

FAQ Release of Information in Diego Rios Use of Force Incident

Updated on February 9, 2026

Who is investigating the use of force incident? Is an independent investigation being conducted?

Yes. Two independent investigations are being conducted. The incident is under investigation by both the Los Angeles County Sheriff's Department (LACSD) Homicide Division and the Los Angeles County District Attorney's Office Justice System Integrity Unit.

Have findings been made?

No. The incident is still under investigation. Once findings have been made by LACSD and/or the District Attorney's Office, the findings will be publicly available.

Can the City Council investigate, discuss, or make determinations about the incident or officers' conduct through a public process, like a City Council meeting?

No. Other agencies are investigating the incident. The investigations are not a public process, but the other agencies' findings will be publicly available. The City Council generally cannot discuss the incident or an officer's conduct in a public meeting. To do so would violate State laws governing peace officer's rights. Additionally, the incident is still under investigation by independent agencies.

What is the officers' job status?

The City has released the names of the officers involved in the incident. While certain information related to an officer's employment status is subject to disclosure under the CPRA (i.e., hiring and termination dates, disciplinary records per PC 832.7(b)(3)), whether an officer is currently on leave or out in the field is not generally subject to disclosure and is protected by general privacy rights and confidentiality provisions (see PC 832.7(a); see also Gov. Code § 7922.000). At this time, since there have been no findings issued in this case, the City does not currently possess any officer personnel records subject to the disclosure provisions of PC 832.7(b)(3). The City would not allow a police officer to remain on active duty if the City had reason to believe the officer was unfit to serve or would otherwise present a risk to public safety.

Has the City released all recordings?

Yes, the City has released all video and audio recordings of the incident.

Why is there a lapse in one of the officer's body worn camera footage?

Corporal Benjamin Alba's body worn camera was inadvertently paused during the struggle to handcuff Mr. Rios. During Corporal Alba's attempt to bring Mr. Rios's hand behind Mr. Rios's back, their arms hit the button on Corporal Alba's body worn camera that starts and stops the recording. Hitting this button paused Corporal Alba's camera. Corporal Alba's camera was paused for approximately two and a half minutes. When Corporal Alba realized his camera had been paused, he pushed the button to resume recording.

The events that occurred during the two and a half minutes that Corporal Alba's body worn camera was paused were recorded and are captured from various angles on Officer Orona's body worn camera, Officer Orona's patrol unit cameras, the church's security camera, and the recording from across the street.

Will the City Council share information on the laws that govern the release of information on use of force incidents to the public?

The City Council has asked staff to prepare an educational presentation for the City's Police Commission on the state laws and processes that govern public disclosure of information relating to police incidents. This presentation will be open to the public. Staff anticipates this presentation will be on the April 2, 2026 Police Commission agenda.

Why did the Tri-City Mental Services Health PACT team not respond to the incident?

The PACT Team was not in service at the time of the incident. Tri-City Mental Health discontinued the PACT program in November of 2023 after struggling to staff the team.