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THE LAW OFFICES OF
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November 4, 2021

VIA CERTIFIED MAIL

Rialto City Clerk
150 S. Palm Ave.,
Rialto, CA 92376

ATTENTION: CLAIMS

RE: GOVERNMENTAL CLAIM FOR DAMAGES

Our Client: Estate of Christopher Valadez
Date of Incident: October 22, 2021
Place of incident: 100 Block of North Encina in Rialto, California

To Whom it May Concern,

Pursuant to Section 910 of the California Government Code, this letter constitutes our client's formal Governmental Claim and request that all notices regarding this matter be sent to our office.

I. NAME AND ADDRESS OF CLAIMANT:

Estate of Christopher Valadez
LAW OFFICES OF HUMBERTO GUIZAR, APC
3500 W. Beverly Blvd.,
Montebello, California 90640

II. ADDRESS CLAIMANTS DESIRE NOTICES TO BE SENT:

Send all Notices to Claimants to:
LAW OFFICES OF HUMBERTO GUIZAR, APC

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CITY OF RIALTO

California Tort Claims Act Claim

3500 W. Beverly Blvd.,
Montebello, California 90640

III. DATE, PLACE, & OTHER CIRCUMSTANCES WHICH GAVE RISE TO THE CLAIM:

A. Date: October 22, 2021

B. Place of incident: 100 Block of North Encina in Rialto, California

C. Other Circumstances: This is a wrongful death action stemming from the shooting and killing of CHRISTOPHER VALADEZ by City of Rialto police officers.

IV. GENERAL DESCRIPTION OF THE INJURY, DAMAGE OR LOSS INCURRED SO FAR AS IT MAY BE KNOWN AT THE TIME OF PRESENTATION OF THE CLAIM:

CHRISTOPHER VALADEZ, an unarmed 23-year-old Fontana man was shot and killed by Rialto police early Friday, October 22, 2021 while he was driving away from Rialto police officers. The shooting of CHRISTOPHER VALADEZ was unjustified in violation of California and Federal law. Indeed, at around 12:30 a.m. in the 100 block of North Encina Avenue, a Rialto officer pulled over CHRISTOPHER VALADEZ for a minor, non-violent vehicle code violation. There was no report of a crime nor was there a crime in progress. The public nor the officers were in danger.

Initially, CHRISTOPHER VALADEZ stopped for the officers. Thereafter, CHRISTOPHER VALADEZ attempted to leave as he did not consent to the stop. A second Rialto officer arrived, However, officers would not allow CHRISTOPHER VALADEZ to leave and the Rialto officers subsequently shot and killed CHRISTOPHER VALADEZ. When Rialto officers shot and killed CHRISTOPHER VALADEZ he was unarmed and not presenting an imminent threat of death or serious bodily injury to the offices or anyone in the public. It is well established in California that officers are not allowed to shoot at individuals in moving vehicles. Despite POST and Rialto PD policy, the two Rialto police officers shot at CHRISTOPHER VALADEZ who was in a moving vehicle and not using the vehicle to present at threat to the officers nor the public. CHRISTOPHER VALADEZ initially survived the deadly encounter and was hanging on to dear lie, but CHRISTOPHER VALADEZ later died at the hospital.

A. STATE THEORIES OF LIABILITY:

1. *Negligence Causing Wrongful Death*
2. *Negligent Tactics and Negligent Hiring and Training.*
3. *Assault;*
4. *Battery;*
5. *Violations of Civil Code 52.1 (Tom Bane Act).*
6. *Violation of Civil Code 51.7 (Ralph Act);*
7. *Other applicable state law claims which may apply to a deadly use of force shooting.*

B. FEDERAL THEORIES OF LIABILITY¹:

1. *Unreasonable Detention and/or Seizure in Violation of the Fourth Amendment;*
2. *Excessive and Deadly Force in Violation of the Fourth Amendment*
3. *Unreasonable and Excessive Deadly Force in Violation of the Fourth Amendment;*
4. *Denial of Medical Care Force in Violation of the Fourth Amendment;*
5. *Substantive Due Process in Violation of the Fourteenth Amendment;*
6. *Municipal Liability Based on Unconstitutional Custom & Practice;*
7. *Municipal Liability Based on Failure to Train;*
8. *Municipal Liability Based on Ratification;*
9. *Other applicable federal law claims which may apply to a deadly use of force shooting.*

¹ The California Tort Claims Act (CTCA) as codified in Government Code Section (Government Code §§ 810-996.6) does not require a claimant to present federal claims, but claimant is including such claims nonetheless.

**V. NAME OF PUBLIC EMPLOYEES PUBLIC EMPLOYEE OR EMPLOYEES
CAUSING THE INJURY, DAMAGE, OR LOSS:**

Unknown at this time. However, two Rialto police officers were involved in the shooting and killing of CHRISTOPHER VALADEZ.

VI. AMOUNT CLAIMED:

1. General Damages in excess of the mandatory amount for jurisdiction in the Unlimited Superior Court;
2. Special Damages according to proof plus all further and proper relief.
3. Punitive damages as to individual deputy defendants.
4. Attorney's fees pursuant to State Law (CCP § 1021.5 & private attorney general doctrine);
5. Loss of consortium;
6. Attorney's fees pursuant to Federal Law; and
7. All other remedies awarded by the court.

Very truly yours,

**THE LAW OFFICES OF HUMBERTO GUIZAR,
A PROFESSIONAL CORPORATION**



**CHRISTIAN CONTRERAS
ATTORNEY AT LAW**

7020 3160 0000 7256 4207



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Attorney At Law
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Montebello, CA 90640

Rialto City Clerk
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Rialto, CA 92376

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