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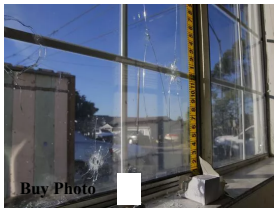
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Mother of teen killed by Salinas police files wrongful death suit

Joe Szvdlowski, The Californian Published 2:41 p.m. PT Jan. 11, 2018



(Photo: Chelcey Adams)

The mother of a 16-year-old fatally shot by Salinas police officers a year ago has filed a wrongful death lawsuit against the department.

In her federal lawsuit filed Wednesday, Ana Lorena Rodas says police misconduct led up to two officers recklessly shooting and killing Marlon Joel Rodas-Sanchez after one of them slipped on a wet floor at his home, 646 Terrace St., said Michael Haddad, her civil rights lawyer, on Wednesday.

Salinas City Attorney Christopher A. Callihan declined to comment via e-mail Wednesday because the city had not received the complaint to review.

But on July 14, 2017, the Monterey County District Attorney's Office decided not to file charges against the officers who fired on Rodas-Sanchez in the early morning hours of Jan. 18.

Salinas officers went to the home, where Rodas-Sanchez lived with friends, after receiving reports of Rodas-Sanchez listening to music and sharpening a knife outside at about 1:30 a.m. He was ignoring questions from concerned roommates, Haddad said.

A Look Back: [DA: No charges for Salinas police who shot teen \(/story/news/2017/07/15/da-no-charges-salinas-police-who-shot-teen/481500001/\)](#)

[Teen shot by Salinas police ID'd \(/story/news/my-safety/2017/01/20/teen-shot-salinas-police-idd/96856614/\)](#)

Sixteen officers showed up and evacuated the main house.

At one point, Rodas stood in front of a door to a house in the back of the property where a family was inside. By phone, emergency dispatch instructed the family to stay in the home and to lock it since Rodas was blocking the exit, according to the Monterey County District Attorney's Office.

A roommate told police Rodas-Sanchez appeared to have smoked a substance earlier, Haddad said. Autopsy results showed he had methamphetamine in his system.

But the teen didn't just ignore officers' commands in English and Spanish — he didn't seem to realize they were there, Haddad said.

"He never threatened anybody with the knife, brandished it or waved it around," Haddad said. "Pretty much, he was ignoring the officers the whole time. He was in his own world."

Police should have realized they were not dealing with a criminal but a 5-foot-2-inch, 102-pound teenager experimenting with drugs, Haddad said.

Officers began using non-lethal force to try to disarm him.

"They blasted him with a firehose in 40-degree weather, shot him with rubber bullets," Haddad said. "Predictably because of that, he fled into the home."

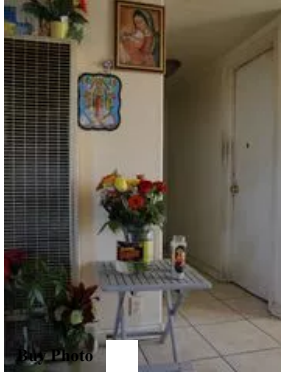
The DA's Office, in a press release in July, reported that those efforts, which included a stun gun, failed to disarm Rodas-Sanchez.

Four officers pursued him inside, including the two who shot him: Jared Dominici and Manuel Lopez, Jr., Haddad said. Instead, they should have backed off and waited for the drug's effects to wear off, he argues.

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As officer Lopez approached the teen, he slipped on a slick tile floor and fell on his back. A second stun gun bolt was used on Rodas-Sanchez, though it did not incapacitate him.



A small shrine of flowers and candles marks where Marlon Joel Rodas-Sanchez died. (Photo: Chelcey Adami)

From there, the story is muddled, though Haddad and the DA concluded it unfolded in the blink of an eye.

"Lopez, basically, slipped and fell on his butt, and immediately started shooting. That causes one to wonder if he started shooting simply because he fell," Haddad said. "That's how quick it was, it was like one motion."

In the span of three seconds, the first and last rounds had been fired, according to the DA's office.

The DA ruled, based on body camera footage, witness statements and other evidence, that the officers, including Lopez on his back with Rodas-Sanchez next to him getting up, feared for their safety when they shot Rodas-Sanchez.

In the press release, the DA said Rodas-Sanchez was already getting up after a second stun was used on him when Lopez entered the same room and slipped on the slick floor right next to Rodas-Sanchez.

Rodas-Sanchez stood over Lopez with a knife when Lopez opened fire, with Dominici responding to gunshots and firing his handgun, the DA said.

Read: [New details emerge from Salinas officer-involved shooting \(/story/news/2017/01/30/new-details-emerge-salinas-officer-involved-shooting/97166580/\)](http://www.thecalifornian.com/story/news/2017/01/30/new-details-emerge-salinas-officer-involved-shooting/97166580/)

[Salinas cops ID'd in Jan. 18 shooting \(/story/news/my-safety/2017/01/24/salinas-cops-idd-jan-18-shooting/97015658/\)](http://www.thecalifornian.com/story/news/my-safety/2017/01/24/salinas-cops-idd-jan-18-shooting/97015658/)

But Haddad said Rodas-Sanchez didn't get up from being Tasered until after Lopez was already on the ground and had fired a shot.

"Once the gunshots started, (Rodas-Sanchez) started to sit up, turn away from the officers and move away, but he couldn't even make it all the way up," Haddad said. He argues Rodas-Sanchez got up to run away but was still shot.

Officers should have approached Rodas-Sanchez as having a mental health crisis from experimenting with methamphetamine, not a dangerous criminal, Haddad said.

The DA's office said that the high level of methamphetamine in Rodas-Sanchez's bloodstream can cause overstimulation, overreacting, hallucinations, delusions and paranoia. Officials had said he had hallucinations of lights earlier.

A judge has not been assigned in the fresh case as of Thursday morning, according to electronic federal court records.

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