERLY TAG EVIDENCE & O DID NOT NOTIFY COMM ON SEVERAL TRAFFIC STOPS

ADMINISTRATIVE OR PERFORMANCE MATTERS					
IA CASE NUMBER	DATE ASSIGNED	DATE COMPLETED	FPD FINDING	OIR FINDING	SUMMARY
25-0068	8/1/2025	6/12/2026	SUS	NR	DEPT ALLEGED NON-SWORN WAS USING FPD COMPUTER FOR SOCIAL MEDIA DURING SHIFT
25-0072	8/20/2025	6/4/2026	SUS	NR	DEPT ALLEGED CST DID NOT PROPERLY DOCUMENT EVIDENCE AT A CRIME SCENE
26-0002	1/6/2026	7/13/2026	UNF EX	UNF EX	CP ALLEGED DET DID NOT PROPERLY INVEST CASE & SUPERVISOR FAILED TO MONITOR DET
26-0012	2/25/2026	7/30/2026	NS; UNF	NS, UNF	CP ALLEGED Os MISHANDLED PRISONER PROPERTY
26-0016	3/25/2026	8/10/2026	SUS	NR	DEPT ALLEGED O WAS IN A PURSUIT BUT DID NOT GIVE DISP THE DETAILS
26-0019	4/3/2026	8/24/2026	SUS	NR	DEPT ALLEGED O FAILED TO PROPERLY SECURE DEPT PROPERTY IN A PARKED VEHICLE
26-0020	4/7/2026	P			DEPT ALLEGED O FAILED TO SEARCH A PRISONER
26-0021	4/13/2026	7/15/2026	SUS	NR	DEPT ALLEGED NON SWORN QUERIED LICENSE PLATES WITHOUT A NEED TO KNOW
26-0023	4/21/2026	8/24/2026	SUS	NR	DEPT ALLEGED O WAS DISHONEST AND DID NOT READ EMAILS
26-0046	6/12/2026	P			DEPT ALLEGED O FAILED TO LOCATE GUN AND MAG DURING SEARCH OF PRISONER
26-0048	6/19/2026	P			DEPT ALLEGED O FAILED TO ACTIVATE BWC
26-0053	7/1/2026	P			DEPT ALLEGED O FAILED TO PERFORM DUTIES WHILE WORKING A CONTRACT ASSIGNMENT
26-0054	7/7/2026	P			DEPT ALLEGED O FAILED TO COLLECT EVIDENCE IN A BURGLARY CALL
26-0055	7/20/2026	P			DEPT ALLEGED ESD DID NOT PERFORM DISPATCH DUTIES
26-0061	8/3/2026	P			DEPT ALLEGED O WORKED A CONTRACT ASSIGNMENT WHILE OUT SICK
26-0064	8/10/2026	P			DEPT ALLEGED O FAILED TO COMPLETE REPORTS
26-0068	9/3/2026	P			DEPT ALLEGED O FAILED TO INV A STALKING CASE

VEHICLE ACCIDENTS

Twenty new vehicle accident case investigations were initiated during the review period. During the same period 10 cases were completed, and one case from the previous period was completed. In all but one case an officer was found to be in violation of an FPD policy regarding the operation of a vehicle.

IA INVESTIGATION DISCIPLINE RESULTS

In the investigations completed in the first three quarters of 2026, 52 officers were suspended for a total of 3,020 hours, 13 received a Letter of Reprimand, 33 were required to attend additional training, and two officers resigned. Several cases resulting in a suspension were initiated in 2023, 2024, and 2025, but completed in 2026. It should be noted that an officer/employee may be subject to more than one disciplinary action. As an example, an officer/employee may receive a suspension plus be required to attend additional training.

The below chart shows the annual totals from 2018 through the first three quarters of 2026. This office began tracking the training category beginning with the year 2024.

DISCIPLINE ISSUED	2018	2019	2020	2021	2022	2023	2024	2025	2026**
TERMINATIONS	2	8	5	5	6	8	4	5	6
RESIGNED IN LIEU OF	0	4	8	3	5	2	2	9	2
RETIRED IN LIEU OF	0	4	3	0	2	3	0	2	0
DEMOTION	0	1	0	0	0	1	0	0	1
SUSPENDED	32	31	52	22	28	40	47	39	52
PAYMENT IN LIEU OF	0	4	1	0	0	0	0	0	0
FINES	0	0	0	0	1	0	0	0	0
MEDICAL SEPARATION	NA	3	0	0	0	0	0	0	0
LETTERS OF REPRIMAND	15	17	15	25	12	23	16	16	13
LAST CHANCE AGREEMENT	N/A	N/A	N/A	4	4	2	1	0	3
TRAINING	N/A	N/A	N/A	N/A	N/A	N/A	36	21	33
TOTAL	49	72	84	59	58	79	106	92	110

** Year to date

SUMMARY

Although the position of Independent Reviewer was vacant since September 2025, we continued to promote the functions of this office by participating in community events and

giving presentations to groups or organizations. This report will serve as the resumption of quarterly reporting by this office.

If you would like for us to attend your event, or speak to your group, please call us at 559-621-8617 or email us at OIR@Fresno.gov. We also welcome phone calls or emails if you have general questions regarding the OIR.

Please take a moment to explore our social media pages to view the highlights from our outreach efforts.

Facebook: [Fresno Review](#) X (Twitter): [Fresno Review](#) Instagram: [Fresno Review](#)

John A. Gliatta
Independent Reviewer
Office of Independent Review