FOR IMMEDIATE RELEASE

Subject: Critical Incident Community Briefing – Officer Involved Shooting 20-28991

Date: June 29, 2020

On Wednesday, May 27, 2020 at approximately 10 PM, Fullerton Police K9 Corporal Jonathan Ferrell and his K9 partner Rotar responded to a family disturbance in the 3600 block of West Ave after a 15-year-old called 9-1-1 to report that his step-father, later identified as Hector Hernandez (34, Fullerton) was intoxicated and was threatening family members with a knife. At the time of the call, there were 5 kids of various ages inside the home with Mr. Hernandez and his girlfriend. While officers were on their way to the call, the 15-year-old caller told FPD dispatchers that Mr. Hernandez had armed himself with a gun, and he fired several rounds from the gun, while inside the house, at family members. Multiple neighbors from the 3600 block of West Ave called 9-1-1 to report hearing gunfire as well.

Officers arrived on-scene in less than 4 minutes, and they saw Mr. Hernandez exit the home. They began giving him commands in order to safely detain him. After initially exiting the home, Mr. Hernandez began to walk back toward the front door of the home, pacing back and forth between the front door, where officers believed a 9-year-old child was inside, and the street. He did this numerous times. Fearing for the 9-year-old’s safety inside the residence, and not wanting to allow Mr. Hernandez, who had committed multiple violent felonies at that point, an opportunity to retreat into the home to continue his assault on his family or barricade himself with vulnerable family members inside, K9 Corporal Ferrell released his K9 partner Rotar to effectuate an arrest. As K9 Rotar ran towards Mr. Hernandez, Rotar’s attention was briefly drawn towards a group of officers who were yelling commands at Mr. Hernandez. As Rotar was being redirected towards Mr. Hernandez, Mr. Hernandez dropped his hands from being up in the air and removed a knife from his right pocket as Rotar was approaching. While it was unknown to officers at the time, Mr. Hernandez used the knife to stab K9 Rotar, with K9 Corporal Ferrell in close proximity as he was attempting to release K9 Rotar and facilitate an arrest. This action resulted in an Officer Involved Shooting (OIS). Mr. Hernandez later passed away at area hospital.

In an effort to be transparent with the community that we serve, the Fullerton Police Department is releasing its fourth Critical Incident Community Briefing, which will provide details to the community about the incident, as we know them today. This includes Body Worn Camera (BWC) video footage from the incident itself, still photos, and police radio traffic. Because Mr. Hernandez was shooting a firearm during this call for service, multiple officers chose to wear additional body armor, which is provided by the Fullerton Police Department and stored in each patrol car. As such, the additional body armor covered some of their Body Worn Cameras, which they were wearing and had activated pursuant to FPD policy, at the time of this incident.

Please keep in mind this is an initial review, and our understanding of this incident could possibly change as additional evidence is collected, analyzed, and reviewed. The Fullerton Police Department also does not draw any conclusions as to whether or not our officers acted within our department policy, and the law, until all the facts are known, and the independent investigation by the Orange County District Attorney is complete.

With the July 1, 2019 implementation of California Assembly Bill 748, California police agencies are required to release any relevant video or audio pertaining to the critical incident within 45 days. The California State Legislature allows for this 45 day release timeframe because there is an understanding that critical incidents are often complex, sensitive investigations, and it takes time to complete them in a thorough manner.

As a reminder, while body worn cameras are an excellent investigative tool, they do not always show what the officers may have seen, and vice versa, the officers don’t always see and experience what the body camera footage shows. We ask that the community keep this in mind when viewing these videos.

Fullerton PD Investigators contacted Mr. Hernandez’s next of kin last week and provided them with an opportunity to view this Critical Incident Community Briefing prior to its release.

Please be advised, the images and content of this Critical Incident Community Briefing are graphic, and viewer discretion is advised.

The Critical Incident Community Briefing, which is roughly 17-minutes in length, can be found by clicking the link below:

Critical Incident Community Briefing 20-28991 Video Link

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