

330 West Broadway  
San Diego, CA 92101  
(619) 531-4040

SanDiegoDA.com

OFFICE OF  
**THE DISTRICT ATTORNEY**  
COUNTY OF SAN DIEGO

DWAIN D. WOODLEY  
ASSISTANT DISTRICT ATTORNEY

SUMMER STEPHAN  
DISTRICT ATTORNEY

**May 25, 2023**

**For Immediate Release**

Contact: [Steve Walker](#) (619) 531-3890

[Tanya Sierra](#) (619) 531-3315

*En Español* [Barbara Medina](#) (619) 531-3305

## **DA Releases Review of Fatal Officer-Involved Shooting in Little Italy**

The San Diego County District Attorney's Office has completed its review regarding potential criminal liability in the fatal shooting by San Diego Sheriff's Deputies and a San Diego Police Officer of Yan Li, 47, in March of last year.

A peace officer's use of force is a serious responsibility that must be carried out legally and with a respect for the sanctity of every person's life. The law places the duty and responsibility on the District Attorney's Office to determine if there is criminal liability and to make a fair and just decision under the law. Our office takes great care to make sure our analysis follows the law, is independent, objective, and thorough. The loss of life in this context is always somber and serious, leaving an impact on many in the community.

In making its decision, the DA's Office considered the California legislature's finding in 2019 that mental illness may affect an individual's ability to understand or comply with commands from peace officers. In this case, it is reasonable to conclude that Li was experiencing a mental health crisis, however her actions constituted an imminent threat to the peace officers, resulting in her tragic death.

On March 3, 2022, a Sheriff's Deputy attempted to serve a notice of eviction at Li's Beech Street condominium. The uniformed deputy knocked on the door and Li answered with a meat cleaver in her hand. The deputy handed Li the eviction notice and confirmed her name in English. Realizing Li was holding a large knife, the deputy pointed his gun at her and gave her multiple commands to drop the weapon. He called Sheriff's dispatch for emergency assistance. Li did not comply with the commands and yelled at the deputy to drop his gun, accusing him of not being a real peace officer. After nearly two minutes of refusing to comply with the deputy's commands to drop the knife, Li threw the eviction notice on the floor and closed the door.

Additional Sheriff's Deputies and San Diego Police Officers responded to the scene to assist the deputy. Maintenance staff at the condo building notified officers and deputies that Li had charged at several employees with a knife the previous day when they entered her condo to fix a water leak.

During a 40-minute period, deputies attempted at intervals to negotiate with Li through the door to have her come out of the condominium. Sheriff's Department command staff at the scene developed a plan to have deputies enter the condo and arrest Li, in part because they had received information that led them to conclude an assault with a deadly weapon against building employees had occurred the previous day. Deputies used a key provided by management and entered the condo armed with a less-lethal bean bag shotgun, tasers and pepper ball gun, in addition to their firearms.

Once they entered, deputies encountered Li armed with a knife. Deputies gave Li multiple commands to come out of her bedroom with her hands up. She did not comply with the commands and four bean bag rounds were fired at Li. Li did not comply, even after being struck by the bean bag rounds. Nor did she show any reaction to the impact of the bean bag rounds. As deputies were calling for assistance from SDPD's police dog, Li charged at the deputies and officers with a large knife. Deputies and officers attempted to retreat away from Li to avoid being stabbed, but Li stabbed one officer in the chest before he exited the condo. As they continued to retreat, the officer who had been stabbed lost his balance and fell to the floor in the hallway along with another officer and deputy.

As Li exited the condominium, she thrust the knife toward a deputy's abdomen before he fell to the floor. She transferred the knife to her right hand and stood over the injured officer as he lay on his back. Li raised the knife over her head and swung it down toward the officer in an apparent attempt to stab him again. Three deputies and one officer fired their handguns at Li, striking her several times.

Li's actions led the peace officers to reasonably conclude that she had the ability, opportunity and intent to stab and seriously injure them. The evaluation takes into consideration that Li had in fact stabbed an officer in the chest with a knife that penetrated through his uniform and punctured his skin requiring five sutures to close the wound. The evaluation of criminal liability also includes Li's actions immediately preceding and at the moment she was shot, including her stabbing motion captured by body worn camera, thrusting the knife toward the deputy's abdomen and then raising the knife and swinging it down toward the officer's body as he lay on the ground. Given the totality of the circumstances, the peace officers involved bear no criminal state liability for their actions, as they had a reasonable belief that using deadly force was necessary to stop an imminent threat of death or serious injury to the deputies and officers involved.

The DA's review is strictly limited to criminal liability and does not analyze or determine civil liability. This determination regarding criminal liability does not diminish from the need to continue to strive to improve our systems to more adequately address mental health issues that are often present in officer-involved shooting incidents.

The DA's detailed review of this incident includes witness and officer statements, a review of the body worn camera footage, and thoroughly analyzes the events under the applicable law. [The DA's letter, found here](#), also includes three crucial photos that capture the basis for the conclusion regarding criminal liability.

###

*About the San Diego County District Attorney's Office*

*The San Diego County DA's Office prosecutes all felony crimes in the county and misdemeanor crimes committed outside the City of San Diego. The office files about 40,000 criminal cases a year and*

*balances prosecution with numerous crime prevention programs. District Attorney Summer Stephan leads the office of more than 1,000 dedicated employees who pursue fair and equal justice, and support victims daily across San Diego County.*