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Family of man killed by Escondido police files \$30-million claim

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The family of a 51-year-old man who was fatally shot in his home by an Escondido police officer has filed a \$30-million wrongful death claim against the city of Escondido and the officer.

Alex Galindo, lawyer for the family of Van Dinh Le, said the family believes Le was not a threat and that the officer and his partner were negligent in "failing to calm Mr. Le down and address his mental illness" instead of rushing at him and forcing him out of the bathroom "for no reason."

Officer Matt Nelson, a 10-year veteran, fired a single shot at Le, striking him in the forehead. He was pronounced dead at the scene.

San Diego County Dist. Atty. Bonnie Dumanis cleared Nelson of any wrongdoing in the March 3 incident in a letter to the Escondido Police Department on Aug. 4. The district attorney's office investigates all officer-involved shootings.

The police were responding to a call that Le was "suicidal, mentally unstable and was acting dangerously." Dumanis said that an autopsy found that Le had several medications for mental disorders in his system.

Nelson fired when Le refused repeated commands to drop an 8-inch pair of scissors and instead "raised the scissors and advanced," Dumanis said.

Galindo said he plans, in a lawsuit filed in federal court, to challenge the police version of the incident on a crucial detail: the assertion that Le lunged at the officer.