



OFFICE OF THE
DISTRICT ATTORNEY
ORANGE COUNTY, CALIFORNIA

TODD SPITZER

August 12, 2026

Chief Manuel Cid
Anaheim Police Department
425 S. Harbor Blvd.
Anaheim, CA 92805

Re: Custodial Death on December 9, 2024
Death of Inmate Vinh Quang Nguyen
District Attorney Investigations Case # 24-0002262
Anaheim Police Department Case # 24-189984
Orange County Crime Laboratory Case # FR 24-49558
Orange County Coroner's Office Case # 24-06274-TA
Anaheim Fire and Rescue Department Case # A2443530

Dear Chief Cid,

Please accept this letter detailing the Orange County District Attorney's Office's (OCD A) investigation and legal conclusion in connection with the December 9, 2024, custodial death of 35-year-old inmate Vinh Quang Nguyen.

OVERVIEW

This letter contains a description of the scope and the legal conclusions resulting from the OCD A's investigation of the custodial death of Nguyen. In this letter, the OCD A describes the criminal investigative methodology employed, evidence examined, witnesses interviewed, facts discovered, and the legal principles applied to review the conduct of all Anaheim Police Department (APD) personnel, as well as those under the supervision of the APD, involved in this custodial death incident.

On December 9, 2024, OCD A Special Assignments Unit (OCDASAU) investigators responded to the Anaheim Regional Medical Center (ARMC), where Nguyen died while in custody. During the course of their investigation of Nguyen's death, the OCDASAU interviewed one witness and obtained police reports, incident scene photographs, body worn camera (BWC) videos, medical records, and other relevant materials from APD, the

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Anaheim Fire and Rescue Department (AFRD), the Orange County Coroner's Office, and the Orange County Crime Laboratory (OCCL).

The OCDA conducted an independent and thorough investigation of the facts and circumstances of this event and impartially reviewed all evidence and applicable legal standards. The scope and findings of this review are expressly limited to determining whether any criminal conduct occurred on the part of APD personnel or any other person under the supervision of the APD. The OCDA will not be addressing policy, training, tactics, or civil liability.

INVESTIGATIVE METHODOLOGY

Among other duties, the OCDASAU is responsible for investigating the deaths of individuals while in custody within Orange County. An OCDASAU investigator is assigned as a case agent and is supported by other OCDASAU investigators, as well as investigators from other OCDA units.

Six investigators are assigned to the OCDASAU on a full-time basis. There are additional OCDA investigators assigned to other units in the office, trained to assist when needed. On average, eight investigators respond to an incident within an hour of being called. The investigators assigned to respond to an incident perform a variety of functions that include witness interviews, scene processing, evidence collection, and hospital investigative responsibilities as needed. The OCDASAU audio records all interviews, and the OCCL processes all physical evidence related to the investigation.

Deputy district attorneys from the Homicide, TARGET/Gangs, and Special Prosecutions Units review fatal and non-fatal, officer-involved shootings and custodial death cases and determine whether criminal charges are appropriate. Thus, when the OCDASAU Investigator has concluded the investigation, the file is turned over to an experienced deputy district attorney for legal review. If necessary, the reviewing prosecutor will send the case back for further investigation.

Throughout the review process, the assigned prosecutor will consult with the Assistant District Attorney supervising the Special Prosecutions Unit of the OCDA, who will eventually review any legal conclusions and resulting correspondence. It is also common for the case to be reviewed by several experienced prosecutors and their supervisors. Ultimately, the District Attorney personally reviews and approves all officer-involved shooting and custodial death letters.

FACTUAL SUMMARY

On December 5, 2024, at approximately 7:23 p.m., the APD received an "Unknown Trouble" call at the Beach Side Inn, 705 South Beach Boulevard, Anaheim. The caller advised dispatch that two men were in an altercation in the Inn's parking lot, with one subject inside a sport utility vehicle fending off the other person who was outside the vehicle.

At approximately 7:29:19 p.m., APD Officers Joshua Schlesinger and Ryan Rose arrived at the Beach Side Inn. Both officers were dressed in APD blue uniforms and driving marked police units. Both officers wore BWCs, which were activated throughout this incident.

Upon arrival, the officers contacted John Doe 1 outside the SUV and observed a second subject, later identified as Nguyen, inside the vehicle. John Doe 1, whose face was bloody, was taken aside and later questioned by Officer Schlesinger. Following questioning, it was determined that John Doe 1 was the victim of domestic violence perpetrated by Nguyen.

Nguyen, who refused to exit the vehicle, was speaking irrationally and breathing heavily. His muscles appeared rigid, and he was sweating. Officer Schlesinger, in his police report, indicated that he recognized the behavior and symptoms as indicative of someone under the influence of a controlled substance.

At approximately 7:32:48 p.m., APD officers requested Orange County Fire Authority (OCFA) paramedics be summoned to evaluate Nguyen.

Officer Schlesinger then attempted to remove Nguyen from the vehicle. Nguyen, however, resisted removal and spat in Officer Schlesinger's face. Additional APD officers and supervisors, all wearing activated BWCs, responded to the incident. A standoff between APD officers and Nguyen lasted approximately thirty (30) minutes. Throughout this time, Nguyen remained erratic and at one point placed something around his neck as if he wanted to choke himself.

At approximately 8:01:58 p.m., APD officers coaxed Nguyen out of the vehicle. Nguyen was swarmed and arrested in the parking lot of the Beach Side Inn. Nguyen was handcuffed behind his back while face down on the ground. A Hobble restraint was placed on Nguyen's legs, and a spit mask hood was placed over his face.¹

At approximately 8:09:45 p.m., OCFA paramedics contacted Nguyen, who had been placed into a seated position up against a wall. Nguyen, who was still speaking irrationally, displayed no obvious medical concerns. No significant force had been used in the arrest, and he had no apparent injuries.

At approximately 8:19:22 p.m., Nguyen was placed in the right rear seat of APD Unit #3-396, driven by Officers Brandon Meadows and Nicholas Quezada. They transported him to the APD Jail.

¹ A Hobble restraint is a device which limits a subject's hand and foot movement while still allowing for a seating position. The restraint is typically a webbed belt with a loop and a self-locking clip, long enough to bind the ankles to handcuffed wrists. "Spit mask hoods" are primarily safety and restraint devices used by law enforcement and medical professionals to prevent individuals from spitting or biting. They are designed to contain bodily fluids while still allowing the wearer to breathe and see.

At approximately 8:41:57 p.m., Nguyen arrived at the APD Jail sally port. Jail staff were told he was uncooperative, hobbled, and wearing a spit mask after he spat at officers.

All of the correctional officers later wrote reports that documented their involvement with Nguyen and wore activated BWCs that captured their interactions with Nguyen. Additionally, the APD jail had surveillance cameras that captured this incident.

At approximately 8:49:27 p.m., APD Correctional Bailiff (CB) Danielle Holt contacted Nguyen at the right rear passenger door of the police unit. Nguyen was initially conversational but became uncooperative and slid his body away from her.

At approximately 8:50:30 p.m., Correctional Officer (CO) Brian Montes was leaning in the left rear passenger door of the unit. Nguyen attempted to headbutt CO Montes, but was removed from the vehicle by CB Holt with assistance from Correctional Sergeant (CS) Adrian LaFarge, and CO Luis Garcia.

Once out of the vehicle, CB Holt began to remove the restraints from Nguyen. Nguyen moved his body around on the floor of the sally port. CO Montes thought Nguyen was trying to break free of his grasp on the left arm. He appeared to try to kick CB Holt off his legs while she tried to remove the Hobble.

At approximately 8:52:04 p.m., the Hobble was eventually removed from Nguyen's legs and was replaced with leg irons.

At approximately 8:52:54 p.m., the Hobble was totally removed from Nguyen, and he was handcuffed with his arms behind his back.

At approximately 8:53:19 p.m., Nguyen was lifted to a standing position. The COs began to walk him out of the sally port and to the fingerprint station. Nguyen partially walked, but then was dragged, and ultimately carried to the fingerprint station by CO Garcia on the right arm and CO Montes on the left arm. CB Holt carried his legs.

At approximately 8:54:06 p.m., Nguyen and the COs arrived at the fingerprint station. Nguyen made a fist to prevent being fingerprinted.

At approximately 8:54:33 p.m., CS LaFarge asked Nguyen his name, if he had any medical or mental health problems, and if he used drugs. Nguyen replied that his name was "Officer Lily" and that he had no medical or mental health issues. He said he was forced to take drugs.

At approximately 8:56:11 p.m., Nguyen was carried to a cell by CO Garcia, CO Montes, and CB Holt. He was placed face down on the floor and he continued to resist efforts to search him for contraband. CO Garcia placed his knees on the right side of Nguyen's back and upper torso as Nguyen resisted uncuffing.

At approximately 8:58:05 p.m., the COs attempted to remove the leg irons and Nguyen's boots, but he continued to move and kicked toward CB Holt. Nguyen was still verbally responsive, though often incoherent.

At approximately 8:59:01 p.m., Nguyen grabbed CO Montes' fingers, squeezed them, and twisted his hand. CO Montes said, "Don't grab my fingers. Do not grab me. Do not grab and twist my fingers. Do you understand?"

At approximately 9:00:45 p.m., CS LaFarge removed the handcuffs.

At approximately 9:01:19 p.m., the spit mask was removed. Nguyen continued making verbal noises while struggling with the COs. Nguyen was on his stomach with his hands behind his back and his legs crossed. Nguyen was searched, and no weapons were found.

At approximately 9:02:02 p.m., APD personnel left Nguyen in a cell, face down on the floor, and began monitoring him from outside through the windows. His arms remained behind his back, and his legs remained crossed.

At approximately 9:03:51 p.m., CB Holt and CS LaFarge noticed that Nguyen had shallow breathing. APD staff re-entered the cell and found that Nguyen had a weak pulse and purple lips.

At approximately 9:04:18 p.m., CB Holt called for paramedics and retrieved an Automated External Defibrillator (AED).

At approximately 9:04:56 p.m., Nguyen was handcuffed behind his back and was rolled over on his back. APD personnel began to render medical care.

At approximately 9:05:02 p.m., CB Holt administered a dose of Narcan. APD personnel noticed that his chest was seizing and that the Narcan did not appear to have an effect.

At approximately 9:05:06 p.m., Emergency Medical Services were notified, and a unit was dispatched.

At approximately 9:05:34 p.m., the AED analyzed Nguyen with no shock advised.

At approximately 9:06:01 p.m., Nguyen was placed in a recovery position, and a faint pulse was detected.

At approximately 9:06:26 p.m., CB Holt administered a second dose of Narcan

At approximately 9:07:35 p.m., Nguyen's handcuffs were removed, and he was re-cuffed with his hands in front. Nguyen was then placed on his back

At approximately 9:08:06 p.m. and again at 9:10:40 p.m., the AED analyzed Nguyen, with no shock advised. Nguyen still had a faint pulse.

At approximately 9:08:37 p.m., CB Holt initiated chest compressions. Nguyen, who regained a pulse, made gurgling noises and was again placed on his right side in the recovery position.

At approximately 9:09:21 p.m., CB Holt administered a third dose of Narcan with no effect. CB Holt used a bag valve mask to provide Nguyen with oxygen.

At approximately 9:12:30 p.m., Anaheim Fire and Rescue paramedics arrived at Nguyen's cell. Medics restored a pulse.

At approximately 9:21:15 p.m., paramedics transported Nguyen from the APD Jail to the ARMC.

At approximately 9:33:28 p.m., Nguyen arrived at ARMC, and his care was transferred to Emergency Room (ER) personnel.

At approximately 10:20:00 p.m., ARMC personnel drew blood, which indicated positive for amphetamines. The pre-admission blood drawn from Nguyen was not retained.

At approximately 11:29:00 p.m., Nguyen was admitted to ARMC, and he was placed on a ventilator.

At approximately 11:41:00 p.m., an ARMC physician wrote, "Consider methamphetamines as the source of his (Nguyen's) cardiac arrest."

On December 7, 2024, additional blood was drawn from Nguyen and retained by ARMC.

Nguyen, while on the ventilator, never regained consciousness, and his organs were shutting down.

On December 9, 2024, at approximately 2:25:00 p.m., a brain death test was conducted by two ARMC physicians, who determined Nguyen to be brain-dead.

At approximately 3:34:00 p.m., a second brain death test was conducted by the physicians. Following this exam, Nguyen was pronounced deceased.

AUTOPSY

On December 11, 2024, at approximately 9:00 a.m., Forensic Pathologist Jack Guccione conducted a post-mortem examination of Nguyen at the Orange County Sheriff-Coroner Forensic Science Center.

At the conclusion of the autopsy, Dr. Guccione stated there was no fatal trauma to the body. Dr. Guccione noted that the final cause of death was pending a review of medical records and toxicology results.

An OCCL Forensic Specialist (FSP) took 69 color digital photographs during the autopsy. An OCCL Forensic Scientist (FS) collected a deep-muscle and blood-stain standard from Nguyen.

On May 7, 2025, Dr. Guccione issued an amended report identifying the cause and manner of Nguyen's death. The cause of death was complications of methamphetamine intoxication. Other conditions were described as exertion during restraint. The manner of death was classified as an "Accident."

EVIDENCE COLLECTED

An OCCL Senior Forensic Specialist (SFS) took 25 digital color photographs documenting the hospital scene. No other evidence was collected.

An APD FSP took 32 color digital photographs of the jail scene. No other evidence was collected.

EVIDENCE ANALYSIS

Toxicological Examination

A sample of Nguyen's postmortem and antemortem blood was collected and examined for the presence of drugs and alcohol. The following results and interpretations were documented:

Drug	Postmortem Blood	Antemortem Blood
Amphetamine	0.117 ± 0.010 mg/L	0.0400 ± 0.0034 mg/L
Methamphetamine	0.363 ± 0.025 mg/L	0.272 ± 0.019 mg/L
Acetaminophen	Detected	
Levetiracetam	Detected	Detected
Metroprolol	Detected	
Midazolam		0.0815 ± 0.0064

BACKGROUND INFORMATION

Nguyen had no criminal history or arrest record.

THE LAW

Homicide is the killing of one human being by another. Murder, voluntary manslaughter, and involuntary manslaughter are types of homicide. To prove that a person is guilty of murder, the following must be proven:

- a. The person committed an act that caused the death of another person;
- b. When the person acted he/she had a state of mind called malice aforethought; and
- c. He/she killed without lawful excuse or justification.

There are two kinds of malice aforethought, express malice and implied malice. Express malice is when a person unlawfully intended to kill. Implied malice requires that a person intentionally committed an act, the natural and probable consequences of the act were dangerous to human life, at the time he acted he knew his act was dangerous to human life, and he/she deliberately acted with conscious disregard for human life.

A person can also commit murder by his/her failure to perform a legal duty, if the following conditions exist:

- a. The killing is unlawful (*i.e.*, without lawful excuse or justification);
- b. The death is caused by an intentional failure to act in a situation where a person is under a duty to act;
- c. The failure to act is dangerous to human life; and
- d. The failure to act is deliberately performed with knowledge of the danger to, and with conscious disregard for, human life.

A person can also commit involuntary manslaughter by failing to perform a legal duty, if the following conditions exist:

- a. The person had a legal duty to the decedent;
- b. The person failed to perform that legal duty;
- c. The person's failure was criminally negligent; and
- d. The person's failure caused the death of the decedent.

In *Giraldo v. California Dept. of Corrections and Rehabilitation* (2008) 168 Cal.App.4th 231, 250-251, the court held that there is a "special relationship" between jailer and prisoner:

"[T]he most important consideration 'in establishing duty is foreseeability.' [citation] It is manifestly foreseeable that an inmate may be at risk of harm.... Prisoners are vulnerable. And dependent. Moreover, the relationship between them is protective by nature, such that the jailer has control over the prisoner, who is deprived of the normal opportunity to protect himself from harm inflicted by others. This, we conclude, is the epitome of a special relationship, imposing a duty of care on a jailer owed to a prisoner, and we today add California to the list of jurisdictions recognizing a special relationship between jailer and prisoner."

California Government Code section 845.6 codifies that the special relationship that exists in a custodial setting gives rise to a legal duty, as follows:

"[A] public employee, and the public entity where the employee is acting within the scope of his employment, is liable if the employee knows or has reason to know that the prisoner is in need of immediate medical care and he fails to take reasonable action to summon such medical care."

Criminal negligence involves more than ordinary carelessness, inattention, or mistake in judgment. A person acts with criminal negligence when he acts in a reckless way that creates a high risk of death or great bodily injury and a reasonable person would have known that acting in that way would create such a risk. In other words, a person acts with criminal negligence when the way he acts is so different from how an ordinarily careful person would act in the same situation that his or her act amounts to disregard for human life or indifference to the consequences of that act.

An act causes death if the death is the direct, natural, and probable consequence of the act and the death would not have happened without the act. A natural and probable consequence is one that a reasonable person would know is likely to happen if nothing unusual intervenes.

There may be more than one cause of death. An act causes death only if it is a substantial factor in causing the death. A substantial factor is more than a trivial or remote factor; however, it does not need to be the only factor that causes the death.

LEGAL ANALYSIS

There is no evidence of express or implied malice on the part of any APD personnel or other individuals under the supervision of the APD. Accordingly, the only possible type of homicide to analyze in this situation is murder or manslaughter under the theory of failure to perform a legal duty.

The APD owed Nguyen a duty of care. There is no evidence, however, that the duty was breached - either intentionally (as required for murder) or through criminal negligence (as required for involuntary manslaughter).

While Nguyen's conduct when first contacted by APD officers was a clear indication of his likely being under the influence of drugs, he did not exhibit signs of having a medical emergency. Though Nguyen was combative, APD officers used minimal force in subduing him. The Hobble Restraint and the Spit Mask were appropriate uses of force considering the level of Nguyen's resistance. APD officers also called OCFA paramedics to check on Nguyen's well-being. The paramedics did not deem it necessary to send Nguyen for further medical evaluation. Once Nguyen arrived at the APD jail, he remained resistant. But he did not show any signs of distress. No excessive force was used in removing Nguyen from the police unit, removing the Hobble and Spit Mask, moving him to the fingerprint station, or placing him in the Sobering Cell. After Nguyen was in a cell and all restraints had been removed, APD personnel continued to observe him to ensure he was not in distress. As soon as Nguyen appeared to be in medical distress, APD personnel entered the Sobering Cell, called for Emergency Medical assistance, and provided medical aid consisting of three doses of NARCAN, oxygen, and CPR.

Once paramedics arrived, they provided appropriate medical treatment and promptly transported Nguyen to AGMC for further care. Unfortunately, based on his drug use which was exacerbated by his exertion during his restraint, he could not survive his cardiac arrest.

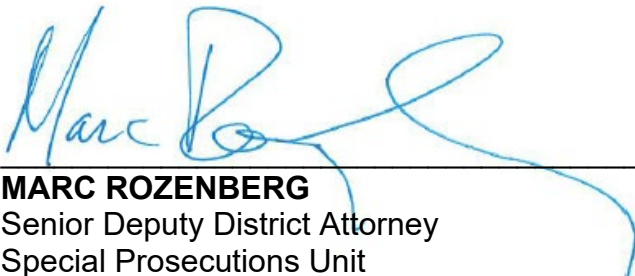
There is, however, nothing to indicate that Nguyen's death was the result of inaction or improper action of APD personnel or those under the supervision of APD.

CONCLUSION

Based on all the evidence provided to and reviewed by the OCDA, and pursuant to applicable legal principles, it is our conclusion that there is no evidence to support a finding that any APD personnel or any individual under the supervision of the APD failed to perform a legal duty causing the death of Vinh Quang Nguyen.

Accordingly, the OCDA is closing its inquiry into this incident.

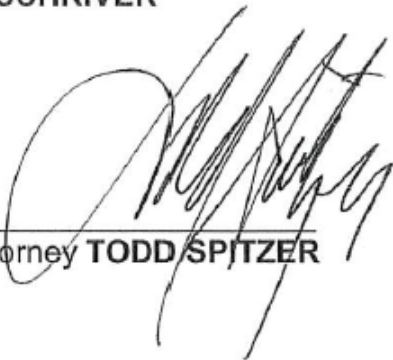
Respectfully submitted,



MARC ROZENBERG
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