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July 31, 2014

Interim Chief of Police Charles Celano
Tustin Police Department
300 Centennial Way
Tustin, CA 92780

Re: Officer Involved Shooting on November 16, 2012
Non-Fatal Incident Involving Larry Hernandez, Jr.
District Attorney Case # S.A. 12-028
Tustin Police Department Case # 12-6643
Orange County Crime Laboratory Case # FR 12-57184

Dear Interim Chief Celano:

Please accept this letter regarding the Orange County District Attorney's (OCDA) Office's investigation and legal conclusion in connection with the above-listed officer-involved shooting involving on-duty Tustin Police Sergeant John Cartwright. Larry Joseph Hernandez, Jr., age 46 at the time of the shooting, of Tustin, survived his injury. The incident occurred in the City of Tustin on November 16, 2012.

Based upon a review of all the evidence provided to and obtained by the OCDA, and pursuant to applicable legal principles, it is our legal opinion that the evidence does not support a finding of criminal culpability on the part of Sergeant Cartwright. There is sufficient evidence showing that the sergeant's actions were reasonable and justified under the circumstances when he shot Hernandez on November 16, 2012. Since there is currently a pending criminal case against Hernandez relating to the facts which arose out of the above described incident, the OCDA will not release the more detailed letter regarding this incident until after the criminal case against Hernandez is resolved.

Sincerely,

Erin Rowe
Deputy District Attorney
Special Prosecutions Unit

Ebrahim Baytieh
Head of Court
Special Prosecutions Unit

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