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November 14, 2025

Chief Scott Wahl
San Diego Police Department
1401 Broadway
San Diego, CA 92101

Sheriff Kelly Martinez
San Diego Sheriff's Office
9621 Ridgehaven Court
San Diego, CA 92123

Re: Fatal shooting of Mr. Andrew Engel by San Diego Police Department Officers Gavin Isa and Eric Moreno on January 13, 2025; San Diego Police Department Case No. 25-001908; San Diego Sheriff's Office Case No. 25-101542; DA Special Operations Case 25-006PS; Deputy District Attorney assigned: Vincent Chen

Dear Chief Wahl and Sheriff Martinez:

We have reviewed the reports and materials compiled by the San Diego County Sheriff's Office Homicide Unit and San Diego Police Department concerning the fatal shooting of Andrew Engel by San Diego Police Department Officers Gavin Isa and Eric Moreno on January 13, 2025. At the time of the incident, a District Attorney Investigator responded to the scene and was briefed. This case was submitted to the District Attorney's Office for review on April 10, 2025. The Medical Examiner's report was received by the District Attorney's Office on August 19, 2025.

Summary

On January 13, 2025, Andrew Engel's roommate along with several friends went to Engel's apartment to attempt to persuade Engel to turn himself in to the police. Engel's roommate had earlier provided Engel's cellphone to police after observing on the phone what appeared to be surreptitious recordings of people in the bathroom and images of naked children. While the group was in the apartment to confront Engel, Engel barricaded himself in his bedroom. Some of the group was able to enter. Engel was found inside with his wrists cut in an apparent suicide attempt. 911 was called for emergency assistance.

San Diego Police Officers Gavin Isa and Eric Moreno responded to the apartment and evacuated the group. The officers were in the entry way of the apartment when they called out for Engel. Engel emerged holding a knife in his raised hand. Moreno identified himself as police and ordered Engel to stop. Engel advanced with knife raised, coming within a few feet of Moreno. Moreno fired his handgun at Engel as Engel was charging with the knife. Isa, from the entry area, heard Moreno's shouts. He observed Engel four to five feet in front of Moreno with the

knife raised. Isa fired his handgun at Engel and Engel fell to the ground after being shot. After Engel was separated from the knife, officers moved in to provide first aid. Engel was then transported to Scripps Mercy Hospital where he was later pronounced deceased.

The Medical Examiner conducted an autopsy and determined Engel's cause of death was multiple gunshot wounds, and the manner of death was homicide. Toxicological testing of Engel's blood revealed the presence of cannabinoids, acetaminophen, and ibuprofen.

Persons Involved

Engel was a 26-year-old resident of San Diego. At the time of the incident, both Isa and Moreno had been employed as officers with San Diego Police for approximately four years.

Statement of Civilian Witness One (CW1)

CW1, CW2, and Engel were roommates in a shared apartment. CW1 was aware that a physical altercation involving CW2, Engel, and Engel's female friend had taken place in the apartment on January 5, 2025. CW1 was not present during the fight but arrived home after and learned Engel had been removed by police and the female friend had been taken to the hospital. That night, CW1 accessed Engel's phone to search for contact information for the hospitalized female friend's family. While going through Engel's phone, CW1 observed what he believed to be secret recordings of people using the bathroom, photos and videos of naked children, and camera footage from homes of people walking around naked. CW1 turned the phone over to police.

CW1 had little contact with Engel after that. CW1 distanced himself from the apartment and only returned to get clothing. On January 7, CW1 served Engel at the apartment with a restraining order CW2 had obtained against Engel after the January 5 fight. Engel asked CW1 about his phone and CW1 told him his phone had been given to law enforcement for investigation.

On the morning of January 13, Engel's sister texted CW1 about Engel's whereabouts. CW1 told Engel's sister about the fight. CW1 learned Engel's sister had recently kicked Engel out of her house for setting up a camera and secretly recording her children. On the evening of January 13, CW1 and four friends planned to go to the apartment to get Engel to turn himself in to the police. They went to the apartment. Engel was barricaded in his bedroom, and the group breached the door. Engel was found in the bathroom connected to the bedroom. He had slit his wrists. CW1 called 911 and when police arrived, the officers evacuated the group of friends. Once officers were in the apartment, CW1 heard them yell, "Drop the knife," and then gunshots. No one from the group was in the apartment to observe the actual shooting.

Statement of Civilian Witness Two (CW2)

CW2 was also a roommate in the shared apartment. CW2 believed Engel had a problem with alcohol because he was often drunk at home. CW2 also believed Engel suffered from depression because he had previously overheard Engel speaking about suicide.

On January 5, 2025, Engel arrived intoxicated to the apartment with a female friend. The friend asked CW2 to take care of Engel because Engel was "acting crazy." Engel responded by telling the friend he would kill himself if she left. Engel ran toward the apartment balcony with the

female friend following. The two began physically fighting as the female friend tried to stop Engel from jumping. CW2 called the police. He helped Engel's friend get away by putting his body weight on Engel. The police arrived and detained Engel as he tried to flee. Engel's friend was taken away in an ambulance. Later, CW1 came home and noticed Engel's friend had left her phone and glasses. CW1 went through Engel's phone to see if he could find contact information to return the property. CW1 told CW2 that he found child pornography on Engel's phone. CW1 showed CW2 Engel's phone's camera roll, which included what CW2 believed to be a video from a peep hole of a child using the restroom at Seaport Village. CW2 described other footage as being from a camera hidden in a child's bedroom.

CW2 was not present during the January 13 shooting. He had not been back to the apartment or seen Engel since January 6.

Statement of Civilian Witness Three (CW3)

CW3 was part of the group of friends that went to Engel's apartment on January 13, 2025. While they were at the apartment, Engel barricaded himself in his room, but CW3 was able to get in. Once CW3 got inside of the room, he saw Engel in the bathtub in the connecting bathroom. Both of his wrists were slit. Engel told CW3, "It's too late, I already did it. I've got stuff in my stomach. I'm going to die." CW3 tried to get Engel's knife away from Engel and they struggled over it. Engel began cutting himself during the struggle and managed to stab at his own throat. The rest of the group pulled CW3 out of the bathroom as police officers arrived. The officers had the group exit the apartment. From the hallway outside, CW3 heard the police say, "Put the knife down," and then six to seven gunshots. Everyone was out of the apartment when the shots were fired.

Statements of Civilian Witnesses Four, Five, Six, and Seven (CW4, CW5, CW6, CW7)

CW4, CW5, CW6, and CW7 were asked to come to the apartment by CW1 for support on January 13, 2025. All were consistent in that Engel had barricaded himself in his room. Upon entering into Engel's room, the group found Engel had cut himself in the bathroom. 911 was called. All stated they were evacuated once police officers arrived. CW6 recalled when they encountered Engel in the bathroom, Engel said he had taken pills. None saw the shooting, but all heard a commotion within the apartment just before the gunshots. CW6 specifically remembered hearing officers yell, "Put the knife down," right before the gunshots. CW7 specifically remembered hearing officers yell, "Drop the knife, drop the knife," right before the gunshots.

Statement of Officer Eric Moreno

Isa and Moreno responded together to a radio call that a suicidal male in an apartment building downtown reportedly had already slit his wrists, had attempted to slit his throat, and had possibly taken pills. At the apartment building, Isa and Moreno were let inside the locked building by two unknown residents and building security gave the officers access to the elevator to go up. When Isa and Moreno reached the apartment floor, the reporting parties met and led them to the apartment and said the male was in the bathroom. Moreno ordered all the apartment occupants to exit as he and Isa entered the apartment. Moreno initially unholstered and had his taser at the ready during the entry. Isa continued to clear the entry apartment hallway, and Moreno holstered

his taser and switched to his handgun to cover the hallway. Not encountering Engel, they decided to wait for additional officers before continuing further into the apartment.

Isa went out of the apartment to ask the reporting parties which bathroom Engel was in while Moreno remained positioned in the entry hallway area. It was then that Moreno saw Engel come out from the living room area holding a raised knife. Moreno ordered Engel to stop but Engel continued to come towards Moreno. Moreno then shot approximately two rounds at Engel who took two to three more steps towards Moreno. Moreno then fired an additional three to four more rounds at Engel causing him to fall to the ground.

Moreno estimated that when he first observed Engel with the knife over his head, Engel was ten to twelve feet away from him. He estimated that when he told Engel to stop and then fired his gun, Engel was six to seven feet from him. Engel kept coming and got within four to five feet of Moreno, so Moreno fired again. Moreno felt his only option was to fire because Engel was coming at him with lethal force. Moreno did not consider using less-lethal force options under the circumstances because less-lethal munitions did not always work at close distances, and he did not think lesser force options were reasonable or feasible. Moreno believed Engel would have harmed himself, Moreno, or any of the other parties outside if he had not shot Engel.

Statement of Officer Gavin Isa

Moreno and Isa arrived at the apartment complex and made their way up to the apartment. Once there, Isa ordered everyone out of the apartment as he and Moreno entered. As the people were leaving the apartment, they said the male was in the bathroom and had cut his wrists and throat. Isa then checked areas near the apartment entrance including the connecting kitchen and the nearby bathroom but did not locate Engel. He and Moreno went back into the entranceway of the apartment to wait for additional resources to arrive because Isa didn't want to "push" in too far to actively search an unfamiliar apartment with just the two officers. Isa turned around to ask the people outside of the apartment which bathroom Engel was in while Moreno held his position in the hallway facing the kitchen and living room. Isa then heard Moreno yell, "Stop" and "Drop the knife." Isa turned around and went toward Moreno's location and drew his taser. Once Isa turned the corner to where Moreno was, Isa saw Engel four to five feet from Moreno with a knife raised above his shoulder and advancing towards Moreno. Isa transitioned to draw his firearm and fired at Engel five to six times. Isa thought that if he did not shoot Engel, Engel would have stabbed him and Moreno. Moreno's back was against a wall as Engel advanced and he advanced on them so quickly that they did not have time to retreat.

After Engel was shot, Engel fell holding the knife. Isa and Moreno gave verbal commands to drop the knife which Engel did after approximately 15 seconds. Seconds later, a San Diego Police sergeant arrived on scene and a plan was formulated to pull Engel away from the knife so that they could start rendering aid. Isa, with help, pulled Engel by his feet away from the knife into the hallway. Isa then handcuffed Engel and officers began life-saving measures.

Body Worn Camera Evidence

Multiple San Diego Police officers were on scene at various points during the incident. All officers were equipped with body worn cameras, however, only Moreno and Isa's cameras captured the shooting as only they were present when it occurred.

Moreno's body worn camera footage shows Isa and Moreno arrive at the apartment building and take the elevator up to the apartment. There, they are met by CW6, who leads them to the apartment while telling them Engel is trying to kill himself. Isa and Moreno enter the apartment and tell all parties to exit. Isa announces their presence, stating they are San Diego Police. They draw their weapons and take positions in the kitchen. They decide to wait for backup before clearing the remainder of the apartment. Moreno guards the kitchen and living room area of the apartment while Isa goes out to ask the civilians where Engel is located. At 6:58:20 p.m. on the body worn camera clock, Engel emerges from the living room area facing Moreno and enters the kitchen. Engel immediately raises his right fist above his head and appears to be holding an object in his right fist. He advances directly at Moreno. Moreno yells, "Andrew! Hey, hey, hey! San Diego Police! Stop!" while backing into the entry hallway. Engel continues to charge at Moreno while holding the knife raised above his head. Engel quickly closes the distance. Moreno fires two shots at Engel at 6:58:24 p.m., hitting him. Engel halts momentarily, then starts raising the knife again to advance on Moreno. Moreno fires four additional shots at Engel at 6:58:25 p.m. Isa can be seen to the right of Moreno. Isa can also be heard firing his weapon. Engel falls to the ground with the knife still in hand. The two officers command Engel to drop the knife multiple times and Engel drops the knife approximately 25 seconds after being shot. A police sergeant arrives on scene and gives instructions to Moreno and Isa to drag Engel towards them so that they can render aid. Sirens can be heard as the officers take hold of Engel's legs and drag him away from the knife to the hallway, where Isa places Engel in handcuffs with the sergeant assisting. Moreno then clears the remainder of the apartment. He locates Engel's bedroom, where there is a visible trail of blood leading to the adjoining bathroom, inside of which is a bathtub filled with bloody water. Moreno returns to the kitchen area where officers administer CPR to Engel.

Isa's body worn camera footage captures Isa and Moreno entering the building and taking the elevator up to the apartment. Isa and Moreno evacuate CW2, 3, 4, 5, 6, and 7 from the apartment as Isa and Moreno enter. Isa announces, "Andrew, San Diego Police," draws his handgun, and moves from the entry hallway to the kitchen. Isa clears the bathroom near the kitchen, then moves back to where Moreno is located in the kitchen. Isa turns and goes outside of the apartment to ask the civilians about Engel. At 6:58:20 p.m. on the camera's clock, Moreno can be heard yelling, "Andrew! Hey, hey, hey! San Diego Police! Stop!" Isa rushes back into the apartment and redraws his firearm as Moreno is seen backing from the kitchen into the entry hallway. Isa approaches Moreno as Moreno fires two shots. Isa turns the hallway corner toward the kitchen and Engel's raised hand holding a knife can be seen within close proximity of Moreno at 6:58:25 p.m. Isa fires at Engel, then backs away and advises "shots fired" on his radio. Isa rejoins Moreno and they both order Engel to drop the knife. Engel can be seen laying supine on the ground holding the knife. A police sergeant arrives and assists in dragging Engel away from the knife. After handcuffing Engel, Isa begins administering medical aid to Engel with chest compressions. Other officers arrive and take over providing medical aid.

Investigation

The incident took place at an apartment dwelling within the city of San Diego. The scene was secured, photographed, and investigated by the San Diego County Sheriff's Office (SDSO) Homicide Unit. All reports, photos, recorded witness interviews, and body worn camera footage were reviewed. These items provided evidence that corroborated the officers' statements as to the events leading up to and during the shooting.

During this incident, Moreno was armed with a Glock 17 9mm handgun which was subsequently collected for processing. There was one round in the chamber, and 11 rounds in the seated 17-round capacity magazine. Based on the number of rounds in Moreno's handgun after the shooting, it was determined he could have fired a maximum of six rounds from his handgun. Isa was armed with a Smith and Wesson M&P 9mm handgun which was subsequently collected for processing. There was one round in the chamber, and 15 rounds in the seated 22-round capacity magazine. Based on the number of rounds in Isa's handgun after the shooting, it was determined he could have fired a maximum of six rounds from his handgun.

12 9mm cartridge casings were located throughout the apartment entryway and kitchen. Five fired bullets and one bullet fragment were located in the kitchen and in one of the apartment bedrooms. A metal Cuisinart kitchen knife was collected from the kitchen floor where Engel dropped the knife. The scene was laser scanned using a FARO laser system to generate a 3D representation of the physical space for the investigation. A criminalist later analyzed the FARO data and estimated 4.68 feet between where Engel stood while holding the knife and where Officer Moreno was when he fired upon Engel.

Autopsy

An autopsy of Engel was conducted on January 15, 2025. The Deputy Medical Examiner determined that Engel suffered multiple gunshots to his body and multiple sharp force injuries to the torso, buttocks, left and right upper extremities, right lower extremity, and neck. The sharp force injuries did not result in any significant internal injuries. A total of 11 penetrating and perforating gunshot wounds to Engel's body were documented. Seven bullets and one bullet fragment were recovered. The cause of death was certified as multiple gunshot wounds, and the manner of death was classified as homicide.

Toxicological testing was conducted on a sample of Engel's blood. The testing detected the presence of cannabinoids, acetaminophen, and ibuprofen.

Legal Standard of Criminal Liability

Penal Code section 835a(c) sets forth the circumstances in which a peace officer may use deadly force and the standard to evaluate the use of such force. The law provides that "a peace officer is justified in using deadly force upon another person only when the officer reasonably believes, based on the totality of circumstances, that such force is necessary to defend against an imminent threat of death or serious bodily injury to the officer or to another person." Penal Code section 835a(c)(1)(A).

The statute defines “deadly force” as any use of force that creates a substantial risk of causing death or serious bodily injury, including, but not limited to, the discharge of a firearm.” Penal Code section 835a(e)(1).

An imminent threat of death or serious bodily injury is one where “based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed.” Penal Code section 835a(e)(2).

The statute defines totality of the circumstances as “all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force.” Penal Code section 835a(e)(3).

The statute states, “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 section 835a(2).

The statute provides, “A peace officer 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 peace officer or to another person.” Penal Code section 835a(c)(2).

“[T]he decision by a peace officer to use force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight. The totality of circumstances shall account for occasions when officers may be forced to make quick judgments about using force.” Penal Code section 835a(4).

Additionally, a peace officer who makes or attempts to make an arrest need not retreat or desist from their efforts because of resistance or threatened resistance of the person being arrested. A peace officer should not be deemed an aggressor or lose the right of self-defense by the use of objectively reasonable force in compliance with subdivisions (b) and (c) to effect the arrest or prevent escape or overcome resistance. For purposes of this section “retreat” does not mean tactical repositioning or other de-escalation tactics.” Penal Code section 835a(d).

Conclusion

When Officers Morena and Isa responded to a call of an attempted suicide in progress, they entered the apartment but did not initially locate the person in need. Engel suddenly appeared holding a knife and quickly advanced toward Morena while holding the knife raised above his head. Morena commanded Engel to stop, but Engel ignored him and continued to move toward him. Morena and Isa fired their weapons at Engel as he came within four to six feet of Moreno.

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Engel's rapid actions posed an imminent threat of death or serious bodily injury to Moreno and when Moreno and Isa used deadly force on Engel, they did so to instantly confront and address that imminent threat. An objectively reasonable officer in the same situation would believe, based on the totality of the circumstances, that Engel had the present ability, opportunity, and apparent intent to immediately inflict death or serious bodily injury. As a result, Isa and Moreno bear no state criminal liability for their actions. A copy of this letter, along with the materials submitted for our review, will be retained in our files.

Sincerely,


SUMMER STEPHAN
District Attorney

cc: Captain Juan Sanchez, San Diego Police Department
Captain David LaDieu, San Diego Sheriff's Department