



Chesa Boudin
District Attorney

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May 27, 2021

Via Electronic Mail & USPS
Chief William Scott
San Francisco Police Department
1245 3rd Street
San Francisco, CA 94158
William.Scott@sfgov.org

Re: *In re Antonio Estrada* -- IIB Case #2020-00230

Dear Chief Scott:

The San Francisco District Attorney's Office's Independent Investigations Bureau (IIB), has completed its review of the November 17, 2020 Officer Involved Shooting (OIS) and Use of Force incident involving several members of the San Francisco Police Department (SFPD). After a thorough review of the available evidence, we have concluded that there is insufficient evidence of criminal misconduct. Accordingly, the District Attorney declines to file criminal charges in this matter.

IIB's review of the case focused exclusively on whether criminal charges relating to any conduct by SFPD officers are warranted. The review did not examine issues such as any of the involved officers' compliance with internal SFPD policies and procedures, their training or tactics, or any issues related to civil liability. The decision not to pursue criminal charges should not be interpreted as expressing any opinion on such non-criminal matters.

IIB's investigation revealed that on November 17, 2020, officers were dispatched to the area of 5th and Market Streets following a report of several males fighting and one male possessing a knife. The male with the knife was described as a Latin(o?) male adult wearing a gray sweater and black pants with stripes on the side. Officers responded to the area and saw the man later identified as Mr. Estrada walking down Market Street with a knife in his right hand and a frying pan in his left hand. Officers repeatedly ordered him to drop the knife, which he refused to do. Officer Valdez (#1892) then deployed his Extended Range Impact Weapon (ERIW) and struck Mr. Estrada, who then charged at Officer Valdez, with both the knife and frying pan still in hand. Officer Toomey (#1930) then discharged his department issued firearm and Mr. Estrada fell to the ground. Officers again began to repeatedly order Mr. Estrada to "drop the knife" and to "get on the ground." At times, Mr. Estrada responded to these commands by telling officers "no" and "fuck you".

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While on the ground, Mr. Estrada repeatedly brandished the knife and made stabbing motions, all while continuing to defy officers' orders to "drop the knife." At one point, Mr. Estrada rose to his feet and Officer Thomson (#1892) discharged his department issued firearm. Mr. Estrada again fell to the ground, while still clutching the knife. During this period, officers deployed OC spray, the ERIW and the 40 mm less lethal rounds, all to no avail, as Mr. Estrada still refused to drop the knife.


Eventually, a member of the San Francisco Sheriff's Department deployed a taser and, after the second taser deployment, Mr. Estrada dropped the knife. Mr. Estrada was thereafter taken into custody.

On November 20, 2020, IIB and SFPD investigators interviewed Officers Toomey and Thomson. The officers' statements regarding Mr. Estrada's actions were consistent with evidence obtained from the Body Worn Camera footage and other available video evidence.

Since evidence does not support charges related to unlawful use of force or other criminal conduct by SFPD officers, the District Attorney will close its file.

Please do not hesitate to contact me if you have any questions.

Best Regards,

A handwritten signature in black ink, appearing to read "Chesa Boudin". The signature is fluid and cursive, with a distinct "B" and "ou" in the second name.

Chesa Boudin
District Attorney

cc: Lieutenant David Do, Investigative Services Division