

In-Custody Death of Wayne Bobby Dye
California Highway Patrol

Officer Oscar Serrano, #19611
Officer Samuel De Alba, #16695

J.S.I.D. File #22-0187



NATHAN J. HOCHMAN

District Attorney

Justice System Integrity Division

August 26, 2025

MEMORANDUM

TO: CHIEF CHRIS MARGARIS
California Highway Patrol
Southern Division – Major Crimes
411 North Central Avenue
Glendale, California, 91203

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: In-Custody Death of Wayne Bobby Dye
J.S.I.D. File #22-0187
C.H.P. File #MCU-121-509-22

DATE: August 26, 2025

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the June 8, 2022, in-custody use of force and death of Wayne Bobby Dye. We have concluded that California Highway Patrol (CHP) Officers Oscar Serrano and Samuel De Alba applied lawful force in detaining Dye and are not criminally liable for Dye's death.

The District Attorney's Command Center was notified of the incident on June 8, 2022, at approximately 11:38 a.m. The District Attorney Response Team responded to the location and was given a briefing and walk-through of the scene.

The following analysis is based on reports and third-party surveillance video submitted to our office on December 20, 2023, and January 30, 2025, by CHP Investigator Brian Caporrimo. The officers' voluntary statements were considered in this analysis.

FACTUAL SUMMARY

On June 8, 2022, Dye was driving a white minivan westbound on Vanowen Street in Los Angeles, California. Dye's vehicle collided with another vehicle. Following the collision, Dye exited his vehicle wearing maroon underwear, socks, and no shirt. Dye retrieved a handgun from the minivan and brandished it at passersby. Dye approached a stopped vehicle, an Infiniti sedan, ordered the driver out of the vehicle, entered the vehicle, and drove away westbound on Vanowen Street.

Dye drove westbound on Vanowen Street for approximately one mile and collided with the rear of a black Ford Flex stopped at the traffic signal at Vanowen Street and De Soto Avenue. The

vehicle Dye was driving continued moving and collided with a second vehicle. Dye's vehicle continued into the intersection, colliding with the Ford Flex a second time before coming to rest in the middle of the intersection of Vanowen Street and De Soto Avenue.

Dye exited the stolen vehicle through the driver's side window, still clad in only underwear and socks. Dye pushed a stopped motorcycle rider off his motorcycle and chased a pedestrian through the intersection.

As Dye assaulted and chased people in the intersection of Vanowen Street and De Soto Avenue, Serrano and De Alba drove northbound on De Soto Avenue. Serrano was driving and De Alba was the passenger. The officers were not uniformed and driving a Specially Marked Patrol Vehicle (SMPV), a white Ford Explorer Sport Utility Vehicle (SUV) with CHP decals on the side and rear of the vehicle. The SMPV was also equipped with emergency lights, a siren, and a public address (PA) system.

Serrano and De Alba drove into the intersection and observed Dye acting aggressively and violently towards other people in the intersection. They notified CHP dispatch of an "active 415," activated the SMPV's emergency lights, and followed Dye as he walked westbound on Vanowen Street.¹ Using the SMPV's PA system, Serrano ordered Dye to stop. Dye did not comply, instead turning and raising his middle finger towards the officers.

Serrano and De Alba parked their vehicle in the driveway of a business on the north side of Vanowen Street, just west of De Soto Avenue, as Dye continued to walk westbound on Vanowen Street on the north sidewalk. As Dye walked westbound, he passed numerous bystanders. De Alba opened the passenger door of his vehicle and stepped out. Dye turned around and approached the driver's side door of the SMPV, put both hands on the driver's side window and shouted at Serrano, "Get out of the fucking car! I'm going to kill you!" Dye banged his hands on the window. De Alba circled the front of the vehicle and approached Dye from behind. De Alba placed both his arms around Dye's neck and pulled Dye backwards, causing both Dye and De Alba to fall to the ground.

Serrano climbed over the center console inside the vehicle and exited through the passenger side door. Serrano circled around the back of the vehicle and approached De Alba, who was struggling to control Dye.² Dye, lying on the ground, kicked Serrano and rose to his feet. De Alba attempted to control Dye by grabbing him from behind, and Serrano attempted the same from the front. De Alba pulled Dye to the ground a second time. Serrano knelt on top of Dye on the ground. Two bystanders approached and aided Serrano and De Alba in controlling Dye.

De Alba laid his upper body across Dye's upper back and encircled his right arm around Dye's neck. Serrano held down Dye's legs. Dye became unresponsive. De Alba and Serrano rolled Dye onto his back and began performing life-saving measures. Los Angeles County Fire Department (LAFD) personnel arrived, relieved Serrano and De Alba, and continued to perform life-saving measures. Dye was transported to Northridge Hospital where he was pronounced deceased.

¹ California Penal Code section 415 refers to disturbing the peace.

² Dye was 5 feet, 10 inches tall, and weighed approximately 270 pounds.

Investigators recovered a firearm from the Infiniti sedan.

OFFICER STATEMENTS³

Officer Oscar Serrano

Serrano gave a voluntary statement on July 13, 2022. Serrano stated on June 8, 2022, he was dressed in plain clothes and driving to a CHP training course. Serrano began driving at approximately 7:30 to 7:45 a.m. De Alba was Serrano's partner and was seated in the passenger seat. Serrano was dressed in plain clothes and armed with his duty weapon. Serrano did not have his oleoresin capsicum (OC) spray, baton, Taser, or handcuffs.

While driving northbound on DeSoto Avenue, Serrano encountered backed up traffic at the intersection with Vanowen Street. Serrano observed vehicles stopped in the middle of the intersection in what appeared to be a traffic collision. Serrano observed a male, later identified as Dye, wearing only underwear and socks. Dye was involved in a physical altercation with another male in the intersection, and Serrano observed Dye attempt to throw a motorcyclist off his motorcycle.

Dye walked westbound on Vanowen Street. Serrano observed Dye acting aggressively and observed civilians watching Dye and moving out of his path. Serrano activated his patrol car's lights, briefly activated his vehicle's siren, and followed Dye. Serrano gave Dye commands to sit on the curb using the vehicle's PA system. Dye ignored the commands, turned towards Serrano, raised his middle finger, and yelled, "Fuck you!" De Alba initially radioed CHP dispatch to report the incident, and Serrano subsequently radioed dispatch to request a backup unit equipped with a Taser.

Serrano continued to follow Dye as Dye walked westbound on Vanowen Street. Dye turned and walked towards Serrano's patrol vehicle. Serrano stopped the vehicle. Dye approached the driver's side door. Serrano locked the vehicle's doors. Dye yelled, "Get out of the fucking car! I'm going to kill you!" Dye attempted to open the vehicle door. Serrano estimated Dye was approximately six feet tall and weighed 280 to 300 pounds. Serrano estimated his own weight to be 170 to 180 pounds, and his own height as approximately five feet, six inches tall.

Serrano believed Dye was under the influence of drugs based on his aggressive demeanor, his refusal to obey Serrano's commands, the fact Dye was sweating profusely, and the fact Dye was clothed only in underwear and socks.

De Alba exited the passenger side door of the vehicle and contacted Dye. Dye and De Alba became involved in a physical altercation, causing both to fall to the ground. Serrano climbed over the center console of the vehicle and exited the passenger side door. Serrano ran around the back of the vehicle and approached De Alba and Dye as Dye was standing up. Dye was being

³ All of the statements made by the officers were provided voluntarily and recorded.

physically resistant and swung his fists at Serrano. Serrano attempted to physically place Dye back on the ground to control him. Two civilians came to Serrano's aid.

Serrano, De Alba, and the two civilians attempted to physically control Dye. Serrano laid his upper body diagonally across Dye's hips and struggled to maintain control of Dye's right arm. Serrano's intention was to maintain control of Dye until additional units equipped with handcuffs arrived at the scene. One of the civilians retrieved Serrano's radio from the patrol vehicle. Serrano radioed dispatch for backup while maintaining control of Dye. From his position, Serrano could only observe De Alba's back as De Alba maintained control of Dye's upper body. Dye continued to actively resist.

An unknown civilian told Serrano, "He's turning blue." Serrano and De Alba immediately rolled Dye onto his back. Serrano began to perform CPR. De Alba radioed for the fire department. De Alba and Serrano performed CPR on Dye in cycles. Serrano was eventually relieved by LAFD personnel who continued to perform life-saving measures.

Serrano suffered an injury to his left shoulder and minor scrapes and bruises from the incident.

Officer Samuel De Alba

De Alba gave a voluntary statement on July 13, 2022. De Alba stated on June 8, 2022, he was dressed in plain clothes and riding as a passenger to a CHP training course. His partner, Serrano, was driving a specially marked white CHP vehicle. De Alba was armed with his off-duty firearm. De Alba did not have his oleoresin capsicum (OC) spray, baton, Taser, or handcuffs. De Alba stated he had surgery on his left arm two weeks prior to this incident.

As De Alba and Serrano approached the intersection of DeSoto Avenue and Vanowen Street, De Alba observed traffic was backed up and there was smoke in the intersection. As traffic cleared, De Alba observed a traffic collision had occurred in the intersection. Civilians approached De Alba's vehicle and yelled, "You got to stop that guy. Help! Go get him!"

De Alba observed a male, later identified as Dye, on foot in the intersection pushing people, yelling, and being extremely aggressive. Dye was clothed in only underwear and socks and had blood on his head. De Alba estimated Dye to weigh approximately 300 pounds. De Alba observed Dye attempt to shove a motorcyclist off his motorcycle. Serrano activated the patrol vehicle's lights and sirens and addressed Dye using the vehicle's PA system. De Alba radioed CHP dispatch and reported the collision. He further reported "multiple 415's."

De Alba observed Dye approach a vehicle near the intersection and slam his fist on the driver's side window. Serrano used the PA address system and ordered Dye to get down on the ground. Dye responded, "Fuck you!"

Dye walked westbound on Vanowen Street. De Alba observed Dye acting aggressively, pushing, and fighting anyone in his path. Serrano and De Alba followed Dye westbound on Vanowen street, giving him commands to stop and sit down. Dye ignored the commands. Serrano radioed CHP dispatch for an additional unit equipped with a Taser. Dye raised his

middle finger at Serrano and De Alba and yelled, "Fuck you!" Dye turned back towards Serrano and De Alba, approached the driver's side window, and yelled, "Get out of the car! I'm going to fucking kill you!"

De Alba exited the passenger door, walked around the front of the vehicle, and heard Dye yell a second time, "I'm going to fucking kill you! Get out!" Dye's forehead and forearm were pressed against the driver's side window of the CHP vehicle. As De Alba approached Dye, Dye turned his head towards De Alba. De Alba jumped onto Dye's back and grabbed Dye's head. Both De Alba and Dye fell to the ground directly in front of the driver's side door of the CHP vehicle. Serrano exited the passenger side door of the vehicle.

De Alba attempted to control Dye who was sweaty and actively resisting. De Alba lost control of Dye. Dye stood up and immediately became involved in a physical altercation with Serrano, swinging his fists at him. De Alba grabbed Dye's shoulders from behind and took Dye to the ground a second time. Two civilians helped maintain control of Dye on the ground.

De Alba placed his right arm across Dye's right clavicle. De Alba stated he did not put pressure on Dye's neck. De Alba stated he held onto Dye's head and used his weight to pin Dye down. De Alba denied using a choke hold or applying any pressure to Dye's carotid artery, or his larynx.

A pedestrian told De Alba, "He's turning blue!" De Alba responded, "What'd you say?" The pedestrian repeated, "He's turning blue!" De Alba started to turn Dye over onto his back and told Serrano, "He's turning blue!" Serrano began performing CPR immediately. De Alba relieved Serrano and performed CPR. De Alba was relieved by LAFD personnel.

WITNESS STATEMENTS

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■. stated on June 8, 2022, she was driving her vehicle eastbound on Vanowen Street and stopped at the intersection of Vanowen Street and De Soto Avenue. She observed a traffic collision in the intersection. The driver of one of the vehicles, later identified as Dye, exited through the window of his vehicle. Dye was clothed in black shorts and socks. She observed Dye approach a motorcyclist stopped at the intersection and, unprovoked, kick the motorcyclist in the head, causing the rider to lose his balance and the motorcycle to fall to the ground. She observed Dye approach another bystander who was on the phone. The bystander ran from Dye. The light ■. was stopped for turned green and she continued to drive eastbound on Vanowen Street.

■.

■. stated on June 8, 2022, she was driving her vehicle southbound on De Soto Avenue, nearing the intersection with Vanowen Street. As she was waiting at the intersection, she heard the sound of a traffic collision before her vehicle was struck by another vehicle driven by Dye. She

observed Dye's feet protruding from the window of his vehicle. [REDACTED] drove her vehicle a short distance away until her vehicle stalled and became unresponsive.

[REDACTED] observed Dye walk past her westbound on Vanowen Street. Dye was wearing only boxer shorts. [REDACTED] heard law enforcement officers order Dye to stop but Dye refused and continued to walk westbound on Vanowen Street. [REDACTED] observed Dye fighting with two law enforcement officers. The officers told Dye to get down on the ground, however, Dye refused and continued to fight the officers. The officers used force to take Dye to the ground, and, shortly thereafter, began to perform CPR on Dye.

[REDACTED].

[REDACTED] stated on June 8, 2022, he was driving his vehicle southbound on Winnetka Avenue and observed a traffic collision in front of him at the intersection of Winnetka Avenue and Vanowen Street. [REDACTED] observed Dye seated in a white van which had been involved in the traffic collision. Dye exited his vehicle wearing only underwear. Dye retrieved a handgun from his vehicle and brandished the handgun at multiple people in the intersection. [REDACTED] described the handgun as a black, semi-automatic pistol.

Dye approached [REDACTED] and pointed the handgun at him. Dye struck the window of [REDACTED]'s vehicle with the handgun and yelled, "Get out of the car!" [REDACTED] raised his hands and exited his vehicle. Dye entered [REDACTED]'s vehicle and drove away westbound on Vanowen Street.

VIDEO

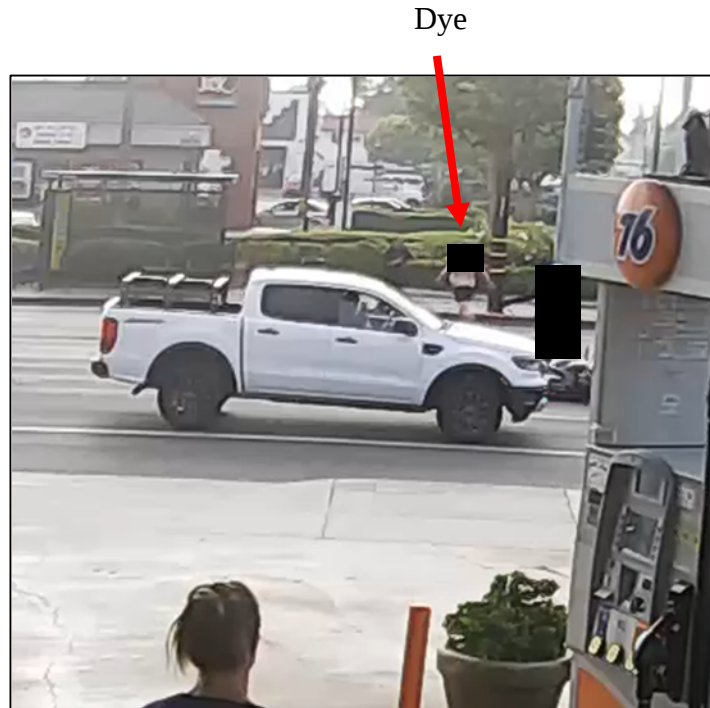
Neither Serrano nor De Alba were equipped with body worn camera video (BWV). Multiple third-party surveillance and civilian cameras captured various portions of the incident.

A surveillance camera from a business on De Soto Avenue captured the traffic collision in the intersection of Vanowen Street and De Soto Avenue. The camera also shows Dye exiting the Infiniti sedan through the window.



Zoomed in and cropped still video frame showing Dye exiting the Infiniti sedan.

Surveillance video from a business on Vanowen Street captured Dye assaulting the motorcyclist and chasing pedestrians.



Zoomed in and cropped still video frame showing Dye chasing a pedestrian after knocking a motorcyclist off his motorcycle.

Video surveillance from a business on Vanowen Street captured portions of the incident.



Cropped still video frame showing De Alba exiting his vehicle and Dye banging on the vehicle's window.

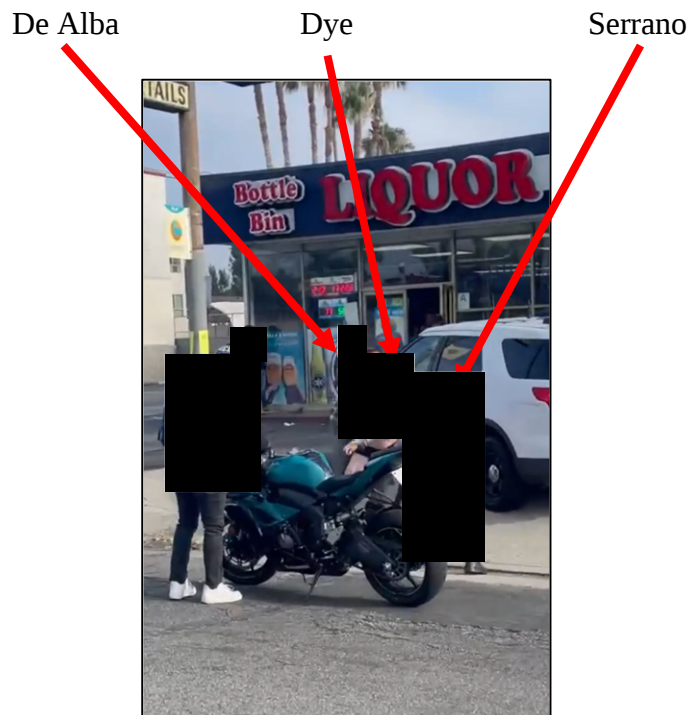


Cropped still video frame showing De Alba grabbing Dye from behind.



Zoomed in and cropped still video frame showing De Alba and Dye on the ground and Serrano running to assist.

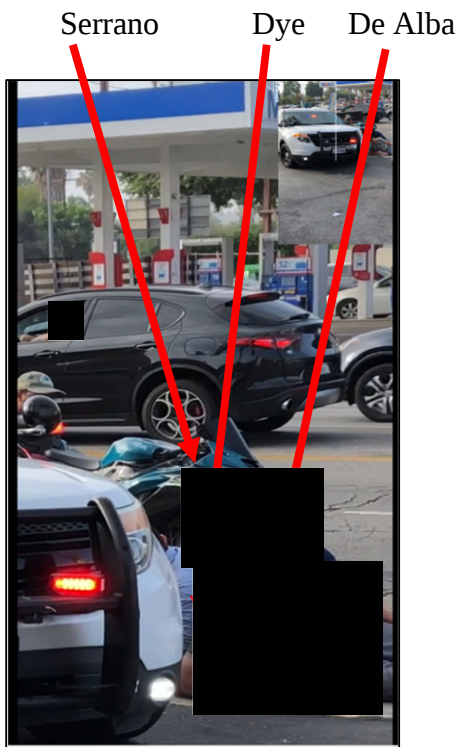
Third-party bystander video captured portions of the incident.



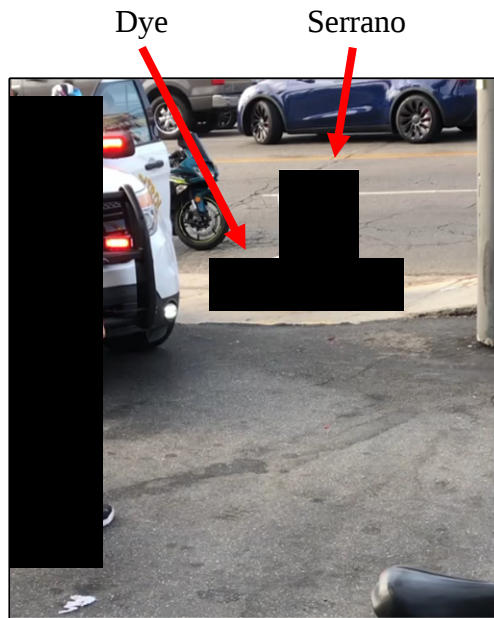
Still frame from third-party video showing Dye continuing to physically resist Serrano and De Alba.



Still frame from third-party video showing two bystanders assisting De Alba and Serrano.



Zoomed in still frame from third-party video showing De Alba with his arm resting on the ground under Dye's neck.



Zoomed in still frame from third-party video showing Serrano performing CPR.

CORONER'S EXAMINATION

Dr. Matthew Miller of the Los Angeles Department of Medical Examiner-Coroner conducted an autopsy on June 14, 2022. Dr. Miller reviewed video footage of the restraint by Serrano and De Alba. Dr. Miller ascribed the manner of death to be accidental and attributed to drug use. The cause of death was determined to be methamphetamine toxicity. Dr. Miller found dilated cardiomyopathy, hepatic steatosis, and obesity to be contributing conditions not related to the immediate cause of death.⁴ Dr. Miller noted Dye's hyoid bone and larynx were intact and without fracture.⁵ Dr. Miller noted the absence of petechial hemorrhages of the conjunctivae of the eyelids or sclerae.⁶ Dr. Miller found minor trauma consisting of scattered abrasions and contusions. No fatal trauma was observed. Dr. Miller observed Dye had an enlarged heart. Dr. Miller also observed rib fractures consistent with CPR.

Toxicology results from Dye's blood and urine showed the presence of methamphetamine, amphetamine, THC, and cocaine metabolites.

LEGAL ANALYSIS

Assault Under Color of Authority – PC 149

Unlawful use of excessive force, in violation of Penal Code Section 149, occurs when an officer uses more force than is necessary under the circumstances. *People v. Mehserle* (2012) 206

⁴ Dilated cardiomyopathy refers to a heart condition where the chambers of the heart enlarge and weaken, impairing the heart's ability to effectively pump blood. Hepatic steatosis refers to fatty liver disease.

⁵ The hyoid bone and larynx are located in the neck area. Fractures can be indicative of asphyxiation.

⁶ Petechial hemorrhages can be indicative of positional asphyxiation.

Cal.App.4th 1125, *People v. Lewelling* (2017) 16 Cal.App.5th 276. This is an objective test based on a reasonable officer.

“An officer may use reasonable force to make an arrest, prevent escape or overcome resistance, and need not desist in the face of resistance.” *Munoz v. City of Union City* (2004) 120 Cal.App.4th 1077, 1102. “Unlike private citizens, police officers act under color of law to protect the public interest. They are charged with acting affirmatively and using force as part of their duties, because the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it.” *Ibid.* (citations and internal quotations omitted). When protecting the public peace, a police officer “is entitled to the even greater use of force than might be in the same circumstances required for self-defense.” *Id.* “The question is whether a peace officer’s actions were objectively reasonable based on the facts and circumstances confronting the peace officer.” *Id.*, at 1102. “The test is highly deferential to the police officer’s need to protect himself and others.” *Ibid.*

Serrano and De Alba both used force upon Dye. De Alba pulled Dye to the ground from behind as Dye was pounding on the patrol vehicle window and used physical force to control Dye on the ground. De Alba further encircled Dye’s neck with his right arm while Dye was lying prone on the ground. Serrano jumped on Dye’s back and used his weight to control Dye’s hips and legs while Dye was lying prone on the ground.

Serrano and De Alba were confronted with an extremely aggressive man, clothed only in underwear, who had ignored their commands to stop and instead aggressively pounded on their patrol car window. The officers had previously observed Dye assaulting multiple civilians. Dye threatened to kill Serrano. He also physically resisted both Serrano and De Alba, necessitating the intervention of two bystanders to control him. Although not witnessed by Serrano and De Alba, Dye carjacked a vehicle at gunpoint several minutes earlier.

There is no evidence the force used by Serrano and De Alba caused Dye’s death. The medical examiner ascribed the cause of death to methamphetamine intoxication and ruled the manner of death accidental. The medical examiner noted no petechial hemorrhages of the conjunctivae of the eyelids or sclerae, or fractures of Dye’s hyoid bone or larynx injuries one would expect if the use of force contributed to Dye’s death. Under the totality of the circumstances, Serrano and De Alba used force that was reasonable and necessary and did not cause injuries or death to Dye. Therefore, Serrano and De Alba are not criminally liable for a violation of PC section 149.⁷

CONCLUSION

The evidence examined in this investigation shows Officers Serrano and De Alba used reasonable force in their efforts to detain Dye.

⁷ Serrano and DeAlba’s reasonable use of force in detaining Dye, coupled with the fact that evidence does not show their force caused Dye’s death, forecloses any potential culpability for involuntary manslaughter in violation of Penal Code Section 192(b).